



## COMMUNITY DEVELOPMENT

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

# Staff Report

## Site Plan Review for Modification of Existing Development

SP-22-24

September 12, 2024

### Summary

This request is for a Site Plan Review for redevelopment of portions of Deerfield Park with a new play area, basketball court, disc golf course, and associated site improvements.

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:	Redevelopment of portions of Deerfield Park with a new play area, basketball court, disc golf course, and associated site improvements
Review Body:	Staff (Type I-L Review)
Property Owner/Applicant:	City of Albany Parks & Recreation, C/O Kim Lyddane, 333 Broadalbin Street SW Albany, OR 97321
Applicant's Representative:	Lando Hansen Architecture, C/O Katherine Sheie, 1100 NW Glisan Street #3A, Portland, OR 97209
Address/Location:	2627 Del Rio Avenue SE, Albany, OR 97322
Map/Tax Lot:	Linn County Assessor: 11S-03W-20AD-00200
Zoning:	Residential Single Dwelling Unit (RS-6.5)
Comprehensive Plan:	Residential- Low Density
Overlay Districts:	None
Total Land Area:	10.88 acres
Existing Land Use:	Public Park
Neighborhood:	Periwinkle
Surrounding Zoning:	North: RM (Residential Medium Density), RS-6.5 (Residential Single Dwelling Unit) East: RS-6.5 (Residential Single-Dwelling Unit), RM (Residential Medium Density) South: RS-6.5 (Residential Single-Dwelling Unit) West: RS-6.5 (Residential Single-Dwelling Unit)
Surrounding Uses:	North: Single dwelling units East: Multiple dwelling units South: Single dwelling units West: Multiple dwelling units, Single 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 decision approval.

## Appeals

The City's decision may be appealed to the Albany Planning Commission if a person with standing files a completed notice of intent to appeal and the associated filing fee no later than 10 days from the date the City mails the notice of decision [ADC 1.220(7)].

## Notice Information

A notice of filing was mailed to property owners identified within 300 feet of the subject properties on August 8, 2024, in accordance with ADC 1.220. At the time the comment period ended on August 22, 2024, the Albany Planning Division received two comments.

### PUBLIC COMMENTS:

Public comments expressed concerns regarding budget information and materials used in the park renovation.

### STAFF RESPONSE:

Budget priorities: The Albany Parks Department manages the budget for the park renovation and can provide a more in-depth explanation of community priorities and the costs of proposed upgrades.

Materials: Materials chosen for use on the paths and trails are intended to be permeable so as not to require stormwater treatment and detention. There was high community interest in more walking trails in the area.

### PUBLIC COMMENTS (BPA):

Bonneville Power Administration (BPA) commented that BPA has acquired rights for easements that limit the landowner's use of this area and that a review is required for all buildings, sheds, fences, roads, in-ground and above-ground swimming pools, trampolines, or any other type of structure, trees, and all vegetation.

### STAFF RESPONSE:

Notice has been provided to the applicant and it shall be their responsibility to comply with the use restrictions for the easement.

## Analysis of Development Code Criteria

The ADC includes the following review criteria for Site Plan Review (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.

## 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 August 6, 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 RS-6.5 (Residential Single-Dwelling Unit) zoning district. The Article 3 *Schedule of Permitted Uses* identifies residential multi-dwelling unit development as an allowed use subject to Site Plan Review or Conditional Use, subject to Special Condition 14. Special Condition 14 states: Public park development activity subject to Conditional Use review includes major development; expansions of activities and development within parks which currently generate substantial traffic; or construction of major structures such as swimming pools, lighted ball fields, and community centers. Conditional Use review is not required, however, for construction of play equipment, tennis courts, bike paths, picnic shelters, restrooms, landscaping, and similar activities within existing improved parks. The applicant is proposing to redevelop Deerfield Park with a new play area, basketball court, disc golf course, and associated site improvements
- 2.2 Minimum Lot Size. There is no minimum lot size for the proposed use in Table 3.190-1. The subject property is 10.88 acres, which is a sufficient size to support a play area, basketball court, and associated site improvements.
- 2.3 Lot Coverage. ADC Table 3.190-1 identifies a maximum lot coverage of 60 percent in the RS-6.5 zone. Per ADC Section 22.400 Definitions, lot coverage is that 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. Based on the applicant's submittal information, approximately 5,715 square feet, or 1.2 percent of the site, will be impermeable. This complies with the lot coverage maximum.
- 2.4 Density/Intensity/Height. ADC Table 3.190-1 identifies a maximum building height of 30 feet in the RS-6.5 zone. The applicant did not provide detailed drawings of the proposed play structures but will be limited to a maximum height of 30 feet.
- 2.5 Setbacks. The RS-6.5 zoning district has a minimum 15-foot front setback, and an interior setback of 5 feet for single-story structures and 8 feet for two or more story structures. The applicant's proposed play area is located approximately 175 feet from the nearest property line.
- 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 Conclusion: These review criteria are met with the following conditions.

### Condition

**Condition 1 Site Improvements.** Prior to the commencement of the use, 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.

## 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 *Article 4 Airport Approach district*: According to Figure 4.410-1 of the ADC, the subject property is located outside of the Airport Approach District.
- 3.2 *Article 6 Steep Slopes, Comprehensive Plan Plate 7*: According to Plate 7 of the Comprehensive Plan, the subject property is not located in the Hillside Development overlay district.

- 3.3 *Article 6 Wetlands, Comprehensive Plan Plate 6:* according to Plate 6 of the Comprehensive Plan, the subject property does not appear to contain wetlands. The Statewide Wetland Inventory Map shows hydric soils on the property. A Wetland Land Use Response was received from the Oregon Department of State Lands (DSL) stating that there are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information. The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands. It appears that the proposed project **may** impact wetlands and **may** require a state permit. An onsite inspection by a qualified wetland consultant is recommended prior to site development to determine if the site has wetlands or other waters that may be regulated. The determination or delineation report should be submitted to DSL for review and approval. Approved maps will have a DSL stamp with approval date and expiration date. A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high waterways, within other waters of the state, or below highest measured tide. A Federal permit may be required by The Army Corps of Engineers.
- 3.4 *Article 7 Historic Districts, Comprehensive Plan Plate 9:* According to Plate 9 of the Comprehensive Plan, the subject property is not located in one of Albany's Historic Districts. There are no known archaeological sites on the property.
- 3.5 *Article 6 Floodplains, Comprehensive Plan Plate 5:* The applicable Flood Insurance Rate Map (FIRM) for the subject site is Community Panel No. 41043C0527G, dated September 29, 2010. Based on this FIRM, the subject property is not located within the floodway or 100-year floodplain.

## 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, there are no Design Standards of Article 8 that apply to Public Parks.
- 4.2 Conclusion: This criterion is not applicable.

## 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). The applicant does not propose to provide any on-site parking and will instead rely on on-street parking. Table 9.020-1 states that the maximum permitted parking for parks, open areas, and cemeteries is subject to land use review, therefore this standard is met.
- 6.2 Bicycle Parking. Table 9.030-1 states that the required amount of bicycle parking is based upon the land use decision for parks, open areas, and cemeteries. The applicant states that there will be 14 total bicycle parking spaces throughout the park.
- 6.3 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 along Del Rio Avenue SE, with connections at the north and south end, as well as to Del Rio Court SE. This proposed path will double as sidewalk for the park.

- 6.4 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 approximately 1,200 feet of frontage on Del Rio Avenue SE. Based on the length of frontage, 40 trees would be required. The applicant's site plan shows approximately 39 trees between the path/sidewalk and the street. One additional tree is needed to satisfy this standard. This will be made a condition of approval.
- 6.5 Tree Protection. ADC 9.202 through 9.206 provides criteria for tree protection. The applicant does not propose any tree removal at this time.
- 6.6 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 commencement of the park improvements.
- 6.7 Conclusion: As proposed and conditioned, all applicable Article 9 standards are met with the following condition.

## Condition

**Condition 2 Landscaping and Irrigation System.** Prior to the commencement of the use, the applicant shall provide a landscape plan, which shall include 40 trees between the path/sidewalk and Del Rio Avenue SE in conformance with ADC 9.140, and either an irrigation plan or a letter from a qualified landscape professional stating irrigation is not required per ADC 9.160.

## 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

### Sanitary Sewer

- 7.1 City Utility maps show a 12-inch public sanitary sewer in Del Rio Avenue SE. The subject property is not currently connected to City sanitary sewer.
- 7.2 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. Property shall connect to the public sanitary sewer system at the time of development that requires sewer service.
- 7.3 The applicant's preliminary site plan does not show new development connecting to the public sanitary sewer system.

### Water

- 7.4 City utility maps show a 12-inch public water main in Waverly Drive SE and an 8-inch public water main in Del Rio Avenue. The subject property is currently connected to City Water.
- 7.5 The applicant's preliminary site plan shows new development connecting to the public water system.
- 7.6 The applicant's preliminary site plan shows a new water service connection to the public water system.

### Storm Drainage

- 7.7 City utility maps show a 36-inch piped storm drainage system in Del Rio Avenue and a 48-inch pipe that crosses the subject property within a storm easement. Del Rio Avenue and Waverly Drive are improved to City standards with curb and gutter
- 7.8 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.
- 7.9 ADC 12.530 states that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer. Roof drains shall be discharged to a collection system approved by the City Engineer. Also, no storm water may be discharged to the public sanitary sewer system.
- 7.10 AMC 12.45.030 requires that a post-construction storm water quality permit shall be obtained 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.
- 7.11 The applicant's preliminary site plan does not show new development connecting to the public storm drainage system. The preliminary site plan shows installation of impervious reduction measures to stay under 5,000 square feet of new or replaced impervious surface. The applicant shall obtain a Post-Construction Stormwater Quality Permit for the construction of on-site pervious concrete as shown on the preliminary site plan.

### Conclusions

- 7.1 The proposed property development will have no adverse impact on public utilities (water, sewer, and storm) to the subject property.
- 7.2 A water meter permit will be required for new water service.
- 7.3 The applicant must obtain a stormwater quality permit for the project and construction of pervious concrete. Applicant shall enter into an Operation and Maintenance Agreement for the maintenance of pervious concrete.

### Condition

- Condition 3** Prior to the commencement of the use, the applicant must obtain a stormwater quality permit through the City's Public Works Department and construction of pervious concrete. The applicant shall enter into an Operation and Maintenance Agreement for the maintenance of pervious concrete.

### 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

- 8.1 The project is located on an existing park site at 2627 Del Rio Avenue SE.

- 8.2 ADC 12.060 requires that all streets within and adjacent to new development will be improve to city standards.
- 8.3 ADC 12.290 requires new development to install public sidewalk improvements on all public streets within and adjacent to the development.
- 8.4 Del Rio Avenue SE is classified as a minor collector street, and, with the exception of the sidewalk, is improved to city standards along the frontage of the development site. Improvements include curb and gutter, two-vehicle travel lanes in each direction, and on-street parking.
- 8.5 Waverly Drive is classified as a minor arterial street and is improved to city standards along the frontage of the development site. Improvements include curb and gutter, two-vehicle travel lanes in each direction, and bike lanes in each direction.
- 8.6 The site plan submitted by the applicant proposes construction of pedestrian amenities adjacent to the street throughout the site that provides connectivity to the existing sidewalk system.
- 8.7 The development does not propose any off-street parking. Parking will be provided with on-street parking along Del Rio Avenue.
- 8.8 Albany's Transportation System Plan (TSP) does not identify any congestion or capacity issues occurring along the frontage of the site.

### Conclusions

- 8.1 ADC 12.060 and 12.290 requires all public streets adjoining new development be improved to city standards. The adopted city standards for street improvements include curb, gutter, and sidewalk.
- 8.2 The development has frontage on Del Rio Avenue and Waverly Drive. The street is improved to City standards with the exception of sidewalk. The applicant has proposed construction of pedestrian pathways adjacent to the street through the site that provides a direct connection to the existing sidewalk system.
- 8.3 Albany's TSP does not identify any congestion or capacity issues occurring along the frontage of the site.

### Condition

- Condition 4** Prior to the commencement of the use, the applicant shall obtain an encroachment permit for connection to the public sidewalk within the public right-of-way and construction of a new ADA ramp at the Del Rio Avenue and Del Rio Court intersection.

### 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 Seven, 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 a site plan review to redevelop portions of Deerfield Park with a new play area, basketball court, disc golf course, and associated site improvements satisfies all applicable review criteria as outlined in this report.

## Conditions of Approval

**Condition 1 Site Improvements.** Prior to the commencement of the use, 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 2 Landscaping and Irrigation System.** Prior to the commencement of the use, the applicant shall provide a landscape plan, which shall include 40 trees between the path/sidewalk and Del Rio Avenue SE in conformance with ADC 9.140, and either an irrigation plan or a letter from a qualified landscape professional stating irrigation is not required per ADC 9.160.

**Condition 3 Utilities.** Prior to the commencement of the use, the applicant must obtain a stormwater quality permit through the City's Public Works Department and construction of pervious concrete. The applicant shall enter into an Operation and Maintenance Agreement for the maintenance of pervious concrete.

**Condition 4 Transportation.** Prior to the commencement of the use, the applicant shall obtain an encroachment permit for connection to the public sidewalk within the public right-of-way and construction of a new ADA ramp at the Del Rio Avenue and Del Rio Court intersection.

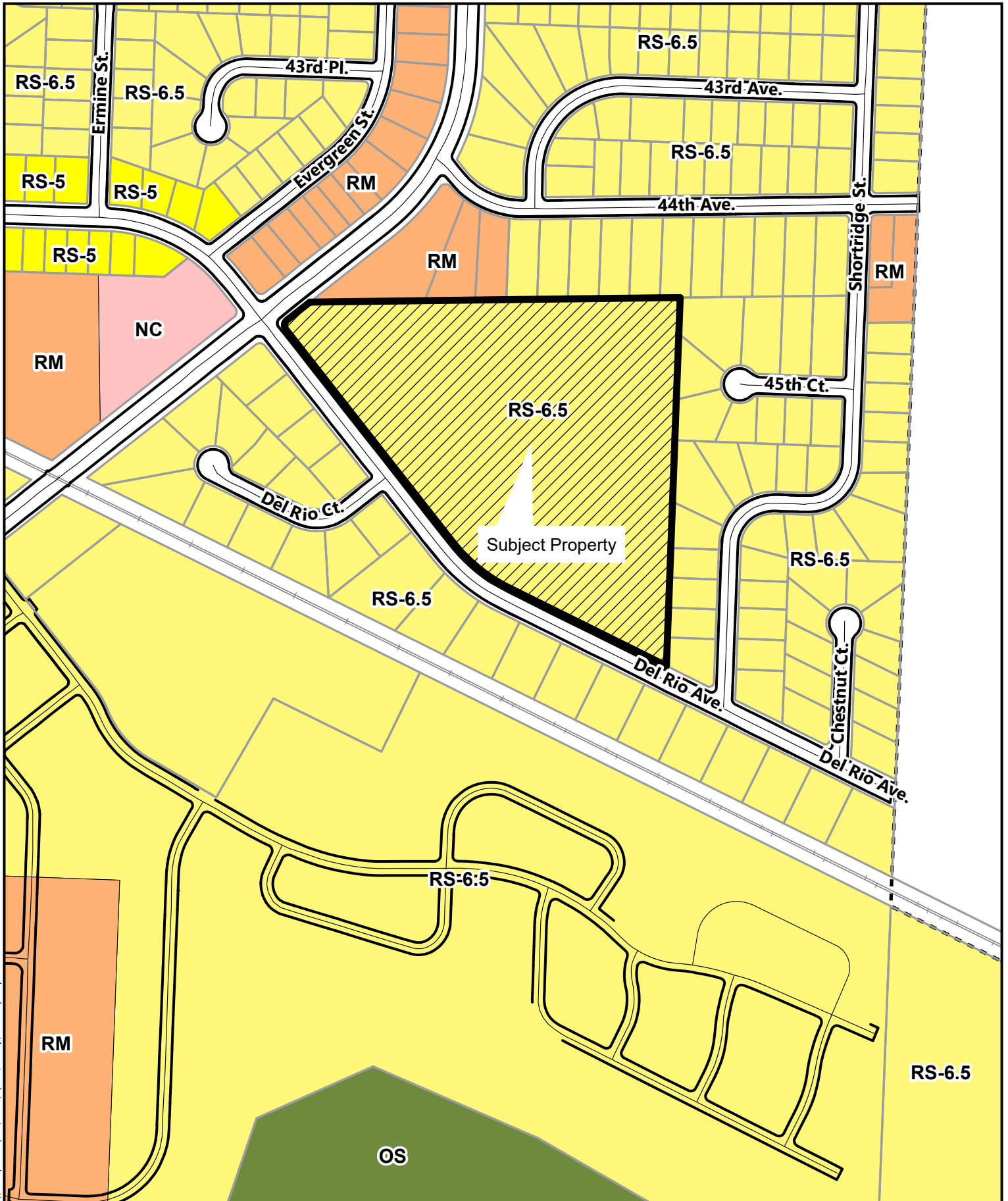
## Attachments

- A. Location Map
- B. Development Plans
- C. Applicant Narrative

## Acronyms

ADC	Albany Development Code
AMC	Albany Municipal Code
DSL	Department of State Lands (Oregon)
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
RM	Residential Medium Density Zoning District
RS-6.5	Residential Single-Unit Dwelling
SFHA	Special Flood Hazard Area
TSP	Transportation System Plan





Subject Property

RS-6.5

RS-6.5

RS-6.5

RS-6.5

RS-5

RM

44th Ave.

RM

RS-5

RM

NC

RM

RS-6.5

Del Rio Ct.

45th Ct.

RS-6.5

RS-6.5

Del Rio Ave.

Del Rio Ave.

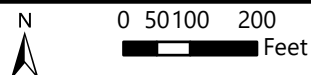
RS-6.5

RM

RS-6.5

OS

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**2627 Del Rio Avenue SE**

Date: 7/10/2024 Map Source: City of Albany

Location Map

NOT FOR CONSTRUCTION

DEERFIELD PARK  
2627 DEL RIO AVE SE  
ALBANY, OR 97322

**GENERAL NOTES**

ADDRESS: 2627 DEL RIO AVE SE  
ALBANY, OR 97322  
MAP/TAX LOT: 11S-03W-20AD  
Tax Lot 00200

OWNER: CITY OF ALBANY  
APPLICANT: LANGO HANSEN LANDSCAPE ARCHITECTS  
ENGINEER: HUMBER DESIGN GROUP  
SURVEYOR: K&D ENGINEERING, INC.

SITE AREA: 10.88 ACRES  
ZONING: RS6.5

SURVEY INFO: THESE PLANS ARE BASED ON A SURVEY AND REPLAT BY K&D ENGINEERING DATED 4/11/2024.

HORIZONTAL DATUM: NAD 83 (2011) EPOCH 2010.00 PER THE OREGON REALTIME GEODETIC NETWORK. COORDINATE SYSTEM IS OREGON COORDINATE REFERENCE SYSTEM, SALEM ZONE.

VERTICAL DATUM: NGVD 29 BASED ON LINN COUNTY GPS POINT. SAID B.M. IS A 2" ALUMINUM CAP LOCATED NEAR THE INTERSECTION SHORTTRIDGE & MORAGA, ELEVATION 236.17

**LEGEND**

- FOUND MONUMENT
- ▲ SURVEY CONTROL POINT
- SS EXISTING SANITARY SEWER MANHOLE
- SD EXISTING STORM DRAIN MANHOLE
- SDCI EXISTING STORM DRAIN CURB INLET (SDCI)
- EXISTING SIGN
- EXISTING UTILITY POLE
- EXISTING DECIDUOUS TREE
- EXISTING CONIFER TREE
- EXISTING DISC GOLF BASKET
- EXISTING DISC GOLF TEE
- EXISTING BASKETBALL HOOP
- EXISTING PICNIC TABLE
- EXISTING BARBECUE
- EXISTING GAS MARKER
- EXISTING TELEPHONE PEDESTAL
- EXISTING IRRIGATION VALVE COVER
- EXISTING WATER METER
- EXISTING UNDERGROUND POWER TRANSFORMER
- EXISTING LIGHT POLE
- W EXISTING WATER LINE
- SD EXISTING STORM DRAIN LINE
- SS EXISTING SANITARY SEWER LINE
- EP EXISTING EDGE OF PAVEMENT
- UCP EXISTING UNDERGROUND POWER LINE
- OHP EXISTING OVERHEAD POWER LINE
- X EXISTING FENCE LINE
- TEL EXISTING TELEPHONE LINE
- CNT CONTROL
- MAG MAGNETIC NAIL
- N.W.N. NORTHWEST NATURAL

Point #	Elevation	Northing	Easting	Description
501	237.13	97193.26	166818.71	cnt mag
502	237.27	97380.86	166578.47	cnt mag
503	235.37	97788.95	166235.13	cnt mag

EXISTING UTILITIES  
EXISTING UTILITIES SHOWN ON THIS MAP ARE BASED ON OBSERVED EVIDENCE, A B11 FIELD LOCATE AND CITY OF ALBANY GIS.

REGISTERED PROFESSIONAL LAND SURVEYOR

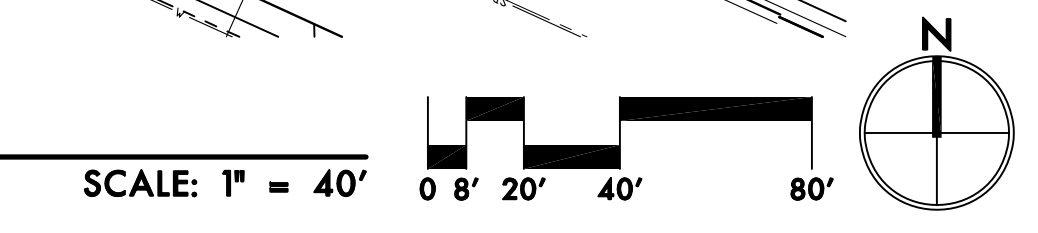
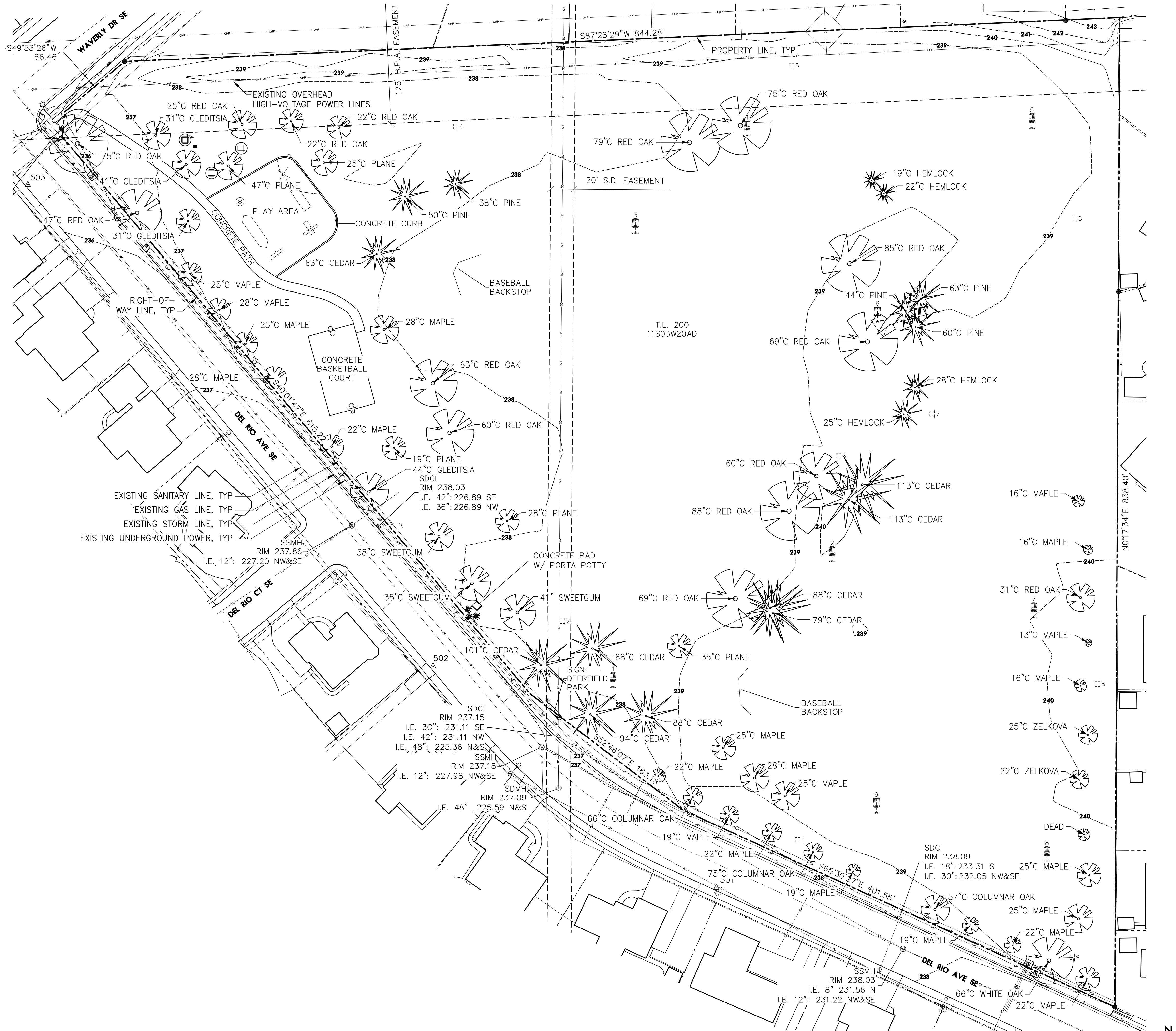
OREGON  
JULY 9, 2002  
**JOE J. COTA**  
#58561LS  
Renews: 12/31/25

**REVISIONS**

LAND USE REVIEW  
JUNE 26, 2024

DRAWN BY KS  
CHECKED BY KL

TOPOGRAPHIC SURVEY



NOT FOR  
CONSTRUCTION

**GENERAL NOTES**

ADDRESS: 2627 DEL RIO AVE SE  
ALBANY, OR 97322  
MAP/TAX LOT: 11S-03W-20AD  
Tax Lot 00200

OWNER: CITY OF ALBANY  
APPLICANT: LANGO HANSEN LANDSCAPE ARCHITECTS  
ENGINEER: HUMBER DESIGN GROUP  
SURVEYOR: K&D ENGINEERING, INC.

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SYSTEM IS OREGON COORDINATE REFERENCE SYSTEM,  
SALEM ZONE.

VERTICAL DATUM: NGVD 29 BASED ON LINN COUNTY  
GPS POINT, SAID B.M. IS A 2" ALUMINUM CAP LOCATED  
NEAR THE INTERSECTION SHORTRIDGE & MORAGA,  
ELEVATION 236.17

1. THE SITE AND ALL ADJACENT PARCELS ARE ZONED RS6.5, EXCEPT FOR THE PARCEL IMMEDIATELY TO THE NORTH AND ADJACENT TO WAVERLY DRIVE WHICH IS ZONED RM.
2. TOTAL EXISTING ON-SITE IMPERVIOUS AREA APPROXIMATELY 5,715 SF (1.2% OF SITE AREA).
3. TOTAL AREA OF DISTURBANCE (DEMOLITION PLUS PLANNED DEVELOPMENT) IS APPROXIMATELY 50,000 SF (1.15 ACRES).
4. ALL EXISTING TREES ON SITE WILL BE PROTECTED AND PRESERVED DURING DEVELOPMENT. PROTECTION FOR TREES LOCATED NEAR CONSTRUCTION ACTIVITIES WILL BE PROTECTED WITH 4' TALL CONSTRUCTION FENCING.

**LEGEND**

- PROPERTY LINE/RIGHT-OF-WAY
- ▨ TOTAL AREA OF DISTURBANCE: DEMOLITION AND PROPOSED DEVELOPMENT
- EXISTING CONCRETE CURB
- - - 239 - - - EXISTING 1' CONTOUR LINE
- FOUND MONUMENT
- △ SURVEY CONTROL POINT
- EXISTING SANITARY SEWER MANHOLE
- ⊗ EXISTING STORM DRAIN MANHOLE
- ⊠ EXISTING STORM DRAIN CURB INLET (SDCI)
- ⊕ EXISTING SIGN
- ⊙ EXISTING UTILITY POLE
- ⊗ EXISTING DISC GOLF BASKET
- ⊠ EXISTING DISC GOLF TEE
- ⊕ EXISTING BASKETBALL HOOP
- ⊗ EXISTING GARBAGE CAN
- ⊠ EXISTING PICNIC TABLE
- ⊕ EXISTING GRILL
- ⊗ EXISTING GAS METER
- ⊠ EXISTING TELEPHONE PEDESTAL
- ⊕ EXISTING IRRIGATION VALVE BOX
- ⊗ EXISTING WATER METER
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- UGP — EXISTING UNDERGROUND POWER LINE
- OHP — EXISTING OVERHEAD POWER LINE
- X — EXISTING FENCE LINE
- TEL — EXISTING TELEPHONE LINE
- ⊗ EXISTING TREES TO REMAIN

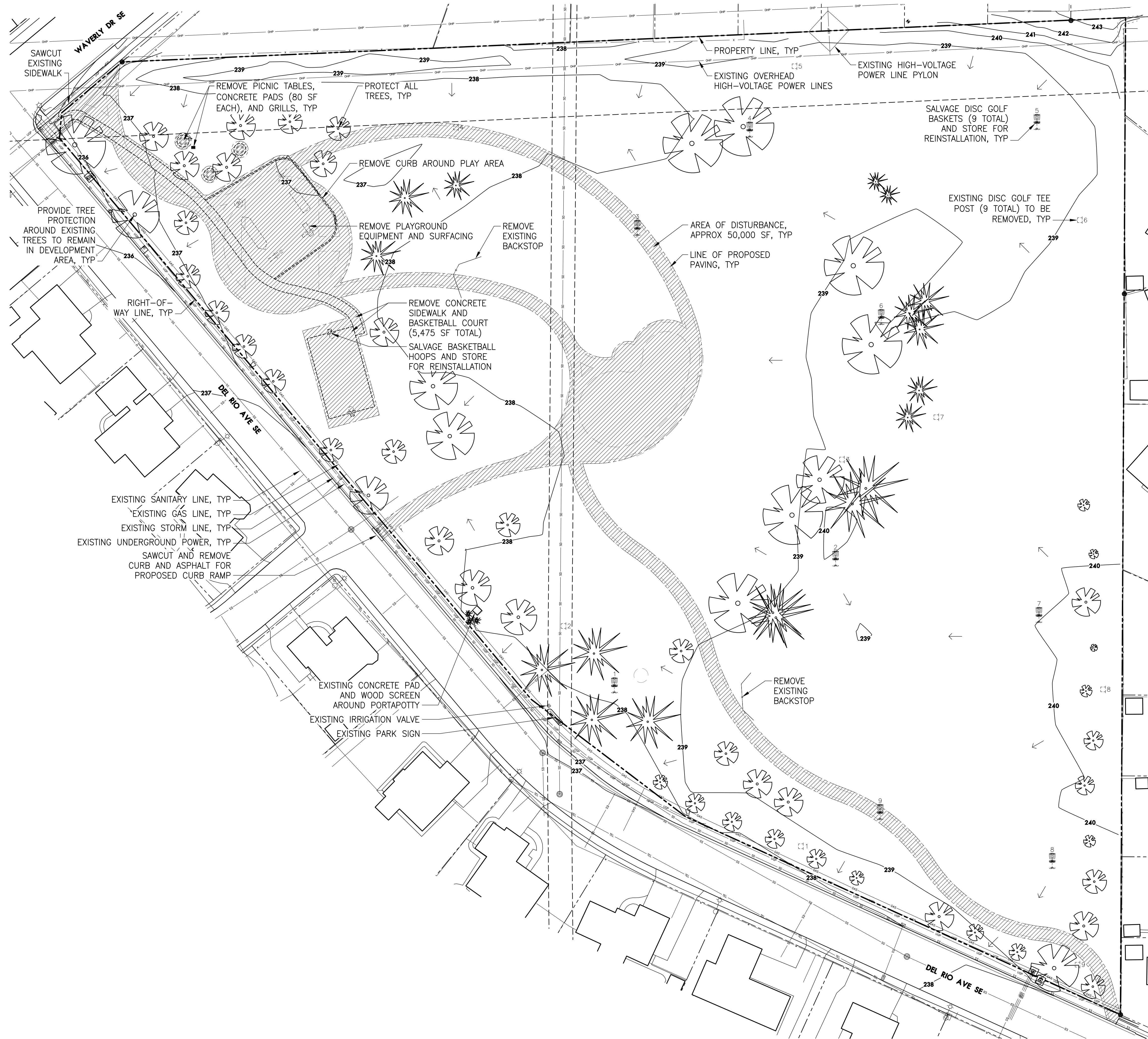
**REVISIONS**

LAND USE REVIEW  
JUNE 26, 2024

DRAWN BY KS  
CHECKED BY KL

LANDSCAPE  
DEMOLITION PLAN

DEERFIELD PARK  
2627 DEL RIO AVE SE  
ALBANY, OR 97322



NOT FOR  
CONSTRUCTION

GENERAL NOTES

ADDRESS: 2627 DEL RIO AVE SE  
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VERTICAL DATUM: NGVD 29 BASED ON LINN COUNTY GPS POINT. SAID B.M. IS A 2" ALUMINUM CAP LOCATED NEAR THE INTERSECTION SHORTRIDGE & MORAGA, ELEVATION 236.17

1. ALL EXISTING TREES ON SITE ARE PLANNED TO BE PROTECTED AND PRESERVED.
2. PROPOSED GRADES WILL MATCH EXISTING AT ALL PROPERTY AND R.O.W. LINES. PROPOSED GRADES FOR PAVED AREAS WILL GENERALLY MATCH EXISTING GRADES, AND WILL MEET OR EXCEED ADA ACCESSIBILITY REQUIREMENTS.
3. NO ON-SITE PARKING OR VEHICULAR FACILITIES ARE PROPOSED. THERE IS EXISTING STREET PARKING ALONG THE ENTIRE FRONTAGE OF DEL RIO AVE SE.
4. NO NEW STORM SEWER CONNECTIONS ARE PROPOSED. NEW IMPERVIOUS PAVED AREA: 4,426 SF. NEW PERVIOUS PAVED AREA: 23,310 SF. NEW PERVIOUS PLAY AREA: 5,566 SF. IMPERVIOUS SURFACE AREA FOR THE ENTIRE SITE WILL NOT EXCEED THE 5,000 SF THRESHOLD FOR STORMWATER MANAGEMENT.
5. WATER SERVICE FOR THE NEW DRINKING FOUNTAIN WILL BE TIED OFF OF THE EXISTING ON-SITE WATER LINE, AND WILL INCLUDE A DEDICATED BACKFLOW PREVENTER. DRINKING FOUNTAIN DRAINAGE WILL BE TO AN IN-GRADE SUMP/DRYWELL.
6. ALL LANDSCAPE AREAS DISTURBED BY CONSTRUCTION ACTIVITIES WILL BE SEEDED WITH LAWN TO MATCH EXISTING. A SMALL AREA OF THE SITE NEAR THE EXISTING PARK SIGN IS CURRENTLY IRRIGATED; ADDITIONAL IRRIGATION (IF ANY) WILL EXTEND FROM THE EXISTING IRRIGATION SERVICE.

LEGEND

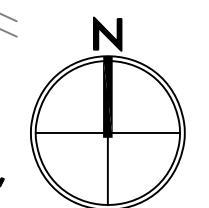
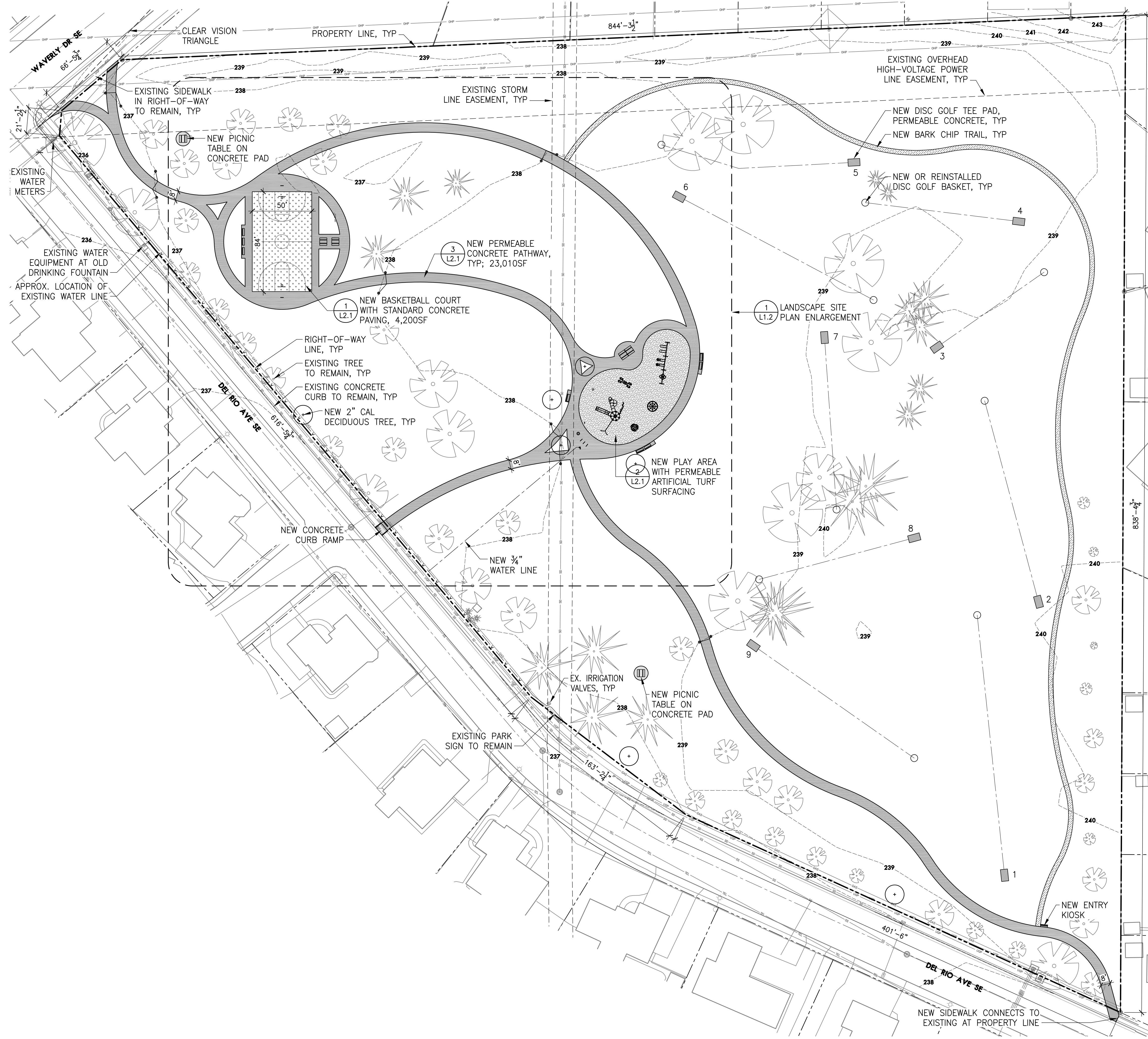
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- [Pattern] BARK CHIP TRAIL
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- [Symbol] PICNIC TABLE
- [Symbol] 6' BENCH WITH BACK
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- OHP EXISTING OVERHEAD POWER LINE
- [Symbol] EXISTING IRRIGATION VALVE BOX
- X EXISTING FENCE LINE

REVISIONS

LAND USE REVIEW  
JUNE 26, 2024

DRAWN BY KS  
CHECKED BY KL

LANDSCAPE  
SITE PLAN



GENERAL NOTES

ADDRESS: 2627 DEL RIO AVE SE  
ALBANY, OR 97322  
MAP/TAX LOT: 11S-03W-20AD, LOT 00200

OWNER: CITY OF ALBANY  
APPLICANT: LANGO HANSEN LANDSCAPE ARCHITECTS  
ENGINEER: HUMBER DESIGN GROUP  
SURVEYOR: K&D ENGINEERING, INC.

SITE AREA: 10.88 ACRES

SURVEY INFO: THESE PLANS ARE BASED ON A SURVEY AND REPLAT BY K&D ENGINEERING DATED 4/11/2024.

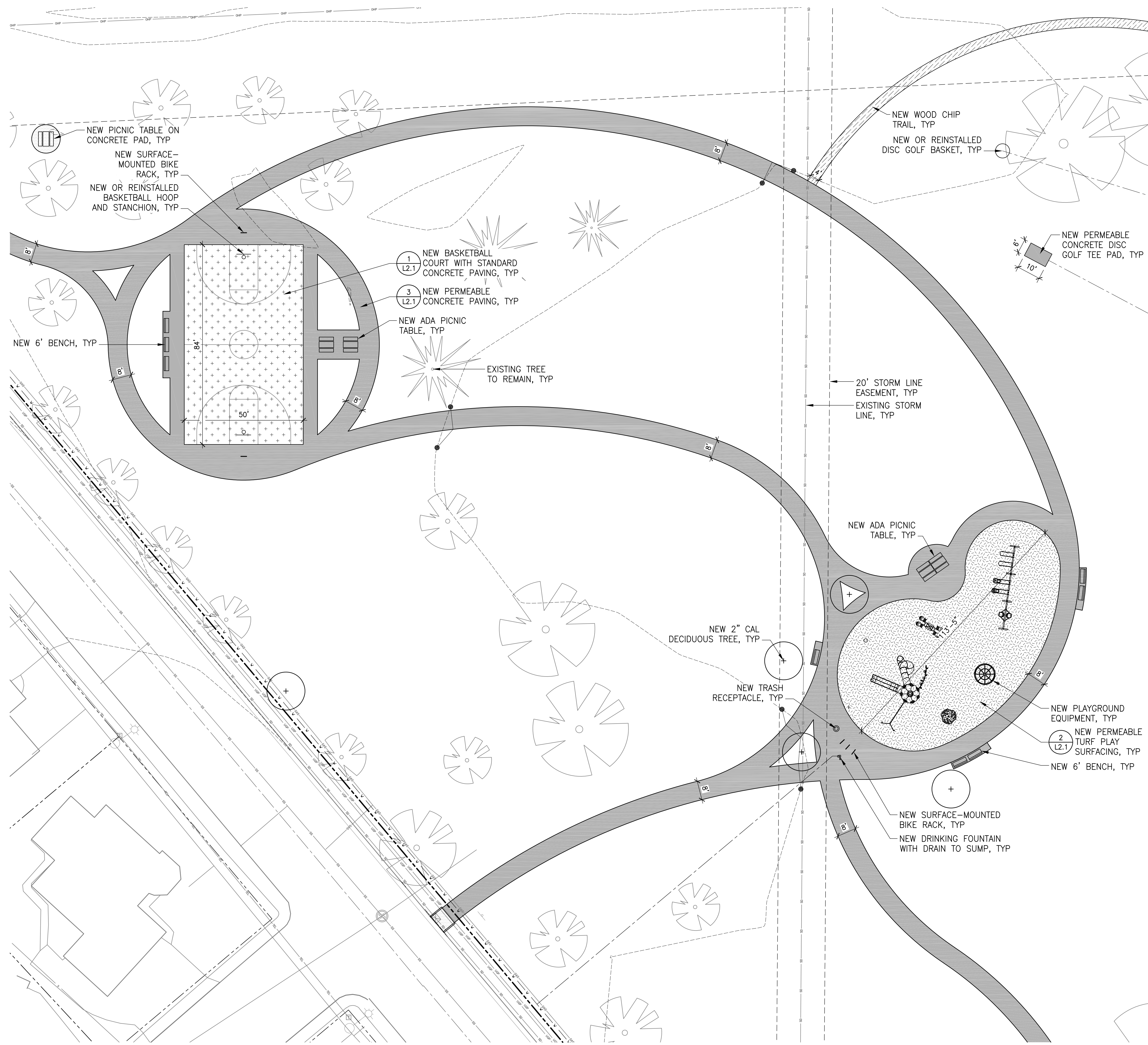
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NOT FOR CONSTRUCTION

DEERFIELD PARK  
2627 DEL RIO AVE SE  
ALBANY, OR 97322



LEGEND

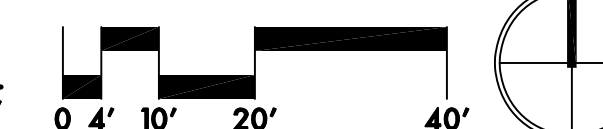
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REVISIONS

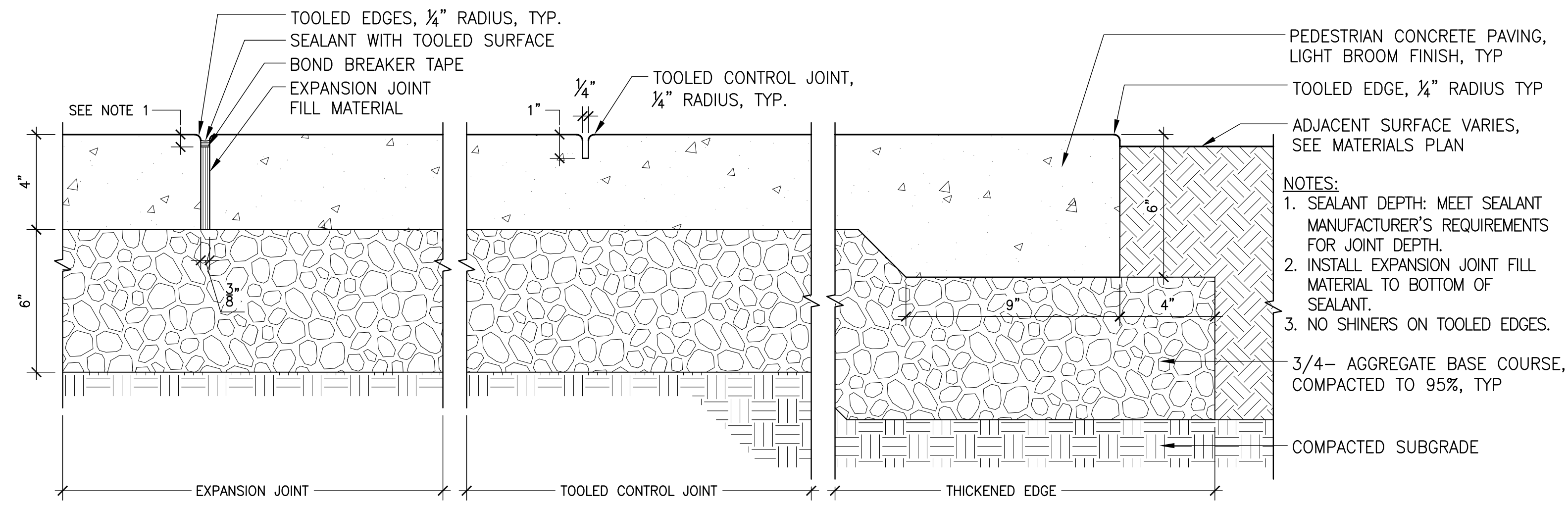
LAND USE REVIEW  
JUNE 26, 2024

DRAWN BY KS  
CHECKED BY KL

LANDSCAPE  
SITE PLAN  
ENLARGEMENT

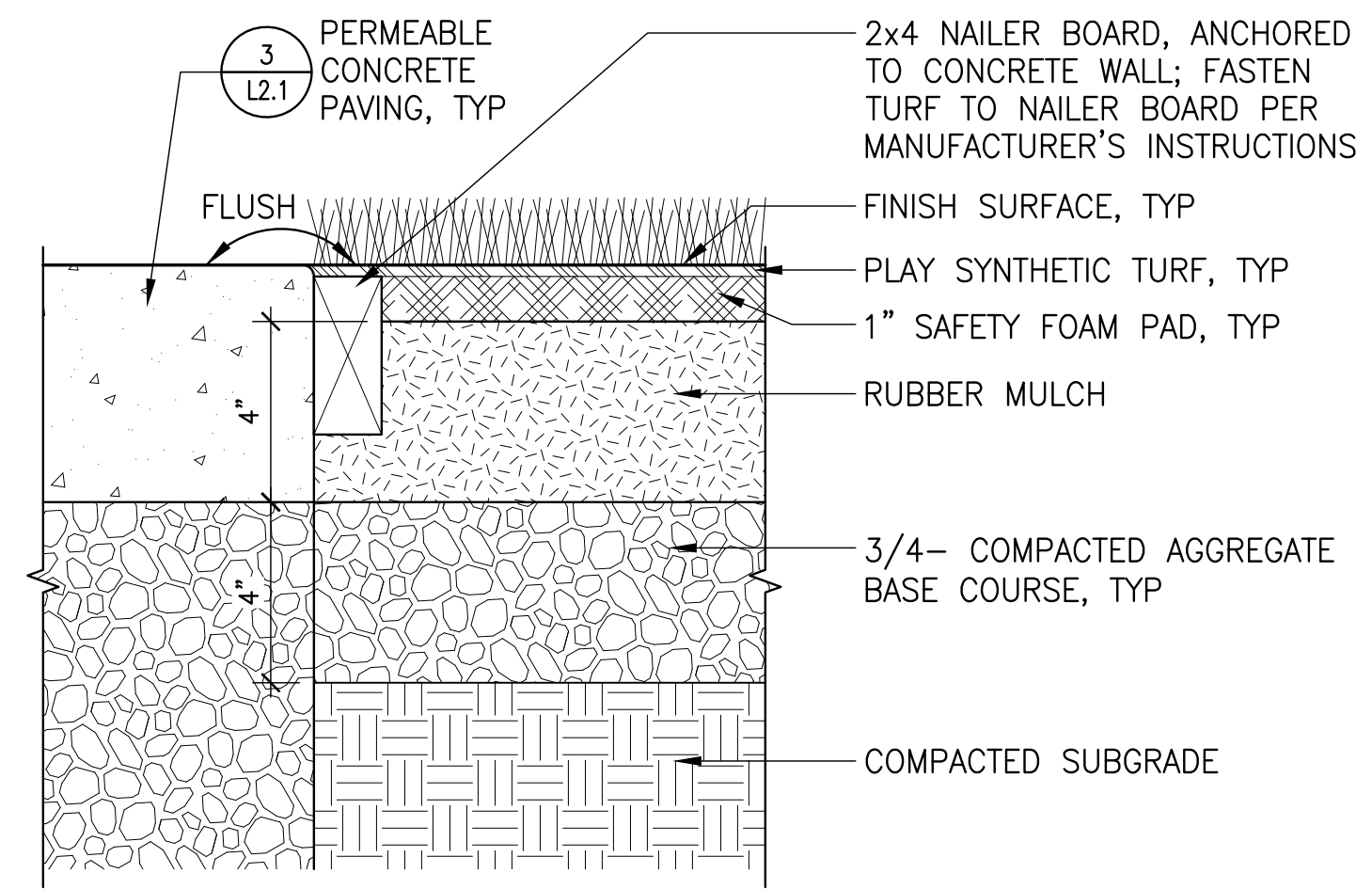


NOT FOR  
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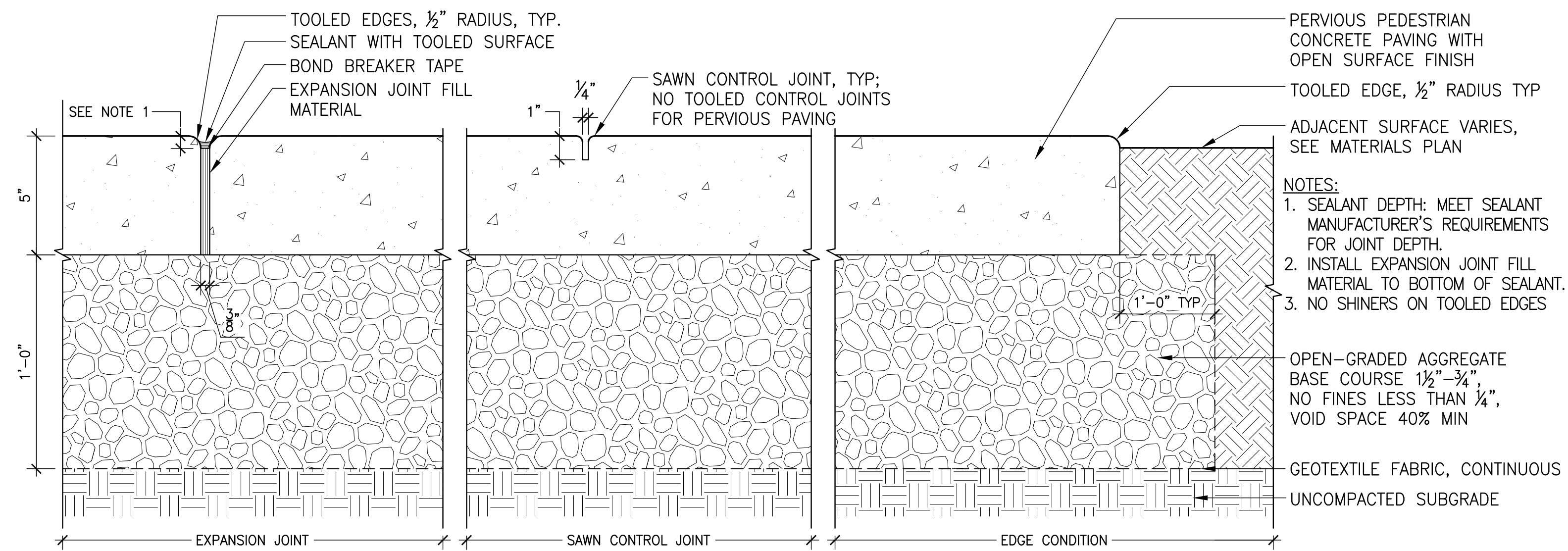
**1 STANDARD PEDESTRIAN CONCRETE PAVING**

Section  
SCALE: 3" = 1'-0"



**2 ARTIFICIAL TURF PLAY SURFACING**

Section  
SCALE: 3" = 1'-0"



**3 PERVIOUS PEDESTRIAN CONCRETE PAVING**

Section  
SCALE: 3" = 1'-0"

**DEERFIELD PARK**  
2627 DEL RIO AVE SE  
ALBANY, OR 97322

REVISIONS

LAND USE REVIEW  
JUNE 26, 2024

DRAWN BY KS  
CHECKED BY KL

LANDSCAPE  
DETAILS

**DEERFIELD PARK**  
**LAND USE REVIEW APPLICATION**

**ALBANY PARKS AND RECREATION**  
**LANGO HANSEN LANDSCAPE ARCHITECTS**

June 28, 2024

Project: Deerfield Park

Date: June 24, 2024

Type of Application: Site Plan Review to redevelop Deerfield Park.

Review Body: Staff Site Plan Review (Type I-L process)

Property Owner: City of Albany; 333 Broadalbin Street SW, Albany, OR 97321

Applicant: Kurt Lango, Lango Hansen Landscape Architects, 1100 NW Glisan, suite 3A, Portland, OR 97209 on behalf of the City of Albany

Address: 2627 Del Rio Ave SE

Map/Tax Lot: Linn County Assessor's Map No. 11S-03W-20AD, Tax Lot 00200

Zoning: RS-6.5 (Residential Single Family)

Comprehensive Plan: Public Open Space

Overlay: none

Size: 10.88 Acres

Existing Land Use: Public Park

Surrounding Land-Uses: North: RS-6.5 and RM  
East: RS-6.5  
Southwest: RS-6.5

Surrounding Uses: North: Single-Family Residential  
East: Single-Family Residential  
Southwest: Single-Family Residential



**PROJECT DESCRIPTION:**

This project proposes redeveloping portions of the existing Deerfield Park, a public park located at 2627 Del Rio Ave SE. The existing park property is 10.88 acres, generally flat with lawn areas, with many moderate-to-mature trees scattered through the property. There is an existing antiquated play area, an existing basketball court, two baseball backstops, a fairly short length of concrete pathway, three isolated picnic tables, and a temporary 9-hole disc golf course. The project proposes demolishing the existing play area, basketball court, backstops, and disc golf, and constructing a new play area with permeable artificial turf surfacing, a new concrete basketball court, new benches and picnic tables, a new drinking fountain, and new 8-foot wide permeable concrete pathways linking the new improvements with both ends of the park and a street crossing at Del Rio Court SE. The new improvements will also include a permanent 9-hole disc golf course and a bark chip pathway.

**COMPLIANCE WITH ALBANY DEVELOPMENT CODE, ARTICLE 1 – ADMINISTRATION AND PROCEDURES**

The proposed park development has been reviewed by City staff as part of a pre-application conference on March 13, 2024. The findings of City staff at the conference included the following:

- The project will be subject to Site Plan Review, a Type I-L procedure.
- A neighborhood meeting will not be required.
- If felling 5 or more trees larger than 25 inches in circumference (8 inch diameter) a Site Plan Review for Tree Felling is required: \$544.
- There is a stormwater line which cannot be covered with any permanent structures (playground equipment).
- Stormwater detention is required for this project. If the impervious area exceeds 5,000 square feet then stormwater quality requirements are triggered.
- A drainage study is required.
- Off-Street parking is not required.
- Sidewalk along Del Rio is required but a meandering path could serve that purpose as long as it connects to Del Rio at each end of the property's frontage and has a connection to Del Rio Court.

Applicable development code articles per March 13, 2024 pre-application conference:

- Article 1 Administration and Procedures
- Article 2 Review Criteria Standards
- Article 3 Residential Zoning Districts
- Article 9 On-site Development and Environmental Standards
- Article 12 Public Improvements
- Article 13 Signs
- Article 22 Use Categories and Definitions

This project will conform to all applicable requirements in ADC Article 1.

## COMPLIANCE WITH ALBANY DEVELOPMENT CODE, ARTICLE 2 – REVIEW CRITERIA STANDARDS

### SITE PLAN REVIEW – ADC 2.400

**2.415(3) - Procedure:** An application for Site Plan Review [for a Non-Residential Development] shall be reviewed through Type I-L procedure.

Fact: This project is a redevelopment of an existing park in a residential district.

Conclusion: This project meets the requirements for a Type I-L Site Plan Review, therefore this criterion is met.

**2.430 - Applicability:** In general, Site Plan Review is intended for all new development within the city that specifically requires Site Plan Review as listed in Articles 3, 4 and 5. It applies to new construction, additions or expansions, site modifications, and changes in land use categories. Sites that contain a legal nonconforming use will be processed in accordance with Section 2.350.

- (1) Any development that requires Site Plan Review, unless specifically exempt in Section 1.105.
- (2) A change of use or reuse of a building or site when the use is allowed through Site Plan Review, and that requires construction of three or more new parking spaces, additional loading areas, or that modifies site circulation or access.
- (3) Building additions or use expansions greater than 2,000 square feet or greater than 50 percent of existing building area, whichever is less, or any expansion that requires three or more new parking spaces, additional loading areas, or modifies site circulation or access.
- (4) New parking areas or expansions to existing parking areas greater than 1,000 square feet (contiguous) or modifications that change site circulation or access.
- (5) Temporary placement of a manufactured home for: (a) night watchman; (b) business office space during construction or remodeling; (c) building space for education, non-profit, and government agencies.

Fact: This project is not exempt from Site Plan Review (Section 1), and proposes modifications to an existing site (Section 2). The project does not propose any buildings, parking areas, or temporary placement of a manufactured home (Sections 3-5).

Conclusion: This project meets the requirements for a Type I-L Site Plan Review, therefore this criterion is met.

**2.450 Review Criteria – All Site Plan Review Applications.** Site Plan Review approval will be granted if the review body finds that the application conforms with the Albany Development Code and meets all of the following criteria that are applicable to the proposed development.

- (1) The application is complete in accordance with the applicable requirements.

Fact: To the best of our knowledge, this application is complete in accordance with the applicable requirements.

Conclusion: This criterion is met.

- (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.**

Fact: The proposed park redevelopment complies with all applicable provisions of the RM-6.5 zone, as detailed below in our responses to Article 3.

Conclusion: This criterion is met.

- (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.**

Fact: This property is not in any special purpose districts.

Conclusion: This criterion does not apply.

- (4) The application complies with all applicable Design Standards of Article 8.**

Fact: As a redevelopment of a public park that does not include any new structures, Article 8 does not apply to this project.

Conclusion: This criterion does not apply.

- (5) The application complies with all applicable Design Standards of Article 10.**

Fact: As a redevelopment of a public park that does not include manufactured homes, Article 10 does not apply to this project.

Conclusion: This criterion does not apply.

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

Fact: The proposed park redevelopment complies with all applicable provisions of Article 9, as detailed below in our responses to Article 9.

Conclusion: This criterion is met.

- (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.**

Fact: There are ample existing public facilities and utilities adjacent to and in the park property. These conditions have been reviewed as part of the March 13, 2024 pre-proposal meeting.

Conclusion: This criterion is met.

- (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.**

Fact: There are existing streets currently serving the site, with sidewalks immediately adjacent to the site. These conditions have been reviewed as part of the March 13, 2024 pre-proposal meeting.

Conclusion: This criterion is met.

- (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.**

Fact: The proposed improvements include less than 5,000 SF of new impervious area, which is the City's threshold for stormwater treatment. The rest of the on-site development will be pervious concrete paving or pervious play surfacing. No new stormwater utility connections or stormwater facilities will be required.

Conclusion: This criterion is met.

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

Fact: There are no current existing conditions of approval for the site or use.

Conclusion: This criterion is met.

**2.455 Review Criteria – Additional Criteria for Non-Residential Applications (including the non-residential portion of a mixed-use development). Site Plan Review approval will be granted if the review body finds that, in addition to meeting the review criteria in 2.450, the application meets all of the following criteria that are applicable to the proposed development.**

- (1) The transportation system can safely and adequately accommodate the proposed development.**

Fact: The site is currently fronted by Waverly Drive SE and Del Rio Ave SE, with on-street parking along the entire frontage of Del Rio. The proposed park improvements are essentially the same scale and use as the existing park amenities, so little-to-no change in visitor trips is expected. Therefore the existing transportation can safely accommodate the proposed development.

Conclusion: This criterion is met.

- (2) Parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.**

Fact: No new on-site parking is proposed for the park. As noted above, little change in visitor trips is expected with the new improvements, and on-street parking can accommodate all visitor trips.

Conclusion: This criterion is met.

- (3) The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and any negative impacts have been sufficiently minimized.**

Fact: The property is currently a public park, and the proposed uses are very similar to the existing uses. In fact, the proposed development improves upon the existing by spreading out the amenities throughout the park and adds a paved walkway that connects the amenities to existing sidewalks at both ends of the park, therefore increasing the accessibility of the park for neighborhood residents.

Therefore the park is not only compatible with surrounding development, but improves upon the existing conditions.

Conclusion: This criterion is met.

## **COMPLIANCE WITH ALBANY DEVELOPMENT CODE, ARTICLE 3 – RESIDENTIAL ZONING DISTRICTS**

**3.050 Schedule of Permitted Uses.** The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Code. A description of each use category is in Article 22, Use Categories and Definitions.

A number appearing opposite a use in the “special conditions” column indicates that special provisions apply to the use in all zones. A number in a cell particular to a use and zone(s) indicates that special provisions apply to the use category for that zone(s). The conditions follow the schedule of uses, in Section 3.060.

Fact: According to the schedule of permitted uses, public parks are an allowed use in a R-6.5 zone with either a Site Plan Review or Conditional Use Review, as specified in 3.080(14).

Conclusion: This criterion is met.

**3.080 General.** Where numbers appear in the column labeled “special conditions” or in a cell in the Schedule of Permitted Uses, the corresponding numbered conditions below shall apply to the particular use category as additional clarification or restriction.

**(14) Public park development activity subject to Conditional Use review includes major development; expansions of activities and development within parks which currently generate substantial traffic; or construction of major structures such as swimming pools, lighted ball fields, and community centers. Conditional Use review is not required, however, for construction of play equipment, tennis courts, bike paths, picnic shelters, restrooms, landscaping, and similar activities within existing improved parks.**

Fact: The proposed park redevelopment is limited to a new play area, basketball court, permanent 9-hole disc golf course (replacing the temporary 9-hole disc golf course), pathways, furnishings, and landscaping. The proposed redevelopment does not include any of the developments that would require Conditional Use review, therefore only Site Plan review will be required for this project.

Conclusion: Type I-L Site Plan Review is required for this project.

### **3.085 Existing Residential Uses in the HM and RS-5 Zones Granted Special Status.**

Fact: As a redevelopment of an existing public park, this section does not apply to this project.

Conclusion: These criteria do not apply.

### **3.090 Home Businesses**

Fact: As a redevelopment of an existing public park, this section does not apply to this project.

Conclusion: These criteria do not apply.

### **3.190 Development Standards**

Fact: As a redevelopment of an existing public park, portions of this section that pertain to buildings do not apply to this project. The proposed project meets setback and minimum landscaping requirements listed in Table 3.190-1 for Zone R-6.5.

Conclusion: These criteria do not apply.

### **3.191-3.192 Development Standards for Townhouses and Cottage Clusters**

Fact: As a redevelopment of an existing public park, these sections do not apply to this project.

Conclusion: These criteria do not apply.

### **3.200 Lot Size Variation Within a Land Division**

Fact: As a redevelopment of an existing public park, this section does not apply to this project.

Conclusion: These criteria do not apply.

### **3.210 Lot Size Variation Within Planned Developments**

Fact: As a redevelopment of an existing public park, this section does not apply to this project.

Conclusion: These criteria do not apply.

### **3.220 Bonus Provisions for Reduction in Lot Size and Area Requirements.**

Fact: As a redevelopment of an existing public park, this section does not apply to this project.

Conclusion: These criteria do not apply.

### **3.230 Setbacks**

Fact: No buildings, pools, fences, parking areas, or other regulated structures are proposed as part of this project. Play structures and other site furnishings will not be located in or near any required setback.

Conclusion: The applicable criteria in this section are met.

### **3.340 Building Height**

Fact: As a redevelopment of an existing public park, this section does not apply to this project.

Conclusion: These criteria do not apply.

### **3.350 Minimum Off-Street Parking and Loading Requirements**

**Minimum Space Requirements. Off-street parking shall be provided for all residential development in the amounts indicated in Article 9, Table 9.020-1. All parking lots in residential districts must comply with applicable requirements in Article 9.**

Fact: Per Article 9, Table 9.020-1, Public Parks are subject to land use review for minimum parking requirements. According to the March 14<sup>th</sup> Preapplication Conference, City Staff indicated that on-site parking will not be required for this project. Given that ample on-street parking exists along Del Rio Ave SE, no on-site parking will be provided.

Conclusion: These criteria are met.

**3.360 Landscaping Requirements. All front yards shall be landscaped in accordance with Section 9.140.**

Fact: The proposed project will be landscaped in accordance with Section 9.140, as detailed in our response to Section 9, below.

Conclusion: These criteria are met.

**3.370 Buffering and Screening. Buffering and screening may be required to offset the impact of development. See Sections 9.210 through 9.270.**

Fact: The proposed project will be buffered and screened in accordance with Sections 9.210 through 9.270, as detailed in our response to Section 9, below.

Conclusion: These criteria are met.

**3.380 and 3.390 Outside Storage.**

Fact: No outside storage is proposed for this project.

Conclusion: These criteria do not apply.

## **COMPLIANCE WITH ALBANY DEVELOPMENT CODE, ARTICLE 9 – ON-SITE DEVELOPMENT AND ENVIRONMENTAL STANDARDS**

**9.020 Off-Street Parking – Space Requirements. Off-street parking and loading must be provided for all development in the amounts indicated in Table 9.020-1 subject to any applicable reductions permitted in this Article. All required parking must be developed in accordance with the standards in this Article.**

**Per Table 9.020-1, the Minimum Parking Space requirement for Parks is subject to Site Plan Review.**

Fact: The existing park does not have any on-site parking. The site is currently fronted by Waverly Drive SE and Del Rio Ave SE, with on-street parking available along the entire frontage of Del Rio. The proposed park improvements are essentially the same scale and use as the existing park amenities, so little-to-no change in visitor trips is expected. According to the March 14<sup>th</sup> Preapplication Conference, City Staff indicated that on-site parking will not be required for this project.

Conclusion: This criteria is met.

**9.025 Parking in the Public Right-of-Way.** Parking spaces in a public right-of-way may not be counted as fulfilling any part of the parking requirements except when permitted below. Any parallel parking spaces in the right-of-way that are counted toward fulfilling the parking requirements must be at least 25 feet long.

- (5) **Non-Residential Development.** The amount of off-street parking required may be reduced by one space for every on-street space abutting the development for up to 25 percent of the minimum parking requirement, except when the development is proposed in a residential zoning district in Article 3 or in the ES (Elm Street) zone.
- (a) The on-street parking spaces must be at least 100 feet from a residential zoning district or the ES zoning district.
  - (b) On-street parking credits can only be granted for developments with frontage on streets that allow parking on both sides and with approval from the Director of Public Works.

Fact: According to the March 14<sup>th</sup> Preapplication Conference, City Staff indicated that on-site parking will not be required for this project, therefore there are no minimum parking requirements for this project. Parking can be accommodated by on-street parking along Del Rio Ave SE.

Conclusion: These criteria do not apply.

**9.030-9.130 Parking Requirements.**

Fact: No on-site parking is required for this project, therefore these criteria do not apply.

Conclusion: These criteria do not apply.

**9.140 (1) Landscaping Required – Residential.**

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. In the case of middle housing land divisions, the minimum landscaping standard below applies to the parent lot, not the child lots. In all residential districts except Rural Residential (RR), the minimum landscaping acceptable for every 50 lineal feet of street frontage (or portion thereof, deducting the width of the driveway) is:

- (a) One tree at least six feet tall.
- (b) Four one-gallon shrubs or accent plants.
- (c) The remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, and evergreen shrubs).

Fact: There is a total of 1,269 LF of street frontage on this property, including both Waverly Drive and Del Rio Avenue. This means that 26 total trees and 102 total shrubs are required within the front setback. Within the 15' front setback, there are a total of 19 existing trees; however, there are a total of 23 existing trees within 25'. Within the 15' setback, there are also three existing shrubs at the existing park sign. This project proposes counting the 23 existing trees within 25' of the right-of-way line toward



the minimum tree requirement, with three new 2" caliper deciduous trees to meet the 26 tree requirement, plus 99 new 1 gal shrubs near the park sign to meet the shrub requirement. All other areas within the setback will be lawn.

Conclusion: We believe the strategy detailed above meets the intent of the minimum landscaping requirement for the front setbacks, therefore these criteria are met.

#### **9.150 Parking Lot Landscaping.**

Fact: No on-site parking is proposed or required for this project.

Conclusion: These criteria do not apply.

**9.160 Irrigation of Required Landscaping. All required landscaped areas must be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman submits written verification that the proposed plants do not require irrigation. Irrigation systems installed in the public right-of-way require an encroachment permit.**

Fact: The site currently has limited irrigation that only serves the landscaping around the existing park sign. No other portions of the park landscaping are irrigated. This project proposes extending only the existing irrigation to serve the additional shrubs required by 9.140(1)(b); new trees will have temporary irrigation bags (e.g., Treegator or similar), unless the construction budget allows for an extension of root zone irrigation for new trees. Established trees will not require long-term irrigation. New lawn areas will be watered for establishment, then will be allowed to go dormant after establishment, the same as the rest of the lawn areas in the park.

Conclusion: These criteria are met.

**9.170 Identification of Existing Trees. In all proposed developments, existing trees over 25 inches in circumference (8 inches in diameter) as measured 4.5 feet above mean ground level from the base of the trunk shall be noted on all development plans, with notations indicating whether they are to be removed or utilized in the development. To obtain the circumference of a tree with multiple trunks, add the individual trunk circumferences, which are greater than six inches in circumference. Clusters of trees in open space and floodplain areas may be noted in approximate locations.**

Fact: Sizes and genus of all existing trees are called out on the topographic survey which is included with the Land Use plans.

Conclusion: These criteria are met.

**9.180 Landscape Plans. With the exceptions noted below, all development applications involving buildings and parking areas over 1,000 square feet (contiguous) must include landscape plans.**

Fact: Landscape plans are included with the Land Use plans.

Conclusion: These criteria are met.

**9.182 Street Trees Prohibited on Right-of-Ways. Because of their potential negative impact on the public infrastructure, it is unlawful to plant any of the following trees in or on any street right-of-way or parking strip in the City: box elder, tree of heaven, golden chain, holly, silver maple, bamboo,**

**poplar, willow, conifer, cottonwood, fruit trees (other than ornamental fruit trees), nut trees (other than ornamental nut trees), and ailanthus.**

Fact: None of these trees are proposed in the right-of-ways for the project.

Conclusion: These criteria are met.

**9.186 Height Requirements in Rights-of-Way. Trees or shrubs growing in the right-of-way or on private property adjacent to a street right-of-way must be trimmed to maintain a minimum canopy height of eight feet above sidewalks or 14 feet above streets or alleys. No trees, shrubs, or plants more than 18 inches tall shall be planted in the public right-of-way abutting roads having no established curb and gutter.**

Fact: All trees adjacent to the street right-of-way will be maintained by the City of Albany Parks Department to meet the requirements of this Article. The street in the adjacent right-of-way includes a curb and gutter.

Conclusion: The existing and proposed trees adjacent to the right-of-way will be maintained in accordance with these Articles, therefore this criterion is met.

**9.189 Planting in Roadways Having No Gutter, Curb. No trees, shrubs, or plantings more than 18 inches tall shall be planted in the public right-of-way abutting roadways having no established curb and gutter.**

Fact: All adjacent streets have curbs and gutters.

Conclusion: These criteria do not apply.

**9.190 Completion Guarantees. Final occupancy of a development that required land use approval may be allowed prior to the complete installation of all required landscaping and irrigation only under the following circumstances:**

- (1) A security is provided to the City equal to 110 percent of the cost of the labor and materials (plants, ground covers, and any required irrigation) that have not been installed, as verified in writing by a landscape contractor. Security may consist of a performance bond payable to the City, cash, certified check, time certificate of deposit, or lending agency certification that funds are being held until completion or such other assurances as may be approved by the Director and City Attorney. Where a financial assurance is provided for landscaped areas with post-construction stormwater facilities under subsection (4) below, no additional security under this subsection is required for that part of the landscaping.**
- (2) The required landscaping and irrigation shall be installed within six months of the date the final occupancy permit is issued. If an occupancy permit is not required, the landscaping and irrigation shall be installed within six months of the date of the land use approval.**
- (3) To verify that the landscaping, and irrigation, if required, has been installed per the approved plan, an inspection shall be made prior to any security being returned.**

**(4) Required post-construction stormwater quality facilities incorporated into the required landscaped areas have been completed (or financially assured) consistent with Title 12 of the Albany Municipal Code and applicable post-construction stormwater quality permits.**

Fact: Since landscaping is central to the park improvements, the park will not reopen until landscaping (and irrigation, as applicable) have been installed.

Conclusion: Final occupancy of the proposed park will not be requested prior to completion of the required landscaping, therefore this criterion does not apply.

**9.200 Maintenance of Landscaped Areas. It shall be the continuing obligation of the property owner to maintain required landscaped areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained. Private post-construction stormwater quality facilities located in landscaped areas and required under Title 12 of the Albany Municipal Code shall be maintained consistent with the terms of any operation and maintenance agreements between the property owner and the City consistent with the requirements of Albany Municipal Code Title 12.**

Fact: All portions of the site will be maintained by the City of Albany Parks Department to meet the requirements of this Article.

Conclusion: Ongoing site maintenance will be performed by the Parks department, therefore this criterion is met.

**9.204 Tree Protection – Applicability. Site Plan Review approval is required for the felling of 5 or more trees larger than 25 inches in circumference (approximately 8 inches in diameter) on a lot or property in contiguous single ownership in excess of 20,000 square feet in any zone.**

Fact: All existing living trees on site, regardless of size, will be preserved through the park development.

Conclusion: This criterion is met.

**9.205 Tree Felling Criteria. Except as provided for in Section 9.206, the following review criteria replace the Site Plan Review criteria found elsewhere in this Code for the purpose of reviewing tree felling. A Site Plan Review for tree felling subject to these criteria will be processed as a Type I-L land use decision.**

Fact: All existing living trees on site, regardless of size, will be preserved through the park development, therefore no tree felling is required.

Conclusion: This criteria do not apply.

**9.206 Clear and Objective Criteria for Tree Felling associated with the Development of Housing.**

Fact: No housing is proposed as part of this project.

Conclusion: Since no housing is proposed as part of this project, these criteria do not apply.

**9.210 Buffering Requirements and Matrix. Buffering and screening are required in accordance with the matrix provided in Table 9.210-1. The property owner of each proposed development is**

**responsible for the installation and maintenance of such buffers and screens. The Director may approve an Adjustment to waive the buffering/screening requirements of this section where such has been provided on the abutting property in conformance with this Code. Where a use would be abutting another use except for separation by right-of-way, buffering (but not screening) shall be required as specified in the matrix. Where a proposed use abuts undeveloped property, only one-half of the buffer width shall be required.**

Fact: The proposed park is considered an Institutional Use per Article 22.240. The neighboring properties to the north and east are single-family housing zoned R-6.5 or RM. According to Table 9.210-1, a 10' Buffer and Screen is required along the north and east boundaries of the park.

The property is an existing public park that does not currently provide any screening to adjacent properties. However, most of the adjacent properties currently have 6' tall wood fences, and those that do not have chosen to have an unimpeded view of the park from their property. All proposed park improvements are outside of the 10' buffer, with the exception of a portion of the new concrete pathway that needs to connect to the existing sidewalk in the right-of-way at the southeast corner of the park that is an allowed encroachment per Article 9.230. In addition, the entire northern boundary and part of the eastern boundary are within the easement for high-voltage PGE power lines which prohibits trees.

While the existing park does not currently have any on-site screening, but most of the adjacent properties do currently have 6' tall site-obscuring fencing, we believe the existing fencing on adjacent properties satisfies the screening requirement. A minimum 10' buffer is provided along the entire north and east perimeter of the park; see our response to 9.240, below, for discussion related to plant material in the buffer.

Conclusion: The proposed improvements do not include new screening along the property boundaries adjacent to residential areas because most properties already have fencing. We propose not adding new fencing where properties do not already have fencing, in keeping with the existing conditions in the park and to preserve their views of the park. Therefore we request an adjustment to not add new screening as part of this project.

**9.230 Occupancy. A buffer area may only be occupied by utilities, screening, sidewalks, bikeways, landscaping, and approved vegetated post-construction stormwater quality facilities. No buildings, vehicular access ways or parking areas are allowed in a buffer area except where vehicular access way has been approved by the City.**

Fact: All proposed park improvements within the buffer comply with the requirements of this Section.

Conclusion: All proposed park improvements within the buffer (excluding buffer landscaping) comply with the requirements of this Section, therefore these criteria are met.

**9.240 Buffering. The minimum improvements within a buffer area consist of the following:**

- (1) At least one row of trees. These trees will be not less than 10 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. This requirement may be**

**waived by the Director when it can be demonstrated that such trees would conflict with other purposes of this Code (e.g. solar access).**

- (2) At least 5 five-gallon shrubs or 10 one-gallon shrubs for each 1,000 square feet of required buffer area.**
- (3) The remaining area treated with attractive ground cover (e.g., lawn, bark, rock, ivy, evergreen shrubs).**

Fact: There is 1,683 LF of required buffer along the north and east boundaries of the park. By code, this would require 57 new deciduous trees (1 per 30 LF) and 1683 1 gal shrubs. As noted above, there are currently no existing trees or shrubs within the buffer area in the park; in part this is because the entire north property line and the northernmost portion of the east property line are within the easement for high-voltage PGE power lines which prohibits trees. Excluding the area within the power line easement, there is 775 LF of buffer area along the eastern boundary of the park, which equates to 26 trees.

In general, the character of the park along the north and east boundaries is characterized by open lawn spaces and occasional trees set back from the property lines; this has been the case for decades. The proposed park improvements generally endeavors to keep the character of the park intact while upgrading the amenities elsewhere. Meeting the vegetation requirements for the buffer would change the open character of the park, as well as how the park relates to adjacent properties; and, in any case, the buffer requirements cannot be met along the north property line due to the limitations of the power line easement. As such, we request an adjustment to not include new trees and shrubs within the required buffer area.

Conclusion: In keeping with the existing character of the park, the proposed improvements do not include screening along the property boundaries adjacent to residential areas. The power line easement also prohibits new trees. All buffer areas will have lawn. Therefore we request an adjustment to not provide the required trees and shrubs along residential property boundaries.

**9.250 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.**

Fact: Most of the adjacent properties currently have 6' tall wood fences along the property line. Adding a hedge, additional fencing, or a berm will change the character of the existing park as it relates to adjacent properties.

Conclusion: Since most properties currently have fencing, and since we believe additional screening will detract from the character of the existing park, we request an adjustment to not provide additional screening along residential property boundaries.

**9.260 Clear Vision. Clear vision requirements supersede the requirements of Articles 9.240 and 9.250.**

Fact: No parking or vehicular access is proposed for the park, therefore clear vision requirements do not apply.

Conclusion: Since clear vision requirements only apply for vehicular access, this criterion does not apply.

**9.370 and 9.380 Fence Materials and Standards. Fences shall not be constructed of or contain any material that will do bodily harm, except as noted in 9.370 (1)-(4), and shall meet the standards in 9.380.**

Fact: No new fencing is proposed for this project.

Conclusion: No new fencing is proposed for this project, therefore these criteria do not apply.

**9.385 Screening. Fence screening shall meet the requirements noted in subparagraphs (1)-(3).**

Fact: As noted in Buffering and Screening, above, we request an adjustment to not include any new fencing as part of the park improvements.

Conclusion: Since no new sight-obscuring fencing is proposed, these criteria do not apply.

**9.400-9.500 Environmental. The regulations specified in this Article are designed to protect all uses in all zones from certain objectionable off-site impacts associated with nonresidential uses.**

Fact: The proposed project is a neighborhood park, so we do not anticipate any negative environmental impacts associated with this proposed project, including noise, visible emissions, water quality issues, vibration, odors, glare or heat, insects or rodents, or hazardous waste.

Conclusion: The proposed project will not generate any negative environmental impacts, therefore this criterion is met.

**COMPLIANCE WITH ALBANY DEVELOPMENT CODE, ARTICLE 12 – PUBLIC IMPROVEMENTS**

**12.060 Streets – General Provisions. No development may occur unless it has frontage on or approved access to a public street currently open to traffic. A currently non-open public right-of-way may be opened by improving it to City standards.**

Fact: The site is currently fronted by Waverly Drive SE and Del Rio Ave SE.

Conclusion: The proposed project has frontage on existing streets currently open to traffic, therefore this criterion is met.

**12.070 Creation of Streets.**

Fact: No new streets are proposed as part of this project.

Conclusion: These criteria do not apply.

**12.080 Classification of Streets.**

Fact: No new streets are proposed as part of this project.

Conclusion: These criteria do not apply.

**12.090 Creation of Access Easements.**

Fact: No new access easements are proposed as part of this project.

Conclusion: These criteria do not apply.

**12.100 Access to Public Streets. With the exceptions noted in Section 1.105, the location and improvement of an access point onto a public street shall be included in the review of a development proposal.**

Fact: No new vehicular areas are proposed as part of this project. One new pedestrian curb cut is proposed at the intersection of Del Rio Ave SE and Del Rio Ct SE, will be in line with the sidewalk immediately across the street from the proposed curb cut, and will meet City Engineering standards.

Conclusion: Since no new vehicular areas are proposed, vehicular access criteria do not apply. Proposed pedestrian curb cut meets the criteria of this Section.

**12.110-12.170 and 12.190-12.280 Streets and Rights-of-Way.**

Fact: No new streets or rights-of-way are proposed as part of this project.

Conclusion: These criteria do not apply.

**12.180 Clear Vision Area. A clear vision area must be maintained at each access to a public street and on each corner of property at the intersection of two streets or a street and a railroad. No fence, wall, hedge, sign, or other planting or structure that would impede visibility between the heights of 2 and 8 feet shall be established in the clear vision area. Visibility is not considered impeded by a fence where materials are 35 percent or less of the surface area of that portion of the fence above 2 feet. Fence posts spaced at 8 feet or more apart are not counted as part of the fence surface area. Height measurements shall be made from the top of the curb or, when no curb exists, from the established street center line grade.**

Fact: The required clear vision area at the corner of Waverly Dr SE and Del Rio Ct SE will be maintained as required by code. No new improvements are proposed within the clear vision area.

Conclusion: These criteria are met.

**12.290 Sidewalks - Requirement. All development for which land use applications are required, and all expedited and middle housing land divisions, must include sidewalks adjacent to public streets. This requirement also applies to new single-family detached houses and middle housing units if they are located on arterial or collector streets or on curbed local streets, if there is an existing sidewalk within 500 feet on the same side of the street.**

Fact: There is an existing sidewalk in the right-of-way along Waverly Dr SE, as well as a curb-tight sidewalk along Del Rio Ave SE that ends at the southeast corner of the park. The park currently does not have a sidewalk adjacent to Del Rio Ave SE. This project proposes an 8' wide permeable concrete

pathway that extends from the end of the existing sidewalk at the southeast corner of the park to the existing sidewalk along Waverly Dr SE, with an extension to a new curb ramp at the intersection of Del Rio Ave SE and Del Rio Ct SE. Per the March 14 pre-application conference, Staff indicated that the proposed pathway would satisfy the requirements for a sidewalk along Del Rio Ave.

Conclusion: The proposed project includes a sidewalk that loosely parallels Del Rio Ave, therefore these criteria are met.

**12.300 Design, Width, and Location. All sidewalks must be constructed, replaced or repaired in accordance with the Standard Construction Specifications. The required width and location of sidewalks is as follows:**

- (1) The required width for a sidewalk on an arterial or collector street is 7 feet. This may be reduced to 6 feet if the sidewalk is separated from the curb by a landscaped planter strip at least 5 feet wide. When there is inadequate right-of-way for additional width and no additional right-of-way can be obtained as a condition of development approval, the sidewalk width may be reduced to 5 feet. In all cases, any right-of-way remaining outside the sidewalk is to be landscaped and maintained by the adjoining property owner.**

Fact: The existing sidewalk in the right-of-way along Waverly Dr SE (classified as an arterial street) will be maintained as part of the project. Del Rio Ave SE is classified as a collector. This project proposes an 8' wide permeable concrete pathway that extends from the end of the existing sidewalk at the southeast corner of the park to the existing sidewalk along Waverly Dr SE, with an extension to a new curb ramp at the intersection of Del Rio Ave SE and Del Rio Ct SE. Per the March 14 pre-application conference, Staff indicated that the proposed pathway would satisfy the requirements for a sidewalk along Del Rio Ave. All right-of-way will is currently landscaped and maintained by Albany Parks.

Conclusion: The proposed project includes an 8' wide sidewalk that loosely parallels Del Rio Ave, therefore these criteria are met.

- (2) Sidewalks along residential and other local streets must be at least 5 feet wide. A planter strip at least 6 feet wide shall separate the sidewalk from the street. Curbside sidewalk is allowed on cul-de-sac bulbs. Street trees shall be selected from the list of approved street trees established by the City. The planter strip shall be of permeable materials. Locating approved street-side post-construction stormwater quality facilities in the planter strip is encouraged.**
- (3) In the Historic Downtown and Central Business districts, as defined on the zoning map, sidewalks must be at least 10 feet wide and be installed adjacent to the curb.**

Fact: Neither of the adjacent streets are classified as residential streets, and the project is not located in the Historic Downtown or Central Business Districts.

Conclusion: These criteria do not apply.

- (4) Regardless of other provisions contained in this article, any sidewalk project that is less than 200 feet in length and connects on either end to an existing sidewalk may be designed to match the existing pattern with the approval of the City Engineer.**

Fact: The proposed sidewalk is more than 200' in length.



Conclusion: These criteria do not apply.

- (5) When obstructions exist or are proposed (including, but not limited to, mailboxes, utility poles, trees, planters, fire hydrants, signs, benches, bus stops, post-construction stormwater quality facilities, etc.), provisions must be made to maintain a minimum of 4 feet of unobstructed sidewalk width on local streets, 5 feet on collector and arterial streets, and 6 feet in the Historic Downtown (HD) and Central Business (CB) districts.**

Fact: The proposed sidewalk will be 8' wide from end to end, without obstructions.

Conclusion: These criteria are met.

- (6) Clustered mailboxes shall be on an accessible path and shall include a 72" minimum accessible turning space. Adjacent sidewalks may be incorporated in the measurement of the turning space. Where constructed in the public right-of-way, construction shall be in accordance with the Standard Construction Specifications.**

Fact: No clustered mailboxes are proposed as part of this project.

Conclusion: These criteria do not apply.

- (7) Maintenance of sidewalks and planter strips shall be the continuing obligation of the adjacent property owner except for approved post-construction stormwater quality facilities located in planter strips or when a double frontage single- or two-family lot backs onto an arterial. Other than approved post-construction stormwater quality facilities, planter strips shall be landscaped and maintained in like manner to the front yard setback requirements of Article 9.**

Fact: Albany Parks currently maintains and will continue to maintain existing and proposed sidewalks in and adjacent to the park.

Conclusion: These criteria are met.

- (8) Sidewalks shall be designed to parallel streets in line and grade and shall avoid unnecessary meandering from the curb line and elevation changes except as necessary to avoid significant trees or traverse topographic barriers.**

Fact: The proposed sidewalk does not meet the specified requirements. However, the proposed sidewalk route connects the existing sidewalks on both ends of the park with all proposed park amenities within the park, which a sidewalk constructed parallel to Del Rio Ave would not. Per the March 14 pre-application conference, Staff indicated that the proposed pathway would satisfy the requirements for a sidewalk along Del Rio Ave.

Conclusion: Based on Staff feedback and functional requirements for sidewalks within the park, we believe these criteria are met.

- (9) Public paths not adjacent to a public street shall be a minimum of 10 feet wide.**

Fact: All proposed public concrete pathways within the park are 8 feet wide. As noted in our response to 12.300(1), above, this satisfies the width requirement for a sidewalk along Del Rio Ave. In addition, 10 wide pathways within the park would be oversized for the intended use as pathways within a

neighborhood park. Therefore we request an adjustment for the concrete pathways to be 8' wide throughout the park.

Conclusion: While the proposed sidewalk that spans the park meets the width requirements for a sidewalk along Del Rio Ave, we request an adjustment for other pathways in the park to be 8' wide.

**12.310 Conformance to Street Grades. All sidewalks constructed adjacent to a street must be placed upon the street grade as established at the time of sidewalk construction. If a space is left between the property line and the sidewalk and/or between the sidewalk and the curb, the space shall be filled and surfaced with earth or other approved material level with the sidewalk. Exceptions to level grade between the sidewalk and curb are allowed with approved street-side post-construction stormwater quality facilities.**

Fact: The portions of the proposed sidewalks that abut existing sidewalks in the right-of-way or existing curbs will be flush with the existing conditions. Spaces between new sidewalk and existing sidewalks or curbs will be backfilled with topsoil and seeded to match adjacent landscape areas.

Conclusion: These criteria are met.

**12.320 Timing of Sidewalk Construction.**

Fact: All sidewalks will be constructed as part of the park development.

Conclusion: These criteria are met.

**12.321 Street Trees - General Requirements. When a new public street is created in conjunction with development or when required by the design standards in Article 8, street trees are required in accordance with the standards provided in the Standard Construction Specifications and the Urban Forestry Management Plan.**

Fact: No new public street is proposed for this project, and Article 8 does not apply to this project, therefore no new street trees are required.

Conclusion: Since no new street trees are required, these criteria do not apply.

**12.330-12.350 Bikeways**

Fact: No bikeways are required as part of this project.

Conclusion: These criteria do not apply.

**12.360-12.405 Utilities**

Fact: No new utilities or utility connections are proposed for this project.

Conclusion: These criteria do not apply.

**12.410 Water. All new development, including a single-family residence, must 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.**

Fact: The site is currently served by an active Public Water service, there is an existing water main on Del Rio Ave SE, and there are existing fire hydrants in the adjacent right-of-way.

Conclusion: These criteria are met.

**12.470 Sanitary Sewer. All new development must extend and connect to the public sewer system when service is available within 300 feet of the property.**

Fact: The park improvements do not include any facilities that would require sanitary sewer connections.

Conclusion: Since no new sanitary sewer connections are required, these criteria do not apply.

**12.530 Storm Drainage - General Provisions. 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. The storm water drainage system must be separate from and independent of any sanitary sewer system. When possible, inlets should be provided so surface water is not carried across any intersection or allowed to flood any street. Surface water drainage patterns and proposed storm drainage must be shown on every development proposal plan. All proposed storm drainage management plans and systems must be approved by the City Engineer as part of the tentative plat or Site Plan Review process.**

Fact: The existing park has 5,623 SF of impervious paving on site. The proposed park improvements will remove all of the existing impervious paving, and add 4,474 SF of new impervious area to the project, or 1,149 SF less impervious area than existing. The proposed 4,474 SF is also less than the 5,000 SF threshold for stormwater treatment. All other paved areas will be pervious concrete paving with a 12" thick open-graded aggregate base, and the play area will also be permeable with an open-graded aggregate base. There are currently no area drains or stormwater facilities in the park, and no significant changes to grading are proposed with the new development. Therefore no new storm drainage connections or stormwater facilities are required.

Conclusion: The proposed park redevelopment meets the storm drainage requirements, therefore these criteria are met.

**2.535 Storm Drainage Plan Approval. Preliminary storm drainage management plans and systems must be submitted to the City Engineer as part of the Tentative Plat or Site Plan Review application. These plans must provide enough information to enable the City Engineer to determine that the proposed development is feasible, but are not required to be detailed construction level documents. The City's Engineering Standards, while not land use criteria, may be used, in whole or in part, by the City Engineer to determine the feasibility of a proposed plan.**

Fact: Storm drainage management plans are included with the Site Plan Review application, and as described in this narrative.

Conclusion: The Storm Drainage Plan is included with this application, therefore these criteria are met.

**12.540 Easements. When a subdivision is traversed by a watercourse, drainageway, channel or stream, a public storm water easement conforming substantially to the lines of the watercourse and**

further width as the City Engineer determines will be adequate for conveyance and maintenance shall be provided. Improvements to the drainage way, streets, or parkways parallel to watercourses may be required.

Fact: There are no watercourses, drainageways, channels, or streams on the property, therefore no easements are required.

Conclusion: These criteria do not apply.

**12.550 Accommodation of Upstream Drainage.** A culvert or other drainage facility shall be large enough to accommodate potential run-off from its entire upstream drainage area, whether inside or outside of the development. The City Engineer must review and approve the necessary size of the facility, based on the provisions of the Storm Drainage Master Plans and Engineering Standards, and assuming conditions of maximum potential watershed development permitted by the Comprehensive Plan.

Fact: Based on the topographic survey (included with the Site Plan Review application), it does not appear that there is any upstream drainage entering the site from adjacent properties.

Conclusion: Since the site does not appear to take runoff from adjacent properties, these criteria do not apply.

**12.560 Effect on Downstream Drainage Facilities.** When the City Engineer anticipates that the run-off resulting from the development will overload or cause damage to an existing drainage facility, the review body will withhold approval of the development until provisions have been made for improvement, or prevention, of said potential condition.

Fact: The existing park has 5,623 SF of impervious paving on site. The proposed park improvements will remove all of the existing impervious paving, and add 4,474 SF of new impervious area to the project, or 1,149 SF less impervious area than existing. The proposed 4,474 SF is also less than the 5,000 SF threshold for stormwater treatment. All other paved areas will be pervious concrete paving with a 12" thick open-graded aggregate base, and the play area will also be permeable with an open-graded aggregate base. There are currently no area drains or stormwater facilities in the park, and no significant changes to grading are proposed with the new development. Therefore no runoff is expected from the proposed site improvements into the right-of-way or adjacent properties.

Conclusion: We believe the proposed project is in conformance with City stormwater standards, and that these criteria are met.

**12.570 Storm Drainage Management Practices.** Development must employ storm drainage management practices approved by the City Engineer that minimize the amount and rate of surface water run-off into receiving streams or drainage facilities or onto adjoining properties. As required by Title 12 of the Albany Municipal Code, the development must also employ post-construction storm water quality management practices approved by the City Engineer that regulate the quality of the stormwater leaving the site. Drainage management practices must include, but are not limited to, one or more of the following practices:

- (1) Temporary and permanent ponding or detention of water;
- (2) Post-construction stormwater quality facilities;
- (3) Minimization of impervious surfaces;
- (4) Emphasis on natural drainageways;
- (5) Prevention of uncontrolled water flow from the development;
- (6) Stabilization of natural drainageways as necessary below drainage and culvert discharge points for a distance sufficient to convey the discharge without channel erosion;
- (7) Collection of runoff from impervious surfaces and transportation to a natural drainage facility with sufficient capacity to accept the discharge; and
- (8) Other practices and facilities designed to transport storm water and improve water quality.

Fact: As noted above, the proposed park improvements will: 1.) remove existing impervious area; 2.) limit new impervious area; and 3.) use pervious concrete paving on a 12" open-graded base throughout the park to limit and control runoff from the park development.

Conclusion: We believe the proposed project is in conformance with City stormwater standards, and that these criteria are met.

**12.575 Extension Along Property Frontage and Within Interior. Storm mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion.**

Fact: The project is an existing property surrounded by existing development, with existing storm lines adjacent to and within the park. We do not believe any extension of existing storm mains is required.

Conclusion: As noted above, we believe these criteria do not apply to this project.

**12.580 Design Requirements for New Development. All new development within the City must, when appropriate, provide for the continuation or appropriate projection of existing storm drain lines or drainageways serving surrounding areas. Extensions may be required through the interior of a property to be developed when the City Engineer determines that the extension is needed to provide service to upstream properties**

Fact: The project is an existing property surrounded by existing development, with existing storm lines adjacent to and within the park. We do not believe any extension of existing storm mains is required.

Conclusion: As noted above, we believe these criteria do not apply to this project.

**12.581 Restriction of Development. The review body may restrict development approvals where a deficiency exists in the storm water system or portion thereof that cannot be corrected as part of the development improvements.**

Fact: As noted above, the proposed park improvements will: 1.) remove existing impervious area; 2.) limit new impervious area; and 3.) use pervious concrete paving on a 12" open-graded base throughout the park to limit and control runoff from the park development.

Conclusion: We believe the proposed project is in conformance with City stormwater standards, and that these criteria are met.

**12.585 NPDES Permit Required.** A National Pollutant Discharge Elimination System (NPDES) permit must be obtained from the Department of Environmental Quality (DEQ) for construction activities (including clearing, grading, and excavation) that disturb one or more acre of land, or whatever the current standard is at the time the application is submitted.

Fact: The combined demolition and construction activities will likely disturb around 50,000 SF (1.15 acres). Therefore an NPDES permit will be required.

Conclusion: This project will apply for an NPDES permit as required, therefore this criteria is met.

**12.600 Improvement Assurances - Form and Contents.** The assurance shall contain the time within which the obligation is to be met. It may take the form of a surety or performance bond, cash, a negotiable security deposit, a mutual improvement agreement, a monetary contribution to a fund for future improvements if established by a separate city ordinance, or other guarantees approved by the City Attorney sufficient to cover the cost of the work as estimated by the City. The bond shall be conditioned upon the developer's carrying out the obligation and fulfilling the other requirements of this Title that bear on the approval of the development. The deposit or bond shall be forfeited to the City if the developer does not fulfill the requirements. The bond or deposit shall remain in the custody of the City until the obligation is completed or the bond or deposit is forfeited, or shall be placed in an escrow account subject to City control.

Fact: The Owner for this project is the City (Albany Parks and Recreation), therefore these criteria do not apply.

Conclusion: Since the Owner is the City of Albany, these criteria do not apply.

## **COMPLIANCE WITH ALBANY DEVELOPMENT CODE, ARTICLE 13 – SIGNS**

**13.210 Prohibited Signs.** Signs are prohibited except as authorized by this ordinance.

Fact: This project does not propose any signage prohibited in Article 13.210.

Conclusion: These criteria are met.

**13.220 Installation and Maintenance of Signs.**

- (1) All signs, together with all their supports, braces, guys and anchors, shall be kept in good repair and be maintained in a safe, neat, clean, and attractive condition, free from rust, corrosion, peeling paint, or other surface deterioration.**

Fact: The existing park sign is kept in good repair by Albany Parks. New signs will also be maintained in good repair by Albany Parks.

Conclusion: These criteria are met.

- (2) Unless otherwise approved by the City of Albany, all temporary signs must meet the following standards:**
- (a) Shall be adequately secured and supported with a base capable of keeping the sign upright in a moderate wind (i.e., approximately 13 - 18 mph).**
  - (b) May not be located in any public right-of-way.**
  - (c) May not be placed within any vision clearance area as defined in Section 12.180.**
  - (d) May not block public entrances.**
  - (e) No sign shall obscure more than 50 percent of any individual window.**
  - (f) Shall be maintained in a safe, neat, clean, and attractive condition.**
  - (g) No person who places a sign under the temporary sign provisions of this article shall permit the sign to remain in place after the period specified for display has expired.**
- (3) A temporary sign (including A-frame signs, yard signs, and banners) attached to, or placed inside, a vehicle or trailer parked on private property for more than 48 hours is subject to the temporary sign limitations of this Article. This is not intended to preclude permanent signs such as those painted on vehicles. Parking on a public street for the purposes of displaying or advertising from a vehicle is regulated by 13.21.030 of the Municipal Code.**

Fact: No temporary signs regulated by this Article and Article 13.410-13.430 are proposed as part of this project.

Conclusion: These criteria do not apply.

### **13.230 Abandoned and Unused Signs.**

Fact: There are no abandoned or unused signs existing or proposed for this project.

Conclusion: These criteria do not apply.

**13.310 Signs Exempt from Sign Permit. A sign which is consistent with the type, description, and maximum duration in Table 13.310-1 is subject to the General Provisions and General Sign Regulations of this Article; however, no sign permit or sign registration is required before placing, constructing, or erecting such a sign. All other temporary or permanent signs are subject to the sign permit or sign registration requirements of this Article.**

### **(1)(f) Signs erected, maintained or authorized by a public authority**

Fact: All signage proposed by this project will be erected, maintained, and authorized by a public authority (Albany Parks and Recreation). Therefore no sign permits will be required for this project.

Conclusion: These criteria are met.

**13.510 Permanent Signs. The following standards apply to permanent signs.**

- (1) A sign permit must be obtained for each sign, unless otherwise exempt from a sign permit or registration under ADC 13.310.**

Fact: As noted in our response to 13.310, above, all signage proposed by this project will be erected, maintained, and authorized by a public authority (Albany Parks and Recreation). Therefore no sign permits will be required for this project.

Conclusion: Signage proposed for this project is exempt from sign permitting requirements.

- (2) Permanent signs are classified in three categories:**

- (a) Wall Signs are signs attached to, erected against, or painted on a wall of a building or structure (including signs painted or affixed to the surface of an awning or marquee), with the exposed face of the sign in a plane approximately parallel to the face of said wall. Wall signs have one sign face. Wall signs are subject to additional standards in ADC 13.520.**

Fact: No wall signs are proposed for this project

Conclusion: These criteria do not apply.

- (b) Freestanding Signs are signs, including monument signs, supported by one or more uprights, poles, or braces placed in or upon the ground, or a sign supported by any structure primarily for the display and support of the sign. Freestanding signs may have one or more sign faces. Freestanding signs are subject to additional standards in ADC 13.530.**

Fact: Freestanding signs are proposed for this project.

Conclusion: These criteria apply to signs proposed for this project.

- (c) Projecting Signs are signs projecting more than 12 inches from a structure. A sign suspended from a marquee or awning is considered a projecting sign. Projecting signs are subject to additional standards in ADC 13.540. Projecting signs may have one or more sign faces.**

Fact: No projecting signs are proposed for this project

Conclusion: These criteria do not apply

- (3) All permanent signs shall be designed and constructed to meet the requirements of the State of Oregon Structural Specialty Code. Any electrical apparatus used in connection with a sign must be covered by an electrical permit. The amperage and voltage of such apparatus must be permanently affixed to the sign.**

Fact: All permanent signs will be designed and constructed to meet the requirements of the State of Oregon Structural Specialty Code. No lighting will be provided for any sign proposed for this project.

Conclusion: These criteria are met.



**13.520 Wall Signs.**

Fact: No wall signs are proposed for this project

Conclusion: These criteria do not apply.

**13.530 Freestanding Signs. The following standards apply to freestanding signs other than Exempt Signs pursuant to ADC 13.310 or Temporary Signs pursuant to ADC 13.410 – 13.430.**

- (1) Supports. A freestanding sign shall be directly supported by poles or foundation supports in or upon the ground. No external cross-braces, guywires, “T-frames,” “A-frames,” “trusses,” or similar bracing systems shall be used in constructing freestanding signs.**

Fact: New signs proposed for this project will meet the requirements of this Article.

Conclusion: These criteria are met.

- (2) Clearance.**

- (a) No freestanding sign shall be closer than 2-1/2 feet from the curb line or over any state highway right-of-way as specified in state law. In the event the street shall be widened or changed in any manner so that the change would result in the projection of a sign to a distance over public property, then the owner of said sign shall remove it and replace it at the expense of the owner.**

Fact: New signs proposed for this project will meet the requirements of this Article. Existing park signage currently meets the requirements of this Article.

Conclusion: These criteria are met.

- (b) Freestanding signs shall have a minimum clearance of 15 feet over a driveway or parking area.**

- (c) Freestanding signs shall have a minimum clearance of eight feet over a pedestrian walkway or sidewalk.**

Fact: No existing or proposed signage is or will be elevated over vehicular or pedestrian areas.

Conclusion: These criteria are met.

- (3) Location. Signs shall be placed on the central 50 percent of the street frontage or 50 feet from any adjacent freestanding sign. Signs on corner properties may be placed near the corner if vision clearance provisions are met.**

Fact: The existing park sign is currently located near the center of the Del Rio Ave street frontage. New signs proposed for this project are intended for pedestrian use and will be located inside the park adjacent to pedestrian walkways.

Conclusion: These criteria are met.

- (4) Number of Signs.**

- (a) One freestanding sign shall be permitted for each lot frontage which meets the minimum street frontage specified in Table 13.530-1. Two or more parcels of less than the minimum required street frontage each may be combined for purposes of meeting this standard, with the approval of all affected property owners.
  - (b) When a freestanding sign is located at the corner of two intersecting rights-of-way and placed a distance from the right-of-way corner of less than 50 lineal feet, the sign shall be counted as one sign for each frontage.
- (5) **Sign Area.** Signs shall not exceed a total face area of 3/4 square feet for each lineal foot of street frontage with the maximum area per face as specified in Table 13.530-1. When a face can be seen from a street, then that face shall count as part of the aggregate area for that street frontage (not to exceed counting one face per frontage). The maximum size allowed for such sign shall be based on the street frontage with the highest average daily traffic count or the average of the two frontages. In all cases a minimum allowance of 20 square feet per sign face is guaranteed.
- (6) **Height.** Signs shall be no higher than as specified in Table 13.530-1.
- (7) **Shared Freestanding Signs within Integrated Business Centers.**
- (8) **Freeway Area Signs General Provisions.**

Fact: As an Institutional Use in Residential Zoning District, existing and proposed signage is governed by Article 13.570. The project is not in an Integrated Business Center or in a Freeway Area.

Conclusion: These criteria are met as described in our response to 13.570, below.

#### **13.540 Projecting Signs.**

Fact: No project signs are proposed for this project.

Conclusion: These criteria do not apply.

#### **13.550 Signs for Theaters.**

Fact: This project is not a theater.

Conclusion: These criteria do not apply.

#### **13.560 Neighborhood Signs.**

Fact: This project is not a neighborhood.

Conclusion: These criteria do not apply.

**13.570 Institutional Uses in Residential Zoning Districts.** The following standards apply to signage for all institutional uses allowed in residential zoning districts and the MUR (Mixed Use Residential) district except the HM (Hackleman Monteith) District:

- (1) When an institutional use is allowed in a residential zoning districts, the size and placement of a sign may be further restricted as part of conditional use permit review.**

Fact: Conditional Use Permit Review is not required for this project.

Conclusion: These criteria do not apply.

- (2) Signs shall not exceed 32 square feet per face.**

Fact: The face of the existing park sign does not exceed 32 square feet. New signage proposed for the project will not exceed 32 square feet.

Conclusion: These criteria are met.

- (3) Except in residentially-zoned historic districts, one freestanding, changing electronic message sign may be permitted.**

Fact: No electronic message sign is proposed for this project.

Conclusion: These criteria do not apply.

**13.580 Signs for Nonconforming Uses in a Residential Zone.**

Fact: As a public park, this project is not a nonconforming use in a residential zone.

Conclusion: These criteria do not apply.

**13.590 Murals**

Fact: No murals are proposed for this project.

Conclusion: These criteria do not apply.

**13.610 Permit Review Procedures.**

Fact: As noted in our response to 13.310, above, no sign permits will be required for this project.

Conclusion: These criteria do not apply.

**13.710 Variances.**

Fact: This project does not propose any variances.

Conclusion: These criteria do not apply.

**13.810 Non-Conforming Signs - General Provisions.**

Fact: This project does not have any existing or proposed non-confirming signs.

Conclusion: These criteria do not apply.

# APPENDICES

# APPENDIX A

## MAPS