

## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Community Development 541-917-7550

## Staff Report

## Natural Resources Impact Review and Minor Variance

NR-03-24 & VR-10-24 January 24, 2025

## Summary

This proposal is for a Natural Resource Impact Review and Minor Variance to locate a transformer vault together with restoration of the degraded riparian setback along Periwinkle Creek to marginal quality. Natural Resource Impact Review criteria contained in Albany Development Code (ADC or Code) 6.310, 6.400, and 6.410, and Minor Variance criteria contained in ADC 2.696 are addressed in this report for the proposed enhancement work. The criteria must be satisfied to grant approval for this application. The property is located at 1755 Geary Street SE (Attachment A).

## **Application Information**

Proposal: The application is for a Natural Resource Impact Review and Minor Variance

to locate a transformer vault together with restoration of the riparian setback

along Periwinkle Creek.

Review Body: Planning Staff (Type I-L review)
Staff Report Prepared By: David Martineau, project planner

Property Owner/Applicant: Chris Looney; Paradigm Properties; 1361 Pearl Street; Eugene, OR 97401

Applicant's Representative: Shane McCloskey; Dustrud Architecture PC; 1622 Pearl Street; Eugene, OR

97401

Address/Location: 1755 Geary Street SE, Albany, OR 97322

Map/Tax Lot: Linn County Assessor's Map No. 11S-03W-08CD; Tax Lot 0210

Zoning: Residential Medium Density Attached (RMA)

Comprehensive Plan: Residential Medium Density

Overlay Districts: Riparian Corridor Overlay (/RC)

Total Land Area: 3.54 acres

Existing Land Use: Apartment units under construction

Neighborhood: Periwinkle

Surrounding Zoning: North: Open Space (OS); Community Commercial (CC)

East: OS; Residential Medium Density Attached (RMA)

South: RMA

West: CC; Residential Medium Density

Surrounding Uses: North: Indoor Storage Facility

East: Periwinkle Creek; Apartment Complex

South: Apartment Complex

West: Geary Street; Multiple Dwelling Units; Retail Establishments

## Staff Decision

The subject application referenced above is APPROVED WITH CONDITIONS as described in this staff report. The approval expires three years from the date of approval.

## **Appeals**

The City's decision may be appealed to the Albany Planning Commission if a person with standing files a completed notice of intent to appeal and the associated filing fee no later than 10 days from the date the City mails the notice of decision [ADC 1.220(6)].

## **Notice Information**

A notice of filing was mailed to property owners identified within 100 feet of the subject property on October 11, 2024, in accordance with ADC 1.220. At the time the comment period ended on October 25, 2024, the Albany Planning Division received no comments.

## Analysis of Development Code Criteria

The ADC includes the following review criteria for the Significant Natural Resource overlay districts (ADC 6.310) which must be met for these applications to be approved. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

## Natural Resource Impact Review Standards (ADC 6.310(A))

## Criterion 1

The proposed activity is allowed under the requirements of the base zone.

## Findings of Fact

- 1.1 The subject property is zoned Residential Medium Density Attached (RMA), with a Riparian Corridor Overlay (/RC). The applicant received site plan review approval to construct 107 apartment units in 2022 (File SP-10-22 et al). Apartments are a permitted use in the RMA zone.
- 1.2 In limited circumstances, specifically when the existing resource quality is marginal or degraded, residential development is permitted to encroach up to 25 feet into the 50-foot Riparian Corridor overlay with enhanced landscape mitigation for the remaining 25 feet.
- 1.3 This criterion is met without conditions.

### Criterion 2

There are no other reasonably feasible options or locations outside the Significant Natural Resource overlay districts for the proposed activity on the subject parcel.

## Findings of Fact

- 2.1 According to the applicant, siting the transformer vault to serve Apartment Building "B" is constrained by Pacific Power's maximum allowable feeder length. In addition, the electrical conduits coming from the transformer vault cannot share a trench with stormwater, nor go under the foundation of Building "B." By necessity, the transformer vault extends into the Riparian Corridor six feet and a length measuring 85 feet (Attachment B.1).
- 2.2 The applicant concedes that equipment dispatched to set the vault and onsite siding and painting workers drove lifts through the portion of Riparian Corridor on the subject property disturbing even more area. City staff issued a stop work order on September 20, 2024, prohibiting further work in the area.
- 2.3 In order to restore compliance on the property, the applicant agreed to develop a mitigation plan that improves the degraded riparian corridor to at least marginal. An aerial photo confirms the applicant's assertions that the riparian corridor was in degraded condition prior to the ground disturbance (Attachment C.2). The overall mitigation area will total 5,746 square feet, with the intent that all disturbed soil within the Riparian Corridor will be addressed (Attachment D.13).
- 2.4 No dwelling units or parking areas will be located within the riparian corridor overlay.

2.5 This criterion is met without conditions.

#### Criterion 3

The proposed activity is designed, located, and constructed to minimize excavation, grading, structures, impervious surfaces, loss of native vegetation, erosion, and adverse hydrological impacts on water resources. All activities are located as far from the water resources, and use as little of the surface area of the Significant Natural Resource overlay districts, to the extent reasonably feasible. Findings of Fact

- 3.1 The applicant states that the location of Building B's transformer is adjacent to the top of the riparian corridor (see Attachment C.1 for photographs of the vault and conduit runs). A trench with conduits connecting the transformer vault to the building meters is required at the southeast side of Building B. The area above the trench will be replaced with native plants enhancing the surrounding corridor, per the Mitigation Plan (Attachment D.13). Upon completion, there will be no impervious surfaces encroaching into the Riparian Corridor.
- When a request is made to develop or impact the Riparian Corridor overlay district area per ADC 6.310(B)(2)(b), a mitigation plan is required for enhancement of the remaining area per ADC 6.410.
- 3.3 The mitigation plan must document the location of the impact, the existing conditions of the resource prior to impact, presence of invasive species, the location of the proposed mitigation area, a detailed planting plan of the proposed mitigation area with species and density, and a narrative describing how the resource will be replaced, and how debris and invasive species will be removed.
- 3.4 The applicant's landscape architect, David J. Dougherty, characterized existing conditions prior to impact as a "non-native grassy slope." An aerial photo from 2021 confirms this (Attachment C.2). That characteristic is consistent with the "Degraded" classification found in Table 6.410-1 of the ADC. The plan being submitted indicates that the mitigation strategy will restore the riparian buffer area to "Marginal Quality," (see Guideline 2 in Attachment D.13). Another nonnative species on site is Himalayan blackberry. Dougherty's mitigation guidelines provide a recommendation of how to remove the invasive blackberries from the site (see Guideline 4 in Attachment D.13).
- 3.5 The applicant or property owner of a development subject to an approved mitigation plan must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.
- A report on the survival and health of planted vegetation, and the status of invasive species, shall be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. The City may arrange an on-site inspection to verify information contained in the report. If the survival rate for tree and shrub species is below 80 percent, a replanting strategy shall be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Community Development Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80 percent, the bond will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80 percent, the bond will be forfeited.
- 3.7 The riparian area targeted for enhancement is on property owned by the City of Albany. Control and removal of invasive vegetation together with planting seasons must be coordinated between the landscape installers and the Parks Department. It is the responsibility of the applicant to ensure that invasive species of vegetation is removed according to the mitigation plan. Additionally, the applicant

is responsible for planting all trees, shrubs and ground cover shown on the plan and must provide reporting as outlined in Finding 3.6 above.

3.8 This criterion can be met through conditions of approval.

## Conditions

- 1. The applicant or property owner must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.
- 2. A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation.
- 3. The applicant must coordinate timing for removing invasive plant species, controlling weeds, and installing landscaping with the City of Albany Parks Department.

## Criterion 4

Any proposed impacts to significant natural resources will be mitigated per the standards in Sections 6.400 and 6.410.

## Findings of Fact

- 4.1 The applicant's landscape architect provided a Mitigation Area Planting Plan on December 19, 2024.
- 4.2 According to the mitigation plan, 21 trees will be planted within the 17-foot 4-inch riparian buffer abutting the multiple unit development. These include red alder, vine maple, ponderosa pine, and Oregon white oak, and will be at least six feet high at the time of planting. In addition, 94 shrubs of 6 different varieties will be planted that are at least 30 inches in height. The rest of the mitigation area will be treated with lawn seed.
- 4.3 This criterion is met without conditions.

## Criterion 5

Any applicable local, state, and federal permits are secured.

## Findings of Fact

- 5.1 The applicant will obtain any or all applicable permits.
- 5.2 This criterion is met without conditions.

## Criterion 6

The additional requirements of ADC 6.310(B) will be met.

## Findings of Fact

- 6.1 Findings addressing ADC 6.310(B)(2)(b), Permanent Alteration Within the Riparian Corridor are addressed below and incorporated herein by reference.
- 6.2 This criterion is met without conditions.

## Natural Resource Impact Review Standards (ADC 6.310(B)(2)(b))

Structures and Land Altering Activities. The placement of structures and other impervious surfaces, as well as grading, excavation, placement of fill, and vegetation removal, are prohibited. Exceptions may be made for the purposes identified in items a-f of this Section, provided they are necessary to accommodate an approved activity and comply with any stated requirements for the activity or use.

<u>Permanent Alteration Within the Riparian Corridor.</u> Disturbance or development within the Riparian Corridor overlay district shall be allowed under the following circumstances:

## Criterion (i)

The resource is characterized as 'marginal' or 'degraded' using the standards found in 6.410(5). Findings of Fact

- i.1 According to the applicant's landscape architect, the resource adjacent to the Creekside Meadows Apartments is classified as "degraded," using the quality levels for riparian corridors in Table 6.410-1. Degraded Quality is defined as having "less vegetation and canopy coverage than Marginal Quality, and/or greater than 10 percent coverage of any non-native species." Marginal Quality is defined as having a "combination of native trees, shrubs, and groundcover are at least 80 percent of the overlay area, and there will be 25 percent-50 percent tree canopy coverage at maturity."
- i.2 Mitigation requirements for a resource that is considered "degraded" is as follows: "Enhance to at least Marginal Quality with an approved plan (mature overlay area coverage will be estimated); A smaller ratio of 1.0 (impact area) to 0.5 (mitigation area) may be allowed for restoration to Good Quality."
- i.3 A 2023 aerial photo of the site shows a degraded area between the apartment site extending nearly 20 feet into the Riparian Corridor setback largely devoid of trees and shrubs. The disturbed area was originally a non-native grassy slope. Minimal invasive species identified on site is the Himalayan blackberry. All invasive plant species within the mitigation area will be removed through manual removal.

## Conclusion

- i.1 The riparian corridor along the eastern boundary of the Creekside Meadows site is classified as degraded quality.
- i.2 The resource must be restored to marginal quality with an approved mitigation plan.
- i.3 A condition of approval will require the removal of invasive Himalayan blackberry using the method described by the landscape architect.

## Condition

4. The invasive Himalayan blackberry and any other non-native species must be removed from the mitigation planting area through manual removal.

## Criterion (ii)

Demonstration that equal or better protection will be ensured through riparian corridor restoration and enhancement within the remaining overlay district area per the mitigation requirements in Sections 6.400 and 6.410. If the site is encumbered by easements or rights-of-way that would preclude onsite restoration or enhancement, an "in-lieu of payment" may be made to the City in the amount equal to the cost of onsite mitigation.

## Findings of Fact

ii.1 According to the landscape architect, the mitigation plan will consist of installing the following plant materials as indicated on the Mitigation Area Planting Schedule (Attachment D.13). By installing these plants in their proposed quantities, the natural resource area should improve to a marginal quality riparian corridor area after successful completion of the Mitigation Plan. All of the selected plant species are native to western Oregon.

Trees	Shrubs
Acer circinaturn/Vine Maple (8)	Cornus sericea/Red Twig Dogwood (10)
Ainus rubra/Red Alder (4)	Mahonia aquifoliurn/Oregon Grape (36)
Quercus garryanaa/Oregon White Oak (6)	Ribes sanguineum/Red Flowering Currant (13)

Pinus ponderosa/Ponderosa Pine (3)	Rosa nutkana/Nootka Rose (6)
	Spiraea douglassii/Western Spirea (9)
	Symphoricarpos albus/Common Snowberry (20)

January 24, 2025

- ii.2 Ground cover will consist of an irrigated mitigation area seed mix.
- ii.3 The findings, conclusions and conditions provided under Criterion 3 above are hereby incorporated by reference.

## Conclusion

ii.1 This criterion can be satisfied through the conditions of approval provided under Criterion 3 above.

## Criterion (iii)

In no case shall the site improvements be any closer than 25 feet from the Ordinary High Water mark or upland edge of the wetland, unless the improvements are otherwise allowed or exempted per this Section of the Code.

## Findings of Fact

- iii.1 No site improvements are proposed to be any closer than 31 feet from the Ordinary High Water Mark or upland edge of the significant wetland.
- iii.2 The riparian buffer will only be improved with a landscape mitigation and enhancement plan that will restore the riparian corridor from "degraded" to "marginal" quality if the plan is followed.

## Conclusion

iii.1 This criterion is met without conditions.

## Natural Resource Mitigation Standards (ADC 6.400)

Mitigation is a way of compensating for adverse impacts to the functions and values of natural resources caused by development. In many cases, mitigation may result in resource area restoration or enhancement.

If a State or Federal agency has jurisdiction regarding development impacts within the <u>Riparian Corridor</u> and <u>Significant Wetland</u> overlay districts, and they require mitigation for those impacts, the City will not impose additional mitigation requirements over the same area. Those portions of development impacts not mitigated through a State or Federal agency will be subject to local mitigation requirements. Mitigation for impacts to turtle habitat in the <u>Habitat Assessment</u> overlay district will be solely managed by ODFW.

The need for mitigation, restoration, or enhancement will be determined during the Natural Resource Impact Review process. The Director may allow some degree of flexibility to the standards based on the specific location and level of impact.

- (1) When Mitigation is Required: Mitigation will be required under the following circumstances:
  - (a) Removal of one or more native trees greater than 25 inches in circumference, which requires replacement per section (2)(c).
  - (b) Disturbance of more than 2,000 square feet of vegetated surface area. This level of impact will require a mitigation plan per 6.410.
  - (c) When a request is made to develop or impact the Riparian Corridor overlay district area per 6.310(B)(2)(b), a mitigation plan will be required for enhancement of the remaining area per 6.410.

## Findings of Fact

- 1.1 The application is for a request to develop or impact the Riparian Corridor overlay district in accordance with ADC 6.310(B)(2)(b); therefore, a mitigation plan is required for enhancement of the remaining area per ADC 6.410.
- 1.2 The applicant submitted a mitigation plan for enhancing the remaining Riparian Corridor area abutting the Creekside Meadows Apartments property (see Attachment D.13).

#### Conclusion

1.1 This standard is met without conditions.

## (2) Local Mitigation Standards:

- (a) On-site enhancement is required when the 50-foot area of the Riparian Corridor overlay district is impacted per 6.310(B)(2)(b), unless the activity is otherwise exempted per this section of the Code.
- (b) For other mitigation options, on-site mitigation shall occur within the relevant Significant Resource overlay district as close to the impact area as reasonably feasible, taking into consideration the existing natural and human-made features of the site.

If on-site mitigation is not reasonably feasible, off-site mitigation shall be permitted in other locations inside the city in the following priority order:

- (i) Within the impacted Significant Resource overlay district in the same drainage system; or
- (ii) Outside the impacted Significant Resource overlay district, but within 100 feet of a Significant Resource overlay district in the same drainage system; or
- (iii) Outside the same drainage system, but within a Significant Resource overlay district.
- (c) Tree replacement requires planting a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed. The replanted tree shall be of a species that will eventually equal or exceed the removed tree in size if appropriate for the new location.
- (d) Mitigation for impacts shall require a mitigation area ratio of 1:1; however, if the quality of the resource is enhanced or restored per 6.410(5) the ratio may be lowered with Director approval.
- (e) Planting densities and species composition shall be consistent with native wetland and riparian area plant communities currently or historically found in the drainage basin. Use of a reference site as guidance for developing a revegetation plan is recommended.
- (f) Any mitigation requirements resulting from a proposed land division, shall require a mitigation plan concurrent with the land division process.

## Findings of Fact

- 2.1 Onsite enhancement is being proposed due to the impacts to the Riparian Corridor on the Creekside Meadows property.
- 2.2 Mitigation plantings will occur within the impacted Significant Resource overlay district, in conformance with ADC 6.400(2)(b)(i).
- 2.3 The proposed mitigation for impacts to the Riparian Corridor buffer will be a ratio of 1:1 or better.
- 2.4 The selected plant densities and species composition are consistent with native wetland and riparian area plant communities currently or historically found in the drainage basin, as confirmed by the landscape architect.

## Conclusion

2.1 The proposed mitigation plan satisfies the requirements listed in the local mitigation standards.

#### 2.2 This criterion is met.

## Natural Resource Mitigation Standards (ADC 6.410)

<u>Local Mitigation Plan.</u> When a local mitigation plan for impact to a significant natural resource is proposed or required as part of a development application, the applicant shall submit a mitigation plan prepared by a qualified professional with demonstrated experience in developing mitigation plans for the specific impacted resource.

- (1) The mitigation plan shall document the location of the impact, the existing conditions of the resource prior to impact, presence of invasive species, the location of the proposed mitigation area, a detailed planting plan of the proposed mitigation area with species and density, and a narrative describing how the resource will be replaced, and how debris and invasive species will be removed.
- (2) The mitigation plan shall comply with all applicable State and Federal regulations, in addition to the City's standards. The City may approve a development but shall not issue a building permit until all required State and Federal permit approvals have been granted and copies of those approvals have been submitted to the City.
- (3) The applicant or property owner of a development subject to an approved mitigation plan shall provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120% of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance shall be in place before the issuance of development permits to ensure the success of mitigation improvements and the survival of the plants. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented per (4) below. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy. When the City of Albany, or another unit of government, is the applicant, it must adhere to the standards in this section, but an assurance is not required.
- (4) A report on the survival and health of planted vegetation, and the status of invasive species, shall be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. The City may arrange an on-site inspection to verify information contained in the report. If the survival rate for tree and shrub species is below 80%, a replanting strategy shall be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80%, the bond described in (3) will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80%, the bond will be forfeited.
- (5) Table 6.410-1 below summarizes the quality levels, mitigation requirements and expected condition of the <u>significant wetlands</u> and <u>riparian corridor</u> areas after successful completion of the mitigation plan; ODFW will solely determine the requirements for mitigation of <u>significant wildlife habitat</u>.

## Findings of Fact

1.1 Riparian Corridor buffers are under the jurisdiction of the City of Albany. The applicant estimates that an area of approximately 5,746 square feet, or 0.13 acre of the Riparian Corridor was impacted either by the electrical conduit/vault work or other onsite workers (Attachment B.1). As such, the project requires a Natural Resource Impact Review and compliance with mitigation standards in accordance with ADC 6.400 and 6.410.

- 1.2 The condition of the buffer adjacent to the Creekside Meadows Apartments is characterized as "degraded," using the quality levels for riparian corridors in Table 6.410-1 of the Albany Development Code
- 1.3 Findings addressing assurances of completion in Finding 3.5 above regarding is hereby incorporated by reference.
- 1.4 Conditions of approval listed above in Conditions 2 and 3 above are hereby incorporated by reference.

#### Conclusion

- 1.1 The proposed mitigation plan satisfies the requirements listed in the local mitigation standards.
- 1.2 This criterion is met through Conditions 2 and 3 above.

## Analysis of Development Code Criteria – Minor Variance

Albany Development Code (ADC or Development Code) includes the following approval review criteria in Section 6.450(2) (identified below). Development Code criteria are shown in **bold** followed by findings and conclusions. Certain findings explain how the proposed development can meet review criteria through conditions of approval, where determined feasible. In order for the Director to approve a Minor Variance application, the applicant shall demonstrate that all the following criteria are fully satisfied:

## Criterion (a)

It is an existing legal lot and there is insufficient space outside the resource area to construct a use permitted in the underlying zoning district.

## Findings of Fact

- a.1 The lot at 1755 Geary Street SE is an existing legal lot.
- a.2 The applicant states that the transformer vault and electrical conduits cannot share a trench with stormwater nor go under the foundation of Apartment Building "B." For these reasons, the electrical components must intrude into the Riparian Corridor between six to ten feet for a length of 85 feet.

#### Conclusion

- a.1 There is insufficient space outside the resource area to accommodate the transformer vault and electrical conduits.
- a.2 This criterion is met.

## Criterion (b)

The development site area, including all structures and impervious surfaces, encroaches on the resource area a total of 3,000 square feet or less.

## Findings of Fact

b.1 According to the applicant, the total area of disturbance due to the transformer vault and conduits is not greater than 850 square feet.

## Conclusion

- b.1 The development site area encroaches into the resource area less than 3,000 square feet.
- b.2 This criterion is met.

### Criterion (c)

The Minor Variance is the minimum necessary to allow a permitted use or achieve the minimum buildable area outlined above, while at the same time minimizing disturbance to the significant natural resources. The Director may require modifications to site development standards to enable avoidance of the resource.

## Findings of Fact

c.1 Section 6.310(B)(2)(e) permits the private construction of public non-master planned utilities and privately owned utilities provided that the facility is designed to be the minimum width necessary.

## Conclusion

3.1 The applicant has demonstrated that the minor variance is the minimum necessary to address the circumstances on the subject property, and the request is still consistent with the zoning district.

## Criterion (d)

The encroachment does not result in a new structure or impervious surface being located closer than 25 feet from the Ordinary High Water mark. Bridges are an exception to this requirement.

## Findings of Fact

- 3.1 The transformer vault and conduits emanating from it are located at the top side of the Riparian Corridor.
- 3.2 The structure is not located closer than 25 feet from the Ordinary High Water mark.

#### Conclusion

3.2 The transformer vault and conduits are not located closer than 25 feet from the Ordinary High Water Mark.

#### Overall Conclusion

As proposed, the application for natural resources impact review satisfies all applicable review criteria as outlined in this report with the following conditions.

## Conditions of Approval

Condition 1 The applicant or property owner must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

Condition 2 A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation.

Condition 3 The applicant must coordinate timing for removing invasive plant species, controlling weeds, and installing landscaping with the City of Albany Parks Department.

Condition 4 The invasive Himalayan blackberry and any other non-native species must be removed from the mitigation planting area through manual removal.

Condition 5 The mitigation plan must be followed as proposed. Any changes or deviations from the approved plan will require additional review.

## **Attachments**

- A. Location Map
- B. Applicant's Findings
- C. Project Photos
- D. Site and Landscape Plans

## Acronyms

ADC Albany Development Code AMC Albany Municipal Code DSL Department of State Lands

EPSC Erosion Protection and Sediment Control FEMA Federal Emergency Management Agency

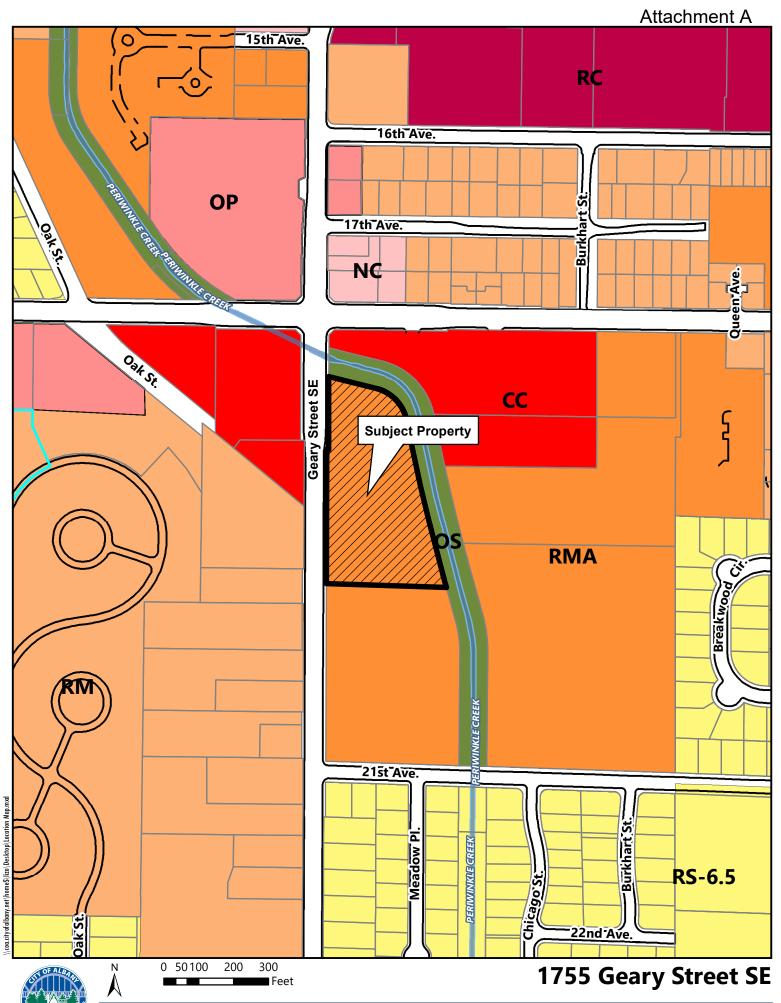
FIRM Flood Insurance Rate Map

Natural Resource Impact Review File Designation NR

Open Space District OS /RC

Riparian Corridor Overlay Residential Medium Density District RM

Special Flood Hazard Area **SFHA** 





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October 3<sup>rd</sup>, 2024

Natural Resource Impact Review for Transformer Conduit Runs within Riparian Setback Review Criteria & Development Standards Response (ADC 6.310)

Re: Pacific Power Transformer Conduit Installation/Location

Project Address: 1755 SE Geary St.

Permit Number: ELC-0337-23 (Building 'B')

Planning Staff
City of Albany Community Development
333 Broadalbin Street
PO Box 490
Albany, OR 97321

Outline of ADC 6.310 (A) & (B) with Findings

6.310 Natural Resource Impact Review Standards.

- **A.** General Requirements for Significant Natural Resource overlay districts. A proposed activity will not be approved unless all of the following are true:
- (1) The proposed activity is allowed under the requirements of the base zone.

Zoning: Residential Medium Density Attached (RMA)

(2) There are no other reasonably feasible options or locations outside the Significant Natural Resource overlay districts for the proposed activity on the subject parcel.

The transformer vault for Building 'B' is adjacent to the riparian zone at the East property line behind the SE corner of Building 'B'. Pacific Power's maximum allowable feeder length, the meter locations for Building B & PP's utility access requirements for transformers (15' wide clear w/10' sweep achievable on the drive side) made this the only viable location to remain out of the RZ.

From this location to the meters of 'B' the (x5) 4" electrical conduits, which can't share a trench with stormwater, nor go under the (e) foundation of 'B', must intrude the riparian zone ~72", ≤10′ for a length of 85′, equaling 850sqft of soil disturbance. The equipment that set the vault and associated trenches intruded into the Riparian Zone even further than the conduit runs. The Siding and Painting Trades concurrently drove lifts into this area, disturbing even more area. At time of application, work has been discontinued from this area, with the overall area to be mitigated totaling 5746 sq ft, see LA-6-Disturbance Mitigation Plan. The mitigation area shown on LA-6 is more generous than the existing disturbance, with the intent that all disturbed soil within the RZ will be addressed beyond the conduit installation.

Per approved grading plans tied to SQ-23-14, the area adjacent to the RZ is scheduled to be raised ~2' to achieve final grade. The disturbed area within the RZ where the conduits are routed will be backfilled and graded per approved C220 & C230 tied to SQ-23-14, prior to execution of the mitigation plan unless directed otherwise. LA-1 within the approved SQ-23-14 also addresses plantings

scheduled for this area. Note; the wood chip path was not approved and has been eliminated from the project scope. Previous Electrical and Civil Utility plans had not located the transformer vaults because coordination with Pacific Power was protracted from our permitting process with the City. An updated E200-S with transformer vaults shown was submitted most recently with ELC-0337-23 (sht 9 of 16) on 4/10/24, for reference.

- (3) The proposed activity is designed, located and constructed to minimize excavation, grading, structures, impervious surfaces, loss of native vegetation, erosion, and adverse hydrological impacts on water resources. All activities are located as far from the water resources, and use as little of the surface area of the Significant Natural Resource overlay districts, to the extent reasonably feasible.
  The location of Building B's Transformer is adjacent to the top of the riparian corridor, see Exhibit B for photographs of the vault and conduit runs. A trench with conduits connecting the transformer vault to the building meters is required at the South East side of Building B. The area above the trench will be replaced with native plants enhancing the surrounding corridor, per LA-6 Mitigation Plan. Upon completion there will be no impervious surfaces encroaching into the RZ.
- (4) Any proposed impacts to significant natural resources will be mitigated per the standards in Sections 6.400 and 6.410.
  PHR has assessed the Riparian Corridor at the proposed location of the transformer, and along the rest of the corridor adjacent to the site as Degraded Quality due to the amount of invasive species and lack of significant tree canopy.(see Exhibit B & C)
  DLA, the project Landscape Architect, has prepared LA-6 Disturbed Mitigation Plan to enhance the encroached riparian corridor.
- (5) Any applicable local, state, and federal permits are secured.

  Pacific Power and Bright Services LLC have/will coordinate all trade permits for infrastructure work.
- (6) The additional requirements of ADC 6.310 (B) will be met.
- B. Additional Requirements, Limitations, and Exceptions for Specific Activities in Riparian Corridor and Significant Wetland overlay districts. In addition to the general requirements listed above, the following requirements, limitations, and exceptions apply to development activities within the Riparian Corridor and Significant Wetland overlay districts. [Ord. 5947, 1/01/21]
- (1) <u>Land Divisions</u>. In addition to the regulations in Article 11, land partially situated in one of the City's natural resource districts can be divided only if there is sufficient land outside of any Significant Natural Resource overlay district to establish a development site area and/or separate a developed area from the natural resource areas. For the purposes of this section, for residential land divisions, "sufficient land" means a minimum of 2,000 square feet per proposed lot or parcel. Applicants may also elect to follow the Cluster Development standards for land divisions in Article 11. [Ord. 5947, 1/01/21]

  Not applicable to this scope
- (2) Structures and Land Altering Activities. The placement of structures and other impervious surfaces, as well as grading, excavation, placement of fill, and vegetation removal, are prohibited. Exceptions may be made for the purposes identified in items a-f of this Section, provided they are necessary to accommodate an approved activity and comply with any stated requirements for the activity or use.

  ADC 6.310 B.(2)(e) is the allowable code path to install the required infrastructure to energize Building B of the multi-family housing development. For previously approved land use applications related to this development project, reference SP-10-22 & RL-01-22 as well as Army Corp permit NWP-2022-056-1, DSL permit 63792-RF & associate DEQ 401 WQC RE: 2022-56.

(a) <u>Water-Related and Water-Dependent Uses</u>. Development of water-related and water-dependent uses.

## Not applicable to this scope

- (b) <u>Permanent Alteration Within the Riparian Corridor</u>. Disturbance or development within the Riparian Corridor overlay district shall be allowed under the following circumstances:
  - (i) The resource is characterized as 'marginal' or 'degraded' using the standards found in 6.410(5).

Per ADC Table 6.410-1 the riparian corridor where the transformer condiuits are to be placed is of a *Degraded Quality* due to the amount of tree canopy that exists (see Exhibit C-Aerial photo, Existing Conditions Plan & Creek photo)

(ii) Demonstration that equal or better protection will be ensured through riparian corridor restoration and enhancement within the remaining overlay district area per the mitigation requirements in Sections 6.400 and 6.410. If the site is encumbered by easements or rights-of-way that would preclude onsite restoration or enhancement, an "in-lieu of payment" may be made to the City in the amount equal to the cost of onsite mitigation.

Residentially zoned lots that were created prior to December 1, 2011, that are less than 20,000 square feet and can't be further subdivided are allowed to encroach up to 25 feet into the Riparian Corridor overlay district without the requirement for restoration or enhancement of the remaining 25 feet. The mitigation requirements in Section 6.400 still apply.

See LA-6 Disturbed Mitigation Plan by Project Landscape Architect.

(iii) In no case shall the site improvements be any closer than 25 feet from the Ordinary High Water mark or upland edge of the wetland, unless the improvements are otherwise allowed or exempted per this Section of the Code.

Encroachment does not occur any closer than 31' from the OHW mark. Trenching would not occur closer than 42' from the OHW mark.

(c) <u>Vegetation Removal</u>. Removal of live vegetation that is not exempt under 6.290(9) is only allowed to accommodate an approved use or development activity under this section of the Code.

ADC 6.310 B.(2)(e) is the allowable code path to install the required infrastructure to energize Building B of the multi-family housing development.

- (d) Private Construction of Public Non-Master Planned Transportation Facilities and Privately Owned Transportation Facilities. In addition to other City standards, the following standards shall apply to the location and construction of public non-master planned and/or private transportation facilities and structures, such as driveways, local streets, bridges, bridge crossing support structures, culverts, and pedestrian and bike paths. In addition to other City standards, the following standards shall apply to privately constructed transportation facilities and structures:
  - (i) The facility is designed to be the minimum width necessary to allow for safe passage of vehicles, bicycles and/or pedestrians, and to meet minimum width requirements.

## Not applicable to this scope

(ii) Where reasonably feasible, crossings of significant natural resources shall be aligned to minimize impact area.

Not applicable to this scope

The number of crossings is the minimum amount necessary to afford safe (111)and efficient access. Albany Development Code, Article 6 6 - 25 December 28, 2022

## Not applicable to this scope

The number of crossings is minimized where reasonably feasible through (iv) use and creation of shared access for abutting lots and access through easements for adjacent lots.

## Not applicable to this scope

Crossing structures have a natural bottom or other design that meets (v) ODFW fish passage requirements.

## Not applicable to this scope

- (e) Private Construction of Public Non-Master Planned Utilities and Privately Owned <u>Utilities</u>. In addition to other City standards, the following standards shall apply to permitted crossing, trenching, or boring for the purpose of developing a corridor for public nonmaster planned utilities and private utilities, within or crossing parcels in Significant Natural Resource overlay districts, as well as any above-ground utility structures. In addition to other City standards, the following standards shall apply to privately
- constructed utility projects:
  - Boring under the waterway, directional drilling, or aerial crossing is (i) preferable to trenching. If trenching is the only feasible alternative, it shall be conducted in a dry or dewatered area with stream flow diverted around the construction area to prevent turbidity.

## Not applicable to this scope

- (ii)Common trenches for private utilities, to the extent allowed by the building code, shall be required where reasonably feasible in order to minimize disturbance of the protected resource.
  - Attempted but not feasible due to the proximity of Building B from the RZ and the location of the Stormwater trenches/lines.
- (iii)Topsoil and sod shall be conserved during trench construction or maintenance, and replaced on top of the trench. Side-casting and storage of excavated material prior to replacement on top of trench is permitted. Any side-cast material not placed back on top of the trench shall be removed and may not be stored in the Significant Natural Resource overlay district after the construction or maintenance work is completed.
  - Pac Ex understands and operates under these industry standards for sensitive work and will continue to store excess material beyond the
- (iv)Hydraulic impacts on protected resources are minimized. Not applicable to this scope
- Where reasonably feasible, crossings of significant natural resources shall be (v) aligned to minimize impact area.

### Not applicable to this scope

- (vi) Above-ground utilities that cause ground disturbance in the Significant Natural Resource overlay district and are not within an existing right-of-way or easement, and are not shown in an approved master plan, will only be allowed in limited circumstances, and if they meet the general requirements in 6.310(A).
- (f) Minor or Major Variance. Development associated with an approved Minor or Major Variance. [Ord. 5947, 1/01/21]

## Outline of applicability of Type I-L land use process for Minor Variances- ADC 6.450(2) (a-d)

6.450 (2) Minor Variances. In order for the Director to approve a Minor Variance application, the applicant shall demonstrate that all the following criteria are fully satisfied:

(a) It is an existing legal lot and there is insufficient space outside the resource area to construct a use permitted in the underlying zoning district.

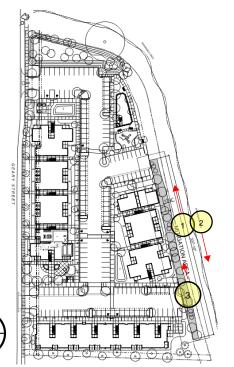
The transformer vault for Building 'B' is adjacent to the riparian zone at the East property line behind the SE corner of Building 'B'. Pacific Power's maximum allowable feeder length, the meter locations for Building B & PP's utility access requirements for transformers (15' wide clear w/10' sweep achievable on the drive side) made this the only viable location to remain out of the RZ. From this location to the meters of 'B' the (x5) 4" electrical conduits, which can't share a trench with stormwater, nor go under the (e) foundation of 'B', must intrude the riparian zone ~72",  $\leq 10$ ' for a length of 85', equaling 850sqft of soil disturbance.

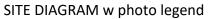
- (b) The development site area, including all structures and impervious surfaces, encroaches on the resource area a total of 3,000 square feet or less.
- ≤10' for a length of 85', equaling 850sqft of soil disturbance to install the conduit to power Building B. the transformer to the East side of Building B's breezeway where the meters are located.
- (c) The Minor Variance is the minimum necessary to allow a permitted use or achieve the minimum buildable area outlined above, while at the same time minimizing disturbance to the significant natural resources. The Director may require modifications to site development standards to enable avoidance of the resource.

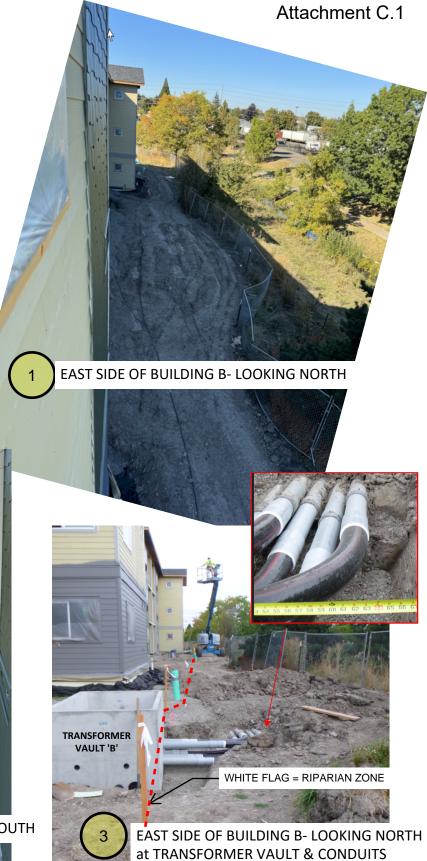
ADC 6.310 B.(2)(e) Private Construction of Public Non-Master Planned Utilities and Privately Owned Utilities. (iii) & (vi) will be met while the rest of the standards are not within the scope of transformer conduits at the top of the riparian corridor.

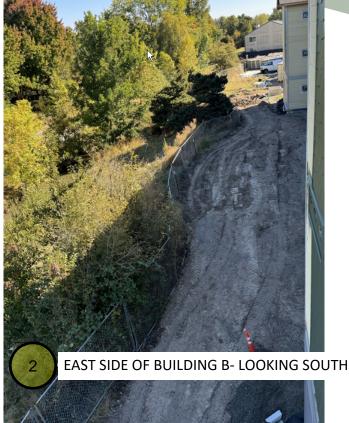
(d) The encroachment does not result in a new structure or impervious surface being located closer than 25 feet from the Ordinary High Water mark. Bridges are an exception to this requirement.

The proposed location of Building B's Transformer and associated conduits are at the top of the riparian corridor, with the transformer beyond it. 10'x 85' of trenching will be at the top of the corridor setback but unnoticed at the completion of the project due to approved final grading cited in SQ-23-14; C200 series, C220 & C230 specifically.

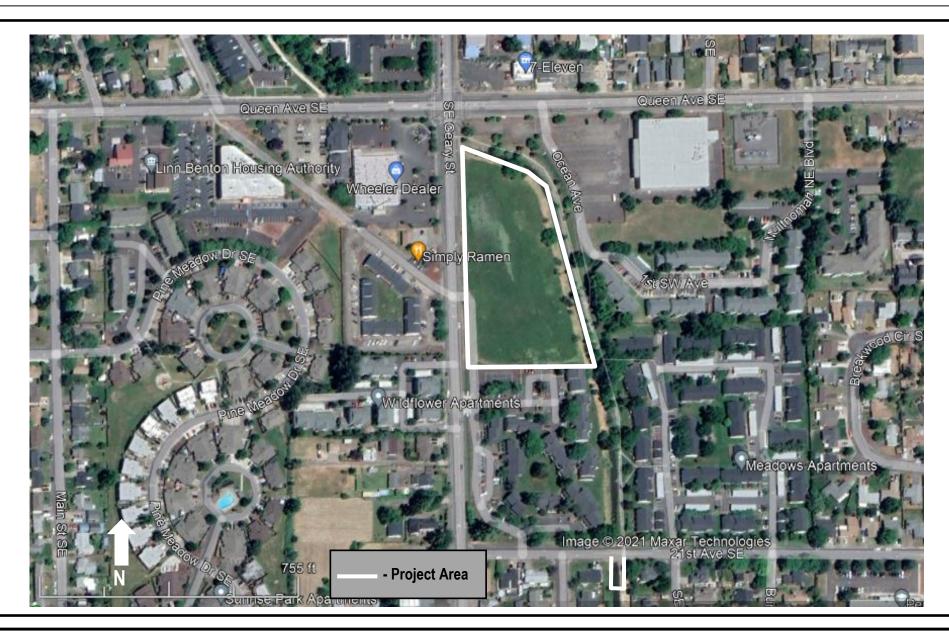






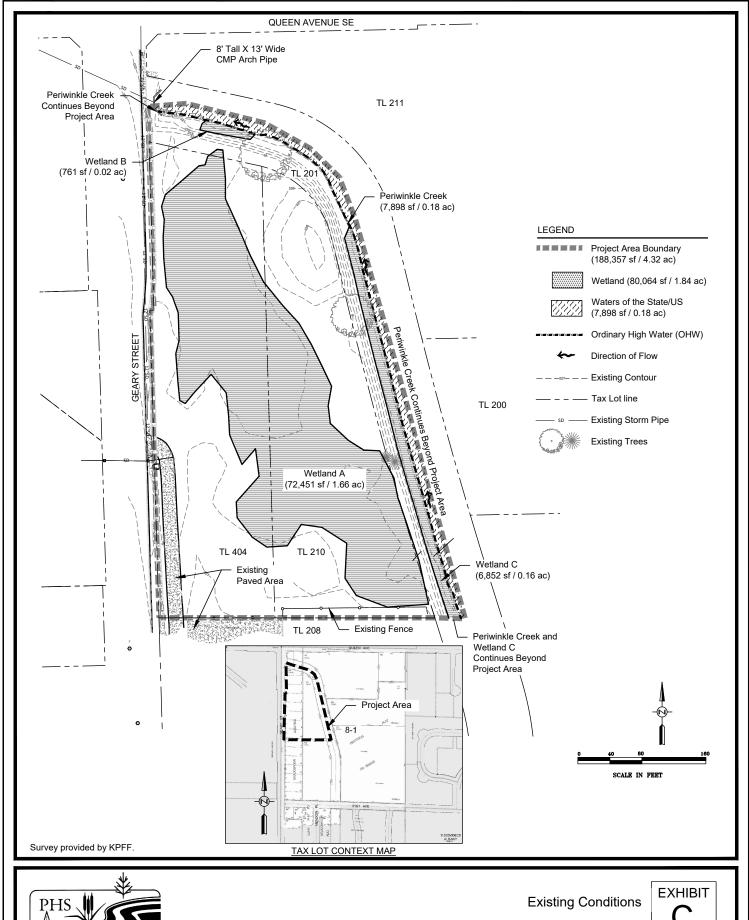








Pacific Habitat Services, Inc. 9450 SW Commerce Circle, Suite 180 Wilsonville, OR 97070 Aerial Photo 1755 Geary Street - Albany, Oregon GoogleEarth, 2020 C 1 of 3





Paradigm Albany - Albany, Oregon

2 of 3

3-30-2022



Attachment D.1

Paradigm

ERED PROFES





Revision Schedule

	Revision Schedule			
No.	No. Description			
1	RFI 001	10/20/23		
2	RFI 012	01/09/24		
3	RFI 017	02/05/24		
4	RFI 022 & 023	02/14/24		
5	RFI 025	02/28/24		
	CON. SET	04/08/24		
6	STORM ADJ	04/11/24		
7	RFI 049	06/04/24		
8	VAULT LOCATES	06/26/24		
9	RIPARIAN ZONE	09/03/24		
10	RAIN GARDEN ADJ	10/08/24		

11 PLAY/RIPARIAN 12/02/24

PRINT DATE THIS SET 06/26/24

ISSUE DATES				
Pricing	05/18/23			
Permit	04/03/23			
Construction	04/08/24			
Revision	-			

C.



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Shall Examine the construction documents for inconsistencies and contact the architect for resolution prior to commencement of the work. The Design contained herein is intellectual property and is not the used for any other purpose than this project without written permission from the architect.

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KY

CHECKED

CHECKED BY: MR/MK

aradigm Albany

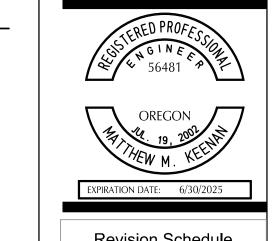
1755 Geary SW Albany, OR

SHEET TITLE
HORIZONTAL
CONTROL AND
PAVING PLAN

SHEET NO.

C110

SI-23-15



#### Revision Schedule No. Description Date 1 RFI 001 2 RFI 012 01/09/24 3 RFI 017 02/05/24 4 RFI 022 & 023 02/14/24 5 RFI 025 02/28/24 CON. SET 04/08/24 6 STORM ADJ 04/11/24 7 RFI 049 06/04/24 8 VAULT LOCATES 06/26/24 9 RIPARIAN ZONE 09/03/24 10 RAIN GARDEN ADJ 10/08/24

11 PLAY/RIPARIAN 12/02/24

PRINT DATE THIS SET 06/26/24

ISSUE DATES 05/18/23 04/03/23 04/08/24 Construction

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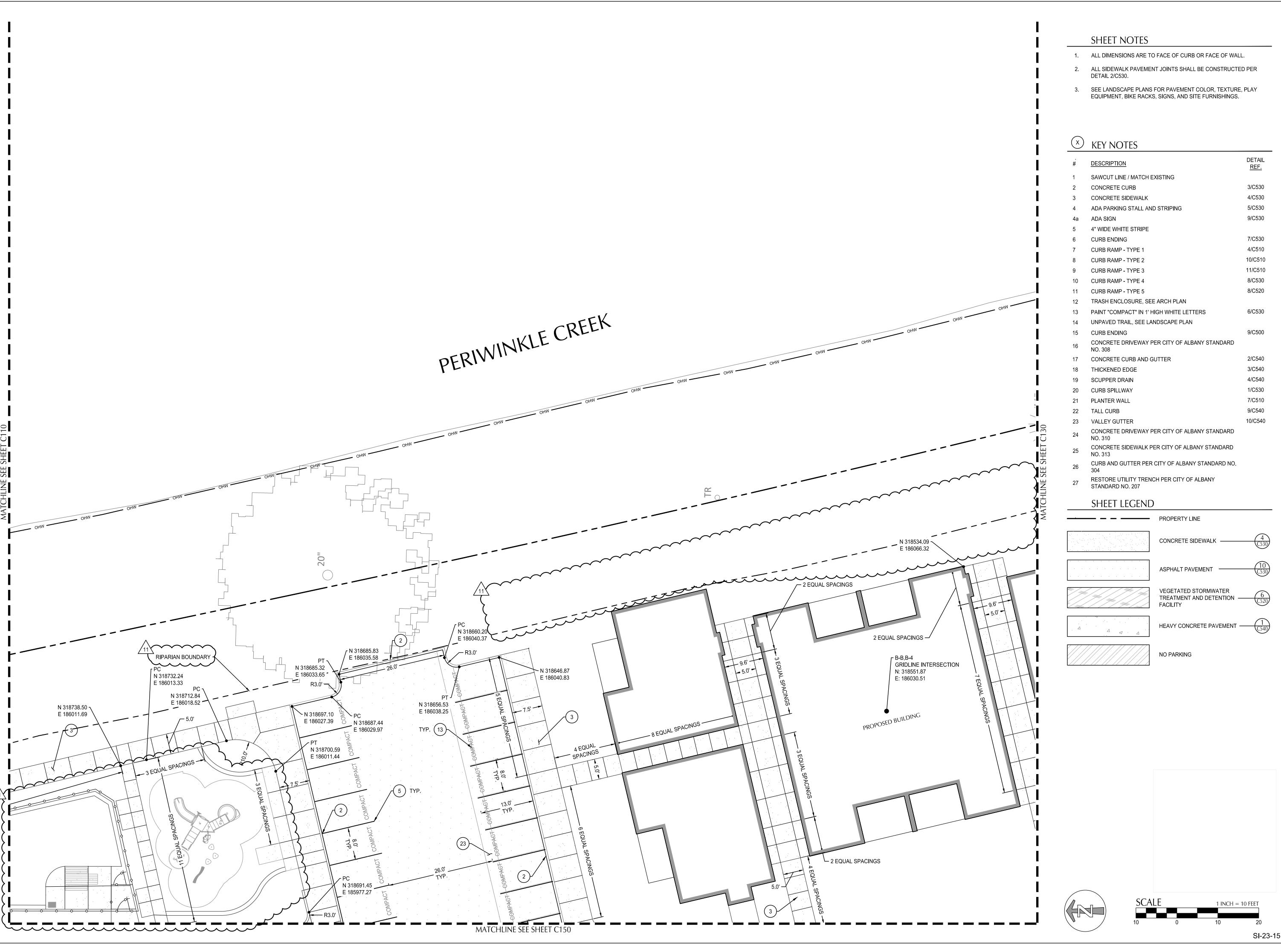
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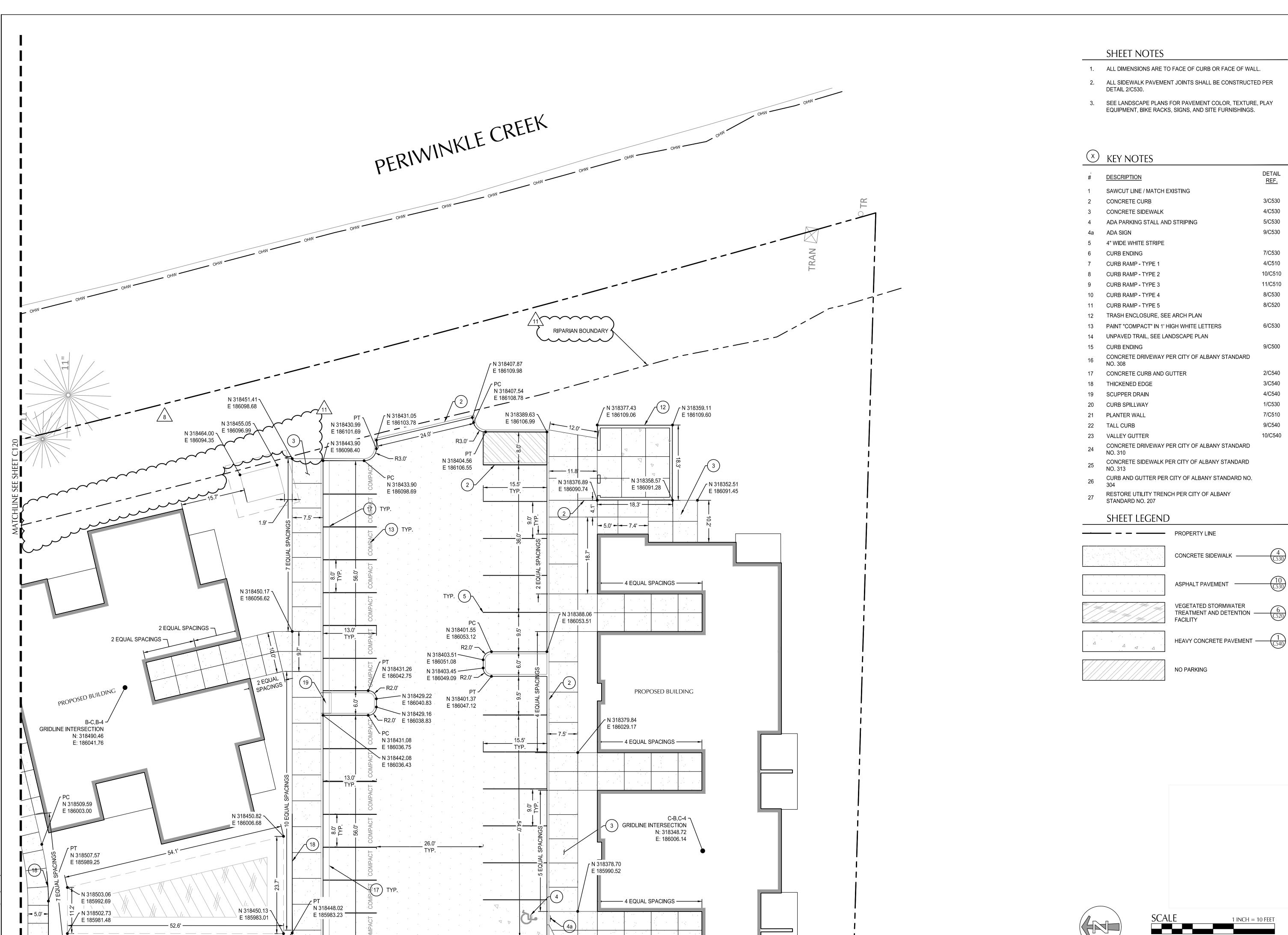
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MR/MK

SHEET TITLE HORIZONTAL **CONTROL AND** PAVING PLAN

SHEET NO.





MATCHLINE SEE SHEET C160

Attachment D.3

Paradigm

STERED PROFESSION 56481



Revision Schedule

Revision Schedule			
No.	Description	Date	
1	RFI 001	10/20/23	
2	RFI 012	01/09/24	
3	RFI 017	02/05/24	
4	RFI 022 & 023	02/14/24	
5	RFI 025	02/28/24	
	CON. SET	04/08/24	
6	STORM ADJ	04/11/24	
7	RFI 049	06/04/24	
8	VAULT LOCATES	06/26/24	
9	RIPARIAN ZONE	09/03/24	

10 RAIN GARDEN ADJ 10/08/24

11 PLAY/RIPARIAN 12/02/24

PRINT DATE THIS SET 06/26/24

 ISSUE DATES

 Pricing
 05/18/23

 Permit
 04/03/23

 Construction
 04/08/24

 Revision

SC.



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he Contractor and the Owner shall Examine the construction ocuments for inconsistencies nd contact the architect for esolution prior to ommencement of the work. he Design contained herein is itellectual property and is not the used for any other purpose nan this project without written ermission from the architect.

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1755 Geary SW Albany, OR

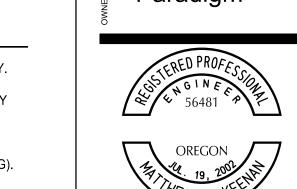
aradigm

SHEET TITLE
HORIZONTAL
CONTROL AND
PAVING PLAN

SHEET NO.

C130

SI-23-15



# Revision Schedule

XPIRATION DATE: 6/30/2025

No.	Description	Date
1	RFI 001	10/20/23
2	RFI 012	01/09/24
3	RFI 017	02/05/24
4	RFI 022 & 023	02/14/24
5	RFI 025	02/28/24
	CON. SET	04/08/24
6	STORM ADJ	04/11/24
7	RFI 049	06/04/24
8	VAULT LOCATES	06/26/24
9	RIPARIAN ZONE	09/03/24

10 RAIN GARDEN ADJ 10/08/24

PRINT DATE THIS SET

11 PLAY/RIPARIAN 12/02/24

06/26/24 ISSUE DATES

05/18/23 04/03/23 Permit 04/08/24 Construction Revision

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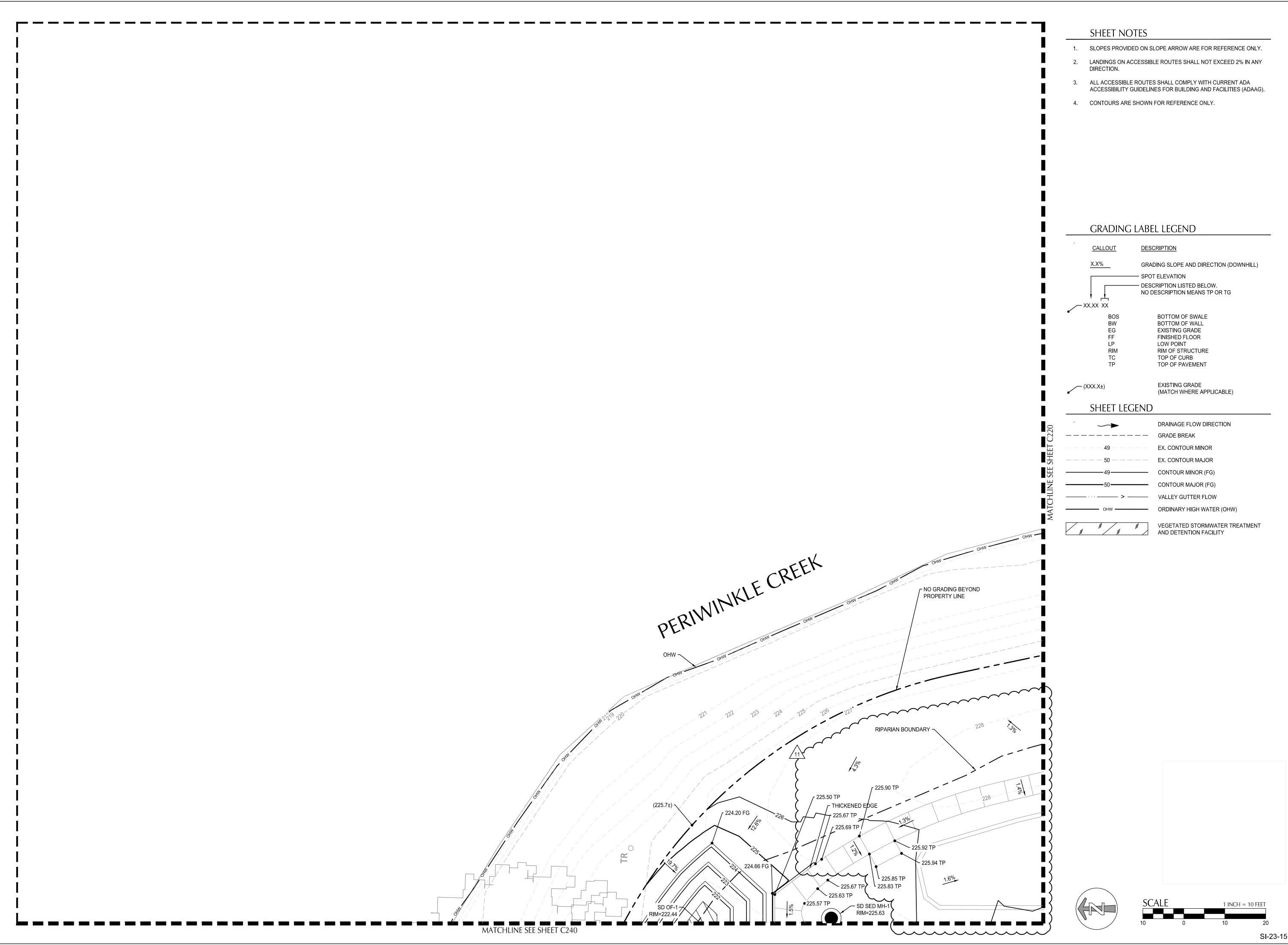
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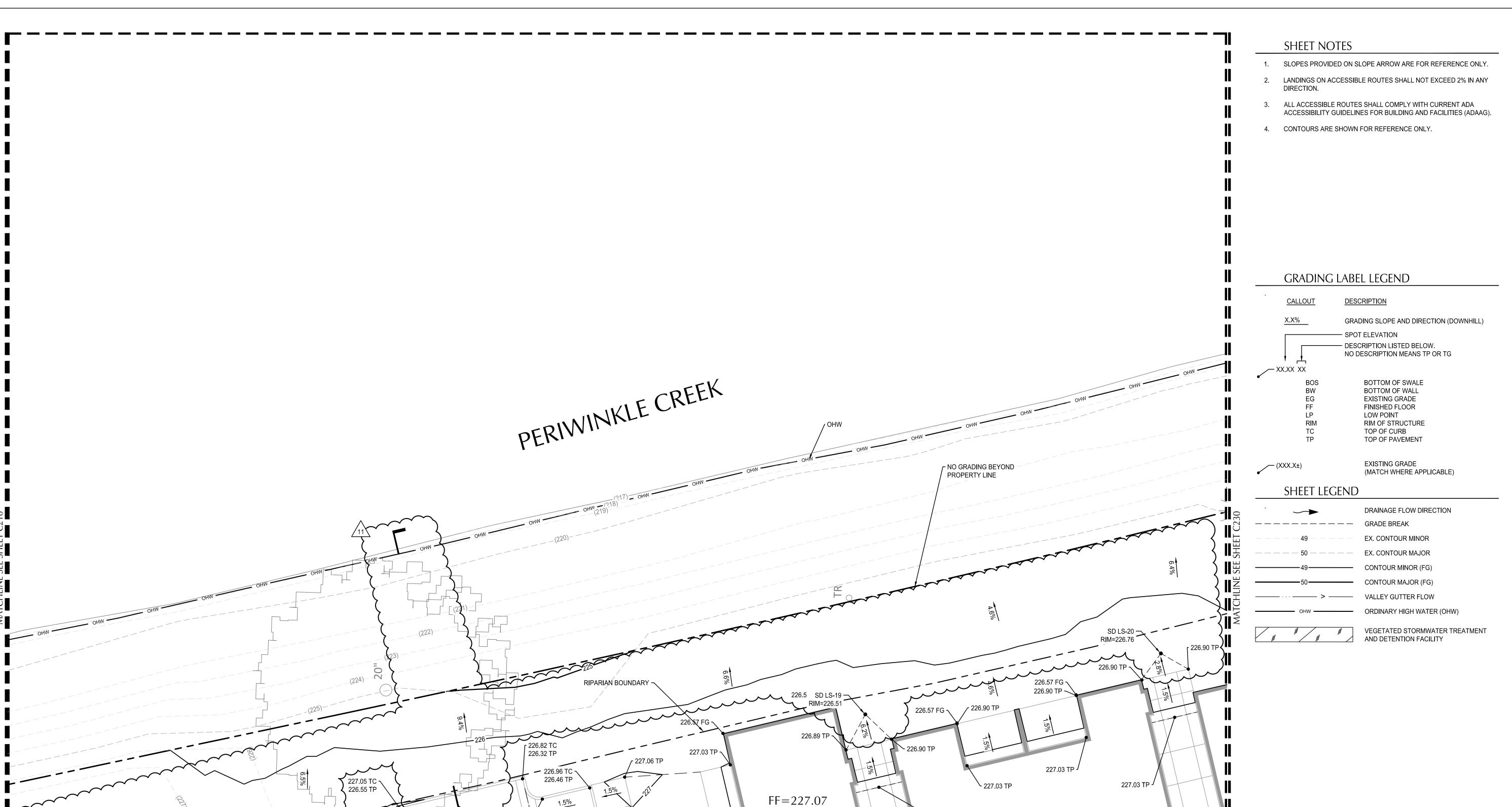
aradigm

1755 Geary SW Albany, OR

SHEET TITLE **GRADING PLAN** 

SHEET NO.





226.93 TP  $\searrow$ 

SD LS-16 RIM=226.79 **\** 

1.2%

➤ 226.71 TP

MATCHLINE SEE SHEET C250

226.57 FG

3.0°1° 226.93 TP \

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<sub>L</sub> 227.03 TP

FF=227.07

227.18 TC 226.68 TP

∠ 227.13 TP

<sup>1</sup> 227.10 TP

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226.77 TP J

226.52 TP

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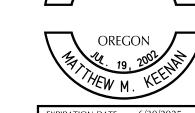
226.81 TC <sup>7</sup> 226.31 TP

227.08 TC 226.58 TP

1 226.78 TC



Paradigm



Revision Schedule

No.	Description	Date
1	RFI 001	10/20/23
2	RFI 012	01/09/24
3	RFI 017	02/05/24
4	RFI 022 & 023	02/14/24
5	RFI 025	02/28/24
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6	STORM ADJ	04/11/24
7	RFI 049	06/04/24
8	VAULTLOCATES	06/26/24

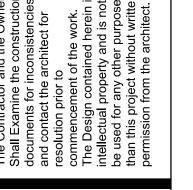
8 VAULT LOCATES 06/26/24 9 RIPARIAN ZONE 09/03/24 10 RAIN GARDEN ADJ 10/08/24 11 PLAY/RIPARIAN 12/02/24

> PRINT DATE THIS SET 06/26/24

ISSUE DATES				
Pricing	05/18/23			
Permit	04/03/23			
Construction	04/08/24			
Revision	-			
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SHEET TITLE **GRADING PLAN** 

SHEET NO.



226.97 TP

226.28 FG <

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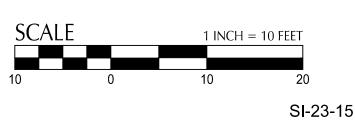
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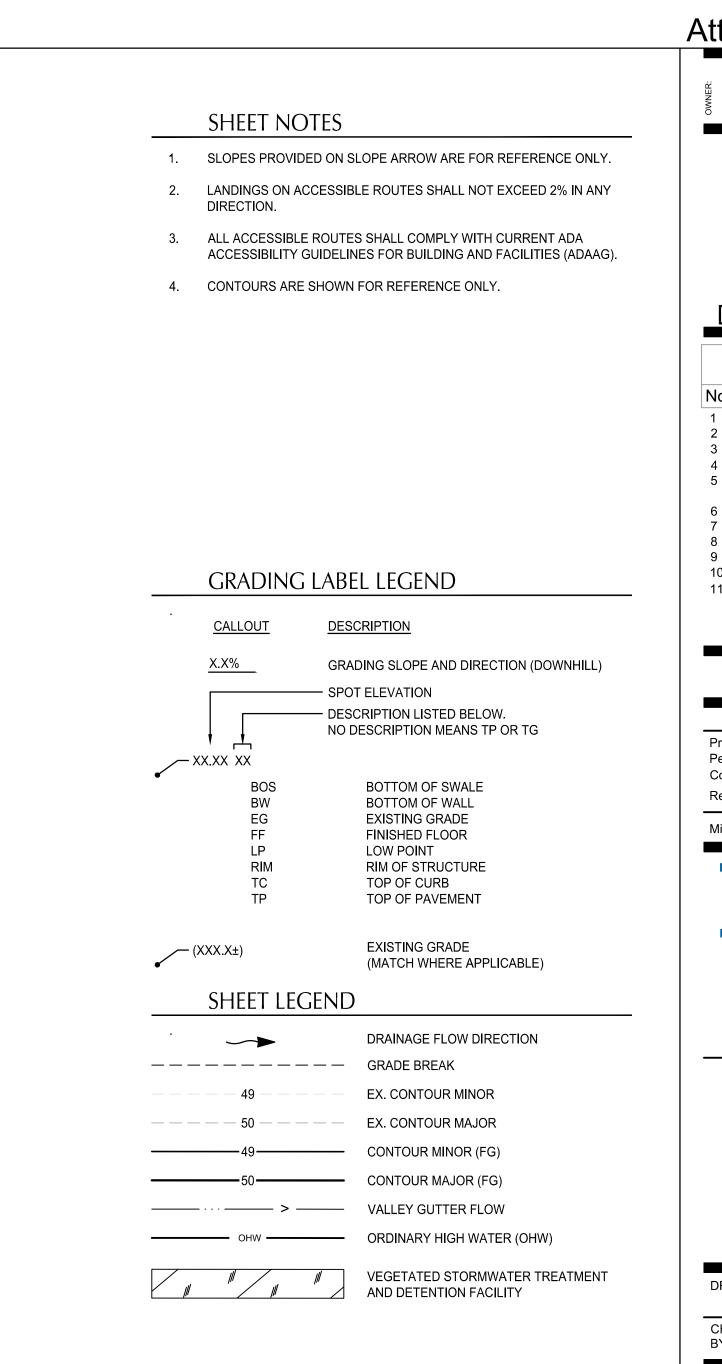
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SD LS-25

5.4%

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226.49 FG

227.39 TP 16.3%

∠ 227.39 FG

─ SD LS-24

RIM=225.63

➤ 227.72 FG

∕ 227.48 TP

➤ 227.43 TP

FF = 227.54

FF = 227.54

<sub>Г</sub> 227.52 ТР

FF = 227.54

227.52 TP ¬

227.52 TP

227.53 FG <sub>λ</sub>

RIM=227.46 / 227.52 TP

227.49 TP

∠ 227.47 TP



Paradigm



Revision Schedule

No. Description Date 1 RFI 001 2 RFI 012 01/09/24 3 RFI 017 02/05/24 4 RFI 022 & 023 02/14/24 5 RFI 025 02/28/24 CON. SET 04/08/24 6 STORM ADJ 04/11/24

7 RFI 049 06/04/24 8 VAULT LOCATES 06/26/24 9 RIPARIAN ZONE 09/03/24 10 RAIN GARDEN ADJ 10/08/24 11 PLAY/RIPARIAN 12/02/24

> PRINT DATE THIS SET 06/26/24

ISSUE DATES 05/18/23 04/03/23 Permit 04/08/24 Construction

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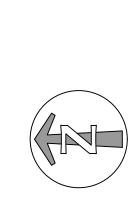
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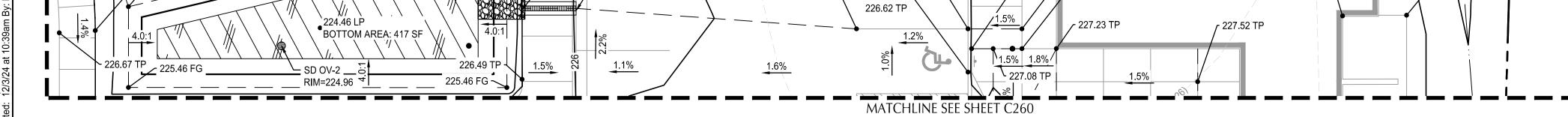
SHEET TITLE **GRADING PLAN** 

SHEET NO.

SI-23-15







PERIWINKLE CREEK

227.76 TC -

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227.29 TC \ 226.79 TP

1.5% 227.28 TC / 226.78 TP

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2.2% 226.54 TC 226.04 TP

226.49 TC 225.99 TP

├─ 8" ACO TD

E=225.49

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226.83 TC 226.33 TP

226.82 TC 226.32 TP

227.61 TOP OF VAULT

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226.68 TP

ົ SD LS-14 ຼ RIM=226.67

226.79 TP  $_{\gamma}$ 

226.86 TP

226.86 TP <sup>J</sup>

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227.03 TP <sup>J</sup>

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NO GRADING BEYOND

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227.52 TP ~

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SD LS-13

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RIM=227.30

─ SD AD-4

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└┤ SD LS-12 -RIM=226.95

∠ 227.32 TP

227.32 TP

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**₽** 227.17 TP

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PROPERTY LINE

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227.55 TP -

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Paradigm



## Revision Schedule



## PRINT DATE THIS SET 06/26/24 ISSUE DATES

05/18/23
04/03/23
04/08/24
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## 1150.



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The Contractor and the Owner Shall Examine the construction documents for inconsistencies and contact the architect for resolution prior to commencement of the work.

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RAWN BY:

KY

HECKED

CHECKED BY: MR/M

aradigm Albany

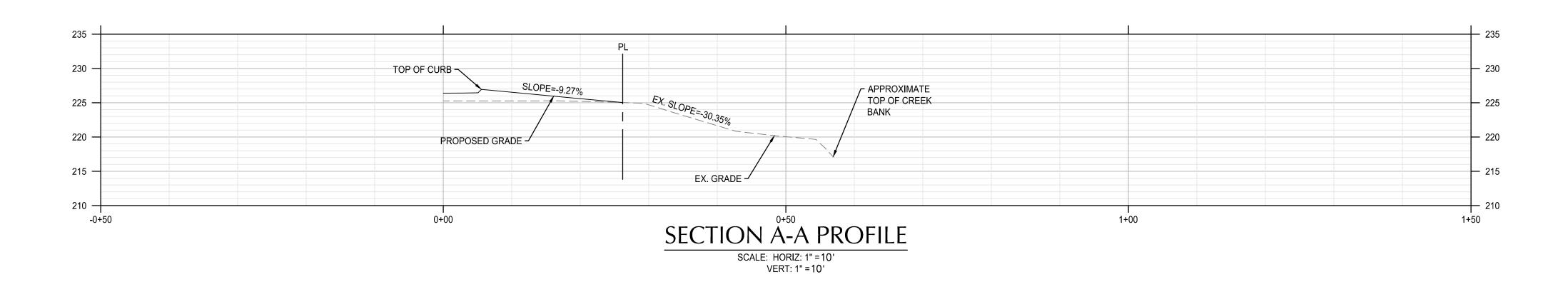
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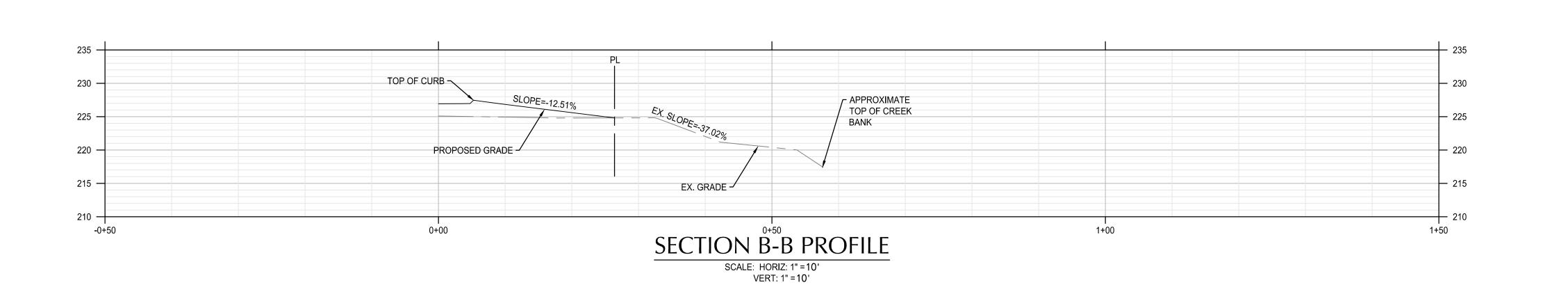
SHEET TITLE
GRADING
CROSS

SECTIONS

SHEET NO

C270





04/08/24

04/11/24

06/04/24

05/18/23

04/03/23

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CON. SET

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06/26/24

ISSUE DATES

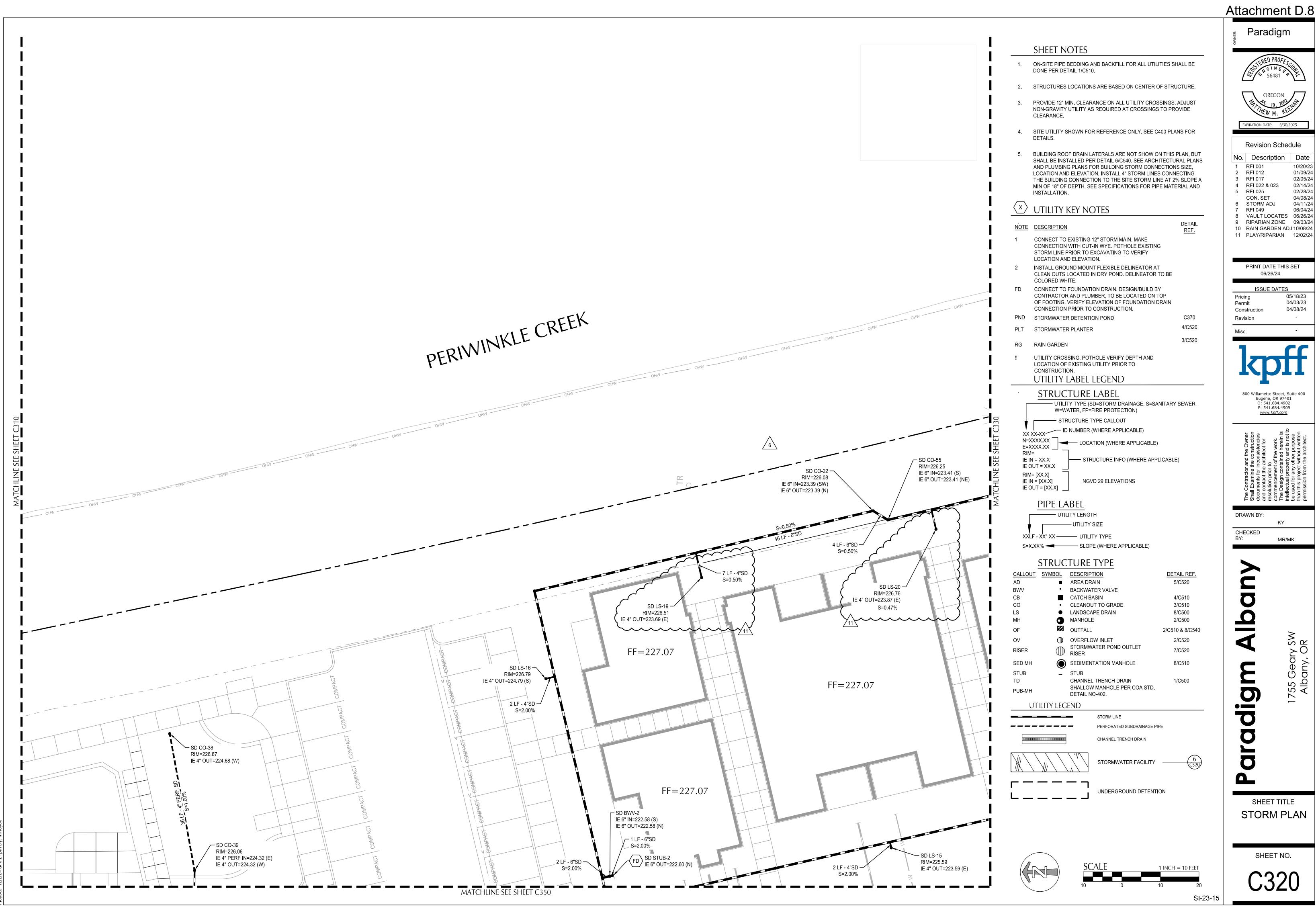
800 Willamette Street, Suite 400 Eugene, OR 97401 O: 541.684.4902 F: 541.684.4909

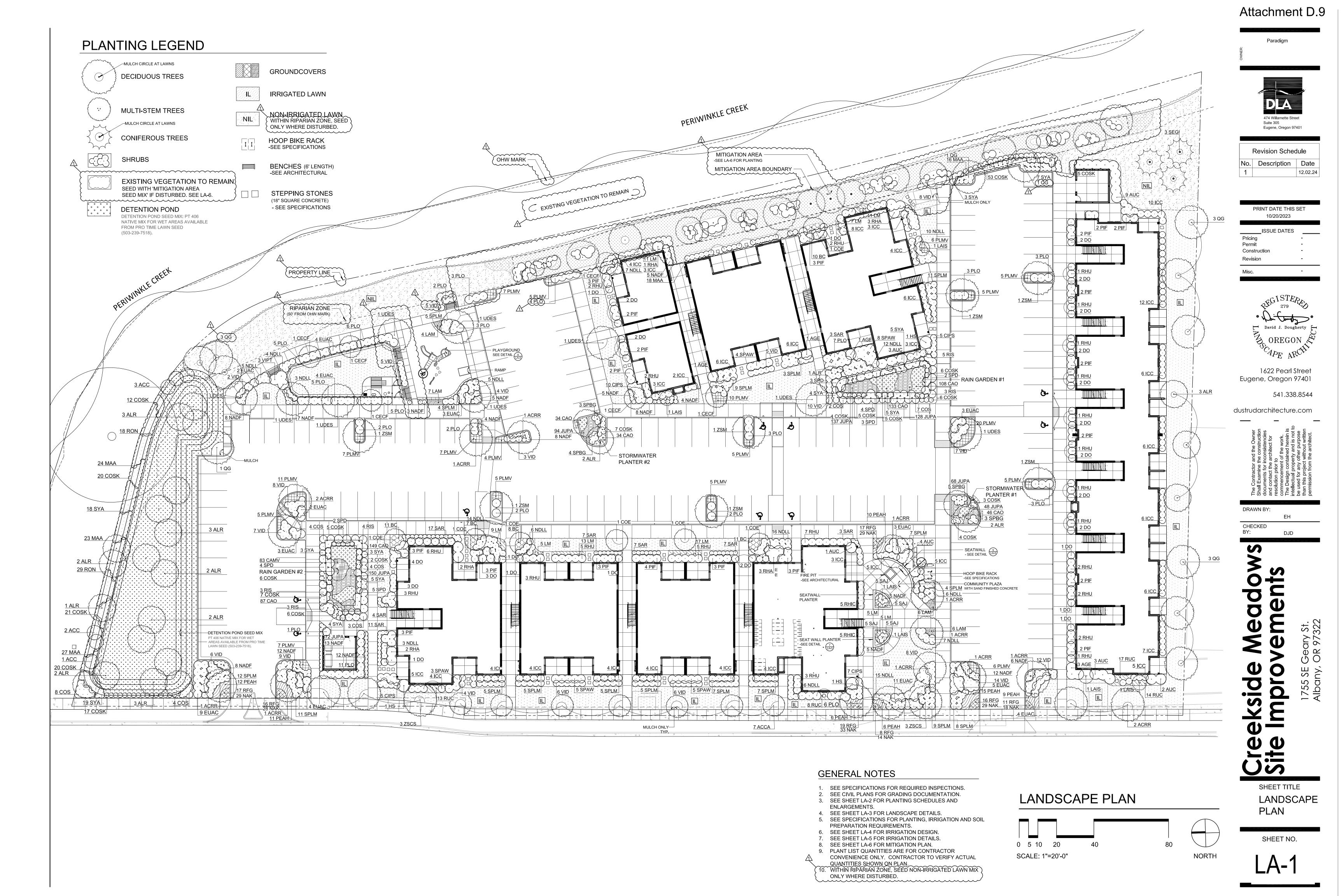
www.kpff.com

SHEET TITLE

STORM PLAN

SHEET NO.





REES		QTY	BOTANICAL NAME	COMMON NAME	MIN. SIZE	REMARKS
ACCA		7	Acer campestre	Hedge Maple	2" cal.	Matching, full
ACRR		14	Acer rubrum `Red Sunset`	Red Sunset Maple	2" cal.	Matching, limbed up to approx. 6 ft.
ALR	A 1	5 6	Alnus rubra	Red Alder	2" cal.	Matching
CECF		6	Cercis canadensis `Forest Pansy`	Forest Pansy Redbud	6` ht.	Single stem, B&B, matching, full
COE		7	Cornus kousa `Eddie`s White Wonder`	White Wonder Dogwood	1.5" cal.	Single stem, B&B, matching, full
LAIS	2000	6	Lagerstroemia indica `Seminole`	Seminole Crape Myrtle Multi-Trunk	5` ht.	(3) stem min., B&B, matching, full
PIPO	~~~	3	Pinus ponderosa	Ponderosa Pine	6` ht.	matching, full, B&B
QG		11 8	Quercus garryana	Oregon White Oak	1.5" cal.	Single stem, full, well branched
SEGI		3	Sequoiadendron giganteum	Giant Sequoia	6` ht.	Matching, full
UDES		9	Ulmus davidiana japonica 'JFS-Bieberich'	Emerald Sunshine® Elm	2" cal.	Matching, full
ZSCS		6	Zelkova serrata 'JFS-KW1'	City Sprite® Japanese Zelkova	2" cal.	Matching, full
ZSM		7	Zelkova serrata 'Musashino'	Musashino Japanese Zelkova	2" cal.	Matching, full
				· · · · · · · · · · · · · · · · · · ·		
SHRUBS		QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
AGE		6	Abelia x grandiflora `Edward Goucher`	Edward Goucher Glossy Abelia	5 gal	Matching, full, staked
AUC		22	Arbutus unedo `Compacta`	Dwarf Strawberry Tree	5 gal	matching, full
CIPS		27	Cistus pulverulentus `Sunset`	Rockrose	5 gal	Matching, full
COSK		58	Cornus sericea `Kelseyi`	Dwarf Redtwig Dogwood	2 gal	Matching, full
DO		43	Daphne odora	Winter Daphne	3 gal	Matching, full
EUAC	A (	57 64	Euonymus alatus `Compactus`	Compact Burning Bush	3 gal	Matching, full
HS	<u> </u>	3	Hibiscus syriacus	Rose Of Sharon	4` ht.	Matching, full
ICC		152	llex crenata `Compacta`	Japanese Holly	3 gal	Matching, full
MAA	A	43 40	Mahonia aquifolium	Oregon Grape	3 gal	Matching, full
NADF	<u> </u>	129 +33	Nandina domestica `Fire Power`	Firepower Nandina	3 gal	Matching, full, staked
NDLL	$\Lambda$		Nandina domestica 'Lemon-Lime'	Lemon-Lime Heavenly Bamboo	3 gal	Matching, full
PIF	<del>\}</del>	50 <del>52</del>	Pieris formosa	Forest Flame Pieris	3 gal	Matching, full
PLO	<u> </u>	78 <del>82</del>	Prunus laurocerasus `Otto Luyken`	Otto Luyken English Laurel	5 gal	Matching, full
RHIC	<u> </u>	10	Rhaphiolepis indica `Clara`	Indian Hawthorn	5 gal	Matching, full
RHA		11	Rhododendron x `Anah Krusche`	Anah Krusche Rhododendron	5 gal	Matching, full
RHU		53	Rhododendron x 'Unique'	Unique Rhododendron	5 gal	Matching, full
SAR		59	Sarcococca ruscifolia	Fragrant Sarcococca	3 gal	Matching, full
SPAW		25	Spiraea x bumalda `Anthony Waterer`	Anthony Waterer Spiraea	3` ht.	Matching, full
SPLM		117	Spiraea x bumalda `Limemound` TM	Limeound Spirea	3 nt.	Matching, full
SYA		10	Symphoricarpos albus	Common White Snowberry	5 gal	Matching, full
VID	Δ.	129 +33	Viburnum davidii	David Viburnum	3 gal	Matching, full
VIPT		3 5	Viburnum plicatum tomentosum	David Viburium  Doublefile Viburnum	5 gal	Matching, full
VIPI		35	Viburnum piicatum tomentosum	Doublefile Viburnum	J gai	watering, run
CDOLIND CO	VEDC	OTV	DOTANICAL NAME	COMMONINAME	CLZE	DEMARKS
GROUND CO	v EKO	QTY 47	BOTANICAL NAME  Bergenia crassifolia	COMMON NAME Heartleaf Bergenia	SIZE 1 gal	REMARKS Matching, full
			Lavandula angustifolia `Munstead`	Munstead English Lavender	1 gal	Matching, full
LAM		23 83	Liriope muscari 'Big Blue'	Big Blue Lilyturf	1 gal	Matching, full, 20" o.c.
LM			Narcissus x `King Alfred`	King Alfred Daffodil	-	Matching, full
NAK DEALL		180	Pennisetum alopecuroides 'Hameln'	-	bulb 1 gal	Matching, full
PEAH		69	·	Hameln Fountain Grass	1 gal	-
PLMV		131	Prunus laurocerasus `Mount Vernon`	Mount Vernon Laurel	1 gal	Matching, full 18" a a
RUC		46	Rubus calycinoides	Green Carpet Raspberry	1 gal	Matching, full, 18" o.c.
RFG SAJ		104	Rudbeckia fulgida `Goldstrum` Sedum x 'Autumn Joy'	Coneflower  Autumn Joy Sedum	1 gal 1 gal.	15" o.c.  Matching, full

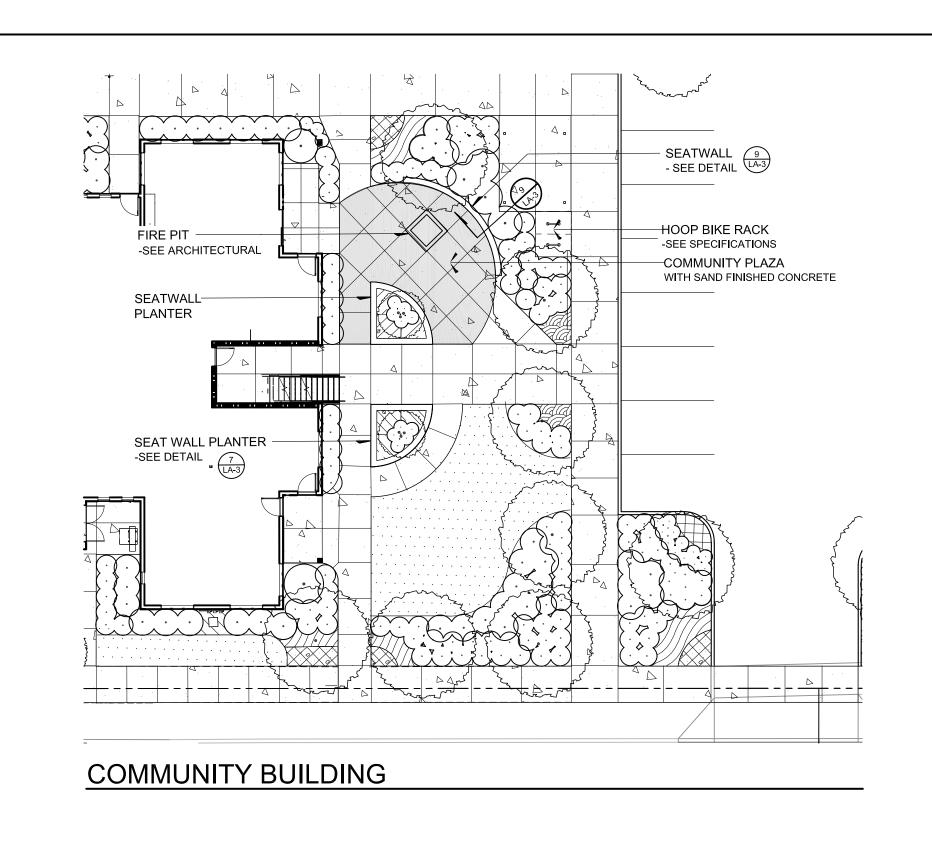
TREES REQUIRED	: 2				
TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
ACC	2	Acer circinatum	Vine Maple	6` ht.	Multi-stem, B&B
ALR	2	Alnus rubra	Red Alder	2" cal.	Matching
					•
SMALL SHRUBS RE	EQUIRED: 1	14. NO LARGE SHRUBS AL	LOWED DUE TO LINE OF SI	GHT.	
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
			D 17 ' D 1		Matching, full.
cos	4	Cornus sericea	Red Twig Dogwood	30" ht.	Large Shrub Stormwater Zone A & I
					Matching, full.
SPD	2	Spiraea douglasii	Western Spirea	3-4` ht.	Large Shrub
				+	Stormwater Zone A & I  Matching, full.
COSK	7 <del>3</del>	Cornus sericea `Kelseyi`	Dwarf Redtwig Dogwood	1 gal	Small Shrub
		·			Stormwater Zone A &
MAR	5	Mahonia repens	Creeping Mahonia	3 gal	Matching, full.
WAR	9	пианоніа герень	Creeping Wandina	<del>J gal</del>	Stormwater Zona A &
	Spiraea v hum	Spiraea x bumalda		Mound Spirea 3 gal	Matching, full.
SPBG	8	'Goldmound'	Gold Mound Spirea		Small Shrub Stormwater Zona A &
					Stormwater Zona A &
HERBACEOUS	OT) (	DOTANIO AL NIAME	00141401111111	0175	DEMARKS.
PLANTS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
CAO	46 <del>27</del>	Carex obnupta	Slough Sedge	4" pot	Matching, full, 12" o.c. Stormwater Zone A.
JUPA	116 <del>118</del>	Juncus patens	California Gray Rush	4"pot	Matching, full, 12" o.c. Stormwater Zone A &

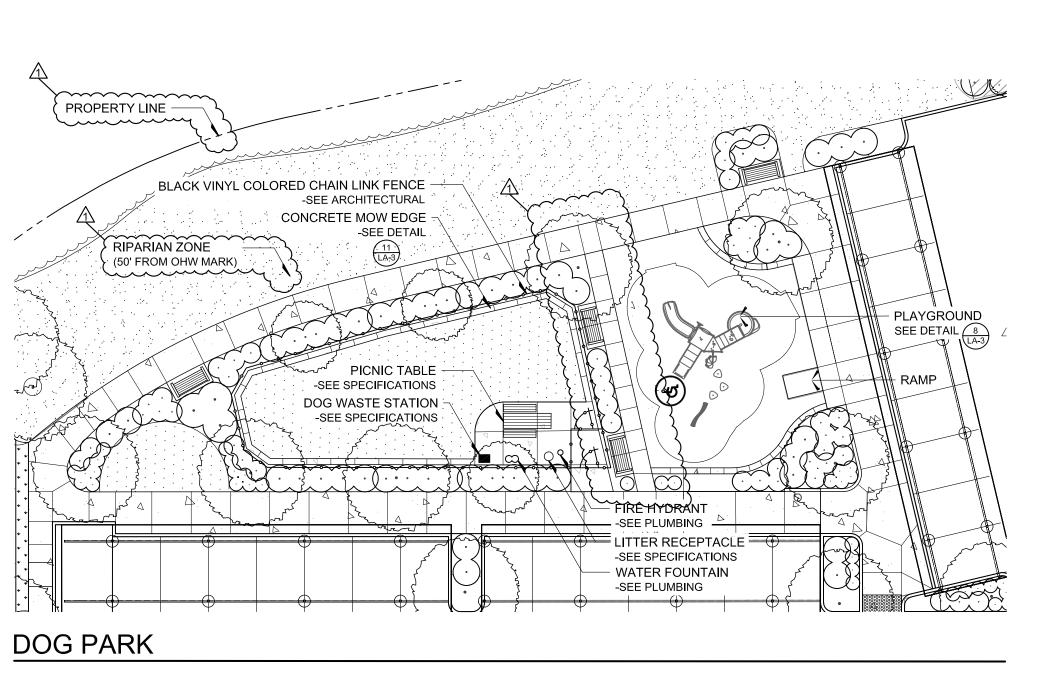
TREES REQUIRED	): 2				
TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
ALR	2	Alnus rubra	Red Alder	2" cal.	Matching
SMALL SHRUBS R	EQUIRED:	14. NO LARGE SHRUBS AL	LOWED DUE TO LINE OF SI	GHT.	
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
cos	5	Cornus sericea	Red Twig Dogwood	30" ht.	Matching, full.  Large Shrub  Stormwater Zone A & B
SPD	1	Spiraea douglasii	Western Spirea	3-4` ht.	Matching, full.  Large Shrub  Stormwater Zone A & B
COSK	73	Cornus sericea `Kelseyi`	Dwarf Redtwig Dogwood	1 gal	Matching, full. Small Shrub Stormwater Zone A & B
MAR	5	Mahonia repens	Creeping Mahonia	3 gal	Matching, full.  Small Shrub  Stormwater Zona A & B
SPBG	7	Spiraea x bumalda 'Goldmound'	Gold Mound Spirea	3 gal	Matching, full. Small Shrub Stormwater Zona A & B
	'				
HERBACEOUS PLANTS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
CAO	68 <del>60</del>	Carex obnupta	Slough Sedge	4" pot	Matching, full, 12" o.c. Stormwater Zone A.
JUPA	94 68	Juncus patens	California Gray Rush	4"pot	Matching, full, 12" o.c. Stormwater Zone A & B

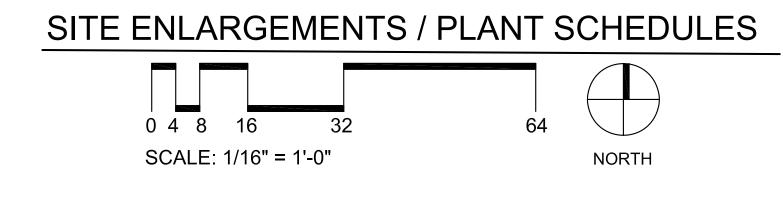
LINED FACILITY, NO	TREES A	LLOWED PER CITY CODE.			
REQUIRED LARGE S	HRUBS:	28, REQUIRED SMALL SHR	RUBS: 37		
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
cos	9	Cornus sericea	Red Twig Dogwood	30" ht.	Matching, full. Large Shrub Stormwater Zone A & I
RIS	8	Ribes sanguineum	Red Flowering Currant	30" ht.	Matching, full. Large Shrubs Stormwater Zones A &
SPD	12	Spiraea douglasii	Western Spirea	3-4` ht.	Matching, full. Large Shrubs Stormwater Zone A & I
MAR	6	Mahonia repens	Creeping Mahonia	3 gal	Matching, full. Small Shrub Stormwater Zone A & I
COSK	26 <del>21</del>	Cornus sericea `Kelseyi`	Dwarf Redtwig Dogwood	1 gal	Matching, full. Small Shrub Stormwater Zone A & I
SYA	14	Symphoricarpos albus	Common White Snowberry	1 gal	Matching, full. Small Shrub Stormwater Zone A & I
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
CAO	241	Carex obnupta	Slough Sedge	4" pot	Matching, full, 12" o.c. Stormwater Zone A.
JUPA	265	Juncus patens	California Gray Rush	4"pot	Matching, full, 12" o.c. Stormwater Zone A & F

LINED FACILITY. NO	TREES A	ALLOWED PER CITY CODE.			
REQUIRED LARGE S	HRUBS:	27, REQUIRED SMALL SHRU	BS: 36		
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
cos	11	Cornus sericea	Red Twig Dogwood	30" ht.	Matching, full. Large Shrub Stormwater Zone A & B
RIS	10	Ribes sanguineum	Red Flowering Currant	30" ht.	Matching, full. Large Shrubs Stormwater Zones A & B
SPD	11	Spiraea douglasii	Western Spirea	3-4` ht.	Matching, full. Large Shrubs Stormwater Zone A & B
COSK	26 <del>17</del>	Cornus sericea `Kelseyi`	Dwarf Redtwig Dogwood	1 gal	Matching, full. Small Shrub Stormwater Zone A & B
MAR	9	Mahonia repens	Creeping Mahonia	3 gal	Matching, full. Small Shrub Stormwater Zone A & B
SYA	15	Symphoricarpos albus	Common White Snowberry	1 gal	Matching, full. Small Shrub Stormwater Zone A & B
	1	T			
GROUND COVERS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
CAMV	83	Carex morrowii 'Variegata'	Variegated Japanese Sedge	4" pot	Matching full. Stormwate Zone A.
CAO	239	Carex obnupta	Slough Sedge	4" pot	Matching, full, 12" o.c. Stormwater Zone A.
JUPA	222	Juncus patens	California Gray Rush	4"pot	Matching, full, 12" o.c. Stormwater Zone A & B

31 LOII ILI	NATIVE	SEED MIX TO PROVIDE A	MINIMUM OF 90% FACILITY C	OVERAGE	
TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
			COMMON NAME	SIZE	KEWAKKS
24 TREES	KEQUIRI	ED, 24 PROPOSED			
ACC	6	Acer circinatum	Vine Maple	6` ht.	Multi-stem, B&B
ALR	18	Alnus rubra	Red Alder	2" cal.	Matching
		1			
SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
288 SHRU	BS REQL	JIRED, 298 PROPOSED		•	
cos	12	Cornus sericea	Red Twig Dogwood	30" ht.	Matching, full
COSK	128	Cornus sericea `Kelseyi`	Dwarf Redtwig Dogwood	1 gal	Matching, full
	74	Mahonia aquifolium	Oregon Grape	3 gal	Matching, full
MAA					
MAA RON	47	Rosa nutkana	Nootka Rose	3` ht.	Matching, full







## Attachment D.10

OWNER



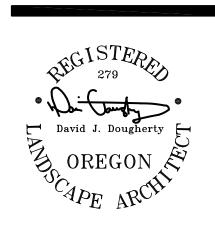
Revision Schedule

No. Description Date

1 12.02.24

ISSUE DATES

Pricing Permit Construction Revision -



1622 Pearl Street Eugene, Oregon 97401

541.338.8544

The Contractor and the Owner shall Examine the construction locuments for inconsistencies and contact the architect for esolution prior to commencement of the work. The Design contained herein is a stellectual property and is not to eused for any other purpose han this project without written ermission from the architect.

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EH

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BY:

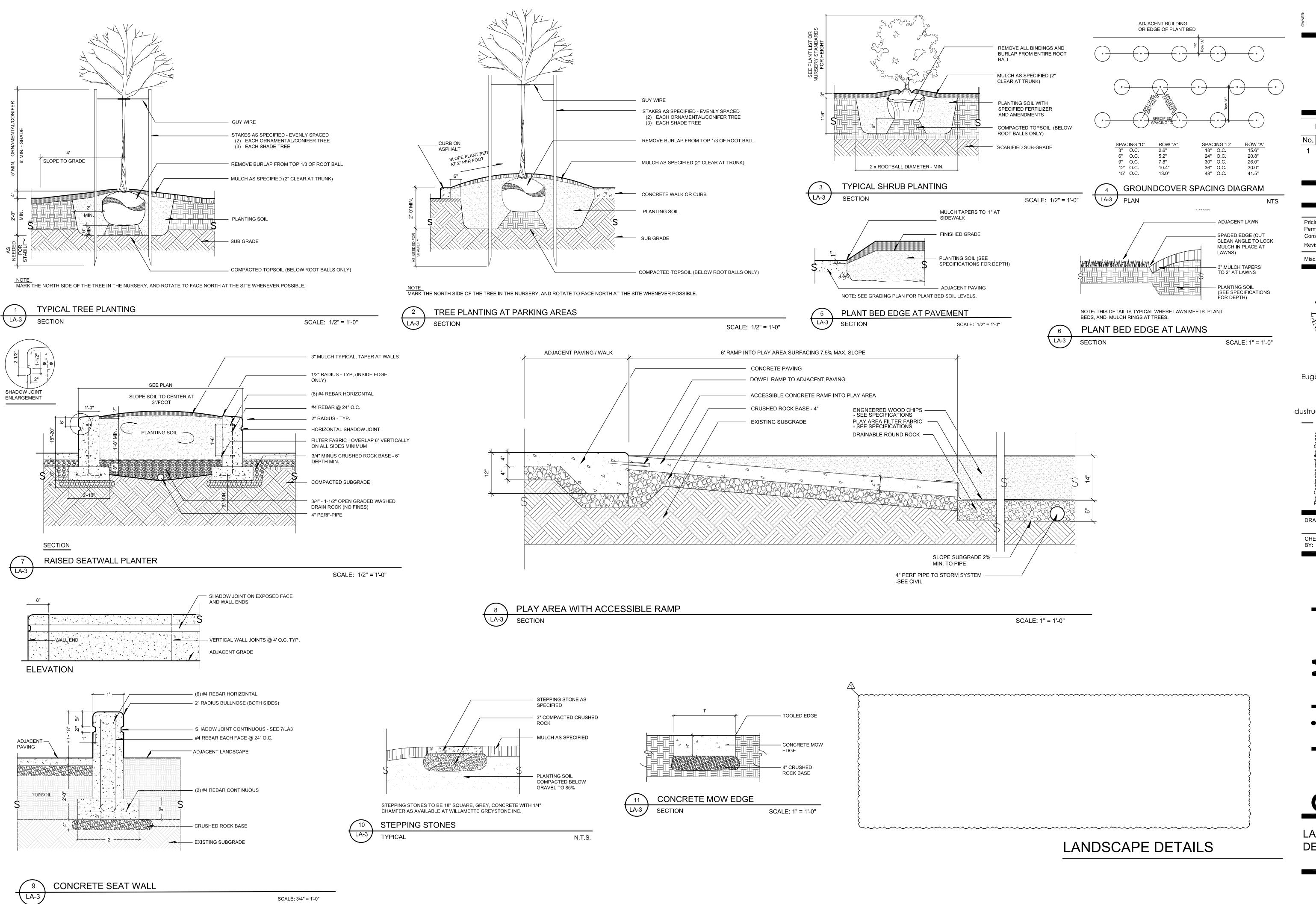
DJD

kside Meadow mprovements 1755 SE Geary St. Albany, OR 97322

SHEET TITLE
SITE
ENLARGEMENTS
/ SCHEDULES

SHEET NO.

LA-2



Attachment D.11 Paradigm

> 474 Willamette Street Suite 305 Eugene, Oregon 97401

Revision Schedule No. Description Date

12.02.24

PRINT DATE THIS SET 10/20/2023 **ISSUE DATES** Pricing Permit Construction Revision

OREGON &

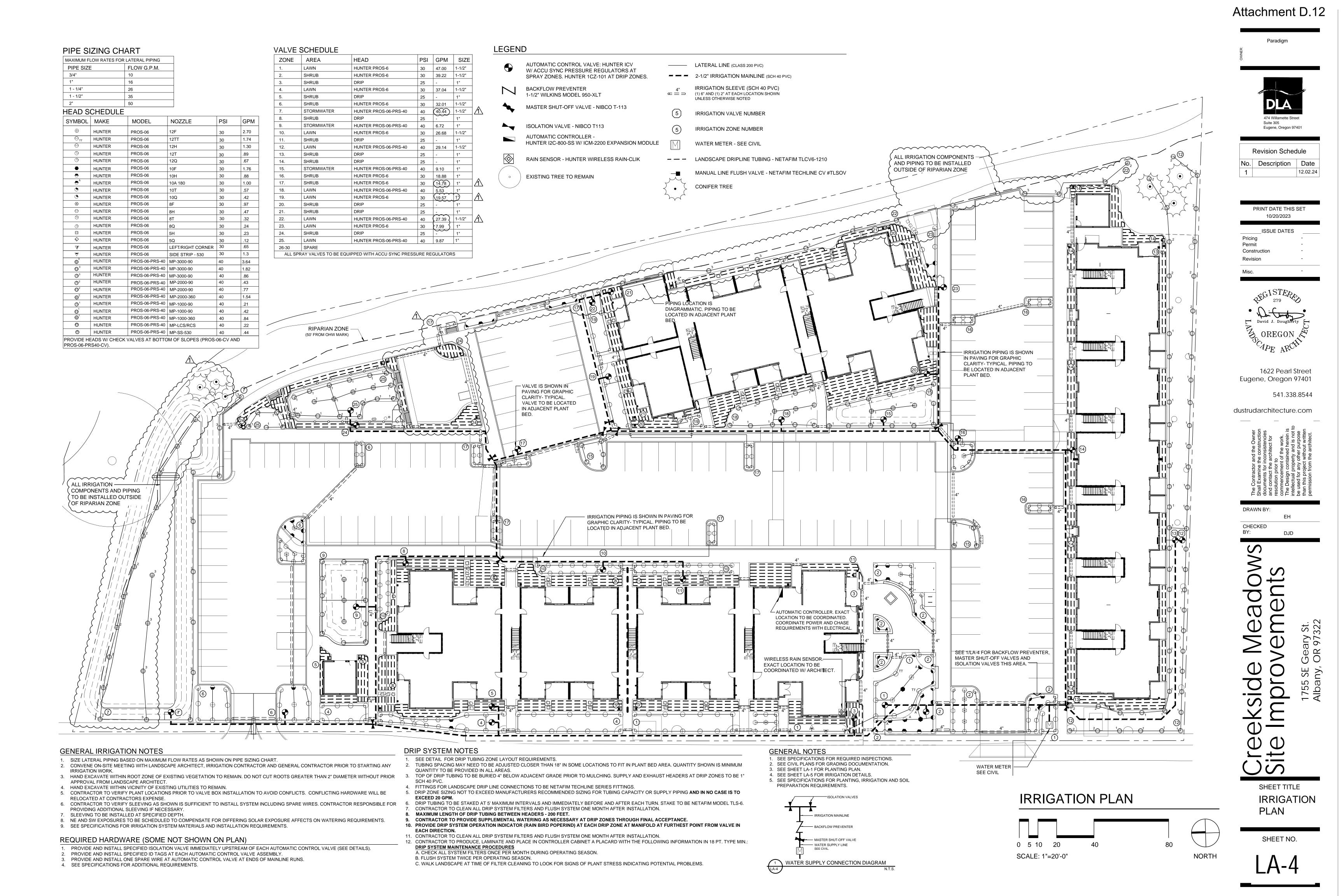
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SHEET TITLE LANDSCAPE **DETAILS** 

SHEET NO.



Paradigm



Revision Schedule				
No.	Description	Date		
1		12.02.24		

PRINT DATE THIS SET
10/03/2024
ISSUE DATES

Construction

OREGON 🙈

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CONSTRUCTION FENCE

# OVERALL SITE LEGEND



**IMPACT** 



manage	
• DECIDUOUS TREES	AREA OF DISTURBANCE IN
warded.	
M	

## matching, full, B&B Pinus ponderosa Ponderosa Pine Red Twig Dogwood Matching, full. Cornus sericea Mahonia aquifolium Oregon Grape Matching, full Red Flowering Currant Matching, full. Ribes sanguineum Matching, full Nootka Rose Rosa nutkana Matching, full. Spiraea douglasii Western Spirea 3-4` ht. Symphoricarpos albus | Common White Snowberry Matching, full. DISTURBANCE MITIGATION GUIDELINES 1. PLANTINGS AS DESIGNED ARE INTENDED TO MEET SPECIFIC REQUIREMENTS, NO SUBSTITUTIONS OR SIZE CHANGES PERMITTED WITHOUT APPROVAL BY LANDSCAPE

Vine Maple

Red Alder

Oregon White Oak

REMARKS

Matching

2" cal.

1.5" cal.

Multi-stem, B&B

Single stem, full, well

- ARCHITECT.
- 2. INSTALLED PLANTINGS TO PROVIDE MINIMUM 80% COVERAGE OF NATIVE TREES, SHRUBS, AND GROUNDCOVER, WITH 25-50% TREE CANOPY COVERAGE AT MATURITY.
- 3. EXISTING CONDITIONS OF RESOURCE PRIOR TO IMPACT: THE DISTURBED AREA WAS ORIGINALLY A NON-NATIVE GRASSY SLOPE.
- 4. PRESENCE AND REMOVAL OF INVASIVE PLANT SPECIES: MINIMAL INVASIVE SPECIES IDENTIFIED ON SITE, SPECIFICALLY HIMALAYAN BLACKBERRY. ALL INVASIVE PLANT SPECIES WITHIN MITIGATION AREA TO BE REMOVED THROUGH MANUAL REMOVAL.
- 6. DEBRIS REMOVAL: REMOVE ALL CONSTRUCTION DEBRIS FROM THE AREA.

Mitigation Area Planting Schedule

Acer circinatum

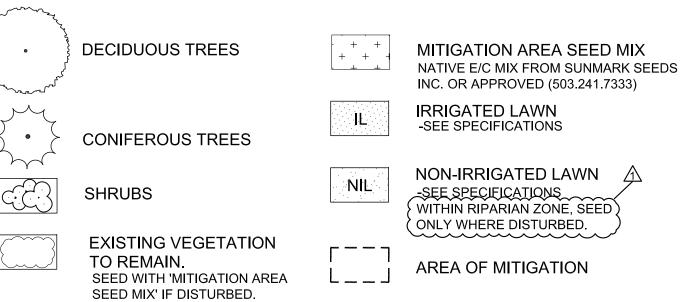
Alnus rubra

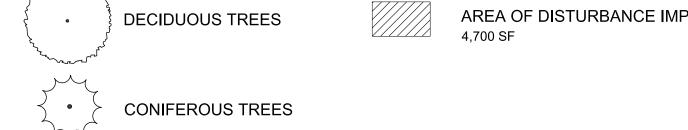
CODE QTY BOTANICAL NAME

ALR

- 7.1. THOROUGHLY TILL COMPACTED SOIL TO A DEPTH OF 6" MINIMUM 7.2. APPLY OSMOCOTE SLOW RELEASE FERTILIZER (OR APPROVED EQUAL) TO ALL PLANTING BEDS PER MANUFACTURER'S RECOMMENDATIONS AT TIME OF
- 7.3. AMENDED PLANTING MIX TO CONSIST OF 50% SANDY LOAM, 25% COMPOSTED MANURE, AND 25% FINE GROUND FIR BARK. TILL 3" INTO TOP 6" OF SOIL.
- 7.4. EXCAVATE PLANTING PITS AND PLANT TREES AND SHRUBS PER LANDSCAPE DETAILS. 8. PLANTING TIMELINE: SEEDING AND SHRUB AND TREE PLANTING TO BE COMPLETED
- BETWEEN LATE MARCH AND THE END OF APRIL OR BETWEEN MID SEPTEMBER AND THE END OF NOVEMBER OR AS APPROVED.
- 9. MAINTENANCE: MOW SEEDED AREA TWICE A YEAR IN SPRING AND FALL TO 4" HEIGHT. REMOVE ALL INVASIVE PLANT SPECIES.
- 10.DRIP IRRIGATION WILL BE EXTENDED TO TREES AND SHRUBS WITHIN THE MITIGATION
- 11.REFER TO PROJECT LANDSCAPE SPECIFICATION SECTION 32 9300 FOR ADDITIONAL
- 12. WITHIN RIPARIAN ZONE, SEE NON-IRRIGATED LAWN MIX ONLY WHERE DISTURBED.

## MITIGATION AREA LEGEND





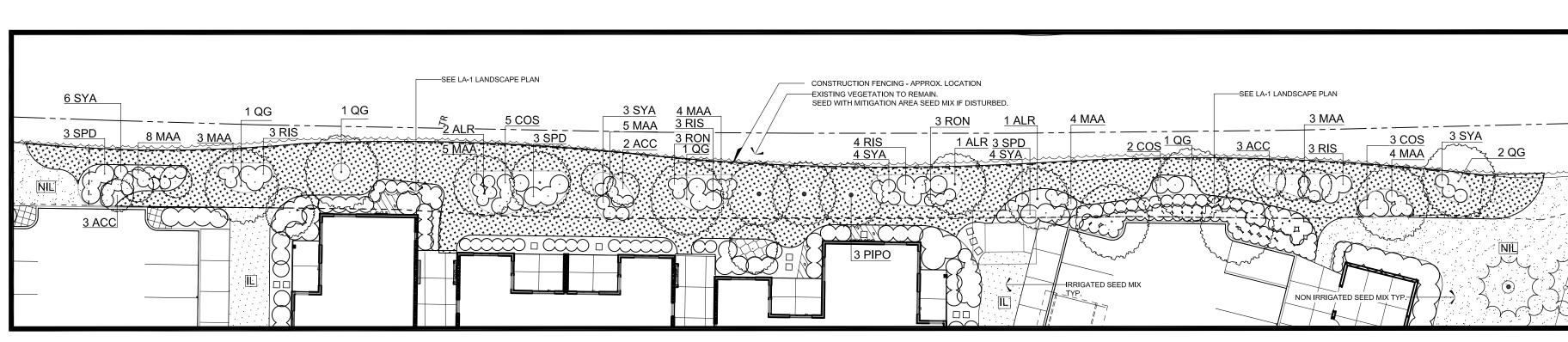
DISTURBANCE MITIGATION PLAN

SHEET TITLE DISTURBANCE MITIGATION PLAN

mpro

Geary St. OR 97322

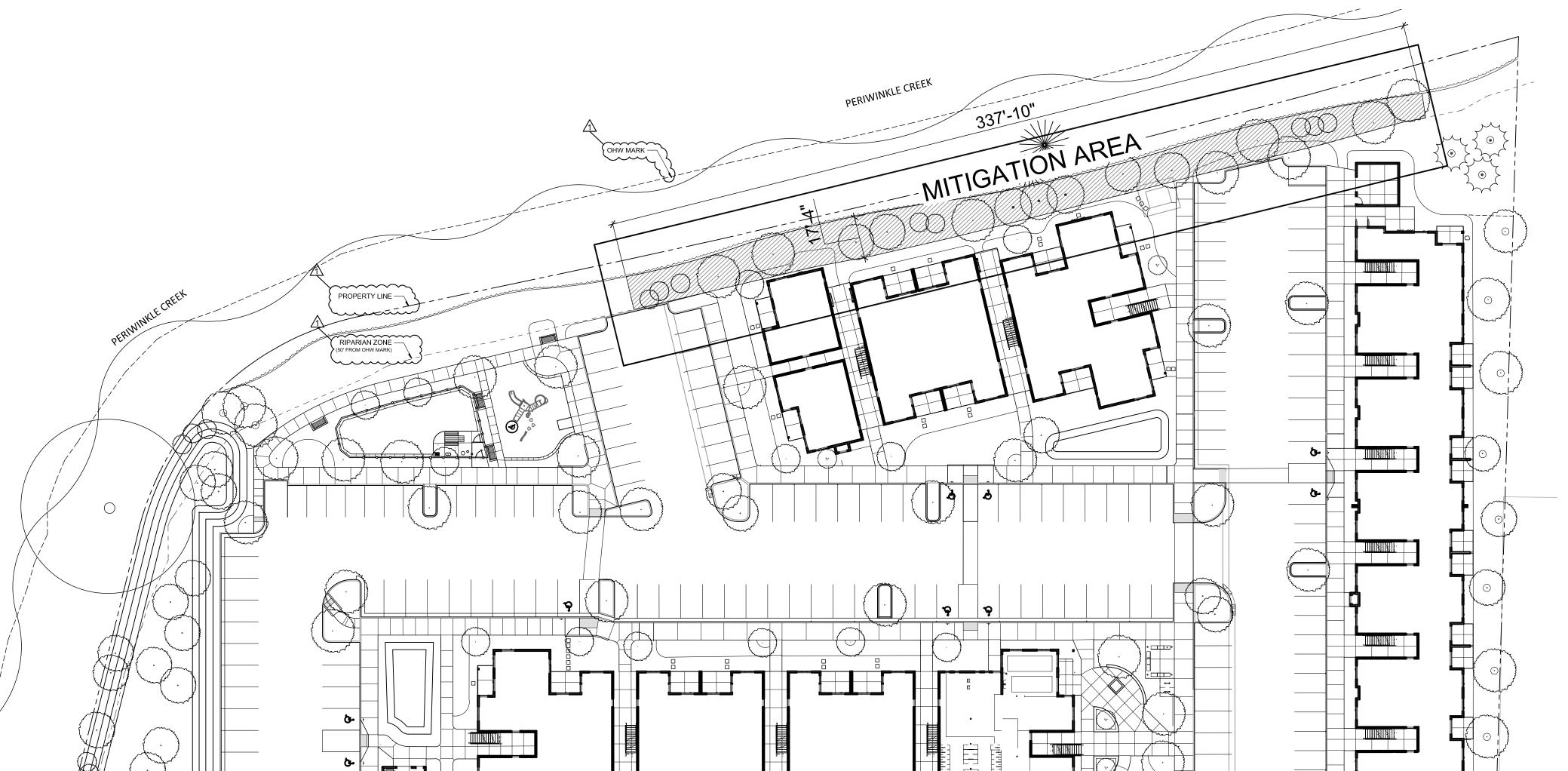
SHEET NO.



MITIGATION AREA

SCALE: 1" = 20'-0"





**OVERALL SITE** 

SCALE: 1"=30'-0"