



## COMMUNITY DEVELOPMENT DEPARTMENT

333 Broadalbin Street SW, P.O. Box 490  
Albany, OR 97321

Ph: 541-917-7550 Fax: 541-917-7598  
[www.cityofalbany.net](http://www.cityofalbany.net)

### NOTICE OF FILING

DATE OF NOTICE: November 1, 2016

FILE: WG-01-16

TYPE OF APPLICATION: Willamette River Greenway Review for construction of home expansion within the Willamette River Greenway overlay district.

REVIEW BODY: Staff (Type II process)

PROPERTY OWNER & APPLICANT: Bob Nelson, 325 Sherman Street NE, Albany, OR 97321

REPRESENTATIVE: Jason Cota, K & D Engineering, 276 Hickory Street, Albany, OR 97321

ADDRESS/LOCATION: 325 Sherman Street NE

MAP/TAX LOT: LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-06DA TAX LOT 4902

ZONING: R-6.5 (Single Family Residential) District

The City of Albany has received the application referenced above. We are mailing notice of this application to property owners within 200 feet of the development. We invite your written comments on these applications to be considered when staff makes a decision on these applications. Your comments must relate to the approval standards listed below. Issues which may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing and with sufficient detail to allow the City to respond to the issue. The deadline for submission of written comments is 5:00 p.m. on **November 14, 2016**, 14 days from the date the City mails the Notice of Filing.

All application materials are available for review at the Planning Division, and copies can be obtained for a minimal charge. Should you wish to discuss this case with a planner, please visit our office or call Melissa Anderson, Project Planner, at 541-917-7550. Submit any written comments to the Planning Division; P.O. Box 490; Albany, OR 97321. Any person submitting written comments will receive a copy of the Notice of Decision.

#### APPROVAL STANDARDS FOR THIS REQUEST:

#### WILLAMETTE RIVER GREENWAY, ALBANY DEVELOPMENT CODE (ADC 6.540)

Criteria: An application for a Willamette River Greenway use development will be granted if the review body finds that the proposal conforms to the following applicable criteria:

- (1) Lands designated on the Comprehensive Plan as Open Space are preserved and maintained in open space use.
- (2) Significant air, water, and land resources including, but not limited to, natural and scenic areas, viewpoints, vistas, fish and wildlife habitats in and adjacent to the Willamette River Greenway are protected, preserved, restored, or enhanced to the maximum extent possible.
- (3) Areas of annual flooding, floodplains, and wetlands are preserved in their natural state to the maximum possible extent to protect water retention, overflow, and other natural functions.
- (4) The natural vegetative fringe along the river is maintained to the maximum extent that is practical in order to assure scenic quality, protection of wildlife, and protection from erosion.
- (5) The harvesting of timber will be done in a manner which ensures that wildlife habitat and the natural scenic qualities of the Willamette River Greenway are maintained or will be restored.

- (6) The proposed development, change, or intensification of use is compatible with existing uses on the site and the surrounding area and provides the maximum possible landscaped area, open space, or vegetation between the activity and the river.
- (7) Extraction of aggregate deposits shall be conducted in a manner designed to minimize adverse effects on water quality, fish and wildlife, vegetation, bank stabilization, stream flow, visual quality, noise and safety, and necessary reclamation will be guaranteed.
- (8) Any public recreational use of facility will be developed, maintained, and operated in such a way as to minimize adverse effects on adjacent properties.
- (9) Building setbacks from the floodway line shall be determined by the setback and height plane as defined in Sections 5.200 and 5.205 of this Code.
- (10) Public access will be provided to and along the Willamette River by appropriate legal means for all development in conformance with plans approved by the City.

**SPECIAL WILLAMETTE RIVER SETBACK & HEIGHT RESTRICTIONS (ADC 3.310)**

**Special Willamette River Setback & Height Restrictions.** Except for water-related and water-dependent uses (see definitions Article 22), all construction must be located outside the floodway line as defined for a 100-year storm. Development structure heights and setbacks south of the Willamette River shall not extend above a plane, which begins at the floodway line and extends directly south, unless the property is exempt in Section 5.207.

The angle of this plane shall be as follows:

- (1) For river-oriented uses, the angle shall be 30 degrees.
- (2) For non river-oriented uses, the angle shall be 15 degrees.

ADDITIONAL REVIEW STANDARDS FOR THIS CONDITIONAL USE REVIEW ARE FOUND IN ALBANY DEVELOPMENT CODE ARTICLES 1, 2, 3, & 6

Attachment: Site Plan

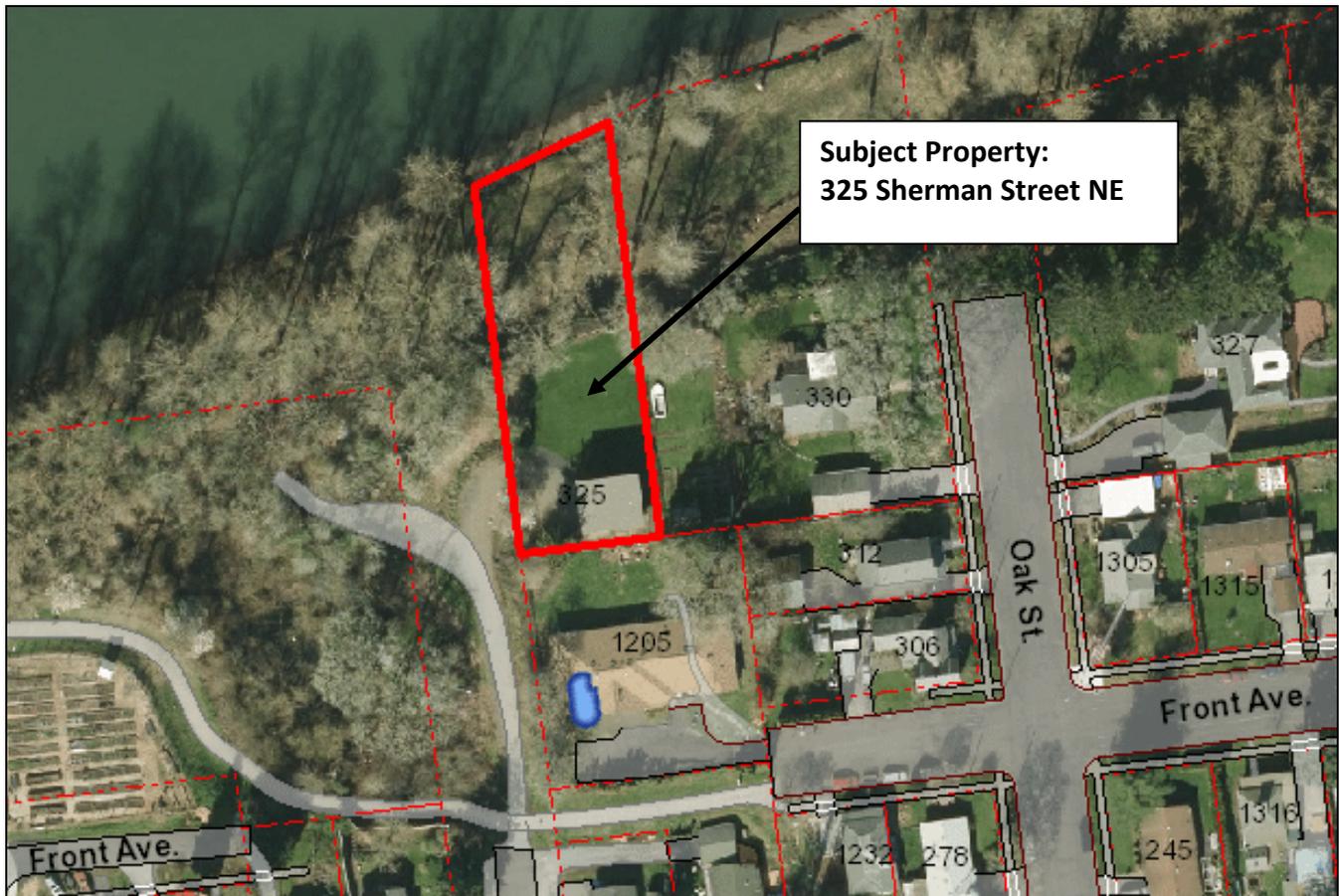
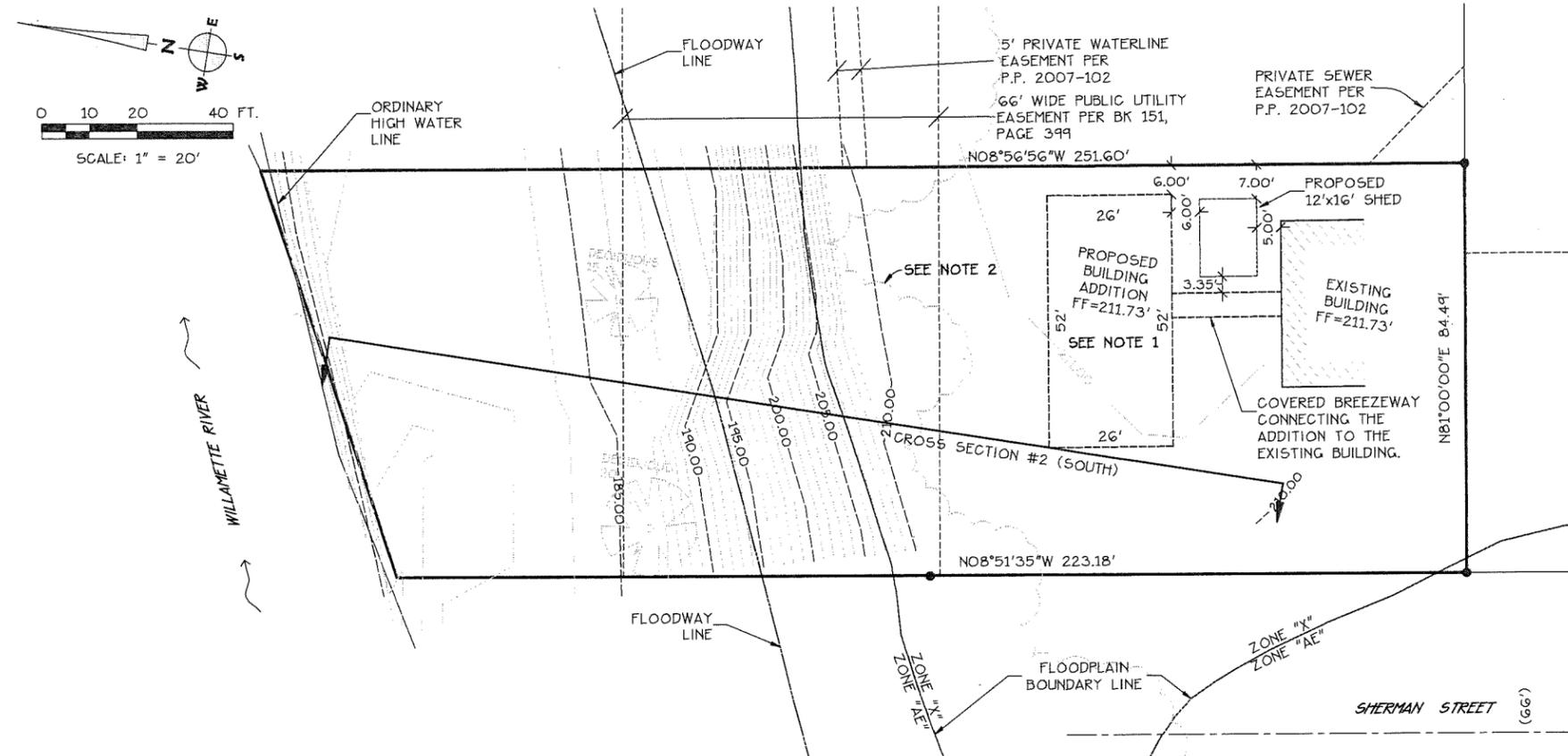


EXHIBIT MAP  
 WILLAMETTE GREENWAY SETBACK  
 FOR  
**BOB NELSON**  
 LOCATED AT  
 325 SHERMAN STREET  
 ALBANY, OREGON 97322  
 OCTOBER 3, 2016



**ELEVATION + FLOODPLAIN NOTES:**

- 1) VERTICAL DATUM = NAVD 88
- 2) PROPOSED ADDITION IS LOCATED IN "X" FLOOD ZONE.
- 3) ADJACENT 100 YEAR BFE = 203.8 FEET PER FEMA FIRM MAP 41043C/O214G
- 4) LOWEST GROUND ELEVATION AT PROPOSED BUILDING ADDITION IS 210.8'

**NOTES:**

- 1) THE NORTH SIDE OF THE PROPOSED ADDITION CANNOT EXCEED 49 FEET NORTH OF THE EXISTING RESIDENCE.
- 2) EXISTING DRIPLINE OF TREES AND BRUSH ALONG TOP OF BANK.

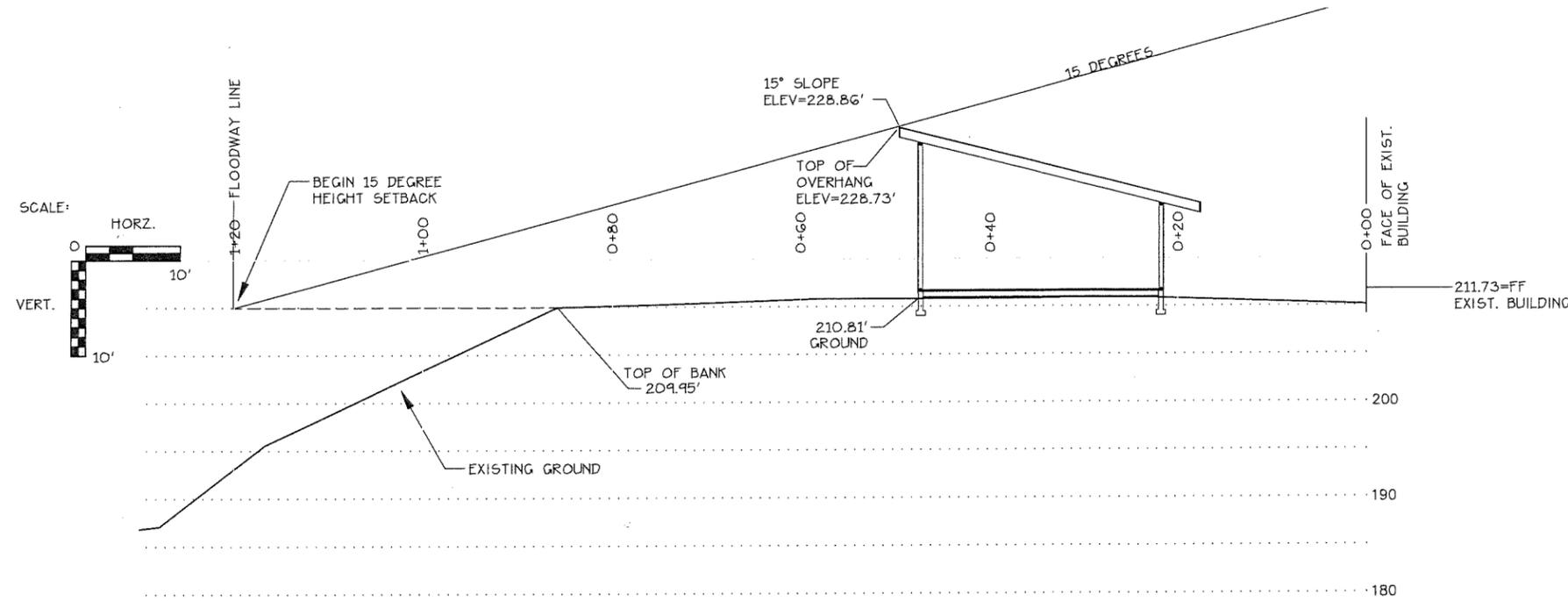
**PROPERTY INFORMATION**

OWNER:

ROBERT + PAMELA NELSON  
 325 SHERMAN STREET  
 ALBANY, OR. 97322

TAX LOT 4902, MAP 115-03W-06DA

ZONE: R5-G.5 RESIDENTIAL SINGLE FAMILY  
 (6-8 UNITS PER ACRE)



**CROSS SECTION #2**

SCALE: AS SHOWN

**K & D ENGINEERING, Inc.**  
 276 N.W. Hickory Street P.O. Box 725  
 Albany, Oregon 97321  
 (541) 928-2583

Date: 10/3/2016 Time: 13:10  
 Scale: 1"=10'(PS)  
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