

Mayor's Business Ready Task Force Minutes
October 2, 2012
2:00 – 5:00 PM Municipal Court Room
Albany City Hall, 333 Broadalbin St. SW, Albany

Members: Sharon Konopa, Jeff Christman, Arthur Meeker, John Pascone, Dave Reece, Rob Richards, Dala Rouse, Janet Steele

Members Oscar Hult, Jessica Pankratz, Mark Spence, Ron Reimers

Absent:

Staff: Wes Hare, Heather Hansen, Anne Catlin, Tari Hayes

Guests: Richard Berger, Realtor's Association; Rich Kellum

1. Business from the Public - None
2. Existing Buildings; Infill & Redevelopment

Existing Buildings

There has been increased interest in using vacant industrial buildings for commercial uses, and the options are limited. Albany Development Code (ADC) revisions need to balance the desire to use vacant buildings with the need to maintain an inventory of industrial properties to meet the Statewide Planning Goals. The Oregon Department of Transportation (ODOT) also has a stake in land uses through the Transportation System Plan (TSP) used to ensure adequate street system capacity through the TSP horizon year.

Staff consulted with staff at the state and found out that commercial uses could be allowed in existing industrial buildings. The proposal is to allow more commercial uses through a conditional use process as long as additional standards are met, including that the building and site are not altered in a manner that would discourage or preclude conversion back to an industrial use, e.g., removal of loading docks, rail spurs; and that the site has adequate parking, or that adequate parking will be added.

Rouse asked if there would be a 5-year limit. Hansen responded no. She noted that uses would have to comply with building codes.

Steele asked who determines adequate parking. The ADC includes tables of parking requirements by use.

Reece asked if there were ODOT requirements for properties next to ODOT roads and would a change of use require a Transportation Planning Rule (TPR) analysis. Catlin stated that she believes that recent amendments to the TRP have resulted in more flexibility with the capacity and amount of trips that could trigger an analysis.

Konopa asked how large the notice area would be for the conditional use review. Staff stated the notice area would be 300 feet. Konopa thought it adequate.

ACTION ITEM: Staff will get clarification on what would trigger a TPR analysis.

Some changes of use may currently trigger costly improvements to nonconforming sites. Staff is recommending that upgrades to existing noncompliant aspects of the site, except for those associated with parking requirements, not be required during a Change of Use of nonconforming site. However, any building code requirements for commercial space would be in effect.

Site Plan Review (SPR) seems unwarranted for some situations and staff recommends processing some of them administratively with a check list in the following situations when it can be demonstrated that code requirements have already been met:

- Additions to an existing building greater than 1,000 square feet.
- Change to a use allowed through SPR
- Change of use in multi-tenant developments with shared parking when the use is allowed through SPR

Non-conforming Situations

Many vacant properties have lost their nonconforming status, making it difficult to find tenants. Staff is proposing to restart the clock on all nonconforming sites, making it easier for the nonconforming situation to continue. Extensions of up to 2 years (3 years total) are already available for vacant properties. Nonconforming status would be reinstated as of the adoption date of the amendments.

Requirements for new development on nonconforming sites are confusing and can be cost-prohibitive. Staff proposes to only require upgrades when a new development is proposed that requires a building permit, and not for changes of use. The City could reduce the list of required upgrades, and allow for the use of the Adjustment or Variance process, if the site makes it difficult to meet the standards.

Rouse asked if an electrical permit would trigger improvements. Discussion ensued.

Reece suggested that a certain percentage of the cost of all building upgrades over \$25,000, including on the interior, be used to make exterior upgrades (landscape, parking).

The City would prioritize the requirements and if the owner couldn't do the first on the list (there's no room, etc) they would move on to the next requirement until the agreed upon improvements are made. The user could also present an alternative plan if one of the requirements would make the property more marketable instead of the priority list.

Parking Requirements

In surveying like communities, some of the City's parking requirements are relatively high. Staff is proposing to relax parking requirements for the many uses, including: furniture, appliance, etc sales, building and farm supplies, offices, medical and dental, retail, and multi-family 3+ bedrooms.

Staff proposes adding parking standards for uses that are not currently addressed such as assisted living, athletic/health clubs, veterinary clinics, coffee kiosks, daycare, etc. When a use is not listed, the Director will determine if the use is similar to any for a listed use. If the use is not, the Director may approve alternative parking standards provided by the applicant from other reliable sources, such as other comparable City parking standards or the Institute of Transportation Engineers (ITE) Parking Generation Manual.

To further reduce on-site parking requirements and to assist with changes of use, staff is proposing to allow on-street parking abutting the development to count towards requirements at a ratio of 1 space for every on-street space (=25 ft of street frontage), for up to 50 percent of the requirement. It would not be allowed within 100 feet of a residential zone.

Other proposed reductions in parking requirements included:

- Remove requirement for parking planter bays if there are less than 5 parking spaces;
- If new use increases need for parking by 1 or 2 spaces, no new spaces are required;
- One space reduction for every tree over 12 inches in diameter that is saved, up to 10 percent of the total requirement;
- Allowing gravel surface parking for "overflow" and temporary/seasonal parking; and
- Reductions for carpooling and other measures to support alternative modes

Richards suggested that gravel parking be allowed in the industrial zones. Discussion ensued over reasons to limit gravel parking to overflow and temporary needs.

Infill & Redevelopment

Development standards, and commercial design standards, in general, can be challenging to meet on small infill sites. Staff researched the size of several infill sites and found that most were less than 1 acre. The recommendation for sites less than 1 acre is to allow a reduction in required parking spaces or flexibility in meeting other standards, such as building design standards through the Adjustment or Variance process in Article 2. (NOTE: The variance or adjustment fee will be waived.)

Incentives for Adaptive Reuse and Infill Downtown.

Recreation and open space requirements can be challenging to meet in an urban setting. Private Open Space (balconies or patios) may not be appropriate in historic buildings and infill in historic districts also proximate to Dave Clark path and Monteith Park. Staff is recommending the following exemptions:

- Exempt new multi-family in the CB, HD, LE, WF and MUR zones from the current open space formula, but to require 1 "urban amenity" (per new list - common room/kitchen, fitness, lobby, rooftop terrace, etc.).
- Exempt new multi-family in CB, HD, LE, WF and MUR zones from children's play area requirements.
- Exempt new multi-family in the HD, CB and LE zones and multi-family on upper floors from entrance standards.

Staff will make necessary revisions and circulate the proposed amendments (in **bold & strike** format) to staff in other departments, and our city attorney, for review prior to releasing them for task force and public review. The taskforce would like to see the changes in a table format (similar to the Issues Matrix), rather than bold and strike language.

3. Next Meeting

The next meeting is scheduled for Tuesday, October 23, 2012. This meeting will be from 2-4 pm. The BRTF may meet jointly with the City Council and Planning Commission to discuss the progress of the taskforce and possible code amendments.

Adjourned at 4:30 p.m.