



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING & PLANNING 541-917-7550

Staff Report

Tentative Partition Plat, Site Plan Review for Tree Felling, and Site Plan Review for New Construction

PA-05-24; SP-08-24; & SP-09-24

May 28, 2024

Summary

This request is for Tentative Partition Plat Review to divide a 0.84-acre parcel into two parcels, Site Plan Review for the felling of nine trees and Site Plan Review for New Construction of a 14-unit multiple dwelling development.

The land division review criteria under Albany Development Code (ADC) 11.180, the tree felling review criteria in ADC 9.205 and the site plan review criteria in ADC 2.450 are applicable to this review. These criteria are addressed in this report and must be satisfied to grant approval for this application.

Application Information

Proposal:	The application is for Tentative Partition Plat to divide one parcel into two parcels, Site Plan Review for construction of a 14-unit multiple dwelling development, and a Site Plan Review for Tree Felling.
Review Body:	Staff (Type I-L Review)
Property Owner/Applicant:	Glorietta Bay LLC, 100 Ferry Street NW, Albany, OR 97321
Applicant's Representative:	Laura LaRoque, Udell Engineering and Land Surveying, 63 E Ash Street, Lebanon, OR 97355
Address/Location:	2030 Geary Street SE, Albany, OR 97322
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-03W-08CC Tax Lot 00900
Zoning:	Residential Medium Density (RM)
Comprehensive Plan:	Residential- Medium Density
Overlay Districts:	Airport Approach Overlay (Conical Surface)
Total Land Area:	0.84 acres
Existing Land Use:	Single Unit Dwelling
Neighborhood:	Sunrise
Surrounding Zoning:	North: RM (Residential Medium Density) East: RMA (Residential Medium Density Attached), RS-6.5 (Residential Single-Dwelling Unit) South: RM (Residential Medium Density) West: RM (Residential Medium Density)
Surrounding Uses:	North: Single dwelling units, multiple dwelling units East: Multiple dwelling units, single dwelling units South: Single dwelling units, multiple dwelling units West: Multiple dwelling units

Prior History: None

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 tentative plat approval. The final plat must be recorded with the Linn County Records Division (ADC 11.065) unless an extension is approved by the City and the county surveyor's office.

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(7)].

Notice Information

A notice of filing was mailed to property owners identified within 300 feet of the subject properties on May 7, 2024, in accordance with ADC 1.220. At the time the comment period ended on May 21, 2024, the Albany Planning Division received no comments.

Analysis of Development Code Criteria

The ADC includes the following review criteria for a tentative plat (ADC 11.180) Site Plan Review for Tree Felling (ADC 9.206), and Site Plan Review for New Construction (ADC 2.450) 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.

Tentative Plat Review Criteria

Criterion 1

The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Article.

Findings of Fact

- 1.1 The underlying zoning district of the subject lot is RM (Residential Medium Density). The RM zoning district is intended primarily for medium density residential urban development.
- 1.2 The subject site is comprised of one tax lot totaling 0.84 acres: Assessor's Map No. 11S-03W-08CC Tax Lot 900.
- 1.3 Lot size in the RM zone depends on the proposed use, and ranges in size from 1,500 square feet (townhomes), 3,500 square feet (single-dwelling unit detached and duplex), to 3,000 square feet per unit for multiple dwelling unit developments. Parcel 1, as proposed, will be approximately 9,842 square feet in size and contain the existing single unit development. Parcel 2 as proposed will be approximately 26,318 square feet in size and is proposed to be developed with 14 one-bedroom units. In the RM zone, one-bedroom developments require 2,000 square feet per unit. With 14 units proposed, the applicant would need 28,000 square feet to meet this standard. The applicant states that the multi-unit building is proposed to be constructed within 200 feet of a designated arterial street (Geary Street), which allows the applicant to reduce the minimum area per unit by 10 percent (ADC 3.220(2)). Based on the new calculations, the minimum property size to accommodate the use would be 25,200 square feet. The applicant proposes a property size that exceeds this minimum.
- 1.4 The minimum width standard for the RM zone is 20 feet for townhomes, and 30 feet for all other uses. Proposed Parcel 1 will be approximately 101 feet wide and proposed Parcel 2 will be approximately 132 feet wide. The proposed lots will exceed the minimum width standard.
- 1.5 According to ADC Table 3.190-1, the minimum setback standards in the RM zoning district are as follows: 15-foot front (building), 20-foot front (vehicle entrance), 10-foot side (one story), 10-foot side, (two plus stories), or zero for zero lot line dwellings, unless the structure is a single-dwelling unit home or middle housing in which case the interior setbacks are three feet for one-story dwellings, and five

feet for two-story dwellings. Maximum height is 45 feet and maximum lot coverage is 70 percent. Proposed Parcel 1 is developed with a pre-existing single-unit dwelling. The existing dwelling is approximately 45 feet from the front property line (east), 9 feet from the west property line, 5 feet from the west and north property line (where it abuts the attached garage), and approximately 20 feet from the south property line. Proposed Parcel 1 will have a lot coverage of 26 percent. Proposed development for parcel 2 will be discussed further in this staff report and the findings are incorporated herein.

- 1.6 In any land division for single-dwelling unit residential or middle housing development, lots and blocks shall conform to standards listed in ADC 11.090 and other applicable provisions of the Code. Standards relevant to this proposed partition are addressed below.
- 1.7 ADC 11.090(1) states lots must be arranged such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all proposed lots in compliance with the requirements of the Code.
- 1.8 According to ADC 11.090(2), when lots are more than double the minimum area designated by the zoning district, those lots must be arranged to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat. Proposed Lot 2 is more than double the minimum lot size of 6,500 square feet as it contains the flag stem serving both Lots 1 and 2.
- 1.9 ADC 11.090(3) states double frontage lots shall be avoided except when necessary to provide separation of residential developments from streets of collector or arterial street status or to overcome specific disadvantages of topography and/or orientation. No double frontage lots are proposed.
- 1.10 ADC 11.090(4) states side yards of lots shall run at right angles to the street the property faces. Both lots have side yards that run at right angles to the street the property faces.
- 1.11 According to ADC 11.090(5), block dimensions shall be determined by existing street and development patterns, connectivity needs, topography, and adequate lot size. The average block length shall not exceed 600 feet unless adjacent layout or physical conditions justify a greater length. Block length is defined as the distance along a street between the centerline of two intersecting through-streets. Physical conditions may include existing development, steep slopes, wetlands, creeks, and mature tree groves. The proposed partition does not create any new streets, and therefore, does not create any new blocks. This standard is not applicable.
- 1.12 ADC 11.090(6) states off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible. The applicant proposes a sidewalk connecting the proposed development to the Geary Street sidewalk network.
- 1.13 ADC 11.090(8) states flag lots are discouraged and allowed only when absolutely necessary to provide adequate access to buildable sites and only where the dedication and improvement of a public street cannot be provided. The minimum width for a flag lot is 22 feet, except when the point of access is shared by an access and maintenance agreement, in which case, each lot shall have a minimum width of 12 feet and a combined minimum of 24 feet. Proposed Parcel 2 will be a flag lot with a 31-foot-wide stem. Both parcels will share a variable width reciprocal access and utility easement, with the driveway width being proposed at 24 feet. The applicant states the access easement will be recorded with the plat.
- 1.14 According to ADC 11.090(9), street intersections must be constructed so there is not less than a 20-foot radius along the curb line. This standard ensures all public improvements, including accessibility ramps, can be contained in the public right-of-way at the corresponding street corners. Proposed Parcels 1 and 2 have access to an existing public street and no new intersections are proposed. This standard is not applicable.

Conclusion

- 1.1 This criterion is satisfied 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

- 2.1 Proposed Parcels 1 and 2 are under the same ownership.
- 2.2 There is no other remainder of property under the same ownership.

Conclusions

- 2.1 This review criterion is satisfied without conditions.

Criterion 3

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

Findings of Fact

- 3.1 This review criterion has been interpreted by the city council to require only that adjoining land either have access, or be provided access, to public streets.
- 3.2 ADC 12.060 requires that development must have frontage on or approved access to a public street currently open to traffic.
- 3.3 Proposed Parcels 1 and 2 have access to Geary Street SE.
- 3.4 ADC 12.110 states new streets may be required to be located where the City Engineer determines additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties. Adjoining properties have independent access to a public street, and the proposed partition will not impact the access of adjoining properties.

Conclusions

- 3.1 This criterion is met without conditions.

Criterion 4

The Public Works Director has determined that transportation improvements are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.

Findings of Fact

- 4.1 The proposed development will divide one parcel of land into two parcels. Parcel 1 will contain an existing single-unit dwelling, and Parcel 2 will be vacant. A concurrent application has been filed to develop a 14-unit multifamily development on Parcel 2.
- 4.2 The development is located at 2030 Geary Street SE.
- 4.3 Geary Street is classified as a minor arterial street and is, with the exception of sidewalk, improved to city standards. Improvements include curb and gutter; a vehicle travel lane in each direction, a two-way center left turn lane, on-street bike lanes, and on-street parking along the west side of the road.
- 4.4 Based on the concurrent application to develop Parcel 2 with 14 units of multiple dwelling unit housing, when fully developed the site can be expected to generate an additional 94 vehicle trips per average weekday, of which seven will occur during the peak PM traffic hour.
- 4.5 Albany's Transportation System Plan does not identify any level of service or congestion issues adjacent to the proposed development.
- 4.6 ADC 12.290 requires all new development to install public sidewalks along its frontage. In this case, there is not sufficient right-of-way behind the curb and gutter to allow for the installation of sidewalk

to city standards. The applicant has proposed dedication of an additional four feet of right-of-way to allow for the installation of the sidewalk.

- 4.7 The partition will create a new shared driveway serving two parcels.
- 4.8 Section 12.100(1) of the Development Code requires that driveways serving more than one parcel be paved to the full length of the shared portion. This partition will result in the creation of a shared driveway that is not currently paved to the full length of the shared portion.

Conclusions

- 4.1 With the exception of sidewalks, the site's street frontage along Geary Street is improved to city standards.
- 4.2 The applicant has proposed dedication of four feet of right-of-way and construction of a sidewalk along the site's frontage on Geary Street.
- 4.3 The proposed development will ultimately result in approximately 94 new vehicle trips per day and seven PM peak hour trips on the public street system.
- 4.4 Albany's Transportation System Plan does not identify any level of service or congestion issues adjacent to the proposed development.
- 4.5 The development will result in the creation of a new shared driveway serving Parcels 1 and 2. ADC 12.100(1) requires that shared driveways be paved for the full length of the shared portion.
- 4.6 This criterion is satisfied with conditions.

Condition

Condition 1 Prior to recording the partition plat, the applicant shall:

- Dedicate four feet of public right-of-way along the site's frontage on Geary Street.
- Construct, or financially assure the construction of, public sidewalk to city standards along the frontage of the site on Geary Street.
- Install a new driveway approach at the location shown on the approved tentative partition plat map, and pave or provide financial assurance for pavement of the shared portion of the driveway serving Parcels 1 and 2.

Criterion 5

The Public Works Director has determined that public facilities and utilities are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.

Findings of Fact

Sanitary Sewer

- 5.1 City utility maps show a 12-inch public sanitary sewer main in Geary Street. The property is currently served by a public sanitary sewer.
- 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 AMC 10.01.080 (2) states that before the City will issue a Building Permit, the applicant must pay to the City the necessary System Development Charges and any other applicable fees for connection to the public sanitary sewer system.
- 5.4 Preliminary utility plans show the existing house is currently connected to the public sanitary sewer system and a new sanitary sewer service is to be installed to serve parcel 2. Before any work is done on or around a public sanitary sewer main, the applicant must obtain an Encroachment Permit from the City's Engineering Division.

Water

- 5.5 City utility maps show a six-inch public water main in Geary Street. The property is not currently served with public water.
- 5.6 ADC 12.410 requires all new development, including single dwelling units, to extend and connect to the public water system when service is available within 150 feet of the property. Fire hydrants, mains, and related appurtenances shall be installed as required by the City Fire Marshal.
- 5.7 Preliminary utility plans show a new fire line and new water meter to service Parcel 2. A connection to the public water system will require that the applicant obtain a Permit for Private Construction of Public Improvements before beginning this work.
- 5.8 Parcel 1 will need to connect to the public water system.

Storm Drainage

- 5.9 City utility maps show no piped public storm drainage facilities in Geary Street. Geary Street is improved to city standards with curb and gutter. A 54-inch public storm main is located to the west of the site.
- 5.10 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.
- 5.11 ADC 12.530 states that the review body will approve a development request only when adequate provisions for storm and flood water run-off have been made as determined by the City Engineer.
- 5.12 AMC 12.45.030 and 12.45.040 require that a post-construction stormwater quality permit shall be obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than one acre, including all phases of the development, where more than 8,100 square feet of impervious surfaces will be created or replaced. (Ord. 5841 § 3, 2014).
- 5.13 AMC 12.45.030 and 12.45.040 require that a post-construction stormwater quality permit shall be obtained prior to work commencing for all new development and/or redevelopment projects that create or replace 5,000 square feet or more of impervious surface area, including all phases of the development.
- 5.14 Because this subject project is under 1 acre, post-construction stormwater quality is not required for this project.
- 5.15 The applicant has submitted a preliminary drainage plan that shows a private storm lateral from the 54-inch main to the subject property with a private easement. Preliminary drainage reports show detention facilities with the development. Final design details for these storm drainage facilities will be reviewed in conjunction with building permits. Before any work is done on or around a public storm drainage main the applicant must obtain an Encroachment Permit from the City's Engineering Division.

Conclusions

- 5.1 Public sanitary sewer and water are available to serve the proposed development. The applicant must install water and sewer services to serve each of the proposed parcels.
- 5.2 The applicant must obtain a Permit for Private Construction of Public Improvements through the City's Engineering Division for the installation of a new fire line.

- 5.3 The applicant shall construct stormwater detention facilities to provide storm and flood-water controls. Before the City will issue any occupancy permits for the proposed project, the applicant must construct stormwater detention facilities that comply with the City's Engineering Standards. The applicant must obtain a stormwater quality permit for the project and construct stormwater quality facilities that satisfy the City's Engineering Standards.
- 5.4 Before the applicant can make a new storm drainage service connection to the public storm drainage system an Encroachment Permit must be obtained from the Public Works Department.

Conditions

- Condition 2** Before the City will approve the final proposed partition plat, the applicant must connect Parcel 1 to the public water system. New water service is to be installed under a Water Meter Permit obtained from Public Works.
- Condition 3** Before the applicant can make a new fire line connection to the public water system, the applicant must obtain a Permit for Private Construction of Public Improvements through the City's Engineering Division.
- Condition 4** Before the applicant can make a new sanitary sewer service connection to the public sanitary sewer system for each parcel, an Encroachment Permit must be obtained from the Public Works Department.
- Condition 5** Before the applicant can make a new storm drainage service connection to the public storm drainage system an Encroachment Permit must be obtained from the Public Works Department.
- Condition 6** Before the City will issue any occupancy permit for the proposed project, the applicant must construct stormwater detention facilities that comply with the City's Engineering Standards.

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. Figure 4-1 of ADC Article 4 shows the subject property is in the Airport Approach District. This district is comprised of several imaginary surfaces above which aircraft are allowed to operate.
- The proposed development will be under the outermost surface called the Conical Surface. The Conical Surface begins at the outer boundary of the Horizontal Surface, at an elevation of 372 feet (NGVD 1929) above the airport elevation. The existing ground elevation is approximately 228 feet (NGVD 1929), and the maximum height limit of the RM zone is 45 feet above grade for a total elevation of 273 feet, which is 99 feet below the maximum height (372 feet) established by the Conical Surface.
- There are no design features of the proposed development with navigational signals or radio communications, or that would induce confusing light patterns, or create bird-strike hazards that would endanger or interfere with aircraft intending to use the airport. Sound buffering features are not warranted because the location of the proposed development is located outside the "noise sensitivity property" defined by 55 and 60 ldn noise contours.
- 6.2 Article 6: Steep Slopes. *Comprehensive Plan Plate 7:* According to Plate 7 of the Comprehensive Plan, the subject property is outside the Hillside Development District.
- 6.3 Article 6: Floodplains. *Comprehensive Plan Plate 5:* According to the FEMA Flood Insurance Rate Map, Community Panel No. 41043C0527G, dated September 29, 2010, the subject property is located in Zone X, Area of Minimal Flooding and is outside of the Special Flood Hazard Area (aka 100-year floodplain).

- 6.4 Article 6: Wetlands. *Comprehensive Plan Plate 6* does not show Significant Wetlands on the properties. The National Wetlands Inventory (NWI) does not show wetlands on the property.
- 6.5 Article 6: Significant Natural Resource Overlay Districts. *Comprehensive Plan, Plate 3* shows that the property is not located in a significant natural resource overlay district.
- 6.6 Historic and Archaeological Resources. *Comprehensive Plan, Plate 9* shows the property is not in a historic district. There are no known archaeological sites on the property.

Conclusions

- 6.1 This criterion is met.

Tree Felling Review Criteria (ADC 9.206)

For property where a building permit, Site Plan Review, subdivision, or partition application has been approved or is currently under review for the development of housing on a property, the applicant proposing the felling of trees may choose to meet the criteria in Section 9.206 rather than the criteria in Section 9.205. A Site Plan Review application for tree felling subject to the criteria in Section 9.206 will be processed as a Type I decision. The Community Development Director, City Forester, or his/her designee shall approve the Site Plan Review application when the application demonstrates that all of the following review criteria are met:

Criterion (1)

The critical root zone of each tree to be felled is no more than five feet from the proposed roads, driveways, utilities, and required site improvements of 10 feet from proposed residential building pads.

Findings of Fact

- 1.1 According to the applicant, it is necessary to remove ten trees on the subject site to construct the proposed residential development and associated site improvements efficiently and safely. The existing trees are less than 10 feet from proposed residential building pads or less than five feet from proposed driveways and utilities. Nine of the trees indicated for removal are subject to ADC 9.204 because they are eight inches in diameter or larger.
- 1.2 The Existing Conditions Plan shows the locations of the trees along with their species and size (Attachment B.1).
- 1.3 Oregon Department of Forestry (ODF) permits are required only if commercial use of the felled trees will occur (e.g., logs or firewood are sold). The applicant has not indicated whether any felled trees would be sold.

Conclusion

- 1.1 This criterion is met with a condition.

Condition

Condition 7 In the event the proposed development does not take place, the trees identified for removal on the Existing Conditions Plan (Attachment B.1) shall not be removed without separate approval for tree felling not associated with development, using criteria listed in ADC 9.205(3).

Criterion (2)

The proposed felling is consistent with other applicable sections of the Development Code (such as Article 6, Significant Natural Resource Overlay Districts) and City ordinances, including tree regulations in the Albany Municipal Code.

Findings of Fact

- 2.1 According to the applicant, it is necessary to remove ten trees on the subject site to construct the proposed residential development and associated site improvements on the subject property efficiently and safely.
- 2.2 Local ordinances regulating tree felling include ADC Section 9.205 through 9.208, and AMC Chapter 7.98. The trees proposed for removal are not listed as heritage trees, according to City records.
- 2.3 The subject property is not located within any Significant Natural Resource Overlay Districts.

Conclusions

- 2.1 This criterion is met.

Site Plan Review Criteria (ADC 2.450)

Albany Development Code (ADC or Development Code) includes the following approval review criteria in Section 2.450 (identified below).

Criterion 1

The application is complete in accordance with the applicable requirements.

Findings of Fact and Conclusions

- 1.1 In accordance ADC 1.160, the application was deemed complete as of April 11, 2024.
- 1.2 This criterion is met without conditions.

Criterion 2

The application complies with all applicable provisions of the underlying zoning district including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.

Findings of Fact and Conclusions

- 2.1 Zoning. The subject property is located within the RM (Residential Medium Density) zoning district. The Article 3 *Schedule of Permitted Uses* identifies residential multi-dwelling unit development as an allowed use subject to Site Plan Review. The applicant proposes to construct an apartment complex consisting of fourteen one-bedroom apartments.
- 2.2 Minimum Lot Size. The minimum lot size for multi-dwelling unit development is dependent upon the number and bedroom size of the units. ADC Table 3.050-1 provides the minimum property size of 2,000 square feet per unit for studio and one-bedroom unit developments. Provisions in ADC 3.220 may reduce the minimum area requirements for residential developments. Based on the number of units proposed, the development would require a minimum of 28,000 square feet. The applicant demonstrates that the property qualifies for the bonus provision in ADC 3.220(2), as the proposed apartment building is located approximately 132 feet from Geary Street SE, which is identified as a minor collector. With this bonus provision, the required lot size for the development is decreased by 10 percent to a total of 25,200 square feet. Proposed parcel 2 is 26,318 square feet, which exceeds the minimum required for 14 units.
- 2.3 Lot Coverage. ADC Table 3.190-1 identifies a maximum lot coverage of 70 percent in the RM zone. Per ADC Section 22.400 Definitions, lot coverage for multi-dwelling unit development includes the portion of the lot covered by building, structure, pavement, or any area not vegetated. The applicant's narrative states the proposed buildings and paved areas throughout the site; including the parking area and sidewalks will cover 18,841 square feet or 69.95 percent of the site. The proposed lot coverage does not exceed the maximum (70%).
- 2.4 Density/Intensity/Height. ADC Table 3.190-1 identifies a maximum building height of 45 feet in the RM zone. The applicant's architectural plans (Attachment E) show that the building will be 25 feet

from grade to the peak of the roof. This is below the maximum allowed height. The RM zoning district has no minimum density but has a maximum density of 25 units per acre. The proposed development will consist of a total of fourteen one-bedroom units. The subject property is 26,318 square feet in size, which results in a maximum allowed density of 15 units. The proposed development has a total of 14 units, which would not exceed the maximum allowed density.

- 2.5 Setbacks. The RM zoning district has a minimum 15-foot front setback, and an interior setback of 10 feet. The Transition to Lower Density uses per ADC 8.270 is applicable to this development as the abutting lot to the east (Parcel 1) is developed with residential single-dwelling unit in the RM zone. The applicant's proposed structure has a total wall height of 17 feet. Based on this, the structure must be located at least 17 feet from the shared property line. The applicant's site plan demonstrates that the building will be located approximately 33 feet from the shared property line, and a minimum of ten feet from all other property lines. As proposed Parcel 2 is a flag lot, it does not have a front property line. Based on these facts, the development as proposed complies with the setback standards.
- 2.6 Open Space, Landscaping, Buffering, and Screening. Staff refer to the findings provided in response to Criterion Six below pertaining to Article 9, which are incorporated herein by reference.
- 2.7 Screening of Refuse Containers. ADC 3.390 requires refuse containers for multi-dwelling unit development to be screened by a sight-obscuring fence, wall, or hedge at least six feet in height. The applicant has provided the location of the refuse containers and states it will be screened.
- 2.8 Conclusion: These review criteria are met with the following conditions.

Conditions

Condition 8 Site Improvements. Before the City will issue a final certificate of occupancy for the proposed structure(s), all proposed and site improvements identified to the site plan (e.g., driveways, landscaping, lighting, etc.) shall be constructed and completed in accordance with approved plans. Landscaping may be financially secured through a completion guarantee, per ADC 9.190.

Condition 9 Screening of Refuse Containers. Before the City will issue a final certificate of occupancy for the proposed structure(s), the applicant must provide screening of the refuse containers in compliance with ADC 3.390.

Criterion 3

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

Findings of Fact and Conclusion

- 3.1 Staff refer to and incorporate the findings prepared in response to Criterion Three of the Partition criteria, above by reference.

Criterion 4

The application complies with all applicable Design Standards of Article 8.

Findings of Fact and Conclusions

- 4.1 Applicability. According to ADC 8.205, standards of ADC 8.220 through 8.300 apply to the development of new multi-dwelling unit developments.
- 4.2 Relationship to Historic Overlay Districts. As previously stated, the subject property is not located within a historic district and does not contain a historic resource. Accordingly, this standard is not applicable.
- 4.3 Recreation / Common Open Space in the RMA Zoning District. The subject property is located within the RM zoning district. ADC Table 8.220-1 requires 15 percent of the total development site area to be developed with common open space. ADC Table 8.220-1 also requires private open space for at least 80 percent of the units. ADC 8.220(C)(i) states that a common open space credit up to 25 percent

is permitted if there is a direct access by a pedestrian path, not exceeding ¼ mile, from the proposed multiple-family development to an improved public park and recreation area or public-school playground.

The subject property (Parcel 2) is 26,318 square feet in size, with 15 percent of that area equal to 3,947 square feet. The project is eligible for a 25 percent common area open space credit since the site is located within ¼ mile of Periwinkle Trail, with connectivity to Periwinkle Park on the south side of 21st Avenue SE. This reduction results in a total required open space of 2,960 square feet.

The applicant's site plan (Attachment B) shows a total of 2,973 square feet of common space is provided on the site. 1,968 square feet (66 percent) of the common open space is identified as common open space lawn with a bench. The applicant also proposes a 1,005 square-foot garden area for residents. Per ADC 8.220(2)(a)(iii), this amenity may not account for more than 50 percent of the required common open space and the gardens must have irrigation available for use by the residents. As a condition of approval, the applicant shall be required to show the location of irrigation for the garden on an updated site plan at time of building permit, with installation of the irrigation required prior to issuance of final Certificate of Occupancy.

- 4.4 Private Open Space. Per ADC Table 8.220-1 private open space is required in the RM zoning district, with at least 80 percent of the units requiring private open space. The applicant has provided private open space for all units. The 14-unit building is proposed to have ground floor patios that are approximately 100 square feet in size, with dimensions of 8 feet by 12.5 feet (Attachment B.4). Second floor balconies have approximately 80 square feet of private open space, with dimensions that are approximately 6 feet by 14 feet (Attachment E).
- 4.5 Building Orientation. According to ADC 8.240(3), subsections (a) and (b) are only applicable to sites with frontage on a collector or local public street. The subject site has frontage on Geary Street, which is classified as a minor arterial; therefore, these standards are not applicable to this application.
- 4.6 Street-Facing Windows. According to ADC 8.255(1), the standards in this section pertain to any façade that faces towards or within 45 degrees of a front lot line, except where there is more than one building on the site. In this instance, the subject property is a flag lot and separated from Geary Street by Parcel 1, which is improved with an existing single-unit dwelling. Based on these facts, this criterion does not apply.
- 4.7 Transition to Lower Density Uses. Per ADC 8.270(3), multi-dwelling unit development shall be setback at least one foot for each foot in building height from a shared property line, up to a maximum required setback of 30 feet, when the abutting lot sharing the property line meets criteria (a) or (b) below, or both. Building height is measured from the average grade to the top of the wall facing the property line or to the top of the highest window or door, whichever is higher.
- a) The abutting lot is in a residential single-dwelling unit zoning district or in the HM zoning district and is developed with single-dwelling unit residential or middle housing uses or is underdeveloped or vacant.
 - b) The abutting lot has a pre-existing single-dwelling home and is in a zoning district other than the NC, CC, RC, LI, HI, or IP zone. For the purposes of this section, a "pre-existing single-dwelling home" is one constructed prior to January 1, 2021.

As discussed above in finding 2.5 (Site Plan Review criteria), the abutting lot to the east (Parcel 1) is developed with a pre-existing single-dwelling home that is in a zoning district other than the ones listed. The building height is 17 feet when measured from the average grade to the top of the wall facing the property line (Attachment E). Based on the building height, the structure would need to be set back at least 17 feet from the shared property line. The applicant's site plan indicates that the structure will be set back approximately 33 feet from the shared property line.

- 4.8 Pedestrian Connections. ADC 8.280 requires an internal pedestrian circulation system and connectivity between the development and each adjacent street and sidewalk for every 200 linear feet of street

frontage. The site plan provided by the applicant indicates an internal sidewalk system with connections to the public sidewalk within Geary Street right-of-way.

- 4.9 Vehicular Circulation and Parking. Staff refer to the findings provided in response to Criterion Six and Criterion Eight below pertaining to Article 9 and 12, which are incorporated herein by reference.
- 4.10 Parking and Access in DMU, CD, HD, and WF Zoning Districts. The subject property is located in the RM zoning district; therefore, this standard is not applicable.
- 4.11 Conclusion: As proposed and based on conditions of approval all applicable multi-dwelling design standards in Article 8 are met.

Condition

Condition 10 Common Open Space. Before the acceptance of a building permit, the applicant shall provide an updated site plan showing the location of irrigation for the garden. Prior to issuance of the final Certificate of Occupancy, the irrigation shall be installed.

Criterion 5

The application complies with all applicable Design Standards of Article 10.

Findings of Fact and Conclusion

- 5.1 Article 10 pertains to manufactured homes, manufactured home parks, and RV parks. These uses do not pertain to the proposal.
- 5.2 Conclusion: This standard is not applicable.

Criterion 6

The application complies with all applicable On-Site Development and Environmental Standards of Article 9.

Findings of Fact and Conclusions

- 6.1 Space Requirements (ADC 9.020) Carpool/Vanpool Spaces (ADC 9.035), Accessible Spaces (ADC 9.040), and Electric Vehicle Charging Capacity (ADC 9.050). Per ADC 9.020(9) Parking provided with all zones other than HD, DMU, CB, LE, WF, and ES must not exceed 30% of the maximum parking standards provided in Table 9.020-1. Per Table 9.020-1, Multi-Dwelling Unit: Studio and 1-bedroom units are allowed a maximum of 1 space per unit, plus 1 visitor space every 4 units. There are 14 proposed units, which would allow 14 spaces for the units, and 3 visitor spaces. The applicant is allowed an additional 30 percent of the maximum (17) which would result in an additional 5 spaces for a total parking allowance of 22 spaces. The applicant is required to provide one carpool/vanpool space per ADC 9.035. The applicant is required to provide at least one ADA parking space per ADC 9.040. The applicant is also required to provide electrical service capacity sufficient for a level 2 electric vehicle charging station for no less than 40% of all new vehicle parking spaces. The applicant's site plan shows 20 proposed parking spaces; eight compact spaces, one ADA space, four standard-sized parking spaces, and seven standard-sized parking spaces that are also proposed to be EV ready (Attachment B.4). The proposed number of EV parking spaces (8) is 40 percent of the total number parking spaces provided. The applicant shall be required to mark one standard-sized parking spot as reserved for carpool/vanpool.
Parking Area Improvements. ADC 9.120 provides standards for parking area improvements for multi-dwelling unit developments.
- 6.2 Bicycle Parking: Table 9.030-1 requires 1 bicycle parking spot per unit for multi-dwelling units. The applicant indicates that they are providing 14 covered bicycle parking spaces. Additional details about bicycle parking space dimensions were not provided. As a condition of approval, prior to acceptance of building permits, the applicant shall be required to submit a bicycle parking plan showing dimensions and spaces meeting the standards in Table 9.030-2.

- 6.3 ADC 9.100(3) requires parking areas to have a durable, dust-free surface. The applicant's site plan indicates the entirety of the parking area will be paved.
- 6.4 ADC 9.100(4) requires all parking lots provide a drainage system to dispose of stormwater runoff. Findings regarding the proposed stormwater system are found in this section under Criterion Seven and incorporated here by reference.
- 6.5 ADC 9.100(5) requires perimeter curbing around all parking areas. The applicant's site plan indicates perimeter curbing has been provided along the entirety of the parking lot. This standard is met.
- 6.6 ADC 9.100(6) requires wheel bumpers be used when parking stalls front a sidewalk, alleyway, street, or property line. If the sidewalk is widened to seven feet six inches to allow for vehicle encroachment, no wheel bumpers are required. The applicant's site plan indicates there will be a 5-foot landscape buffer and hedge between the northern parking spaces and the north property line. The parking spaces fronting the building have a 7.5-foot sidewalk between parking spaces and the building. Based on this, no wheel bumpers will be required under this section.
- 6.7 ADC 9.100(7) requires parking spaces be located and served by an aisle or turnaround so their use will require no backing movements or other maneuvering in a street right-of-way other than an alley. This standard is met.
- 6.8 ADC 9.100(8) requires parking stalls to be permanently and clearly striped. The site plan indicates the parking lot will be striped.
- 6.9 ADC 9.100(9) requires parking lots to connect to adjacent existing or future parking areas. No parking lot connections are proposed with this development.
- 6.10 ADC 9.100(10) requires conformance with the parking lot landscaping standards found in ADC 9.150. These are discussed in findings below.
- 6.11 ADC 9.100(11) allows up to 40 percent of the required parking stalls to be compact, which would allow for a maximum of eight compact spaces. The submitted site plan (Attachment B) indicates a total of eight compact parking spaces with a depth of 13 feet and a width of nine feet, unless next to a landscaped area in which case the width is 9.5 feet. Table 9.120-1 indicates the minimum stall width for compact spaces is eight feet in width and 16 feet in depth. Per Table 9.120-1, a bumper overhang of 3.0 feet is allowed to be subtracted from the total required length if extruded curbs are provided. The site plan indicates that an extruded curb will be provided, therefore the required depth of the compact space is 13 feet. Additionally, all compact spaces must be signed and/or the space painted with the words "Compact Car Only". As proposed, the parking stall meets the standard.
- 6.12 ADC 9.100(12) requires accessible parking be provided in conformance with the Oregon Specialty Code. As indicated on the applicant's site plan, accessible parking and an accessible route to the building is proposed with the development. Conformance with the Oregon Specialty Code will be assessed at the time of building permits.
- 6.13 ADC 9.100(13) requires lighting to be arranged to reflect light away from any abutting or adjacent properties. The applicant did not submit their lighting plans. As a condition of approval, the applicant must demonstrate how the light will be reflected away from any abutting or adjacent properties.
- 6.14 ADC 9.100(14) requires walkways and accessways to be provided in all new off-street parking lots and additions to connect sidewalks adjacent to new development to the entrances of new buildings. The site plan indicates a sidewalk and access path will be provided from the right-of-way along Geary Street to the building.
- 6.15 Off-Street Parking Lot Design. ADC 9.120 provides the standards for parking lots over 1,000 square feet (contiguous) as set forth in Table 9.120-1.

**TABLE 9.120-1.
PARKING LOT DESIGN (in feet)**

A Parking Angle	B Stall Width	C Curb Width	D Aisle Width	E Stall Depth	F Bumper Overhang	G Dead-end Backup
(Parallel)	8.0 feet	8.0 feet	N/A	25.0 feet	N/A	N/A
45°	8.5	12.0	13.0	17.5	2.0	5.0
	9.0	12.7	12.0	17.5	2.0	5.0
	9.5	13.4	11.0	17.5	2.0	5.0
	10.0	14.1	11.0	17.5	2.0	5.0
60°	8.5	9.8	18.0	19.0	2.5	5.0
	9.0	10.4	16.0	19.0	2.5	5.0
	9.5	11.0	15.0	19.0	2.5	5.0
	10.0	11.6	14.0	19.0	2.5	5.0
Compact	8.0 C	8.0 C	26.0 C	16.0 C	3.0	5.0
90°	8.5	8.5	26.0	18.5	3.0	5.0
	9.0	9.0	26.0	18.5	3.0	5.0
	9.5	9.5	26.0	18.5	3.0	5.0
	10.0	10.0	24.0	18.5	3.0	5.0

The proposed parking stalls and aisle width are compliant with the parking lot design standards of ADC 9.120.

- 6.16 Street, Bicycle, and Pedestrian Connectivity. As practical, the applicant is required to provide a direct and convenient pedestrian route between the building's main entrance(s) and the nearest sidewalk abutting the site or roadway where there is no sidewalk. A direct and convenient bicycle route shall be provided between the bicycle parking and the nearest bicycle path abutting the site or roadway where there is no bicycle path.

The site plan demonstrates that there is a proposed route from the main entrance of the building (also where the bicycle parking is located) that crosses the entrance driveway of the parking lot in a northerly direction, and then parallels the driveway on the north side. This path provides a direct and convenient path to the road as a path next to the existing dwelling on parcel 1 is impractical.

- 6.17 Landscaping. ADC 9.140(1) provides required landscaping for residential development criteria. ADC 9.140(2) requires all front and interior setback (exclusive of access ways and other permitted intrusions) to be landscaped prior to any occupancy permits being issued unless the landscaping is guaranteed in accordance with ADC 9.190. The subject property has frontage on Geary Street SE. There is nine feet of frontage that is not proposed to be developed with a driveway. In this nine-foot-wide area, the applicant proposes to plant four five-gallon shrubs and two trees that are a minimum of ten feet tall when planted. The applicant also indicates that landscaping will be provided along all interior property lines.
- 6.18 Tree Protection. ADC 9.202 through 9.206 provides criteria for tree protection. The applicant proposes to fell ten trees. Tree felling criteria are addressed previously in this report and the findings are incorporated herein.
- 6.19 Buffering. ADC 9.210, Table 9.210-1, and ADC 9.240 requires a 10-foot-wide landscape buffer, but not screening, when a multiple dwelling unit development abuts a dwelling(s) in a residential zone. The subject property abuts existing dwellings in the RM zone to the north, south, east and west of the subject property; therefore, a 10-foot-wide landscape buffer is required. The applicant has applied for a minor variance to reduce the required landscape buffer to seven and a half feet. This is discussed in detail in criteria 1-3 of the Minor Variance review below.

ADC 9.240 states: "The minimum improvements within a buffer consist of the following: (a) One row of trees. These trees will not be less than ten feet high at the time of planting for deciduous trees and spaced not more than 30 feet apart, and five feet high at the time of planting for evergreen trees and spaced not more than 15 feet apart; (b) Five 5-gallon or ten 1-gallon shrubs, trees or accent plants for each 1,000 square feet of required buffer area; (c) The remaining area treated with suitable living ground over, lawn, or decorative treatment of bark, rock, or other attractive ground cover."

The subject property abuts dwellings in the RM district to the north, south, east, and west of the subject property. The subject property has 182 linear feet along the south property line which equates to 1,820 square feet of required landscaped buffer area. Thus, the landscaping requirements along the south property line are as follows: 6 deciduous trees at least ten feet tall or 12 evergreen trees at least five feet tall, 5 five-gallon shrubs or 10 one-gallon shrubs, and the remaining area treated with ground cover.

The subject property has 132 linear feet along the west property line which equates to 1,320 square feet of required landscaped buffer area. Thus, the landscaping requirement along the west property line are as follows: 4 deciduous trees at least ten feet tall or 8 evergreen trees at least five feet tall, 5 five-gallon shrubs or 10 one-gallon shrubs, and the remaining area treated with groundcover.

The subject property has 275 linear feet along the north property line which equates to 2,750 square feet of required landscaped buffer area. Thus, the landscaping requirement along the west property line are as follows: 9 deciduous trees at least ten feet tall or 18 evergreen trees at least five feet tall, 10 five-gallon shrubs or 20 one-gallon shrubs, and the remaining area treated with groundcover. The applicant's site plan demonstrates that all areas, with the exception of where the pedestrian access is located, will be buffered (Attachment F.1).

The subject property has 98 linear feet along the east property line which equates to 980 square feet of required landscaped buffer area. Thus, the landscaping requirement along the east property line are as follows: 3 deciduous trees at least 10 feet tall or 6 evergreen trees at least 5 feet tall, 5 five-gallon shrubs or 10 one-gallon shrubs, and the remaining area treated with groundcover. The applicant does not indicate that any trees will be planted here, however shrubs are provided (Attachment F.1). As a condition of approval, the applicant shall be required to provide an updated landscaping plan indicating buffering on the east property line of Parcel 2.

- 6.20 ADC 9.150(1) states parking areas shall be divided into bays of not more than 12 parking stalls and the end of each parking bay shall be a curbed planter at least five feet wide. The applicant's plan (Attachment B.4) shows conformance with this section.
- 6.21 ADC 9.150(3) requires parking areas to be separated from the exterior wall of a structure by pedestrian walkways or loading areas, or by a five-foot strip of landscaping. As shown on the applicant's site plan, the residential buildings are separated from parking areas by a seven and a half-foot-wide pedestrian walkway.
- 6.22 ADC 9.160 requires all landscaped areas must be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman provides documentation that the plants do not require irrigation. As a condition of approval, the applicant shall submit a landscaping and irrigation plan for review and approval prior to the acceptance of any building occupancy.
- 6.23 Environmental Standards. ADC 9.440 – 9.500 includes environmental standards related to noise, visible emissions, vibrations, odors, glare, heat, insects, rodents, and hazardous waste. The design and operating characteristics of a multiple dwelling unit residential development are comparable to other residential developments in the vicinity, and therefore, no adverse environmental impacts are anticipated.
- 6.24 Conclusion: As proposed and conditioned, all applicable Article 9 standards are met with the following conditions.

Conditions

Condition 11 Carpool/Vanpool Parking. Before the City will accept any building permits, the applicant shall submit an updated parking plan showing one standard-sized parking spot as reserved for carpool/vanpool.

Condition 12 Bicycle Parking. Prior to the acceptance of building permits, the applicant shall submit a bicycle parking plan showing dimensions and spaces meeting the standards in Table 9.030-2.

Condition 13 Landscaping, Buffering, and Irrigation System. Before the City will accept any building permits for the proposed structure(s), the applicant shall provide a landscape plan, which shall include buffering along the east property line of Parcel 2 in conformance with ADC 9.240, and either an irrigation plan or a letter from a qualified landscape professional stating irrigation is not required per ADC 9.160.

Condition 14 Lighting. Before the City will issue an electrical permit for the proposed development, the applicant shall provide a lighting plan, detailing the compliance with ADC 9.120(14).

Criterion 7

The Public Works Director has determined that public facilities and utilities are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.

Findings of Fact and Conclusions

7.1 Staff refer to and incorporate the findings prepared in response to Criterion Five of the Partition criteria, above by reference.

Criterion 8

The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.

Findings of Fact and Conclusions

8.1 Staff refer to and incorporate the findings prepared in response to Criterion Four of the Partition criteria, above by reference.

Criterion 9

The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.

Findings of Fact and Conclusion

9.1 Staff refer to and incorporate the findings prepared in response to Criterion Five of the Partition criteria, above by reference.

Criterion 10

The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

Findings of Fact and Conclusion

10.1 The subject property has no prior land use decisions; therefore, this criterion does not apply.

Criterion 11

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

Findings of Fact and Conclusion

11.1 The site is not considered nonconforming. This criterion is not applicable.

Overall Conclusion

As proposed, the application for tentative plat to partition one parcel into two parcels together with site plan review for construction of a 14-unit multiple dwelling development, and a site plan review for tree felling satisfies all applicable review criteria as outlined in this report.

Conditions of Approval

Condition 1 Prior to recording the partition plat, the applicant shall:

- Dedicate four feet of public right-of-way along the site's frontage on Geary Street.
- Construct, or financially assure the construction of, public sidewalk to city standards along the frontage of the site on Geary Street.
- Install a new driveway approach at the location shown on the approved tentative partition plat map, and pave or provide financial assurance for pavement of the shared portion of the driveway serving Parcels 1 and 2.

- Condition 2** Before the City will approve the final proposed partition plat, the applicant must connect Parcel 1 to the public water system. New water service is to be installed under a Water Meter Permit obtained from Public Works.
- Condition 3** Before the applicant can make a new fire line connection to the public water system, the applicant must obtain a Permit for Private Construction of Public Improvements through the City's Engineering Division.
- Condition 4** Before the applicant can make a new sanitary sewer service connection to the public sanitary sewer system for each parcel, an Encroachment Permit must be obtained from the Public Works Department.
- Condition 5** Before the applicant can make a new storm drainage service connection to the public storm drainage system an Encroachment Permit must be obtained from the Public Works Department.
- Condition 6** Before the City will issue any occupancy permit for the proposed project, the applicant must construct stormwater detention facilities that comply with the City's Engineering Standards.
- Condition 7** In the event the proposed development does not take place, the identified trees for removal on the Existing Conditions Plan (Attachment B.1) shall not be removed without separate approval for tree felling not associated with development, using criteria listed in ADC 9.205(3).
- Condition 8** **Site Improvements.** Before the City will issue a final certificate of occupancy for the proposed structure(s), all proposed and site improvements identified to the site plan (e.g., driveways, landscaping, lighting, etc.) shall be constructed and completed in accordance with approved plans. Landscaping may be financially secured through a completion guarantee, per ADC 9.190.
- Condition 9** **Screening of Refuse Containers.** Before the City will issue a final certificate of occupancy for the proposed structure(s), the applicant must provide screening of the refuse containers in compliance with ADC 3.390.
- Condition 10** **Common Open Space.** Before the acceptance of a building permit, the applicant shall provide an updated site plan showing the location of irrigation for the garden. Prior to issuance of the final Certificate of Occupancy, the irrigation shall be installed.
- Condition 11** **Carpool/Vanpool Parking.** Before the City will accept any building permits, the applicant shall submit an updated parking plan showing one standard-sized parking spot as reserved for carpool/vanpool.
- Condition 12** **Bicycle Parking.** Prior to the acceptance of building permits, the applicant shall submit a bicycle parking plan showing dimensions and spaces meeting the standards in Table 9.030-2.
- Condition 13** **Landscaping, Buffering, and Irrigation System.** Before the City will accept any building permits for the proposed structure(s), the applicant shall provide a landscape plan, which shall include buffering along the east property line of Parcel 2 in conformance with ADC 9.240, and either an irrigation plan or a letter from a qualified landscape professional stating irrigation is not required per ADC 9.160.

Condition 14 Lighting. Before the City will issue an electrical permit for the proposed development, the applicant shall provide a lighting plan, detailing the compliance with ADC 9.120(14).

Attachments

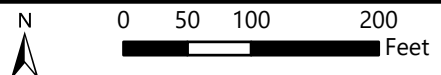
- A. Location Map
- B. Civil Plans
- C. Applicant Narrative
- D. Applicant Revised Narrative
- E. Architectural Plan
- F. Landscaping Plan

Acronyms

- ADC Albany Development Code
- AMC Albany Municipal Code
- FEMA Federal Emergency Management Agency
- FIRM Flood Insurance Rate Map
- RM Residential Medium Density Zoning District
- SFHA Special Flood Hazard Area



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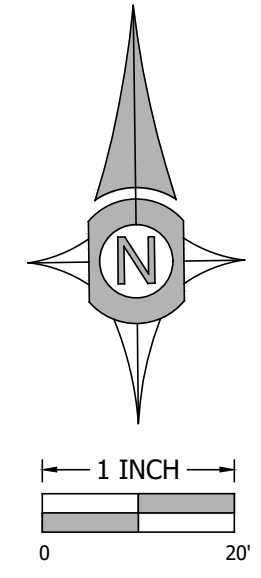
2030 Geary St SE

OWNER: 3LIFESTYLE HOLDINGS LLC
 MAP: 11503W08CC
 LOT: 801
 ZONING: RESIDENTIAL MIXED
 USE: RESIDENTIAL
 SIZE: 1.13 ACRES

OWNER: DONALD & WILMA ALBRIGHT
 MAP: 11503W08CC
 LOT: 1000
 ZONING: RESIDENTIAL MIXED
 USE: RESIDENTIAL

OWNER: GLORIETTA BAY LLC
 MAP: 11503W08CC
 LOT: 900
 ZONING: RESIDENTIAL MIXED
 USE: RESIDENTIAL

OWNER: JASON INGRAHAM
 MAP: 11503W08CC
 LOT: 800
 ZONING: RESIDENTIAL MIXED
 USE: RESIDENTIAL



PROPERTY
 TAX MAP: 115-3W-8CC
 TAX LOT: 900
 SITE ADDRESS: 2030 GEARY STREET SE ALBANY, OR 97322
 LAT: 44° 37' 17.46" W (BASED ON GOOGLE EARTH)
 LONG: 123° 5' 1.67" W

OWNER/DEVELOPER
 GLORIETTA BAY, LLC
 100 FERRY STREET NW
 ALBANY, OREGON 97321
 (541) 928-9390

NOTE: WATER AND SEWER LATERALS LOCATED BY COUNTY GIS.

- ABBREVIATIONS LEGEND**
- (E) - EXISTING
 - BLDG - BUILDING
 - CONC - CONCRETE
 - CS - COUNTY SURVEY
 - FD - FOUND
 - FF - FINISH FLOOR
 - FH - FIRE HYDRANT
 - FL - FLOW LINE
 - IE - INVERT ELEVATION (FLOW LINE)
 - IR - IRON ROD
 - IP - IRON PIPE
 - LP/PP - POWER POLE WITH STREET LAMP
 - MH - MANHOLE
 - OPC - ORANGE PLASTIC CAP
 - RPC - RED PLASTIC CAP
 - R/W - RIGHT-OF-WAY
 - SS - SANITARY SEWER
 - W/ - WITH
 - YPC - YELLOW PLASTIC CAP

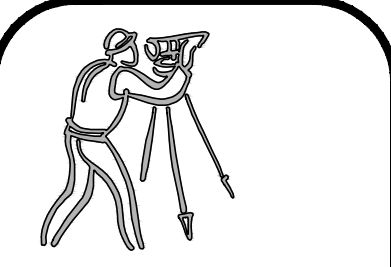
- EXISTING SYMBOL LEGEND**
- - FOUND MONUMENT AS NOTED
 - ⊙ - (E) POWER POLE W/DROP
 - x - FINISH FLOOR ELEVATION
 - ⊕ - (E) POWER PEDESTAL
 - ⊙ - (E) SANITARY MANHOLE
 - - (E) TREE ARBORVITAE
 - ⊙ - (E) TREE STUMP
 - ⊙ - (E) TREE DECIDUOUS
 - ⊙ - (E) CONCRETE
 - ⊙ - (E) GRAVEL
 - - (E) CHAINLINK FENCE
 - - (E) WOOD FENCE
 - x - (E) WIRE FENCE
 - UGP - (E) UNDERGROUND POWER LOCATE
 - OHP - (E) OVERHEAD POWER
 - GAS - (E) GAS LINE LOCATE
 - SS - (E) SANITARY SEWER LOCATE PAINT
 - W - (E) WATER LOCATE PAINT

- DEMOLITION NOTES**
- ☆ REMOVE EXISTING CONCRETE PER CITY OF ALBANY REQUIREMENTS.
 - ☆ REMOVE EXISTING CURB AND GUTTER AS REQUIRED TO CONSTRUCT NEW DRIVEWAY PER CITY OF ALBANY STANDARDS.
 - ☆ RELOCATE EXISTING POWER POLE. COORDINATE WITH LOCAL UTILITY.
 - ☆ RELOCATE EXISTING MAILBOX. COORDINATE WITH USPS.
 - ☆ REMOVE EXISTING SHED.

- TREE LEGEND**
- ⊙ EXISTING DECIDUOUS TREE TO REMAIN
 - ⊙ EXISTING EVERGREEN TREE TO REMAIN
 - ⊙ EXISTING TREE TO BE REMOVED

PROJECT VERTICAL DATUM -- NGVD 29
 ALL ELEVATIONS ARE SHOWN ON THE VERTICAL DATUM OF NGVD 29. THE VERTICAL BENCHMARK USED FOR ESTABLISHING ELEVATIONS IS THE SOUTHWEST REFERENCE MONUMENT OF LINN COUNTY GPS CONTROL POINT 93032 LOCATED AT THE INTERSECTION OF GEARY STREET AND QUEEN AVENUE. CONTRACTOR IS TO NOTIFY ENGINEER/SURVEYOR TWO WORKING DAYS PRIOR TO DISTURBING EXISTING SURVEY MONUMENT(S). SURVEYOR IS TO RESTORE PER COUNTY SURVEYOR REQUIREMENTS AND ORS 209.150.

THE LOCATION AND DESCRIPTIONS OF EXISTING UTILITIES SHOWN ON THE DRAWINGS ARE COMPILED FROM AVAILABLE RECORDS AND/OR FIELD SURVEYS. THE ENGINEER OR UTILITY COMPANIES DO NOT GUARANTEE THE ACCURACY OR THE COMPLETENESS OF SUCH RECORDS. CONTRACTOR SHALL FIELD VERIFY LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.



CLIENT:
 GLORIETTA BAY, LLC
 100 FERRY STREET NW
 ALBANY, OREGON 97321
 (541) 928-9390

UDELL ENGINEERING AND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON 97355
 (541) 451-5125 PH.
 (541) 451-1366 FAX

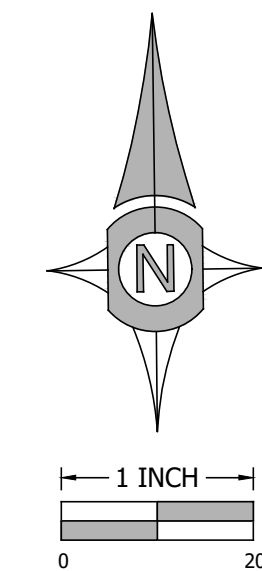
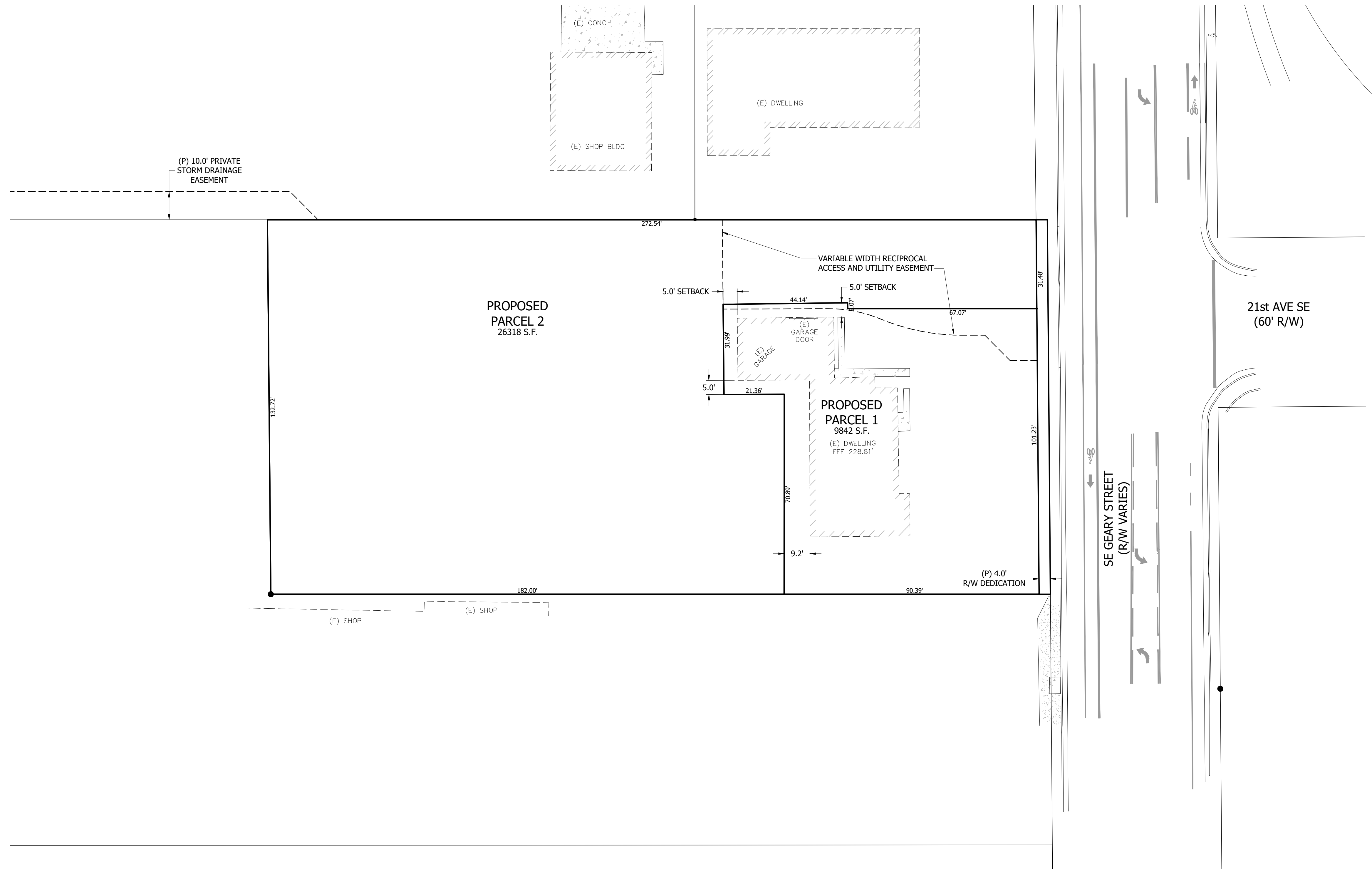
EXISTING CONDITIONS/DEMO PLAN
 TENTATIVE PARTITION
 MAP 115-3W-8CC
 TAX LOT 900
 ALBANY, OREGON

DATE: FEBRUARY 27, 2024
 PROJECT: 23-269 LEPMAN GEARY STREET
 DRAWN BY: BSV, MLN
 CHECKED BY: BSV

THIS PLAN SET IS FOR PLANNING PURPOSES ONLY. NOT TO BE USED FOR CONSTRUCTION.

PLAN REVISIONS	DATE
UPDATED PER ALBANY COMPLETENESS REVIEW	APRIL 18, 2024

Sheet **C1.0**
 SCALE: SEE BARSCALE



PROJECT AREA SUMMARY

GROSS LAND AREA: 0.84± ACRES
 RIGHT-OF-WAY DEDICATION: 0.01± ACRES
 NET LAND AREA: 0.83± ACRES

DESIGN TEAM

CIVIL ENGINEER
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125

SURVEYOR
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125

LAND USE PLANNER
 UDELL ENGINEERING AND LAND SURVEYING, LLC
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CLIENT:
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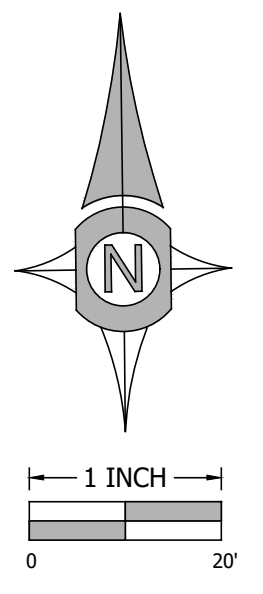
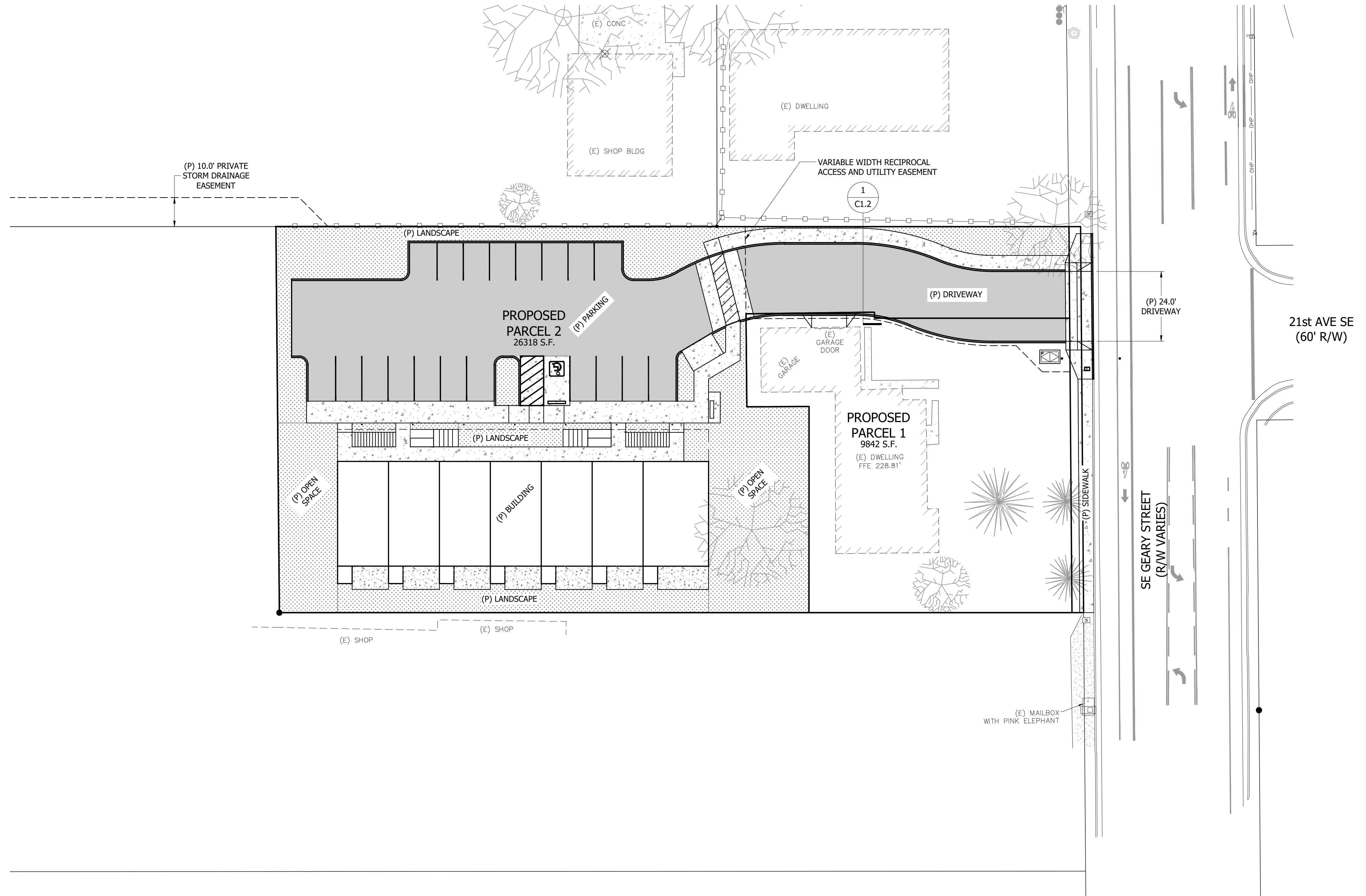
TENTATIVE PLAT
TENTATIVE PARTITION
 MAP 11S-3W-8CC
 TAX LOT 900
ALBANY, OREGON

DATE: FEBRUARY 27, 2024
 PROJECT: 23-269 LEPMAN GEARY STREET
 DRAWN BY: BSV, MLM
 CHECKED BY: BSV

THIS PLAN SET IS FOR PLANNING PURPOSES ONLY. NOT TO BE USED FOR CONSTRUCTION.

PLAN REVISIONS	DATE
UPDATED PER ALBANY COMPLETENESS REVIEW	APRIL 18, 2024

Sheet **C1.1**
 SCALE: SEE BARSCALE



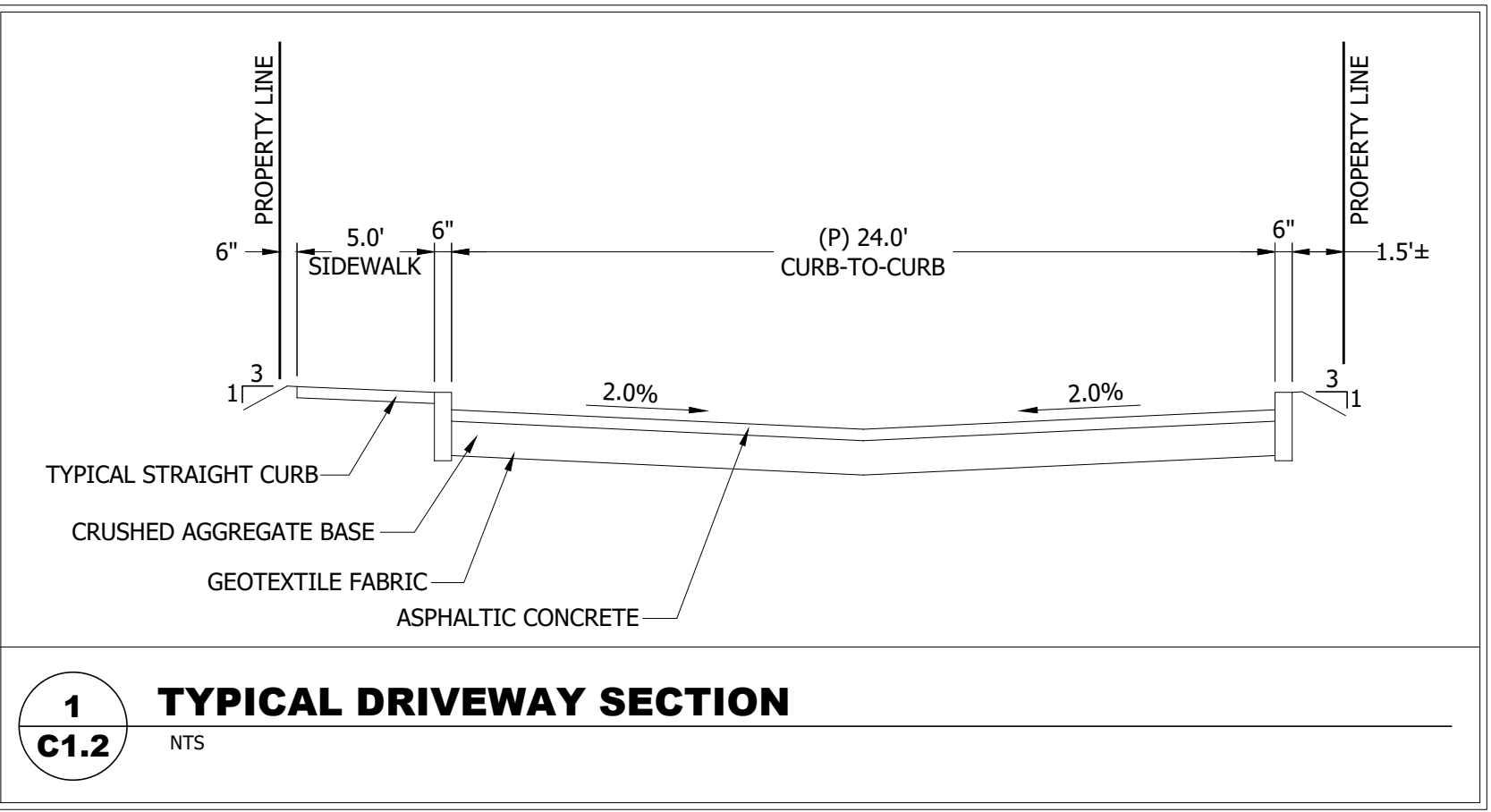
CLIENT:
 GLORIETTA BAY, LLC
 100 FERRY STREET NW
 ALBANY, OREGON 97321
 (541) 928-9390

UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON 97355
 (541) 451-5125 PH.
 (541) 451-1366 FAX

PRELIMINARY CIVIL SITE PLAN
 TENTATIVE PARTITION
 MAP 11S-3W-8CC
 TAX LOT 900
 ALBANY, OREGON

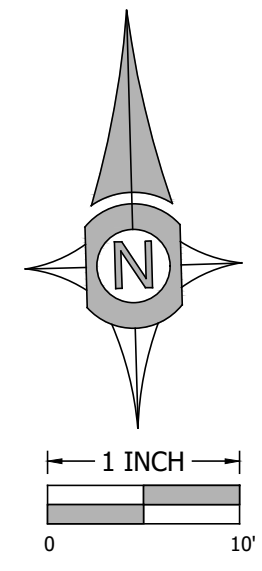
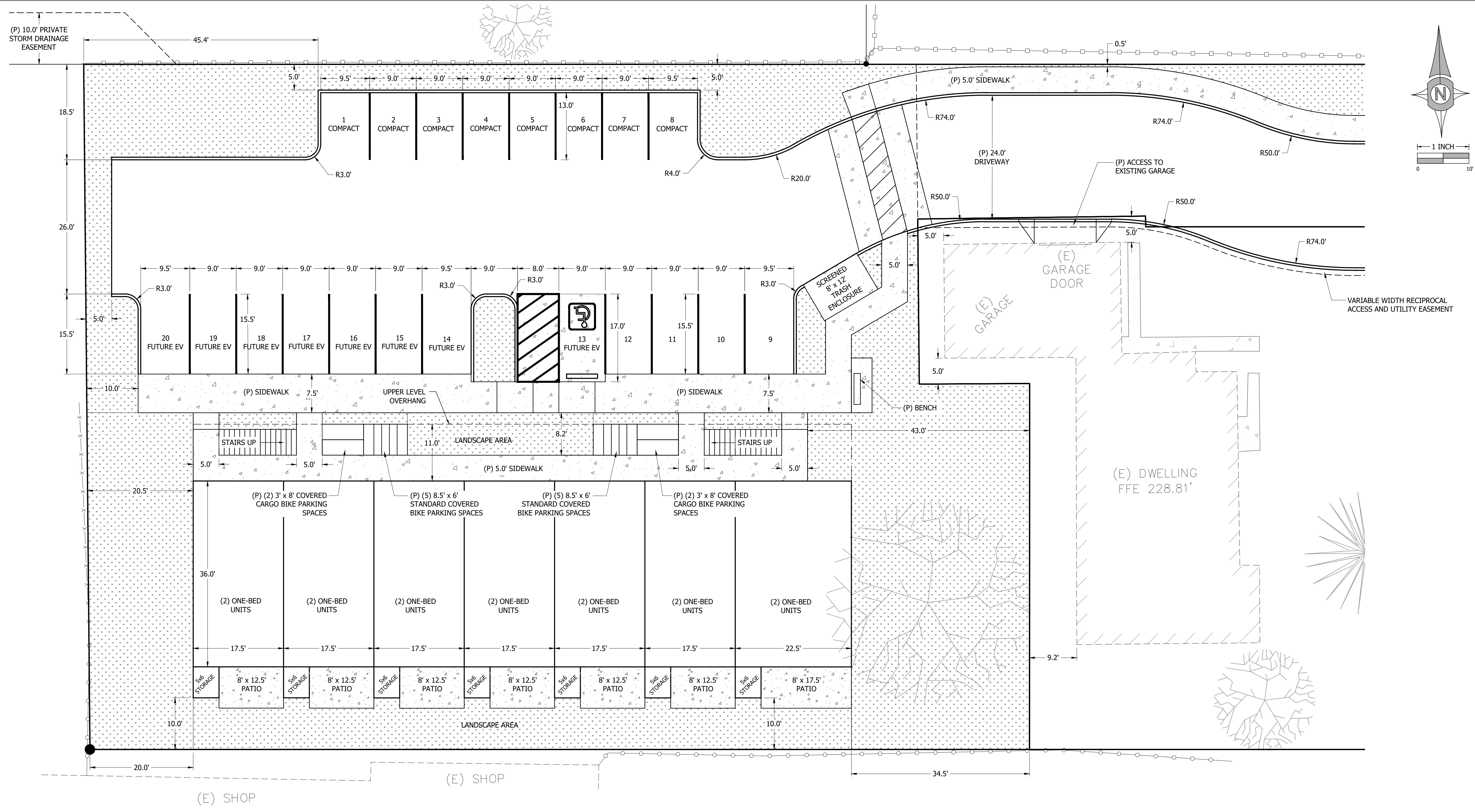
DATE: FEBRUARY 27, 2024
 PROJECT: 23-269 LEPMAN GEARY STREET
 DRAWN BY: BSV, MLN
 CHECKED BY: BSV

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PLAN REVISIONS	DATE
UPDATED PER ALBANY COMPLETENESS REVIEW	APRIL 18, 2024

Sheet **C1.2**
 SCALE: SEE BARSCALE



NOTE:

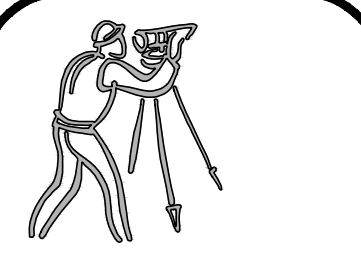
ELECTRICAL CAPACITY IS PROVIDED IN THE SITE POWER FOR FUTURE EV CHARGING STATIONS FOR 8 PARKING STALLS. CONDUITS WILL BE INSTALLED FROM THE BUILDING POWER PANEL TO NEAR THE FUTURE EV CHARGING STATION LOCATIONS.

VEHICLE PARKING SUMMARY

# UNITS	MAX. ALLOWED PARKING	PARKING PROVIDED	STANDARD
14	18		1.0 PER UNIT + 1.0 PER 4 UNITS
	5		30% ABOVE MAX. PARKING PER ADC 9.020(9)
TOTAL	23	20	

BICYCLE PARKING SUMMARY

# UNITS	SPACES PROVIDED	STANDARD
14	14	1.0 PER UNIT



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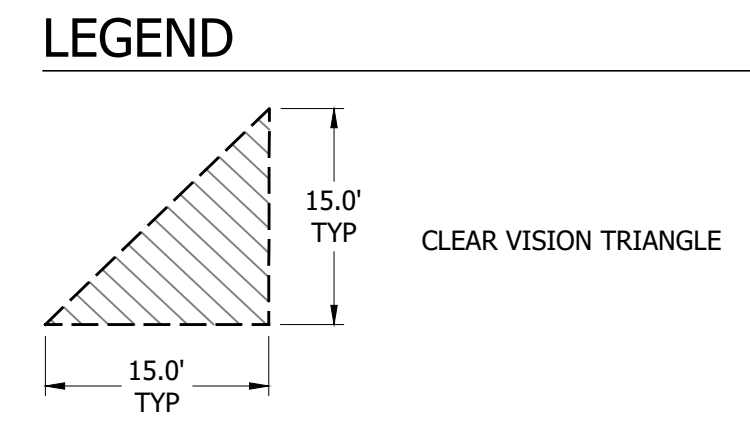
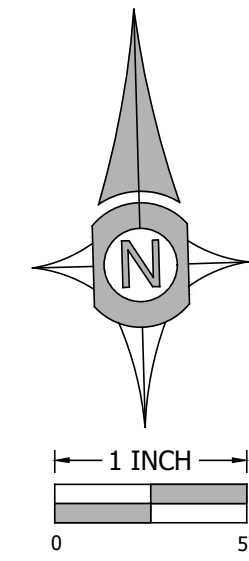
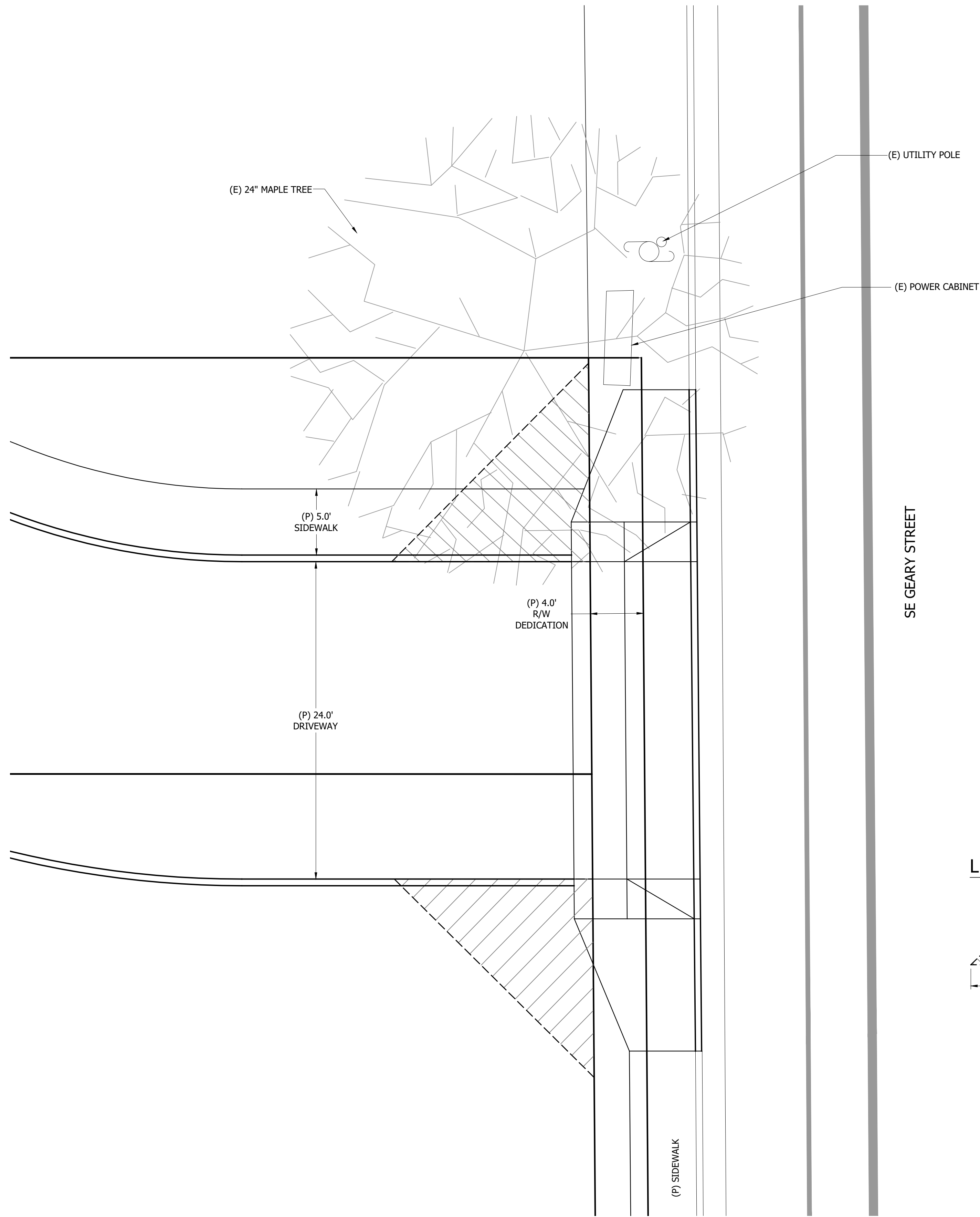
ENLARGED CIVIL SITE PLAN
 TENTATIVE PARTITION
 MAP 11S-3W-8CC
 TAX LOT 900
 ALBANY, OREGON

DATE: FEBRUARY 27, 2024
 PROJECT: 23-269 LEPMAN GEARY STREET
 DRAWN BY: BSV, MLN
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Sheet **C1.3**
 SCALE: SEE BARSCALE



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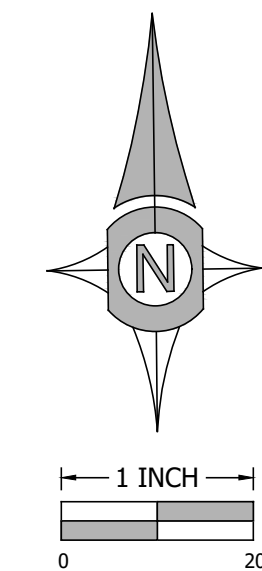
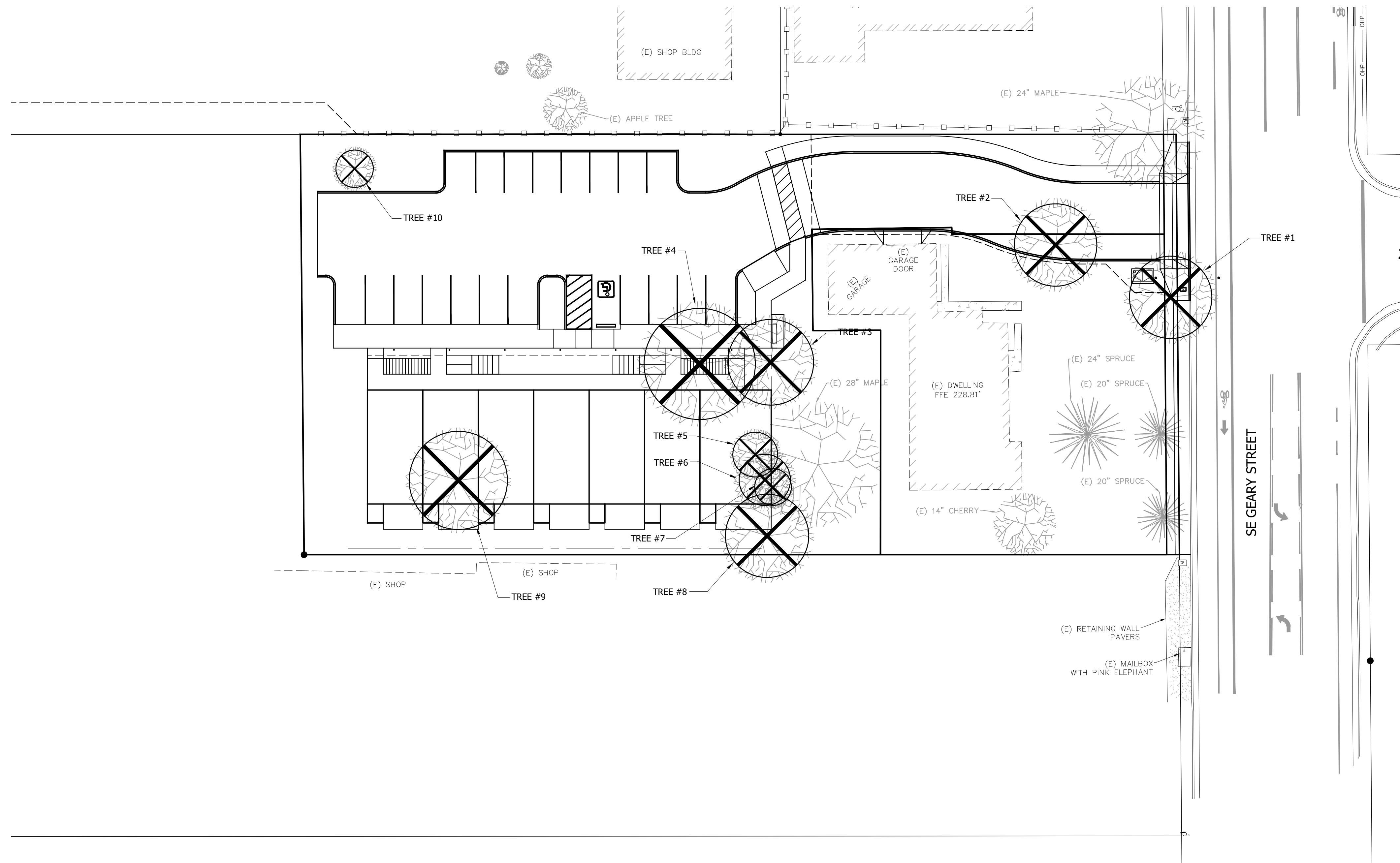
CLEAR VISION PLAN
TENTATIVE PARTITION
 MAP 11S-3W-8CC
 TAX LOT 900
ALBANY, OREGON

DATE: FEBRUARY 27, 2024
 PROJECT: 23-269 LEPMAN GEARY STREET
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PLAN REVISIONS	DATE
UPDATED PER ALBANY COMPLETENESS REVIEW	APRIL 18, 2024

Sheet **C1.4**
 SCALE: SEE BARSCALE



TREE REMOVAL SUMMARY

TREE ID NUMBER	TREE SPECIES	TRUNK DIAMETER	TRUNK CIRCUMFERENCE	CANOPY (SQ FT)	SIGNIFICANT
1	WALNUT	14"	44"	683	NO
2	WALNUT	18"	56.5"	686	NO
3	ALDER	15"	47.1"	683	NO
4	MAPLE	18"	56.5"	1218	NO
5	WALNUT	10"	31.4"	200	NO
6	WALNUT	8"	25.1"	304	NO
7	DECIDUOUS	6"	18.8"	136	NO
8	WALNUT	13"	40.8"	689	NO
9	WALNUT	29"	91"	857	YES
10	APPLE	9"	28.3"	149	NO

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TREE REMOVAL PLAN
 TENTATIVE PARTITION
 MAP 11S-3W-8CC
 TAX LOT 900
 ALBANY, OREGON

DATE: FEBRUARY 27, 2024
 PROJECT: 23-269 LEPMAN GEARY STREET
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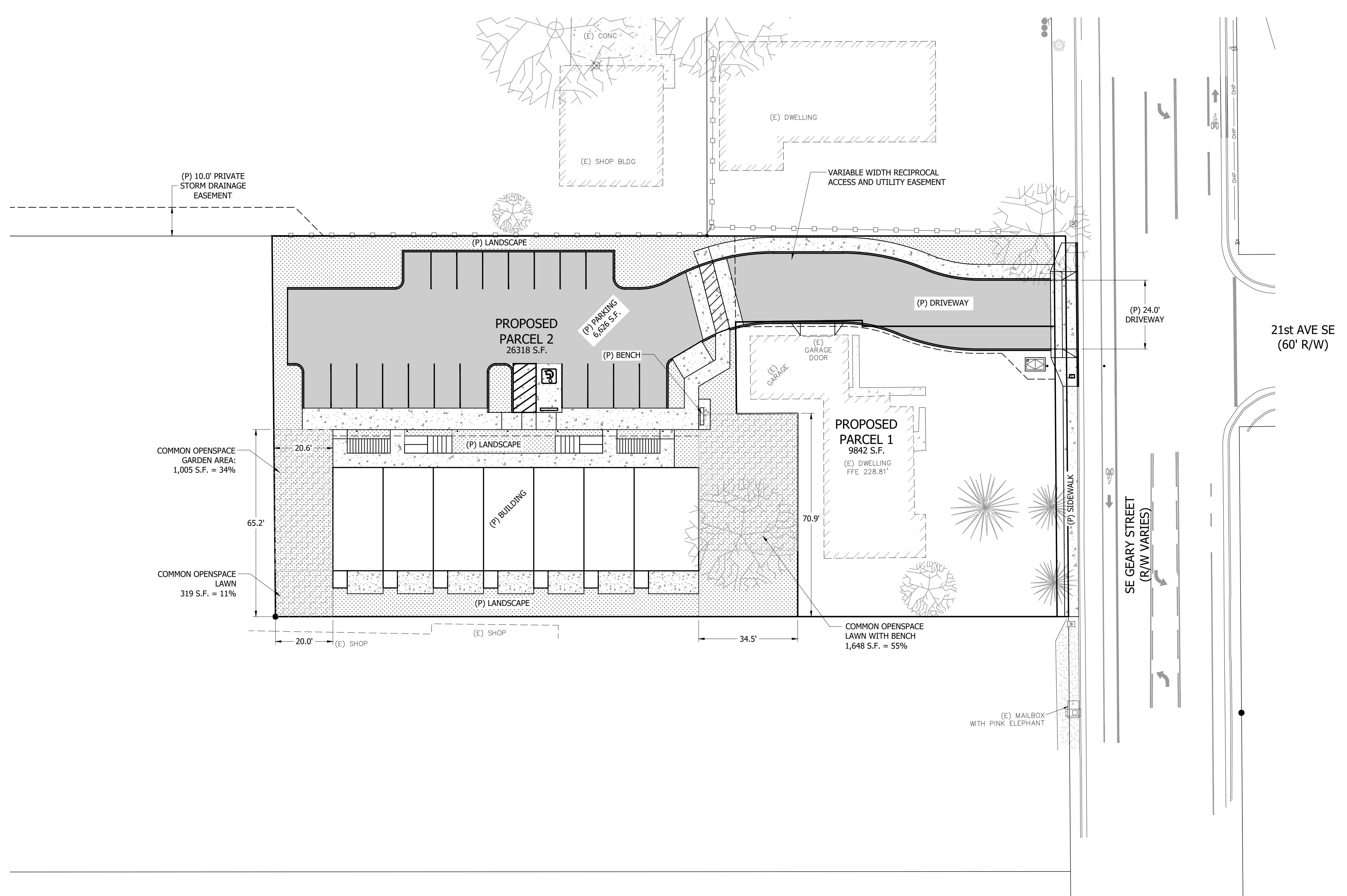
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TREE LEGEND

	EXISTING DECIDUOUS TREE TO REMAIN
	EXISTING EVERGREEN TREE TO REMAIN
	EXISTING TREE TO BE REMOVED

PLAN REVISIONS	DATE
UPDATED PER ALBANY COMPLETENESS REVIEW	APRIL 18, 2024

Sheet **C1.5**
 SCALE: SEE BARSCALE



OPEN SPACE LEGEND

- COMMON OPEN SPACE WITH AMENITIES AS NOTED
- LANDSCAPED AREAS

COMMON OPEN SPACE SUMMARY
PARCEL 2 AREA = 26,318 S.F.
GROSS OPEN SPACE REQUIRED = 15% OF SITE AREA = 3,947 S.F.
25% REDUCTION FOR PARK PROXIMITY = 987 S.F.
NET OPEN SPACE REQUIRED = 2,960 S.F.
COMMON OPEN SPACE PROVIDED = 2,972 S.F.

COMMON OPEN SPACE AMENITIES
LAWN WITH BENCH: 1,967 S.F. = 66.18% OF TOTAL PROVIDED
GARDEN AREA: 1,005 S.F. = 33.82% OF TOTAL PROVIDED

LOT COVERAGE SUMMARY	
PARCEL 1 GROSS AREA = 9,842 S.F.	PARCEL 2 GROSS AREA = 26,318 S.F.
DWELLING = 2,551 S.F.	BUILDING = 6,634 S.F.
PAVEMENT = 450 S.F.	PARKING = 9,094 S.F.
CONCRETE = 213 S.F.	CONCRETE = 2,688 S.F.
TOTAL IMPERVIOUS: 3,214 S.F. = 32.66% LOT COVERAGE	TOTAL IMPERVIOUS: 18,416 S.F. = 69.97% LOT COVERAGE

CLIENT:
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PRELIMINARY OPEN SPACE PLAN

TENTATIVE PARTITION
 MAP 11S-3W-8CC
 TAX LOT 900
 ALBANY, OREGON

UDELL ENGINEERING AND LAND SURVEYING, LLC
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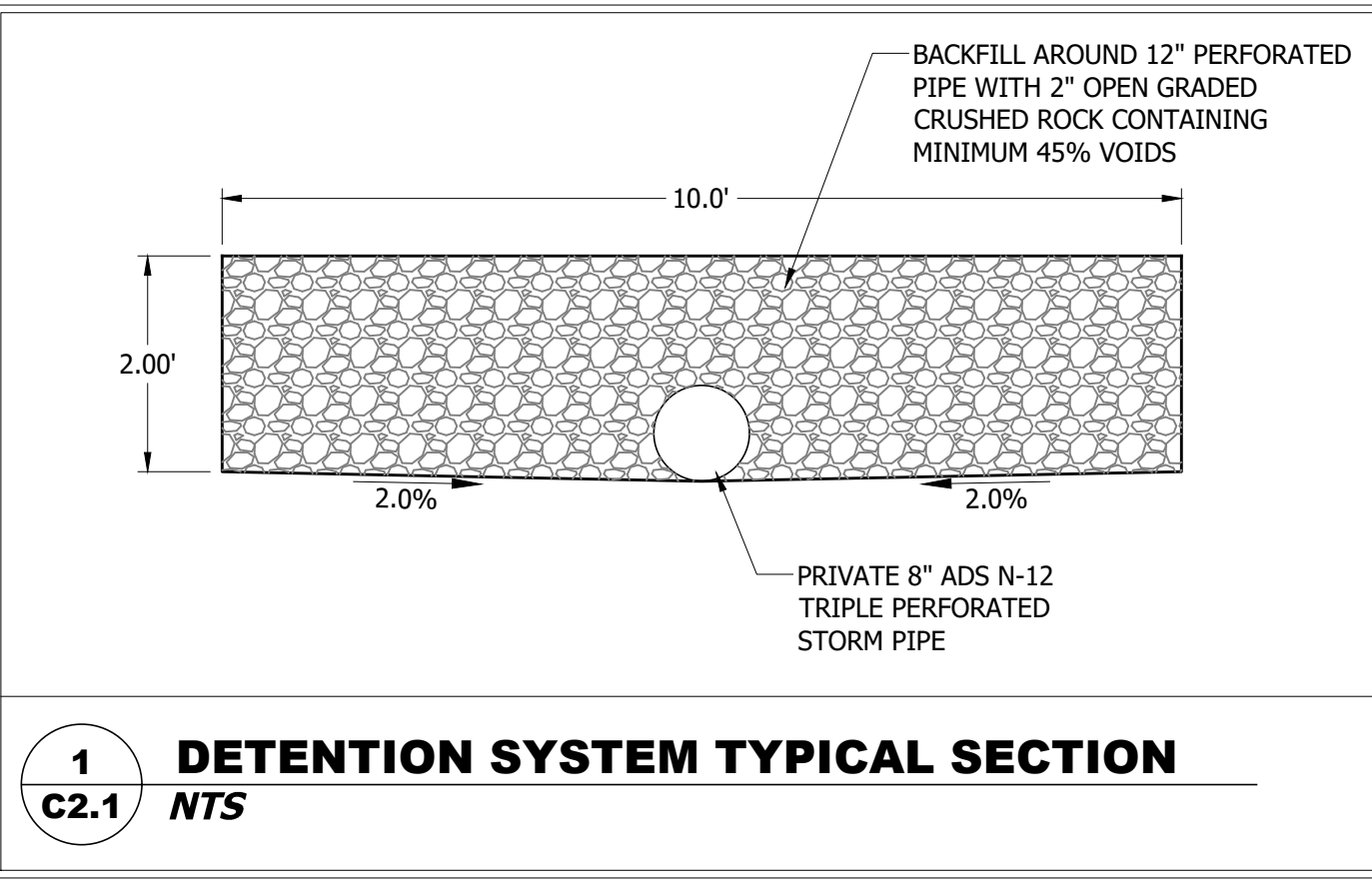
DATE: FEBRUARY 27, 2024
 PROJECT: 23-269 LEPMAN GEARY STREET
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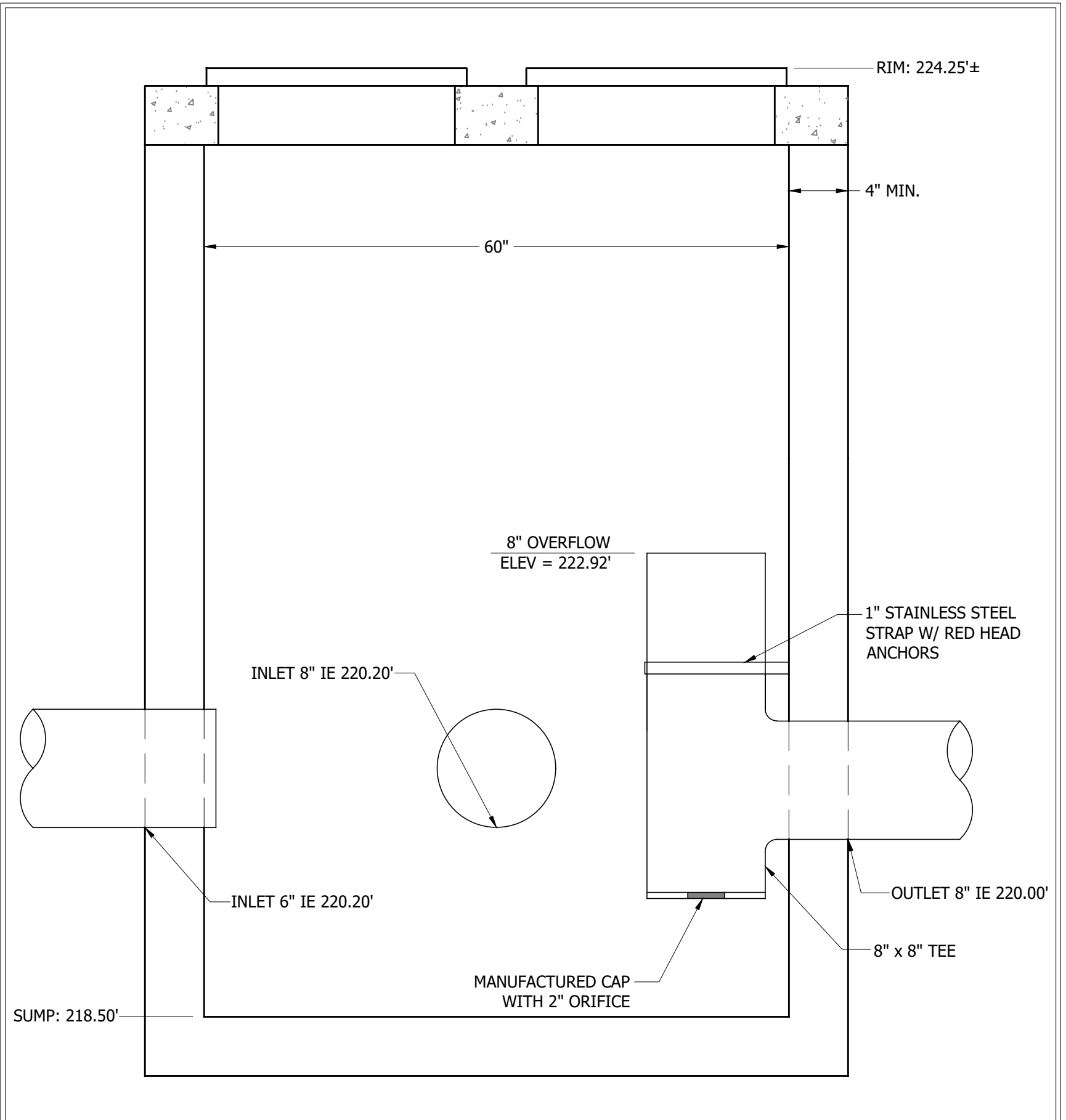
PLAN REVISIONS	DATE
UPDATED PER ALBANY COMPLETENESS REVIEW	APRIL 18, 2024

Sheet **C1.6**

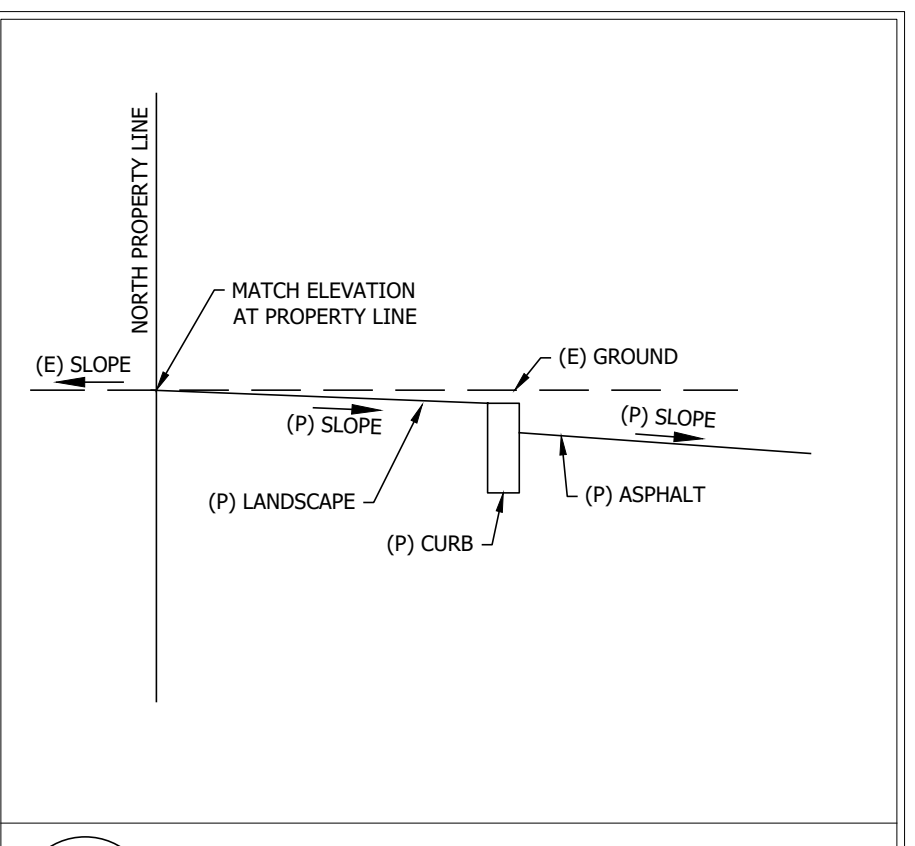
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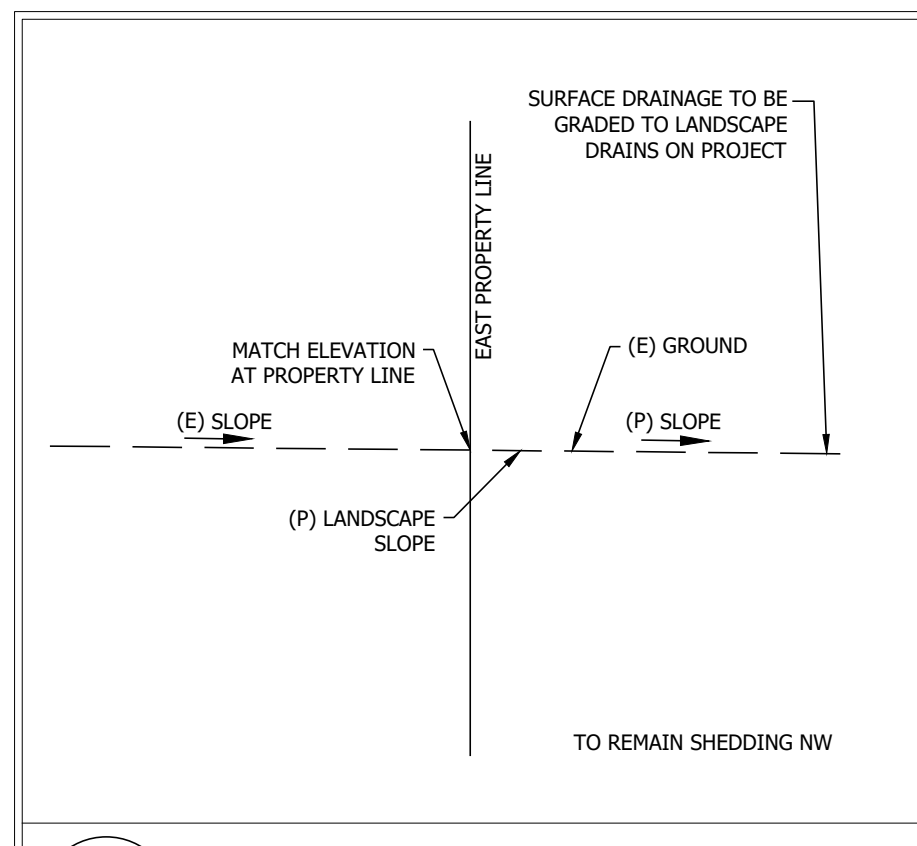
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C2.1 **NTS**
DETENTION SYSTEM TYPICAL SECTION



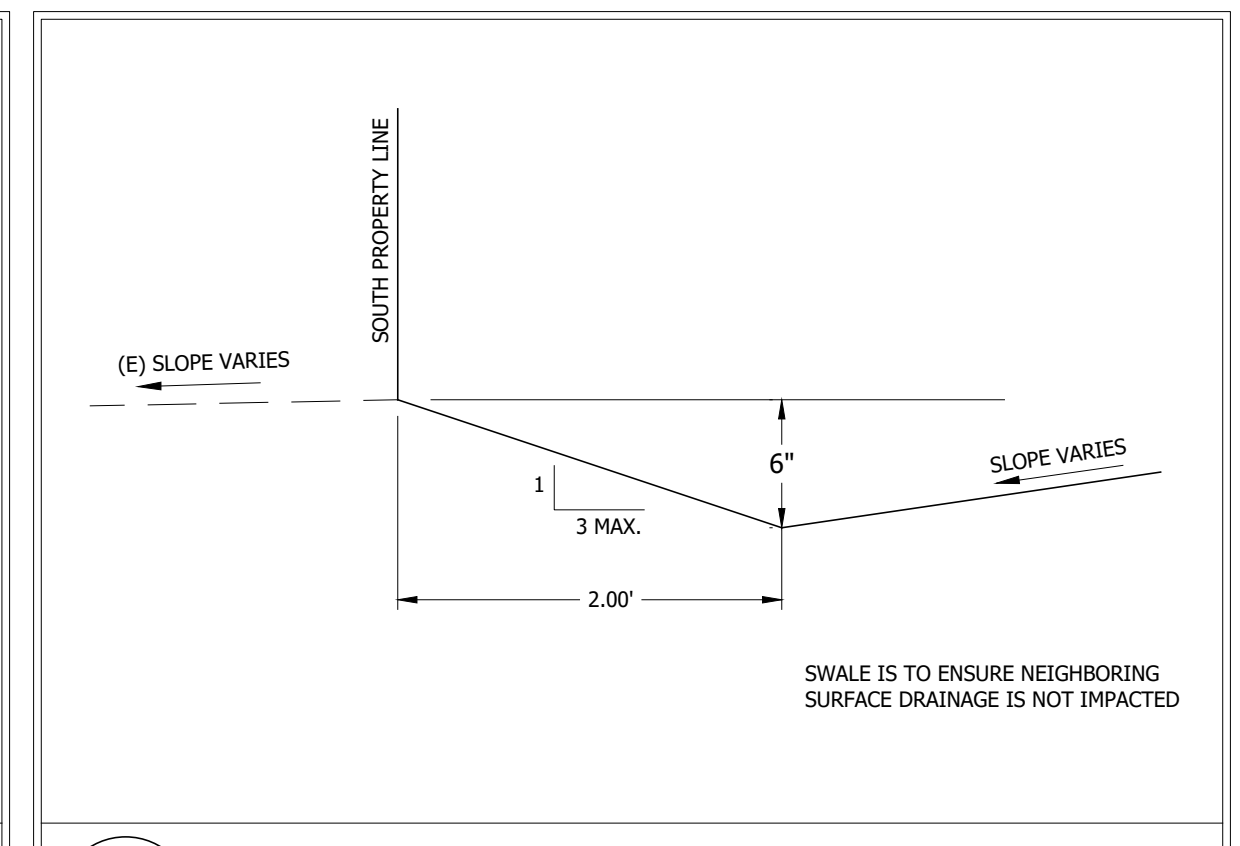
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C2.1 **NTS**
FLOW CONTROL MANHOLE



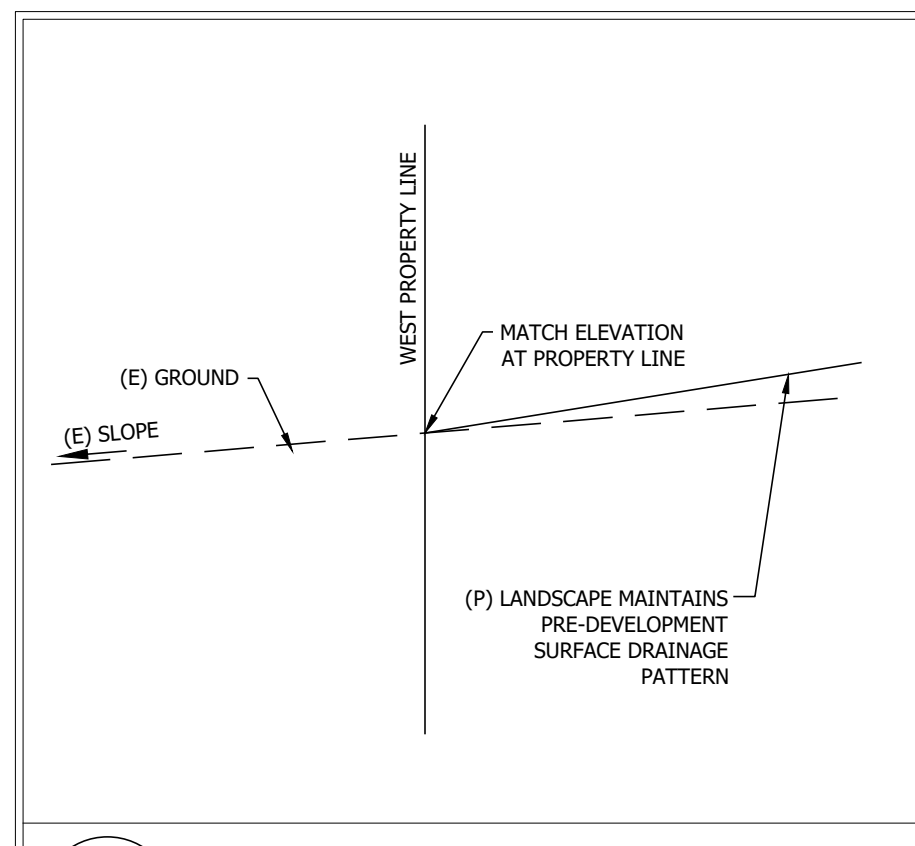
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C2.1 **NTS**
NORTH PROPERTY LINE SECTION



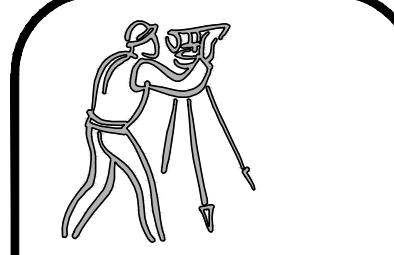
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C2.1 **NTS**
EAST PROPERTY LINE SECTION



5
C2.1 **NTS**
SOUTH PROPERTY LINE SECTION



6
C2.1 **NTS**
WEST PROPERTY LINE SECTION



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PRELIMINARY GRADING DETAILS
TENTATIVE PARTITION
MAP 11S-3W-8CC
TAX LOT 900
ALBANY, OREGON

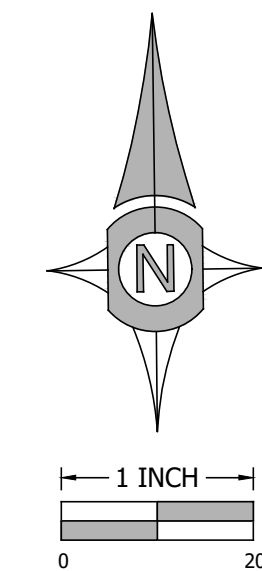
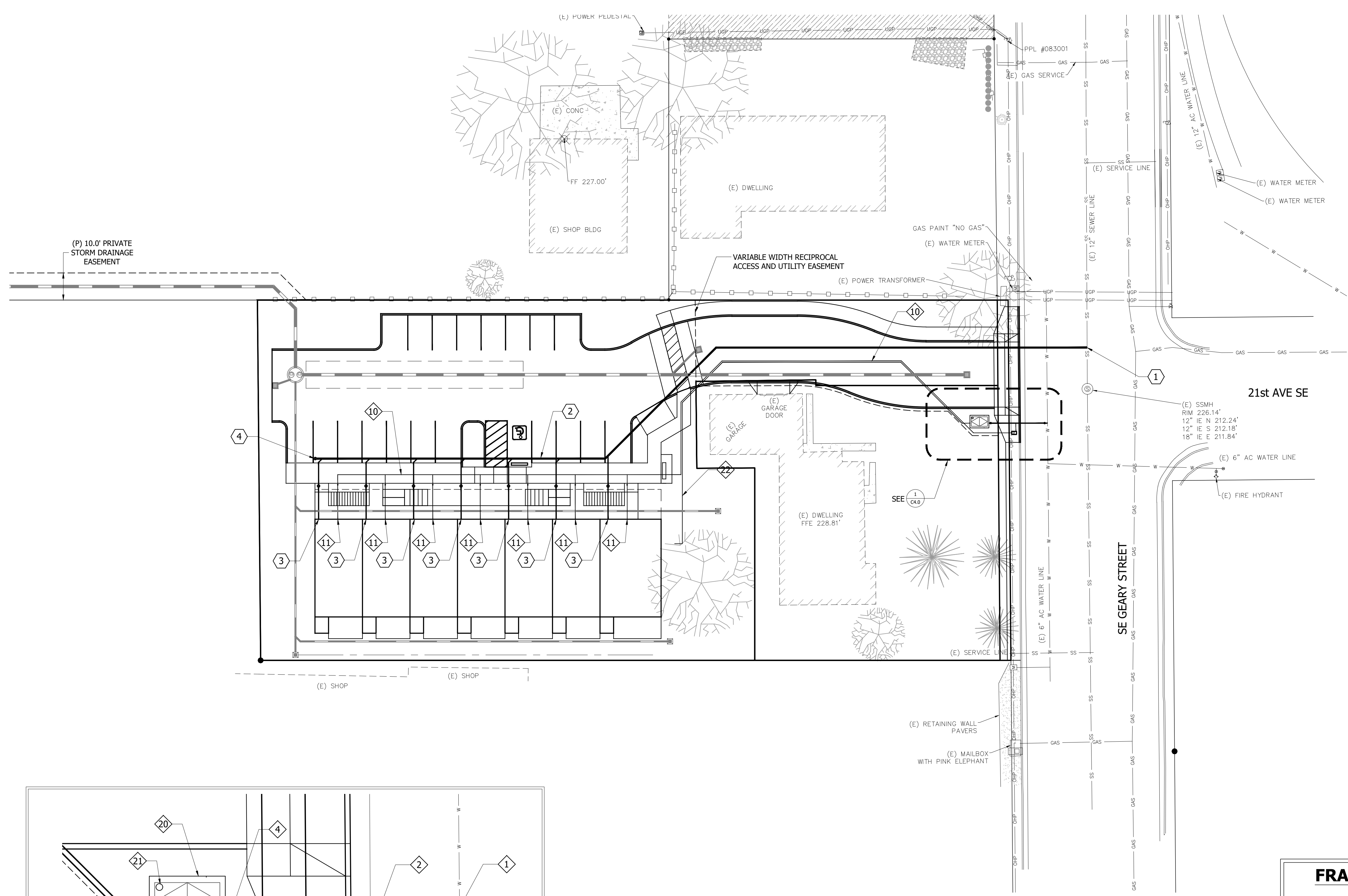
DATE: FEBRUARY 27, 2024
PROJECT: 23-269 LEPMAN GEARY STREET
DRAWN BY: BSV, MLM
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DOWNSPOUT NOTE:
CONNECT ALL ROOF DRAIN DOWNSPOUTS TO PIPED STORM DRAIN SYSTEM WITH MANUFACTURED FITTING PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.

PLAN REVISIONS	DATE
UPDATED PER ALBANY COMPLETENESS REVIEW	APRIL 18, 2024

Sheet **C2.1**
SCALE: SEE BARSCALE



SANITARY SEWER NOTES	
1	CONNECT TO EXISTING PUBLIC SANITARY SEWER PIPE PER CITY OF ALBANY STANDARDS.
2	(P) 6-INCH SANITARY SEWER SERVICE WITH PROPERTY LINE CLEAN-OUT PER CITY OF ALBANY STANDARDS.
3	(P) 4-INCH PRIVATE BUILDING SEWER CONNECTION PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.
4	(P) PRIVATE SEWER CLEAN-OUT PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.

PUBLIC WATERLINE NOTES	
1	(P) 12" x 4" HOT TAP WITH TAPPING VALVE.
2	(P) 4" PUBLIC WATERLINE.
3	(P) 2" PUBLIC WATER SERVICE TO ACCOMMODATE A 1.5' METER FOR DOMESTIC AND IRRIGATION WATER.
4	(P) 4" PUBLIC GATE VALVE WITH PIV.

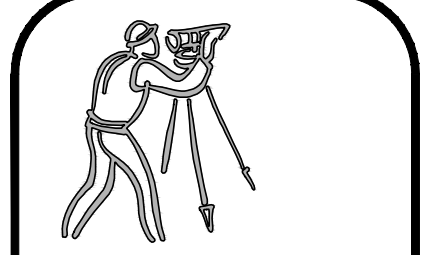
PRIVATE DOMESTIC WATER NOTES	
10	(P) 2" PRIVATE WATERLINE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.
11	(P) 1.25" PRIVATE WATERLINE FOR BUILDING SUPPLY WITH ISOLATION BALL VALVE PER CURRENT STATE OF OREGON PLUMBING SPECIALTY CODE.

PRIVATE FIRE WATER NOTES	
20	(P) DOUBLE CHECK DETECTOR ASSEMBLY IN CONCRETE VAULT. SIZE TO BE DETERMINED AT BUILDING PERMIT.
21	(P) FIRE DEPARTMENT CONNECTION (FDC). LOCATION TO BE COORDINATED WITH ALBANY FIRE DEPARTMENT.
22	(P) FIRE WATER SUPPLY. SIZE TO BE DETERMINED AT BUILDING PERMIT.

FRANCHISED UTILITY NOTE

FRANCHISED UTILITIES WILL BE INSTALLED UNDERGROUND TO EACH LOT IN THE PROVIDED PUE. INCLUDING:

- * NW NATURAL GAS
- * COMMUNICATIONS
- * POWER



CLIENT:
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 ALBANY, OREGON 97321
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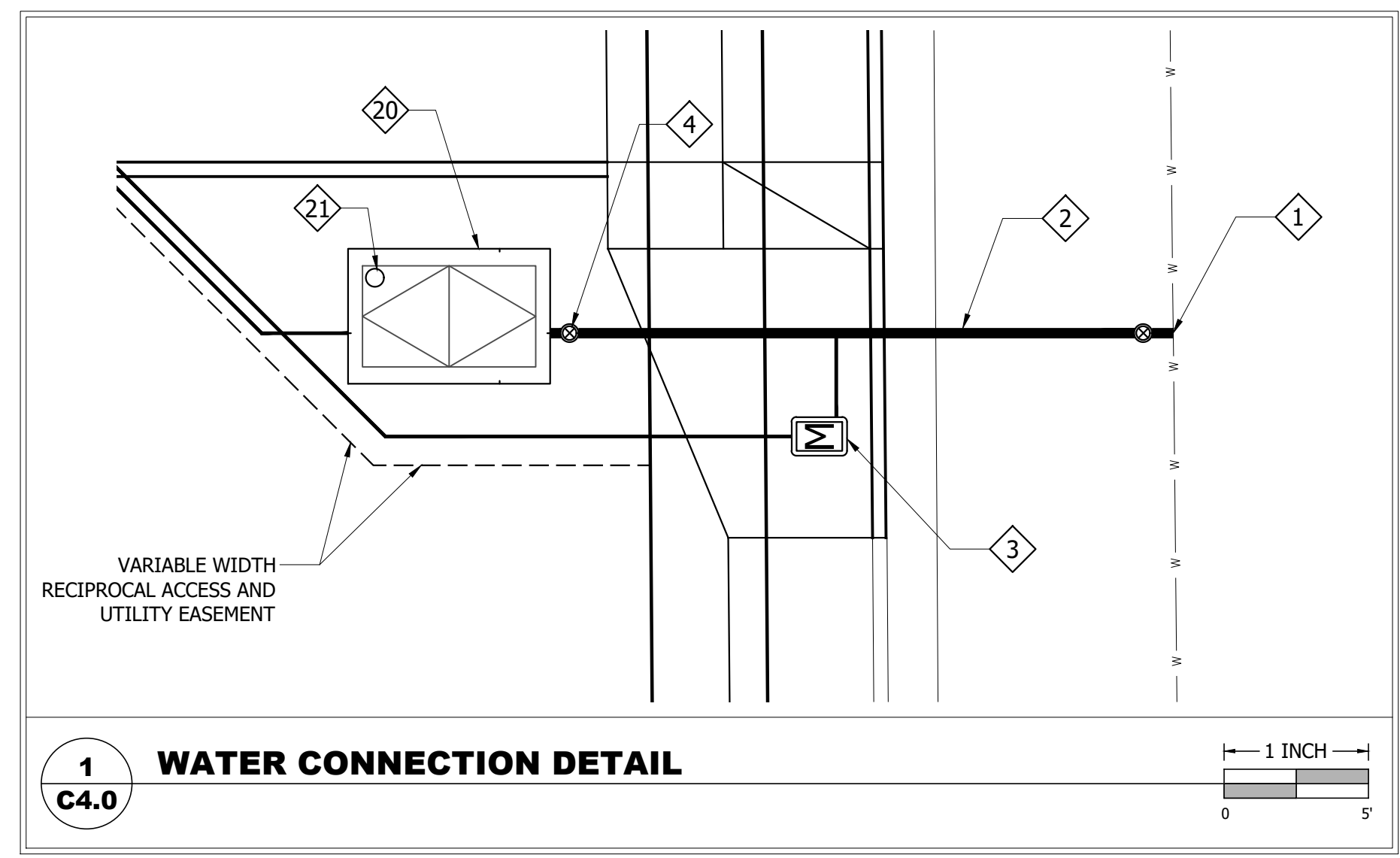
PRELIMINARY UTILITY PLAN
 TENTATIVE PARTITION
 MAP 11S-3W-8CC
 TAX LOT 900
 ALBANY, OREGON

DATE: FEBRUARY 27, 2024
 PROJECT: 23-269 LEPMAN GEARY STREET
 DRAWN BY: BSV, MLN
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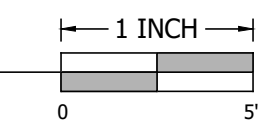
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PLAN REVISIONS	DATE
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Sheet **C4.0**
 SCALE: SEE BARS SCALE



1 WATER CONNECTION DETAIL
 C4.0



PARTITION, SITE PLAN REVIEW, & TREE FELLING APPLICATIONS

Submitted to:	City of Albany Planning Division P.O. Box 490 Albany, Oregon 97321-0144 541-917-7550 cd.customerservice@cityofalbany.net
Applicants/Property Owners:	Glorietta Bay LLC 100 Ferry Street NW Albany, OR 97321 Contact: Scott Lepman Email: scottlepman@gmail.com Phone: (541) 928-9390
Applicant's Representative:	Udell Engineering and Land Surveying, LLC 63 E. Ash Street Lebanon, OR 97355 Contact: Laura LaRoque Email: laura@udelleng.com Phone: (541) 990-8661
Site Location:	2030 Geary St. SE, Albany, OR 97322
Linn County Assessor's Map No.:	11S-03W-08CC Tax Lot 900
Site Size:	±0.84-acre
Existing Land Use:	Single Dwelling Unit with Detached Accessory Structure
Zone Designation:	Residential Medium (RM) District
Comprehensive Plan Designation:	Residential Medium
Surrounding Zoning:	North: RM South: RM East: RMA/RS-6.5 (across Geary St. SE) West: RM
Surrounding Uses:	North: Residential South: Residential East: Residential West: Residential



23-269 Lepman
2030 Geary St. SE
Partition/Site Plan Review Applications

February 21, 2024
Page 1 of 27

I. Executive Summary

The applicant “Glorietta Bay LLC” requests approval of the following applications:

1. A Tentative Partition Plat to divide a single ±0.84-acre property into two parcels. Parcels 1 and 2 are proposed to be 9,740 square feet and 26,419 square feet, respectively.
2. A Site Plan Review application to construct a 14-unit multiple dwelling unit development with associated site, utility, and parking lot improvements on proposed Parcel 2.
3. A Site Plan Review – Tree Felling to fell nine trees larger than 25 inches in circumference on the subject site in association with proposed development.

The site is located at 2030 Geary St. SE and zoned Residential Medium (RM) density with a Residential Medium Density Comprehensive Plan designation.

II. Tentative Plat Decision Criteria

ADC 11.180 includes the following review criteria for a tentative plat, which must be met for this application to be approved. Code criteria are written in **bold** and are followed by findings and conclusions.

Criterion 1

The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Article.

Findings

- 1.1 This application is for a Tentative Partition Plat to divide a single ±0.84-acre property into two parcels.
- 1.2 The subject property has an assigned address of 2030 Geary Street SE and identified as Linn County Assessor’s Map No. 11S-03W-08CC Tax Lot 900.
- 1.3 The underlying zoning designation of the subject property is zoned RM. Per ADC 3.020(5) the RM District is primarily intended for medium-density residential urban development. Multi-dwelling and townhouse development may not exceed 25 units per gross acre.

Parcel 1 is improved with an existing dwelling. Parcel 2 is unimproved and proposed to be improved with a multi-dwelling development. Based on the proposed parcel sizes the maximum density for Parcels 1 and 2 is 5.5 and 15 units, respectively.
- 1.4 According to ADC 3.050, Schedule of Permitted Uses, the following residential uses are permitted in the RM outright: single dwelling, detached; duplex, townhouse, triplex, fourplex, and cottage cluster. Multi-dwellings developments are permitted with Stie Plan Review approval.
- 1.5 According to ADC 3.190, Table 3.190-1, the minimum property size ranges based on use or unit size. A minimum of 3,500 square feet is required for single dwelling detached units, duplex, and two primary detached units on one property, 5,000 square feet for triplex

units, and 7,000 square feet for fourplex and cottage cluster units. Multiple dwelling units are based on unit size. A minimum of 2,000 square feet per studio and one-bedroom units, 2,400 square feet for two- and three-bedroom units, and 3,000 square feet for four bedroom and greater units.

- 1.6 According to ADC 3.220(2), the minimum area per unit size can be reduced by 10 percent when any portion of a multi-unit building is located within 200 feet of a designated arterial street. Geary Street is classified as a minor arterial street; therefore, this density bonus is applicable to the proposed development.

The existing single detached dwelling use will remain on Parcel 1 and no other development is proposed. Proposed Parcel 1 at 9,740 square feet exceeds the 3,500 square foot area minimum for a single detached dwelling use.

A 14-unit multi-unit apartment complex is proposed for Parcel 2. Proposed Parcel 2 at 26,419 square feet exceeds the minimum 25,200 square foot requirement for a fourteen unit, one-bedroom style multi-unit development with the application of density bonus of ADC 3.220(2).

- 1.7 According to Table 3.190-1 there is a 30-foot minimum lot width for development of all uses except for townhouses, which require a 20-foot minimum lot width. Parcels 1 and 2 have a width of 101-feet and 132-feet, respectively. Therefore, the parcels may be developed with any permitted residential dwelling type.
- 1.8 Development standards such as setbacks, height, lot coverage, and landscaping provided under ADC 3.190, Table 3.190-1 are reviewed under the Site Plan Review section below. These findings are incorporated herein by reference.
- 1.9 In any single-dwelling or middle housing land division, lots and blocks shall conform to standards listed in ADC 11.090 and other applicable provisions of the development code. Standards relevant to this proposed partition are addressed below.

- a. ADC 11.090(1) states lots must be arranged such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the requirements of this Code except for designated Open Space.

As discussed under finding 1.3 and 1.4 above, the proposed lots meet the development standards of the underlying zoning. The size and dimension of the proposed lots will allow for setbacks to be met while providing an adequate building envelope. Therefore, there will be no foreseeable difficulties in obtaining building permits for either parcel.

- b. ADC 11.090(2) states that lot dimensions must comply with the minimum standards of this Code. When lots are more than double the minimum area designated by the zoning district, those lots must be arranged to allow further subdivision and the opening of future streets where it would be necessary to serve

potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat.

Both parcels are greater than 0.16-acres (double the minimum area of the RM zoning district). However, future streets are not planned through or in the vicinity of the subject parcel; therefore, an urban conversion plan is not required.

- c. ADC 11.090(3) states that double frontage lots shall be avoided except when necessary to provide separation of residential developments from streets of collector and arterial street status or to overcome specific disadvantages of topography and/or orientation. When driveway access from arterials is necessary for several adjoining lots, those lots must be served by a combined access driveway to limit possible traffic hazards on such streets. The driveway should be designed and arranged to avoid requiring vehicles to back into traffic on arterials. An access control strip shall be placed along all lots abutting arterial streets requiring access onto the lesser class streets where possible.

The proposed parcels are not double frontage lots. This standard is not applicable.

- d. ADC 11.090(4) states side yards of a lot shall run at right angles to the street the property faces, except that on a curved street the side property line shall be radial to the curve.

All proposed parcels will have side yards that will run at right angles to the street frontage. This standard is met.

- e. According to ADC 11.090(5), the average block length shall not exceed 600 feet unless an exception is granted by the City per subsections (a) through (c). Block length is defined as the distance along a street between the centerline of two intersecting through-streets.

The proposed partition does not create any new streets, and therefore, does not create any new blocks. This standard is not applicable.

- f. ADC 11.090(6) states off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible.

A new 5-foot-wide sidewalk is proposed along the north flag-stem portion of Parcel 2, which will provide connectivity between the internal private and abutting public sidewalk systems.

- g. ADC 11.090(7) states that, except for townhouse development, the minimum frontage of a lot on a cul-de-sac shall be 22 feet as measured perpendicular to the radius. The proposed lot does not utilize a cul-de-sac; therefore, this standard is not applicable.

- h. ADC 11.090(8) states flag lots are allowed only when the City Engineer has determined that the dedication and improvement of a public street cannot be provided or not practical. The minimum width for a flag lot is 22 feet, except when the point of access is shared by an access and maintenance agreement, in which case, each lot shall have a minimum width of 12 feet and a combined minimum of 24 feet. As shown in the tentative plat, Parcel 2 is proposed to be in flag lot configuration with variable width shared access easement with maintenance agreement and 24-foot-wide two-way driveway.
- i. ADC 11.090(9) requires street intersections to be constructed so there is no less than a twenty-foot radius of the curb line. This standard ensures all public improvements, including accessibility ramps, can be contained in the public right-of-way at the corresponding street corners. All parcels will have access to an existing public street, and therefore, no new intersections are proposed. This standard is not applicable.

Conclusions

- 1.1 The proposal meets the standards of the underlying zoning district.
- 1.2 The proposed partition does not propose to create new blocks, intersections, cul-de-sacs, or double frontage lots.
- 1.3 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

- 2.1 The site is owned in its entirety by Glorietta Bay LLC.
- 2.2 The proposal is to divide a single ±0.84-acre lot into two parcels.
- 2.3 There is no other remainder of property under the same ownership.

Conclusions

- 2.1 All property included in this partition is under the same ownership, and there is no remainder of land to consider with this application.
- 2.2 This criterion is met.

Criterion 3

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

Findings

- 3.1 ADC 12.060 requires that development have frontage on or approved access to a public street currently open to traffic. This review criterion has been interpreted by the city council to require only that adjoining land either have access, or be provided access, to public streets.
- 3.2 All new driveway encroachments will be reviewed in association with a building permit and will be constructed in accordance with ADC 12.100(1)(2).
- 3.3 ADC 12.110 states new streets may be required to be located where the City Engineer determines additional access is needed to relieve or avoid access deficiencies on adjacent or nearby properties.
 - a. Properties to the north have access to Geary Street SE.
 - b. Properties to the east have access to Geary Street SE and 21st Avenue SE.
 - c. Properties to the south have access to Geary Street SE.
 - d. Properties to the west have access to Geary Street SE.
- 3.4 All the adjoining properties have independent access to a public street, and the proposed partition will not impact the access of adjoining properties.

Conclusions

- 3.1 All adjoining properties have access to public streets through the existing transportation system, and the proposed partition will not remove that access.
- 3.2 This criterion is met.

Criterion 4

The Public Works Director has determined that transportation improvements are available to serve the proposed subdivision or partition in accordance with Article 12 or will be available at the time of development.

Findings

- 4.1 The subject property has an assigned address of 2030 Geary Street SE and identified as Linn County Assessor's Map No. 11S-03W-08CC Tax Lot 900.
- 4.2 The submitted land use application is for a tentative partition plat to create a two-parcels from a single ±0.84-acre unit of land.
- 4.3 ADC 12.060 requires all streets adjacent and interior to new development be improved to City standards.
- 4.4 Geary Street is classified as a minor arterial street and is, except for a sidewalk, is improved city standards along the frontage of the subject property. Improvements include curb and gutter, a vehicle travel lane in each direction, a two-way center left turn lane, on-street bike lanes, and on-street parking along the west side of the road.

- 4.5 ADC 12.290 requires all development for which land use applications are required, and all expedited and middle housing land divisions, must include sidewalks adjacent to public streets.
- 4.6 Access and sidewalk improvements along the Geary Street frontage are proposed with this application. As shown on the Preliminary Civil Site Plan, the size and location of these improvements complies with the city's design standards.
- 4.7 The 11th edition of the Institute of Transportation Engineers (ITE) trip generation manual shows a rate of 9.43 vehicle trips per day and 0.94 trips during the p.m. peak hour per unit for single dwelling homes. Parcel 1 is improved with a single dwelling unit.
- The ITE trip generation manual breaks up multi-dwelling housing into three categories. Multi-dwelling housing containing three to ten floors is classified as mid-rise. Mid-rise multi-dwelling development generates 5.44 vehicle trips per day and 0.44 trips during the peak PM traffic hour. The development will create fourteen multi-dwelling units. Based on ITE trip generation rates, at full buildout the development could generate 76 vehicle trips per day, with six of those trips occurring during the peak PM traffic hour.
- 4.8 The development will not generate enough trips to require submittal of a trip generation analysis or Traffic Impact Analysis (TIA). The threshold for requiring submittal of a trip generation analysis is 50 peak hour trips. The threshold for submittal of a TIA is 100 peak hour trips.
- 4.9 Albany's Transportation System Plan (TSP) does not identify any capacity or safety issues occurring along the street frontages of this development.

Conclusions

- 4.10 The site has frontage on Geary Street SE and is, except for a sidewalk, is improved city standards along the frontage of the subject property. Access and sidewalk improvements along the Geary Street frontage are proposed with this application. The size and location of these improvements complies with the city's design standards.
- 4.1 The development is not projected to generate enough trips to require submittal of a trip generation estimate or traffic impact analysis.
- 4.2 Albany's TSP does not identify any capacity or safety issues occurring along the frontage of this site.

Criterion 5

The Public Works Director has determined that public facilities and utilities are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.

Findings

Sanitary Sewer

- 5.1 City utility maps show a 12-inch public sanitary sewer main in Geary Street SE right-of-way along the east frontage of the subject property.
- 5.2 Albany Municipal Code (AMC) 10.01.100(1) states the objective of the AMC 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.
- 5.3 ADC 12.470 requires all new developments to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line.
- 5.4 ADC 12.370 requires the dedication of public utility easements (typically a minimum of 20 feet in width, to be centered over the main) for all public sanitary sewers and appurtenances. Permanent structures are not allowed to encroach on a public utility easement or be placed over a public sewer main.
- 5.5 As shown in the preliminary utility plan, there is one sanitary lateral for existing development on Parcel 1. Parcel 2 will be provided with a new service lateral that will either be installed or financially guaranteed prior to recordation of the final plat. Before any work is done on or around the public sanitary sewer main, a Site Improvement Permit will be obtained from the Public Works Department.

Water

- 5.6 City utility maps show a 6-inch and 12-inch public water main in Geary Street.
- 5.7 ADC 12.410 requires all new developments to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main.
- 5.8 As shown in the preliminary utility plan, there is one water service connection to development on Parcel 1. Parcel 2 will be provided with new water services that will either be installed or financially guaranteed prior to recordation of the final plat. Before any work is done on or around the public water main, a Site Improvement Permit will be obtained from the Public Works Department.

Storm Drainage

- 5.9 City utility maps show a 54-inch public storm drainage main along to the west 2112 Geary Street SE. As shown on the Tentative Plat, a connection to the existing public storm main is proposed via a 10-foot-wide easement with storm connection across the south portion of 2018 Geary Street SE.
- 5.10 It is the property owner's responsibility to ensure 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.

- 5.11 ADC 12.580 states 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 the extension is needed to provide service to upstream properties.
- 5.12 AMC 12.45.030 and 12.45.040 require that a post-construction stormwater quality permit shall be obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than one acre, including all phases of the development, where more than 8,100 square feet of impervious surfaces will be created or replaced.
- 5.13 A preliminary drainage plan has been submitted with this application. Final design for the storm drainage facilities will be reviewed in conjunction with the development. Before any work is done on or around a public storm drainage main, a Site Improvement Permit will be obtained from the Public Works Department

Conclusions

- 5.1 Public sanitary sewer, water, and storm drainage facilities are in place and adequate to serve the proposed development.
- 5.2 Future development on the subject property will require connection to the City's sanitary sewer system. Installation of a new sewer lateral is the responsibility of the developer. An encroachment permit must be obtained before beginning work on or around a public utility.
- 5.3 Before any work is done on or around a public water main for installation of fire protection, the applicant will obtain a Site Improvement Permit from the Public Works Department.
- 5.4 The applicant will construct stormwater detention facilities to provide storm and flood-water controls.
- 5.5 Before the City issues any occupancy permit for the proposed project, the applicant will construct stormwater detention facilities that comply with the City's Engineering Standards.
- 5.6 The applicant will obtain a stormwater quality permit for or the project and construct stormwater quality facilities that satisfy the City's Engineering Standards.

Criterion 6

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

Findings

6.1 Article 4: Airport Approach District. Figure 4-1 of ADC Article 4 shows the subject property is in the Airport Approach District. This district is comprised of several imaginary surfaces above which aircraft are allowed to operate.

The proposed development will be under the outermost surface called the Conical Surface. The Conical Surface begins at the outer boundary of the Horizontal Surface, at an elevation of 372 feet (NGVD 1929) above the airport elevation. The existing ground elevation is approximately 226 feet (NGVD 1929), and the maximum height limit of the RM zone is 45 feet above grade for a total elevation of 271 feet, which is 101 feet below the maximum height (372 feet) established by the Conical Surface.

There are no design features of the proposed development with navigational signals or radio communications, or that would induce confusing light patterns, or create bird-strike hazards that would endanger or interfere with aircraft intending to use the airport. Sound buffering features are not warranted because the location of the proposed development is located outside the “noise sensitivity property” defined by 55 and 60 Ldn noise contours.

6.2 Article 6: Significant Natural Vegetation and Wildlife Habitat. *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat*, does not show any areas of vegetation or wildlife habitat on the property.

6.3 Article 6: Riparian Corridor. There are no riparian corridors located on this property.

6.4 Article 6: Floodplains. *Comprehensive Plan Plate 5: Floodplains*, does not show a 100-year floodplain on this property. FEMA/FIRM Community Panel No. 41043C0527G, dated September 29, 2010, shows this property is in Zone X, an area determined to be outside the 500-year floodplain.

6.5 Article 6: Wetlands. *Comprehensive Plan Plate 6: Wetland sites*, does not show any wetlands on the property. The National Wetlands Inventory (NWI) does not show wetlands on the property. This property is not included in a local wetlands inventory.

6.6 Article 6: Topography. *Comprehensive Plan, Plate 7: Slopes*, does not show any steep slopes on this property.

6.7 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.

Conclusions

6.1 The only special purpose district that the subject property is in is Article 4 (Airport Approach). However, no development is proposed in association with this application. Therefore, height provisions are not applicable.

III. Site Plan Review Code Criteria

Section 2.450 of the ADC includes the following review criteria, which must be met for this application to be approved. Development code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Criterion 1

The application is complete in accordance with the applicable requirements.

Findings of Fact and Conclusions

- 1.1 The submitted application includes the supplemental submittal requirements outlined in ADC 1.160(1) and will therefore, be deem complete in accordance ADC 1.160, upon the submittal date.
- 1.2 This criterion is met without conditions.

Criterion 2

The application complies with all applicable provisions of the underlying zoning district including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.

Findings of Fact

- 2.1 The subject property is zoned RM. Per ADC 3.020(6) The RM District is primarily intended for medium-density residential urban development.
- 2.2 The proposal includes the construction of a multi-unit apartment complex with associated site and parking lot improvements on proposed Parcel 2. Table 3.00-1 lists multi-dwelling units as allowed use with Site Plan Review approval.
- 2.3 Per ADC 3.020, developments in the RM zone may not exceed 25 units per gross acre. The gross acreage of proposed Parcel 2 is ±0.60-acres. Therefore, the maximum density is 15 units. A total of 14 units are proposed.
- 2.4 Per ADC 3.190, Table 3.190-1, the RM zoning district requires a minimum lot size based on unit type. Studios and 1-bedrooms require 2,000 square feet per unit; 2-and 3- bedroom units require 2,400 square feet; and 4 plus bedroom units require 3,000 square feet unless the bonus provisions for area requirements per ADC 3.220 are applicable.
- 2.5 According to ADC 3.220(2), the minimum area per unit size can be reduced by 10 percent when any portion of a multi-unit building is located within 200 feet of a designated arterial street. Geary Street is classified as a minor arterial street; therefore, this density bonus is applicable to the proposed development.

The below table denotes the total required area per unit type with the application of a 10 percent area reduction bonus per ADC 3.220(2):

Site Area/Unit Summary			
<i>Unit Type</i>	<i>Unit Count</i>	<i>Site Area/Unit</i>	<i>Required Area/Unit</i>
1-bdrm	14	1,800 sf	25,200 Sf

The 26,419 square foot parcel exceeds the minimum required 0.60-acres parcel size based on the proposed unit type with application of the bonus per ADC 3.220(2).

- 2.6 The maximum lot coverage in the RM zoning district is 70 percent. According to ADC 22.400, lot coverage is defined as the “portion of a lot which, when viewed directly from above, would be covered by a building, or structure, pavement, or any area not vegetated or in a naturally permeable state. Lot coverage for single dwelling unit detached and middle housing development shall only include the area of the lot covered by buildings or structures.” Parcel 2 is 26,419 square feet with a total lot coverage of 18,841 square feet (69.95 percent) which meets the maximum lot coverage standard of 18,493 square foot (70 percent).
- 2.4 The maximum height in the RM zoning district is 45 feet. According to ADC 22.400, the height of a building is defined as the “vertical distance above “Grade” as (...) the average height of the highest gable of the pitched or hipped roof.” As shown in the elevation drawings, the proposed wall height is less than the maximum 45 feet.
- 2.5 The RM zoning district has a minimum 15-foot front setback, and an interior setback of 10 feet except for single-dwelling unit homes or middle housing, which must have a minimum setback of three feet for one story dwellings and five feet for two-story dwellings.

Per ADC 22.400 the terms setback, front lot line, and interior lot line are defined as follows:

- *Setback: The minimum distance required between a structure or parking area and an abutting property line.*
- *Lot Line, Front: A lot line abutting any street.*
- *Lot Line, Interior: Any lot line other than a front lot line.*

The proposed development site is a flag lot with a 31.48-foot-wide flag stem. According to the Albany Transportation System Plan, Geary Street is classified as a Minor Arterial. As shown on the site plan, proposed development will exceed the minimum front setback. The maximum front setback standard per ADC 8.240 is not applicable since Geary Street is classified as a minor arterial.

- 2.6 Multiple-dwelling unit developments must also meet the setbacks and building orientation in ADC 8.240(3) when sites have frontage along a collector or local public street. However, in this case Parcel 2 is a flag-lot; therefore, these standards are not applicable to the proposed development.

- 2.7 Multiple-dwelling unit developments must also meet the setbacks in Section 8.270(3). According to ADC 8.270(3) multi-dwelling buildings shall be set back at least one foot for each foot in building height from a shared property line, up to a maximum required setback of 30 feet, when the abutting lot sharing the property line meets criteria (a) or (b) below, or both.
- a. *The abutting lot is in a residential single dwelling zoning district or in the HM zoning district and is developed with single-dwelling residential or middle housing uses or is underdeveloped or vacant.*
 - b. *The abutting lot has a pre-existing single-dwelling home and is in a zoning district other than the NC, CC, RC, LI, HI, or IP. For the purposes of this section a “pre-existing single-dwelling home” is one constructed prior to January 1, 2021.*

The subject property abuts 2020 Geary Street, which is developed with a single residential dwelling unit. However, the transitional setback is not applicable since only the driveway access portion of the development borders this property line as opposed to the multi-dwelling unit structures.

- 2.7 The landscape buffer and screening standards as opposed to transitional setbacks per ADC 8.270(3) are applicable along portions of the north and west property lines of the subject property (abutting the proposed parking lot) per ADC Table 9.210-1 since the parking lot includes more than five parking spaces. Findings related to parking lot landscaping and buffer standards are found in Criterion 6 (below) and incorporated herein.
- 2.8 ADC 3.320 requires residential development adjacent to Geary Street to maintain a ten-foot setback in addition to the required setback for the RM zoning district. As stated above, the subject property is a flag lot and as shown on the site plan, proposed development will exceed the minimum noise corridor setback.
- 2.9 ADC 3.390 requires all refuse containers or refuse disposal areas to be placed 15 feet or greater than a dwelling window and screened by placement of a sight-obscuring fence, wall, or hedge at least six feet in height.

As shown on the site plan, the refuse area will be placed in the southeast corner of the parking lot. The refuse container area is greater than 15 feet from any dwelling units and will be screened by a six-foot-tall sight-obscuring fence.

Conclusions

- 2.1 The proposed use is allowed in the RM zoning district with site plan approval.
- 2.2 The proposal meets all development standards in the RM zoning district.
- 2.3 This review criterion is met.

Criterion 3

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



Findings of Fact

- 3.1 Findings for this section are found in Section II, Criterion 6, above and are incorporated by reference.

Criterion 4**The application complies with all applicable Design Standards of Article 8.**

Findings of Fact

- 4.1 Applicability. According to ADC 8.205, standards of ADC 8.220 through 8.300 apply to the development of new multi-dwelling unit developments.
- 4.2 Relationship to Historic Overlay Districts. ADC 8.210 requires designated historic resources to comply with the standard in Article 7. The site is not located in a historic district, nor does it contain a designated historic resource. This standard is not applicable.
- 4.3 Recreation and Open Space Areas. ADC 8.200 requires multi-dwelling unit developments with 10 or more units to: 1) designate 15 percent of the total development site area as common open in accordance with the standards in ADC 8.200(2); 2) provide a children's play area for developments with 10 or more units that each have two or more bedrooms.

The proposed development consists of 14 units comprised of 14 one-bedroom units and therefore, is not required to provide a children's play area per ADC 8.220(2)(a)(ix).

ADC 8.220(C)(i) states that a common open space area credit up to 25 percent is permitted if there is direct access by a pedestrian path, not exceeding $\frac{1}{4}$ mile, from the proposed multi-dwelling development to an improved public park and recreation area or public-school playground.

Fifteen percent of the 26,419 square feet development site is 3,963 square feet. However, the project is eligible for a 25 percent common open space area credit (i.e., 991 square feet) since the site located with $\frac{1}{4}$ mile of Periwinkle Trail, with connectivity via Periwinkle Park on the south side of 21st Avenue SE. Therefore, a total of 2,972 square feet of common open space is required for the proposed development. The site plan shows a total of 2,973 square feet of common space is proved on the site consisting of 66 percent lawn and 34 percent garden area.

- 4.4 Private Open Space. Per ADC Table 8.220-1 private open space is required in the RM zoning district, with at least 80 percent of the units requiring private open space. As shown on the site plan, all seven ground floor units are proposed to have at grade patios that are 100 square feet or great with no dimensions less than 6-foot. All second-floor units are proposed to have balconies that are 72 square feet or greater with no dimension less than 6-foot.
- 4.5 Setbacks and Building Orientation. According to ADC 8.240(3) subsections (a) and (b) are only applicable to sites with frontage on a collector or local public street. The subject site

has frontage on Geary Street, which is classified as a Minor Arterial; therefore, these standards are not applicable to this application.

- 4.6 Façade design, articulation, and windows. According to ADC 8.255(1), the standards in this section pertain to any façade that faces towards or within 45 degrees of a front lot line, except where there is more than one building on the site.

ADC 8.255(2) requires a minimum of two architectural features. As shown in the site plan and building elevations the following façade design and articulation are proposed for the regulated façade (i.e., north building elevation): eaves/overhang greater than 12-inches; offset in façade; and raised planters.

ADC 8.255(3) requires a minimum of 15 percent of the total area of each regulated façade must contain windows or doors that meet all of the criteria in (a) through (c), below:

(a) *Made of transparent material with a minimum visible transmittance of 0.4. (Only the transparent portion of doors may be counted towards required window areas.) Windows with a visible transmittance rating less than 0.4 and windows that are frosted, fritted, patterned, or obscure may be counted towards up to half of the required window area provided that the windows in total allow views from the building to the street.*

(b) *Located in any part of the building except garages and parking areas.*

(c) *Face towards or within 45 degrees of the front lot line.*

The subject property is a flag lot and separated by Geary Street by Parcel 1, which is improve with an existing single-dwelling unit. Therefore, this development is exempt from these standards.

- 4.7 Transition to Lower Density Uses. Multiple-dwelling unit developments must also meet the setbacks in Section 8.270(3). According to ADC 8.270(3) multi-dwelling buildings shall be set back at least one foot for each foot in building height from a shared property line, up to a maximum required setback of 30 feet, when the abutting lot sharing the property line meets criteria (a) or (b) below, or both.

c. *The abutting lot is in a residential single dwelling zoning district or in the HM zoning district and is developed with single-dwelling residential or middle housing uses or is underdeveloped or vacant.*

d. *The abutting lot has a pre-existing single-dwelling home and is in a zoning district other than the NC, CC, RC, LI, HI, or IP. For the purposes of this section a “pre-existing single-dwelling home” is one constructed prior to January 1, 2021.*

The subject property abuts 2020 Geary Street, which is developed with a single residential dwelling unit. However, the transitional setback is not applicable since only the driveway access portion of the development borders this property line as opposed to the multi-dwelling unit structures.

- 4.8 Pedestrian Connections. Each multiple-dwelling unit development shall contain an internal pedestrian circulation system that makes connections between individual units and parking areas, common open space areas, children’s play areas, and public rights-of-way. To ensure that connections are clear, easily identifiable, and safe, all pedestrian connections shall meet the following standards: (a) Except as required for crosswalks, per ADC Section 8.280(4), where a walkway abuts a vehicle circulation area, it shall be physically separated by a curb that is raised at least six inches or by bollards. (b) Walkways shall be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide.

The site plan indicates an internal sidewalk system with connections to the public sidewalk along Geary Street SE.

- 4.9 Parking Location. ADC 8.300 requires all parking areas to be located within 100 feet of the building entrance for a minimum of 50 percent of units in the development. As shown on the site plan, the proposed parking area meets this standard.

Conclusion

- 4.1 According to ADC 8.240(3) subsections (a) and (b) are only applicable to sites with frontage on a collector or local public street. The subject site has frontage on Geary Street SE, which is classified as a Minor Arterial; therefore, these standards are not applicable to this application.
- 4.2 As proposed, all other applicable Multiple Dwelling Design Standards are met.

Criterion 5

The application complies with all applicable Design Standards of Article 10

Findings of Fact and Conclusion

- 5.1 Article 10 pertains to manufactured homes, manufactured home parks, and RV parks. These uses do not pertain to the proposal; therefore, this standard is not applicable.

Criterion 6

The application complies with all applicable On-Site Development and Environmental Standards of Article 9.

Findings of Fact

- 6.1 The proposal is an application for Site Plan Review to construct a 14-unit multi-dwelling apartment complex with associated site and parking lot improvements.
- 6.2 ADC 9.020 requires off-street parking and loading for all developments in the amounts indicated in Table 9.020-1, subject to any applicable reductions permitted in Article 9.
- 6.3 ADC 9.020, Table 9-1, stipulates off-street required parking for multi-dwelling development based on unit type. Studios and 1-bedrooms require 1.25 spaces; 2-

bedroom units require 1.75; and 3- plus bedroom units require 2.25 spaces. Based on the proposed unit mix a maximum of 18 vehicle parking spaces are permitted.

A total of 21 off-street parking spaces are shown on the site plan; Two spaces are designed as carpool/vanpool; nine spaces are designated as overflow, nine spaces are designated as compact, and eight are designated as future electric vehicle charging spaces. According to ADC 9.020(9) and ADC 9.110 the two carpool/vanpool spaces and one overflow parking spaces are exempt from maximum parking requirements. Therefore, the maximum parking standard is met.

- 6.4 ADC 9.030 states that bicycle parking must be provided in the amounts specified in Table 9.030-1 for all new developments and changes of use. Per Table 9.030-1, multi-dwelling unit developments are required to provide a minimum of one bicycle parking space per dwelling. 14 units are proposed; therefore, a minimum of 14 bicycle parking spaces are required. Bicycle parking spaces in conformance with the required dimensional standards are denoted on the site plan.
- 6.5 ADC 9.100(3) requires parking areas to have a durable, dust-free surface. The site plan indicates the entirety of the parking area will be paved. This standard is met.
- 6.6 ADC 9.100(4) requires that all parking lots provide a drainage system to dispose of stormwater runoff. Findings regarding the proposed stormwater system are found in this section under Criterion 7 and incorporated here by reference.
- 6.7 ADC 9.100(5) requires perimeter curbing around all parking areas. The site plan indicates that perimeter curbing has been provided along the entirety of the parking lot. This standard is met.
- 6.8 ADC 9.100(6) requires wheel bumpers be used when parking stalls front a sidewalk, alleyway, street, or property line. If the sidewalk is widened to seven feet six inches to allow for vehicle encroachment, no wheel bumpers are required. The site plan indicates 7-foot-wide sidewalks with 6-inch curbs along parking stalls adjacent to the apartment buildings to allow for bumper overhand without wheel stops.
- 6.9 ADC 9.100(7) requires parking spaces to be located and served by an aisle or turnaround so that their use will require no backing movements or other maneuvering in a street right-of-way other than an alley. The site plan indicates a parking lot served by a travel aisle for off-street backing and turnaround movements.
- 6.10 ADC 9.100(8) requires parking stalls to be permanently and clearly striped. The site plan indicates the parking lot will be striped.
- 6.11 ADC 9.100(9) requires parking lots to connect to adjacent existing or future parking areas. All abutting sites have direct access to a public street and no share parking lots are proposed with this development.

- 6.12 ADC 9.100(10) requires conformance with the parking lot landscaping standards found in ADC 9.150. Findings pertaining to parking lot landscaping are included below.
- 6.13 Per ADC 9.100(11) no more than 40 percent of parking spaces provided may be designated for compact cars. Compact spaces must be signed and/or the space painted with the words "Compact Car Only." 21 off-street parking spaces are shown on the site plan of which nine are designed as compact. As depicted on the site plan, all compact spaces are at least eight foot wide by 16 feet long. Markings and signage will be installed prior to building occupancy.
- 6.14 Per ADC 9.035 when parking is provided, at least one standard-sized parking space shall be reserved for carpool/vanpool parking, or ten percent of employee-use parking spaces provided, whichever is greater. (2) Preferential carpool/vanpool parking spaces must be closer to the employee entrance of the building than other parking spaces, except for ADA accessible parking spaces. (3) Required carpool/vanpool spaces must be clearly marked "Reserved – Carpool/Vanpool Only."

As indicated on the site plan, two carpool/vanpool parking spaces are proposed. Markings and/or signage will be installed prior to building occupancy.

- 6.15 ADC 9.050 states that pursuant to ORS 455.417, electrical service capacity sufficient for a level 2 electric vehicle charging station must be provided for no less than 40 percent of all vehicle parking spaces serving newly constructed residential buildings with five or more multi-dwelling units.

Twenty-one off-street parking spaces are shown on the site plan of which 2 are designed as carpool/vanpool, nine is designated as overflow, nine are designated as compact, and eight are designated as future electric vehicle charging spaces.

- 6.16 ADC 9.100 states that all public or private parking areas, loading areas and outdoor vehicle sales areas must be improved based on the following standards. When the total surface parking area for the development site exceeds 10,890 square feet, parking area improvements must comply with the standards in Section 9.130. The proposed parking lot is 6,626 square feet; therefore, the proposal is not subject to the standards in ADC 9.130.

- a. ADC 9.100(12) requires accessible parking at least 9 feet wide and 17 feet long with adjacent access aisle at least 8 feet wide and 17 feet long for a van-accessible space, and six feet wide for a standard accessible space to be provided in conformance with the Oregon Specialty Code.

As indicated on the site plan, accessible parking and an accessible route to the building are proposed with the development. Conformance with the Oregon Specialty Code will be assessed at the time of building permit.

- b. ADC 9.100(13) requires lighting to be arranged to reflect light away from any abutting or adjacent properties. Any new lighting will be arranged to reflect light away from any abutting or adjacent properties.

- c. ADC 9.100(14) requires walkways and accessways to be provided for all new off-street parking lots and additions, to connect sidewalks adjacent to new development to the entrances of new buildings. The site plan indicates a sidewalk and access path will be provided from the public sidewalk adjoining the main building entrances and Geary Street SE.

- 6.17 ADC 9.120 states that all off-street parking lots over 1,000 square feet (contiguous) must be designed in accordance with the standards in this Article and the City standards for parking stalls and drive aisles as set forth in Table 9.120-1: Parking Lot Design, and supplemental drawings in Figures 1 and 2.

The proposed parking lot is 6,626 square feet; therefore, the proposal is subject to the standards in ADC 9.120. The site plan indicates that the proposed parking lot complies with the below standards.

- a. ADC 9.115 states that when new development, including expansions to existing structures, results in the conversion or elimination of existing off-street surface parking areas for a use other than bicycle-oriented and transit oriented facilities (bicycle parking, bus stops and pullouts, bus shelters, park and ride stations, and similar facilities), all existing parking areas that are physically impacted by the development must be improved to the standards in Article 9.
- b. ADC 9.120(5) states that parking stall and aisle dimensions must comply with Table 9.120-1. Stall dimensions are measured from inside the stripes. The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments shall include 20 feet of storage length for entering and exiting vehicles, to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. See also Figures 9.120-1 and 9.120-2.
- c. ADC 9.120(6)(7) states that compact spaces shall be at least 8 feet wide by 16 feet long and accessible spaces shall be a minimum of 9 feet wide and 17 feet long and designed in accordance with the Oregon Structural Specialty Code (OSSC). An adjacent access aisle must be provided that is at least eight feet wide and 17 feet long for a van-accessible space, and six feet wide for a standard accessible space.
- d. ADC 9.120(8) states long-term parking spaces must be at least 8.5 feet wide. Parking stalls for grocery stores or adjacent planter islands must be at least 9.5 feet wide. Stall dimensions are measured from inside the stripes.

- 6.18 ADC 9.130 states that in addition to other provisions of Article 9, the following standards apply to new or improved surface parking areas of more than 0.25 acres (10,890 square feet), and to parking lot additions of 5,000 square feet or more when existing parking areas are enlarged to more than 10,890 square feet, and when re-construction of a surface parking area of more than 0.25 acres is proposed (i.e., when pavement, curbs, and planter bays are completely replaced). Total surface parking areas are calculated by measuring around the perimeter of all parking spaces, maneuvering areas, and interior landscaping.

- 6.19 ADC 9.140 includes landscaping requirements by type of use. ADC 9.140(1) includes residential landscape standards. ADC 9.140(1) states that all front setbacks (exclusive of accessways and other permitted intrusions) must be landscaped or have landscaping guaranteed in accordance with ADC 9.190 before an occupancy permit will be issued or final building permit approved. However, in this case the landscaping buffer and screening requirements are more restrictive and are therefore applicable to the proposed development.

According to the buffering and screening matrix in Table 9.210-1, a 10-foot-wide landscape buffer and screen is required along parking lots with five or more parking spaces and a 10-foot-wide landscape buffer is required for multi-dwelling units abutting dwellings in the RM zoning district.

According to ADC 9.110(6) a buffer area of at least 5-foot-wide is required along the perimeter of overflow parking areas and landscaped in accordance with ADC 9.240.

ADC 9.240 states: *The minimum improvements within a buffer consist of the following: (a) One row of trees. These trees will be not less than ten feet high at the time of planting for deciduous trees and spaced not more than 30 feet apart, and five feet high at the time of planting for evergreen trees and spaced not more than 15 feet apart; (b) Five 5-gallon or ten 1-gallon shrubs, trees or accent plants for each 1,000 square feet of required buffer area; (c) The remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover.*

ADC 9.250 states: *Screening. Where screening is required or provided, the following standards apply in addition to conditions (1) and (3) above: (1) One row of evergreen shrubs that will grow to form a continuous hedge at least four feet tall within two years of planting, or (2) A fence or masonry wall at least five feet tall constructed to provide a uniform sight-obscuring screen, or (3) An earth berm combined with evergreen plantings or a fence that forms a sight and noise buffer at least six feet tall within two years of installation*

- North Property Line: 120 feet of the north property line of the subject property consists of a driveway access that is exempted from landscape buffering and screening requirements. The remaining 186 feet consists of an overflow parking area with a required 5-foot-wide landscape buffer. The landscaping requirements are as follows: At least one row of either six (6) 10-foot-tall deciduous trees spaced not more than 30 feet apart or twelve (12) 5-foot-tall evergreen trees spaced not more than 15 feet apart; five (5) five-gallon shrubs or nine (9) one-gallon shrubs; and the remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, and evergreen shrubs).
- West Property Line: 54 feet west property consists of a parking lot with a required 10-foot-wide landscape buffer and screening and 79 feet of the west property line consists of a multi-unit development with a required 10-foot-wide landscape buffer. The landscaping requirements are as follows: At least one row of either four (4) 10-foot-

tall deciduous trees spaced not more than 30 feet apart or nine (9) 5-foot-tall evergreen trees spaced not more than 15 feet apart; six (6) five-gallon shrubs or thirteen (13) one-gallon shrubs; and the remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, and evergreen shrubs). Plus, screening by four-foot-tall continuous evergreen hedge or a fence or masonry wall at least five street tall constructed to provide a uniform sight-obscuring screen along the parking lot.

- South Property Line: The entire 171-foot south property consists of a multi-unit structure with a required 10-foot buffer. At least one row of either six (6) 10-foot-tall deciduous trees spaced not more than 30 feet apart or eleven (11) 5-foot-tall evergreen trees spaced not more than 15 feet apart; nine (9) five-gallon shrubs or seventeen (17) one-gallon shrubs; and the remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, and evergreen shrubs).

The landscaping plan indicates that the required landscaping buffer and screening requirements can be met. A condition of approval may require the submittal of final landscaping and irrigation plans for review and approval in association with the building permit and installation of required landscaping prior to building occupancy.

- 6.20 ADC 9.150 provides parking lot landscaping standards, which includes requirements for planter bays, entry landscaping, parking space buffers, alternative plans, and landscape protection. As shown on the site plan and landscaping plan, the parking lot includes parking space buffers, planter bays, and landscape protection in accordance with the standards of ADC 9.150.
- 6.21 ADC 9.150(1) states that parking areas shall be divided into bays of not more than 12 parking stalls and that the end of each parking bay shall be a curbed planter at least five feet wide. The site plan indicates that all proposed parking areas will conform to this standard.
- 6.22 ADC 9.150(2) requires that both sides of the parking lot entrance should be bordered by a minimum five-foot-wide landscape planter strip. As shown on the site plan and landscaping plan, a planter bay greater than five feet in width is proposed at the parking lot accessways.
- 6.23 ADC 9.150(3) requires parking areas to be separated from the exterior wall of a structure by pedestrian walkways or loading areas, or by a five-foot strip of landscaping materials. As shown on the site plan, the residential buildings are separated from parking areas by a 5-foot-wide sidewalk.
- 6.24 ADC 9.165 requires that all landscaped areas must be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman provides documentation that the plants do not require irrigation.
- 6.25 Environmental Standards. ADC 9.440 - 9.500 includes environmental standards related to noise, visible emissions, vibrations, odors, glare, heat, insects, rodents, and hazardous waste. The design and operating characteristics of a multi-dwelling residential

development are comparable to other residential developments in the vicinity and therefore no adverse environmental impacts are anticipated.

Conclusions

- 6.1 The parking lot plan complies with the travel aisle and stall dimensional standards of ADC 9.130.
- 6.2 A maximum of 18 vehicle parking spaces are permissible based on the proposed unit types. 21 parking spaces are proposed on-site with the inclusion of carpool/vanpool and overflow parking spaces.
- 6.3 A minimum of 14 bicycle parking spaces is required based on the number of dwelling units proposed. 14 bicycle parking spaces are included in the proposed development.
- 6.4 The landscaping plan indicates that the required landscaping buffer and screening requirements can be met. A final landscape and irrigation plan will be provided prior to the issuance of building permits.
- 6.5 The proposal conforms with the applicable environmental standards.
- 6.6 As proposed, all applicable Article 9 standards can be met.

Criterion 7

The Public Works Director has determined that public facilities and utilities are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.

Findings of Fact

- 7.1 Findings for this Criterion are found in Section II, Criterion Five, above and are incorporated by reference.

Criterion 8

The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.

Findings of Fact and Conclusion

- 8.1 See Findings under Tentative Partition Plat Criterion Four (above). These findings are incorporated herein by reference.

Criterion 9

The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.

Findings of Fact and Conclusion

- 9.1 See Findings under Tentative Partition Plat Criterion Five (above) related to stormwater quality standard in response to this review criterion. These findings are incorporated herein by reference.

Criterion 10

The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

Findings of Fact and Conclusion

- 10.1 There are no prior vested land use decisions for this property to meet; therefore, this criterion is not applicable.

Criterion 11

Sites that have lost their nonconforming status must be brought into compliance and may be brought into compliance incrementally in accordance with Section 2.330.

Findings of Fact and Conclusion

- 11.1 The site is not considered nonconforming; therefore, this criterion is not applicable.

IV. Site Plan Review – Tree Felling Decision Criteria (ADC 9.206)

According to ADC 9.206, for property where a building permit, Site Plan Review, subdivision, or partition application has been approved or is currently under review for the development of housing on a property, the applicant proposing the felling of trees may choose to meet the criteria in Section 9.206 rather than the criteria in Section 9.205. A Site Plan Review application for tree felling subject to the criteria in Section 9.206 will be processed as a Type I decision. The Community Development Director, City Forester, or his/her designee shall approve the Site Plan Review application when the applicant demonstrates that the review criteria can be met.

Section 9.206 of the ADC includes the following review criteria, which must be met for this application to be approved. Development code criteria are written in **bold** followed by findings, conclusions, and conditions of approval, where conditions are necessary to meet the review criteria.

Criterion 1

The critical root zone of each tree to be felled is no more than five feet from proposed roads, driveways, utilities, and required site improvements, or 10 feet from proposed residential building pads.

Findings and Conclusions

1. According to ADC 9.204, 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.
2. According to ADC 9.205, the review criteria under ADC 9.205 or ADC 9.206, replace the Site Plan Review criteria found in ADC 2.450 and 2.455 for the purpose of reviewing tree felling.

3. According to ADC 9.206, for property where a building permit, Site Plan Review, subdivision, or partition application has been approved or is currently under review for the development of housing on a property, the applicant proposing the felling of trees may choose to meet the criteria in Section 9.206 rather than the criteria in Section 9.205.
4. The Tree Felling Site Plan Review has been submitted concurrent with a Site Plan Review application for multi-unit development.
5. The Conceptual Tree Felling Plan shows the locations of all on-site trees along with their species and size as well as the location of proposed development.
6. As shown in the Conceptual Tree Felling Plan, it is necessary to remove nine trees (greater than 25 inches in circumference) on the subject site to construct the proposed residential development and associated site and utility improvements efficiently and safely. If not removed, the trees would be severely impacted during development and if retained, would prevent the proposed development on the subject property.
7. In the event proposed development does not take place, the trees proposed for removal on the Conceptual Tree Felling Plan shall not be removed without separate approval for tree felling not associated with development, using criteria listed in ADC 9.205(3).

Criterion 2

The proposed felling is consistent with other applicable sections of the Development Code (such as Article 6, Significant Natural Resource Overlay Districts) and City ordinances, including tree regulations in the Albany Municipal Code.

Findings of Fact

8. The applicable Albany Development Code sections are as follows:
 - a. ADC Table 1.100-1 which includes the below table sections:

Application/Action	Procedure Type	Decision Body	Pre-App. conference required	Neighborhood Mtg. Required	Applicable Sections
Tree Removal	I-L	CDD	Yes*	No	9.204, 9.205

- i. *Unless waived by the Community Development Director (CCD)
9. The Type I procedure type for a tree removal per ADC 9.205 is missing from ADC Table 1.100-1. Despite this oversight, City staff will process the submitted application pursuant ADC 9.206 and the Type I review procedure listed in Article 1 of the Albany Development Code, which include issuance of a notice of decision by the Community Development Director.
10. In accordance with ADC Table 1.100-1, a pre-application meeting was held on January 24, 2024, to discuss the development proposal and associated tree felling.

11. Per ADC Table 1.100-1, a neighborhood meeting was not required or conducted in association with this request.
12. Findings pertaining to ADC 9.204 and 9.205 are included above in Criterion 1 and included herein by reference.
13. Tree regulations are found in Chapter 7.98 of the Albany Municipal Code. The applicable sections are as follows:
 - a. AMC 7.98.030(6): Unless removal is expressly authorized by a land use action or approval issued by the City of Albany, it shall be unlawful to remove any tree larger than or equal to 6.5 feet in circumference (approximately 25 inches in diameter), public or private, within the City of Albany city limits without first making application to the City of Albany and obtaining a permit or as otherwise authorized by this code
 - b. AMC 7.98.404(2): A permit shall be obtained from the City Forester, applying criteria contained in AMC 7.98.180, for the removal of individual trees equal to or greater than six and one-half feet in circumference on all property within the city limits of the City of Albany.
 - c. AMC 7.98.100(2): Additional tree removal permits are not required for any trees that have been authorized for removal in an approved site plan review processed in accordance with the Albany Development Code.
 - d. AMC 7.98.120: The Parks, Recreation, and Tree Advisory Commission may designate certain trees as “heritage trees” within the City with the consent of the owner(s) of record. The purpose of the heritage tree designation is to recognize, foster appreciation of, and protect trees having significance to the community. The Parks, Recreation, and Tree Advisory Commission shall have the authority to determine, select, and identify such trees that qualify as heritage trees. Once a tree is designated as a heritage tree, it will remain so unless it becomes necessary to classify it as a dangerous tree and removed as such. Heritage trees may not be removed without the express consent of the Parks, Recreation, and Tree Advisory Commission.
 - e. AMC 7.98.205: Permit application fees for removal permits shall be established by Council resolution.
 - f. AMC 7.98.215: When removing trees under a permit or site plan approval, precautions shall be made to protect residual trees and tree roots from damaging agents during and after the removal process. The following tree protection specifications should be followed to the maximum extent feasible for all projects with protected existing trees:
 - 1) Within the drip line of any protected existing tree, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.
 - 2) Prior to and during construction, an orange fence shall be erected around all protected existing trees that is a minimum of four feet tall, secured with metal T-posts, no closer than six feet from the trunk or within the drip line, whichever is greater. There shall be no storage or movement of equipment, material, debris, or fill within the fenced tree protection zone.

- 3) During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil, or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.
- 4) No damaging attachment, wires, signs, or permits may be fastened to any protected tree.
- 5) Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way, and utility easements may be “ribboned off,” rather than erecting protective fencing around each tree as required in subsection (2) of this section. This may be accomplished by placing metal T-post stakes a maximum of 50 feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
- 6) The installation of utilities, irrigation lines, or any underground fixture requiring excavation deeper than six inches shall be accomplished by boring under the root system of protected existing trees at a minimum depth of 24 inches. The auger distance is established from the face of the tree (outer bark) and is scaled from tree diameter at breast height as described in the table below.

Auger Distances for Installation of Utilities	
Tree Diameter at Breast Height (inches)	Auger Distance from Face of Tree (feet)
8-9	5
10-14	10
15-19	12
Over 19	15

14. Per AMC 7.98.030(6), AMC 7.98.404(2), AMC 7.98.100(2), and ADC 9.204, this Site Plan Review – Tree Felling application was submitted for review and approval.
15. There are no heritage trees on the subject property, therefore, the provisions of AMC 7.98.120 are not applicable.
16. In accordance with AMC 7.98.205, the paid application fee was based on the adopted fee schedule.
17. The provisions of AMC 7.98.215 are reviewed in association with an Erosion Prevention and Sediment Control (EPSC) plan, which will be reviewed and approved by the Public Works Department prior to on-site work.
18. All applicable City Ordinances to tree felling have been adopted as regulations in the Albany Development and Albany Municipal Code.

III. Overall Conclusion

As proposed, the applications for Partition, Site Plan Review, and Site Plan Review-Tree Felling satisfies all applicable review criteria as outlined in this report.



IV. Attachments

- A. Preliminary Plan Set
 - 1. Existing Conditions
 - 2. Tentative Partition Plat
 - 3. Preliminary Civil Site Plan
 - 4. Enlarged Civil Site Plan
 - 5. Clear Vision Plan
 - 6. Tree Removal Plan
 - 7. Preliminary Open Space Plan
 - 8. Preliminary Garding and Drainage Plan
 - 9. Preliminary Utility Plan
- B. Preliminary Stormwater Report
- C. Preliminary Planting Plan
- D. Preliminary Architectural Plan Set

Udell Engineering and Land Surveying, LLC

SP-05-24 Completeness Determination Response

Date: April 18, 2024

To: Alyssa Schrems, City of Albany, Planner

From: Laura LaRoque, Udell Engineering and Land Surveying, LLC

CC: Scott Lepman, Glorietta Bay LLC; Brian Vandetta, Udell Engineering and Land Surveying, LLC

INTRODUCTION

The purpose of this memo is to provide responses to items raised in the completeness determination for Albany Planning File No. SP-05-24.

Application Submittal: (ADC 1.160(1)(b))

The completeness memo states the following:

- *The Albany Development Code Article 1.160(1)(b) requires a signed statement that the property affected by the application is in the exclusive ownership or control of the applicant, or that the applicant has the consent of all partners in ownership of the affected property. The application proposes an easement across a property to the north that is not in common ownership with the subject property. Please provide written proof from the owner of the northern property that they consent to provide an easement.*

Supplemental findings are included below:

The provided code citation is a submittal requirement that must be submitted to initiate completeness review under ADC 1.170. In this instance the code provision requires a signed statement expressing consent from the abutting property owner 3Lifestyle Holdings, LLC for the property identified by Linn County Tax Assessor's Map no. 11S-03W-08CC Tax Lot 801 where an easement is proposed to serve the proposed development on the subject property. The requested statement was provided via email to the assigned project planner on April 11, 2024.

Off-Street Parking Lot Design and Circulation: (ADC Table 9.120(3)(c))

The completeness memo states the following:

- *Additionally, while not an issue of completeness, staff would like to draw your attention to ADC 9.120, which requires trees along driveways (none currently proposed) (...).*

Supplemental findings are included below:

The provided code citation in its entirety is provided below.

- *9.120(3)(c) Street trees must be provided along driveways in accordance with Section 9.130 (3) and (4). Driveways must have a minimum 6-foot-wide landscape strip on at least one side of the driveway. For the purposes of this standard, the portions of the linear length driveways that provide direct access to parking stalls are exempt from this standard but shall meet other landscape island and tree planting requirements of the Development Code.*
- *9.130(3) Trees must be provided along all driveways but are not required along drive aisles. Trees shall be at least 10 feet tall at the time of planting. The tree spacing and species planted must be designed to maintain a continuous canopy, except when interrupted by driveways, drive aisles and other site design considerations. A continuous canopy has no less than three trees and breaks of no more than 3 feet, excluding permitted interruptions.*
- *9.130(4) Development of a tree canopy plan under this section shall be done in coordination with the local electric utility and other utility providers, including pre-design, design, building and maintenance phases and meet the following standards. (a) The tree spacing and species planted must be designed to achieve the minimum tree canopy of 40 percent using the expected diameter of the tree crown at 15 years from planting (or 20 years old). Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species. (b) Trees should be planted in continuous trenches with a minimum soil depth of 3 feet and width of 5 feet where possible. (c) The minimum standards for planting and tree care shall be no lower than 2021 American National Standards Institute (ANSI) A300 standards. (d) The property owner is responsible for maintaining all required vegetation. Compliance with these standards will be enforced through the City's code enforcement process.*

ADC 9.100 and ADC 9.130(1) states that the standards under ADC 9.130 are only applicable to new or improved surfaced parking areas of parking areas of more than 0.25 acres (10,890 square feet). As shown on the preliminary open space plan, the proposed new parking area is 6,626 and therefore, not subject to the provisions of ADC 9.130(3)(4).

Per ADC 1.040(4), where the conditions imposed by a provision of this Code are less restrictive than comparable conditions imposed by other provisions of this Code or other sections of the Albany Municipal Code, the more restrictive shall govern. In this case, the following code provisions are more restrictive and necessary to meet the stated safe and pedestrian friendly intent of the off-street parking lot design and circulation provisions and therefore, superseded the requirements of ADC 9.120(3)(c).

ADC 9.120(3)(b) states that driveways must have raised curbs and a pedestrian facility with a minimum 5-foot-wide sidewalk on at least one side the entire length of the driveway, which is unobstructed by obstacles that would impede pedestrians, including overhanging cars. ADC 12.100(2) states that 24-32 feet is required for two-lane driveways. Per staff, a 5-foot interior setback is required along the north of the existing garage on proposed Parcel 1. These dimensional requirements preclude the ability to also accommodate a 6-foot-wide landscaping strip north of the proposed sidewalk. A meandering driveway configuration is proposed to a power vault and

the northeast corner of the site as well as to provide landscaping and tree canopy to the fullest extent possible along the north property line of the subject property.

Parking Area Improvement Standards: (ADC 9.100(11))

The completeness memo states the following:

- *Additionally, while not an issue of completeness, staff would like to draw your attention to (...) ADC 9.100(12), which allows a maximum of 40 percent of spaces to be designated for compact cars (42 percent proposed), (...).*

Supplemental findings are included below:

Compact parking standards are contained in ADC 9.100(11) as opposed to ADC 9.100(12). ADC 9.100(11) states the following: *No more than 40 percent of parking spaces provided may be designated for compact cars. Compact spaces must be signed and/or the space painted with the words "Compact Car Only."*

As shown in the revised civil site plan, eight of the twenty (i.e., 40 percent) proposed parking spaces are designed to compact vehicle parking stall dimensional standards. Signage and/or painting will occur in association with final site improvements and satisfied prior to final occupancy.

Buffer and Screening Matrix: (ADC Table 9.210-1)

The completeness memo states the following:

- *Additionally, while not an issue of completeness, staff would like to draw your attention to (...) able 9.210-1, which requires a 10-foot buffer between multi-family developments and dwellings in residential zones (parking currently encroaches into buffer by five feet), (...).*

Supplemental findings are included below:

ADC 9.208 states that the purpose of the buffering and screening standards are to reduce the potential objectionable impacts of higher intensity uses on adjacent lower intensity uses. The subject property abuts 2018 Geary Street SE which per Albany Planning File No. SP-16-23/VR-03-23 will be developed with a 14-unit multi-family development. Therefore, in this case, abutting uses are to be developed at the same intensity and should not be subject to buffering requirements.

Additionally, in accordance with ADC 9.210 where a proposed use abuts undeveloped property, only one-half of the buffer width shall be required. Therefore, if a 10-foot-wide buffer is required for a multi dwelling unit development (abutting a lower intensity use) then a 5-foot-wide buffer is intended to be provided on one property and the remaining 5-foot-wide buffer is intended to be provided on the adjacent property.

In this case, the subject property abuts 2018 Geary Street SE, a site approved for multiple dwelling units. The approved site plan includes a 20-foot-wide buffer along the site's south property line. The requirement of an additional 10-foot-wide buffer along the subject property's north parking

lot bay would equate to a total 30-foot-wide buffer between abutting properties with the same intensity of use.

As shown in the revised civil site plan, a 5-foot-wide buffer along the eight compact parking spaces and a 6-foot-tall sight-obscuring fence along the common property line of 2018 Geary Street SE is proposed in accordance with the buffering and screening requirements of ADC 9.208 – ADC 9.270.

Accessory Structure Standards (ADC Table 3.230-1)

The completeness memo states the following:

- *Additionally, while not an issue of completeness, staff would like to draw your attention to (...) Table 3.230-1, which requires an interior setback of five feet for attached accessory structures to property lines (attached garage currently proposed to be three feet from newly proposed line creating Parcels 1 and 2).*

In earlier correspondence, staff provided the following explanation.

In ADC 22.400, a dwelling unit is defined as “one or more habitable rooms that are occupied or intended to be occupied by residents with housekeeping facilities for living, sleeping, cooking, and eating. The subject structure is an attached garage, which does not meet that definition. Instead, it is closely aligned with the definition of attached structure in ADC 22.400, which is “a structure that is attached to another structure by a common wall, by a roof, or by structural connections that allow pedestrians to access both structures. A garage may be attached to another structure by sharing a wall or by a breezeway. Structures connected by an uncovered “I” beam or similar connections are not considered attached.” Based on this definition, the garage would be considered an attached structure, making it subject to Table 3.230-1, and the setback requirement for an Attached Structure, which is 5 feet.

Supplemental findings are included below:

Setback standards for residential zoning districts are provided in ADC Table 3.190-1 and Table 3.230-1. Table 3.190-1, sub note 5 states that single-family dwelling units and middle housing dwelling units are required to maintain a 3-foot setback for one-story dwellings and 5-foot setback for two-story dwellings. ADC Table 3.230-1 states that an attached structure is required to maintain a 5-foot setback and a garage or carport with vehicular access from an alley is required to maintain a 3-foot setback from an alley but maintain the interior setbacks under Table 3.190-1 for interior setbacks. See table below:

Structure / No. of Stories	Minimum Setback
Detached Structure walls less than or equal to 8’ tall.	3’ interior setback
Detached Structure walls greater than 8 feet tall	5’ interior setback
One-story dwelling	3’ interior setback

Two-story dwelling	5' interior setback
Attached Structure	5' interior setback
Garage or carport	3'/5' interior setback (based on no. of stories)

Further ADC 3.265 states that any residential dwelling unit or residential accessory building may be located on the interior property line under certain circumstances. Depending on interpretation either a 3-foot or 5-foot setback is required for the one-story garage attached to the existing dwelling unit.

As shown in the revised civil site plan, a 5-foot setback is proposed to the north, west, and south portions of the existing garage on Parcel 1 and a 9-foot setback is provided to the west of the existing dwelling on Parcel 1.

SUMMARY

As outlined in the above, the proposed submittal conforms with all applicable Albany Development Code standards.

LEPMAN PROPERTIES
GEARY ST APARTMENTS
 2030 SE GEARY ST ALBANY, OR 97322

24.02

ISSUE	DATE
DD1	02/01/24
DD2	02/08/24
DD3	02/15/24
DD4	02/21/24
DD5	02/27/24

SITE PLAN

A0.1

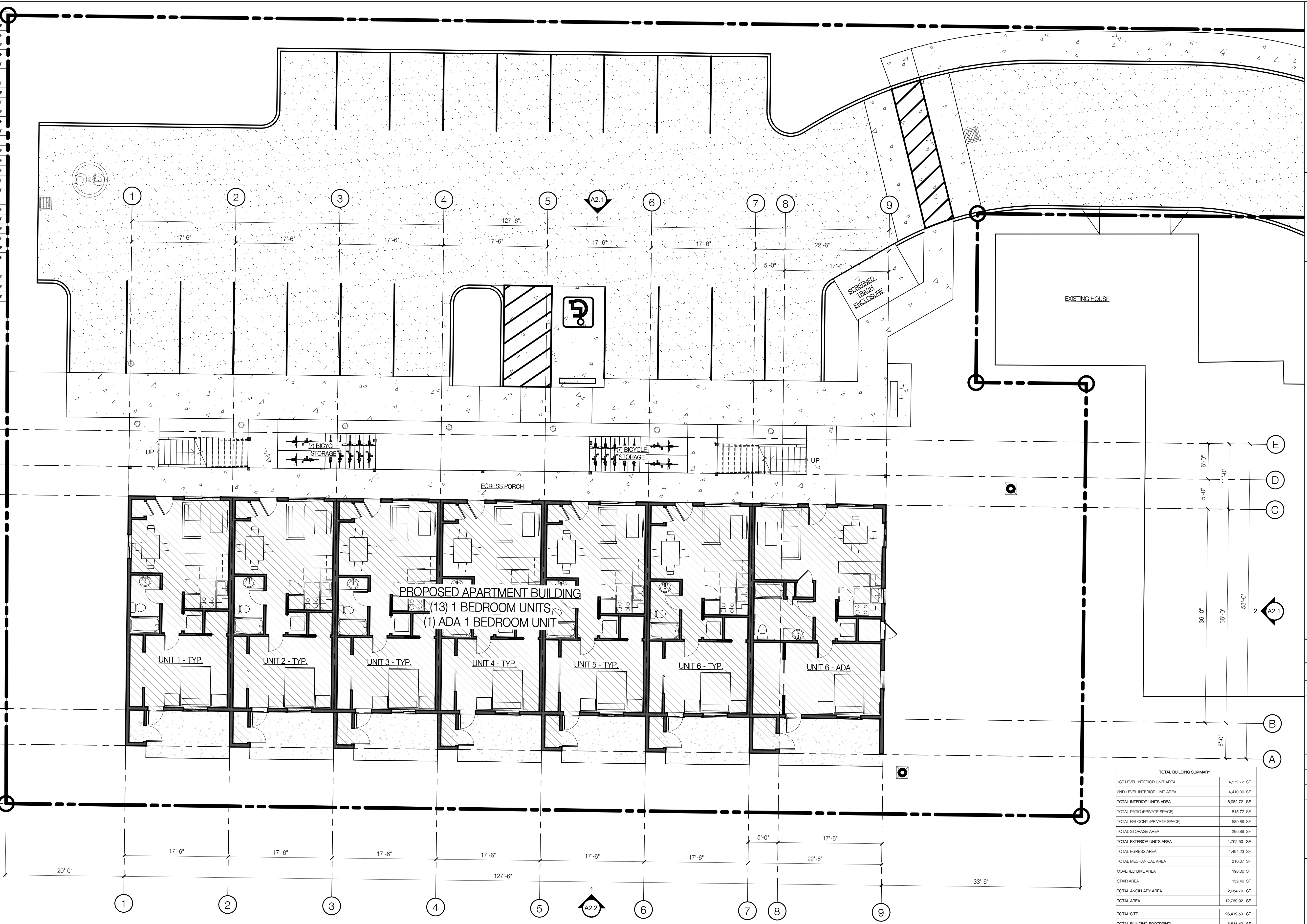
1ST LEVEL TYP. UNIT AREA SUMMARY	
INTERIOR UNIT AREA	630.00 SF
TOTAL INTERIOR UNIT AREA	630.00 SF
PATIO (PRIVATE SPACE)	112.62 SF
STORAGE	20.53 SF
TOTAL EXTERIOR UNIT AREA	133.15 SF
TOTAL UNIT AREA	763.15 SF

1ST LEVEL ADA UNIT AREA SUMMARY	
INTERIOR UNIT AREA	792.72 SF
TOTAL INTERIOR UNIT AREA	792.72 SF
PATIO (PRIVATE SPACE)	140.00 SF
STORAGE	30.00 SF
TOTAL EXTERIOR UNIT AREA	170.00 SF
TOTAL UNIT AREA	962.72 SF

1ST LEVEL ANCILLARY AREA SUMMARY	
EGRESS AREA	759.37 SF
MECHANICAL AREA	17.28 SF
COVERED BIKE AREA	198.00 SF
STAIR AREA	152.40 SF
TOTAL 1ST LEVEL ANCILLARY AREA	1,127.05 SF

2ND LEVEL TYP. UNIT AREA SUMMARY	
INTERIOR UNIT AREA	630.00 SF
TOTAL INTERIOR UNIT AREA	630.00 SF
BALCONY (PRIVATE SPACE)	84.27 SF
STORAGE	20.53 SF
TOTAL EXTERIOR UNIT AREA	104.80 SF
TOTAL UNIT AREA	734.80 SF

2ND LEVEL ANCILLARY AREA SUMMARY	
EGRESS AREA	734.86 SF
MECHANICAL AREA	192.79 SF
TOTAL 2ND LEVEL ANCILLARY AREA	927.65 SF



TOTAL BUILDING SUMMARY	
1ST LEVEL INTERIOR UNIT AREA	4,572.72 SF
2ND LEVEL INTERIOR UNIT AREA	4,410.00 SF
TOTAL INTERIOR UNITS AREA	8,982.72 SF
TOTAL PATIO (PRIVATE SPACE)	815.72 SF
TOTAL BALCONY (PRIVATE SPACE)	589.89 SF
TOTAL STORAGE AREA	296.89 SF
TOTAL EXTERIOR UNITS AREA	1,702.50 SF
TOTAL EGRESS AREA	1,494.23 SF
TOTAL MECHANICAL AREA	210.07 SF
COVERED BIKE AREA	198.00 SF
STAIR AREA	152.40 SF
TOTAL ANCILLARY AREA	2,554.70 SF
TOTAL AREA	12,739.92 SF
TOTAL SITE	26,419.50 SF
TOTAL BUILDING FOOTPRINT*	6,515.49 SF

*1ST LVL INT UNIT AREA + 1ST LVL ANCL. AREA + 1ST LVL PATIOS

1 SITE PLAN
 1/8" = 1'-0"



1ST LEVEL TYP. UNIT AREA SUMMARY	
INTERIOR UNIT AREA	830.00 SF
TOTAL INTERIOR UNIT AREA	830.00 SF
PATIO (PRIVATE SPACE)	112.62 SF
STORAGE	20.53 SF
TOTAL EXTERIOR UNIT AREA	133.15 SF
TOTAL UNIT AREA	783.15 SF

1ST LEVEL ADA UNIT AREA SUMMARY	
INTERIOR UNIT AREA	792.72 SF
TOTAL INTERIOR UNIT AREA	792.72 SF
PATIO (PRIVATE SPACE)	140.00 SF
STORAGE	30.00 SF
TOTAL EXTERIOR UNIT AREA	170.00 SF
TOTAL UNIT AREA	962.72 SF

1ST LEVEL ANCILLARY AREA SUMMARY	
EGRESS AREA	759.37 SF
MECHANICAL AREA	17.28 SF
COVERED BIKE AREA	198.00 SF
STAIR AREA	152.40 SF
TOTAL 1ST LEVEL ANCILLARY AREA	1,127.05 SF

SUBMITTAL
DRAWING

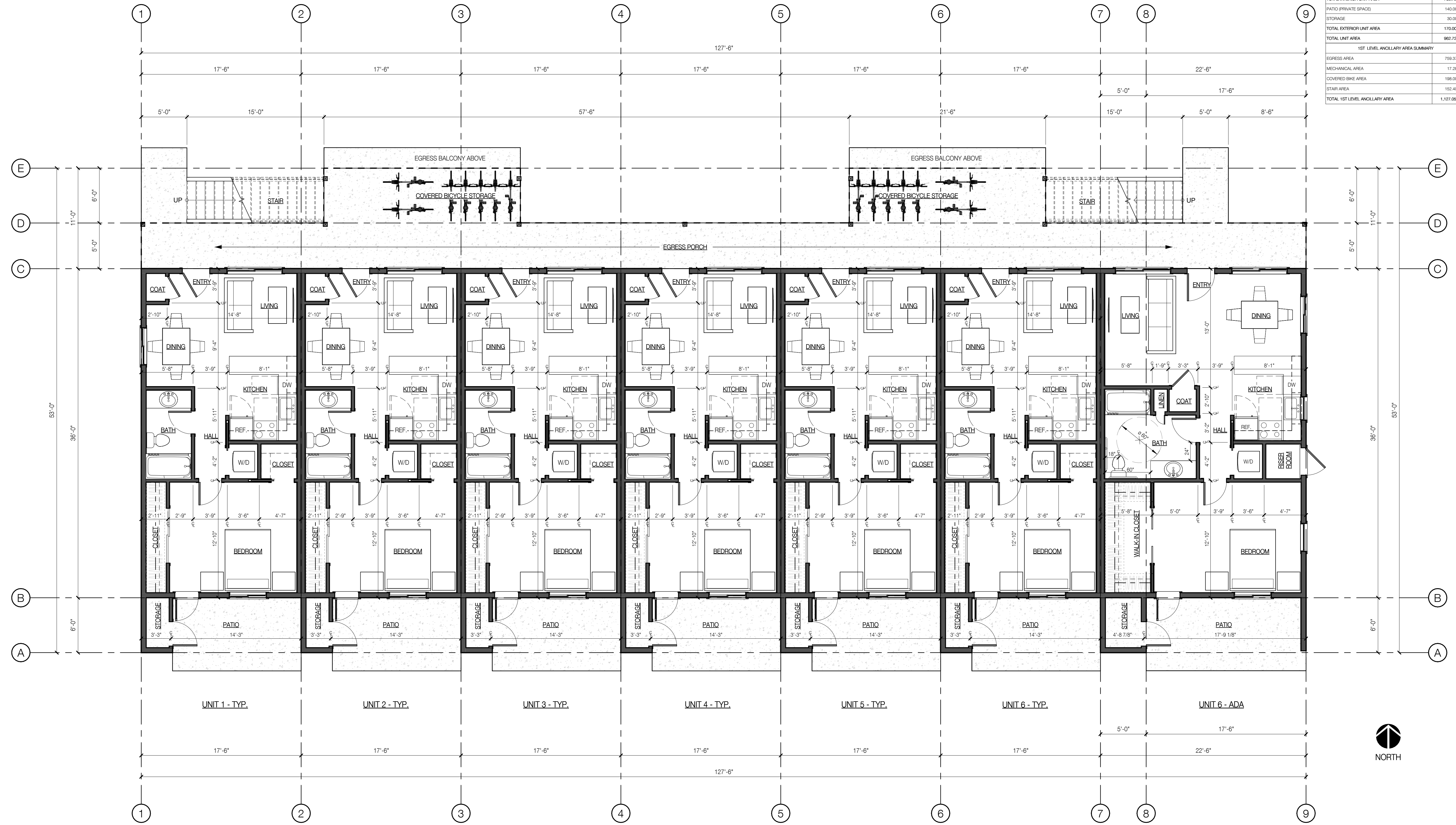
LEPMAN PROPERTIES
GEARY ST APARTMENTS
2030 SE GEARY ST ALBANY, OR 97322

24.02

ISSUE	DATE
DD1	02/01/24
DD2	02/08/24
DD3	02/15/24
DD4	02/21/24
DD5	02/27/24

1ST LEVEL
FLOOR PLAN

A1.1



1 1ST LEVEL FLOOR PLAN
3/16" = 1'-0"

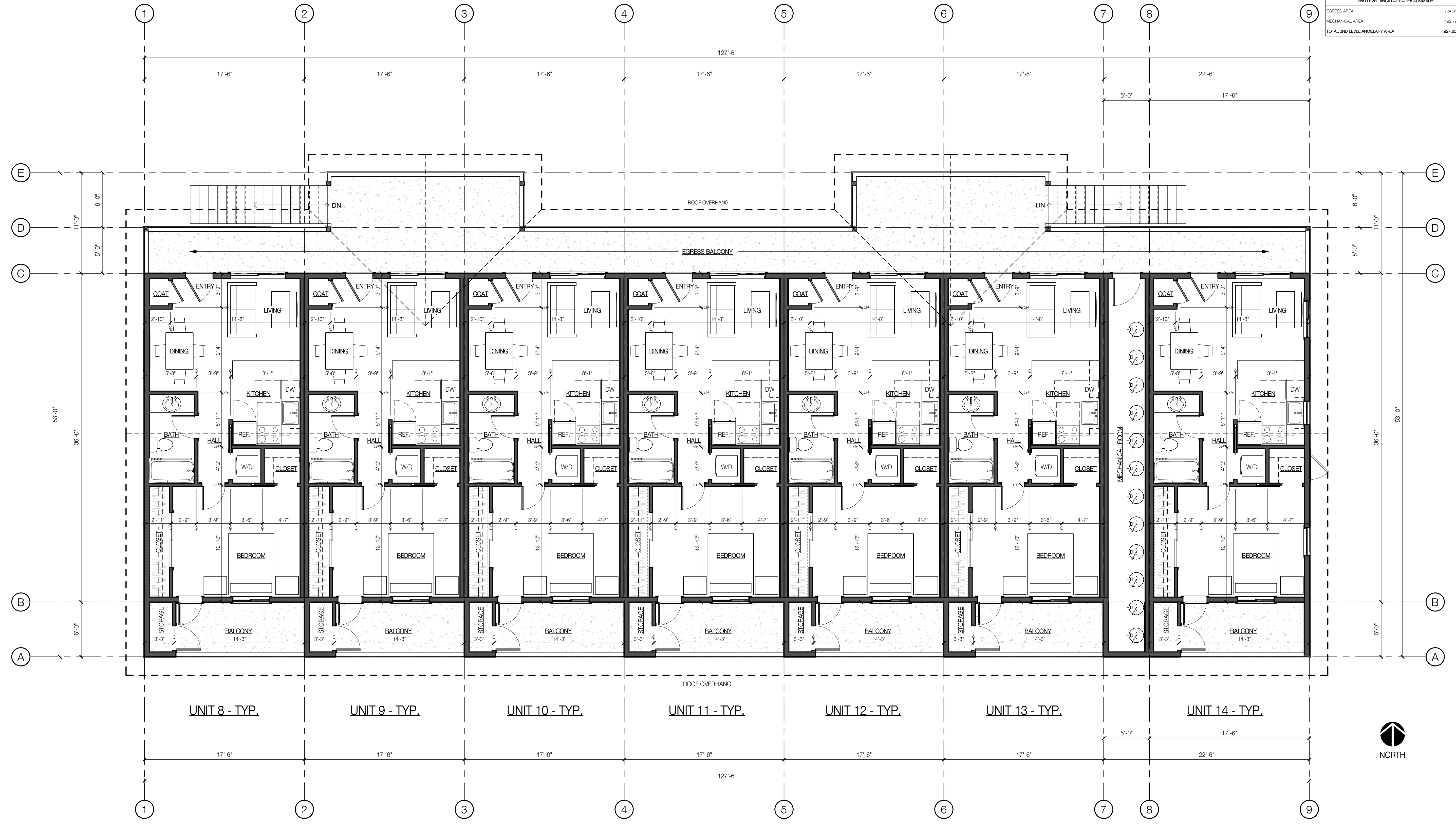


LEPMAN PROPERTIES
 GEARY ST APARTMENTS
 2030 SE GEARY ST ALBANY, OR 97322

24.02	
ISSUE	DATE
DD1	02/01/24
DD2	02/08/24
DD3	02/15/24

2ND LEVEL
 FLOOR PLAN
 A1.2

2ND LEVEL TYP. UNIT AREA SUMMARY	
INTERIOR UNIT AREA	630.00 SF
TOTAL INTERIOR UNIT AREA	630.00 SF
BALCONY (PRIVATE SPACE)	84.27 SF
STORAGE	20.53 SF
TOTAL EXTERIOR UNIT AREA	104.80 SF
TOTAL UNIT AREA	734.80 SF
2ND LEVEL ANCILLARY AREA SUMMARY	
EGRESS AREA	734.86 SF
MECHANICAL AREA	192.79 SF
TOTAL 2ND LEVEL ANCILLARY AREA	927.65 SF



1 2ND LEVEL FLOOR PLAN
 3/16" = 1'-0"



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SUBMITTAL
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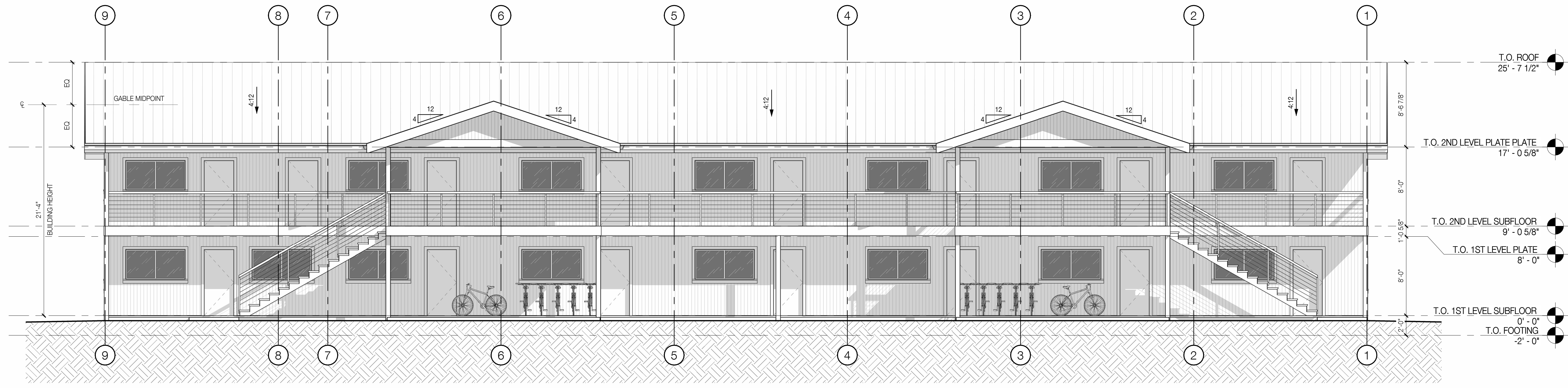
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DD2	02/08/24
DD3	02/15/24

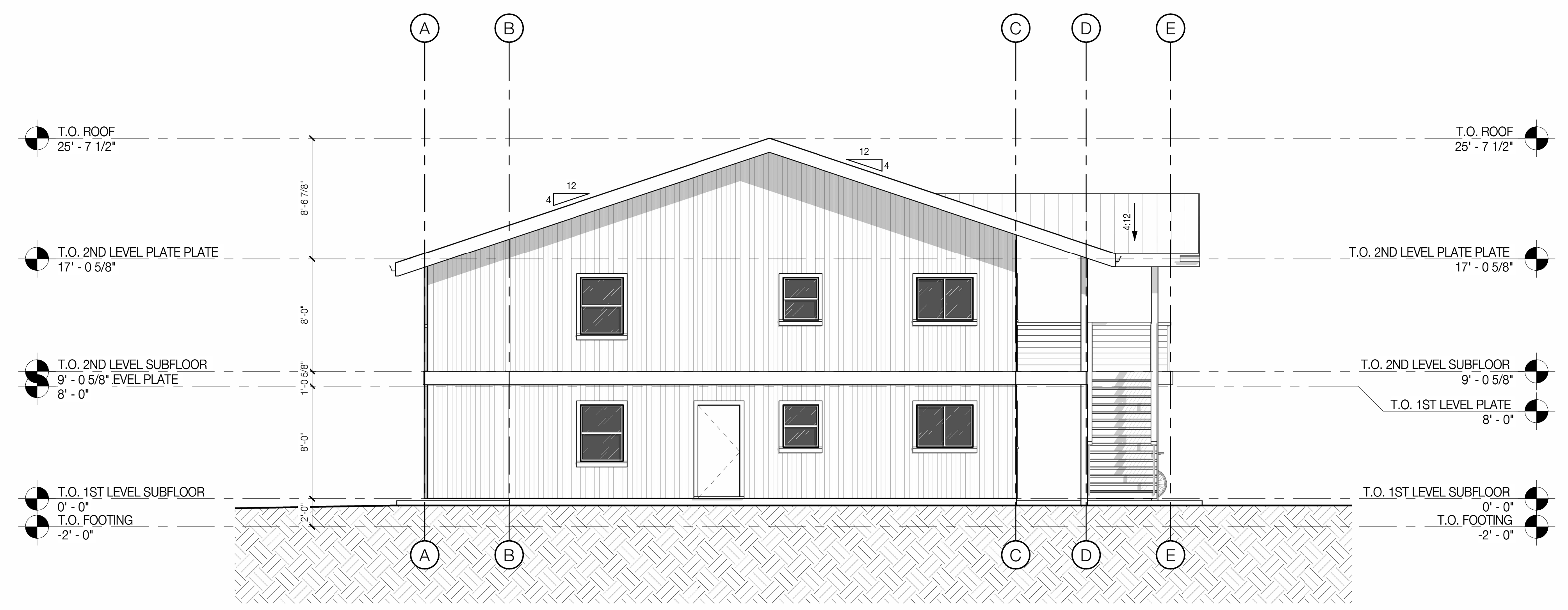
SW BUILDING ELEVATIONS

A2.1

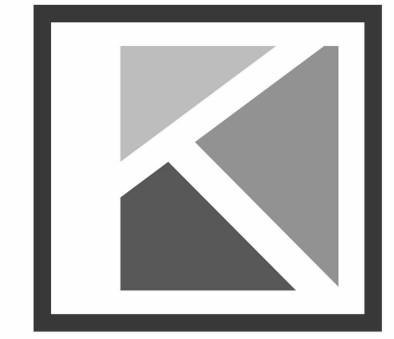
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1 SOUTH BUILDING ELEVATION
3/16" = 1'-0"



2 WEST BUILDING ELEVATION
3/16" = 1'-0"



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DRAWING

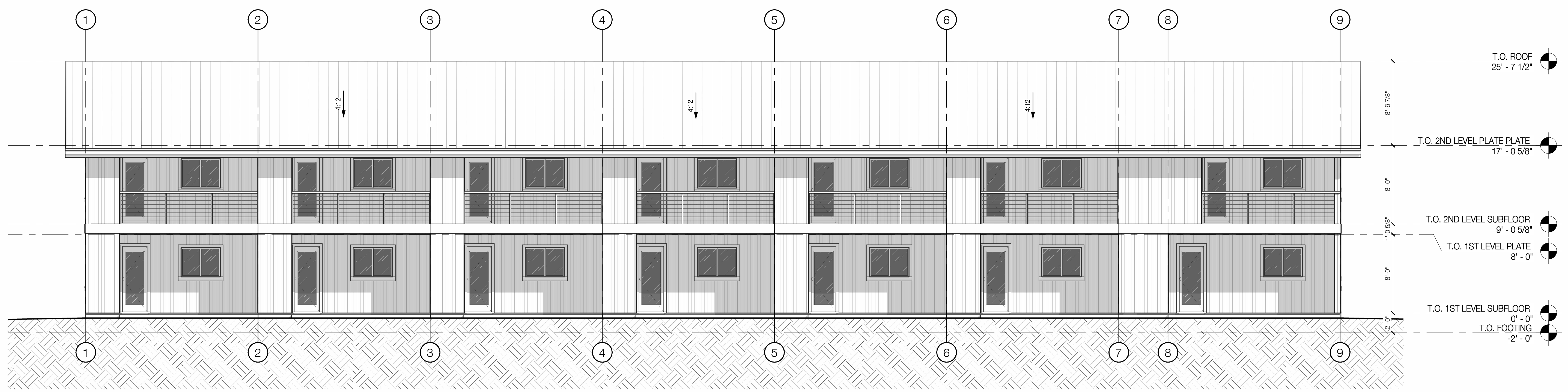
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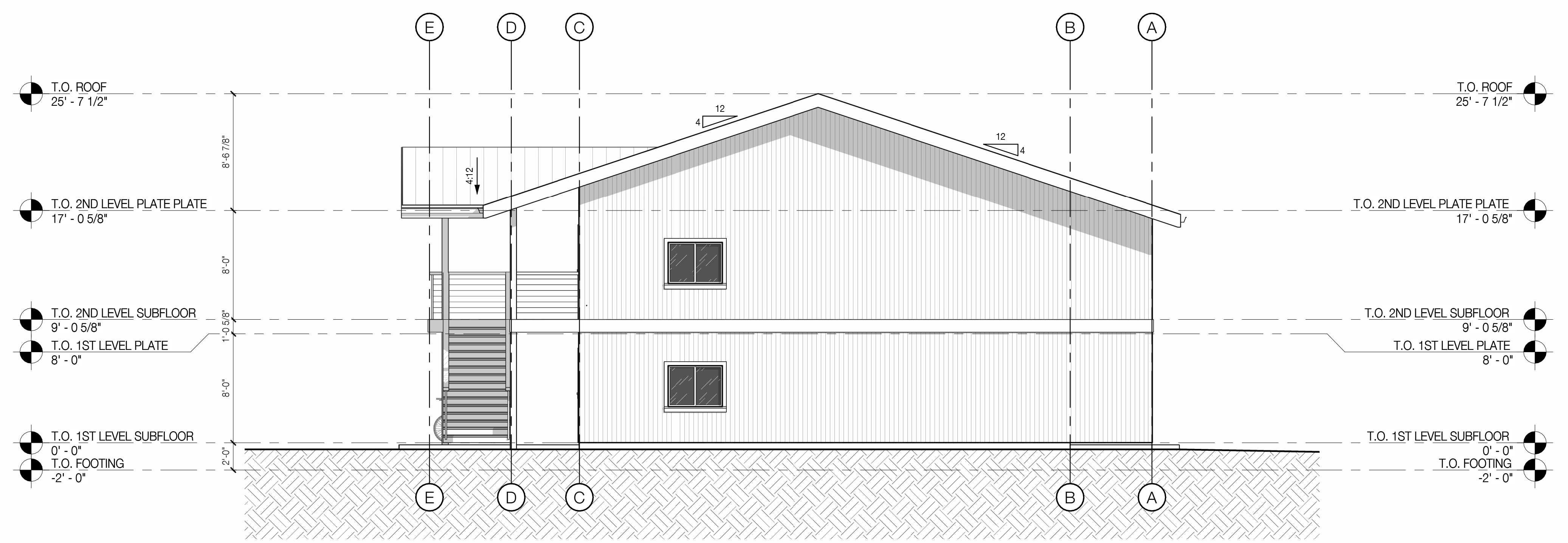
ISSUE	DATE
DD1	02/01/24
DD2	02/08/24
DD3	02/15/24

NE BUILDING ELEVATIONS

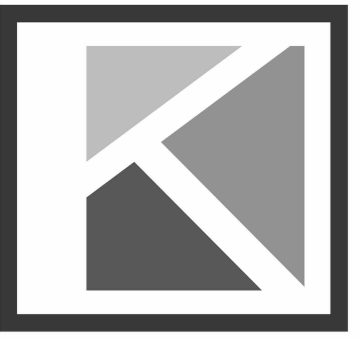
A2.2



1 NORTH BUILDING ELEVATION
3/16" = 1'-0"



2 SOUTH ELEVATION
3/16" = 1'-0"



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DRAWING

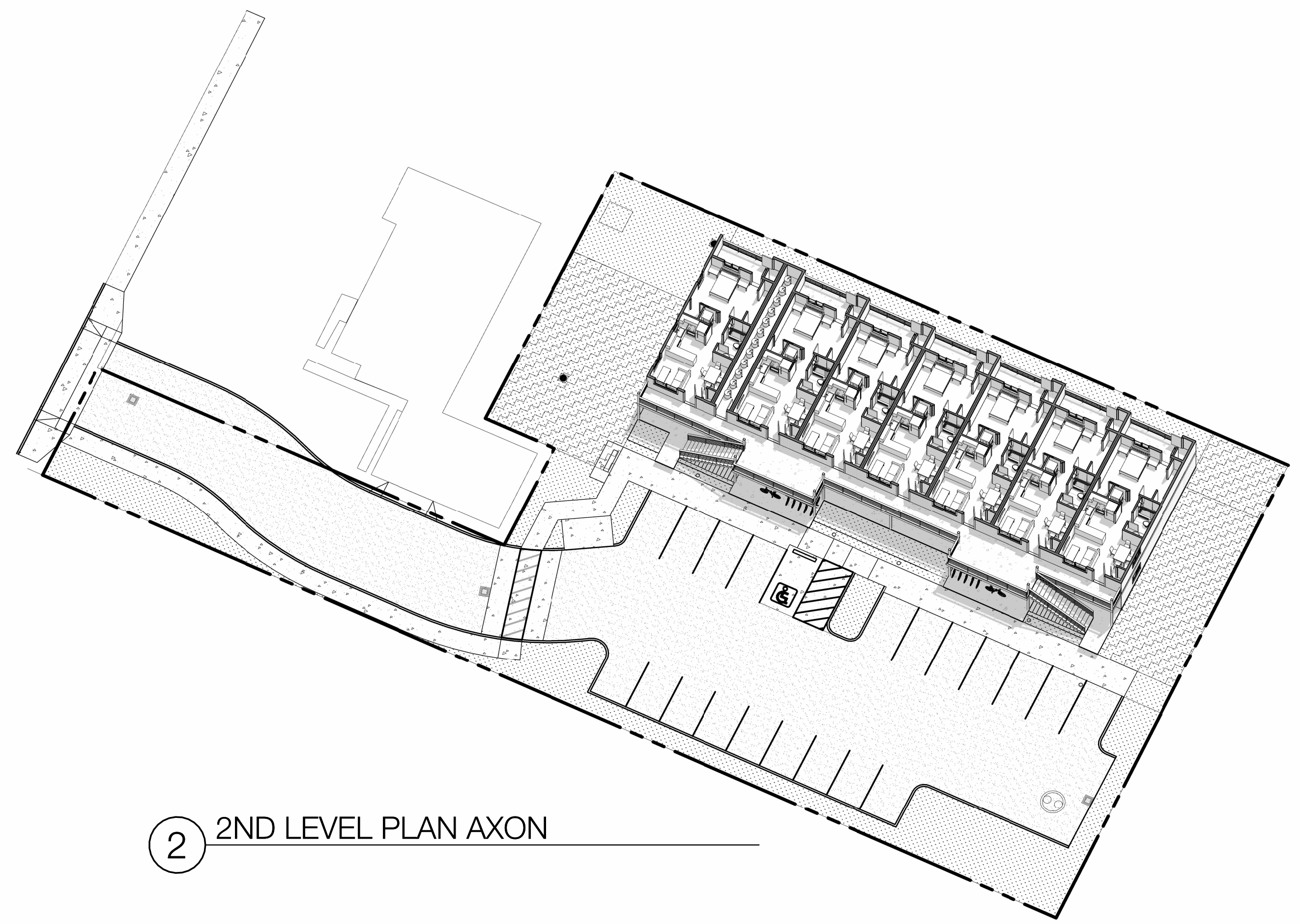
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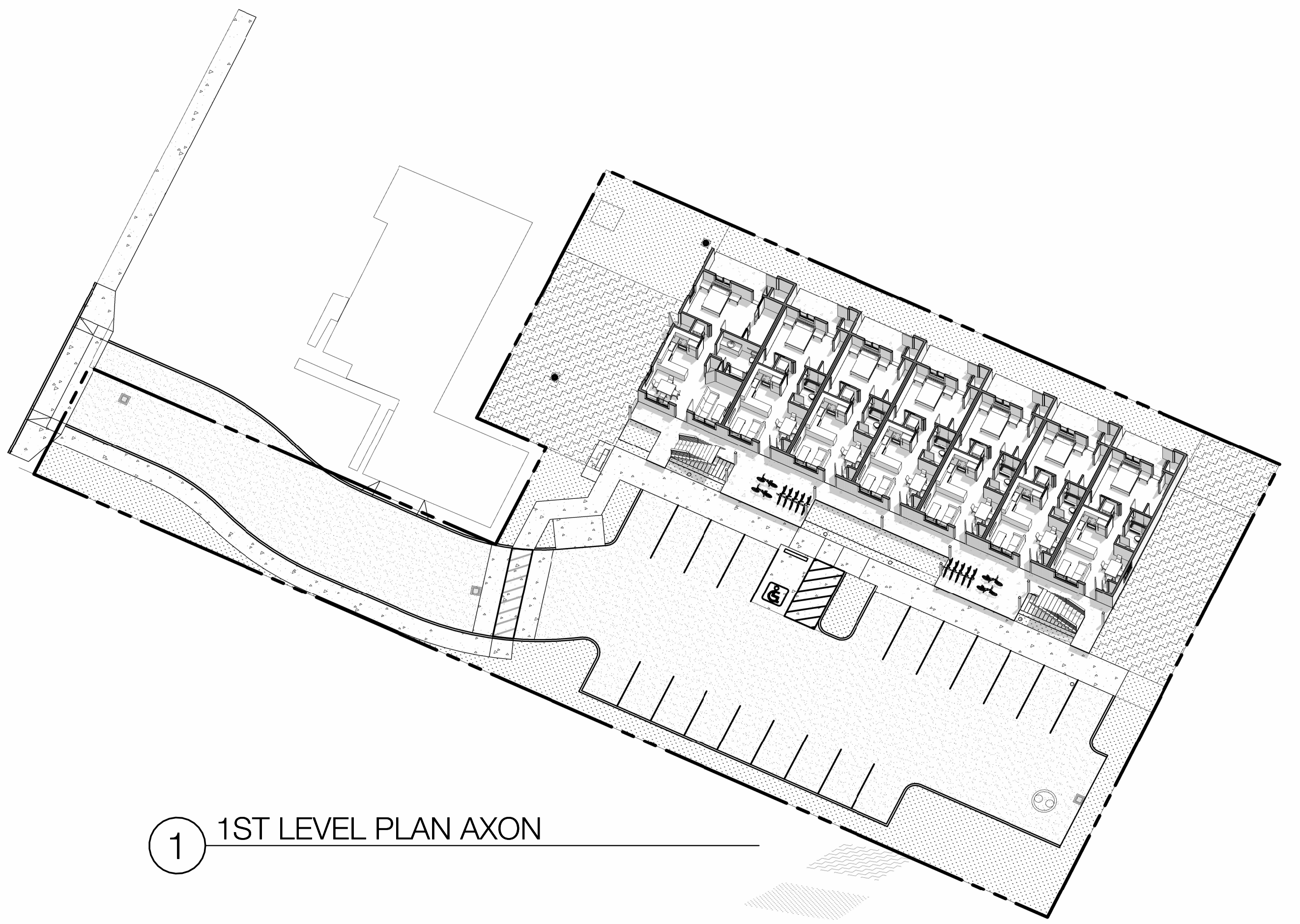
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DD2	02/08/24
DD3	02/15/24

AXONS

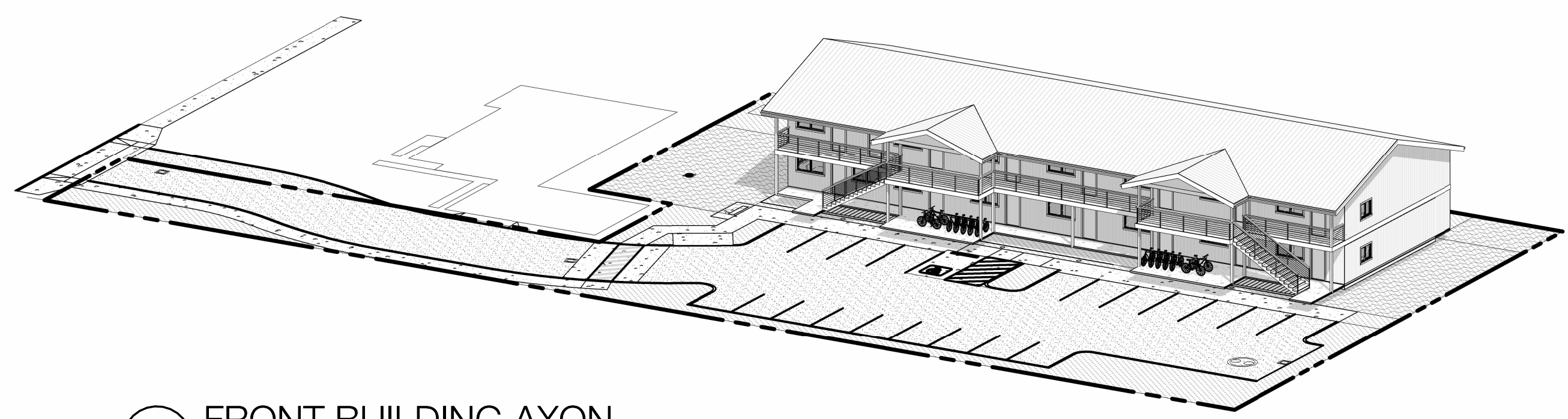
A2.3



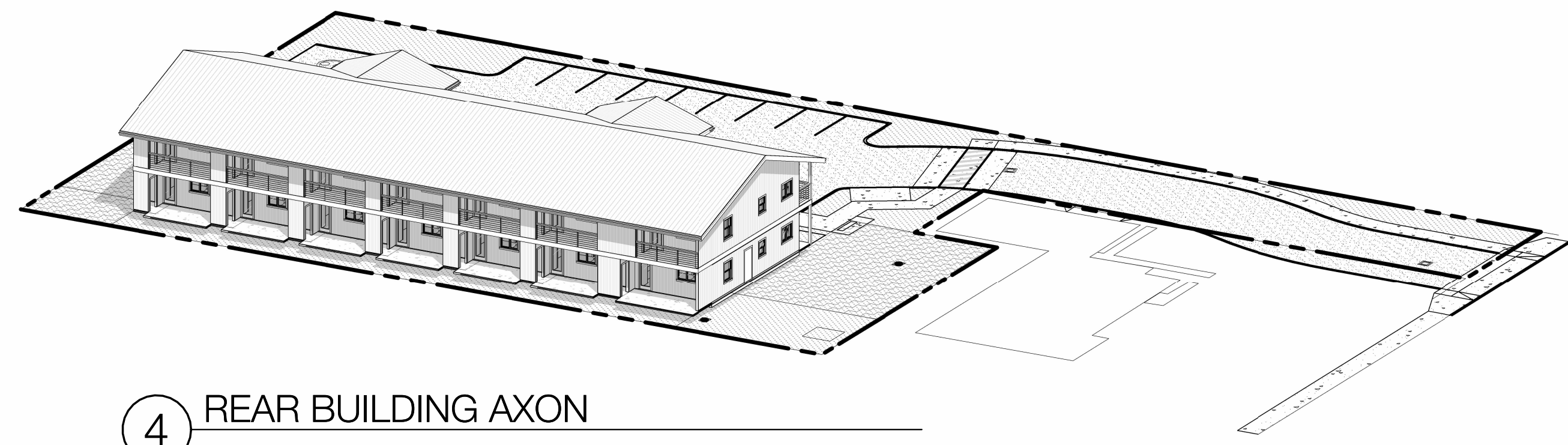
② 2ND LEVEL PLAN AXON



① 1ST LEVEL PLAN AXON



③ FRONT BUILDING AXON



④ REAR BUILDING AXON

Preliminary Plant Schedule

TREES	QTY	BOTANICAL / COMMON NAME	SIZE
	1	Cladrastis kentukea / American Yellowwood	2" Cal., B&B (10' Ht. Min.)
	5	Fagus sylvatica 'Dawyc Purple' / Dawyc Purple European Beech	2" Cal., B&B (10' Ht. Min.)
	8	Nyssa sylvatica 'Haymanred' / Red Rage Tupelo	2" Cal., B&B (10' Ht. Min.)
	7	Picea glauca 'Pendula' / Weeping White Spruce	5" Ht. Min., B&B
	6	Thuja plicata 'Northern Spire' / Northern Spire Western Red Cedar	5" Ht. Min., B&B
	3	Zelkova serrata 'Green Vase' / Green Vase Japanese Zelkova	2" Cal., B&B (10' Ht. Min.)

SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE
	14	Euonymus alatus 'Compactus' / Compact Burning Bush	5 Gal.
	36	Euonymus japonicus 'Silver King' / Silver King Euonymus	3 Gal.
	13	Ilex crenata 'Soft Touch' / Soft Touch Japanese Holly	2 Gal.
	9	Leucothoe fontanestiana 'Zebliq' / Scarletta Drooping Leucothoe	2 Gal.
	9	Lonicera pileata / Privet Honeysuckle	2 Gal.
	11	Mahonia aquifolium / Oregon Grape	3 Gal.
	7	Prunus laurocerasus 'Mount Vernon' / Mount Vernon Laurel	1 Gal.
	32	Raphiolepis indica 'Ballerina' / Ballerina Indian Hawthorn	2 Gal.
	9	Sarcococca confusa / Fragrant Sarcococca	2 Gal.
	25	Vaccinium ovatum / Evergreen Huckleberry	3 Gal.

GRASSES / PERENNIALS	QTY	BOTANICAL / COMMON NAME	SIZE
	22	Hemerocallis 'Purple de Oro' / Purple de Oro Daylily	1 Gal.
	30	Liriope muscari 'Big Blue' / Big Blue Lilyturf	1 Gal.
	7	Polystichum munitum / Western Sword Fern	1 Gal.

GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE
	74	Arctostaphylos uva-ursi 'Massachusetts' / Kinnikinnick	1 Gal. @ 30" o.c.
	3,295 sf	ProTime PT301 Water Smarter Fescue	Seed

Landscape Information:

TOTAL SITE SF (PARCEL 2): 26,419 SF
 PROPOSED LANDSCAPE SF: 7,578 SF

COMMON OPEN SPACE REQUIRED: 15%
 25% REDUCTION FOR PARK PROXIMITY: 2,972 SF REQUIRED
 COMMON OPEN SPACE PROVIDED: 2,975 SF

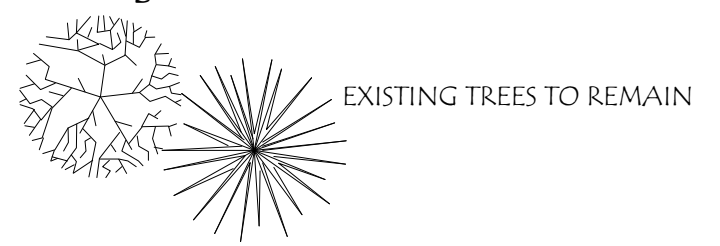
NORTH SETBACK (186 L.F.):
 (3) DECIDUOUS TREES NO MORE THAN 30' O.C.
 (5) 5 GAL. SHRUBS OR (9) 1 GAL. SHRUBS
 GROUND COVER REMAINING AREA
 4' HT. MIN. EVERGREEN HEDGE OR MIN. 5' HT. SIGHT-OBSCURING FENCE

WEST SETBACK (PARKING 54 L.F. AND BUILDING 79 L.F.):
 (3) DECIDUOUS TREES NO MORE THAN 30' O.C.
 (2) EVERGREEN TREES NO MORE THAN 15' O.C.
 (9) 5 GAL. SHRUBS OR (17) 1 GAL. SHRUBS
 GROUND COVER REMAINING AREA
 4' HT. MIN. EVERGREEN HEDGE OR MIN. 5' HT. SIGHT-OBSCURING FENCE

SOUTH SETBACK (171 L.F.):
 (1) EVERGREEN TREES NO MORE THAN 15' O.C.
 (9) 5 GAL. SHRUBS OR (17) 1 GAL. SHRUBS
 GROUND COVER REMAINING AREA
 4' HT. MIN. EVERGREEN HEDGE OR MIN. 5' HT. SIGHT-OBSCURING FENCE

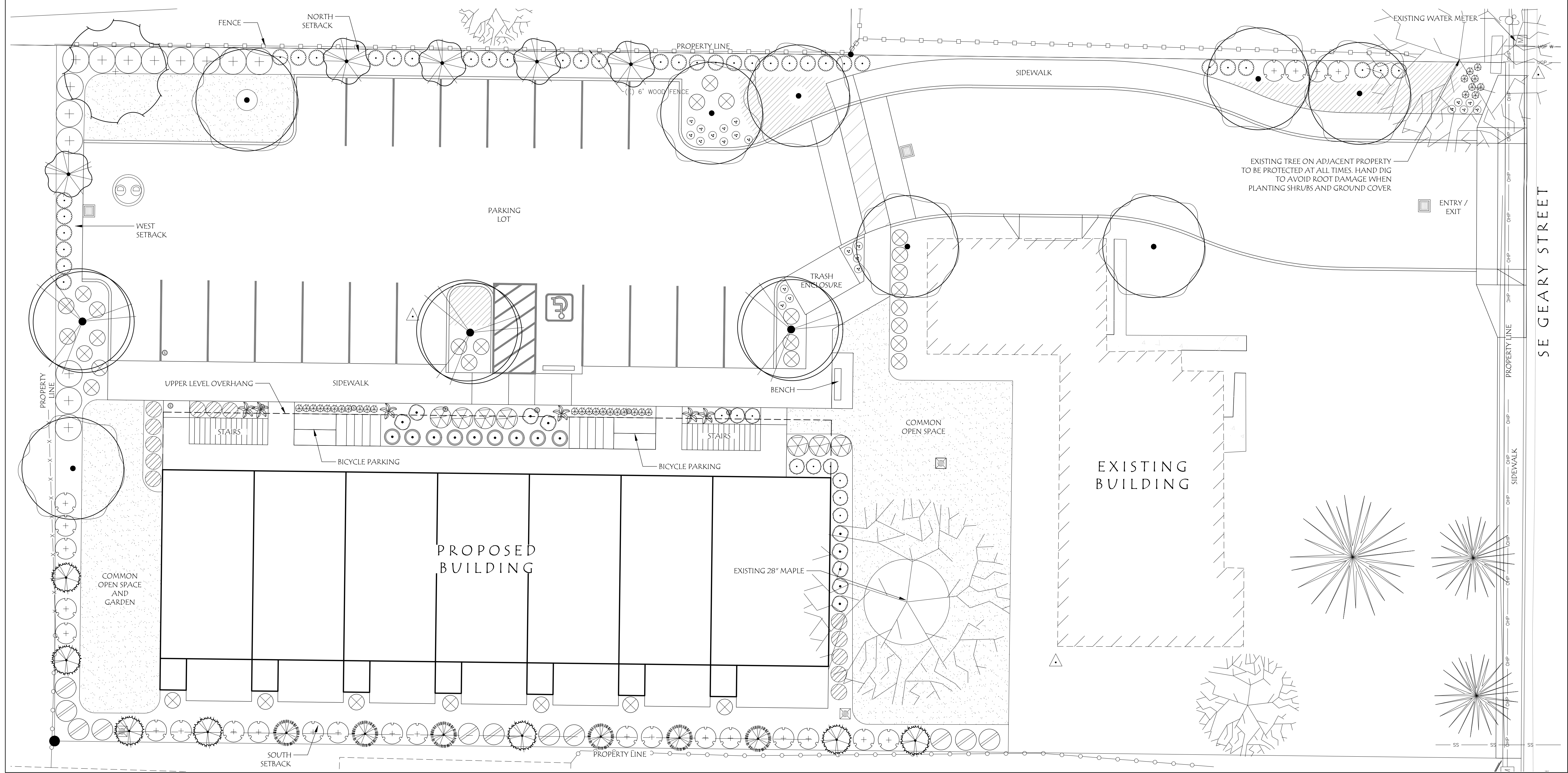
PARKING
 PARKING PLANTERS: (1) TREE PER PLANTER
 (2) SHRUBS PER 100 SF GROUND COVER

Legend:



General Notes:

- DRAWINGS ARE PRELIMINARY, NOT FOR CONSTRUCTION OR BIDDING.
- SEE CIVIL DRAWINGS FOR GRADING, UTILITIES, AND STORMWATER INFORMATION.
- PLANTS TO BE SIZED ACCORDING TO ALBANY REQUIREMENTS FOR GENERAL PLANTING PLAN.
- LANDSCAPE REQUIREMENTS SEE THIS SHEET.
- PRELIMINARY PLANT SCHEDULE SEE THIS SHEET.
- ALL BEDS TO BE MULCHED WITH 2" AGED FIR MULCH.
- LANDSCAPE TO BE IRRIGATED BY AN AUTOMATIC UNDERGROUND SYSTEM.



Laurus Designs, LLC

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 Silverton, Oregon
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Lepman Geary Apartments

2030 Geary Street SE
 Albany, Oregon

REGISTERED 643
PRELIMINARY
 LAURA A. ANTONSON
 OREGON
 11/16/2007
 LANDSCAPE ARCHITECT

PRELIMINARY PLANTING PLAN

SCALE: 1"=10'-0"
 0' 5' 10' 20'
 SCALE

April 19th, 2024

REVISIONS			
#	DATE	NOTES	INITIALS

L1.1

SHEET 1 OF 1

PROJECT #: 1650R