Monday, April 15, 2019
5:15 p.m.
Council Chambers, City Hall
333 Broadalbin Street SW

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MINUTES
   a. December 3, 2018
   b. January 28, 2019
   c. March 11, 2019

5. SCHEDULED BUSINESS
   a. Business from the Public
   b. Quasi-Judicial Public Hearing (SD-01-19)
      Proposed modification to Tentative Plat approval for the Nature Way Subdivision (file SD-03-18). The proposed modification only relates to the re-location of the stormwater detention and stormwater quality facilities.
   c. Quasi-Judicial Public Hearing (CP-01-19 & ZC-01-19)
      Comprehensive Plan Map Amendment from Light Commercial to General Commercial, and Zoning Map Amendment from Neighborhood Commercial (NC) to Community Commercial (CC), 2000 Queen Avenue SE

6. BUSINESS FROM THE COMMISSION

7. NEXT MEETING DATE: TBD or May 13, 2019

8. ADJOURNMENT

The location of this meeting is accessible to the disabled. If you have a disability that requires accommodation, please notify the City Manager’s Office in advance of the meeting: CMadmin@cityofalbany.net | 541-704-2307 or 541-917-7519.
CALL TO ORDER
Chair Larry Tomlin called the meeting to order at 5:15 p.m.

ROLL CALL
Commissioners Present
Larry Tomlin, Dala Rouse, Diane Hunsaker, JoAnn Miller, Roger Phillips, Cordell Post.

Commissioners Absent
Michael Koos (excused); Daniel Sullivan (excused); one vacancy.

Staff Present
David Martineau, Planning Manager; Joseph Allison, Deputy City Attorney; Anne Catlin, Planner III; Shelley Shultz, Administrative Assistant I; Ron Irish, Transportation Systems Analyst, arrived at 6:45 p.m.

APPROVAL OF MINUTES
Commissioner Post moved to approve the June 18, 2018 and October 15, 2018, Planning Commission minutes as presented. Commissioner Rouse seconded the motion, it passed 6-0.

SCHEDULED BUSINESS
Business from the Public
None.

Quasi-Judicial Public Hearing
Land Use Files CU-06-18 and RL-07-18
Tentative Replat and Conditional Use Review (Type III application) for new construction of a 96-unit apartment complex with associated parking and site development, Vicinity of 1550 & 1556 Waverly Drive SE; Brighton Way SE

Chair Tomlin opened the public hearing at 5:18 p.m.

Declarations by the Commission
Commissioners Rouse, Post and Phillips declared they had driven by subject property.

Commissioner Hunsaker abstained from the proceedings as she lives near subject property.

Staff Report
Planner Catlin reviewed the hearing procedures.

Planning Manager Martineau reviewed the application and the staff analysis of Development Code criteria as detailed in the written staff report. Staff concluded that the application satisfied the applicable review criteria and recommended that the Planning Commission approve the request as proposed and conditioned.

Questions from the Commission
Commissioner Phillips asked for clarification of property entrance. Martineau said there would be three separate points of driveway access: one at Waverly Drive, one at 16th Avenue, and one at Davidson Street.
Testimony from the Applicant 5:30 p.m.
Ethan Stuckmayer, 1515 SE Water Avenue #100, Portland, OR 97214, on behalf of applicant, gave detailed presentation of project, as described in staff report (see Agenda packet).

Other Testimony in favor 5:38 p.m.
Jeff Martin, Security Alarm Corp., 2443 Brighton Way SE, owns property adjacent to subject property. He stated that currently the property has a problem with homeless people camping on-site. He is hoping to address property line issues by straightening out the curve along Brighton Way to make his property an exact rectangle.

Testimony Against or Neutral 5:45 p.m.
None

Rebuttal Testimony 5:45 p.m.
None.

Staff Response 5:46 p.m.
None.

Procedural Questions 5:46 p.m.
None.

*Chair Tomlin closed the public hearing at 5:47 p.m.*

Discussion 5:47 p.m.
None.

Motion 5:47 p.m.
Post moved to approve the proposed Tentative Replat and Conditional Use Review (Type III application) for new construction of a 96-unit apartment complex with associated parking and site development, vicinity of 1550 & 1556 Waverly Drive SE; Brighton Way SE under planning files CU-06-18 and RL-07-18. This motion is based on the findings and conclusions in the staff report, and the findings in support of the application made by the Planning Commission during deliberations on this matter. Commissioner Rouse seconded the motion, and it passed 5-0, with one abstention.

Decisions of the Planning Commission may be appealed to the City Council within 10 days.

Legislative Public Hearing 5:48 p.m.

Land Use File DC-06-18

*Development Code Amendments related to the size of retail uses in older buildings the NC and OP zones, development on steep hillsides, and the intent of the Cluster Development standards (DC-06-18)*

*Chair Tomlin opened the public hearing at 5:50 p.m.*

Declarations by the Commission 5:50 p.m.
Post recused himself from this issue as he owns property affected by this amendment.

Staff Report 5:52 p.m.
Martineau reviewed the hearing procedures.
Catlin reviewed the staff analysis of amendments related to the size of retail uses in older buildings in the NC and OP zones, development on steep hillsides, and the intent of the Cluster Development standards (DC-06-18).

Catlin said the amendments would help the standards remain responsive to community needs, would streamline the process for some Hillside developments so it is commensurate with the size of the development, and would clarify the intent of Cluster Development standards.

Rouse had questions on zoning of Mega Foods and the business across the street. Property across the street is zoned Community Commercial (CC), while the subject property has been zoned Neighborhood Commercial (NC) since 1977; in 2003 a maximum business footprint of 5,000 square feet within the NC zone was adopted. Mega Foods building was built in 1990, prior to this restriction. Since the building has been empty over one year, they have lost their grandfathering rights. Rouse mentioned that this is one of the few intersections in Albany where both streets (Geary and Queen) extend entirely from one end of town to the other.

**Commission Discussion 6:17 p.m.**

Tomlin does not think it is necessary to modify the footprint in the NC zone. Rouse commented that zoning is inconsistent, and this only fixes one issue - perhaps zoning changes should be considered. Catlin stated that there are a few sites where the amendments would apply. Discussion ensued as to what would happen if zoning were changed. This proposition does not change zoning, rather it is intended to offer a temporary fix until a permanent solution arises.

Referring to Cluster Development standards, Hunsaker does not consider these changes to be helpful or significant, and asked if this was intended to help protect trees. Catlin said there was confusion in the purpose statement matching up with the priority list and review criteria. There is no proposal to change the priority list for designation. This proposal is not meant to change Code, rather just clarify the purpose of the provisions. Rouse does not feel it is as clear as it should be. There is too much concentration on specific areas. Discussion ensued on wetlands, riparian corridor, protected species, and saving healthy trees.

**A recess was called at 6:45 p.m. when Tomlin stepped out.**

**Meeting called back to order at 6:49 p.m.**

Martineau mentioned the Pheasant Run Subdivision project that came before the Planning Commission several months ago, saying it is a good example of the conflict between state legislation concerning needed housing and the city’s ability to preserve trees. In order to preserve trees, an application would follow a different process – an objective path as opposed to a subjective path. Currently, the tree felling criteria are subjective. Under needed housing legislation, the city does not have the option of following the subjective path to save trees if the property owner does not wish to follow it. Martineau recently met with Jeff Blaine and the Tree Commission to discuss establishing an inventory of clusters of oak trees and other special trees. Evaluating tree felling criteria is on the City’s list of priorities along with a more comprehensive evaluation of the Cluster standards.

Rouse suggested removing specific types of animals and replace with “sensitive or endangered habitat”. Martineau felt this was more related to Article 6, which deals with significant natural resource overlays. Catlin said the Cluster standards prioritize designating significant natural resources (from Article 6) but provides flexibility to protect other resource or habitat determined to be unique to Albany.

**Public Testimony 6:57 p.m.**

None.
Rebuttal Testimony
None.

Staff Response
None.

Procedural Questions
None.

Chair Tomlin closed the public hearing at 6:58 p.m.

Discussion
None.

Motion
6:59 p.m.
Hunsaker moved to recommend that the City Council approve the proposed Development Code Amendments related to the size of retail uses in older buildings the NC and OP zones, development on steep hillsides, and the intent of the Cluster Development standards (DC-06-18). This motion is based on findings and conclusions in the staff report, and findings in support of the application made during deliberations on this matter. Miller seconded the motion, it passed 6-0 with Rouse declaring reservations.

BUSINESS FROM THE COMMISSION
7:02 p.m.
None

NEXT MEETING DATE
7:02 p.m.
To be determined. Hearings Board will meet January 17, 2019.

ADJOURNMENT
7:05 p.m.
Hearing no further business, Chair Tomlin adjourned the meeting at 7:05 p.m.

Respectfully submitted,  Reviewed by,

Shelley Shultz  David Martineau
Administrative Assistant I  Planning Manager
CALL TO ORDER 5:15 p.m.
Chair Larry Tomlin called the meeting to order at 5:15 p.m.

ROLL CALL
Commissioners Present
Diane Hunsaker, Cordell Post, Larry Tomlin, Ann Ketter, Mike Koos, JoAnn Miller, Dala Rouse

Commissioners Absent
Daniel Sullivan (excused), Roger Phillips (excused)

Staff Present
David Martineau, Planning Manager; Melissa Anderson, Planner III; Edie O'Neil, PW Contracting Assistant;

APPROVAL OF MINUTES 5:16 p.m.
Commissioner Rouse moved to approve the November 19, 2018, minutes of the Joint Work Session between the Albany City Council and the Albany Planning Commission as presented. Commissioner Post seconded the motion. The motion passed 7-0.

Business from the Public 5:16 p.m.
None.

Quasi-Judicial Public Hearing 5:17 p.m.
Land Use Files VC-01-18
Street Vacation for a portion of the Walnut Street SW right-of-way. The total area proposed to be vacated is 0.24 acres

Chair Tomlin opened the public hearing at 5:18 p.m.

Declarations by the Commission 5:18 p.m.
None

Staff Report 5:19 p.m.
Melissa Anderson, Planner III, provided a summary of land use case VC-01-18 and summarized the proposal’s consistency with applicable review criteria. (See agenda packet.)

Questions from the Commission 5:24 p.m.
Rouse asked if a fire truck would be able to turn around and if not, would another vacation be needed to allow for it. Anderson stated the fire department had no concerns, and the proposed vacation would not change the existing condition of the dead-end-street.
Testimony from the Applicant 5:25 p.m.
Troy Plum, TKP Engineering, thanked staff for the thorough work. He explained the current owner may want
to develop the property in the future, and the vacation was the first step. He stated that he was fine with the
proposed condition of approval.

Public Testimony 5:27 p.m.
None

Procedural Questions 5:28 p.m.
None

Chair Tomlin closed the public hearing at 5:29 p.m.

Discussion 5:29 p.m.
None

Motion 5:29 p.m.
Commissioner Post moved to recommend to City Council, the street vacation, as proposed and conditioned in
the January 18, 2019, Staff Report regarding case VC-01-18. Commissioner Rouse seconded. A vote was taken,
and the motion passed 7-0.

BUSINESS FROM THE COMMISSION 5:30 p.m.
Chair Tomlin introduced the new commissioner, Ann Ketter.

NEXT MEETING DATE 5:31 p.m.
TBD

ADJOURNMENT 5:31 p.m.
Hearing no further business, Chair Tomlin adjourned the meeting.

Respectfully submitted, Reviewed by,

Edie O’Neill David Martineau
PW Contracting Assistant Planning Manager
CALL TO ORDER
Mayor Sharon Konopa called the meeting to order at 5:16 p.m.

ROLL CALL
Council Members present: Mayor Sharon Konopa; and Councilors Rich Kellum, Alex Johnson II, Mike Sykes, Bessie Johnson, and Dick Olsen
Council Members absent: Bill Coburn (excused)
Commissioners present: Larry Tomlin, Dala Rouse, Joann Miller, Diane Hunsaker, Daniel Sullivan, Mike Koos, Ann Ketter
Commissioners absent: Roger Phillips (excused), Cordell Post (excused)
Staff Present: David Martineau, Planning Manager; Peter Troedsson, City Manager; Seth Sherry, Economic Development Manager; Jeff Blaine, P.E., Public Works Engineering and Community Development Director; Ron Irish, Transportation Systems Analyst; Jorge Salinas, Deputy City Manager, CIO

SCHEDULED BUSINESS 5:19
Mayor Sharon Konopa had staff, council, commissioners, and task force members introduce themselves.

BUSINESS FROM THE PUBLIC 5:19
None.

PROJECT BACKGROUND 5:20
Cathy Corliss, consultant with Angelo Planning Group, gave a presentation and provided a brief background on the project. She explained the three-phased project and talked about the two-track system.

MULTI-FAMILY & INFILL RESIDENTIAL STANDARDS REVIEW 5:26
Maximum Setback and building orientation 5:26
Corliss clarified that multi-family standards only apply to housing of three or more units. She talked about key topics (see agenda packet) and current requirements (Albany Development Code (ADC) 8.240 and 8.260), stating they could use additional specificity. She suggested adding an alternative development option to require enhanced landscaping and additional minimum setbacks. Corliss suggested that the alternate option be offered in certain zones. Bill Ryals, architect and member of the ADC Amendments Task Force, talked about providing enough open space in multi-family designs.

Functional design & building details 5:49
Corliss explained current code requirements (ADC 8.250) and concepts and talked about survey feedback. Rouse said menu options would make it easier to be able to afford to develop. Corliss said they could ensure more affordable options would be available.
Pedestrian connections
Corliss talked about current requirements (ADC 8.280) and discretionary standards, explaining that the concept would provide clarification. There was discussion about the survey results and task force concerns. Johnson expressed security concerns with direct access from parks to apartments. Konopa pointed out the need for access to prevent people from damaging fences to get through. Johnson II asked what ADA requirements would be required for parking lots and sidewalks. Corliss stated they would still follow standard ADA accessibility requirements. Discussion ensued about ADA accessibility.

Parking lot design.
Corliss discussed current requirements (ADA 8.300), adding that the new code concept would remove the 100-foot parking lot requirement or increase distance allowed between building entrances and parking and clarify how it is measured. Konopa asked what challenges the current code causes. Martineau said staff has run into several difficulties and gave examples. Irish added that it causes huge limitations in site design, and the current code sometimes contradicts itself. Hunsaker suggested the new code require a certain percentage of units to be a certain distance from the parking lot. Konopa suggested to take out the requirement altogether.

Transition to lower density uses.
Corliss talked about current requirements (ADC 8.270) (see agenda packet) and discussed several options to make them more reasonable. Rouse stated they should address zones where single-family homes are built in multi-family zoning. Corliss discussed the separation of uses. Candace Ribera, task force member, pointed out that buffering and screening can have the same benefits as setbacks.

Recreation & open space areas:
The group discussed common open space requirements for multi-family developments (ADC 8.220). (See agenda packet.) Corliss pointed out a major issue was that the code needs to better define amenities, add to the allowable list, and provide more clarification for clear and objective standards. Konopa suggested that dog areas be added to the allowed amenities list. Scott Lepman, developer, added he would like more flexibility for multi-family developments due to the high cost of developing them. There was discussion about bike parking requirements.

INFILL DEVELOPMENT & OTHER HOUSING TYPES
Corliss talked about applicability, adding that it was important to consider compatibility with existing neighborhoods. There was discussion about parking, setback, garage/carport, and height requirements. (See agenda packet).

NEXT STEPS
Corliss announced a task force meeting in April, another joint meeting in June, and then a finalized draft to be formally presented. Adoption hearings would commence with Phase II in June 2020.

ADJOURNMENT
There being no other business, the meeting was adjourned at 7:22 p.m.

Respectfully submitted,                    Reviewed by,

Edie O’Neil                           David Martineau
PW Contracting Assistant              Planning Manager
Staff Report

Modification to an Approved Tentative Subdivision

SD-01-19

HEARING BODY: PLANNING COMMISSION (TYPE III PROCESS)

HEARING DATE: MONDAY, APRIL 15, 2019

HEARING TIME: 5:15 P.M.

HEARING LOCATION: COUNCIL CHAMBERS, ALBANY CITY HALL,
333 BROADALBIN STREET SW

April 5, 2019

Summary

The application is for a modification to the approved Tentative Plat for the “Nature Way Estates,” under planning file SD-03-18. On June 20, 2018, the original tentative plat approval was granted for an 18-lot residential subdivision on approximately 5.83 acres, with frontage on Maier Lane and Patrick Lane (Attachment A).

This land use review to modify the tentative plat approval is limited to only those aspects of the plan that are proposed to change, which is the type and location of stormwater detention and stormwater quality infrastructure for the subdivision; the rest of the original tentative plat approval and conditions of approval under planning file SD-03-18 remain in effect unless specifically amended through this land use review.

The original site plan proposed storm water detention with oversized pipes located within the Nature Court right-of-way, and storm water quality infrastructure via street side planters throughout the subdivision (Attachment D). The proposed modification would create a detention pond and stormwater quality pond at the south end of the subdivision, in-lieu of the original plan to provide street side planters and oversized pipes within the right-of-way (Attachments E and F).

As shown on Attachment H, the proposed stormwater quantity and quality infrastructure described above would be located on a tract of land south of proposed lots 12 and 13. Although the new plan affects the size and dimensions of lots 12 and 13, the minimum development standards of the underlying RS-10 zone are still met. Access to the proposed stormwater quality infrastructure will be provided with a paved access located within an access easement across lots 12 and 13.

The Land Division review criteria under Albany Development Code (ADC) 11.180 that are applicable for the proposed modification are limited in scope; the specific criteria that must be satisfied to grant approval for this application are under ADC 11.180(1), 11.180(5) & 11.180(6).
Application Information

Review Body: Planning Commission (Type III Process)
Staff Report Prepared By: Melissa Anderson, Planner III
Type of Application: Proposed modification to Tentative Plat approval for the Nature Way Subdivision (file SD-03-18). The proposed modification is limited to the re-location of the stormwater detention and stormwater quality facilities.
Property Owner / Applicant: Gary and Patty Davenport; P.O. Box 2744, Albany, OR 97321
Applicant Representatives: Troy Plum, PE, TKP Engineering, LLC; P.O. Box 374, Corvallis, OR 97339
Address/Location: Unaddressed parcel, east of Skyline Drive and south of Patrick Lane
Map/Tax Lot: Benton County Assessor’s Map No. 10S-04W-36CC; Tax Lots 3300 & 3311
Zoning: RS-10 (Residential Single Family) and /HD (Hillside Development Overlay)
Total Land Area: 5.83 Acres
Existing Land Use: Vacant
Comprehensive Plan Designation: Residential – Low Density
Surrounding Zoning: North: RS-10 - Residential Single Family
South: RR - Residential Reserve
East: RS-10
West: RS-10
Surrounding Uses: North: Single-family residential
South: Vacant and Single-family residential
East: Single-family residential
West: Single-family residential
Prior History: SD-07-07 and SP-19-07: Subdivision Tentative Plat that would divide a 4.52-acre parcel of land into 11 residential, single-family lots (Fabian Estates); and Site Plan Review to remove 129 trees to construct the subdivision.

Notice Information

A notice of public hearing for this application was mailed on March 26, 2019, to owners of property located within 1,000 feet of the subject property in accordance with ADC 1.360. On April 4, 2019, the property was also posted with a public hearing notice sign, no less than seven days before the hearing, in accordance with ADC 1.410.

The Staff Report was available to the public on Monday, April 8, 2019, at least seven days prior to the public hearing and it was posted on the City’s website at www.cityofalbany.net.
Appeals
Within five days of the Planning Commission’s final decision on these applications, the Community Development Director will provide written notice of decision to the applicant and any other parties entitled to notice.

Any person who submitted written comments during a comment period or testified at the public hearing has standing to appeal the Type III decision of the Planning Commission to the City Council by filing a Notice of Appeal and associated filing fee within ten days from the date the City mails the Notice of Decision.

Staff Analysis
The Albany Development Code (ADC) includes the following review criteria for a land division, which must be met for the applications to be approved. Code criteria are written in **bold italics** and are followed by findings and conclusions.

Tentative Plat Review Criteria (ADC 11.180)

**Criterion (1)**
*The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Section.*

Findings of Fact

1.1 The application is for a modification to the approved Tentative Plat for the “Nature Way Estates,” 18-lot residential subdivision (planning file SD-03-18). The proposed modification is limited to the relocation of the stormwater detention and stormwater quality facilities.

1.2 The site is located east of Skyline Drive and south of Patrick Lane in North Albany (Attachment A). The site is identified as Benton County Assessor’s Map No. 10S-04W-36CC, Tax Lots 3300 & 3311.

1.3 The site is located in the RS-10 – Single Family Residential zoning district, where the minimum average lot size for single-family detached homes is 10,000 square feet. The minimum dimension for parcels in the RS-10 zone is 65 feet wide and 100 feet in depth for both single-family detached and duplex homes.

1.4 All proposed lots are over 65-feet wide and over 100-feet deep in conformance with ADC 3.190. All proposed lots are 10,000 square feet or greater in size except Lot 13 which is 8,889 square feet in size. Lot 13 is approximately 11 percent smaller than the minimum lot area required in the RS-10 zoning designation. The total area of all 18 proposed lots is 227,629 square feet. The average lot size for the revised subdivision is 12,646 square feet, which meets the variable lot size standard under ADC 3.200.

1.5 The lot and block standards under ADC 11.090 were addressed when the Tentative Subdivision Plat was granted approval under planning file SD-03-18. The proposed modification to the tentative subdivision plat does not affect the lot and block layout; therefore, the lot and block standards of ADC 11.090 are not applicable to the proposed modification.

1.6 At the time of building permit, setback, lot coverage, and height standards will be applied to ensure the construction of new dwellings meets all other applicable development standards of the RS-10 zone.
Conclusions

1.1 The proposal meets the development standards of the underlying zoning district.

1.2 The proposal meets all applicable lot and block standards under ADC 11.090.

1.3 The proposed modifications to Lots 12 and 13 are in conformance with this section of code.

1.4 This criterion is met without conditions.

Criterion (2)

Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.

Findings of Fact & Conclusions

2.1 The subject property is owned by Gary and Patty Davenport, in its entirety.

2.2 The approved subdivision plat has no other remainder of property under the same ownership.

2.3 The proposed modification to the approved subdivision does not create any remainder property; therefore, the criterion (above) is not applicable to the proposed modification.

2.4 This criterion is not applicable.

Criterion (3)

Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.

Findings of Fact & Conclusions

3.1 Adjoining properties have access to public streets through the existing transportation system, and the approved subdivision plan will not remove that access.

3.2 The proposed modification to the approved subdivision does not affect access to public streets; therefore, the criterion related to access (above) is not applicable to the proposed modification.

3.3 This criterion is not applicable.

Criterion (4)

The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.

Findings of Fact & Conclusions

4.1 The proposed development is located on the south side of Maier Lane and west of an extension of Patrick Lane. The development will create 18 single-family lots.

4.2 The proposed modification to the approved subdivision plat does not affect the street plan; therefore, the transportation criterion (above) is not applicable to the proposed modification.

4.3 This criterion is not applicable.

Criterion (5)

The location and design allow development to be conveniently served by various public utilities.
Findings of Fact

Sanitary Sewer

5.1 City utility maps show an 8-inch public sanitary sewer main in Patrick Lane, north of the subject property.

5.2 ADC 12.470 requires all new development to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line.

5.3 ORS 92.090 states that no subdivision plat shall be approved unless sanitary sewer service from an approved sewage disposal system is available to the lot line of each and every lot depicted in the proposed subdivision plat.

5.4 ADC 12.490 states that sewer collection mains must be extended along the full length of a property’s frontage(s) along the right(s)-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion. ADC 12.510 requires main extensions through the interior of a property to be developed where the City Engineer determines that the extension is needed to provide access to the public system for current or future service to upstream properties. Extension of the sewer across the frontage and/or through the interior of a property makes the system available to adjacent properties. Then, when the adjoining property connects, that property owner must extend the sewer in a similar manner, making the sewer available to the next properties. In this way, each property owner shares proportionately in the cost of extending sewer mains.

5.5 AMC 10.01.100(5)(d) states that where a property abuts more than one street or right-of-way, sewer mains shall be extended for the full length of the property frontages along the rights-of-way for all frontages, unless it is determined that the extensions on the frontages from which service is not being taken are not currently needed to provide service to other properties, and that those sewer mains may be completed at a future time.

5.6 AMC 10.01.010(1) states that the objective of the Albany Municipal Code requirements pertaining to public sanitary sewers is to facilitate the orderly development and extension of the wastewater collection and treatment system, and to allow the use of fees and charges to recover the costs of construction, operation, maintenance, and administration of the wastewater collection and treatment system.

5.7 The applicant must construct public sanitary sewer mains along the full length of the subject property’s frontages on Patrick Lane, Maier Lane, and Nature Court, to provide direct sewer service to all proposed lots and for future extension to properties to the west along Maier Lane. Final design details for public sanitary sewer system improvements will be reviewed as part of the Permit for Private Construction of Public Improvements.

Water

5.8 City utility maps show an 8-inch public water main in Maier Lane, and an 8-inch main in Patrick Lane north of the site. There is no public water main in Patrick Lane along the subject property’s frontage.

5.9 ADC 12.410 requires all new development to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main.

5.10 AMC 11.01.120 (2)(e) states that all required public water main extensions must extend to the furthest property line(s) of the development or parcel. Main extensions may be required through the interior of
a property to be developed where the City Engineer determines that the extension is needed to provide current or future looping of water mains, or to provide current or future service to adjacent properties. When the owner of a property is required to connect to the public water system, the water main must be extended across the property’s entire frontage and/or through the interior of the property. Extension of the water across the property’s frontage and through the interior of the property makes the system available to adjacent properties. Then, when the adjoining property connects, that property owner must extend the water mains in a similar manner, making the water available to the next properties. In this way, each property owner shares proportionately in the cost of extending water mains.

5.11 AMC 11.01.120 (2)(c) states that the City shall have the sole right to determine size, location, and type of facility to be constructed. All engineering of public water facilities shall be based on both domestic and fire protection design criteria, and in accordance with the City’s water facility plan.

5.12 AMC 11.01.120 (2)(h) states that all public main extensions must include fire hydrants and other appurtenances in a manner consistent with the recommendations of the water system facility plan, the Standard Construction Specifications, and/or the fire marshal.

5.13 ORS 92.090 states that no subdivision plat shall be approved unless water service from an approved water supply system is available to the lot line of every lot depicted in the proposed subdivision plat.

5.14 The applicant must construct an 8-inch public water main connecting the mains in Patrick Lane and Maier Lane, and a public water main in Nature Court. The size of the public main in Nature Court will depend on the locations of any required fire hydrants. Final design details for public water system improvements will be reviewed as part of the Permit for Private Construction of Public Improvements.

**Storm Drainage**

5.15 City utility maps show no piped public storm drainage facilities along the subject property’s frontages on Patrick Lane or Maier Lane. A natural drainage ditch exists within the parcel just west of the subject property. This ditch is the proposed discharge point for the public storm drainage system designed for this development.

5.16 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. Private drainage systems crossing multiple lots will require reciprocal use and maintenance easements and must be shown on the final plat. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the City of Albany’s Engineering Division.

5.17 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.

5.18 ADC 12.580 states that all new development within the City must, where appropriate, provide for the extension of existing storm sewer lines or drainageways serving surrounding areas. Extensions may be
required along all frontages and/or through the interior of a property to be developed where the City Engineer determines that the extension is needed to provide service to upstream properties.

5.19 ADC 12.550 states that any public drainage facility proposed for a development must be designed large enough to accommodate the maximum potential run-off from its entire upstream drainage area, whether inside or outside of the development, as specified in the City’s storm drainage facility plan or separate storm drainage studies.

5.20 ADC 12.560 states that where it is anticipated by the City Engineer that the additional run-off resulting from the development will overload an existing drainage facility, the review body will not approve the development until provisions have been made for improvement of the potential problem.

5.21 The applicant is required to submit a drainage plan, including support calculations, as defined in the City’s Engineering Standards. The applicant is responsible for making provisions to control and/or convey storm drainage runoff originating from, and/or draining to, any proposed development in accordance with all City standards and policies as described in the City’s Engineering Standards. In most circumstances, detention will be required unless it can be satisfactorily demonstrated by the applicant that there is no adverse impact.

5.22 The applicant must provide storm water quality facilities for the proposed project. A post-construction storm water quality permit must be obtained through the City’s Public Works Department before beginning work.

5.23 The applicant’s preliminary utility plan shows the construction of a combination detention and storm water quality facility to collect and treat storm water runoff from the subdivision.

5.24 The applicant submitted a preliminary storm drainage and storm water quality report for this project. The City’s Public Works Department has reviewed this report and has determined that it is generally acceptable. Final design details for public storm drainage improvements will be reviewed as part of the Permit for Private Construction of Public Improvements.

Conclusions

5.1 The applicant must construct public utilities (sanitary sewer, water, storm drainage) for the development to provide service to the proposed lots.

5.2 The applicant must construct storm water detention facilities for this project.

5.3 The applicant must construct storm water quality facilities for the proposed development.

5.4 The City’s Public Works Department has reviewed the applicant’s preliminary storm drainage report and has found it to be generally acceptable.

5.5 All public utilities must be installed in accordance with the City’s Standard Construction Specifications. If being constructed under a private contract, the developer must obtain a Permit for Private Construction of Public Improvements through the City’s Engineering Division.

5.6 Sanitary sewer and water services to each lot must be installed before the final plat will be signed by the City.

5.7 This criterion can be met with the following conditions.
Conditions

1. Before the final plat will be approved by the City, the applicant must construct public sanitary sewer, water and storm drainage facilities to serve the proposed subdivision, generally as shown on the preliminary utility plans. A Permit for Private Construction of Public Improvements must be obtained through the City’s Public Works Department before beginning work.

2. Before the final plat will be approved by the City, the applicant must have individual sanitary sewer and water services installed to each proposed lot.

3. Before the final plat will be approved by the City, the applicant must construct storm water quality facilities to serve the proposed subdivision. A post-construction storm water quality permit must be obtained through the City’s Public Works Department before beginning work.

Note: As an alternative, the applicant may provide financial assurances for the required public infrastructure work in order to receive subdivision plat approval prior to actual infrastructure construction.

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: Shows that the subject property is located out of the Airport Approach District.

6.2 Article 6 Floodplains, Comprehensive Plan Plate 5: The applicable Flood Insurance Rate Map (FIRM) for the subject site is map #41043C0195H, dated December 8, 2016. Based on this FIRM, the subject property is located out of the Special Flood Hazard Area (SFHA), otherwise known as the 100-year floodplain.

6.3 Article 6 Wetlands, Comprehensive Plan Plate 6: Comprehensive Plan Plate 6 shows no wetlands appearing on the Local Wetland Inventory on the subject property.

6.4 Article 7 Historic Districts, Comprehensive Plan Plate 9: The subject site is not located in a historic district. There are no known archaeological sites on the property.

6.5 Article 6 Steep Slopes, Comprehensive Plan Plate 7: Shows that there are areas of steep slopes on the subject property; steep slopes are defined as slopes of 12 percent or greater. Therefore, the Hillside Development standards under ADC 6.180 were applied to the original Tentative Subdivision Plat under planning file SD-03-18. A Geotechnical Report addressing Hillside Development standards was included with the original land use application package, which was found to meet the Hillside Development standards per ADC 6.200, 6.210 and 6.220. The proposed modification to the approved Tentative Subdivision Plat impacts the location of the stormwater detention and stormwater quality facilities; however, the new location of the stormwater drainage facilities will be within a tract of land that does not contain steep slopes.

Conclusions

6.1 Other than steep slopes, the subject property is not located in any special purpose district.

6.2 The proposed development meets the hillside development standards.

6.3 This criterion is met without conditions.
Tree Felling Concurrent with Site Plan Review (ADC 9.208(2))

Findings of Fact

ADC 9.207 states that Site Plan Review approval is required for the felling of five or more trees larger than 25 inches in circumference (approximately eight inches in diameter) on a lot or property in contiguous, single ownership in excess of 20,000 square feet in any zone. According to ADC Section 9.208, Tree Felling criteria replace the Site Plan Review criteria found in Article 2 of the ADC for the purpose of reviewing tree felling.

The approved development plan involved removal of 52 existing trees greater than eight inches in diameter. The proposed modifications would leave 11 of those existing trees in place, but require removal of 21 trees to accommodate the relocated stormwater quantity and quality infrastructure. In total the proposed development, as modified, would require removal of 62 trees.

Removal of the trees is necessary to construct the road and infrastructure improvements for the proposed subdivision. As directed by the ADC, the applicant submitted an application for tree felling with concurrent development. The tree felling criteria are listed below; however, Oregon State Law requires that criteria for “needed housing” development must be clear and objective. Oregon Revised Statutes (ORS) 197.307(4) states:

“...a local government may adopt and apply only clear and objective standards, conditions and procedures regulating the development of housing, including needed housing. The standards, conditions and procedures:

(a) May include, but are not limited to, one or more provisions regulating the density or height of a development.

(b) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay.”

The Tree Felling criteria 9.208(2)(a-c) listed below are not “clear and objective,” as is required by Oregon State Law and applying these criteria to the proposed residential subdivision would be inconsistent with State law. As such, no analysis of the application’s conformance with these criteria is provided.

Criterion (2(a))

It is necessary to fell tree(s) in order to construct proposed improvements in accordance with an approved site plan review or conditional use review, or to otherwise utilize the applicant’s property in a manner consistent with its zoning, this code, applicable plans adopted by the City Council, or a logging permit issued by the Oregon Department of Forestry.

Criterion (2(b))

The proposed felling is consistent with State standards, City ordinances, and the proposed felling does not negatively impact the environmental quality of the area, including but not limited to: the protection of nearby trees and windbreaks, wildlife, erosion, soil retention and stability, volume of surface runoff and water quality of streams, scenic quality, and geological sites.

Criterion (2(c))

The uniqueness, size, maturity, structure, and historic value of the trees have been considered and all other options for tree preservation have been exhausted. The Director may require that trees determined to be unique in species, size, maturity, structure, or historic values are preserved.

Criterion (2(d))

Tree felling in Significant Natural Resource Overlay Districts meets the applicable requirements in Article 6.
Tree Felling Criteria Conclusions
As noted above, analysis of the Tree Felling review criteria in ADC 9.208(2)(a-c) is not provided, because those criteria are inconsistent with State law. Criterion (d) does not apply because trees in Significant Natural Resource Overlays Districts are not proposed to be removed.

Overall Conclusions
As proposed and conditioned, the application under planning file SD-01-19 for a modification to the approved Tentative Plat (file SD-03-18), for development of an 18-lot residential subdivision satisfies all applicable review criteria as outlined in this report.

Note: This land use review to modify the tentative plat approval is limited to only those aspects of the plan that are proposed to change, which is the type and location of stormwater detention and stormwater quality infrastructure for the subdivision; the rest of the original tentative plat approval and conditions of approval under planning file SD-03-18 remain in effect unless specifically amended through this land use review.

Conditions of Approval
Public Utilities* (see note)
1. Before the final plat will be approved by the City, the applicant must construct public sanitary sewer, water and storm drainage facilities to serve the proposed subdivision, generally as shown on the preliminary utility plans. A Permit for Private Construction of Public Improvements must be obtained through the City’s Public Works Department before beginning work.
2. Before the final plat will be approved by the City, the applicant must have individual sanitary sewer and water services installed to each proposed lot.
3. Before the final plat will be approved by the City, the applicant must construct storm water quality facilities to serve the proposed subdivision. A post-construction storm water quality permit must be obtained through the City’s Public Works Department before beginning work.

* Note: As an alternative, the applicant may provide financial assurances for the required public infrastructure work in order to receive subdivision plat approval prior to actual infrastructure construction.

Options for the Planning Commission
The Planning Commission has three options with respect to the proposed development:

Option 1: Approve the request as proposed and conditioned; or
Option 2: Approve the request with amendments; or
Option 3: Deny the request.

Staff Recommendation
Based on the analysis provided in this report, staff recommends the Planning Commission pursue Option 1 and approve the proposed modification to the Tentative Plat approval for a 18-lot residential subdivision.
If the Planning Commission follows this recommendation, the following motion is suggested:

I move to approve the proposed modification to the Tentative Subdivision Plat to develop an 18-lot residential subdivision under planning file SD-01-19. This motion is based on the findings and conclusions in the staff report, and the findings in support of the application made by the Planning Commission during deliberations on this matter.

Attachments
A. Location Map
B. Applicant’s Land Use Application Narrative
D. Original Site Plan approved under planning file SD-03-18 (Sheet P.100)
E. Cover Sheet (Sheet P.100)
F. Tentative Plat (Sheet P.101)
G. Tree Removal Plan (Sheet P.102)
H. Site Modifications
LOCATION MAP

UNADDRESSED PARCEL, EAST OF SKYLINE DRIVE AND SOUTH OF PATRICK LANE ON MAIER LANE

Benton County Assessor’s Map No. 10S-04W-36CC, Tax Lots 3300 & 3311

Subject Properties
NATURE WAY ESTATES

LAND USE APPLICATION SUBMITTAL FOR;

Modification to Land Use Approval SD-03-18

February 2, 2019

Expires 12/31/2020

PREPARED FOR:

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# NATURE WAY ESTATES

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Project Introduction

Section 1
TKP Engineering is pleased to submit a Land Use Application for the proposed Nature Way Estates project. The application is for a modification to an approved land use decision issued on June 20, 2018 per SD-03-18.

Proposed modifications to the approved subdivision center around relocation of the stormwater quantity and quality infrastructure. The approved site plan provides storm water detention with oversized pipes located within the Nature Court right-of-way. Storm water quality infrastructure was proposed with street side planters within existing and proposed rights-of-way. The proposed modification would create a detention pond and stormwater quality pond at the south end of the subject property. Proposed stormwater quantity and quality infrastructure described above would be located on a tract of land south of proposed lots 12 and 13 as shown on updated drawings.

In order to accommodate relocation of required stormwater quantity and quality infrastructure, modifications are proposed to Lots 12 and 13. A new tract of land would be created at the south end of proposed lots 12 and 13 upon which the proposed stormwater quantity and quality infrastructure would be located. The subject tract of land would be dedicated to the City of Albany. In order to create the stormwater quantity and quality tract, the size and dimensions of proposed lots 12 and 13 have been modified.

Access to the proposed stormwater quality infrastructure would be provided with a paved access located within an access easement across lots 12 and 13. Proposed access infrastructure conforms to Public Works requirements.

The approved development plan involved removal of 52 existing trees greater than 8-inches in diameter. The proposed modifications would leave 11 of those existing trees in place, but require removal of 21 trees to accommodate the relocated stormwater quantity and quality infrastructure. In total the proposed development, as modified, would require removal of 62 trees.

The subject property contains steep slopes as defined by the City of Albany, slopes greater than 12%. The proposed stormwater quantity and quality modifications are to be located within a tract of land that does not contain steep slopes. The storm drainage discharge pipe, from the proposed stormwater tract to an existing ditch, traverses land that contains slopes greater than 12%.

The following sections provide ‘Findings of Fact’ addressing all applicable Articles of the ADC relevant to the proposed site modifications.
ADC Article 3 – Findings of Fact

Section 2
ADC ARTICLE 3 – FINDINGS OF FACT

The following ‘Findings of Fact’ address the applicable review criteria of ADC Article 3.

**Criterion: ADC Section 3.190**

**Fact:** The proposed development would create 18 single family detached lots as originally approved per Land Use Decision SD-03-18. All proposed lots are 10,000 SF or greater in size except proposed lot 13 which is 8,889 square feet. All proposed lots are over 65-ft wide and over 100-ft deep.

**Conclusion:** All proposed single family detached lots achieve the requirements of this section of code except proposed Lot 13 which is smaller than the minimum lot area in the RS-10 zone. Allowable lot size variation is addressed per ADC Section 3.200.

**Criterion: ADC Section 3.200**

**Fact:** The proposed development would create 18 single family detached lots. All proposed lots are 10,000 SF or greater in size except Lot 13 which is 8,889 square feet. Lot 13 is approximately 11% smaller than the minimum lot area required in the RS-10 zoning designation. The total area of all 18 proposed lots is 227,629 square feet. The average lot size for the revised subdivision is 12,646 square feet.

**Conclusion:** Less than 50% of the 18 proposed lots is less than the 10,000 square foot minimum lot area in the RS-10 zone. One lot is proposed to be 8,889 square feet or approximately 11% smaller than the minimum 10,000 square foot standard. The average lot area for the proposed 18 lot subdivision is 12,646 square feet.

**Criterion: ADC Section 3.230**

**Fact:** All proposed lots have been designed to ensure setback requirements defined in this section of code may be achieved.

**Conclusion:** Conformance with setback requirements shall be demonstrated with building permit applications for each individual lot.
ADC Article 6 – Findings of Fact

Section 3
ADC ARTICLE 6 – FINDINGS OF FACT

The following ‘Findings of Fact’ address the applicable review criteria of ADC Article 6.

Criterion: ADC Section 6.180
Fact: The subject property contains slopes greater than 12 percent as shown on Plate 7 of the Albany Comprehensive Plan and as confirmed by topographic surveying efforts.

Conclusion: The proposed development shall conform to applicable Hillside Development standards of the ADC.

Criterion: ADC Section 6.200
Fact: A Geotechnical Report addressing Hillside Development standards was included with the original land use application submittal package.

Conclusion: The proposed development achieves Geotechnical Report standards required under this section of code.

Criterion: ADC Section 6.210
Fact: The proposed development provides storm drainage infrastructure insuring all post developed runoff from new impervious surfaces is directed to an approved discharge location. The proposed development will not block the flow of stormwater in existing natural drainageways.

Conclusion: After final platting of the proposed subdivision, building plans for each lot shall include sufficient detail to ensure runoff from new imperious surfaces are routed to proposed storm drainage infrastructure as required to ensure post developed runoff is routed to an approved discharge location.

Criterion: ADC Section 6.220
Fact: The subject property contains steep slopes as identified under ADC Section 6.180. All proposed street slopes have been designed with longitudinal slopes of less than 11 percent.

Conclusion: All existing and proposed public streets achieve the requirements of this section of code.
ADC ARTICLE 9 – FINDINGS OF FACT

The following ‘Findings of Fact’ address the applicable review criteria of ADC Article 9.

Criterion: ADC Section 9.207
Fact: The proposed development would remove existing trees greater than 25-inches in circumference as shown on the preliminary plans. All trees proposed to be removed are located within existing rights-of-way, tracts of land proposed to be dedicated to the City, and easements proposed to be dedicated to the City.

Conclusion: Removal of existing trees greater than 25-inches in diameter is required within existing rights-of-way to allow construction of new public streets and associated utility infrastructure. Tree removal is also required to accommodate required storm drainage improvements.

Criterion: ADC Section 9.208(2)(a)
Fact: The proposed development would remove existing trees greater than 25-inches in circumference as shown on the preliminary plans. All trees proposed to be removed are located within existing rights-of-way, storm drainage tracts of land proposed to be dedicated to the City, and storm drainage easements proposed to be dedicated to the City.

Conclusion: In order to fully develop public streets within existing rights-of-way along the properties frontages, tree removal as proposed is required. In order to successfully provide storm drainage improvements per City of Albany requirements, tree removal is required to accommodate that storm drainage infrastructure.

Criterion: ADC Section 9.208(2)(b)
Fact: State standards are not applicable to the proposed residential development within the City Limits. The proposed tree felling is required to construct full width streets within existing rights-of-way and construct storm drainage infrastructure to City standards. The proposed tree felling will not have an adverse impact on the environmental quality of the area.

Conclusion: The proposed tree felling is in compliance with the requirements of this section of code.
Criterion: ADC Section 9.208(2)(c)
Fact: The proposed tree felling is required to construct full width streets within existing rights-of-way and provide storm drainage improvements per city standards. The uniqueness, size, maturity and structure of existing trees proposed to be removed has no relevance to constructing planned streets within existing public rights-of-way and associated storm drainage improvements within a proposed tract of land and associated easement to be dedicated to the City.

Conclusion: The proposed tree felling is in compliance with the requirements of this section of code.

Criterion: ADC Section 9.208(2)(d)
Fact: The subject properties are not located within a Significant Natural Resource Overlay District.

Conclusion: This section of code is not applicable to the proposed development.
ADC ARTICLE 11 – FINDINGS OF FACT

The following ‘Findings of Fact’ address the applicable review criteria of ADC Article 11.

**Criterion: ADC Section 11.180(1)**

**Fact:** The proposed development would create 18 single family detached lots in conformance with ADC Section 3.190 with allowable lot area reduction permitted per ADC Section 3.200. All proposed lots are over 65-ft wide and over 100-ft deep in conformance with ADC Section 3.190.

All proposed lots are 10,000 SF or greater in size except Lot 13 which is 8,889 square feet. Lot 13 is approximately 11% smaller than the minimum lot area required in the RS-10 zoning designation. The total area of all 18 proposed lots is 227,629 square feet. The average lot size for the revised subdivision is 12,646 square feet.

All proposed lots have been designed to ensure setback requirements defined in this section of code may be achieved per ADC Section 3.230.

Lot and block standards were addressed and approved under Land Use Decision SD-03-18.

**Conclusion:** The proposed modifications to Lots 12 and 13 are in conformance with this section of code.

**Criterion: ADC Section 11.180(5)**

**Fact:** The proposed storm drainage modifications will provide superior service to the subdivision with the at grade detention pond and associated paved access. The proposed stormwater quantity and quality modifications are more easily accessible to Public Works crews and may be easily monitored by visual inspection.

**Conclusion:** The proposed storm drainage modifications are in conformance with this section of code.
ADC Article 12 – Findings of Fact

Section 6
The following ‘Findings of Fact’ address the applicable review criteria of ADC Article 12.

**Criterion: ADC Section 12.370**

**Fact:** A 15-foot wide storm drainage easement is proposed across Lot 13 to the stormwater quantity and quality tract of land to be dedicated to the City of Albany. The subject easement would provide an extension of the piped storm drainage infrastructure from Nature Court to the proposed detention pond. A 12-ft wide paved access will be provided within this access easement as shown on the preliminary plans.

Another 15-foot wide storm drainage easement will be provided for piped stormwater conveyance, from the proposed stormwater quantity and quality tract, across Lots 11 and 12 providing discharge to an existing ditch located in the southwest corner of the subject property as shown on the preliminary plans.

**Conclusion:** Proposed stormwater easements conform to this section of code.
STORMWATER MANAGEMENT PLAN

NATURE WAY ESTATES

January 2019

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STORMWATER MANAGEMENT PLAN

NATURE WAY ESTATES

16-008

Prepared January 30, 2019

Expires 12/31/2020

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NATURE WAY ESTATES STORMWATER MANAGEMENT PLAN

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10-YEAR POST DEVELOPED ANALYSIS: AREA 2

25-YEAR POST DEVELOPED ANALYSIS: AREA 2

100-YEAR POST DEVELOPED ANALYSIS: AREA 1
1.0 INTRODUCTION

This report is the Stormwater Management Plan (SWMP) analysis and design for the Nature Way Estates project. This stormwater analysis has been prepared per Division E of the City of Albany Stormwater Management Engineering Standards (SWMES). The subject property is approximately 5.52 acres in size and is currently vacant as shown on Benton County Tax Map 10S-04W-36CC, Tax Lots 3300 & 3311. In addition to subject vacant land area, this report also evaluates the Maier Lane and Patrick Lane rights-of-way. The proposed development would create 18 detached single-family lots. Appendix 1 provides pre- and post-developed drawings of the existing property and proposed development.

The City of Albany requires stormwater detention to attenuate post developed runoff from the 2-year, 5-year, 10-year, and 25-year rainfall events to the pre-developed runoff rate. The City of Albany requires stormwater quality infrastructure for the stormwater quality rainfall event as defined in Division E of the SWMES. The proposed stormwater quantity and quality infrastructure exceeds all requirements of the City of Albany SWMES as demonstrated in this SWMP.

Runoff from the proposed development discharges to two separate drainage basins located north and south of Maier Lane as shown in Appendix 1. Post developed runoff south of, and including, Maier Lane is routed to a detention pond which discharges to a water quality pond. Attenuated post developed runoff south of Maier Lane is discharged from the proposed water quality pond to an existing ditch located west of the subject property as shown in Appendix 1. Stormwater piping from the detention pond to the receiving ditch has been designed to convey runoff from the post developed 100-year rainfall event.

Post developed runoff from properties north of Maier Lane, including the proposed Patrick Lane extension, is routed to water quality planters which discharge without detention to existing public storm drainage infrastructure. Based on comments from the Public Works Director, stormwater detention is not required for post developed runoff which discharges to existing infrastructure located within Patrick Lane.

The proposed development provides a detention pond as required to attenuate post developed runoff to the pre-developed rate with a flow control manhole. Water quality infrastructure is provided per SWMES requirements with water quality planters located within existing and proposed public rights-of-way and a stormwater quality pond to be located, along with the proposed detention pond, on a public tract of land to be dedicated to the City of Albany. Proposed flow control and water quality infrastructure details are provided in Appendix 1. Stormwater runoff rates and detention requirements are calculated using HydroCAD 10.0 software which utilizes the SCS Unit Hydrograph method.
2.0 SITE CHARACTERISTICS

2.1 Site Soils
The Natural Resources Conservation Service (NRCS) data bank for Benton County was used to identify soil types and characteristics found throughout the site. The site predominately consists of:

2. Willakenzie Loam: Hydrological Group ‘C’

The pre- and post-developed site are evaluated for Hydrological Group ‘C’ soils.

2.2 Topography
The subject property contains existing ground slopes ranging between 1% and 20%. The property drains to an existing ditch south of Maier Lane and piped public infrastructure north of Maier Lane. The proposed development would create new roadways with longitudinal slopes between 0.50% and 11.0%. The subject property primarily consists of a Woods / Grass combination. The subject property is approximately 5.52 acres in size, with an additional 1.14 acres of existing right-of-way fronting the proposed development. The proposed development consists of 18 single family residential lots with associated public streets and pedestrian access. Table 1 summarizes pervious and impervious areas in the post developed condition;

<table>
<thead>
<tr>
<th>Drainage Area</th>
<th>Area (Acre)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impervious Street Improvements</td>
<td>1.16</td>
</tr>
<tr>
<td>Lot Development</td>
<td>1.12</td>
</tr>
<tr>
<td>Landscaping / Native</td>
<td>4.38</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6.66</strong></td>
</tr>
</tbody>
</table>

Based on Table 1, the post developed site is approximately 34% impervious. In order to provide a conservative stormwater analysis, the pre-developed condition is taken as native vegetation without consideration of existing impervious surfaces as shown in Appendix 1.

2.3 Hydrologic Variables
The existing property is vacant consisting of a woods / grassland combination. The proposed development consists of 18 single family residential lots with associated street and lot improvements. The average proposed lot size is approximately 12,646 square feet. Table 2 lists hydrological variables used in this analysis.

<table>
<thead>
<tr>
<th>Use</th>
<th>Curve #</th>
<th>Manning’s ‘n’</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-Developed Native</td>
<td>72</td>
<td>0.24</td>
</tr>
<tr>
<td>Post Developed Subdivision</td>
<td>83</td>
<td>0.02</td>
</tr>
</tbody>
</table>

Curve Number selection is provided in Appendix 2. Other characteristics of the pre- and post-developed conditions can be found in Appendix 1.
The demand imposed on the proposed drainage infrastructure is calculated with HydroCAD 10.0 software. The capacity of on-site drainage pipes is calculated with Manning’s Equation. The detention system is designed using HydroCAD 10.0 software which utilizes the SCS Unit Hydrograph method distributed over a Type 1A hyetograph. 24-hour rainfall for the design storm events are derived from City of Albany rainfall data. 24-hour rainfall events are summarized in Table 3 below.

<table>
<thead>
<tr>
<th>Return Interval</th>
<th>Rainfall (in)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Quality</td>
<td>1.00</td>
</tr>
<tr>
<td>2-Year</td>
<td>2.47</td>
</tr>
<tr>
<td>5-Year</td>
<td>2.86</td>
</tr>
<tr>
<td>10-Year</td>
<td>3.37</td>
</tr>
<tr>
<td>25-Year</td>
<td>3.94</td>
</tr>
<tr>
<td>100-Year</td>
<td>4.83</td>
</tr>
</tbody>
</table>

### Table 3 – Design Rainfall

#### 3.0 Time of Concentration

Time of Concentration is calculated for sheet flow and shallow concentrated flow. Pre-developed runoff lengths are shown on Appendix 1. In order to provide a conservative analysis for the post developed condition, the post developed time of concentration is taken as 5 minutes. Time of Concentration for sheet flow and shallow concentrated flow are calculated as follows.

**Sheet Flow**

\[
T_{c1} = \left( \frac{2Ln}{3\sqrt{S}} \right)^{1.214}
\]

\[T_{c1} \quad \text{Time of Concentration (min)} \quad \text{– Sheet Flow} \]

\[n \quad \text{Mannings ‘n’} \]

\[L \quad \text{Runoff Length (ft)} \]

\[S \quad \text{Ground Slope (ft/ft)} \]

**Shallow Concentrated Flow**

\[T_{c2} = \frac{L}{V} \]

\[V = 16.1345\sqrt{S} \quad \text{for unpaved surfaces} \]

\[V = 20.3282\sqrt{S} \quad \text{for paved surfaces} \]

\[T_{c2} \quad \text{Time of Concentration (sec)} \quad \text{– Concentrated} \]

\[V \quad \text{Runoff Velocity (ft/sec)} \]

\[L \quad \text{Runoff Length (ft)} \]

\[S \quad \text{Ground Slope (ft/ft)} \]
Table 4 and Table 5 summarize pre-developed times of concentration for Area 1 and Area 2 respectively.

**Table 4: Time of Concentration (Area 1)**

<table>
<thead>
<tr>
<th>Sheet Flow</th>
<th>Shallow Concentrated Flow</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>L (ft)</td>
<td>Manning’s ‘n’</td>
</tr>
<tr>
<td>300</td>
<td>0.24</td>
</tr>
<tr>
<td>S (%)</td>
<td>3.69</td>
</tr>
<tr>
<td>TC1 (min)</td>
<td>13.2</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Shallow Concentrated Flow</th>
<th>TC(total) (min)</th>
</tr>
</thead>
<tbody>
<tr>
<td>L (ft)</td>
<td>508</td>
</tr>
<tr>
<td>S (%)</td>
<td>17.26</td>
</tr>
<tr>
<td>V (ft/s)</td>
<td>6.7</td>
</tr>
<tr>
<td>TC2 (min)</td>
<td>1.3</td>
</tr>
<tr>
<td>TC(total)</td>
<td>14.5</td>
</tr>
</tbody>
</table>

**Table 5: Time of Concentration (Area 2)**

<table>
<thead>
<tr>
<th>Sheet Flow</th>
<th>Shallow Concentrated Flow</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>L (ft)</td>
<td>Manning’s ‘n’</td>
</tr>
<tr>
<td>300</td>
<td>0.24</td>
</tr>
<tr>
<td>S (%)</td>
<td>8.62</td>
</tr>
<tr>
<td>TC1 (min)</td>
<td>10.8</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Shallow Concentrated Flow</th>
<th>TC(total) (min)</th>
</tr>
</thead>
<tbody>
<tr>
<td>L (ft)</td>
<td>16</td>
</tr>
<tr>
<td>S (%)</td>
<td>5.19</td>
</tr>
<tr>
<td>V (ft/s)</td>
<td>3.7</td>
</tr>
<tr>
<td>TC2 (min)</td>
<td>0.07</td>
</tr>
<tr>
<td>TC(total)</td>
<td>10.9</td>
</tr>
</tbody>
</table>

The pre-developed time of concentration is taken as 15 minutes for Area 1 and 11 minutes for Area 2. Post Developed time of concentration is taken as 5 minutes in order to provide a conservative analysis.

4.0 RUNOFF

Runoff demand imposed on proposed drainage piping is calculated using HydroCAD 10.0 software. Drainage pipe capacity is calculated using Manning’s Equation as shown below.

**Manning’s Equation**

\[
Q = \frac{1.49}{n} (R)^{\frac{3}{2}} (S)^{\frac{1}{2}} (\pi n^2)
\]

- Q = Flow (cfs)
- V = Velocity (ft/sec)
- A = Cross Sectional Pipe Area (ft²)
- n = Manning’s ‘n’
- R = Hydraulic Radius = r/2 for full flowing pipe
- S = Pipe Slope (ft/ft)
- r = pipe radius (ft)

Stormwater runoff is calculated for the 2-Year, 5-year, 10-year and 25-year return intervals. Table 6 and Table 7 summarize maximum runoff rates for the pre- and post-developed conditions for Area 1 and Area 2 respectively.
### Table 6: Peak Runoff (Area 1)

<table>
<thead>
<tr>
<th>Return Interval</th>
<th>Pre-Developed Runoff (cfs)</th>
<th>Post Developed Runoff (cfs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-Year</td>
<td>0.30</td>
<td>1.27</td>
</tr>
<tr>
<td>5-Year</td>
<td>0.57</td>
<td>1.71</td>
</tr>
<tr>
<td>10-Year</td>
<td>0.98</td>
<td>2.33</td>
</tr>
<tr>
<td>25-Year</td>
<td>1.51</td>
<td>3.06</td>
</tr>
</tbody>
</table>

### Table 7: Peak Runoff (Area 2)

<table>
<thead>
<tr>
<th>Return Interval</th>
<th>Pre-Developed Runoff (cfs)</th>
<th>Post Developed Runoff (cfs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-Year</td>
<td>0.06</td>
<td>0.26</td>
</tr>
<tr>
<td>5-Year</td>
<td>0.12</td>
<td>0.35</td>
</tr>
<tr>
<td>10-Year</td>
<td>0.21</td>
<td>0.47</td>
</tr>
<tr>
<td>25-Year</td>
<td>0.32</td>
<td>0.62</td>
</tr>
</tbody>
</table>

All proposed stormwater piping has been designed to convey runoff from the developed site during the 25-year rainfall event as per Manning’s Equation.

### 5.0 Detention

The City of Albany requires stormwater detention to attenuate post developed runoff from the 2-year, 5-year, 10-year, and 25-year rainfall events to the pre-developed runoff rate. Area 1 provides a post developed stormwater detention system. Per direction from the Public Works Director, detention is not required for Area 2 as it discharges to existing infrastructure located within Patrick Lane. A detention pond is provided in Area 1 attenuating post developed runoff to the pre-developed rate for each design storm event with a flow control manhole. Appendix 1 provides drawings for the proposed detention system. Note that Lots: 6, 7, 8, 9, 10, and 11 are located below the proposed detention system infrastructure. Per direction from the Public Works Director, all lots below the proposed detention system infrastructure shall provide pumps with runoff routed to the street curb line so that that runoff may enter the subject detention system.

HydroCAD 10.0 software was used to evaluate detention requirements for each design rainfall event using the SCS Unit Hydrograph method distributed over a Type 1A hyetograph. HydroCAD 10.0 software results are included with this report for each respective rainfall event for both the pre- and post-developed conditions as shown in Appendices 3 through 18. The proposed detention pond has been designed with an orifice-controlled flow control manhole to attenuate post developed runoff to the pre-developed rate for the 2-year, 5-year, 10-year and 25-year rainfall events in Area 1. Overflow capacity is provided by overtopping of the flow control structure. Post developed flow is discharged from the detention pond to a water quality pond which ultimately discharges to an existing ditch located at the southwest corner of the Area 1 development. See Appendix 1 which provides drawings for orifice control in the proposed detention manhole.
Post developed runoff is stored in the proposed detention pond and released at or below the pre-developed rate for each design storm event. The proposed detention pond provides approximately 6,097 cubic feet of available storage. Note, over 1-ft of free board is provided in the detention pond above the design storage water surface elevation as shown in Appendix 1 and as summarized in Table 8.

Table 8: Detention Pond Volume Summary (Area 1)

<table>
<thead>
<tr>
<th>Pond Stage</th>
<th>Elevation (ft)</th>
<th>Surface Area (ft²)</th>
<th>Incremental Volume (ft³)</th>
<th>Cumulative Volume (ft³)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bottom</td>
<td>398.39</td>
<td>972</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1-ft</td>
<td>399.39</td>
<td>1226</td>
<td>1099</td>
<td>1099</td>
</tr>
<tr>
<td>2-ft</td>
<td>400.39</td>
<td>1505</td>
<td>1365.5</td>
<td>2464.5</td>
</tr>
<tr>
<td>3-ft</td>
<td>401.39</td>
<td>1810</td>
<td>1657.5</td>
<td>4122</td>
</tr>
<tr>
<td>Top-of-Storage</td>
<td>402.39</td>
<td>2140</td>
<td>1975</td>
<td>6097</td>
</tr>
<tr>
<td>Top-of-Pond</td>
<td>403.39</td>
<td>2494</td>
<td>2317</td>
<td>8414</td>
</tr>
</tbody>
</table>

The proposed detention pond exceeds the volume required to attenuate post developed runoff to the pre-developed rate for the design storm events. Post developed runoff is attenuated to the pre-developed rate for each design storm event by use of orifices in a flow control manhole. Appendix I provides drawings for orifice control in the detention manhole. Table 9 summarizes the detention pond storage volumes and water surface elevations for each design storm event.

Table 9: Detention System Storm Summary (Area 1)

<table>
<thead>
<tr>
<th></th>
<th>2-Year Event</th>
<th>5-Year Event</th>
<th>10-Year Event</th>
<th>25-Year Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>Storage Volume</td>
<td>4789</td>
<td>3854</td>
<td>4848</td>
<td>6104</td>
</tr>
<tr>
<td>Water Surface Elevation</td>
<td>401.75</td>
<td>401.24</td>
<td>401.78</td>
<td>402.39</td>
</tr>
</tbody>
</table>

As shown in Table 9, the proposed detention pond exceeds the volume required to attenuate runoff from the post developed 25-year rainfall event to the pre-developed runoff rate while providing over 1-foot of freeboard.

Post developed runoff is attenuated to the pre-developed rate for each design storm event with a detention pond and flow control manhole. Table 10 summarizes pre-, post- and attenuated runoff rates.

Table 10: Runoff Summary (Area 1)

<table>
<thead>
<tr>
<th>Return Interval</th>
<th>Pre-Developed Runoff (cfs)</th>
<th>Post Developed Runoff (cfs)</th>
<th>Attenuated Runoff (cfs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-Year</td>
<td>0.30</td>
<td>1.27</td>
<td>0.30</td>
</tr>
<tr>
<td>5-Year</td>
<td>0.57</td>
<td>1.71</td>
<td>0.56</td>
</tr>
<tr>
<td>10-Year</td>
<td>0.98</td>
<td>2.33</td>
<td>0.98</td>
</tr>
<tr>
<td>25-Year</td>
<td>1.51</td>
<td>3.06</td>
<td>1.51</td>
</tr>
</tbody>
</table>
As shown in the preceding table, post developed runoff is attenuated to the pre-developed rate for the 2-year, 5-year, 10-year and 25-year rainfall events in Area 1. As stated above, stormwater detention is not provided for Area 2 per direction from the Public Works Director.

Post developed runoff from the 100-year rainfall event is addressed in Area 1 providing safe passage to and through the proposed detention pond. The storm drainage conveyance infrastructure located upstream of the proposed detention pond has been designed to convey runoff from the 25-year rainfall event per Division E of the SWMES. During the 100-year rainfall event, upstream pipes would exceed capacity discharging post developed runoff at or below the post developed runoff rates. The detention pond, and downstream discharge, considers the 100-year peak post developed runoff entering the detention pond without consideration of upstream constrictions in order to provide a conservative design.

The flow control manhole attenuating post developed runoff to the pre-developed rate within the proposed detention pond provides a 15” diameter overflow stand pipe. This 15” diameter stand pipe has been designed to convey runoff from the post developed 100-year event without surcharging the proposed detention pond. All discharge pipes located down stream of the detention pond have been designed to convey runoff from the post developed 100-year rainfall event. As shown in Table 11, runoff from the post developed 100-year event will not surcharge the proposed detention pond and the downstream conveyance piping has ample capacity to convey runoff from that rainfall event.

<table>
<thead>
<tr>
<th>Return Interval</th>
<th>Post Developed Runoff (cfs)</th>
<th>Pond WSE</th>
<th>Pond Storage Volume (ft³)</th>
<th>Downstream 12” Pipe Demand (cfs)</th>
<th>Downstream 12” Pipe Capacity (cfs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>100-year</td>
<td>4.24</td>
<td>402.77</td>
<td>6934</td>
<td>4.24</td>
<td>26.88</td>
</tr>
</tbody>
</table>

As shown above, post developed runoff from the 100-year rainfall event is contained within the proposed detention pond with 0.62 feet of free board. The downstream 12” pipe conveying post developed runoff from the detention pond has ample capacity to convey post developed runoff from the 100-year event. Appendix 19 provides HydroCAD 10.0 software results for the 100-year rainfall event as shown above in Table 11.

6.0 STORMWATER QUALITY

6.1 Design Approach
Stormwater quality is provided for post developed runoff with a stormwater quality pond for Area 1 and Street-Side Planters for Area 2 per Division E of the SWMES. Stormwater runoff from the proposed development is routed to water quality infrastructure as shown in Appendix I. Note that Lots: 1, 2, 3, 6, 7, 8, 9, 10, and 11 are located below the proposed stormwater quality infrastructure. Per direction from the Public Works Director, all lots below the proposed stormwater quality infrastructure shall provide pumps so as to be treated by proposed stormwater quality infrastructure.
6.2 Stormwater Quality Pond Design
Post developed runoff from Area 1 is routed to a detention pond with discharges attenuated runoff to a stormwater quality pond as shown in Appendix 1. The proposed stormwater quality pond has been sized to treat post developed runoff per Division E of the SWMES. Per Section E3.03(C)(1) of the SWMES, each lot is evaluated for 2,700 square feet of impervious surface. Impervious surfaces from proposed street improvements, and proposed Lots, routed to the proposed stormwater quality pond is summarized in Table 12:

<table>
<thead>
<tr>
<th>Basin Number</th>
<th>Street &amp; Sidewalk Impervious Area (ft²)</th>
<th>Lot Impervious Area (ft²)</th>
<th>Total Impervious Area (ft²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>41,572</td>
<td>40,500 (15 Lots)</td>
<td>82,072</td>
</tr>
</tbody>
</table>

As per Table 3.03-A of the SWMES, the sizing factor for the proposed stormwater quality pond is 0.018. Table 13 below summarizes the required size for the proposed stormwater quality pond based on the contributing impervious area:

<table>
<thead>
<tr>
<th>Basin Number</th>
<th>Total Impervious Area (ft²)</th>
<th>Sizing Factor</th>
<th>Minimum Planter Area (ft²)</th>
<th>Proposed Planter Area (ft²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>82,072</td>
<td>0.018</td>
<td>1,477</td>
<td>1,479</td>
</tr>
</tbody>
</table>

As shown in Table 13, the area of the proposed stormwater quality pond exceeds the minimum required planter area per the SWMES.

6.3 Street-Side Planter Design
Post developed runoff from Area 2 is routed to proposed street-side planters as shown in Appendix 1. Per Section E3.03(C)(1) of the SWMES, each lot is evaluated for 2,700 square feet of impervious surface. Impervious surfaces from proposed street improvements, and proposed Lots, routed to each of the street-side planters are summarized in Table 14:

<table>
<thead>
<tr>
<th>Basin Number</th>
<th>Street &amp; Sidewalk Impervious Area (ft²)</th>
<th>Lot Impervious Area (ft²)</th>
<th>Total Impervious Area (ft²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>4,871</td>
<td>8,100 (3 Lots)</td>
<td>12,971</td>
</tr>
<tr>
<td>3</td>
<td>4,165</td>
<td>0</td>
<td>4,165</td>
</tr>
</tbody>
</table>

As per Table 3.03-A of the SWMES, the sizing factor for proposed street-side planters is 0.018. Table 15 below summarizes the required size of each street-side planter based on the contributing impervious area;
As shown in Table 15, the area of all proposed street-side planters exceeds the minimum required planter area per the SWMES.

### 7.0 CONCLUSION

The proposed Nature Way Estates development provides stormwater quantity and quality infrastructure in conformance with Division E of the City of Albany Stormwater Management Engineering Standards.

Post developed runoff is attenuated to the pre-developed rate for the; 2-year, 5-year, 10-year, and 25-year rainfall events with detention pond and a flow control outfall structure. Stormwater quality is provided in accordance with the City of Albany SWMES with stormwater quality planters. All stormwater conveyance piping has been designed to convey post developed runoff from the 25-year rainfall event.

Post developed runoff from the 100-year rainfall event is provided safe passage from the proposed detention pond to the receiving ditch located at the south west corner of the subject property.

The proposed Nature Way Estates development provides stormwater quantity and quality infrastructure exceeding all applicable City of Albany design standards.
Figures

Appendix 1
ATTACHMENT C
15" INLET FROM POND INV=398.39
15" OUTFALL TO WATER QUALITY POND INV=398.39
2' SUMP MANHOLE FLOOR=396.39
5' DIAMETER 3.6" ORIFICE INV=398.39
8" STAND PIPE 15" TEE OVERFLOW ELEV=402.40
15" PLUG 'BIRDCAGE' MANHOLE RIM ELEV=403.89
4.9" ORIFICE INV=401.24
3.6" ORIFICE INV=401.78
TOP OF WEIR 401.75
2.6" ORIFICE INV=398.39
2' SUMP
3.6" ORIFICE INV=398.39
15" TEE
15" OUTFALL TO WATER QUALITY POND INV=398.39
MANHOLE FLOOR=396.39
9' DIAMETER

Phone (541) 760-7205
Corvallis, OR 97339
P.O. BOX 374
TKP ENGINEERING
Fax (866) 861-5704

NATURE WAY ESTATES DETENTION MANHOLE CONTROL STRUCTURE NOT-TO-SCALE FIGURE 5
FIGURE 6

TYPICAL SECTION

DETENTION POND
NOT-TO-SCALE

TOP-OF-POND (403.39)

2(H):1(V)

0.5' DEAD
STORAGE

FINISH GRADE

MAXIMUM WATER SURFACE ELEVATION (402.39)

2(H):1(V)

1' FREE
BOARD

BOTTOM OF POND (397.89)

FINISH GRADE

2(H):1(V)

BOTTOM OF LIVE STORAGE (398.39)

FINISH GRADE

PERMEABLE
GEOTEXTILE FABRIC
LINER

PERMEABLE
GEOTEXTILE FABRIC LINER

EXISTING
SUBGRADE

3' FREEBOARD

PLANTING MATERIAL
PER LANDSCAPING PLAN

ROCKERY WALL

PROVIDE 'FLAPPER GATE'
AT PIPE OUTFALL

15' INLET PIPE

12' DISCHARGE PIPE

PERMEABLE
GEOTEXTILE FABRIC LINER

NATURE WAY ESTATES

DETENTION POND & WATER QUALITY POND

NOT-TO-SCALE

FIGURE 6
Curve Number Selection

Appendix 2
### Table 2.2a Runoff curve numbers for urban areas \(^1\)

<table>
<thead>
<tr>
<th>Cover type and hydrologic condition</th>
<th>Average percent impervious area (^2)</th>
<th>Curve numbers for hydrologic soil group</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A</td>
<td>B</td>
</tr>
<tr>
<td><strong>Fully developed urban areas (vegetation established)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open space (lawns, parks, golf courses, cemeteries, etc.) (^3):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poor condition (grass cover &lt; 50%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fair condition (grass cover 50% to 75%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Good condition (grass cover &gt; 75%)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impervious areas:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paved parking lots, roofs, driveways, etc. (excluding right-of-way)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Streets and roads:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paved, curbs and storm sewers (excluding right-of-way)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paved, open ditches (including right-of-way)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gravel (including right-of-way)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dirt (including right-of-way)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Western desert urban areas:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Natural desert landscaping (pervious areas only) (^4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Artificial desert landscaping (impervious weed barrier, desert shrub with 1- to 2-inch sand or gravel mulch and basin borders)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Urban districts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commercial and business</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential districts by average lot size:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/8 acre or less (town houses)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/4 acre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/3 acre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1/2 acre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 acre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2 acres</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Developing urban areas</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newly graded areas (pervious areas only, no vegetation) (^5)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Idle lands (CN's are determined using cover types similar to those in table 2.2c)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

\(^1\) Average runoff condition, and \(I_5 = 0.25\).

\(^2\) The average percent impervious area shown was used to develop the composite CN's. Other assumptions are as follows: impervious areas are directly connected to the drainage system, impervious areas have a CN of 98, and pervious areas are considered equivalent to open space in good hydrologic condition. CN's for other combinations of conditions may be computed using figure 2.3 or 2.4.

\(^3\) CN's shown are equivalent to those of pasture. Composite CN's may be computed for other combinations of open space cover type.

\(^4\) Composite CN's for natural desert landscaping should be computed using figures 2.3 or 2.4 based on the impervious area percentage (CN = 98) and the pervious area CN. The pervious area CN's are assumed equivalent to desert shrub in poor hydrologic condition.

\(^5\) Composite CN's to use for the design of temporary measures during grading and construction should be computed using figure 2.3 or 2.4 based on the degree of development (impervious area percentage) and the CN's for the newly graded pervious areas.
<table>
<thead>
<tr>
<th>Cover Type</th>
<th>Cover Description</th>
<th>Hydrologic Condition</th>
<th>Hydrologic Soil Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pasture, grassland, or range—continuous forage for grazing. (^2)</td>
<td>Poor</td>
<td>68</td>
<td>79</td>
</tr>
<tr>
<td></td>
<td>Fair</td>
<td>49</td>
<td>69</td>
</tr>
<tr>
<td></td>
<td>Good</td>
<td>39</td>
<td>61</td>
</tr>
<tr>
<td>Meadow—continuous grass, protected from grazing and generally mowed for hay.</td>
<td>—</td>
<td>30</td>
<td>58</td>
</tr>
<tr>
<td>Brush—brush-weed-grass mixture with brush the major element. (^3)</td>
<td>Poor</td>
<td>48</td>
<td>67</td>
</tr>
<tr>
<td></td>
<td>Fair</td>
<td>35</td>
<td>56</td>
</tr>
<tr>
<td></td>
<td>Good</td>
<td>30 (^*)</td>
<td>48</td>
</tr>
<tr>
<td>Woods—grass combination (orchard or tree farm). (^2)</td>
<td>Poor</td>
<td>57</td>
<td>73</td>
</tr>
<tr>
<td></td>
<td>Fair</td>
<td>43</td>
<td>65</td>
</tr>
<tr>
<td></td>
<td>Good</td>
<td>32</td>
<td>58</td>
</tr>
<tr>
<td>Woods. (^2)</td>
<td>Poor</td>
<td>45</td>
<td>66</td>
</tr>
<tr>
<td></td>
<td>Fair</td>
<td>36</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Good</td>
<td>30 (^*)</td>
<td>55</td>
</tr>
<tr>
<td>Farmsteads—buildings, lanes, driveways, and surrounding lots.</td>
<td>—</td>
<td>59</td>
<td>74</td>
</tr>
</tbody>
</table>

1 Average runoff condition, and \(I_s = 0.25\).
2 Poor: \(<50\%\) ground cover or heavily grazed with no mulch.
   Fair: \(50\%\) to \(75\%\) ground cover and not heavily grazed.
   Good: \(>75\%\) ground cover and lightly or occasionally grazed.
3 Poor: \(<50\%\) ground cover.
   Fair: \(50\%\) to \(75\%\) ground cover.
   Good: \(>75\%\) ground cover.
4 Actual curve number is less than 30; use CN = 30 for runoff computations.
5 CNs shown were computed for areas with 50% woods and 50% grass (pasture) cover. Other combinations of conditions may be computed from the CN’s for woods and pasture.
6 Poor: Forest litter, small trees, and brush are destroyed by heavy grazing or regular burning.
   Fair: Woods are grazed but not burned, and some forest litter covers the soil.
   Good: Woods are protected from grazing, and litter and brush adequately cover the soil.
2-Year Pre-Developed Analysis: Area 1

Appendix 3
Summary for Subcatchment 1S: Pre-Developed Area 1

Runoff = 0.30 cfs @ 8.16 hrs, Volume= 0.235 af, Depth> 0.51"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 2-Year Rainfall=2.47"

<table>
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<th>Area (ac)</th>
<th>CN</th>
<th>Description</th>
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<tr>
<td>* 5.540</td>
<td>72</td>
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<tr>
<td>5.540</td>
<td>100.00% Pervious Area</td>
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<th>Tc (min)</th>
<th>Length (feet)</th>
<th>Slope (ft/ft)</th>
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<td></td>
<td>Direct Entry, Pre-Developed</td>
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Subcatchment 1S: Pre-Developed Area 1

Hydrograph

Type IA 24-hr 2-Year Rainfall=2.47"
Runoff Area=5.540 ac
Runoff Volume=0.235 af
Runoff Depth>0.51"
Tc=15.0 min
CN=72
5-Year Pre-Developed Analysis: Area 1

Appendix 4
Summary for Subcatchment 1S: Pre-Developed Area 1

Runoff = 0.57 cfs @ 8.12 hrs, Volume= 0.332 af, Depth> 0.72"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 5-Year Rainfall=2.86"

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Tc = 15.0
Length = Direct Entry, Pre-Developed
Slope = Pre-Developed
Velocity = Pre-Developed
Capacity = Pre-Developed

Subcatchment 1S: Pre-Developed Area 1

Hydrograph

Type IA 24-hr
5-Year Rainfall=2.86"
Runoff Area=5.540 ac
Runoff Volume=0.332 af
Runoff Depth>0.72"
Tc=15.0 min
CN=72

Flow (cfs)

Time (hours)
10-Year Pre-Developed Analysis: Area 1

Appendix 5
Summary for Subcatchment 1S: Pre-Developed Area 1

Runoff = 0.98 cfs @ 8.10 hrs, Volume = 0.475 af, Depth > 1.03"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span = 0.00-24.00 hrs, dt = 0.05 hrs
Type IA 24-hr 10-Year Rainfall = 3.37"

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Direct Entry, Pre-Developed

Subcatchment 1S: Pre-Developed Area 1

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Hydrograph
25-Year Pre-Developed Analysis: Area 1

Appendix 6
Summary for Subcatchment 1S: Pre-Developed Area 1

Runoff = 1.51 cfs @ 8.09 hrs, Volume = 0.650 af, Depth > 1.41"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span = 0.00-24.00 hrs, dt = 0.05 hrs
Type IA 24-hr 25-Year Rainfall = 3.94"

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5.540 100.00% Pervious Area

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Direct Entry, Pre-Developed

Subcatchment 1S: Pre-Developed Area 1

[Hydrograph diagram showing a peak flow of 1.51 cfs]
2-Year Pre-Developed Analysis: Area 2

Appendix 7
Pre-Developed Area 2

Summary for Subcatchment 1S: Pre-Developed Area 1

Runoff = 0.06 cfs @ 8.10 hrs, Volume = 0.048 af, Depth > 0.51"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span = 0.00-24.00 hrs, dt = 0.05 hrs
Type IA 24-hr 2-Year Rainfall = 2.47"

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Tc (min) Length (feet) Slope (ft/ft) Velocity (ft/sec) Capacity (cfs) Description

11.0

Direct Entry, Pre-Developed

Subcatchment 1S: Pre-Developed Area 1

Hydrograph

Type IA 24-hr 2-Year Rainfall = 2.47"
Runoff Area = 1.120 ac
Runoff Volume = 0.048 af
Runoff Depth = 0.51"
Tc = 11.0 min
CN = 72
5-Year Pre-Developed Analysis: Area 2

Appendix 8
Summary for Subcatchment 1S: Pre-Developed Area 1

Runoff = 0.12 cfs @ 8.07 hrs, Volume = 0.067 af, Depth > 0.72"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span = 0.00-24.00 hrs, dt = 0.05 hrs
Type IA 24-hr 5-Year Rainfall = 2.86"

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Tc (min)  | Length (feet) | Slope (ft/ft) | Velocity (ft/sec) | Capacity (cfs) | Description |
---------|---------------|---------------|-------------------|----------------|-------------|
11.0      |               |               |                   |                |             |

Direct Entry, Pre-Developed

Subcatchment 1S: Pre-Developed Area 1

[Hydrograph diagram with details]
10-Year Pre-Developed Analysis: Area 2

Appendix 9
Summary for Subcatchment 1S: Pre-Developed Area 1

Runoff = 0.21 cfs @ 8.05 hrs, Volume= 0.096 af, Depth> 1.03"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 10-Year Rainfall=3.37"

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Subcatchment 1S: Pre-Developed Area 1

Hydrograph

Type IA 24-hr
10-Year Rainfall=3.37"
Runoff Area=1.120 ac
Runoff Volume=0.096 af
Runoff Depth>1.03"
Tc=11.0 min
CN=72
25-Year Pre-Developed Analysis: Area 2

Appendix 10
Summary for Subcatchment 1S: Pre-Developed Area 1

Runoff = 0.32 cfs @ 8.04 hrs, Volume= 0.132 af, Depth> 1.41"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 25-Year Rainfall=3.94"

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Subcatchment 1S: Pre-Developed Area 1

Hydrograph

Type IA 24-hr 25-Year Rainfall=3.94"
Runoff Area=1.120 ac
Runoff Volume=0.132 af
Runoff Depth>1.41"
Tc=11.0 min
CN=72
2-Year Post Developed Analysis: Area 1

Appendix 11
Summary for Subcatchment 1S: Post Developed - Area 1

Runoff = 1.27 cfs @ 7.98 hrs, Volume = 0.476 af, Depth > 1.03"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span = 0.00-24.00 hrs, dt = 0.05 hrs
Type IA 24-hr 2-Year Rainfall = 2.47"

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Subcatchment 1S: Post Developed - Area 1

Hydrograph
Post Developed Area 1 (2-year) Type IA 24-hr 2-Year Rainfall=2.47"
Prepared by TKP Engineering Printed 1/30/2019
HydroCAD® 10.00-21 s/n M01743 © 2018 HydroCAD Software Solutions LLC Page 2

Summary for Reach 1R: Outfall

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 0.85" for 2-Year event
Inflow = 0.30 cfs @ 15.35 hrs, Volume= 0.392 af
Outflow = 0.30 cfs @ 15.35 hrs, Volume= 0.392 af, Atten= 0%, Lag= 0.1 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 7.41 fps, Min. Travel Time= 0.0 min
Avg. Velocity = 6.89 fps, Avg. Travel Time= 0.0 min

Peak Storage= 1 cf @ 15.35 hrs
Average Depth at Peak Storage= 0.10'
Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 14.65 cfs

12.0" Round Pipe
n= 0.010
Length= 20.0' Slope= 0.1000 '"
Inlet Invert= 396.06', Outlet Invert= 394.06'

Reach 1R: Outfall

Hydrograph

Inflow Area=5.540 ac
Avg. Flow Depth=0.10'
Max Vel=7.41 fps
12.0"
Round Pipe
n=0.010
L=20.0'
S=0.1000 '"
Capacity=14.65 cfs
Summary for Pond 2P: Detention Pond

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 1.03" for 2-Year event
Inflow = 1.27 cfs @ 7.98 hrs, Volume= 0.476 af
Outflow = 0.30 cfs @ 15.35 hrs, Volume= 0.392 af, Atten= 77%, Lag= 442.3 min
Primary = 0.30 cfs @ 15.35 hrs, Volume= 0.392 af

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Peak Elev= 401.75' @ 15.35 hrs Surf.Area= 1,928 sf Storage= 4,789 cf

Plug-Flow detention time= 219.4 min calculated for 0.392 af (82% of inflow)
Center-of-Mass det. time= 117.6 min (943.4 - 825.8 )

<table>
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<tr>
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<th>Avail.Storage</th>
<th>Storage Description</th>
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<tbody>
<tr>
<td>#1</td>
<td>398.39'</td>
<td>8,414 cf</td>
<td>Custom Stage Data (Prismatic) Listed below (Recalc)</td>
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<td>403.39</td>
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</table>

Device Routing Invert Outlet Devices
#1 Primary 398.39' 2.5" Vert. Orifice/Grate C= 0.600

Primary OutFlow Max=0.30 cfs @ 15.35 hrs HW=401.75' (Free Discharge)
^1=Orifice/Grate (Orifice Controls 0.30 cfs @ 8.68 fps)
Post Developed Area 1 (2-year)

Pond 2P: Detention Pond

Hydrograph

Inflow Area=5.540 ac
Peak Elev=401.75
Storage=4,789 cf

Flow (cfs)

Time (hours)

1.27 cfs

0.30 cfs
5-Year Post Developed Analysis: Area 1

Appendix 12
Summary for Subcatchment 1S: Post Developed - Area 1

Runoff = 1.71 cfs @ 7.97 hrs, Volume= 0.615 af, Depth> 1.33"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 5-Year Rainfall=2.86"

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Direct Entry, Post Developed

Subcatchment 1S: Post Developed - Area 1

Hydrograph

Type IA 24-hr 5-Year Rainfall=2.86"
Runoff Area=5.540 ac
Runoff Volume=0.615 af
Runoff Depth>1.33"
Tc=5.0 min
CN=83
Summary for Reach 1R: Outfall

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 1.29" for 5-Year event
Inflow = 0.56 cfs @ 9.30 hrs, Volume= 0.596 af
Outflow = 0.56 cfs @ 9.31 hrs, Volume= 0.596 af, Atten= 0%, Lag= 0.4 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 13.72 fps, Min. Travel Time= 0.2 min
Avg. Velocity = 11.83 fps, Avg. Travel Time= 0.3 min

Peak Storage= 8 cf @ 9.30 hrs
Average Depth at Peak Storage= 0.10'
Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 26.88 cfs

12.0" Round Pipe
n= 0.010
Length= 190.0'  Slope= 0.3368 '/'
Inlet Invert= 394.00', Outlet Invert= 330.00'

Reach 1R: Outfall

Hydrograph

Inflow Area=5.540 ac
Avg. Flow Depth=0.10'
Max Vel=13.72 fps
12.0"
Round Pipe
n=0.010
L=190.0'
S=0.3368 '/'
Capacity=26.88 cfs
Summary for Pond 2P: Detention Pond

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 1.33" for 5-Year event
Inflow = 1.71 cfs @ 7.97 hrs, Volume= 0.615 af
Outflow = 0.56 cfs @ 9.30 hrs, Volume= 0.596 af, Atten= 67%, Lag= 79.8 min
Primary = 0.56 cfs @ 9.30 hrs, Volume= 0.596 af

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Peak Elev= 401.24’ @ 9.30 hrs  Surf.Area= 1,764 sf  Storage= 3,854 cf

Plug-Flow detention time= 83.2 min calculated for 0.596 af (97% of inflow)
Center-of-Mass det. time= 64.0 min (873.5 - 809.6 )

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<td>Custom Stage Data (Prismatic) Listed below (Recalc)</td>
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<tr>
<td>398.39</td>
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<td>3.6” Vert. Orifice/Grate C= 0.600</td>
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<tr>
<td>#2</td>
<td>Primary</td>
<td>401.24’</td>
<td>4.9” Vert. Orifice/Grate C= 0.600</td>
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<tr>
<td>#3</td>
<td>Primary</td>
<td>401.78’</td>
<td>3.6” Vert. Orifice/Grate C= 0.600</td>
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<td>#4</td>
<td>Primary</td>
<td>402.40’</td>
<td>12.0” Horiz. Orifice/Grate C= 0.600</td>
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Primary OutFlow Max=0.56 cfs @ 9.30 hrs HW=401.24’ (Free Discharge)

1=Orifice/Grate (Orifice Controls 0.56 cfs @ 7.91 fps)
2=Orifice/Grate (Orifice Controls 0.00 cfs @ 0.05 fps)
3=Orifice/Grate (Controls 0.00 cfs)
4=Orifice/Grate (Controls 0.00 cfs)
10-Year Post Developed Analysis: Area 1

Appendix 13
Summary for Subcatchment 1S: Post Developed - Area 1

Runoff = 2.33 cfs @ 7.95 hrs, Volume= 0.807 af, Depth> 1.75"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 10-Year Rainfall=3.37"

<table>
<thead>
<tr>
<th>Area (ac)</th>
<th>CN</th>
<th>Description</th>
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<td>100.00% Pervious Area</td>
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</table>

Direct Entry, Post Developed

Subcatchment 1S: Post Developed - Area 1

Hydrograph

Type IA 24-hr 10-Year Rainfall=3.37"
Runoff Area=5.540 ac
Runoff Volume=0.807 af
Runoff Depth>1.75"
Tc=5.0 min
CN=83
Summary for Reach 1R: Outfall

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 1.68" for 10-Year event
Inflow = 0.98 cfs @ 8.74 hrs, Volume= 0.775 af
Outflow = 0.98 cfs @ 8.74 hrs, Volume= 0.775 af, Atten= 0%, Lag= 0.3 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 16.22 fps, Min. Travel Time= 0.2 min
Avg. Velocity = 12.64 fps, Avg. Travel Time= 0.3 min

Peak Storage= 11 cf @ 8.74 hrs
Average Depth at Peak Storage= 0.13'
Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 26.88 cfs

12.0" Round Pipe
n= 0.010
Length= 190.0'  Slope= 0.3368 '/'
Inlet Invert= 394.00', Outlet Invert= 330.00'

Reach 1R: Outfall

Hydrograph
Summary for Pond 2P: Detention Pond

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 1.75" for 10-Year event
Inflow  = 2.33 cfs @ 7.95 hrs, Volume= 0.807 af
Outflow = 0.98 cfs @ 8.74 hrs, Volume= 0.775 af, Attenuation= 58%, Lag= 47.0 min
Primary = 0.98 cfs @ 8.74 hrs, Volume= 0.775 af

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Peak Elev= 401.78' @ 8.74 hrs Surf.Area= 1,938 sf Storage= 4,848 cf

Plug-Flow detention time= 90.9 min calculated for 0.775 af (96% of inflow)
Center-of-Mass det. time= 66.1 min (859.1 - 792.9 )

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<th>Avail.Storage</th>
<th>Storage Description</th>
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<td>398.39'</td>
<td>8,414 cf</td>
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<tr>
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<td>Primary</td>
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<td>4.9&quot; Vert. Orifice/Grate C= 0.600</td>
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<tr>
<td>#3</td>
<td>Primary</td>
<td>401.78'</td>
<td>3.6&quot; Vert. Orifice/Grate C= 0.600</td>
</tr>
<tr>
<td>#4</td>
<td>Primary</td>
<td>402.40'</td>
<td>12.0&quot; Horiz. Orifice/Grate C= 0.600</td>
</tr>
</tbody>
</table>

Limited to weir flow at low heads

Primary Outflow Max= 0.98 cfs @ 8.74 hrs HW= 401.78' (Free Discharge)

1-Orifice/Grate (Orifice Controls 0.61 cfs @ 8.66 fps)
2-Orifice/Grate (Orifice Controls 0.36 cfs @ 2.78 fps)
3-Orifice/Grate (Orifice Controls 0.00 cfs)
4-Orifice/Grate (Orifice Controls 0.00 cfs)
25-Year Post Developed Analysis: Area 1

Appendix 14
Summary for Subcatchment 1S: Post Developed - Area 1

Runoff = 3.06 cfs @ 7.94 hrs, Volume= 1.030 af, Depth> 2.23"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 25-Year Rainfall=3.94"

<table>
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<tr>
<th>Area (ac)</th>
<th>CN</th>
<th>Description</th>
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<tbody>
<tr>
<td>5.540</td>
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<td>100.00% Pervious Area</td>
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</table>

Direct Entry, Post Developed

Subcatchment 1S: Post Developed - Area 1

Hydrograph

[Graph showing hydrograph with peak flow of 3.06 cfs]
Summary for Reach 1R: Outfall

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 2.12" for 25-Year event
Inflow = 1.51 cfs @ 8.33 hrs, Volume= 0.978 af
Outflow = 1.51 cfs @ 8.34 hrs, Volume= 0.978 af, Atten= 0%, Lag= 0.8 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 18.49 fps, Min. Travel Time= 0.2 min
Avg. Velocity = 13.36 fps, Avg. Travel Time= 0.2 min

Peak Storage= 16 cf @ 8.34 hrs
Average Depth at Peak Storage= 0.16'
Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 26.88 cfs

12.0" Round Pipe
n= 0.010
Length= 190.0' Slope= 0.3368 '/'
Inlet Invert= 394.00', Outlet Invert= 330.00'

Reach 1R: Outfall

Hydrograph

Inflow Area=5.540 ac
Avg. Flow Depth=0.16'
Max Vel=18.49 fps
12.0"
Round Pipe
n=0.010
L=190.0'
S=0.3368 '/'
Capacity=26.88 cfs
Summary for Pond 2P: Detention Pond

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 2.23" for 25-Year event
Inflow = 3.06 cfs @ 7.94 hrs, Volume= 1.030 af
Outflow = 1.51 cfs @ 8.33 hrs, Volume= 0.978 af, Atten= 50%, Lag= 23.2 min
Primary = 1.51 cfs @ 8.33 hrs, Volume= 0.978 af

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Peak Elev= 402.39' @ 8.33 hrs Surf.Area= 2,141 sf Storage= 6,104 cf

Plug-Flow detention time= 91.2 min calculated for 0.978 af (95% of inflow)
Center-of-Mass det. time= 58.8 min (837.1 - 778.3 )

<table>
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<tr>
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<th>Invert</th>
<th>Avail.Storage</th>
<th>Storage Description</th>
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<tbody>
<tr>
<td>#1</td>
<td>398.39'</td>
<td>8,414 cf</td>
<td>Custom Stage Data (Prismatic) Listed below (Recalc)</td>
</tr>
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<tr>
<td>403.39</td>
<td>2,494</td>
<td>2,317</td>
<td>8,414</td>
</tr>
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</table>

Device Routing Invert Outlet Devices
#1 Primary 398.39' 3.6" Vert. Orifice/Grate C= 0.600
#2 Primary 401.24' 4.9" Vert. Orifice/Grate C= 0.600
#3 Primary 401.78' 3.6" Vert. Orifice/Grate C= 0.600
#4 Primary 402.40' 12.0" Horiz. Orifice/Grate C= 0.600

Primary OutFlow Max=1.51 cfs @ 8.33 hrs HW=402.39’ (Free Discharge)

1= Orifice/Grate (Orifice Controls 0.67 cfs @ 9.45 fps)
2= Orifice/Grate (Orifice Controls 0.61 cfs @ 4.69 fps)
3= Orifice/Grate (Orifice Controls 0.23 cfs @ 3.27 fps)
4= Orifice/Grate (Controls 0.00 cfs)
Pond 2P: Detention Pond

Hydrograph

- Inflow Area: 5.540 ac
- Peak Elev: 402.39'
- Storage: 6,104 cf

Flow (cfs)

0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24

Time (hours)

3.06 cfs
1.51 cfs
2-Year Post Developed Analysis: Area 2

Appendix 15
Summary for Subcatchment 1S: Post Developed - Area 2

Runoff = 0.26 cfs @ 7.98 hrs, Volume= 0.096 af, Depth> 1.03"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 2-Year Rainfall=2.47"

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Direct Entry, Post Developed

Subcatchment 1S: Post Developed - Area 2

Hydrograph
Summary for Reach 3R: Outfall

Inflow Area = 1.120 ac, 0.00% Impervious, Inflow Depth > 1.03" for 2-Year event
Inflow = 0.26 cfs @ 7.98 hrs, Volume= 0.096 af
Outflow = 0.26 cfs @ 7.99 hrs, Volume= 0.096 af, Atten= 1%, Lag= 0.6 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 1.97 fps, Min. Travel Time= 0.8 min
Avg. Velocity = 1.25 fps, Avg. Travel Time= 1.3 min

Peak Storage= 13 cf @ 7.98 hrs
Average Depth at Peak Storage= 0.22'
Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 2.36 cfs

12.0" Round Pipe
n= 0.010
Length= 100.0' Slope= 0.0026 '/'
Inlet Invert= 220.60', Outlet Invert= 220.34'

Reach 3R: Outfall
Hydrograph

Inflow Area=1.120 ac
Avg. Flow Depth=0.22'
Max Vel=1.97 fps
12.0"
Round Pipe
n=0.010
L=100.0'
S=0.0026 '/'
Capacity=2.36 cfs
5-Year Post Developed Analysis: Area 2

Appendix 16
Summary for Subcatchment 1S: Post Developed - Area 2

Runoff = 0.35 cfs @ 7.97 hrs, Volume= 0.124 af, Depth> 1.33"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 5-Year Rainfall=2.86"

<table>
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<th>Description</th>
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Direct Entry, Post Developed

Subcatchment 1S: Post Developed - Area 2

Hydrograph

Type IA 24-hr
5-Year Rainfall=2.86"
Runoff Area=1.120 ac
Runoff Volume=0.124 af
Runoff Depth>1.33"
Tc=5.0 min
CN=83
Summary for Reach 3R: Outfall

Inflow Area = 1.120 ac, 0.00% Impervious, Inflow Depth > 1.33" for 5-Year event
Inflow = 0.35 cfs @ 7.97 hrs, Volume= 0.124 af
Outflow = 0.35 cfs @ 7.98 hrs, Volume= 0.124 af, Atten= 0%, Lag= 0.6 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 2.15 fps, Min. Travel Time= 0.8 min
Avg. Velocity = 1.34 fps, Avg. Travel Time= 1.2 min

Peak Storage= 16 cf @ 7.98 hrs
Average Depth at Peak Storage= 0.26'
Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 2.36 cfs

12.0" Round Pipe
n= 0.010
Length= 100.0' Slope= 0.0026 '
Inlet Invert= 220.60', Outlet Invert= 220.34'

Reach 3R: Outfall

Hydrograph

Inflow Area=1.120 ac
Avg. Flow Depth=0.26'
Max Vel=2.15 fps
12.0"
Round Pipe
n=0.010
L=100.0'
S=0.0026 '
Capacity=2.36 cfs
10-Year Post Developed Analysis: Area 2

Appendix 17
Summary for Subcatchment 1S: Post Developed - Area 2

Runoff = 0.47 cfs @ 7.95 hrs, Volume= 0.163 af, Depth> 1.75"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Type IA 24-hr 10-Year Rainfall=3.37"

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**Subcatchment 1S: Post Developed - Area 2**

**Hydrograph**

- Type IA 24-hr
- 10-Year Rainfall=3.37"
- Runoff Area=1.120 ac
- Runoff Volume=0.163 af
- Runoff Depth>1.75"
- Tc=5.0 min
- CN=83

- 0.47 cfs

Flow (cfs)

Time (hours)
Summary for Reach 3R: Outfall

Inflow Area = 1.120 ac, 0.00% Impervious, Inflow Depth > 1.75" for 10-Year event
Inflow = 0.47 cfs @ 7.95 hrs, Volume= 0.163 af
Outflow = 0.47 cfs @ 7.97 hrs, Volume= 0.163 af, Atten= 0%, Lag= 1.2 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 2.35 fps, Min. Travel Time= 0.7 min
Avg. Velocity = 1.43 fps, Avg. Travel Time= 1.2 min

Peak Storage= 20 cf @ 7.96 hrs
Average Depth at Peak Storage= 0.30'
Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 2.36 cfs

12.0" Round Pipe
n= 0.010
Length= 100.0' Slope= 0.0026 '/'
Inlet Invert= 220.60', Outlet Invert= 220.34'

Reach 3R: Outfall

Hydrograph

Inflow Area=1.120 ac
Avg. Flow Depth=0.30' Max Vel=2.35 fps
12.0"
Round Pipe
n=0.010
L=100.0'
S=0.0026 '/'
Capacity=2.36 cfs
25-Year Post Developed Analysis: Area 2

Appendix 18
Summary for Subcatchment 1S: Post Developed - Area 2

Runoff = 0.62 cfs @ 7.94 hrs, Volume = 0.208 af, Depth > 2.23"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span = 0.00-24.00 hrs, dt = 0.05 hrs
Type IA 24-hr 25-Year Rainfall = 3.94"

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<th>Description</th>
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<td>Direct Entry, Post Developed</td>
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Subcatchment 1S: Post Developed - Area 2

Hydrograph

0.62 cfs
Summary for Reach 3R: Outfall

Inflow Area = 1.120 ac, 0.00% Impervious, Inflow Depth > 2.23" for 25-Year event
Inflow = 0.62 cfs @ 7.94 hrs, Volume= 0.208 af
Outflow = 0.62 cfs @ 7.96 hrs, Volume= 0.208 af, Atten= 0%, Lag= 1.1 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 2.53 fps, Min. Travel Time= 0.7 min
Avg. Velocity = 1.52 fps, Avg. Travel Time= 1.1 min

Peak Storage= 24 cf @ 7.95 hrs
Average Depth at Peak Storage= 0.35'
Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 2.36 cfs

12.0" Round Pipe
n= 0.010
Length= 100.0' Slope= 0.0026 '/'
Inlet Invert= 220.60', Outlet Invert= 220.34'

Reach 3R: Outfall

Hydrograph
100-Year Post Developed Analysis: Area 1

Appendix 19
Summary for Subcatchment 1S: Post Developed - Area 1

Runoff = 4.24 cfs @ 7.93 hrs, Volume=1.393 af, Depth>3.02"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span=0.00-24.00 hrs, dt=0.05 hrs
Type IA 24-hr 100-Year Rainfall=4.83"

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<th>Description</th>
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<th>Slope (ft/ft)</th>
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<tbody>
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<td></td>
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<td></td>
<td>Direct Entry, Post Developed</td>
</tr>
</tbody>
</table>

Subcatchment 1S: Post Developed - Area 1

Hydrograph

Type IA 24-hr 100-Year Rainfall=4.83"
Runoff Area=5.540 ac
Runoff Volume=1.393 af
Runoff Depth>3.02"
Tc=5.0 min
CN=83
Summary for Reach 1R: Outfall

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 2.84" for 100-Year event
Inflow = 3.97 cfs @ 8.03 hrs, Volume= 1.313 af
Outflow = 3.96 cfs @ 8.03 hrs, Volume= 1.312 af, Atten= 0%, Lag= 0.2 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Max. Velocity= 24.47 fps, Min. Travel Time= 0.1 min
Avg. Velocity = 14.31 fps, Avg. Travel Time= 0.2 min

Peak Storage= 31 cf @ 8.03 hrs
Average Depth at Peak Storage= 0.26'
Bank-Full Depth= 1.00' Flow Area= 0.8 sf, Capacity= 26.88 cfs

12.0" Round Pipe
n= 0.010
Length= 190.0' Slope= 0.3368 '/'
Inlet Invert= 394.00', Outlet Invert= 330.00'

Reach 1R: Outfall
Summary for Pond 2P: Detention Pond

Inflow Area = 5.540 ac, 0.00% Impervious, Inflow Depth > 3.02” for 100-Year event
Inflow = 4.24 cfs @ 7.93 hrs, Volume= 1.393 af
Outflow = 3.97 cfs @ 8.03 hrs, Volume= 1.313 af, Atten= 7%, Lag= 6.3 min
Primary = 3.97 cfs @ 8.03 hrs, Volume= 1.313 af

Routing by Stor-Ind method, Time Span= 0.00-24.00 hrs, dt= 0.05 hrs
Peak Elev= 402.77’ @ 8.03 hrs Surf.Area= 2,274 sf Storage= 6,934 cf
Plug-Flow detention time= 79.6 min calculated for 1.313 af (94% of inflow)
Center-of-Mass det. time= 41.8 min (802.8 - 760.9 )

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<th>Invert</th>
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<th>Storage Description</th>
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<tr>
<td>#1</td>
<td>398.39’</td>
<td>8,414 cf</td>
<td>Custom Stage Data (Prismatic) Listed below (Recalc)</td>
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Device Routing Invert Outlet Devices
#1 Primary 398.39’ 3.6” Vert. Orifice/Grate C= 0.600
#2 Primary 401.24’ 4.9” Vert. Orifice/Grate C= 0.600
#3 Primary 401.78’ 3.6” Vert. Orifice/Grate C= 0.600
#4 Primary 402.40’ 12.0” Horiz. Orifice/Grate C= 0.600
Limited to weir flow at low heads

Primary OutFlow Max=4.00 cfs @ 8.03 hrs HW=402.77’ (Free Discharge)
= Orifice/Grate (Orifice Controls 0.70 cfs @ 9.90 fps)
= Orifice/Grate (Orifice Controls 0.72 cfs @ 5.53 fps)
= Orifice/Grate (Orifice Controls 0.31 cfs @ 4.40 fps)
= Orifice/Grate (Weir Controls 2.27 cfs @ 1.98 fps)
Pond 2P: Detention Pond

Hydrograph

Inflow Area = 5.540 ac
Peak Elev = 402.77”
Storage = 6,934 cf

Flow (cfs)

4.24 cfs
3.97 cfs

Time (hours)
TREE REMOVAL NOTES

REMOVE EXISTING TREE AS SHOWN. TREES SHALL BE REMOVED INCLUDING ALL ROOTS GREATER THAN 1" IN DIAMETER. ALL TREE DEBRIS SHALL BE REMOVED FROM THE SITE.

NOTES:

ALL TREES IN THE EXISTING AND PROPOSED MAIER LANE AND PATRICK LANE RIGHT-OF-WAY AND PUBLIC UTILITY EASEMENTS SHALL BE REMOVED (52 TOTAL). ALL TREES SHOWN FOR REMOVAL ARE LARGER THAN 8" MEASURED AT BREAST HEIGHT. TREES SMALLER THAN 8" MEASURED AT BREAST HEIGHT THAT ARE WITHIN THE SUBJECT ROW OR EASEMENTS SHALL ALSO BE REMOVED.

EXISTING TREES TO BE REMOVED

EXISTING TREES TO BE PROTECTED

PRIOR TO AND DURING CONSTRUCTION, BARRIERS SHALL BE ERECTED AROUND ALL PROTECTED EXISTING TREES WITH SUCH BARRIERS TO BE OF ORANGE FENCING A MINIMUM OF FOUR FEET IN HEIGHT, SECURED WITH METAL T-POSTS, NO CLOSER THAN SIX FEET FROM THE TRUNK OR ONE-HALF OF THE DRIP LINE, WHICHEVER IS GREATER. THERE SHALL BE NO STORAGE OR MOVEMENT OF EQUIPMENT, MATERIALS, DEBRIS OR FILL WITHIN THE FENCED TREE PROTECTION ZONE.

ADDITIONAL TREES MAY BE REMOVED FROM FUTURE LOT BUILDING ENVELOPES AS APPROVED BY THE CITY OF ALBANY UNDER INDIVIDUAL BUILDING PERMIT APPLICATIONS.

LARGE PROPERTY AREAS CONTAINING PROTECTED TREES AND SEPARATED FROM CONSTRUCTION OR LAND CLEARING AREAS, ROAD RIGHT-OF-WAY AND UTILITY EASEMENTS MAY BE "RIBBONED OFF", RATHER THAN ERECTING PROTECTIVE FENCING AROUND EACH TREE, AS REQUIRED IN ITEM #2 ABOVE. THIS MAY BE ACCOMPLISHED BY PLACING METAL RIBBONS OR ROPE FROM STAKE-TO-STAKE ALONG THE OUTSIDE PERIMETERS OF SUCH AREAS BEING CLEARED.

2/2/2019
PROPOSED DETENTION POND, SEE DETENTION POND DETAILS ON THIS SHEET.
PROPOSED WATER QUALITY POND, SEE DETAILS ON THIS SHEET.
WATER QUALITY POND OUTFALL DISCHARGE TO EXISTING DITCH
EXISTING STORM EASEMENT ON ADJACENT PROPERTY, NO LONGER REQUIRED
EXISTING DITCH 12' PAVED ACCESS 10% MAX LONGITUDINAL SLOPE
15" STORM SEWER DETENTION MANHOLE ACCESS TURN AROUND ACCESS EASEMENT LINE ACROSS LOT 12, SEE P.101 FOR DETAILS.
15' STORM DRAINAGE EASEMENT ACROSS LOTS 11 & 12
7' PUE 12' WIDE DRIVEWAY FOR STORM DRAINAGE ACCESS
TYPICAL SECTION DETENTION MANHOLE NOT-TO-SCALE
15" INLET FROM POND INV=398.39 15" OUTFALL TO WATER QUALITY POND INV=398.39
2' SUMP MANHOLE FLOOR=396.39 5' DIAMETER 3.6" ORIFICE INV=398.39
8" STAND PIPE 15" TEE OVERFLOW ELEV=402.40 15" PLUG
'BIRDCAGE' MANHOLE RIM MANHOLE RIMELEV=403.89 4.9" ORIFICE INV=401.24 3.6" ORIFICE INV=401.78
TOP OF WEIR 401.75 2.6" ORIFICE INV=398.39
18" GROWING MEDIUM 3" GRAVEL LENS 9" DRAIN ROCK
PERMEABLE GEOTEXTILE FABRIC LINER EXISTING SUBGRADE 2" FREEBOARD 6" PONDING DEPTH
PERMEABLE GEOTEXTILE FABRIC LINER ATRIUM DRAIN 8" TREATMENT DEPTH 15" INLET PIPE 3'
ROCKERY WALL ROCKERY WALL PLANTING MATERIAL PER LANDSCAPING PLAN
PROVIDE 'FLAPPER GATE' AT PIPE OUTFALL TYPICAL SECTION WATER QUALITY POND NOT-TO-SCALE
FINISH GRADE FINISH GRADE MAXIMUM WATER SURFACE ELEVATION (402.39) BOTTOM OF LIVE STORAGE (398.39)
TOP-OF-POND (403.39) BOTTOM OF POND (397.89) FINISH GRADE
2(H):1(V) 0.5' DEAD STORAGE 1' FREEBOARD
TKP ENGINEERING P.O. BOX 374 Corvallis, OR 97339 Phone (541) 760-7205 Fax (866) 861-5704
PREPARED FOR GARY & PATTY DAVENPORT
NATURE WAY ESTATES SITE MODIFICATIONS
PROJECT DATE REVISION
DIGITALLY SIGNED BY TROY L. PLUM DATE: 2019.02.05 11:11:27 -08'00'
Staff Report

Comprehensive Plan and Zoning Map Amendment

CP-01-19 & ZC-01-19

HEARING BODY: PLANNING COMMISSION CITY COUNCIL
HEARING DATE: MONDAY, APRIL 15, 2019 WEDNESDAY, MAY 8, 2019
HEARING TIME: 5:15 P.M. 7:15 P.M.
HEARING LOCATION: COUNCIL CHAMBERS, ALBANY CITY HALL,
333 BROADALBIN STREET SW

Background

B & E3, LLC, and Lyon Associates, represented by Attorneys Mark Shipman and Nathan Riemersma, of Saalfeld Griggs PC, submitted an application requesting a Comprehensive Plan Map Amendment to change the designation of a 4.85-acre parcel Light Commercial (LC) to General Commercial (GC). This application includes a concurrent Zoning Map Amendment that would change the site’s zoning designation from Neighborhood Commercial (NC) to Community Commercial (CC).

The property is located at 2000 Queen Avenue SE (Attachment A). The subject property contains a 43,000-square-foot building that was built in 1990 and formerly contained the location of Mega Foods for approximately 18 years. The property is bordered by an electric utility substation and multifamily dwelling units to the east, apartments to the south, and Periwinkle Creek to the west with undeveloped Residential Medium Density Attached (RMA) beyond the creek. To the north, across Queen Avenue, there are single-family residences. A convenience store is located on the north side of Queen Avenue at the corner with Geary Street.

According to previous zoning maps and records, the Mega Foods property was zoned C-2 (Local Business) District until 1977, when it was zoned C-1 (Neighborhood Commercial) District. The original grocery store was approved through Site Plan Review in July 1990. The zoning remained C-1 (Neighborhood Commercial). At the time the grocery store was approved, there was no maximum building size in the district; however, businesses in that zone were supposed to cater to nearby residents in convenient locations. The zoning designation changes from C-1 to NC by 1998, but the name of the zoning district continued to be “Neighborhood Commercial.” A maximum building size standard was added to the NC district in Ordinance 5555, which took effect February 7, 2003.

The maximum retail business building footprint was limited to 5,000 square feet and new lots in the NC zone could not exceed 30,000 sq. ft. An amendment to the Albany Development Code was approved January 9,
2019, that removed the maximum retail business limitation in the OP and NC zoning districts for existing buildings built prior to February 7, 2003 (file DC-06-18; Ordinance 5923); however new retail business building footprints cannot exceed 5,000 square feet. The applicants contend that being in the NC zone, there are no financially feasible alternative uses for a building of this size due to the use restrictions contained in Table 4-1 of the Albany Development Code (ADC). The building and the size of the parcel are both larger than those typically contemplated for the NC zone. The applicants assert that the subject property is essentially mis-zoned and submit this application to remedy the issue.

The staff analysis concluded the following:

- The proposal to change the Plan designation to GC with the concurrent zone change to CC will have little effect on the neighborhood since the site is already characterized by development more consistent with the CC zone.
- The requested Plan designation is consistent with the Comprehensive Plan map patterns apparent in the surrounding vicinity.
- On balance, the evidence supports changing the designation of the subject property from LC to GC, and the zoning from NC to CC.

Therefore, the staff recommends APPROVAL of the Proposed Comprehensive Plan and Zoning Map amendments.

Application Information

Review Body: Planning Commission and City Council (Type IV-Q Review)
Staff Report Prepared By: David Martineau, Project Planner
Type of Application: Quasi-Judicial Comprehensive Plan Map Amendment from Light Commercial to General Commercial, and Zoning Map Amendment from Neighborhood Commercial (NC) to Community Commercial (CC)
Property Owner / Applicant: B & E3, LLC; Lyon Associates; 101 Ocean Avenue, Suite D601; Santa Monica, CA 90402
Applicant Representatives: Mark Shipman, Attorney; and Nathan Riemersma, Attorney; Saalfeld Griggs PC; 250 Church Street SE, Suite 200; Salem, OR 97301; hstevenson@sglaw.com (Hannah Stevenson, Assistant)
Address/Location 2000 Queen Avenue SE
Map/Tax Lot: Linn County Tax Assessor’s Map No. 11S-03W-08CD; Tax Lot 211
Zoning: Neighborhood Commercial (NC) District
Total Land Area 4.85 Acres
Existing Land Use: Vacant commercial retail space with associated 150 space parking lot
Neighborhood: Periwinkle
Surrounding Zoning: North: Residential Medium Density (RM); Neighborhood Commercial (NC) South: Residential Medium Density Attached (RMA) East: RMA
West: Community Commercial (CC) across Geary Street; RMA
Surrounding Uses:
North: Convenience market (7-11); single family residences
South: Multifamily dwelling units
East: Electric utility substation; multifamily dwelling units
West: Periwinkle Creek; undeveloped RMA-zoned land

Prior History: According to previous zoning maps and records, the Mega Foods property was zoned C-2 (Local Business) District until 1977, when it was zoned C-1 (Neighborhood Commercial) District. The original grocery store was approved through Site Plan Review in July 1990. The zoning remained C-1 (Neighborhood Commercial). At the time it was approved, there was no maximum building size in the district; however, businesses were still supposed to cater to nearby residents in convenient locations. The zoning designation changed from C-1 to NC by 1998, but the name of the district continued to be “Neighborhood Commercial.” A maximum building size standard was added to the NC district in Ordinance 5555, which took effect February 7, 2003. The maximum business building footprint was limited to 5,000 square feet and new lots in the NC zone could not exceed 30,000 sq. ft. An amendment to the Albany Development Code was approved January 9, 2019 that removed the maximum retail business limitation in the OP and NC zoning districts for buildings built prior to February 7, 2003 (file DC-06-18; Ordinance 5923).

Notice Information
Public notice was issued in accordance with development code requirements. A notice was issued to the Oregon Department of Land, Conservation and Development on January 11, 2019, at least 35 days prior to the first public hearing. A Notice of Public Hearing was mailed to property owners located within 300 feet of the subject property on March 25, 2019, at least 20 days prior to the first public hearing. The Notice of Public Hearing was posted on the subject property by April 5, 2019. The staff report was posted on the City’s website April 5, 2019. At the time this staff report was completed, no comments had been received.

Appeals
The City’s decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). Per ORS 197.830 a notice of intent to appeal the plan and/or zoning map amendments shall be filed with LUBA no later than 21 days after notice of the decision is mailed or otherwise submitted to parties entitled to notice.

Analysis of Development Code Criteria

Comprehensive Plan Map Amendment (CP-01-19)
Section 2.220(3) of the Albany Development Code (ADC) includes the following review criteria that must be met for this quasi-judicial map amendment to be approved. Code criteria are written in **bold italics** and are followed by findings and conclusions.

Criterion (a)
The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be more supportive of the Comprehensive Plan as a whole than the old designation.
Findings of Fact

a.1 Current Plan Designation: The current Comprehensive Plan Map designation of the property is Light Commercial-LC (Attachment B). The LC designation “Provides for limited commercial activities that include office professional and neighborhood commercial uses. This designation is used to buffer between residential and more intensive uses, (such as between the Community Commercial District and the surrounding residential areas) and also to provide neighborhood commercial uses in close proximity to residential areas,” (Albany Comprehensive Plan, page 9-10).

a.2 Requested Designation: The request is to designate 4.85 acres of LC to General Commercial-GC (Attachment C). The GC Plan designation “Identifies areas from community services to regional commercial establishments, suitable for a wide range of retail sales and service establishments”. Aside from recognition of existing commercial corridors, new commercial areas will develop under design guidelines to avoid the continuance of “strip commercial” development in order to more efficiently serve the shopping needs of the community and region.”

a.3 The Comprehensive Plan defines a goal as, “a general statement indicating a desired end, or the direction the City will follow to achieve that end.”

The Comprehensive Plan describes the City’s obligation in regard to goals as follows: “The City cannot take action which opposes a goal statement unless: 1) It is taking action which clearly supports another goal; 2) There are findings indicating the goal being supported takes precedence (in the particular case) over the goal being opposed,” (Comprehensive Plan, page ii).

a.4 The Comprehensive Plan (page 2) defines a policy as, “a statement identifying a course of action or City position.”

The Comprehensive Plan describes the City’s obligation regarding policies as follows: “The City must follow relevant policy statements in making a land use decision . . . [I]n the instance where specific Plan policies appear to be conflicting, then the City shall seek solutions which maximize each applicable policy objective within the overall content of the Comprehensive Plan and in a manner consistent with the statewide goals. In balancing and weighing those statements, the City can refer to general categories of policies and does not have to respond to each applicable policy. Also, in this weighing process, the City shall consider whether the policy contains mandatory language (e.g., shall, require) or more discretionary language (e.g., may, encourage),” (Comprehensive Plan, page iii).

Relevant Plan Goals and Policies

a.5 The proposed Plan map amendment to change land from LC to GC must satisfy long-range interests of the general public as outlined in the Comprehensive Plan’s goals and policies.

The following Comprehensive Plan goals and policies are relevant in considering whether the proposed GC designation is more supportive of the Comprehensive Plan, on balance, than the current LC designation. The relevant goals and policies are listed under the relevant Statewide Planning Goals and are shown in bold print followed by findings of fact and conclusions.

Statewide Planning Goal 9: Economy-Albany’s Economy (Chapter 3)

Goal 1: Diversify the economic base in the Albany area and strengthen the area’s role as a regional economic center.

Goal 2: Provide a supportive environment for the development and expansion of desired
businesses.

Goal 3: Promote Albany’s positive economic, social, and cultural image throughout the state and region and, where appropriate, at the national and international levels.

According to the applicant (see Attachment D), amending the Comprehensive Plan designation of the subject property would further Albany’s economic goals because the new designation would provide opportunities for businesses to utilize the building on the subject property rather than having the building sit vacant and constrained by the ADC. The building’s 43,000-square-foot footprint is best suited for uses allowed in general commercial zones, not in light commercial. Having a successful commercial business in that location, will do more to diversify the economic base in the City of Albany, create an environment for development and expansion of businesses and promote a positive economic image in the City of Albany.

The current Comprehensive Plan designation and zoning designation prohibit many of the viable uses for a building of such a size. In fact, Article 4 of the ADC limits new buildings in the NC zone to a 5,000 square foot maximum footprint for retail and service uses and limits the lot size of new NC zones to 30,000 square feet of contiguous land. The subject property is simply not compatible with its current zoning designation, and accordingly the range of uses allowable in the current zone are not consistent with a building of such a size.

The applicant notes that the most efficient and economically viable use of the subject property would be to make use of the building currently on the lot. Keeping the property in its current Comprehensive Plan designation and zoning assignment would likely require significant structural changes to the building at the minimum, if not a complete tear-down and rebuild which would constitute over one million dollars in wasted infrastructure.

For the reasons stated above, changing the subject property’s Comprehensive Plan designation and zoning from its current status to GC and CC would diversify the economic base in the City of Albany by allowing the parcel to accommodate new zoning and allow the building to house a viable business to operate and grow the economic base of the City of Albany. Changing the Comprehensive Plan and zoning designations so that they are consistent with the structure on the property would provide the most supportive environment for the development and expansion of desired businesses. Finally, having a successful business in such a prominent location would contribute to Albany’s positive economic, social, and cultural image throughout the state.

Statewide Planning Goal 9: Economy-Public Infrastructure (Chapter 3)

Goal 1: Ensure that new industrial and commercial development is located in areas that can be adequately served by public infrastructure.

The subject property is presently served by public infrastructure. Any future development will have access to public services.

Statewide Planning Goal 12: Transportation (Chapter 5)
Goal 1: Provide an efficient transportation system that provides for the local and regional movement of people and goods.

Goal 2: Provide a safe transportation system.

a.8 The facts surrounding the transportation system are more fully addressed in the TPR Analysis completed by DKS Associates, Inc. (Attachment E). The TPR Analysis found that the allowable land uses under the CC zone would produce similar levels of trip generation to the NC zone, generating approximately 126 net new daily trips and would cause no further degradation to the transportation system. The traffic impacts in the new Community Commercial zone will be also be similar to the conditions when the Mega Foods grocery store was operational. At its peak, Mega Foods was servicing 1,800 customers within the peak hours (between 4:00 and 6:00 p.m.). The maximum traffic generated by a general commercial business would likely not exceed the peak traffic generated by the Mega Foods at its peak.

According to the City of Albany’s Transportation System Plan (TSP), all signalized intersections under the City of Albany’s jurisdiction currently operate at a Level of Service (LOS) “D” or better. This includes the two intersections nearest to the Subject Property: at Queen Avenue and Geary Street, and at Queen Avenue and Waverly Drive, both of which are signalized. The Queen/Geary intersection operates at a LOS B, and the Queen/Waverly intersection operates at a LOS C. The TSP also identifies improvements necessary to accommodate anticipated development through the year 2030. The TSP does not identify any capacity or level of service problems occurring adjacent to the Subject Property.

The proposed change is consistent with Goal 12 and will not hinder the City of Albany in providing an efficient transportation system that provides for the local and regional movement of people and goods. It will not hinder the City of Albany’s goal of providing a safe transportation system that ensures mobility for all community members and providing alternatives to automobile travel.

Statewide Planning Goal 14: Urbanization (Chapter 8)

Goal 1: Achieve stable land use growth which results in a desirable and efficient land use pattern.

Policy 9: Encourage the use of already serviced vacant and underdeveloped land through adaptive reuse of older areas of the community and the development and/or partitioning of lots which can meet minimum lot size requirements.

Policy 10: The size and type of future regional and community commercial sites shall be commensurate with the area to be served and located so as to be easily accessible by the service area. Approvals of additional regional and community commercial sites may be predicated upon studies requested by the City which assess public need, impacts upon competing commercial areas, traffic impacts, and impacts upon other public services.

Policy 15: Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.
a.9 The subject property is located in an area which if revitalized could potentially be classified as infill development, according to the applicant. The property is fully serviced with City of Albany water, sanitary sewer, storm drainage, and police and fire service. Transit service is available approximately 950 feet from the building on the Subject Property at the Queen and Geary street intersection. A revitalized business in this location would further the City’s goal of achieving a desirable and efficient land use pattern. Additionally, it would encourage the use of an already-serviced currently unoccupied parcel.

Conclusions
a.1 The proposed Comprehensive Plan designation and zoning amendment will result in a more efficient use of existing site development and infrastructure.

a.2 The subject property was developed in 1990, before limits were placed on maximum retail business footprint and lot sizes in the Neighborhood Commercial zone.

a.3 On balance, the GC Comprehensive Plan designation and CC zone best satisfies the applicable goals and policies of the Albany Comprehensive Plan.

a.4 This criterion is met.

Criterion (b)
The requested designation is consistent with any relevant area plans adopted by the City Council.

Findings of Fact
b.1 “Relevant area plans” as used here means land use plans. For example, the City has relevant area plans for areas such as North Albany and South Albany. There are no relevant area plans for the area where the subject property is located.

Conclusion
b.1 This review criterion is not applicable because there are no relevant area plans for the area where the property is located.

Criterion (c)
The requested designation is consistent with the Comprehensive Plan Map pattern.

Findings of Fact
c.1 The Comprehensive Plan does not, in broad terms, describe ideal land use or map patterns. Typically, it is good practice to locate uses with negative off-site impacts away from residential areas, avoid “spot zoning,” provide a transition from higher intensity land uses to less intense residential uses, encourage compatible infill, and discourage low-density sprawl.

c.2 Particular Comprehensive Plan goals and/or policies provide guidance about what kind of uses and land patterns are desirable. For example, one Plan policy says, “Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.” Other Plan policies support locating goods, services, and employment close to the area intended to serve; and protecting natural resources and cultural assets.
c.3 As illustrated in Figure 1 below, the Comprehensive Plan Map pattern in the vicinity of the subject property is a patchwork consisting of Medium Density Residential (MDR), Light Commercial (LC), General Commercial (GC), Low Density Residential (LDR), and Public/Semi-Public areas.

c.4 The property surrounding the subject property to the east, south and west is designated Medium Density Residential (MDR). The parcel immediately adjacent to the subject property to the east is designated MDR and contains a transformer power station. Further east are apartment complexes and single-family residences designated MDR. Immediately south, are apartment buildings designated MDR. Across Queen Street to the north is a 7-Eleven with a Comprehensive Plan designation of LC and housing designated MDR. Further north is Heritage Plaza, a large block of general commercial development including a call center, grocery stores, Marshalls, Big Lots, and the Heritage Mall. To the west, immediately across Geary Street is a General Commercial (GC) parcel containing a Wheeler Dealer, and an LC parcel which has an office use (Cascades West Council of Governments). Periwinkle Creek provides buffered separation between the subject property and the undeveloped MDR-designated properties to the west. South of those parcels is designated MDR containing multi-family housing.

![Figure 1: Subject property is identified as “Light Commercial” in the Comprehensive Plan. Properties to the south and east are designated “Medium Density Residential;” north is designated “Low Density Residential” and “Light Commercial,” and to the west, “General Commercial” and “Medium Density Residential.”](image)

Conclusions

c.1 There is no specific formula for an appropriate Comprehensive Plan map pattern.

c.2 The predominant map pattern for this location is MDR, LC and GC (see Figure 1).

c.3 The requested Plan designation is consistent with the Comprehensive Plan map patterns reflecting a mix between light and medium intensity commercial and medium intensity residential land uses.
c.4 This review criterion is met.

 Criterion (d)

The requested designation is consistent with the statewide planning goals.

Findings of Fact

d.1 Oregon’s 19 Statewide Planning Goals constitute the framework for a statewide program of land use planning. The Statewide Goals are achieved through local comprehensive planning. The Albany Comprehensive Plan was acknowledged by the Land Conservation and Development Commission in 1982 as being in compliance with the Statewide Planning Goals. The Statewide Planning Goals were evaluated under the Comprehensive Goals and Policies in Review Criterion (1) above. The Findings of Fact and Conclusions are hereby included by reference.

Conclusions

d.1 The requested GC designation for this site is consistent with the Statewide Planning Goals.

d.2 This criterion is met.

Quasi-Judicial Zoning Map Amendment File ZC-01-19

Section 2.740 of the Albany Development Code (ADC) includes the following review criteria, which must be met for this application to be approved. Code criteria are followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Criterion 1

The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for.

Findings of Fact

1.1 The applicant proposes to change the zoning of 4.85 acres from Neighborhood Commercial (NC) to Community Commercial (CC) district.

1.2 The current Comprehensive Plan map designation of the subject site is Light Commercial (LC). The proposed CC zoning is not consistent with the LC Plan designation of the site.

1.3 The applicant has applied to change the Comprehensive Plan Map designation from LC to General Commercial (GC).

1.4 The proposed zone change to CC is consistent with the concurrent proposed GC designation of the property.

Conclusions

1.1 The applicant has applied for a concurrent Comprehensive Plan Map amendment to GC. The proposed CC zoning is consistent with the GC designation.

1.2 This criterion is satisfied, provided that the amendment to the Comprehensive Plan Map is approved.
Criterion 2

Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation (ADC 2.740 (2)).

Findings of Fact

2.1 The site is located on the southeast corner of Queen Avenue and Geary Street. The application would change the zoning of the parcel from Neighborhood Commercial (NC) to Community Commercial (CC). The site is currently developed with an approximately 43,000 square foot building previously used by Mega Foods grocery store.

2.2 Zone changes are required to comply with the Transportation Planning Rule (TPR). The rule holds that a “significant affect” occurs and must be mitigated if a proposed zone change would result in an existing or planned transportation facility either failing to meet an adopted performance standard or degrading the performance of an already failing facility. The TPR refers to Action 1F.05 in the Oregon Highway Plan, which states that if there is a small increase in daily traffic (less than 400 trips) between the existing plan and proposed amendment, it can be determined that the proposed zone change will cause “no further degradation” to the surrounding roadway network.

2.3 The applicant’s application included a TPR Analysis. The analysis was performed by DKS Engineering and is dated December 31, 2018. The analysis evaluated the incremental difference in trip generation that would result from site development under the current NC zone designation with development under the requested CC designation. The NC zone designation limits new retail uses to 5,000 square feet.

2.4 The reasonable worst case uses assumed for site development under the existing NC zone designation included a mix of 5,000 square foot uses with a total area equaling the size of the existing building on the site. Assumed uses included: convenience marked, high turn-over sit-down restaurant, fast-food with drive-thru, pharmacy with drive-thru, drive-in bank, and specialty retail. Based on ITE trip generation rates, that combination of uses would generate a total of 4,879 net vehicle trips per day. Of those, 325 would occur during the AM peak traffic hour, and 380 would occur during the peak PM traffic hour.

2.5 The reasonable worst-case use assumed by the TIA for site development under the requested CC zone designation included a mix of uses that included: convenience market, gasoline service station, high turn-over sit-down restaurant, fast-food restaurant, pharmacy, drive-in bank, and shopping center. Based on ITE trip generation rates, that combination of uses would generate a total of 5,005 net vehicle trips per day. Of those, 370 would occur during the AM peak traffic hour, and 415 during the peak PM traffic hour.

2.6 Based on the study results, development of the site under the requested CC zone designation would result in an increase of 126 average daily trips beyond what could be expected to occur under the existing NC zone designation. The number of expected AM peak hour trips would increase by 45, and the number of PM peak hour trips would increase by 35.

2.7 Because the net increase in daily trips that would result from the zone change is less than the 400-trip threshold identified in the OHP, the TPR analysis concluded that the requested change could be approved without having any significant effect on the transportation system.
Conclusions

2.1 The proposed zone change would change the zone designation of the site from NC to CC.

2.2 The TPR requires that zone changes be evaluated to see if the vehicle trip generation that could occur under the new zone designation is more than could have occurred under current designation, and if so, if the additional trips would result in a “significant affect”.

2.3 The TPR refers to Action 1F.05 in the Oregon Highway Plan, which states that small increases in daily traffic (less than 400 trips) between the existing plan and a proposed amendment can be determined to cause “no further degradation” to the surrounding roadway network.

2.4 A TPR Analysis submitted by the applicant estimated that a reasonable worst-case development under the requested zone designation would generate 126 new additional daily trips on the transportation system. Because the additional trips are less than 400, the analysis concluded that change in potential site trip generation would not have a significant effect on the transportation system.

2.5 This criterion is satisfied.

Criterion 3

Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area (ADC 2.740 (3)).

Findings of Fact

Sanitary Sewer

3.1 City utility maps show an 8-inch public sanitary sewer main at the southwest corner of the subject property. The property is currently served by a sewer service lateral that is connected to the public main at the property’s southwest corner.

3.2 While different types of commercial development can have much different wastewater discharge characteristics, the City’s Wastewater Facility Plan does not distinguish between different types of commercial developments when estimating the wastewater discharge from those uses for design purposes. The City’s Wastewater Facility Plan does not indicate significant deficiencies downstream of the subject property and the system should be adequate for commercial development in either the Light Commercial designation or the General Commercial designation.

Water

3.3 City utility maps show 12-inch public water mains in Geary Street and Queen Avenue, and an 8-inch main along the east boundary of the subject property.

3.4 Public water system design and adequacy are typically dictated by the fire flow needs within an area or zone. The City of Albany groups all commercial uses in the same fire flow requirement category (3,500 gpm minimum), so the proposed comprehensive plan change would not affect the overall water needs of the site. Further development on the site could necessitate the installation of additional fire hydrants, but that would likely be the case for development for either comprehensive plan designation.

Storm Drainage
3.5 City utility maps show a 72-inch public storm drainage line in Queen Avenue, and Periwinkle Creek runs along the west boundary of the subject property. Periwinkle Creek is the principal drainage facility in this area.

3.6 Storm water runoff from a development is generally dependent on the total area of impervious surfaces on the property. The Albany Development Code determines the maximum amount of “lot coverage” (buildings and parking areas) in any particular zone. The greatest percentage of lot coverage that would be allowed within a zone permitted in the Light Commercial Comprehensive Plan designation would be 80% (NC zone – see ADC 4.090 Table 4-2). The greatest percentage of lot coverage that would be allowed within a zone permitted in the General Commercial Comprehensive Plan designation would be 90% (RC zone – see ADC 4.090 Table 4-2). Therefore, a change from Light Commercial to General Commercial Comprehensive Plan designation would allow for development that may result in a slightly higher amount of storm water runoff.

3.7 The subject property is currently developed with a 40,000-square-foot retail building and associated parking lot. There is an area slightly larger than one acre along the south boundary of the site that is currently undeveloped and is covered with grass. Should this area be developed, the difference in the amount of impervious surface allowed between the Light Commercial designation and the General Commercial designation is at most 10%, which for this undeveloped area would be roughly 4,000 square feet. In either case, it is likely that future development on this undeveloped area would be required to detain storm water before releasing to Periwinkle Creek.

3.8 Even though the maximum allowable lot coverage would increase from 80% to 90% if the Comprehensive Plan designation is changed from Light Commercial to General Commercial, it is the view of the City’s Engineering Division that over an area of slightly more than one acre this amount would not be significant in terms of the adequacy of Periwinkle Creek to accommodate the storm water runoff in this basin.

Schools

3.9 The property is currently zoned for neighborhood commercial development. The requested zone change to CC would have no impact on the amount of children attending school in this area.

Police and Fire Protection

3.10 The Albany Police Department and Fire Department provide services to all development in Albany, whether it is residential or commercial.

Conclusions

3.1 The existing public utility systems (sanitary sewer, water, storm drainage) are expected to be adequate to serve development in any zone allowed in the proposed General Commercial comprehensive plan designation.

3.2 The Albany Police and Fire Departments will provide service to development on the property regardless of the zoning.

3.3 Existing or anticipated services can accommodate potential development within this area without adverse impact on the affected service area.
3.4 This criterion is satisfied without conditions.

Criterion 4

The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan (ADC 2.740 (4)).

Findings of Fact

4.1 The current zoning designation of the property where the Zoning Map amendment is proposed is Neighborhood Commercial (NC). The proposed zoning is Community Commercial (CC).

4.2 Prior to being zoned NC, the subject property was zoned C-2 (Local Business) District until 1977, when it was zoned C-1 (Neighborhood Commercial) District. The original grocery store was approved through Site Plan Review in July 1990. The zoning remained C-1 (Neighborhood Commercial). At the time it was approved, there was no maximum building size in the district; however, businesses were still supposed to cater to nearby residents in convenient locations. The zoning designation changes from C-1 to NC by 1998, but the name of the district continued to be “Neighborhood Commercial.”

Zoning District Purposes

4.3 According to Section 4.020(2) of the Albany Development Code, the NC (Neighborhood Commercial) District is “intended primarily for small areas of retail establishments serving nearby residents’ frequent needs in convenient locations. The NC District is typically appropriate for small clusters or service centers located at intersections within residential neighborhoods. Businesses should fit into the residential pattern of development and not create land use, architectural or traffic conflicts. Generally, uses located within NC Districts should have as their primary market area the population within a one-half mile radius.”

4.4 Allowable uses that are permitted in the NC district include traditional offices, restaurants, small-scale retail sales and service that are convenience or personal services-oriented, community services, and single-family and two-family dwelling units. Taverns, bars, drive-thru restaurants, daycare centers, religious institutions and assisted living facilities are allowed conditionally.

4.5 According to Section 4.020(3) of the Albany Development Code, the CC (Community Commercial) District “recognizes the diversity of small to medium-scale businesses, services and sites 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 buffers should be used to mitigate impacts on nearby residential areas.” It is noted that both Queen Avenue and Geary Street are classified as minor arterials.

4.6 Allowable uses that are permitted in the CC district include some small-scale manufacturing activities, indoor and outdoor entertainment and recreation, offices, restaurants including drive-thru, retail sales and service, self-serve storage, taverns and bars, religious institutions, vehicle repair, vehicle service, and parking lots. Uses allowed conditionally include recycling centers, RV parks, schools, parks, assisted living, telecommunications towers and community services.

4.7 The applicant asserts that the subject property is more consistent with the CC zoning designation. The property contains a building that could house a small to medium-scale business or service site and is located on the corner of two minor arterial streets. The building either now complies or will comply
with all relevant design guidelines in order to enhance the community's image along these transportation corridors at such time the site is further developed. Buffers are in place to mitigate impacts to nearby residential areas. There are several uses allowable in the CC zone with site plan review would be consistent with the size and character of the building on the subject property. The property in its current state is better suited for the CC zone.

4.8 The Findings and Conclusions under Review Criterion (1) of the concurrent Comprehensive Plan Map amendment are included here by reference. In summary, those findings found that the proposed map amendments on the subject property were, on balance, more supportive of listed Plan policies.

Conclusions
4.1 The CC zone best satisfies the applicable goals and policies of the Albany Comprehensive Plan.

4.2 This criterion has been met.

Criterion 5
*The land use and transportation pattern recommended in any applicable City-contracted or funded land use or transportation plan or study has been followed, unless the applicant demonstrates good cause for the departure from the plan or study (ADC 2.740 (5)).*

Findings of Fact
5.1 Albany's Transportation System Plan (TSP) was developed with the assumption that this site would be occupied by commercial uses. The proposed zone change is consistent with and does not alter that assumption.

5.2 The proposed zone change will not result in any changes to the road system and will not alter the transportation pattern in the TSP.

5.3 The TSP does not identify any capacity or level of service problems associated with the proposed Zoning Map amendment.

5.4 There are no other applicable City-contracted or funded land use or transportation plan or study that applies to the subject area.

Conclusions
5.1 There are no applicable land use or transportation plans or studies for this area.

5.2 The proposal is in accordance with the land uses and transportation pattern in the TSP.

5.3 This criterion is met.

Overall Conclusion
Based on the analysis in this report, the proposed Comprehensive Plan Map Amendment from LC to GC concurrent with the Zoning Map Amendment from NC to CC meets all of the applicable review criteria as outlined in this report.

With respect to the proposed Plan and Zoning map amendment, the Planning Commission has two options:
**Option 1:** Recommend that the City Council approve the Plan amendment request; or

**Option 2:** Deny the Plan amendment request. The City Council will only consider the proposal on appeal by the applicants.

**Based on the analysis in this report, staff recommends that the Planning Commission recommend that the City Council approve the Plan amendment request.**

Similarly, the Planning Commission has two options with respect to the proposed Zoning Map amendment request:

**Option 1:** Recommend that the City Council approve the Zoning Map amendment request; or

**Option 2:** Deny the Zoning Map amendment request. The City Council will only consider the proposal on appeal by the applicants.

**Based on the analysis in this report, staff recommends that the Planning Commission recommend that the City Council approve the Zoning Map amendment request.**

**Staff Recommendation**

*I move that the Planning Commission recommend that the City Council approve the proposed Comprehensive Plan map and zoning map amendment under planning files CP-01-19 and ZC-01-19. This motion is based on the findings and conclusions in the staff report, and the findings in support of the application made by the Planning Commission during deliberations on this matter.***

**Attachments**

A. Location Map  
B. Current Comprehensive Plan & Zoning Designation  
C. Proposed Comprehensive Plan & Zoning Designation  
D. Applicant's Narrative  
E. Transportation Planning Rule (TPR) Evaluation from DKS dated 12/31/18  
F. Applicant's Site Plan – Existing Conditions

**Acronyms**

ADC  Albany Development Code  
ADT  Average Daily Traffic  
AMC  Albany Municipal Code  
C-1  Neighborhood Commercial (now called “NC”)  
C-2  Local Business District (no longer used)  
CC  Community Commercial Zoning District  
DLCD  Oregon Department of Land Conservation and Development  
GC  General Commercial Comprehensive Plan Designation  
ITE  Institute of Transportation Engineers  
LC  Light Commercial Comprehensive Plan Designation  
LDR  Low Density Residential Comprehensive Plan Designation
LOS  Level of Service
LUBA  Oregon Land Use Board of Appeals
MDR  Medium Density Residential Comprehensive Plan Designation
NC  Neighborhood Commercial Zoning District
ODOT  Oregon Department of Transportation
OHP  Oregon Highway Plan
RC  Regional Commercial Zoning District
RM  Residential Medium Density Zoning District
RMA  Residential Medium Density Attached Zoning District
ROW  Right of Way
TIA  Traffic Impact Analysis
TPR  Transportation Planning Rule
TSP  Transportation Systems Plan
V/C  Volume to Capacity
The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All of the data provided represents current information in a readily available format. While the data is believed to be accurate, occasional inaccuracies do occur; thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the material provided, it is specifically advised that you independently field verify

February 22, 2019
Planning Division
City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917-7550
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January 11, 2019
Planning Division
City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917-7550
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January 11, 2019
Planning Division
City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917-7550
COMPREHENSIVE PLAN AND ZONING MAP AMENDMENT APPLICATION
WRITTEN STATEMENT

I. BACKGROUND INFORMATION

APPLICANT/OWNER: B & E3, LLC/ Lyon Associates

APPLICANT’S REPRESENTATIVE: Mark Shipman, Attorney
Nathan Riemersma, Attorney
Saalfeld Griggs PC
250 Church Street SE, Suite 200
Salem, OR 97301

TYPE OF APPLICATION: Applicants are requesting amendments to the Subject Property’s Comprehensive Plan designation from Limited Commercial (“LC”) to General Commercial (“GC”) and Zoning Map designation from Neighborhood Commercial (“NC”) to Community Commercial (“CC”).

PROPERTY LOCATION: The subject property is a 4.85 acre parcel located at 2000 Queen Ave SE Albany, Oregon (Assessor’s Maps T11S, R3W, S08CD, Tax Lot 211).

APPLICABLE REVIEW & DECISION CRITERIA: Albany Development Code (“ADC”) Sections 2.220, and 2.740

II. PROJECT AND PROPERTY DESCRIPTION

(A) SUBJECT PROPERTY INFORMATION:

The property subject to this application is located at 2000 Queen Ave SE, in Albany, Oregon, and consists of a Tax Lot 211 located in Linn County Assessor’s Map Township 11 South, Range 3 West, Section 8CD (the “Subject Property”). See Exhibit “A,” Site Plan. The Subject Property is owned by Lyon Associates, an Oregon limited partnership (the “Owner”) and leased by B & E3, LLC, an Oregon limited liability company (the “Tenant”) (collectively the “Applicants”).

(B) BACKGROUND INFORMATION:

The Subject Property is approximately 4.85 acres, is designated Light Commercial (LC) in the Albany Comprehensive Plan and is correspondingly zoned Neighborhood Commercial (NC). The Subject Property contains a 43,000 square foot building (the “Building”) that was built in 1990 and formerly contained the location of Mega Foods for approximately 18 years. The Building was built specifically for a retail grocery store use and at the time of its construction
was in compliance with the ADC\textsuperscript{1} and applicable building codes. Prior to the Mega Foods, another grocery store owned by Fleming Foods West, Inc. occupied the Building. The Tenant took over the lease to the Building in April of 1999 and subsequently executed a lease and several lease extensions in the years to follow. In 2014, the City of Albany (the \textit{\textbf{City}}) enacted Ordinance 5832 which limited retail and service uses in the NC zone to a 5,000 square foot building footprint.

In 2017, Mega Foods closed its doors due to Winco locating a store in Albany, making it no longer feasible for the Mega Foods to continue its operations.

Because the Subject Property is located in the NC zone, there are no financially feasible alternative uses for a building of this size due to the use restrictions contained in Table 4-1 of the ADC. Additionally, the Building and the size of the parcel are both larger than those typically contemplated for the NC zone. The Applicants argue that the Subject Property is essentially mis-zoned and submit this application to remedy the issue.

Accordingly, the Owner and Tenant have been evaluating the highest and best use of the Building and the Subject Property. The size and potential uses of the Building and Subject Property are more consistent with the General Commercial (GC) Comprehensive Plan designation and a Community Commercial (CC) zoning district. See the Vicinity Map attached as \textit{Exhibit \textit{\textbf{B}}}.”

\textbf{(C) PROPOSED CHANGE:}

In order to find a new commercially viable use for the Building and the Subject Property, Applicants are requesting a Comprehensive Plan designation change from LC to GC and a zone change from NC to CC.

\textbf{III. COMPREHENSIVE PLAN CHANGE:}

The City of Albany Development Code establishes procedures to be used when considering plan amendments. Quasi-judicial amendments may be initiated by property owners with an application form supplied by the Albany Planning Division.

\textbf{Albany Development Code 2.220 Amendments to the Comprehensive Plan will be approved if the Council finds that the application meets the following applicable criteria:}

\textbf{1. A legislative amendment is consistent with the goals and policies of the Comprehensive Plan, the statewide planning goals, and any relevant area plans adopted by the City Council.}

Applicants are requesting this Comprehensive Plan designation change through a quasi-judicial process. As will be more fully addressed below, this change is consistent with the goals and policies of the Albany Comprehensive Plan and the Statewide Planning Goals. There are no relevant Area Plans that apply to the Subject Property. The sole area plan currently on the City Planning Division’s Website

\textsuperscript{1} The previous ADC code provision governing the uses allowable in the Neighborhood Commercial zone was ADC 5.070-5.080. The City recodified this section in 2003 into ADC section 4.020-4.060.
is the South Albany Area Plan adopted on February 13, 2013. The area incorporated into the South Albany Area Plan is bordered by Interstate 5 to the east, Highway 99 to the west, vacant land surrounding Oak Creek to the north, and the Urban Growth Boundary to the south. The Subject Property is not within the boundaries of the area covered by the South Albany Area Plan. Applicants were unable to identify any Area Plans that would be relevant to the Subject Property.

(A) **Statewide Planning Goals**

**Goal 1: Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.**

**Proposed Finding:** As part of this application, public notice is required, and public hearings will be held, giving interested citizens an opportunity to give input on this land use request. The notice and hearings process prescribed by the City’s procedures demonstrates compliance with Goal 1 and provides an opportunity for citizen involvement. This Goal is satisfied.

**Goal 2: To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

**Proposed Finding:** The subject application for a Comprehensive Plan and Zoning Map amendment is examined under the implementing regulation to this goal. The ADC provides regulations governing the development and use of lands in the city limits of Albany, and the City’s Comprehensive Plan was developed for the purpose of providing a guide to development and conservation of the City’s land resources. The latter is a generalized long-range policy guide and land use map that provides the basis for decisions on the physical, social, and economic development of Albany. These policies and statements are based on inventories, developmental limitations, projected needs, public attitudes, citywide urban growth management project framework and implementation strategy, and the State Land Conservation and Development Commission Goals and Guidelines. This consolidated land use application request will be processed in accordance with OAR 660-004-0018, 660-004-0020, and 660-004-0022, and the land use procedures established by the City of Albany’s Zoning Code and Comprehensive Plan. These procedures will ensure compliance with Statewide Planning Goal 2. This Goal is satisfied.

**Goal 3: Agricultural Lands: To preserve and maintain agricultural lands.**

**Proposed Finding:** The Subject Property is located in a developed area of the City of Albany, not resource zoned agricultural lands. This goal is not applicable.

**Goal 4: Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state’s forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.**

**Proposed Finding:** The Subject Property is located in a developed area of the City of Albany, not in resource zoned forest lands. This Goal is not applicable.
Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces: To protect natural resources and conserve scenic and historic areas and open spaces.

Proposed Finding: The Subject Property does not contain any inventoried natural resources, scenic or historic sites, or open spaces, and there are no inventoried natural resources, scenic, historic, or open spaces in the immediate vicinity. This goal is satisfied.

Goal 6: Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

Proposed Finding: The proposed use will not result in significant particulate discharge into the air. The proposed use will not exceed the carrying capacity of area resources, degrade the area resources, or threaten the availability of such resources. This goal is satisfied.

Goal 7: Areas Subject to Natural Hazards: To protect people and property from natural hazards.

Proposed Finding: The Subject Property is not within an identified floodplain. The adjacent creek has a one percent chance of flood discharged contained in structure according to FEMA Flood Map. See Exhibit “C.” According to the Oregon State Library’s Geologic Hazards, Earthquake and Landslide Hazard Map(s) much of the City of Albany is in a relatively high ground-shaking amplification hazard zone, a relatively moderate liquefaction hazard zone and a relatively moderate landslide hazard zone; there have not been any landslides identified in the City of Albany. See Exhibit “D.” At the time the Building was constructed, it met and satisfied all applicable building code criteria for the City of Albany. This Goal is satisfied.

Goal 8: Recreational Needs: To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

Proposed Finding: No recreational use of the Subject Property is proposed or implicated by this application. The Subject Property is not currently used for recreational purposes. This Goal is not applicable.

Goal 9: Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.

Proposed Finding: The proposed changes are intended to revitalize the Subject Property and allow it to sustain a viable business once again, in accordance with the allowable uses under the ADC. A rejuvenated business will provide employment opportunities and commercial options for the citizens of Albany. Accordingly, this change will create economic opportunities contributing to the health, welfare, and prosperity of Oregon citizens. This Goal is satisfied.

Goal 10: Housing: To provide for the housing needs of citizens of the state.
**Proposed Finding**: The Subject Property is not currently designated for residential purposes. This Goal is not applicable.

**Goal 11: Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.**

**Proposed Finding**: The Building on the Subject Property is already developed and currently has access to adequate City water and sewer facilities, and adequately served by public roadways. The Subject Property is also in close proximity to public transportation. This Goal is satisfied.

**Goal 12: Transportation: To provide and encourage a safe, convenient, and economic transportation system.**

OAR 660-012-0060 implements this Goal regarding Comprehensive Plan Amendments.

(1) Where an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation would significantly affect an existing or planned transportation facility, the local government shall put in place measures as provided in section (2) of this rule to assure that allowed land uses are consistent with the identified function, capacity, and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
(b) Change standards implementing a functional classifications system; or
(c) As measured at the end of the planning period identified in the adopted transportation system plan:
   (A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
   (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
   (C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

**Proposed Finding**: The proposed use will not significantly affect an existing or planned transportation facility. A memorandum showing compliance with the Transportation Planning Rule (TPR) (the “TPR Analysis”) is attached as Exhibit “E.” As stated in the TPR Analysis, the reasonable worst-case of the proposed zoning will generate approximately 126 net new daily trips than the NC zone. This reasonable worst-case scenario will not cause further degradation on the surrounding roadway network. The TPR Analysis concludes that the proposed zone change will not significantly impact and will cause “no further degradation” to the city roadway network, that the proposal complies with TPR requirements, and that no mitigation is required. This goal is satisfied.
Goal 13: Energy Conservation: To conserve energy.

Proposed Finding: The proposed use will not significantly impact energy consumption. The existing Building has previously operated and consumed energy consistent with other buildings of its size. A change in the property’s comprehensive plan designation and zoning would not significantly change the amount of energy consumed by the building. This goal is satisfied.

Goal 14: Urbanization: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Proposed Finding: The proposed zone change would allow a business to operate in a location that otherwise cannot operate due to the current market conditions and use restrictions. Allowing commercial use(s) in this Building is effective to accommodate urban population and employment by providing employment opportunities for citizens and an additional commercial location in town. Additionally, utilizing an existing building in an already developed parcel is the most efficient use of the land. This goal is satisfied.

Goal 15-19: Willamette River Greenway, Estuarine Resources, Coastal Shore Lands, Beaches and Dunes, and Ocean Resources

Proposed Finding: Statewide Planning Goals 15-19 do not apply to the City of Albany. The Subject Property is not within the relevant areas for the Willamette River Greenway. It is not located on the coast near the estuarine resources, coastal shore lands, beaches and dunes, or ocean resources. These Goals are not applicable.

Comprehensive Plan Goals

Goal 1: Citizen Involvement

Ensure that local citizens and other affected groups, neighborhoods and jurisdictions are involved in every phase of the planning process.

Policy 2: When making land use and other planning decisions:

a. Actively seek input from all points of view from citizens and agencies and assure that interested parties from all areas of the Urban Growth Boundary have the opportunity to participate.

b. Utilize all criteria relevant to the issue.

c. Ensure the long-range interests of the general public are considered.

d. Give particular attention to input provided by the public.

e. Where opposing viewpoints are expressed, attempt to reach consensus where possible.

In Type IV quasi-judicial proceedings conducted for zoning map amendments as proposed by the Applicants, the ADC sets forth the acknowledged provisions for citizen involvement at public hearings before the Planning Commission and City Council. Notice will be mailed to surrounding property owners within 300 feet of the Subject Property, and to affected government agencies. Notice of these public hearings was posted on the subject property. Based on these provisions, citizens will have ample opportunity to review and comment on the proposed map amendments.

**Goal 2: Land Use Planning**

**Commercial: General Requirements**

**GENERAL COMMERCIAL:** Identifies areas from community services to regional commercial establishments, suitable for a wide range of retail sales and service establishments. Aside from recognition of existing commercial corridors, new commercial areas will develop under design guidelines to avoid the continuance of “strip commercial” development in order to more efficiently serve the shopping needs of the community and region.

**Proposed Finding:** The proposed comprehensive map amendment from LC to GC is consistent with the requirements identified in the Comprehensive Plan for the GC designation. The Building on the Subject Property is suitable for a wide range of retail or service uses. The Building either already complies or will comply with the City of Albany’s design guidelines. The Subject Property is already developed and is not a “strip commercial” development. Utilizing the current Building on the Subject Property would contribute to efficiently serving the commercial needs of the community and region.

The Subject Property as developed is more consistent with the GC Comprehensive Plan designation than the current LC designation. The light commercial designation is intended for limited commercial activities allowable in the office professional and neighborhood commercial zones. As explained further below, based on the improvements, the location, and the prior uses on the Subject Property, the Subject Property best fits within the CC zone as it is situated on a larger urban parcel, contains a large commercial type building, and is located on arterial streets.

**Goal 9: Economic Development**

**Albany’s Economy**

**Goals**

1. **Diversify the economic base in the Albany area and strengthen the area’s role as a regional economic center.**

2. **Provide a supportive environment for the development and expansion of desired businesses.**

3. **Promote Albany’s positive economic, social, and cultural image throughout the state and region and, where appropriate, at the national and international levels.**
**Proposed Finding:** Amending the Comprehensive Plan designation of the Subject Property would further Albany’s economic goals because the new designation would provide opportunities for businesses to utilize the Building on the subject property rather than having the Building sit vacant and constrained by the ADC. The Building’s 43,000 square foot footprint is best suited for uses allowed in general commercial zones, not in limited commercial. Having a successful commercial business in that location, will do more to diversify the economic base in the City of Albany, create an environment for development and expansion of businesses and promote a positive economic image in the City of Albany.

The current Comprehensive Plan designation and zoning designation prohibit many of the viable uses for a building of such a size. In fact, Article 4 of the ADC limits a building in the NC zone to a 5,000 square foot footprint for retail and service uses and limits the lot size of new NC zones to 30,000 square feet of contiguous land. The Subject Property is simply not compatible with its current zoning designation, and accordingly the uses allowable in the current zone are not consistent with a Building of such a size.

The most efficient and economically viable use of the Subject Property would be to make use of the Building currently on the lot. Keeping the Subject Property in its current Comprehensive Plan designation and zoning assignment would likely require significant structural changes to the Building at the minimum, if not a complete tear-down and rebuild which would constitute over one million dollars in wasted infrastructure.

For the reasons stated above, changing the Subject Property’s Comprehensive Plan designation and zoning from its current status to GC and CC would diversify the economic base in the City of Albany by allowing the parcel to accommodate new zoning and allow the Building to house a viable business to operate and grow the economic base of the City of Albany. Changing the Comprehensive Plan and zoning designations so that they are consistent with the structure on the Subject Property would provide the most supportive environment for the development and expansion of desired businesses. Finally, having a successful business in such a prominent location would contribute to Albany’s positive economic, social, and cultural image throughout the state. Additionally, the City of Albany’s recognition that the Subject Property was incorrectly zoned, and willingness to remedy the situation would bolster the City of Albany’s reputation as an economically sound and reasonable municipality.

**Public Infrastructure**

**Goal 1:** Ensure that new industrial and commercial development is located in areas that can be adequately served by public infrastructure.

**Proposed Finding:** While the site is already developed, public services are available to the Subject Property as described in the response to Criterion 3 above.

**Goal 12: Transportation**

**Goal 1:** Provide an efficient transportation system that provides for the local and regional movement of people and goods.
Goal 2: Provide a safe transportation system that ensures mobility for all members of the community and provides alternatives to automobile travel.

Proposed Finding: The facts surrounding the transportation system are more fully addressed in the TPR Analysis completed by DKS Associates, Inc. ("DKS"). The TPR Analysis found that the allowable land uses under the CC zone would produce similar levels of trip generation to the NC zone, generating approximately 126 net new daily trips and would cause no further degradation to the transportation system. The traffic impacts in the new general commercial zone will be also be similar to the conditions when Mega Foods grocery store was operational. At its peak, Mega Foods was servicing 1,800 customers within the peak hours (between four and six p.m.). The maximum traffic generated by a general commercial business would likely not exceed the peak traffic generated by the Mega Foods at its peak.

According to the City of Albany’s Transportation System Plan (TSP), all signalized intersections under the City of Albany’s jurisdiction currently operate at a Level of Service (LOS) “D” or better. This includes the two intersections nearest to the Subject Property: at Queen Avenue and Geary Street, and at Queen Avenue and Waverly Drive, both of which are signalized. The Queen/Geary intersection operates at a LOS B, and the Queen/Waverly intersection operates at a LOS C. The TSP also identifies improvements necessary to accommodate anticipated development through the year 2030. The TSP does not identify any capacity or level of service problems occurring adjacent to the Subject Property.

Proposed Finding: The proposed change is consistent with Goal 12 and will not hinder the City of Albany in providing an efficient transportation system that provides for the local and regional movement of people and goods. It will not hinder the City of Albany’s goal of providing a safe transportation system that ensures mobility for all community members and providing alternatives to automobile travel.

Goal 14: Urbanization

Goal 1: Achieve stable land use growth which results in a desirable and efficient land use pattern.

Policy 9: Encourage the use of already serviced vacant and underdeveloped land through adaptive reuse of older areas of the community and the development and/or partitioning of lots which can meet minimum lot size requirements.

Policy 10: The size and type of future regional and community commercial sites shall be commensurate with the area to be served and located so as to be easily accessible by the service area. Approvals of additional regional and community commercial sites may be predicated upon studies requested by the City which assess public need, impacts upon competing commercial areas, traffic impacts, and impacts upon other public services.

Policy 15: Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.
**Proposed Finding:** The Subject Property is located in an area which if revitalized could potentially be classified as in-fill development. The Subject Property is fully serviced with City of Albany water, sanitary sewer, storm drainage, and police and fire service. Transit service is available approximately nine-hundred-fifty feet from the building on the Subject Property at the Queen and Geary street intersection. A revitalized business in this location would further the City’s goal of achieving a desirable and efficient land use pattern. Additionally, it would encourage the use of an already serviced currently unoccupied parcel.

There are several advantages to changing the Comprehensive Plan designation from LC to GC and zoning the parcel CC. On balance, the GC Comprehensive Plan designation and CC zone best satisfies the applicable goals and policies of the Albany Comprehensive Plan.

This criterion has been met.

2. **A legislative amendment is needed to meet changing conditions or new laws.**

**Proposed Finding:** The Applicants are requesting a quasi-judicial map amendment, not a legislative amendment. However, changing conditions and the uses allowed in the Albany Development Code necessitate this change. The opening of a Winco in the area changed the economic conditions in the City of Albany and made the operation of Mega Foods no longer an economically viable option. In evaluating alternative uses for the Building, the Owner and Tenant realized that the restrictions on uses in the ADC for the NC zone were not conducive to any viable business uses for a Building of such size. It is clear from the most recent iterations of the ADC that the NC zone was contemplated for much smaller parcels and buildings. Businesses are now limited to a 5,000 square foot maximum building footprint in the NC zone and new NC zones may be no more than 30,000 square feet of contiguous land. While the Subject Property is not a new NC zone, and not subject to the 30,000-maximum lot size, the Subject Property being nearly 5 acres is much larger than the City’s contemplated size for a NC zone and Light Commercial Comprehensive Plan designation. The Subject Property is essentially mis-zoned. Accordingly, changing economic conditions and the ADC necessitate this change.

Since this not a request for a legislative amendment this criterion is not applicable. However, this change is necessary based on the changing economic conditions in Albany and the Albany Development Code’s regulation of allowable uses in the NC zone.

3. **The requested designation for a quasi-judicial map amendment meets all of the following tests:**

   a. The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance is more supportive of the Comprehensive Plan as a whole than the old designation.

**Proposed Finding:** The requested designation of Light Commercial for the Subject Property is more supportive of the Comprehensive Plan than the current designation. Changing the Comprehensive Plan would allow the zoning to be changed from NC to CC, which would in turn allow for the Building to be revitalized with commercially viable uses. Allowing a business to flourish which has previously been forced out of business and finds no allowable alternative uses, will help the City of Albany accomplish City of Albany’s Economic Development goals.
outlined in the Comprehensive Plan and the Albany Economic Opportunity Analysis\(^2\). The proposed change will have little to no effect on the infrastructure and will not be harmful to the City of Albany’s transportation focused goals.

b. **The requested designation is consistent with any relevant area plans adopted by the City Council.**

**Proposed Finding:** The sole Area Plan currently on the City Planning website is the South Albany Area Plan adopted on February 13, 2013. The area incorporated into the South Albany Area Plan is bordered by Interstate 5 to the east, Highway 99 to the west, vacant land surrounding Oak Creek to the north, and the Urban Growth Boundary to the South. The Subject Property is not within the boundaries of the area covered by the South Albany Area Plan. Applicants were unable to identify any Area Plans that would be relevant to the Subject Property. This criterion is not applicable.

c. **The requested designation is consistent with the Comprehensive Plan Map pattern.**

**Proposed Finding:** The requested designation is consistent with the Comprehensive Plan Map to the extent there is any pattern in the area. As explained further below, the Comprehensive Plan Map pattern in the area is a bit of a patchwork containing Residential-Medium Density (RMD), Light Commercial (LC), General Commercial (GC), and Residential-Low Density (RLD), and some Public/Semi-Public areas.

The property surrounding the Subject Property to the east, south and west is designated Residential – Medium Density (RMD). The parcel immediately adjacent to the Subject Property to the east is designated RMD and contains a transformer power station. Further east are apartment complexes and single-family residences designated RMD. Immediately south, are apartment complex buildings on 1st SW Ave designated RMD. Across Queen Street to the north is a 7-Eleven with a Comprehensive Plan designation of Light Commercial and housing zoned RMD. Further north is Heritage Plaza, a large block of general commercial development including a Grocery Outlet, Safeway, Marshalls, Big Lots, and the Heritage Mall. To the west, immediately across Geary Street is a GC parcel containing a Wheeler Dealer, and a Light Commercial parcel which is Disability Services. South of those parcels is designated RMD containing multi-family housing.

This area is compatible with several different Comprehensive Plan designations including multiple General Commercial parcels.

The requested designation of General Commercial is consistent with the Comprehensive Plan Map pattern.

d. **The requested designation is consistent with the statewide planning goals.**

\(^2\) The 2007 Economic Opportunity Analysis identified a deficit of 225-340 industrial and commercial acres within the City of Albany.
**Proposed Finding:** As discussed above, the requested General Commercial designation is consistent with the statewide planning goals as explained above. This criterion is satisfied.

IV. **ZONING MAP AMENDMENT**

The ADC allows for amendments to the Zoning Map, which may be initiated by a property owner, a representative of the owner, the Director, the Planning Commission, or the City Council. (ADC 2.710). Applicants are requesting an amendment to the Zoning Map from NC to GC in conjunction with its requested Comprehensive Plan designation change to General Commercial in order to allow the building on the Subject Property to resume operation as a viable and productive business in the City of Albany.

1. **The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for.**

**Proposed Finding:** Applicants are requesting an amendment to the Subject Property's Comprehensive Plan designation in addition to a Zoning Map Amendment.

Because Applicants are requesting a corresponding Comprehensive Plan amendment this criterion is either not applicable or it is satisfied.

2. **Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation.**

**Proposed Finding:** The transportation facilities have been evaluated by DKS. According to the TPR Analysis produced by DKS the existing transportation facilities are adequate for uses permitted under the CC zone designation. See Exhibit E.

3. **Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area.**

**Proposed Finding:** The current development or any future redevelopment of the Subject Property can be accommodated by the existing services in the subject area that are adequate for general commercial uses. The Subject Property is currently fully served by City of Albany water and sewer services. The storm sewer infrastructure is already developed and functioning. Periwinkle Creek borders the Subject Property and there are four catch basins and inlets on the Subject Property. There are two nearby lateral mainlines, one on Queen Ave and one in Periwinkle Creek where it crosses under the road. As the Subject Property is commercial in nature, school services is not necessary, but the surrounding area is served by Greater Albany Public Schools. Police protection is provided by the Albany Police Department located at 2600 Pacific Boulevard SW. Fire and ambulance service is provided by Albany Fire Department, the Subject Property is in the response area of East End Station 13.

4. **The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.**
Proposed Finding: The current zoning description of the Subject Property is NC (Neighborhood Commercial). The proposed zoning is CC Community Commercial. This review criterion requires that the intent and purpose of the proposed CC zoning district “best satisfies” the goals and policies of the Comprehensive Plan.

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

The Subject Property is more consistent with the CC zoning designation. The Subject Property contains a Building that could house a small to medium-scale business or service site and is located on the corner of two minor arterial streets. The building either now complies or will comply with all relevant design guidelines in order to enhance the community’s image along these transportation corridors. Buffers are in place to mitigate impacts to nearby residential areas. There are several uses allowable in the CC zone with site plan review would be consistent with the size and character of the building on the Subject Property. The Subject Property in its current state is better suited for a CC zone.

A discussion of the applicable goals and policies of the Comprehensive Plan is addressed under the review criteria for the Comprehensive Plan map amendment discussed above. Those findings and conclusions are incorporated here by reference to demonstrate that the CC zone best satisfies the goals and policies of the Comprehensive Plan.

5. The land use and transportation pattern recommend in any applicable City-contracted or funded land use or transportation plan or study has been followed, unless the applicant demonstrates good cause for the departure from the plan or study.

Proposed Finding: The TSP does not identify any committed projects in close proximity to the Subject Property. The trip generation comparison supplied by the DKS estimated that a reasonable worst-case development under the requested zone designation would generate approximately 126 more net daily trips, 45 AM peak hour trips and 35 PM peak hour trips, than the development under the current zone designation and concluded that those trips would not result in a significant effect on the transportation system.

The proposal will not conflict with the transportation system as shown in the TSP and is in accordance with the TSP. This criterion is met.

V. CONCLUSION:

In conclusion, the proposed Comprehensive Plan and zoning designations are consistent with the Albany Comprehensive Plan, the Statewide Planning Goals and the review criteria in the Albany Development Code. Therefore, the requested changes to Comprehensive Plan and zoning map should be approved.
MEMORANDUM

DATE: December 31, 2018

TO: Mark D. Shipman | Saalfeld Griggs

FROM: Lacy Brown, Ph.D., P.E. | DKS Associates
       Clive Lara, E.I.T. | DKS Associates

SUBJECT: Albany Queen Avenue Zone Change and Transportation Planning Rule Evaluation

This memorandum presents the findings of an evaluation of the zoning and land use considerations for the four-acre developed property located at 2000 Queen Avenue in Albany, Oregon. The developer desires to change the current zoning from Neighborhood Commercial (NC) to Community Commercial (CC) zoning. The proposed zone change must be in accordance with the Transportation Planning Rule (TPR) requirement by not significantly affecting the transportation system. The TPR refers to Action 1F.05 in the Oregon Highway Plan, which states that if there is a small increase in daily traffic (less than 400 trips) between the existing plan and proposed amendment, it can be determined that the proposed zone change will cause "no further degradation" to the surrounding roadway network. If the zone change generates an excess of 400 additional daily trips, it would warrant further operational evaluation and potential mitigations.

This memorandum summarizes the typical land use types and scenarios allowed under the existing NC zone and the reasonable worst-case trip generation under the proposed CC zone. This reasonable worst-case trip level can be used to identify land use and development scenarios that could potentially be implemented under the desired CC zoning.

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EXISTING CONDITIONS

The property is located on the south side of Queen Avenue between Ocean Avenue and Multnomah Boulevard (Figure 1). It should be noted that the four-acre property is currently occupied by an approximately 45,000 square-foot Mega Foods grocery store that does not meet NC zoning requirements of limiting retail buildings to less than 5,000 square-feet. The purpose of this 5,000 square-feet retail constraint is to encourage convenience-oriented and personal services-oriented uses (Albany Development Code, Article 4, Special Condition 11a). After discussions with City of Albany, it was decided that the existing 45,000 square feet of commercial space would be analyzed as a group of 5,000 square-foot retail pads as a reasonable-worst case scenario.²

Existing Zoning and Trip Generation

Under the current NC zone, a variety of permitted land uses could be developed on the property. For the purposes of identifying the reasonable worst-case trip generation for the subject property only the highest trip generating uses are shown:

- Restaurant, no drive-thru
- Restaurant, with drive-thru³
- Retail (convenience market, pharmacy, banks)⁴
- Daycare Facility⁵

A summary of the trip generation rates for different land uses permitted under the existing NC zoning is presented in Table 1 on the following page.⁶ As stated previously, retail land-uses are limited to 5,000 square-foot convenience-oriented and personal-services oriented uses. Examples of qualifying stores are listed in Article 22 of the Albany Development Code and are included in the table. The specialty retail land use from the

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² Phone call with Ron Irish on December 5, 2018.
³ Per Albany Development Code, Article 4, Special Condition 10: Drive-thru restaurants are allowed in NC zones provided there are no more than 2 drive-through windows, and there is no speaker service (for ordering)
⁴ Per Albany Development Code, Article 4, Special Condition 11a: The only retail uses allowed are convenience-oriented and personal services-oriented retail and are restricted to a 5,000 square-foot maximum building footprint
⁵ Conditional Use review, Type III procedure required
9th Edition ITE Trip Generation Manual was used to account for other specific retail land uses allowed under the existing zoning that are not included in the 10th Edition ITE Trip Generation Manual.

Table 1: Trip Generation Rates for Selected Allowed Land Uses under NC Zoning

<table>
<thead>
<tr>
<th>Land Use (ITE Code)</th>
<th>Units</th>
<th>Daily</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>High-turnover Sit-down Restaurant (932)</td>
<td>KSF</td>
<td>112.18</td>
<td>9.94</td>
<td>9.77</td>
</tr>
<tr>
<td>Fast-food Restaurant with Drive-thru (934)</td>
<td>KSF</td>
<td>470.95</td>
<td>40.19</td>
<td>32.67</td>
</tr>
<tr>
<td>Convenience Market (851)</td>
<td>KSF</td>
<td>762.28</td>
<td>62.54</td>
<td>49.11</td>
</tr>
<tr>
<td>Pharmacy w/ Drive-thru (881)</td>
<td>KSF</td>
<td>109.16</td>
<td>3.84</td>
<td>10.29</td>
</tr>
<tr>
<td>Drive-in Bank (912)</td>
<td>KSF</td>
<td>100.03</td>
<td>9.50</td>
<td>20.45</td>
</tr>
<tr>
<td>Specialty Retail (826)</td>
<td>KSF</td>
<td>44.32</td>
<td>N/A</td>
<td>2.71</td>
</tr>
<tr>
<td>Daycare Center (565)</td>
<td>KSF</td>
<td>47.62</td>
<td>11.00</td>
<td>11.12</td>
</tr>
</tbody>
</table>

* ITE Trip Generation Manual, 9th Edition was used to estimate trip generation for Specialty Retail
* KSF = 1,000 square feet

One of the 5,000 square-foot retail pads was considered to be a convenience market without gas pumps, since this an allowable land use under NC zoning. The ITE Trip Generation Handbook provides pass-by percentage estimates for the convenience market land use that is assumed for the project site. Pass-by trips account for vehicles that were already on adjacent streets (i.e. Queen Avenue) and decided to stop at the convenience store. These pass-by trips are therefore not included in the net new trips generated by the development as they are already using the transportation network. Table 2 on the following page presents trip generation estimates for one reasonable worst-case combination of allowed land uses that could be potentially developed on the four-acre subject property under the existing NC zoning.

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Table 2: Reasonable Worst-Case Land Use and Trip Generation for Existing NC Zoning

<table>
<thead>
<tr>
<th>Land Use (ITE Code)</th>
<th>Size&lt;sup&gt;b,c&lt;/sup&gt;</th>
<th>Daily</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience Market (851)</td>
<td>5 KSF</td>
<td>3,811</td>
<td>313</td>
<td>246</td>
</tr>
<tr>
<td><strong>Pass-by Trips (51%)</strong></td>
<td></td>
<td>(1,944)</td>
<td>(160)</td>
<td>(125)</td>
</tr>
<tr>
<td>High-turnover Sit-down Restaurant (932)</td>
<td>5 KSF</td>
<td>561</td>
<td>50</td>
<td>49</td>
</tr>
<tr>
<td><strong>Pass-by Trips (43%)</strong></td>
<td></td>
<td>(241)</td>
<td>(22)</td>
<td>(21)</td>
</tr>
<tr>
<td>Fast-food w/ Drive-thru (934)</td>
<td>5 KSF</td>
<td>2,355</td>
<td>201</td>
<td>163</td>
</tr>
<tr>
<td><strong>Pass-by Trips (49%)</strong></td>
<td></td>
<td>(1,154)</td>
<td>(98)</td>
<td>(80)</td>
</tr>
<tr>
<td>Pharmacy w/ Drive-thru (881)</td>
<td>5 KSF</td>
<td>546</td>
<td>19</td>
<td>51</td>
</tr>
<tr>
<td><strong>Pass-by Trips (49%)</strong></td>
<td></td>
<td>(268)</td>
<td>(9)</td>
<td>(25)</td>
</tr>
<tr>
<td>Drive-in Bank (912)</td>
<td>5 KSF</td>
<td>500</td>
<td>48</td>
<td>102</td>
</tr>
<tr>
<td><strong>Pass-by Trips (35%)</strong></td>
<td></td>
<td>(175)</td>
<td>(17)</td>
<td>(36)</td>
</tr>
<tr>
<td>Specialty Retail (826)&lt;sup&gt;a&lt;/sup&gt;</td>
<td>5 KSF</td>
<td>222</td>
<td>N/A</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>5 KSF</td>
<td>222</td>
<td>N/A</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>5 KSF</td>
<td>222</td>
<td>N/A</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td>5 KSF</td>
<td>222</td>
<td>N/A</td>
<td>14</td>
</tr>
<tr>
<td>Total Trips Generated</td>
<td></td>
<td>8,661</td>
<td>631</td>
<td>667</td>
</tr>
<tr>
<td><strong>Pass-by Trips</strong></td>
<td></td>
<td>(3,782)</td>
<td>(306)</td>
<td>(287)</td>
</tr>
<tr>
<td>Net New Trips</td>
<td></td>
<td>4,879</td>
<td>325</td>
<td>380</td>
</tr>
</tbody>
</table>

<sup>a</sup> ITE Trip Generation Manual, 9th Edition was used to estimate trip generation for Specialty Retail
<sup>b</sup> Total square footage equals the footprint occupied by the existing commercial building on the site (45 KSF)
<sup>c</sup> KSF = 1,000 square feet

As shown, full-build out of the property under existing zoning could generate 4,879 net new daily trips, 325 net new AM peak hour trips, and 380 net new PM peak hour trips. These values represent the reasonable worst-case trip generation produced by land uses allowed under the existing NC zoning.

**PROPOSED ZONING AND TRIP GENERATION**

Under the proposed CC zoning, a variety of permitted land uses could be developed on the property. For the purposes of identifying the reasonable worst-case trip generation for the proposed zoning, only the highest trip generating uses are shown:

- Restaurant, no drive-thru
- Restaurant, with drive-thru
- Retail (no restrictions)
- Gasoline Service Station
- Daycare Facility
The main difference between the existing NC zoning and proposed CC zoning is the lack of commercial restrictions with the CC zoning. Additionally, gas stations are also allowed, whereas NC zoning only allows standalone convenience markets. To remain consistent with existing zoning trip generation rates, it was decided to show both the convenience store land-use and standalone gas-station land use to identify the additional trips generated by the fueling pumps. A summary of the trip generation rates for different land uses permitted under the proposed CC zoning is presented in Table 3.\(^8\) Since there is no 5,000 square-foot limit for retail under the proposed CC zoning, the trip generation rates for shopping center land uses is shown instead.

### Table 3: Trip Generation Rates for Selected Allowed Land Uses under CC Zoning

<table>
<thead>
<tr>
<th>Land Use (ITE Code)</th>
<th>Units</th>
<th>Weekday Trip Generation Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Daily</td>
</tr>
<tr>
<td><strong>Individual Land Uses Allowed</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High-turnover Sit-down Restaurant (932)</td>
<td>KSF</td>
<td>112.18</td>
</tr>
<tr>
<td>Fast-food Restaurant with Drive-thru (934)</td>
<td>KSF</td>
<td>470.95</td>
</tr>
<tr>
<td>Convenience Market (851)</td>
<td>KSF</td>
<td>762.28</td>
</tr>
<tr>
<td>Gasoline/Service Station (944)</td>
<td>Fuel Pumps</td>
<td>172.01</td>
</tr>
<tr>
<td>Pharmacy w/ Drive-thru (881)</td>
<td>KSF</td>
<td>109.16</td>
</tr>
<tr>
<td>Drive-in Bank (912)</td>
<td>KSF</td>
<td>100.03</td>
</tr>
<tr>
<td>Shopping Center (820)</td>
<td>KSF</td>
<td>37.75</td>
</tr>
<tr>
<td>Daycare Center (565)</td>
<td>KSF</td>
<td>47.62</td>
</tr>
</tbody>
</table>

As shown in Table 4 on the following page, full-build out of the property under the proposed zoning could generate up to 5,005 net new daily trips, 370 net new AM peak hour trips, and 415 net new PM peak hour trips. These values represent the reasonable worst-case trip generation produced by land uses allowed under the proposed CC zoning.

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\(^8\) Trip generation estimates calculated using average rates from the ITE Trip Generation Manual, 10th Edition.
Table 4: Reasonable Worst-Case Land Use and Trip Generation for Proposed CC Zoning

<table>
<thead>
<tr>
<th>Land Use (ITE Code)</th>
<th>Size</th>
<th>Daily</th>
<th>AM Peak Hour</th>
<th>PM Peak Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience Market (851)</td>
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<td>3,811</td>
<td>313</td>
<td>246</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(1,944)</td>
<td>(160)</td>
<td>(125)</td>
</tr>
<tr>
<td>Pass-by Trips (51%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gasoline/Service Station</td>
<td>8 fuel pumps&lt;sup&gt;a&lt;/sup&gt;</td>
<td>1,376</td>
<td>82</td>
<td>112</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(798)</td>
<td>(48)</td>
<td>(65)</td>
</tr>
<tr>
<td>Pass-by Trips (58%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High-turnover Sit-down Restaurant</td>
<td>5 KSF</td>
<td>561</td>
<td>50</td>
<td>49</td>
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<td>(932)</td>
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<tr>
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<td>Fast-food w/ Drive-thru (934)</td>
<td>5 KSF</td>
<td>2,355</td>
<td>201</td>
<td>163</td>
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</tr>
<tr>
<td>Drive-in Bank (912)</td>
<td>5 KSF</td>
<td>500</td>
<td>48</td>
<td>102</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(175)</td>
<td>(17)</td>
<td>(36)</td>
</tr>
<tr>
<td>Pass-by Trips (35%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shopping Center (820)</td>
<td>17.5 KSF</td>
<td>661</td>
<td>16</td>
<td>67</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(225)</td>
<td>(5)</td>
<td>(23)</td>
</tr>
<tr>
<td>Pass-by Trips (34%)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Trips Generated</td>
<td></td>
<td>9,810</td>
<td>729</td>
<td>790</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(4,805)</td>
<td>(359)</td>
<td>(375)</td>
</tr>
<tr>
<td>Net New Trips</td>
<td></td>
<td>5,005</td>
<td>370</td>
<td>415</td>
</tr>
</tbody>
</table>

<sup>a</sup> The 8 fuel pumps were assumed to take up an additional 2,500 square-feet that would not otherwise be used with a standalone convenience market.

SUMMARY AND RECOMMENDATION

The land uses allowed under the existing NC and proposed CC zones produce similar levels of trip generation. The proposed CC zone would generate slightly more net new trips than the existing NC zone (45 AM peak hour trips, 35 PM peak hour trips, and 126 daily trips).

The requirements of Oregon Administrative Rule (OAR) 660-012-0060, the Transportation Planning Rule (TPR), must be met for proposed changes in land use zoning. The intent of the TPR (OAR 660-12-0060) is to ensure that future land use and traffic growth is consistent with transportation system planning and does not create a significant effect on the surrounding transportation system beyond currently allowed uses.

Based on the reasonable worst-case trip generation evaluation, the proposed zone change would result in a daily increase of less than 400 trips. Therefore, the zone change would not contribute to a significant effect on the transportation system and would be consistent with the TPR requirements.

Let me know if you have any questions or comments.