



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-37-18

May 3, 2019

Application Information

Proposal:	Construct an accessory structure with metal siding and roof. The structure is 42 feet x 24 feet with 12-foot walls with a total height of 14 feet.
Review Body:	Staff (Type I-L review)
Property Owner/Applicant:	Nick Gasperino; 503 13 th Avenue NE, Albany, OR 97321
Address/Location	503 13 th Avenue NE
Map/Tax Lot:	Benton County Assessor's Map No. 10S-03W-31DC; Tax Lot 200
Zoning:	Residential Single Family (RS-6.5) District
Overlay Districts:	Floodplain
Total Land Area:	.31 acres
Existing Land Use:	Residential
Neighborhood:	North Albany
Surrounding Zoning	North: Residential Reserve (RR) District East: RR South: RR West: RR
Surrounding Uses:	North: Single-family residence East: Single-family residence South: Single-family residence West: Single-family residence

Summary

On October 4, 2018, the applicant submitted a Site Plan Review application to construct a residential accessory structure on developed property addressed 513 13th Avenue NE (Attachment A). City staff completed a review of the application and found it incomplete on November 2, 2018. The application fee was paid on March 8, 2019, and the applicant provided the final requested materials on April 5, 2019. City staff completed a review of the application on the same day and found it complete.

The proposed accessory structure is 1,008 square feet (42 feet x 24 feet) with a wall height of 12 feet and an overall height of 14 feet (Attachment C & D). The structure is located in the northeast corner of the property and accessed via an existing driveway along the east side of the house and a proposed gravel driveway extension leading to the structure. The structure will have green metal siding and a black metal roof.

The property is zoned Residential Reserve Single Family (RR). Accessory buildings in residential districts that are 750 square feet or larger or have walls taller than 11 feet are allowed outright in the RR zone if they meet compatibility standards in Section 3.080(9) of the Albany Development Code (ADC). If all the compatibility standards are not met, approval of a Site Plan permit is required.

The application materials demonstrate that the proposed accessory structure satisfies applicable RR district development standards, such as those relating to setbacks, lot coverage, and maximum building height. However, the proposed structure does not meet standards in ADC 3.080(9)(e) regarding building material compatibility. Because this standard is not satisfied, the proposed accessory structure is required to be evaluated for conformance with the applicable Site Plan Review criteria in Section 2.450 of the ADC.

The analysis in this report finds that all applicable standards and criteria for a Site Plan Review permit are satisfied.

Notice Information

A Notice of Filing was mailed to property owners located within 100 feet of the subject property on April 9, 2019. No comments were received during the 14-day comment period.

Analysis of Development Code Criteria

Section 2.450 of the Albany Development Code (ADC) includes the following review criteria that 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 and Conclusions

Sanitary Sewer

- 1.1 City utility maps show no public sanitary sewer main in this area. The existing house on the property is served by a private septic system.
- 1.2 The applicant is not proposing to install plumbing in the accessory structure.

Water

- 1.3 City utility maps show an 8-inch public water main in 13th Avenue. The existing house on the property is connected to the public water system.
- 1.4 The applicant is not proposing to install plumbing in the accessory structure.

Storm Drainage

- 1.5 City utility maps shown no piped public storm drainage facilities in 13th Avenue adjacent to the subject property.
- 1.6 Because the subject property is less than one acre, no storm water quality facilities will be required with this development.
- 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.
- 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. Roof drains shall be discharged to a collection system approved by the City Engineer and/or the Building Official.

Conclusions

- 1.1 The applicant is not proposing to install plumbing in the proposed structure.
- 1.2 Storm water quality facilities will not be required for the proposed development.
- 1.3 The applicant must submit a drainage plan with building permits to show how roof drains will be discharged to an approved location.
- 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.

Findings of Fact and Conclusions

- 2.1 Section 12.45.030 of the Albany Municipal Code states that a post-construction stormwater quality permit shall be obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than one acre, including all phases of the development (Ordinance 5841).
- 2.2 The applicant's submittal indicates that the subject site is 7,707 square feet.
- 2.3 Section 12.45.040 of the Albany Municipal Code (AMC) states that development may be exempted from a post-construction stormwater quality permit if the development creates and/or replaces less than 8,100 square feet of impervious surface, cumulatively.

- 2.4 According to the applicant's site plan, the proposed accessory building totals 1,008 square feet and the proposed driveway extension totals 800 square feet, which when combined is less than the maximum allowed for an exemption from the AMC standards.

Conclusions

- 2.1 The proposed development is exempt from the City's Storm Water Quality requirements.
- 2.2 This criterion is met without conditions.

Criterion 3

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

Findings of Fact and Conclusions

- 3.1 The proposed accessory building will be constructed on property that is located on the north side of 13th Avenue NE (Attachment A). Access to the property is from 13th Avenue via an existing curb cut and driveway. No changes are proposed to the location or width of the existing curb cut or driveway (Attachment C).
- 3.2 13th Avenue is classified as a local residential street and is constructed to city standards with the exception of sidewalk.
- 3.3 Trip generation for single-family residential development is based on the number of dwelling units. This accessory building will not increase the number of dwelling units located on the site.
- 3.4 Albany's Transportation System Plan (TSP) does not identify any level of service or safety problems along the frontage of the site.

Conclusions

- 3.1 Because no additional dwelling units are proposed, an increase in vehicle trip generation is not anticipated.
- 3.2 This review criterion is met without conditions.

Criterion 4

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

Findings of Fact and Conclusions

- 4.1 The proposed accessory building will be constructed on property that is located on the north side of 13th Avenue NE. Access to the property is from 13th Avenue via an existing curb cut and driveway. No changes are proposed to the location or width of the existing driveway or curb cut.
- 4.2 The Albany Development Code does not specify a parking requirement for residential accessory structures except for accessory dwelling units.
- 4.3 ADC 12.100 contains standards regarding the design and placement of driveways. For that portion located in the public right-of-way, residential driveways must be at least 10 feet in width and can have a maximum width of 24 feet. Lots can have more than one driveway connection if a minimum separation of five feet between driveways can be achieved.

- 4.4 The applicant's site plan (Attachment C) indicates that the existing driveway is approximately 20 feet wide at the point of the curb cut. The driveway widens to approximately 40 feet once it extends behind the public right-of-way.
- 4.5 ADC 12.100(1) requires that approaches and driveways to city streets and alleys must comply with the City's Standard Construction Specifications, which require, in part, that driveways be paved at least 20 feet as measured from the public right-of-way. The existing driveway is paved at least 20 feet from the public right-of-way. The proposed gravel driveway extension is located further than 20 feet from the city street. Therefore, both the existing and proposed driveway meet this standard.
- 4.6 ADC 12.100(3) requires driveways to be located as far as practical from a street intersection and that in no instance shall the distance from the intersection of a local street be less than 10 feet. The existing driveway is located approximately 95 feet from the closest intersection of 13th Avenue and Cloverdale Drive, both of which are local streets. Therefore, this standard is met.
- 4.7 ADC 3.250 states that "...driveways or travel aisles for residential development shall not be located in a required front or interior setback..." The subject property is located in the Residential Reserve district. The required front setback is 20 feet and the required interior setback is 5 feet. The proposed driveway extension is located 5 feet from the interior east property line and therefore satisfies setback requirements. No changes are proposed to the existing driveway.

Conclusions

- 4.1 No changes are proposed to the existing curb cut or driveway.
- 4.2 The existing driveway is paved at least 20 feet from the public right-of-way.
- 4.3 The proposed driveway complies with the setback standards found in ADC 3.250.
- 4.4 The review criterion is met without conditions.

Criterion 5

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

Findings of Fact and Conclusions

- 5.1 Residential accessory structures not meeting compatibility standards require Site Plan Review. The proposal does not meet compatibility standard ADC 3.080(9)(e) regarding building material compatibility and therefore requires site plan approval.
- 5.2 Properties within the immediate vicinity of this proposal are predominantly one-story, single-family residences with attached garages. Additionally, properties addressed 1344 and 1348 Mayview Drive, both of which abut the subject property to the north, have accessory structures that are approximately 750 square feet and 1,500 square feet, respectively.
- 5.3 Houses in the vicinity have a diverse mixture of siding, including wood and vinyl lap siding, board and batten, and T1-11. Houses in the vicinity are predominately shingled. The proposed accessory structure would utilize metal siding with a metal roof. Although metal siding and roofing are not common in the vicinity, no public comments were received regarding the compatibility of the proposed siding and roofing material.

- 5.4 The applicant has proposed green siding and a black roof. These colors are generally compatible with other primary and accessory structures in the neighborhood.
- 5.5 The proposed structure is 16 feet tall at the peak of the roof with a dimension of 42 feet long by 24 feet wide for a total floor area of 1,008 square feet. According to the applicant's Residential Accessory Structure Compatibility Worksheet (Attachment B), the height of the tallest building on the adjacent property is 20 feet tall and is located at 514 13th Avenue NE. The applicant also indicated that the foundation of the largest building on the adjacent property is 2,253 square feet and is also located at 514 13th Avenue NE.
- 5.6 The proposed accessory structure is both shorter than the tallest adjacent building and has a smaller foundation footprint than the largest adjacent building. Therefore, the proposed accessory structure meets these compatibility standards.
- 5.7 Maximum lot coverage is 50% for parcels that are less than 20,000 square feet and zoned Residential Reserve. Lot coverage for single-family, detached development shall only include the area of the lot covered by buildings and structures. The subject property is approximately 13,500 square feet. According to Benton County Tax Assessor records, the existing primary residence is 2,052 square feet. When factoring in the proposed 1,008 square-foot accessory structure, the combined structures total a footprint of 3,060 square feet. This equates to a lot coverage of approximately 23 percent, well within the lot coverage standard. Therefore, this standard is met.
- 5.8 The RR zone has a minimum front setback of 20 feet and in an interior setback of 5 feet for one-story dwellings. Garages must be setback 20 feet from the front property line. Per ADC 3.230, Table 2, detached accessory structures with walls greater than 8 feet require a setback of 5 feet. The proposed accessory structure would have a front setback of approximately 90 feet and an interior setback of no less than 5 feet from the east and north property lines. Therefore, these standards are met.

Conclusions

- 5.1 Residential accessory structures not meeting compatibility standards require Site Plan Review.
- 5.2 The proposal meets the development standards for the RR zone regarding maximum height, lot coverage and setbacks.
- 5.3 The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses.
- 5.4 The proposed accessory structure is shorter than the tallest building on adjacent property and has a smaller foundation footprint than the largest building on adjacent property.
- 5.5 This criterion is met without conditions.

Criterion 6

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

Findings of Fact and Conclusions

- 6.1 *Article 4 Airport Approach district:* According to Figure 4-1 of the Albany Development Code, the subject property is not located within the Airport Approach District.

- 6.2 *Article 6 Steep Slopes, Comprehensive Plan Plate 7:* 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. 41043C0213H, dated December 8, 2016, shows that the subject property is located in Zone AE, an area determined to be within the Special Flood Hazard Area (otherwise known as the 100-year floodplain). At the time of building permit, the applicant will need to meet the floodplain building standards under ADC 6.120 and ADC 6.121. For example, the applicant will need to provide elevation certificates, incorporate flood-vents in the proposed structure and record a non-conversion agreement. These standards are included as a condition of approval (below).
- 6.4 *Article 6 Wetlands, Comprehensive Plan Plate 6:* does not show any wetlands on the subject site. The National Wetland Inventory Map does not show wetlands on the property.
- 6.5 *Article 7 Historic Districts, Comprehensive Plan Plate 9:* shows the subject property is not in one of Albany's historic districts. There are no known archaeological sites on the property.

Conclusions

- 6.1 The proposed structure is located in the 100-year floodplain. At the time of building permit, the applicant will need to comply with the floodplain development building standards of the code.
- 6.2 The proposed structure is not located in any of the other special purpose districts.
- 6.3 This criterion is met with the following condition.

Condition

- Condition 1. Prior to issuance of a building permit, the applicant shall meet the floodplain building standards under ADC 6.120 "Building Standards" and ADC 6.121 "Flood Hazard Reduction Standards for Structures."

Criterion 7

The site is in compliance with prior land use approvals.

Findings of Fact and Conclusions

- 7.1 The site does not have any prior land use approvals.
- 7.2 This criterion is not applicable.

Criterion 8

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

Findings of Fact and Conclusions

- 8.1 Single-family residential uses and accessory buildings are allowed uses in the RR zone. The site and uses are not considered nonconforming.
- 8.2 This criterion is not applicable.

Overall Conclusion

This report evaluates the applicant's Site Plan Review permit application to construct a 1,008 square foot residential accessory building with a wall height of 12 feet and an overall height of 14 feet at the peak of the roof. The proposed development meets all applicable site plan review criteria with the following conditions.

Conditions of Approval:

- Condition 1 Prior to issuance of a building permit, the applicant shall meet the floodplain building standards under ADC 6.120 "Building Standards" and ADC 6.121 "Flood Hazard Reduction Standards for Structures."
- Condition 2 Development shall occur consistent with the plans and narrative submitted by the applicant, or as modified by conditions of approval and shall comply with all applicable state, federal and local laws.

Attachments

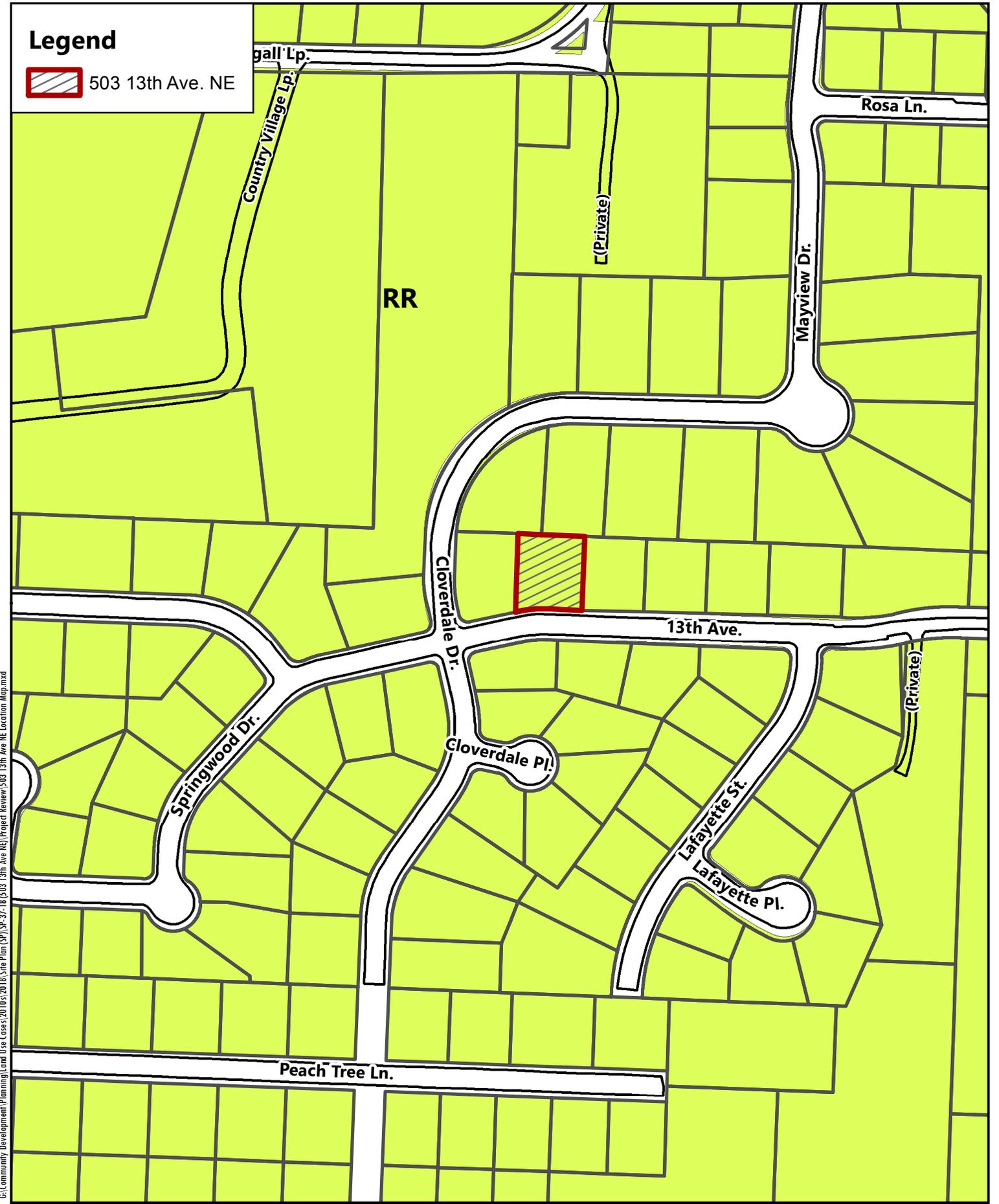
- A Location Map
- B Residential Accessory Building Compatibility Worksheet
- C Site Plan
- D Elevation Drawing

Acronyms

ADC	Albany Development Code
AMC	Albany Municipal Code
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
RR	Residential Reserve Zoning District
SP	Site Plan Review (SP-37-18)
TSP	Albany's Transportation System Plan

Legend

 503 13th Ave. NE



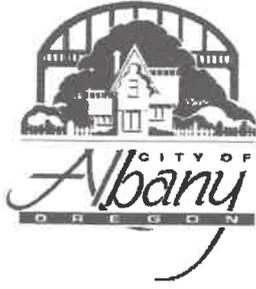
G:\Community Development\Planning\Land Use Cases\2010s\2018\Site Plan (SP), SP-37-18 (013, 13th Ave. NE) Project Review\503 13th Ave NE Location Map.mxd



Date: 10/12/2018 Map Source: City of Albany

503 13th Ave. NE

Location / Zoning Map



COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division
P.O. Box 490
333 Broadalbin Street SW
Albany, OR 97321
Phone 541-917-7550
Fax 541-917-7598
www.cityofalbany.net

Residential Accessory Structure Compatibility Worksheet

For proposed detached structures 750 sq. ft. or larger and/or with walls taller than 11 feet.

This handout addresses land use planning issues. Building Permits are required for any residential accessory structure larger than 200 square feet.

Property Owner (print): Patrica Gibson
Property Address: 503 13th Ave N.E. Albany OR 97321
Assessor's Parcel Map No: 10331DC00200 Tax Lot(s): 200
Zoning District: Residential
Intended Use of the Structure: Accessory Structure

The Albany Development Code allows **attached** additions to a residence without limiting size or wall height outright; subject to meeting the applicable development standards (see Table 1).

A **detached** accessory structure also is allowed outright if it can meet the applicable development standards (see Table 2) and the total square footage of the proposed structure is **less than** 750 square feet and the wall height does not exceed 11 feet. If the size would be larger or the walls taller, the structure may be allowed without a land use review, if it meets all of the established compatibility thresholds listed below. [Albany Development Code 3.080(9)]

Other considerations related to an accessory structure include the location of existing easements, septic tanks, drain fields, wells; access (existing and proposed); and whether trees would be removed (number and diameter of the trunks). You must include information about these items on a site plan drawing submitted with this worksheet.

Don't Forget! To support the information below, attach a scale drawing of your property showing and labeling the location of all existing and proposed buildings and a scale drawing of each elevation of the proposed building. Include distances (in feet) between all structures and between all structures and property lines.

Fill in the explanation area after each question below. If you answer "no" to Questions 1, 2, or 3, or "yes" to Questions 4 or 5, the structure will not be considered compatible. Question 6 calls your attention to special construction standards that will apply in all cases if the property is located in a Special Purpose District, such as the 100-year floodplain. In addition to answering the questions, you must attach a site plan of the property and elevation drawings of the proposed building to the worksheet.

If the structure cannot meet all of the compatibility standards, you may either alter the building to meet them or submit a Site Plan Review Accessory Building application to the Planning Division. This plan review typically takes 6 to 8 weeks to process, and requires additional paperwork and a non-refundable review fee. A Notice of Filing will be sent to property owners within 100 feet of your property giving them an opportunity to comment on the project. Filing an application does not guarantee approval.

Question #1: Will the roof and siding materials and colors on the proposed building be the same as those on the primary residential structure on the site? Yes No

• Fill out (a) and (b) to demonstrate this standard would be met:

a) The building materials and colors of the proposed accessory building will be:

Materials: Siding: Metal Roof: Metal
 Colors: Siding: Green Roof: Black

b) The building materials and colors of the primary residential structure on the property are (or will be as part of this project):

Materials: Siding: wood Roof: Black Shack Roof
 Colors: Siding: Green Roof: Black

Question #2: If the proposed accessory building were built, would the percentage of lot coverage be the same as or less than the percentage allowed in the applicable zoning district? (See Table 1) Yes No (you may not exceed the lot coverage threshold by site plan review.)

• Fill out a) through d) to demonstrate this standard would be met:

a) The maximum lot coverage allowed in the RR zoning district is 50 percent.

b) Total land area of the property is 13,503 sq. ft.

c) The foundation (footprint) size of each building on the property is:

Primary residence: 1611 sq. ft.

Proposed building: 1,008 sq. ft.

Other structures: none sq. ft., none sq. ft., none sq. ft.

Total foundation area of all structures on the property: 2,759 sq. ft.

d) Percentage of building coverage on this lot after construction of the proposed accessory building would be 20 percent. (To calculate this percentage, divide the total foundation area of all structures (c) by the total land area of the property (b). This number cannot be larger than (a).)

Question #3: Will the proposed accessory building meet the minimum setback requirements for the primary residential structure? (see Table 1) Yes No

• Fill out a) and b) to demonstrate this standard would be met:

a) The minimum setbacks from property lines for the primary structure in this zone are:

Front: 20 ft. Sides and rear, single-story: 5 ft., or two-story: 8 ft.

b) The setbacks from the property lines for the proposed accessory building are:

Front: 107 ft. Sides and rear, single-story: 5 ft., or two-story: NA ft.

Question #4: Will the proposed building be taller than the tallest building on adjacent property? Yes _____ No (Height in this case is measured to the highest point on the structure. "Adjacent" means any property bordering the property on which the accessory structure would be built or across an adjacent street.)

• Fill out a) through c) and attach a drawing showing the location of the tallest building on adjacent property in relation to your property.

- a) The total height of the proposed accessory building is 14 feet.
- b) The wall height of the proposed accessory building is 12 feet.
- c) The height of the tallest building on adjacent property is 20 feet, and it is located at (address) 514 13th AVE Albany OR 97321.

Question #5: Will the area of the proposed building's foundation be larger than the area of the foundation of the largest building on adjacent property? Yes _____ No

• Fill out (a) and (b) to demonstrate this standard would be met:

- a) The area of the proposed accessory building's foundation is 1008 sq. ft.
- b) The area of the foundation of the largest building on adjacent property is 2,253 sq. ft. (include attached garages). The address of this building is 514 13th AVE; currently occupied by Mr./Ms. Ed Cardwell, phone _____.

Question #6: Is this property located in any of the following Special Purpose Districts listed in Articles 6 and 7 of the Development Code? Yes No _____ (The text of the Albany Development Code is on the City's website: www.cityofalbany.net)

Check the district(s) that apply to this property.

- Airport Approach District (Near the Albany Municipal Airport located east of the I-5 freeway)
- Floodplain District (Property is located within a 100-year floodplain)
- Hillside Development District (Property has slopes greater than 12%)
- Historic District (Monteith, Hackleman, or Downtown districts)
- Willamette Greenway (Property is located near the Willamette River)

If the property is in one of the special districts, have you researched the construction regulations of the special district and determined that the proposed building can meet the standards of the district(s)? Yes No _____ (Regardless of approval to allow an oversized accessory structure, you must be able to construct the proposed building in accordance with the regulations of the applicable special district.)

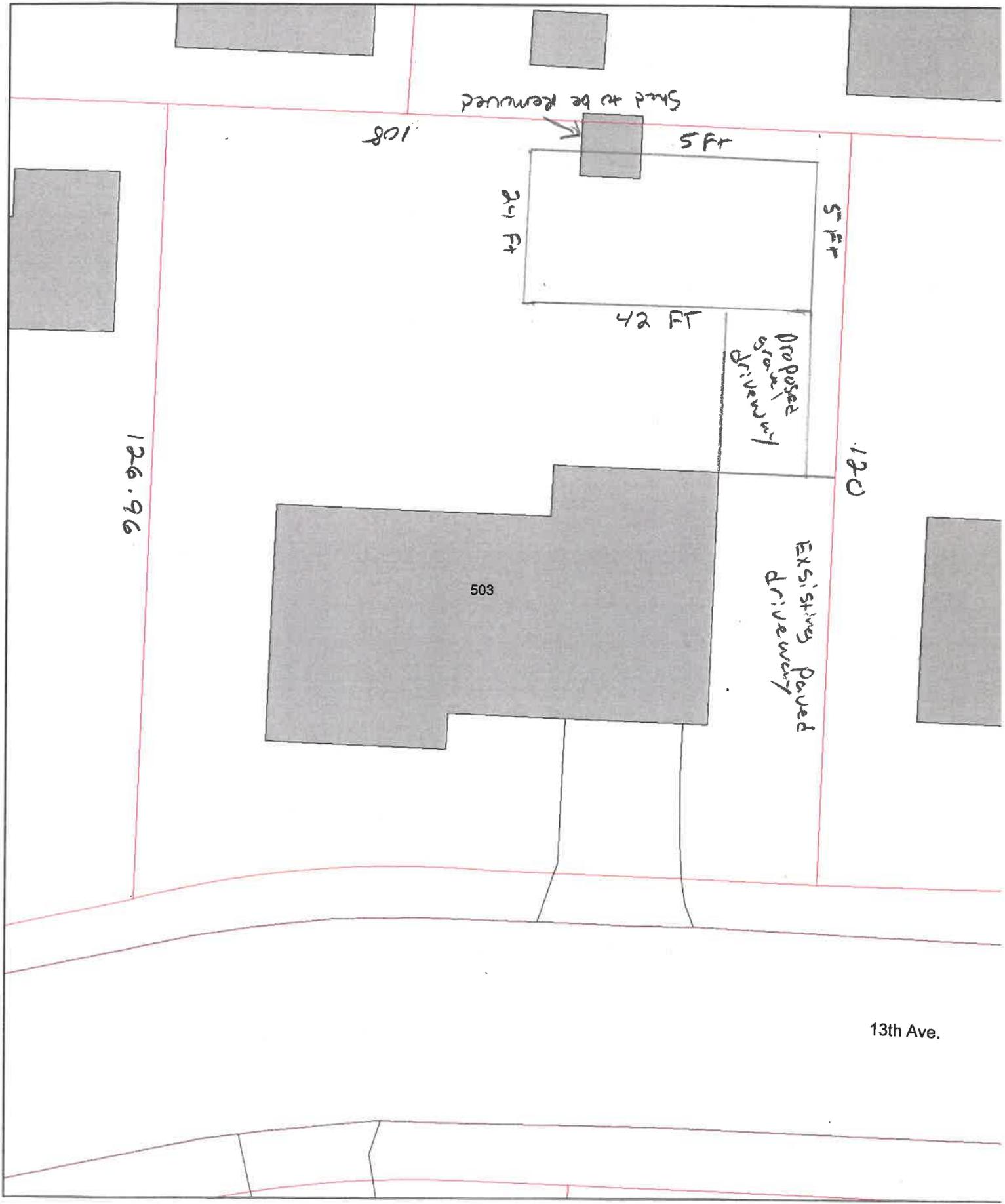
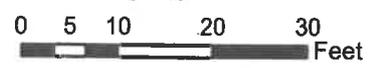
Patricia Gibson
Property Owner's Signature

Oct-1-18
Date

Patricia Gibson
Print Property Owner's Name

541-619-7829
Daytime Phone

Fax No. or e-mail address



Shed to be removed

108

5 Ft

21 Ft

5 Ft

42 FT

Proposed
gravel
driveway

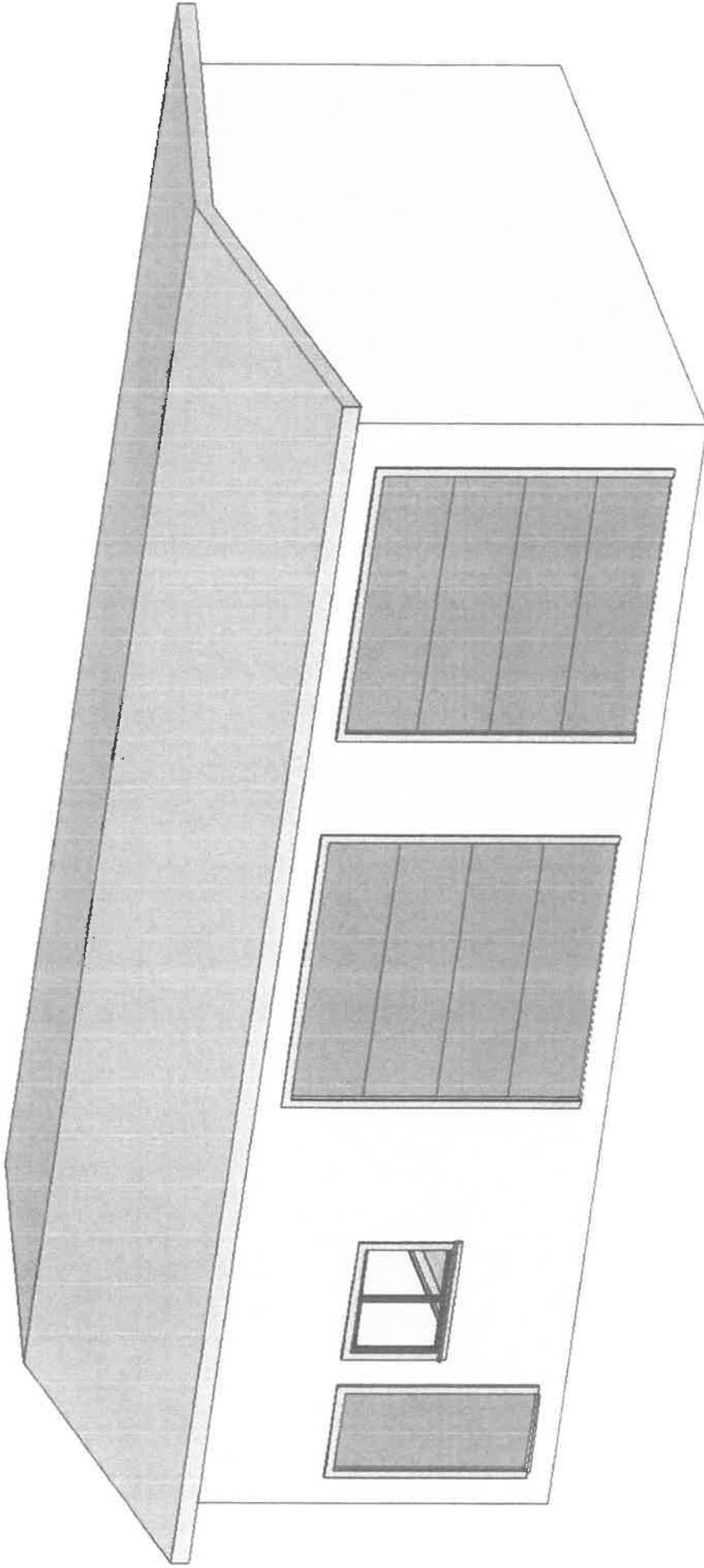
120

126.96

503

Existing Paved
Driveway

13th Ave.



Proposed materials + color:

Siding: Metal, green

Roof: Metal, black

Size: 42' x 24'
1,008 sqft