



PLANNING COMMISSION AGENDA

Monday, August 17, 2026

5:15 p.m.

This meeting includes in-person and virtual participation.

Council Chambers

333 Broadalbin Street SW

Or join the meeting here:

<https://council.albanyoregon.gov/groups/plc/zoom>

Phone In: 1-253-215-8782 (long distance charges may apply); Meeting ID: 837-8633-4863;

Passcode: 464432

Please help us get Albany's work done.

Be respectful and refer to the rules of conduct posted by the main door to the Chambers and on the website.

1. Call to order and pledge of allegiance
2. Roll call
3. Approval of Minutes
 - July 20, 2026 [Page 3 – Page 5]
4. Public Comment
5. Scheduled Business

Public Hearing: CU-02-26, a Type III Quasi-Judicial Process [Page 6 – Page 131]

Summary: Conditional Use application to locate a religious assembly use (Cornerstone Bible Church) within an existing building. (Project planner – David Martineau, david.martineau@albanyoregon.gov)

Persons wanting to provide comments may:

- 1- *Email written comments to cdaa@albanyoregon.gov, including your name, before **noon on the day of the meeting.***
- 2- *To comment virtually during the meeting, register by emailing cdaa@albanyoregon.gov before **noon on the day of the meeting**, with your name.*
- 3- *Appear in person at the meeting and register to speak*

6. Business from the commission

Data Center Proposal – Commissioner Hill [Page 132 – Page 136]

7. Staff updates
8. Next Regular Scheduled Meeting Date: September 14, 2026
9. Adjournment

albanyoregon.gov



August 17, 2026

This meeting is accessible to the public via video connection. The location for in-person attendance is accessible to people with disabilities. If you have a disability that requires accommodation, please notify city staff at least 48 hours in advance of the meeting at: cdaa@albanyoregon.gov or call 541-917-7550.

Testimony provided at the meeting is part of the public record. Meetings are recorded, capturing both in-person and virtual participation, and are posted on the City website.



CITY OF ALBANY Planning Commission

MINUTES

Monday, July 20, 2026
Council Chambers – 5:15 p.m.
Approved: DRAFT

Call to Order

Commissioner Larson called the meeting to order at 5:15 p.m.

Pledge of Allegiance

Roll Call

Commissioners Present: Skylar Bailey, Kenny Larson, Remi Hill, Ron Green, Paul Spilsbury, Tami Cockeram
Remote Attendees - Stacey Bartholomew

Commissioners Absent: JoAnn Miller, Ted Bunch Jr.

Approval of Minutes

Motion: Commissioner Hill moved to approve the meeting minutes from June 15, 2026. Commissioner Bailey seconded the motion. The motion passed 7-0.

Public Comment - none

Scheduled Business

Commissioner Larson opened the Type IV Quasi-Judicial Hearing on CP-01-26 & ZC-01-26 at 5:19 p.m.

Summary: Comprehensive Plan Map Amendment to change the designation of seven separate properties

Commission Declarations

No members declared a conflict of interest.

No members declared an ex-parte contact. – Hill declared a singular, brief comment on social media

No members declared a site visit. – Bartholomew has walked past it

No members abstained from participating in the proceedings.

No one challenged the Planning Commissioners' right to determine this matter.

Staff Report – David Martineau, Current Planning Manager, read the meeting procedures. Jennifer Cepello described the case and shared slides*, along with their location and the details of the proposed zoning changes of each property.

Questions to Staff – Commissioner Hill asked about the area adjacent to the south side of the properties and if there is a plan to place any industrial development. Cockeram asked about the residential properties and how they could be developed.

Applicant Testimony –

Laura LaRoque from Pathfinder spoke and shared slides* with the group. She shared that there is no development proposed at this time for the properties in this proposal. The expansion of the water treatment plant is needed to meet future needs, as the city grows. The changes are meant for buffering and park space acquired with federal funds, as well as current industrially zoned property.

Questions from Commissioners –

Hill asked about rezoning from residential to light industrial. LaRoque explained the properties bordering light industrial (LI) zones on the north. Hill then asked about the impact on Area C with the zoning proposal. LaRoque explained how the expansion is already part of the Master Facility Plan for the City and making these proposals for zone changes comply with that direction. Green asked about the history of the lots along Willamette Street and LaRoque shared the dates of acquisition of the properties that started in 2003 and went through 2020. Green asked about the development status of the properties acquired. LaRoque shared the status of the properties acquired by the City. Bailey asked about the implications for the properties in the area. LaRoque explained that the zoning changes would allow the City to expand the water treatment plant, but development is not planned at this time. Cockeram noted the smell coming out of the treatment plant could make the area unlivable and asked that the City should include the community in future changes.

Public Testimony –

John Robinson, general contractor who lives in Albany spoke on the housing shortage in the state and his concern that the City is removing smaller lots for development. Ben Roche, a resident of Albany who works in the manufactured housing industry noted that those builders looking for infill lots are having difficulty locating smaller properties to develop.

Applicant Rebuttal Testimony –

Laura LaRoque – She shared the conversation she had with a family in the area. She also shared that there would be a negative impact to both Albany and Millersburg without expansion of the water treatment facility and the properties in question are already owned by the City, with the intent of future expansion of the facility. Bailey had a question about future expansion. LaRoque responded that there is no plan for further expansion into the residential area. Instead, this would further develop the composting area of the facility, which is located on the north side.

Procedural Questions to Staff –

Hill asked staff what the practical difference between zoning these areas as LI for buffering or zoning them as open space. Cepello responded that LI is used as a buffering between heavy industrial and residential. Hill then asked if there are uses that are consistent with light industrial that would reduce the livability in the neighborhood. Cepello responded with examples of what could be proposed. Hill asks for specifics in cases and Cepello provided examples.

Public Hearing was closed at 6:06 pm

Commission Discussion –

Bailey objected to the proposal to change the zones for future plans, which could devalue neighboring properties. Hill agreed and would prefer to have future zoning proposals come before the commission. Hill and Bailey conversed that it would make more sense to either leave them as is for now or to rezone to Open Space, until all the properties are owned by the City. Green noted that since the applicant didn't have a plan yet he didn't feel comfortable making any changes. Larson acknowledged the need to expand the treatment plant is inevitable, but would feel more comfortable with the zone change if there were details on those future plans.

Martineau interjected that the commission needs to be able to make a decision based on the review criteria. While there is not a development proposal at this time, there is a comprehensive map and a zoning map amendment. The review criteria had to be addressed in the commission's decision.

Spilsbury agreed with Martineau that the commission needs to be looking at the proposal, what the group should be discussing and vote upon that and what the commission was discussing was not part of the proposal before them. He went on to say that the commission needs to either pass it, as the staff recommendation states, or to come up with a reason to not pass it. The group discussed what their role was and what they think the group should be able to consider.

Motion: Commissioner Hill motioned to recommend that the City Council approve the proposed Comprehensive Plan Map and Zoning Map Amendments including conditions of approval. Additionally, an amendment to not change the designation of the R-5 lots in area C and to append a note to have a conditional use review for all the areas to the north, that are part of the expansion plans once they are in place. Commissioner Bailey seconded the motion. Role vote was called. Yes votes from Hill, Bailey, Cockeram, Green. No votes from Spilsbury, Larson, Bartholomew. Motion passed 4-3

Martineau asked for justification for the conditions. Hill responded that the R-5 area should stay as residential until all the two remaining lots are owned by the City. As for the conditional use justification, that it should require public participation and public review, as is consistent with the state's land use goals.

Business from the Commission

Hill discussed a proposal for an ordinance regarding Data Center usage, as a comprehensive review. Larson recommended that it be integrated into a work session with City Council. Martineau felt that Hill should propose to City Council, as a member of the public, to work through the process correctly.

Staff Update

Martineau distributed copies of the Planning Commission handbook to the Commissioners.

Next meeting date

August 17, 2026, 5:15 p.m.

Adjournment – 6:38 p.m.

Respectfully submitted,

Reviewed by,

Talley Richardson
Administrative Assistant I

David Martineau
Current Planning Manager

**Documents discussed at the meeting that are not in the agenda packet are archived in the record.
The documents are available by emailing cdaa@albanyoregon.gov.*



COMMUNITY DEVELOPMENT

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

Staff Report

Conditional Use Review – Change of Use

CU-02-26

August 6, 2026

Application Information

Proposal:	Conditional Use application to locate a religious assembly use (Cornerstone Bible Church) within an existing building.
Review Body:	Planning Commission (Type III review)
Staff Report Prepared By:	David Martineau, project planner
Property Owner:	Kerley Clackamas LLC; PO Box 5517; Salem, OR 97304
Applicant:	Jacob Liedkie; 35355 Eicher Road SE; Albany, OR 97322; 541-368-7131; jake@cbcalbany.com
Land Use Consultant:	Britany Randall, BRAND Land Use; 1720 Liberty Street SE; Salem, OR 97302; 503-370-8704; britany@brandlanduse.com
Address/Location:	1820 Fescue Street SE, Albany, OR 97322
Map/Tax Lot:	Linn County Assessor: 11S-03W-09CD-00300
Zoning:	Light Industrial (LI)
Comprehensive Plan:	Light Industrial
Overlay Districts:	Airport Approach Overlay
Total Land Area:	2.99 Acres
Existing Land Use:	Coffee Processing, Offices, Cafe
Neighborhood:	East Albany
Surrounding Zoning:	North: Light Industrial (LI) East: LI South: LI West: R-5, west of Interstate 5
Surrounding Uses:	North: Construction Equipment Rental East: Industrial Tenants South: Furniture Store West: Interstate 5
Prior History:	SP-35-98

Summary

The applicant, Cornerstone Bible Church, is requesting approval of a Conditional Use Permit for property located at 1820 Fescue Street SE, Albany, Oregon. The subject property is approximately 2.99 acres in size and is owned by Kerley Clackamas LLC. The property is currently developed with an existing industrial warehouse building and associated parking and site improvements. The site is zoned LI, Light Industrial District. The Conditional Use review criteria contained in ADC 2.250 are addressed in this report for the proposed development. The criteria must be satisfied to grant approval for this application. **Please note that a concurrent application for Site Plan Review for a parking lot expansion has been withdrawn by the applicant. The Conditional Use Review is therefore limited to the religious institutional use in an existing building.**

Notice Information

A Notice of Public Hearing was mailed to property owners located within 300 feet of the subject property on July 28, 2026. The Notice of Public Hearing was posted on the subject property on August 10, 2026. No written testimony has been received as of the date of this report.

Appeals

Within five days of the planning commission's final decision on this application, the Community Development Director will provide a written notice of decision to the applicants and any other parties entitled to notice. Any person who submitted written comments during a comment period or testified at the public hearing has standing to appeal the Type III decision of the planning commission to the city council by filing a notice of appeal and associated filing fee within ten days from the date the City mails the notice of decision.

Analysis of Development Code Criteria – Conditional Use

Albany Development Code (ADC) includes the following approval review criteria for Conditional Use applications (ADC 2.250). Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria. Staff also acknowledge the applicant's written response provided to these criteria (Attachments C & D).

Criterion 1

The application is consistent with the goals and policies of the Comprehensive Plan and any relevant plans adopted by the City Council.

Findings of Fact

- 1.1 The proposal is consistent with the applicable goals and policies of the Albany Comprehensive Plan. The subject property is designated Light Industrial on the Albany Comprehensive Plan Map and zoned LI, Light Industrial District. The proposal does not include a Comprehensive Plan amendment or zone change and the property will remain designated and zoned for industrial and employment-related uses, according to the applicant.
- 1.2 The Albany Comprehensive Plan identifies the Light Industrial designation as suitable for a wide range of light industrial uses, including corporate offices, research and development, high technology, manufacturing, warehousing, wholesaling, and other accessory and compatible uses that have minimal environmental effects and can conform to the Development Code performance standards for the Industrial Park and Light Industrial zones.
- 1.3 While the proposed religious assembly use is not itself an industrial use, the Albany Development Code expressly allows consideration of religious assembly uses within the LI zoning district through the Conditional Use process. The proposal will operate within an

- existing developed building and is not anticipated to interfere with surrounding industrial operations or the continued industrial use of nearby properties.
- 1.4 The Comprehensive Plan also recognizes that zoning regulations are the primary tool used to implement the Plan and identifies the LI zoning district as consistent with the Light Industrial Comprehensive Plan designation. The proposal maintains the existing Industrial designation and LI zoning classification of the property and therefore remains consistent with the city's adopted land use framework, according to the applicant.
 - 1.5 Chapter 3 of the Comprehensive Plan recognizes the importance of maintaining an adequate supply of appropriately zoned land for economic development opportunities. The proposal does not remove the property from the city's industrial land inventory through redesignation or rezoning. The existing building and site will remain within an industrial zoning district, and the proposed use is not expected to preclude industrial operations on surrounding properties.
 - 1.6 The proposal also supports efficient use of existing urban land and infrastructure by adaptively reusing an existing developed industrial building and site with existing access, parking, utilities, and transportation facilities already in place. The subject property is located near Interstate 5 and within an established industrial and employment area served by existing transportation infrastructure consistent with the transportation and land use objectives of the Comprehensive Plan. Overall, the proposal is consistent with the applicable goals and policies of the Albany Comprehensive Plan and relevant adopted plans of the city.

Conclusions

- 1.1 The proposal is consistent with the applicable goals and policies of the Albany Comprehensive Plan and relevant adopted plans of the city.
- 1.2 This criterion is met without conditions.

Criterion 2

The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.

Findings of Fact

- 2.1 Proposed use. The applicant proposes converting the existing structure on the property into a church, which is classified as an Institutional use in the Albany Development Code.
- 2.2 The proposed religious assembly use is consistent with the intended character of the LI, Light Industrial District, and the operating characteristics of the surrounding area. The purpose of the LI zone is to provide areas for light industrial, office, commercial service, warehousing, manufacturing, and other employment-oriented uses that can operate compatibly within an urban industrial setting while maintaining access to transportation infrastructure and minimizing conflicts with surrounding uses.
- 2.3 The subject property is located within an established industrial and employment area surrounded by industrially designated and zoned properties with direct access to Interstate 5 and the surrounding regional transportation network. The surrounding area is characterized by warehouse, industrial, contractor, office, and commercial service uses consistent with the intended character of the LI zoning district.
- 2.4 Intended character of the base zones. The subject property is located within the Light Industrial (LI) zoning district. The purpose of the LI zone is "for industrial uses and support activities that are potentially incompatible with most other uses and which are characterized by large amounts of traffic, extensive shipping of goods, outside storage or

stockpiling of raw materials, by-products, or finished goods, and a controlled but higher level of noise and/or pollution. This district is located away from residential areas and has easy access to highways and perhaps to rail.” Religious institutional uses are allowed in the LI zone through Conditional Use approval.

- 2.5 The proposed church facility will operate within an existing developed industrial building, and no vertical expansion of the structure is proposed. The proposed faith-based organization is anticipated to operate primarily during limited periods throughout the week and is not expected to interfere with surrounding industrial operations or the continued industrial use of nearby properties. Overall, the proposal remains consistent with the intended character and function of the LI zoning district and the operating characteristics of the surrounding industrial area.

Conclusions

- 2.1 The proposed development is allowed with Conditional Use Type III review approval in the LI zoning district per ADC Table 4.050-1.
- 2.2 The proposal remains consistent with the intended character and function of the LI zoning district and the operating characteristics of the surrounding industrial area.
- 2.3 The planning commission may determine if the proposal is consistent with this criterion.

Criterion 3

The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal calls for mitigation of differences in appearance or scale through such means as setbacks, screening, landscaping or other design features.

Findings of Fact

- 3.1 Definition of compatible. “Compatible” does not mean “the same.” *Merriam Webster’s Collegiate Dictionary*, Eleventh Edition, defines “compatible” as “(1) capable of existing together in harmony.”
- 3.2 Proposed Use. The proposed religious assembly use will be compatible with existing and anticipated uses in the surrounding area in terms of size, building scale, intensity, setbacks, and landscaping. The subject property is located within an established industrial and employment area characterized by large warehouses and industrial buildings, paved parking and circulation areas, contractor yards, storage uses, and other employment-oriented development patterns. The existing building is already developed at a scale consistent with surrounding industrial development, and the proposal does not include substantial expansion of the existing structure.
- 3.3 Existing and Anticipated Uses. The proposed ministry use is anticipated to operate primarily during limited periods throughout the week and is not expected to generate impacts incompatible with surrounding industrial uses. A concurrent application for parking lot expansion has been withdrawn by the applicant; therefore, only the change of use for the building from light industrial and office use to religious assembly is being considered at this time.
- 3.4 Building Size, Scale, Setbacks and Style. The building was constructed in 1999 and is about 41,013 square feet in size. The applicant does not propose any exterior alterations to the structure. It has a conforming front setback of 15 feet.

- 3.5 Intensity and Lot Coverage of the Proposed Development. The applicant does not propose any new structures with this application; therefore, lot coverage will not be changed with this proposal. Any future development on site will undergo further land use review.
- 3.6 Landscaping. The existing landscaping consists of mature trees within parking lot planter bays, lawn, and a couple of street trees. No changes are planned to the existing landscaping at this time. Any future development such as building expansion or new parking areas will need to comply with the Albany Development Code in effect at that time.

Conclusions

- 3.1 Based on the observations above, the proposed development may be compatible with existing or anticipated uses in terms of size, intensity, setbacks, and landscaping.
- 3.2 The planning commission may determine if the proposal is consistent with this criterion.

Criterion 4

The transportation system is capable of supporting the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on street parking impacts, access requirements, neighborhood impacts, and pedestrian safety.

Findings of Fact

- 4.1 The subject property is located at 1820 Fescue Street SE. The project will change the use of the 41,013-square-foot existing building from a light manufacturing building for Allan Brothers Coffee to Cornerstone Bible Church.
- 4.2 The project is located on the west side of Fescue Street south of 18th Avenue. Fescue Street is classified as a Major Collector street. The road has curb, gutter, and pavement constructed to city standards. Curb-to-curb width is 48 feet. The road is not currently striped for vehicle travel or bike lanes.
- 4.3 Bicycle lanes are needed on Fescue Street in order to provide safe and convenient bicycle access to the development. Bicycle lanes were installed north of this development on Fescue with the Home Depot project and will connect that portion of Fescue Street with facilities on Highway 20 and the city's bicycle network. This was a prior condition of approval from original building land use case SP-35-98.
- 4.4 The site currently has two driveways off Fescue Street. There are no proposed changes to site access.
- 4.5 The applicant did not submit a traffic study with the application. Albany's threshold for submitting a trip generation estimate is 50 peak hour trips. Developments that generate 100 or more peak hour trips are required to submit a TIA.
- 4.6 Staff has estimate site trip generation based on Institute of Transportation Engineers (ITE) trip generation rates. Trip generation for the proposed use was estimated by using ITE trip rates for category 110 "General Light Commercial" for the existing use and category 560 "Church" for the proposed use. The proposed use is estimated to have a reduction of PM peak hour trips.
- Existing Use ITE 110- 41,013 square foot building, 201 PM peak hour
 - Proposed Use ITE 560- 41,013 square foot building, 4.1 PM peak hour
- 4.7 Albany's Transportation System Plan does not identify any congestion or capacity issues occurring along the frontage of the site.

Conclusions

- 4.1 The site's street frontage along Fescue Street is improved to city standards. Bicycle lanes need to be installed on Fescue Street from 18th Avenue north approximately 360 feet in order to connect to bike lanes installed with the Home Depot project and provide bicycle access to the proposed development. This was a prior condition of approval from the original building land use case SP-35-98.
- 4.2 Access to the site will be provided by the existing driveways off Fescue Street and no additional accesses are proposed.
- 4.3 Based on ITE trip generation rates, the proposed development will have a reduction in generated trips from the site.
- 4.4 The development is not projected to generate sufficient trips to require submittal of a trip generation estimate or TIA. Albany's TSP does not identify any congestion or capacity issues occurring adjacent to the site.

Condition

1. Prior to any building permit issuance, the applicant shall install painted bicycle lanes on Fescue Street from 18th Avenue north approximately 360 feet to bike lanes and striping that were installed with the Home Depot Project. The applicant shall submit a striping plan to the City Engineer for approval and shall obtain a Public Improvement Permit from the Public Works Department prior to installing any striping on Fescue Street.

Criterion 5

Public services for water, sanitary and storm sewer, water management, and for fire and police protection, are capable of servicing the proposed use.

Findings of Fact

Sanitary Sewer

- 5.1 City utility maps show an 8-inch public sanitary sewer main in Fescue Street. The subject property is currently connected to the public sewer system.
- 5.2 Albany Municipal Code (AMC) 10.01.080 (2) states that before the City will issue a Building Permit, the applicant must pay to the City the necessary System Development Charges (SDCs) and any other applicable fees for connection to the public sanitary sewer system.
- 5.3 There are no anticipated impacts to the public sanitary sewer system with this development.

Water

- 5.4 City utility maps show a 12-inch public water main Fescue Street. The existing development on the property is currently connected to the public water system.
- 5.5 There are no anticipated impacts to the public water system with this development.

Storm Drainage

- 5.6 City utility maps show a 15-inch public storm drainage main in Fescue Street. Development is not proposing any site work with this Conditional Use.
- 5.7 There are no anticipated impacts to the public storm drainage system.

Fire and Police Departments

- 5.8 The Fire and Police Departments can service the proposed use.

Conclusions

- 5.1 The existing development on the site is currently served by public sanitary sewer, water, storm drainage, and fire and police services.
- 5.2 This criterion is met without conditions.

Criterion 6

The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to: (a) Noise, glare, odor, litter, and hours of operation; (b) Privacy and safety issues.

Findings of Fact

- 6.1 The applicant notes that this criterion is not directly applicable because the subject property is not located adjacent to nearby residentially zoned lands. The nearest residentially zoned properties are located west of the Interstate 5 corridor, separated from the subject property by the interstate right-of-way and associated transportation infrastructure which exceeds approximately 300 feet in width. To the east of this site, there are residences that are located at least 400 feet away.
- 6.2 The subject property is surrounded primarily by industrially designated and zoned properties within an established employment and industrial area. Because of the separation created by Interstate 5 and the surrounding industrial development pattern, the proposal is not anticipated to create significant adverse impacts to residentially zoned properties related to noise, glare, odor, litter, hours of operation, privacy, or safety.
- 6.3 While the subject property is currently located within an industrially designated and zoned area, the proposed ministry use would also not be inherently out of character if the surrounding area were to evolve over time into a more mixed-use or employment-oriented environment. The proposal consists primarily of adaptive reuse of an existing developed building and site. Overall, the proposed religious assembly use is not anticipated to negatively affect the livability of nearby residentially zoned lands.

Conclusions

- 6.1 The impacts due to glare, litter, noise, odors, hours of operation, and safety are not expected to affect residentially zoned land.
- 6.2 The nearest residentially zoned land is more than 300 feet to the west across Interstate 5. The proposed use will not adversely affect residential properties.
- 6.3 The planning commission may determine that the proposal will not have significant adverse impacts on the livability of nearby residential properties.

Criterion 7

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

Findings of Fact

- 7.1 The subject property is not located within a designated Natural Resource or Historic Overlay district and therefore Articles 6 and 7 are not applicable to the proposal. Based on available mapping and review completed to date, the site does not contain identified wetlands, riparian corridors, floodplains, or designated historic resources.
- 7.2 The subject property is located within the vicinity of the Albany Municipal Airport and is therefore subject to applicable Airport Approach regulations contained within Article 4 of the Albany Development Code. The Albany Municipal Airport is a general aviation airport

located at an elevation of approximately 222 feet and includes Runway 16-34 with a length of approximately 3,004 feet. The airport supports general aviation operations and associated navigational approaches and facilities.

- 7.3 The proposal consists primarily of adaptive reuse and modification of an existing developed industrial building and site. The proposal does not include construction of a substantially taller structure or other improvements anticipated to create hazards to air navigation or conflict with applicable airport approach regulations. The existing building and proposed site improvements will remain compatible with applicable airport overlay and height limitation requirements. The applicant will continue to comply with applicable airport approach regulations and any requirements identified during the city's review of the application.

Conclusions

- 7.1 The proposed use will not impact natural resource overlay or the historic overlay districts.
- 7.2 The subject property lies within the Airport Approach Overlay. No new exterior alterations are planned that would add height to the building.
- 7.3 This criterion is met without conditions.

Overall Conclusion

As proposed, the application for a Conditional Use Review may satisfy all applicable review criteria outlined in this report as determined by the Planning Commission.

Conditions of Approval

- Condition 1 Bicycle Lanes.** Prior to any building permit issuance, the applicant shall install painted bicycle lanes on Fescue Street from 18th Avenue north approximately 360 feet to bike lanes and striping that were installed with the Home Depot Project. The applicant shall submit a striping plan to the City Engineer for approval and shall obtain a Public Improvement Permit from the Public Works Department prior to installing any striping on Fescue Street.

Options for the Planning Commission

The planning commission has three options with respect to the proposed conditional use:

- Option 1: Approve the request as proposed; or
- Option 2: Approve the request with new conditions of approval; or
- Option 3: Deny the request.

Motions

Approval: *I move to approve the conditional use application that will allow a religious assembly use in an existing building in the Light Industrial district, as noted in the staff report for application planning file no. CU-02-26. This motion is based on the findings and conclusions in the August 6, 2026, staff report and findings in support of the application made by the Planning Commission during deliberations on this matter.*

Approval with new conditions of approval: *I move to approve the conditional use application that will allow a religious assembly use including conditions of approval as **drafted during this meeting** for application planning file no. CU-02-26.*

This motion is based on the findings and conclusions in the August 6, 2026, staff report and findings in support of the application made by the Planning Commission during deliberations on this matter.

Denial: *I move to deny the conditional use that would allow a religious assembly use as detailed in planning file no. CU-02-26 for the following reasons:*

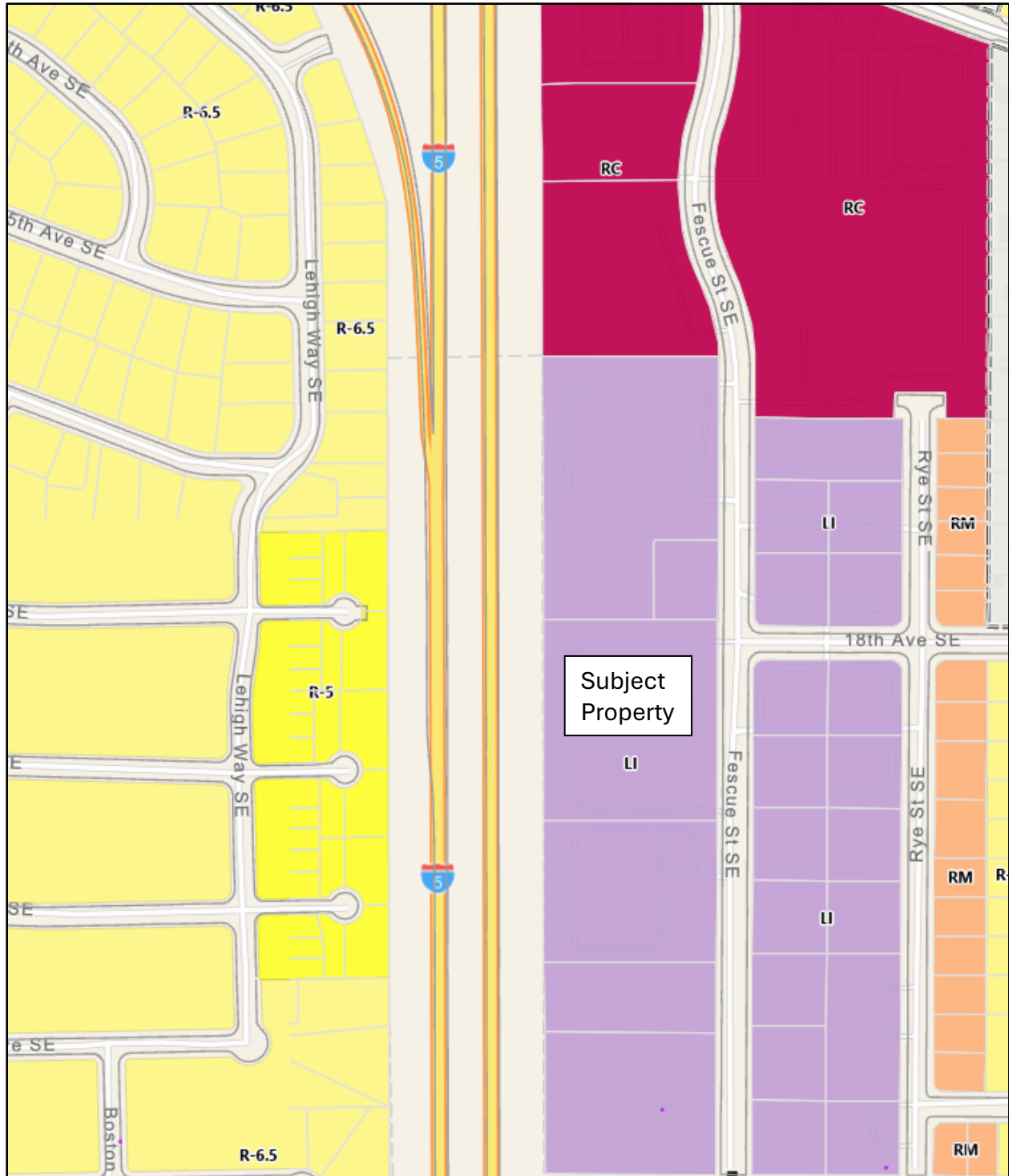
This motion is based on the findings and conclusions in the August 6, 2026, staff report, public testimony, and findings and conclusions made by the Planning Commission during deliberations on this matter.

Attachments

- A. Location Map
- B. Site Plan
- C. Applicant's Narrative

Acronyms

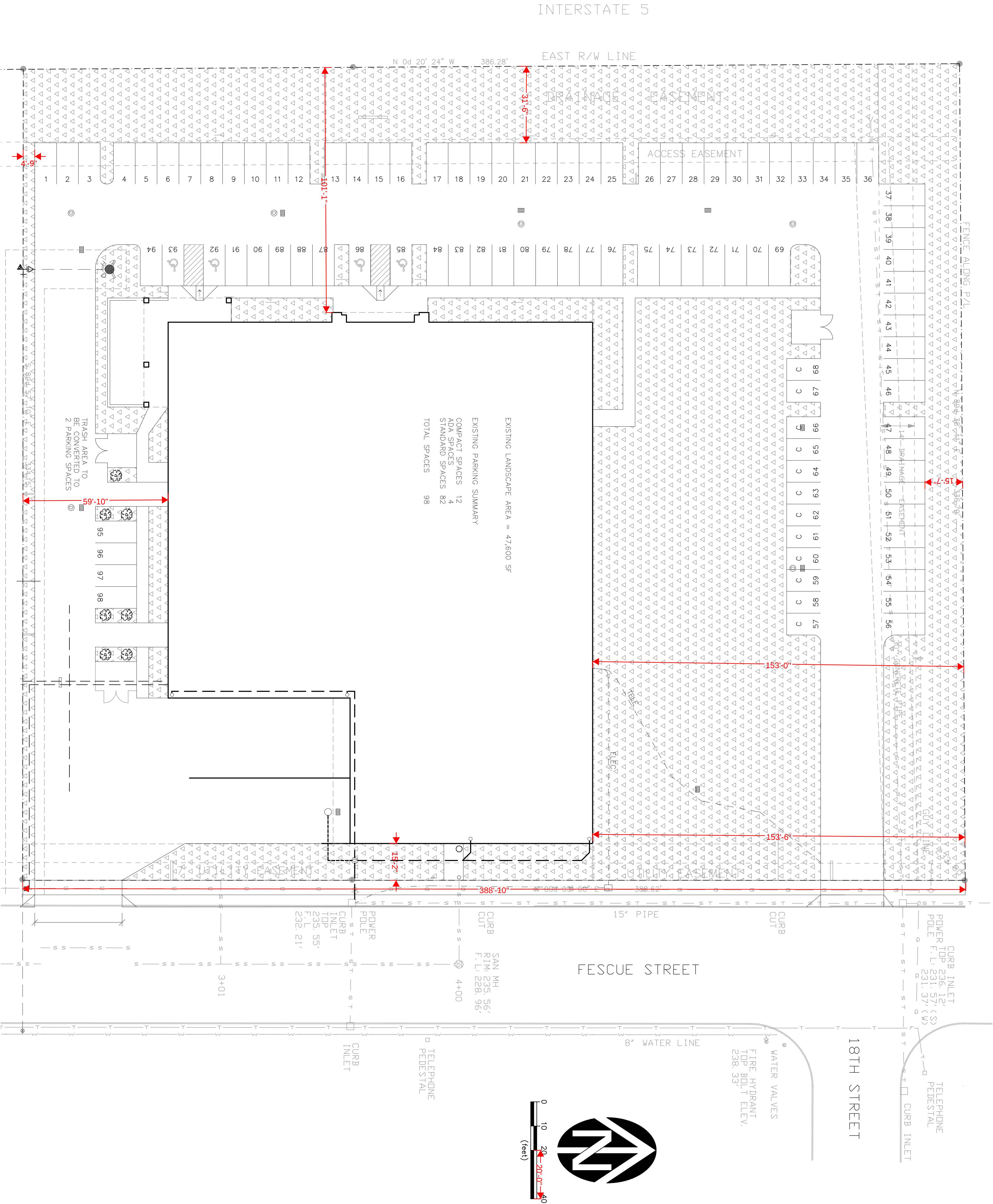
ADC	Albany Development Code
AMC	Albany Municipal Code
CU	Conditional Use (Review)
FEMA	Federal Emergency Management Agency
FIRM	Floodplain Insurance Rate Map
ITE	Institute of Transportation Engineers
LI	Light Industrial Zone
TIA	Traffic Impact Analysis
TSP	Transportation Systems Plan



↑
North

**1820 Fescue Street SE
Location Map**

5/1/2026 12:40:21 PM
R:\Dwg\Cornerstone Church\Allann Bros Site 2026\plot\existing site plan.dwg, (1 tab)



DRAWING 1 JOB NUMBER 3617.0000.0	Cornerstone Bible Church Allann Bros Site Redevelopment	Albany, Oregon	 WESTECH ENGINEERING, INC. CONSULTING ENGINEERS AND PLANNERS 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302 Phone: (503) 585-2474 Fax: (503) 585-3986 E-mail: westech@westech-eng.com	 REVIEW RAYMOND C. ENGEL RENEWED: 12/31/2027	VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING 0 1" IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY	<table><tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th><th>BY</th></tr><tr><td colspan="4">REVISIONS</td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></table>	NO.	DATE	DESCRIPTION	BY	REVISIONS																			
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Conditional Use Permit, Adjustment, and Site Plan Review

Submittal Date: June 5, 2026

Submitted To: City of Albany Community
Development Department

Project Location: 1820 Fescue Street SE
Albany, OR 97322

Applicant(s): Cornerstone Bible Church

Applicant's Land Use Consultant: Britany Randall of BRAND Land Use
@brandlanduse.com



BRAND

FEASIBILITY | PLANNING | LAND USE

 CORNERSTONE
BIBLE CHURCH

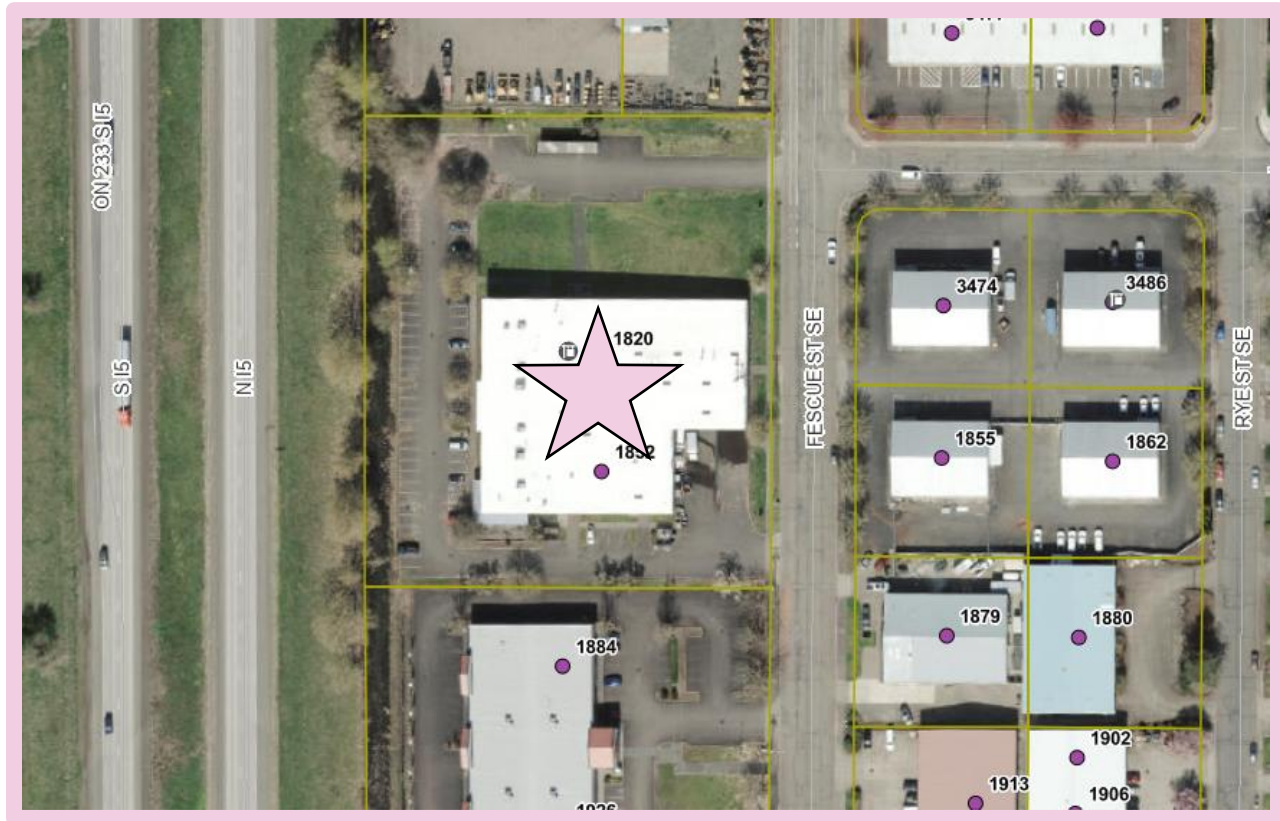
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Table of Contents

Section 1: Property Background and Request	2
Section 2: Existing Conditions	4
Section 3: Findings Applicable to Article 1.....	5
Article 1 – Administration and Procedures	5
Section 4: Findings Applicable to Article 2.....	9
Article 2 – Review Criteria.....	9
Section 5: Findings Applicable to Article 4.....	33
Article 4 – Commercial and Industrial Zoning Districts.....	33
Section 6: Findings Applicable to Article 8.....	44
Article 8 – Design Standards	44
Section 7: Findings Applicable to Article 9.....	47
Article 9 – On-Site Development and Environmental Standards	47
Section 8: Conclusion	84
Section 9: Exhibits	86
Exhibit A – Linn County Tax Map	87
Exhibit B – Property Deed	88
Exhibit C – Ownership and Applicant Articles of Organization	89
Exhibit D – Application Form	90
Exhibit E – Existing Conditions Plan	91
Exhibit F – Proposed Site Plan	92
Exhibit G – Pre-App Notes	93
Exhibit H – Parking Analysis.....	94

Aerial View of Subject Property and Existing Development



Section 1: Property Background and Request

The applicant, Cornerstone Bible Church, is requesting approval of a Conditional Use Permit, and Site Plan Review for property located at 1820 Fescue Street SE, Albany, Oregon, identified as Linn County Assessor's Map and Tax Lot 11S03W09-CD-00300. The subject property is approximately 2.99 acres in size and is owned by KERLEY CLACKAMAS LLC. The property is currently developed with an existing industrial warehouse building and associated parking and site improvements. The site is zoned LI, Light Industrial District.

The LI district is intended primarily for a wide range of manufacturing, warehousing, processing, assembling, wholesaling, specialty contractors, and related establishments. Uses within the district are intended to have limited impacts on surrounding properties. The district is particularly suited to areas having good access to highways and potentially rail facilities. The LI district may also serve as a transition or buffer between heavier industrial areas and nearby residential zones or uses. The subject property is located within an established industrial area with convenient access to Interstate 5 and surrounding transportation facilities. Surrounding development consists primarily of industrial and commercial uses.

The applicant proposes to establish a religious assembly use within the existing building for Cornerstone Bible Church. Religious institutions within the LI zoning district require Conditional Use approval pursuant to the Albany Development Code. The proposal includes the change of occupancy and use of the existing structure from industrial and commercial uses to a religious assembly use with associated accessory functions customarily incidental to church operations.

In addition to the Conditional Use Permit, the applicant seeks approval of an exception related to maximum parking allowances and Site Plan Review approval associated with modifications to the site and existing structure. The proposed site improvements generally include:

- Alteration and enhancement of the primary entrance located on the north side of the existing building,
- Expansion and reconfiguration of a portion of the existing parking area,
- Modifications to landscaped areas associated with the parking expansion,
- Installation of a vegetated post-construction stormwater quality facility (GSI facility), and
- Associated pedestrian circulation, striping, and site improvements.

The proposed parking expansion results in more than 5,000 square feet of altered impervious surface area, requiring stormwater quality treatment improvements consistent with applicable City standards. The site plan incorporates a GSI facility designed to accommodate the proposed parking lot modifications and associated stormwater runoff.

The applicant is also requesting approval to exceed the maximum parking allowance otherwise permitted by Albany Development Code standards. As discussed further within this narrative and the submitted parking analysis memorandum, the request is supported by nationally recognized parking demand data published by the Institute of Transportation Engineers (ITE), site-specific operational characteristics of the church, and the functional parking demand associated with religious assembly uses.

A pre-application conference was conducted with the City of Albany prior to submittal of this application under Planning File PR-41-25. The applicant has carefully reviewed the comments and guidance provided during the pre-application process and has incorporated applicable feedback into the proposed development plans and application materials. The applicant does not believe a neighborhood meeting is required for this proposal. The subject property is located within an established industrial area and does not abut residential zoning districts. The proposal primarily involves reuse of an existing building with associated site modifications and does not involve new residential development or the type of commercial activity specifically identified within ADC 1.140 as requiring a neighborhood meeting. While the pre-application notes identified a neighborhood meeting requirement, the applicant respectfully requests the city evaluate the applicability of ADC 1.140 based on the specific characteristics of the proposal and surrounding land use context.

The applicant's proposal represents an adaptive reuse of an existing developed site that will continue to maintain the industrial character of the surrounding area while allowing a community-serving institutional use within an existing building. The proposed improvements are intended to facilitate safe site circulation, provide adequate parking and stormwater treatment, improve site aesthetics, and support the long-term use of the property by Cornerstone Bible Church.

Section 2: Existing Conditions

The subject property is approximately 2.99 acres in size and is identified as Linn County Assessor's Map and Tax Lot 11S03W09-CD-00300. The property is commonly addressed as 1820 Fescue Street SE, Albany, Oregon. A Linn County Tax Map identifying the subject property is included within the exhibits to this application. The site is located within the corporate limits of the City of Albany and is designated "Industrial" on the Albany Comprehensive Plan Map. The subject property is zoned LI, Light Industrial District. The property is currently developed with an existing warehouse and industrial building, associated parking areas, loading and circulation areas, landscaping, and related site improvements. The site has historically functioned as an industrial and commercial property and is located within an established employment and industrial area in southeast Albany with convenient access to Interstate 5 and major transportation facilities. The surrounding area is characterized predominantly by industrial and commercial development patterns consistent with the city's Industrial Comprehensive Plan designation and industrial zoning classifications. Interstate 5 is located immediately west of the subject property, and the surrounding area contains a mixture of warehouse, industrial, manufacturing, contractor, storage, office, and commercial service uses.

The Comprehensive Plan designations of surrounding properties include:

North: Light Industrial

South: Light Industrial

East: Across Fescue Street - Light Industrial

West: Interstate 5 right-of-way

The surrounding zoning designations are generally as follows:

North: LI, Light Industrial District

South: LI, Light Industrial District

East: Across Fescue Street - LI, Light Industrial District

West: Interstate 5 right-of-way

The subject property does not contain identified wetlands, riparian corridors, floodplain, or historic resources based on available mapping and review completed to date. The site is relatively flat and fully developed with existing urban services available, including public water, sanitary sewer, transportation infrastructure, and storm drainage facilities. The proposal involves adaptive reuse and modification of the existing developed site for a religious assembly use associated with Cornerstone Bible Church. Proposed site modifications include alterations to the existing building entrance, expansion and reconfiguration of the parking area, associated landscaping modifications, and installation of a vegetated post-construction stormwater quality facility to accommodate the proposed impervious surface alterations.

Section 3: Findings Applicable to Article 1

Article 1 – Administration and Procedures

1.130 – Pre-Application Conference

- (1) Purpose of Pre-Application Conferences. Pre-application conferences are intended to familiarize applicants with the requirements of the ADC; to provide applicants with an opportunity to discuss proposed projects in detail with City staff; and to identify approval criteria, standards, and procedures prior to filing a land use application. The pre-application conference is intended to be a tool to assist applicants in navigating the land use process, but is not intended to be an exhaustive review that identifies or resolves all potential issues, and does not bind or preclude the City from enforcing any applicable regulations or from applying regulations in a manner differently than may have been indicated at the time of the pre-application conference.
- (2) When Mandatory. Pre-application conferences are mandatory for all land use actions identified as requiring a pre-application conference in Table 1.100-1. An applicant may voluntarily request a preapplication conference for any land use action even if it is not required.
- (3) Timing of Pre-Application Conference. When mandatory, a pre-application conference must be held with City staff before an applicant submits an application and before an applicant conducts a Neighborhood Meeting (if applicable).
- (4) Requesting a Pre-Application Conference.
 - (a) Request Form. Pre-application conference requests must be made on forms provided by the Director.
 - (b) Submittal Requirements. Pre-application conference requests must be made in writing and include: i. A description of the development proposal along with a list of any questions the applicant has for staff related to the proposal. ii. A sketch of the development plan. The sketch shall indicate the approximate location of the property boundaries, existing structures, and proposed improvements.; and iii. Any additional information the applicant deems

necessary to demonstrate the nature and scope of the proposal in sufficient detail to allow City staff to review and comment.

- (5) Scheduling of Pre-Application Conference. Upon receipt of a complete pre-application request, the Director will schedule the pre-application conference. The Director will coordinate the involvement of City departments, as appropriate, in the pre-application conference. Pre-application conferences are not open to the general public.
- (6) Validity Period for Mandatory Pre-Application Conferences; Follow-Up Conferences. Unless waived by the Director, a follow-up conference is required for those mandatory pre-application conferences that have previously been held when:
 - (a) An application relating to the proposed development that was the subject of the pre-application conference has not been submitted within one year of the pre-application conference;
 - (b) The proposed use, layout, and/or design of the proposal have significantly changed; or
 - (c) The owner and/or developer of a project changes after the pre-application conference and prior to application submittal.
- (7) Written Summary. Upon the applicant's request, the Director shall provide the applicant with a written summary of the conference.

Applicant's Findings: A mandatory pre-application conference was conducted with the City of Albany prior to submittal of this application under Planning File PR-41-25. The pre-application conference provided the applicant with an opportunity to discuss the proposed religious assembly use, associated parking modifications, stormwater improvements, and applicable review procedures with city staff and relevant reviewing departments. The applicant has reviewed and considered the comments and guidance provided during the pre-application process in preparation of this land use application.

The proposal includes a Conditional Use Permit for establishment of a religious institution within the LI, Light Industrial District and Site Plan Review associated with modifications to the existing site and building improvements. The applicant submitted the required pre-application materials, including a description of the proposed development, conceptual site information, and supporting documentation sufficient to allow city staff to evaluate the proposal and identify applicable review criteria and procedural requirements.

The pre-application conference was held prior to submittal of this application and prior to any neighborhood meeting, if determined applicable by the city. The proposed development, ownership, and general site layout remain substantially consistent with the proposal discussed during the pre-application conference and no significant changes have occurred that would necessitate a follow-up pre-application conference pursuant to ADC 1.130(6). A written summary of the pre-application conference was provided by the city and has been included within the exhibits to this application narrative.

1.140 – Neighborhood Meeting

- (1) Purpose. The purpose of a neighborhood meeting is to ensure that applicants pursue early and effective public participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the neighborhood. The meeting is not intended to produce complete consensus on all applications. It is intended to encourage applicants to be good neighbors.
- (2) When Mandatory. Neighborhood meetings are mandatory for all land use actions identified in Table 1.100-1 as requiring a neighborhood meeting. In addition, the applicant shall hold a neighborhood meeting before submitting the following types of land use applications:
 - (a) Multiple-family development that abuts a single-family zoning district.
 - (b) Commercial or industrial development that abuts any residential zoning district and the addition of outside seating areas to restaurants or bars/taverns/breweries/night clubs within 300 feet of a residence.
 - (c) Manufactured home park adjacent to any residential zoning district.
 - (d) Subdivision with more than 10 lots, excluding expedited and middle housing land divisions. [Ord. 5968, 1/14/22]
 - (e) Cluster and planned development.
 - (f) Retail Sales and Services Uses proposed in existing buildings in the Light Industrial zone that require Conditional Use approval per Section 4.060(11)(b).
 - (g) For other non-residential applications or revisions to applications that the Director determines may have a neighborhood impact, such as conditional uses. In these cases, the Director shall determine the minimum notice area for the neighborhood meeting.
- (3) Time and Location. The applicant shall consult with City staff to determine an appropriate meeting date, time, and place given the location of the proposed development and availability of staff to attend.
- (4) Notice. The applicant shall send mailed notice of the public meeting to the Director and all property owners and designated representative(s) of City Council-recognized neighborhood association(s) within the minimum notice area specified below. The broadest notice area applicable to a proposal shall apply.
- (5) Presentation. The applicant's presentation at the neighborhood meeting shall include
 - (a) A map depicting the location of the subject property(ies) proposed for development.
 - (b) A visual description of the project including a site plan, tentative subdivision plan and elevation drawings of any proposed structures, when applicable.
 - (c) A description of the nature of the proposed use(s) including, but not limited to, sizes and heights of structures, proposed lot sizes, density, etc.

- (d) The expected or anticipated impacts from the proposed development (e.g., traffic, storm drainage, tree removal, etc.).
 - (e) Mitigation proposed by the applicant to alleviate the expected/anticipated impacts.
 - (f) An opportunity for the public to provide comments. Applicants are encouraged to reconcile as many public concerns as possible before submitting land use application(s).
- (6) Report. A report documenting the results of any neighborhood meeting is required to be submitted with the application. The report shall contain:
- (a) The dates and locations of all meetings where citizens were invited to discuss the applicant's proposal;
 - (b) The method(s) by which each meeting was publicized;
 - (c) Sign in sheet indicating the number of people who attended the meeting and a list of people who otherwise contacted the applicant;
 - (d) A summary of the concerns, issues, and problems raised by neighbors;
 - (e) A discussion of how the applicant has addressed or intends to address concerns, issues, and problems; and
 - (f) A discussion of any concerns, issues, and problems the applicant is unable or unwilling to address and why.

Applicant's Findings: *The applicant does not believe a neighborhood meeting is required for the proposed development pursuant to ADC 1.140. While the city's pre-application notes identified a neighborhood meeting as required, the applicant believes this designation was made in error based on the specific characteristics of the proposal and the applicable code provisions.*

The proposal consists of the adaptive reuse and modification of an existing industrial building within the LI, Light Industrial District for use as a religious institution. The site is surrounded by industrially designated and zoned properties and does not abut residential zoning districts or residentially designated lands. The surrounding area is characterized by warehouse, industrial, manufacturing, storage, contractor, office, and commercial service uses. Interstate 5 is located immediately west of the site. The proposal does not involve residential development, a manufactured home park, a subdivision, cluster development, planned development, or the addition of outdoor seating areas associated with restaurant or tavern uses.

The neighborhood meeting triggers identified in ADC 1.140(2)(a) through (f) are not applicable to this proposal. Specifically:

- *The proposal is not a multiple-family development abutting a single-family zoning district;*
- *The proposal is not a commercial or industrial development abutting a residential zoning district;*
- *The proposal is not a manufactured home park;*

- *The proposal is not a subdivision;*
- *The proposal is not a cluster or planned development; and*
- *The proposal is not a Retail Sales and Services use proposed within the LI zoning district requiring Conditional Use approval pursuant to ADC 4.060(11)(b).*

Rather, the proposal is a religious institution requiring Conditional Use approval within the LI zoning district. The proposed use is fundamentally different from the Retail Sales and Services uses specifically identified within ADC 1.140(2)(f). Had the Albany Development Code intended all Conditional Use applications within the LI district to require neighborhood meetings, the Code could have expressly stated so. Instead, the Code narrowly applies the requirement to a specific subset of uses, namely Retail Sales and Services uses in existing LI-zoned buildings requiring Conditional Use approval.

The applicant also does not believe the proposal warrants a neighborhood meeting under ADC 1.140(2)(g). The proposal involves reuse of an existing developed industrial site within an established industrial employment area that is separated from residential neighborhoods and residential zoning districts. The proposed site modifications are relatively limited in scope and consist primarily of parking lot expansion, landscaping modifications, stormwater improvements, and entrance alterations to an existing building. The site already operates within an area characterized by vehicle traffic, industrial activity, large buildings, and developed urban infrastructure. The proposed church use is anticipated to operate primarily during limited periods throughout the week and is not expected to create significant neighborhood impacts beyond those already associated with the surrounding industrial and commercial context.

In addition, the stated purpose of ADC 1.140 is to facilitate communication regarding developments that may impact surrounding neighborhoods. Here, there is no immediately adjacent residential neighborhood or residential zoning district that would reasonably experience the type of compatibility concerns contemplated by the neighborhood meeting provisions. The proposal is located entirely within an industrial area planned and zoned for more intensive employment and industrial uses. For these reasons, the applicant respectfully requests that the City confirm that the neighborhood meeting requirements of ADC 1.140 are not applicable to the proposed development and that no neighborhood meeting report is required as part of this application.

Section 4: Findings Applicable to Article 2

Article 2 – Review Criteria

2.010 – Overview

The Development Code provides nondiscretionary and discretionary standards for the City to use in evaluating how land use proposals comply with the use and development requirements of the Code. The nondiscretionary criteria provide clear and objective standards for certainty in

most situations. Discretionary criteria provide flexibility by allowing more subjective standards and objectives, and allow modification of regulations in response to specific site conditions. This chapter contains the criteria for evaluation of the following land use applications:

- Adjustments
- Annexations
- Comprehensive Plan and Map Amendments
- Conditional Uses
- Development Code Amendments
- Nonconforming Situations
- Site Plan Review
- Vacations
- Variances, Major
- Variances, Minor
- Zoning Map Amendments

Applicant's Findings: *The applicant is requesting approval of a Conditional Use Permit and Site Plan Review for the adaptive reuse and modification of an existing industrial building and site located at 1820 Fescue Street SE in Albany, Oregon. The proposal includes establishment of a religious institution within the LI, Light Industrial District, modifications to the existing building entrance, expansion and reconfiguration of parking areas, associated landscaping improvements, and installation of a stormwater quality facility.*

Article 2 of the Albany Development Code establishes the applicable review procedures and criteria for discretionary land use applications, including Conditional Uses and Site Plan Review applications. The applicant acknowledges that the proposal is subject to the applicable discretionary review standards contained within Article 2 and the applicable development standards contained elsewhere within the Albany Development Code.

As demonstrated throughout this narrative and supporting exhibits, the proposal complies with the applicable review criteria for the requested land use approvals. The applicant has provided detailed narrative responses, supporting plans, and supplemental materials addressing the relevant approval standards associated with the requested Conditional Use Permit and Site Plan Review applications. The proposal has been designed to remain compatible with the surrounding industrial area while allowing adaptive reuse of an existing developed site for a religious organization.

2.020 – Function of Review Criteria

- (1) Review criteria describe the issues the applicant must address and that the City or affected parties may raise. A proposal that complies with all of the criteria will be approved. A proposal that can comply with the criteria with mitigation measures or

limitations will be approved with conditions. A proposal that cannot comply with the criteria outright or with mitigation measures will be denied.

- (2) The review criteria are derived from the Comprehensive Plan. Reviews against the goals and policies of the Comprehensive Plan are not required unless specifically stated. The proposal conforms to the Comprehensive Plan if it fulfills the review criteria.
- (3) When review criteria require an application to meet a specific standard, such as adequate services or no negative offsite impacts, all proposed improvements and mitigation measures must be identified before the review body will make a final decision.

Applicant's Findings: This narrative and the supporting application materials have been prepared to address the applicable review criteria for the requested Conditional Use Permit and Site Plan Review applications. The proposal is consistent with the Industrial Comprehensive Plan designation and LI, Light Industrial zoning of the subject property and has been designed to remain compatible with the surrounding industrial area. The applicant has identified the proposed site improvements associated with the development, including parking lot improvements, landscaping modifications, pedestrian improvements, and stormwater quality facilities. Supporting plans and materials submitted with this application provide the information necessary for the city to evaluate the proposal against the applicable review criteria and development standards.

2.030 – Burden of Proof

The applicant must show that the review criteria are met. The burden of proof is not on the City or other parties to show that the criteria have or have not been met.

Applicant's Findings: The applicant understands that the burden is on the applicant to demonstrate compliance with the applicable review criteria for the requested Conditional Use Permit and Site Plan Review applications. The applicant has provided narrative findings, supporting plans, and supplemental materials demonstrating that the applicable approval criteria are met. The applicant further understands that the applicable burden of proof is a preponderance of the evidence standard. The materials submitted with this application meet and exceed that standard and provide substantial evidence demonstrating compliance with the applicable Albany Development Code provisions.

2.040 – Conditions of Approval

The City may attach conditions to the approval of a land use decision in order to ensure that the proposal will conform to the applicable review criteria.

Applicant's Findings: The applicant understands that the city may impose conditions of approval necessary to ensure compliance with the applicable review criteria and development standards. The applicant requests that any conditions of approval be reasonably related to the

proposal, supported by the evidentiary record, and proportional to any identified impacts associated with the development. The applicant is willing to comply with reasonable conditions necessary to ensure compliance with the Albany Development Code.

2.050 – Relationship to Other Regulations

When a land use application is approved based on review criteria in this Code, the applicant must still comply with other applicable codes, ordinances, statutes, and regulations.

Applicant's Findings: *This narrative and the supporting application materials have been prepared to address the applicable provisions of the Albany Development Code associated with the requested Conditional Use Permit and Site Plan Review applications. Approval of this application does not eliminate the requirement to comply with other applicable federal, state, and local regulations, permits, codes, or standards that may apply to development of the site. The applicant understands that additional permits or approvals may be required prior to occupancy or construction activities associated with the proposed improvements.*

2.230 – Purpose

The City does not allow some uses outright, although they may have beneficial effects and serve important public interests. These uses are subject to the Conditional Use regulations because they may have adverse effects on the environment, overburden public services, change the desired character of an area, or create major nuisances. A review of these proposed uses is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The Conditional Use review process provides an opportunity to allow the use when it will have minimal impacts, to allow the use but impose conditions to address identified concerns, or to deny the use if the concerns cannot be resolved.

Uses identified as requiring Conditional Use approval may be permitted, enlarged or altered according to the provisions of this section. In addition, when a use is not authorized in any district or when it is unclear how to classify a particular use or development within the intent of this Code, the use or type of development may be established by a Conditional Use approval in accordance with this section.

Applicant's Findings: *The applicant is requesting Conditional Use approval to allow establishment of a religious assembly use within the LI, Light Industrial District. The proposed faith-based organization will operate within an existing developed building located in an established industrial and employment area surrounded by industrially designated and zoned properties.*

The Conditional Use review process allows the city to evaluate whether the proposed place of worship can operate compatibly within the surrounding area and whether any site-specific

conditions are necessary to address potential impacts associated with the use. As discussed throughout this narrative, the proposed church facility is not anticipated to create significant adverse impacts on surrounding properties, public services, or the transportation system. The proposal includes parking improvements, landscaping, pedestrian circulation improvements, and stormwater quality facilities intended to support safe and efficient operation of the site.

The proposal represents adaptive reuse of an existing developed industrial property and will maintain the overall industrial character and development pattern of the surrounding area. The applicant has provided narrative findings, supporting plans, and supplemental materials demonstrating that the proposed religious organization can operate compatibly with surrounding uses and in compliance with the applicable Albany Development Code standards.

2.240 – Procedure

A Conditional Use application is reviewed as either a Type II or a Type III procedure, according to the Schedule of Permitted Uses.

Applicant's Findings: *The applicant understands that Conditional Use applications are reviewed as either a Type II or Type III procedure based on the Schedule of Permitted Uses. This application includes a Conditional Use Permit and Site Plan Review. Because the application includes multiple consolidated land use requests, the application will be reviewed under the highest applicable procedure type. In this case, the consolidated application will be reviewed through a Type III procedure.*

2.250 – Review Criteria

Requests for Conditional Use will be approved if the review body finds that the application conforms with the Albany Development Code and all of the following criteria, either outright or with conditions that bring the proposal into compliance:

- (1) The application is consistent with the goals and policies of the Comprehensive Plan and any relevant plans adopted by the City Council.

Applicant's Findings: *The proposal is consistent with the applicable goals and policies of the Albany Comprehensive Plan. The subject property is designated Light Industrial on the Albany Comprehensive Plan Map and zoned LI, Light Industrial District. The proposal does not include a Comprehensive Plan amendment or zone change and the property will remain designated and zoned for industrial and employment-related uses.*

The Comprehensive Plan identifies the Light Industrial designation as suitable for a wide range of light industrial uses, including corporate offices, research and development, high technology, manufacturing, warehousing, wholesaling, and other accessory and compatible uses that have minimal environmental effects and can conform to the Development Code performance standards for the Industrial Park and Light Industrial zones. (albanyoregon.gov) While the

proposed religious assembly use is not itself an industrial use, the Albany Development Code expressly allows consideration of religious assembly uses within the LI zoning district through the Conditional Use process. The proposal will operate within an existing developed building and is not anticipated to interfere with surrounding industrial operations or the continued industrial use of nearby properties.

The Comprehensive Plan also recognizes that zoning regulations are the primary tool used to implement the Plan and identifies the LI zoning district as consistent with the Light Industrial Comprehensive Plan designation. (albanyoregon.gov) The proposal maintains the existing Industrial designation and LI zoning classification of the property and therefore remains consistent with the city's adopted land use framework.

Chapter 3 of the Comprehensive Plan recognizes the importance of maintaining an adequate supply of appropriately zoned land for economic development opportunities (albanyoregon.gov). The proposal does not remove the property from the city's industrial land inventory through redesignation or rezoning. The existing building and site will remain within an industrial zoning district, and the proposed use is not expected to preclude industrial operations on surrounding properties.

The proposal also supports efficient use of existing urban land and infrastructure by adaptively reusing an existing developed industrial building and site with existing access, parking, utilities, and transportation facilities already in place. The subject property is located near Interstate 5 and within an established industrial and employment area served by existing transportation infrastructure consistent with the transportation and land use objectives of the Comprehensive Plan. Overall, the proposal is consistent with the applicable goals and policies of the Albany Comprehensive Plan and relevant adopted plans of the city.

- (2) The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.

Applicant's Findings: *The proposed religious assembly use is consistent with the intended character of the LI, Light Industrial District, and the operating characteristics of the surrounding area. The purpose of the LI zone is to provide areas for light industrial, office, commercial service, warehousing, manufacturing, and other employment-oriented uses that can operate compatibly within an urban industrial setting while maintaining access to transportation infrastructure and minimizing conflicts with surrounding uses.*

The subject property is located within an established industrial and employment area surrounded by industrially designated and zoned properties with direct access to Interstate 5 and the surrounding regional transportation network. The surrounding area is characterized by warehouse, industrial, contractor, office, and commercial service uses consistent with the intended character of the LI zoning district.

The proposed church facility will operate within an existing developed industrial building, and no vertical expansion of the structure is proposed. The proposal includes parking lot improvements, landscaping, pedestrian circulation improvements, stormwater quality facilities, and modifications to the building entrance intended to support safe and orderly operation of the site while maintaining compatibility with surrounding industrial development patterns.

The proposed faith-based organization is anticipated to operate primarily during limited periods throughout the week and is not expected to interfere with surrounding industrial operations or the continued industrial use of nearby properties. The requested exception allowing additional on-site parking further supports compatibility with the surrounding area by reducing the likelihood of overflow parking and circulation conflicts on surrounding industrial properties and adjacent public streets. Overall, the proposal remains consistent with the intended character and function of the LI zoning district and the operating characteristics of the surrounding industrial area.

- (3) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal mitigates difference in appearance or scale through such means as setbacks, screening, landscaping or other design features.

Applicant's Findings: *The proposed religious assembly use will be compatible with existing and anticipated uses in the surrounding area in terms of size, building scale, intensity, setbacks, and landscaping. The subject property is located within an established industrial and employment area characterized by large warehouse and industrial buildings, paved parking and circulation areas, contractor yards, storage uses, and other employment-oriented development patterns. The existing building is already developed at a scale consistent with surrounding industrial development, and the proposal does not include substantial expansion of the existing structure.*

The proposal primarily consists of adaptive reuse of the existing building for a church facility along with associated parking lot improvements, landscaping modifications, stormwater quality facilities, and alterations to the existing building entrance. The existing site layout, setbacks, and overall development pattern will largely remain in place and continue to be compatible with surrounding industrial properties.

The proposed parking area expansion and landscaping improvements have been designed to integrate with the surrounding industrial context while improving the appearance and functionality of the site. Landscaped planter islands and landscape bays are proposed throughout the parking area to break up larger paved surfaces and provide visual relief. The proposal also includes pedestrian circulation improvements and stormwater quality treatment facilities integrated into the site design.

The proposed ministry use is anticipated to operate primarily during limited periods throughout the week and is not expected to generate impacts incompatible with surrounding industrial uses. The requested exception allowing additional on-site parking further supports compatibility by reducing the likelihood of overflow parking and circulation conflicts on neighboring properties and adjacent public streets. Overall, the proposal remains compatible with existing and anticipated development patterns within the surrounding industrial area.

- (4) The transportation system can support the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety.

Applicant's Findings: *The transportation system can support the proposed religious assembly use in addition to the existing uses in the area. The subject property takes access from Fescue Street SE, which serves the surrounding industrial area and connects the site to the broader transportation network serving southeast Albany. The adopted Albany Transportation System Plan identifies Interstate 5 as an interstate facility and US Highway 20/Santiam Highway as a principal arterial in the vicinity of the site. These facilities provide regional access and support the industrial and employment uses located in this area.*

The proposal will use the existing transportation network and does not include a new street connection or a change to the surrounding street pattern. The site is already developed with existing access, parking, and internal circulation areas. Proposed improvements include expansion and reconfiguration of the parking area, pedestrian circulation improvements, and related site modifications intended to support safe and orderly movement on the site.

The submitted parking memorandum evaluates the parking demand associated with the proposed church facility and concludes that the proposed parking supply is reasonable based on ITE data and the operational characteristics of Cornerstone Bible Church. The memorandum identifies a proposed 500-seat sanctuary, an existing parking supply of approximately 100 spaces, and a proposed maximum on-site parking supply of 165 spaces.

Providing adequate on-site parking will reduce the potential for overflow parking, circulation conflicts, and impacts to surrounding industrial properties or adjacent streets. The site is located within an existing industrial area served by established public streets, regional highway access, and existing pedestrian facilities. Based on the existing transportation network, the proposed site improvements, and the submitted parking memorandum, the transportation system can support the proposed use.

- (5) Public services for water, sanitary and storm sewer, water management, and for fire and police protection, can serve the proposed use.

Applicant's Findings: *Public services are available and capable of serving the proposed religious assembly use. The subject property is located within the corporate limits of the City of Albany*

and is an existing developed site already served by public water, sanitary sewer, storm drainage, transportation infrastructure, and emergency services. The proposal consists primarily of adaptive reuse of an existing developed building and associated site improvements rather than development of a previously undeveloped property.

The proposal includes modifications to the existing parking area and installation of a stormwater quality facility intended to address stormwater runoff associated with the proposed impervious surface alterations. The applicant will continue to coordinate with the City of Albany regarding applicable public works, stormwater, utility, and development requirements associated with the proposed improvements.

The Albany Fire Department reviewed the proposal during the pre-application process and provided comments related to fire apparatus access, roadway width requirements, and fire protection standards applicable to the proposed church facility. The applicant will continue to coordinate with the Albany Fire Department and applicable building officials during building permit review and construction to ensure compliance with applicable fire and life safety requirements.

Because the site is already developed and served by existing urban infrastructure and public services, the proposal is not anticipated to overburden water, sanitary sewer, stormwater, fire, police, or other public service systems.

- (6) The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to:
 - (a) (a) Noise, glare, odor, litter, or hours of operation.
 - (b) (b) Privacy and safety issues.

Applicant's Findings: *This criterion is not directly applicable because the subject property is not located adjacent to nearby residentially zoned lands. The nearest residentially zoned properties are located west of the Interstate 5 corridor, separated from the subject property by the interstate right-of-way and associated transportation infrastructure which exceeds approximately 300 feet in width.*

The subject property is surrounded primarily by industrially designated and zoned properties within an established employment and industrial area. Because of the separation created by Interstate 5 and the surrounding industrial development pattern, the proposal is not anticipated to create significant adverse impacts to residentially zoned properties related to noise, glare, odor, litter, hours of operation, privacy, or safety.

Further, religious assembly uses are commonly viewed as compatible with and complementary to residential neighborhoods and mixed-use environments. Similar to schools, parks, and other community-serving uses, church facilities are often integrated into areas intended to support daily community activity and neighborhood gathering opportunities. Modern planning practices

increasingly emphasize complete neighborhoods, reduced reliance on automobile trips, and the integration of community-serving uses within or near areas where people live and work. In that context, a faith-based organization located in proximity to residential uses would not generally be considered incompatible or unusual from a land use compatibility standpoint.

While the subject property is currently located within an industrially designated and zoned area, the proposed ministry use would also not be inherently out of character if the surrounding area were to evolve over time into a more mixed-use or employment-oriented environment. The proposal consists primarily of adaptive reuse of an existing developed building and site with modest site modifications including parking lot improvements, landscaping, pedestrian circulation improvements, and stormwater quality facilities. Overall, the proposed religious assembly use is not anticipated to negatively affect the livability of nearby residentially zoned lands.

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

Applicant's Findings: *The subject property is not located within a designated Natural Resource or Historic Overlay district and therefore Articles 6 and 7 are not applicable to the proposal. Based on available mapping and review completed to date, the site does not contain identified wetlands, riparian corridors, floodplains, or designated historic resources.*

The subject property is located within the vicinity of the Albany Municipal Airport and is therefore subject to applicable Airport Approach regulations contained within Article 4 of the Albany Development Code. The Albany Municipal Airport is a general aviation airport located at an elevation of approximately 226 feet and includes Runway 16-34 with a length of approximately 3,004 feet. The airport supports general aviation operations and associated navigational approaches and facilities.

The proposal consists primarily of adaptive reuse and modification of an existing developed industrial building and site. The proposal does not include construction of a substantially taller structure or other improvements anticipated to create hazards to air navigation or conflict with applicable airport approach regulations. The existing building and proposed site improvements will remain compatible with applicable airport overlay and height limitation requirements. The applicant will continue to comply with applicable airport approach regulations and any requirements identified during the city's review of the application.

2.260 – Conditions of Approval

The review body may attach conditions of approval to ensure that the proposal will conform to the applicable review criteria.

Some of the most frequently imposed conditions relate to the following: uses, special yards, and spaces; fences and walls; street dedications and improvement petitions (or bonds); site entry and exit; signs; building textures, colors, architectural features and height; landscaping, screening and buffering; noise, vibration, odors or other similar nuisances; hours for certain activities; time period within which the proposed use shall be developed; duration of use; and preservation of natural vegetation and open space.

Applicant's Findings: *The applicant understands that the review body may impose conditions of approval necessary to ensure compliance with the applicable review criteria and development standards. The applicant has designed the proposal to minimize potential impacts associated with the proposed religious assembly use and has provided supporting plans and materials addressing site access, parking, landscaping, stormwater quality treatment, pedestrian circulation, and related site improvements.*

The applicant is willing to comply with reasonable conditions of approval related to the proposed development provided such conditions are related to the applicable approval criteria and supported by the record. The proposed church facility has been designed to operate compatibly within the surrounding industrial area while maintaining compliance with the applicable Albany Development Code standards.

To facilitate an efficient review process and allow the applicant an opportunity to identify or resolve potential issues prior to the public hearing, the applicant respectfully requests the opportunity to review any proposed draft conditions of approval with staff in advance of formal presentation of conditions to the review body.

2.265 – Application Contents

As applicable, application contents shall be the same as those required for Site Plan Review in Section 2.490.

Applicant's Findings: *The applicant has submitted the materials required for Site Plan Review applications pursuant to ADC 2.490, as applicable to the proposed development. This narrative, supporting plans, parking memorandum, and supplemental application materials provide the information necessary for the City to evaluate the proposed Conditional Use Permit and Site Plan Review applications against the applicable review criteria and development standards.*

2.400 – Purpose

Site Plan Review is intended to promote functional, safe, and attractive developments that maximize compatibility with surrounding developments and uses and with the natural environment. It mitigates potential land use conflicts through specific conditions attached by the review body. The review focuses on the layout of a proposed development, including

building placement, setbacks, parking areas, external storage areas, open areas, and landscaping.

Applicant's Findings: *The proposed development has been designed to promote a functional, safe, and attractive site that remains compatible with the surrounding industrial area and existing development pattern. The proposal consists primarily of adaptive reuse of an existing developed building and associated site improvements including parking lot expansion and reconfiguration, landscaping improvements, stormwater facilities, and modifications to the building entrance.*

The proposal maintains the existing building placement, overall site layout, and industrial development pattern of the surrounding area while improving site functionality and circulation for the proposed religious assembly use. The parking area has been designed to safely accommodate anticipated parking demand associated with the proposed church facility while minimizing the potential for overflow parking and circulation impacts on surrounding properties and adjacent streets.

Landscaping improvements and landscaped planter islands are incorporated throughout the parking area to improve the appearance of the site and break up larger paved areas. The proposal also includes stormwater quality treatment facilities integrated into the site design to address runoff associated with the proposed parking lot improvements.

Overall, the proposal promotes orderly development of the site and remains compatible with surrounding industrial and employment uses while improving the functionality and appearance of the existing developed property.

2.415 – Procedure

An application for Site Plan Review shall be reviewed through either a Type I or Type I-L procedure, as indicated below.

- (1) Single-family detached, two primary detached units, and middle housing development: Type I procedure.
- (2) Multi-family development, units above or attached to a business, and manufactured home parks: Type I-L procedure.
- (3) Non-residential development: Type I-L procedure.

Applicant's Findings: *The applicant understands that non-residential Site Plan Review applications are reviewed through a Type I-L procedure. Because this application includes consolidated land use requests including a Conditional Use Permit and Site Plan Review, the application will be processed through the highest applicable review procedure. Accordingly, the consolidated application will be reviewed through a Type III procedure.*

2.420 – Relationship to Other Regulations

When a land use application is approved based on review criteria in this, the applicant must still comply with other applicable codes, ordinances, statutes, and regulations.

Applicant's Findings: *This narrative and the supporting application materials have been prepared to address the applicable provisions of the Albany Development Code associated with the requested Conditional Use Permit and Site Plan Review applications. Approval of this application does not eliminate the requirement to comply with other applicable federal, state, and local regulations, permits, codes, or standards that may apply to development of the site. The applicant understands that additional permits or approvals may be required prior to occupancy or construction activities associated with the proposed improvements.*

2.430 – Applicability

In general, Type I or Type I-L 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 legal nonconforming situations will be processed in accordance with Section 2.300 through 2.350.

- (1) Any activity or development that requires Site Plan Review as indicated in Table 1.100-1, Procedure by Application Type in Article 1, and the Schedules of Permitted Uses and Special Conditions in Articles 3, 4 and 5, unless specifically exempt in Section 1.105.
- (2) Expansions to existing development include new structures and additions whether attached or detached, totaling more than 2,000 square feet or more than 50 percent of existing building area, whichever is less.
- (3) New parking or loading areas or expansions to existing parking or loading areas or site modifications (excluding buildings) greater than 1,000 square feet or that provide more than two new parking spaces. Parking areas for middle housing development are exempt from this provision and will be reviewed for compliance with Articles 8 and 9 at time of building permit submittal.
- (4) Modifications that change site circulation or access as identified below and similar actions.
 - (a) Creation, modification, and/or removal of a driveway or pedestrian connection to the street system.
 - (b) Modification of allowable movements at a driveway connection to the street system.
 - (c) Creation, extension, closure, and/or alteration of the direction of a travel aisle or walkway.
- (5) Conversion of existing off-street parking areas to uses other than bicycle parking or transit oriented facilities.

- (6) 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. (See Sections 10.470-10.490.)
- (7) Tree Felling as specified in Sections 9.205 and 9.206

Applicant's Findings: *The proposed development is subject to Site Plan Review because the proposal includes a religious assembly use requiring Conditional Use approval within the LI, Light Industrial District together with associated site modifications. The proposal includes expansion and reconfiguration of the existing parking area, modifications to internal circulation and pedestrian walkways, landscaping improvements, stormwater quality facilities, and modifications to the existing building entrance.*

The proposal includes expansion of existing parking areas exceeding 1,000 square feet and provides additional parking spaces beyond the existing on-site parking supply. The proposal also includes modifications to internal circulation and pedestrian access areas associated with operation of the proposed church facility. Accordingly, the proposal is subject to Site Plan Review pursuant to ADC 2.430(1), (3), and (4).

The proposal does not involve expansion of the existing building exceeding the thresholds identified in ADC 2.430(2), does not involve conversion of parking areas to other uses, does not involve temporary placement of a manufactured home, and does not involve tree felling regulated under ADC 9.205 or 9.206. The proposal also does not involve a legal nonconforming situation subject to ADC 2.300 through 2.350.

2.450 – Review Criteria

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 consistent with the goals and policies of the Comprehensive Plan and any relevant plans adopted by the City Council.

Applicant's Findings: *The proposal is consistent with the applicable goals and policies of the Albany Comprehensive Plan and relevant adopted plans of the city. The subject property is designated Light Industrial on the Albany Comprehensive Plan Map and zoned LI, Light Industrial District. The proposal does not include a Comprehensive Plan amendment or zone change, and the property will remain designated and zoned for industrial and employment-related uses.*

The Comprehensive Plan identifies the Light Industrial designation as appropriate for a range of light industrial, office, warehouse, wholesaling, and related compatible uses that can operate with limited impacts on surrounding properties and within areas served by major transportation

infrastructure. The subject property is located within an established industrial and employment area adjacent to Interstate 5 and existing transportation facilities intended to support employment and industrial activity.

The proposal consists of adaptive reuse and continued productive use of an existing developed industrial building and site with existing infrastructure, access, utilities, parking areas, and stormwater facilities already in place. The proposal does not expand the existing building footprint and no vertical expansion of the structure is proposed. Reuse of an existing developed site supports efficient use of urban land and infrastructure and minimizes the need for development of undeveloped land elsewhere within the community.

The Albany Development Code expressly allows consideration of religious assembly uses within the LI zoning district through the Conditional Use process. The proposed faith-based organization will operate within the existing building and is not anticipated to interfere with surrounding industrial operations or the continued industrial use of nearby properties. The proposal maintains the existing Industrial Comprehensive Plan designation and LI zoning classification of the property and therefore remains consistent with the City's adopted land use framework.

The proposal also includes parking lot improvements, landscaping, pedestrian circulation improvements, and stormwater quality facilities intended to support safe and orderly operation of the site while minimizing impacts on surrounding properties and adjacent streets. Overall, the proposal is consistent with the applicable goals and policies of the Albany Comprehensive Plan and relevant adopted plans of the City Council.

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

Applicant's Findings: *The applicant has submitted the materials required for the requested Conditional Use Permit and Site Plan Review applications, including this narrative, supporting site plans, parking memorandum, and supplemental application materials. The application package has been prepared to address the applicable Albany Development Code provisions and provide the information necessary for the city to evaluate the proposal against the applicable review criteria and development standards. The applicant understands that the city may request additional information during the completeness review process if determined necessary to evaluate the application.*

(3) 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.

Applicant's Findings: *As discussed further in Section 5 of this narrative, the proposed development complies with the applicable provisions of the LI, Light Industrial District including applicable setbacks, lot dimensions, building height, parking, landscaping, and other applicable*

development standards. The applicant is requesting an exception related to the maximum parking allowance associated with the proposed religious assembly use. Upon approval of the requested exception, the site will comply with all applicable development standards of the underlying zoning district.

- (4) 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.

Applicant's Findings: *The subject property is not located within a designated Natural Resource or Historic Overlay district. Therefore, Articles 6 and 7 are not applicable to the proposal. Based on available mapping and review completed to date, the site does not contain identified wetlands, riparian corridors, floodplains, or designated historic resources.*

The subject property is located within the vicinity of the Albany Municipal Airport and is therefore subject to applicable Airport Approach regulations contained within Article 4 of the Albany Development Code. The proposal consists primarily of adaptive reuse and modification of an existing developed building and site and does not include substantial vertical expansion or improvements anticipated to create hazards to air navigation or conflict with applicable airport approach regulations.

The existing building and proposed site improvements will remain compatible with applicable airport overlay and height limitation requirements. The applicant will continue to comply with applicable airport approach regulations and any requirements identified during the city's review of the application.

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

Applicant's Findings: *As discussed further in Section 6 of this narrative, the proposed development complies with the applicable Design Standards contained within Article 8 of the Albany Development Code. The proposal consists primarily of adaptive reuse and improvement of an existing developed industrial site and includes parking lot improvements, landscaping, stormwater quality facilities, and modifications to the building entrance intended to improve the functionality and appearance of the site. The applicant acknowledges that the applicable Commercial and Institutional Design Standards of Article 8 apply to the proposed development and has addressed those standards in Section 6 of this narrative.*

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

Applicant's Findings: *Article 10 of the Albany Development Code is titled "Manufactured Home Development Standards" and regulates the placement and development of manufactured dwellings, manufactured home parks, and related manufactured housing development standards. The proposed development does not involve a manufactured dwelling, manufactured*

home park, temporary manufactured structure, or any form of manufactured housing development regulated under Article 10. The proposal consists of adaptive reuse and modification of an existing industrial building and site for a religious assembly use including parking lot improvements, landscaping, stormwater quality facilities, and associated site modifications. Because the proposal does not include development types regulated by Article 10, the standards of Article 10 are not applicable to this application.

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

Applicant's Findings: *As discussed further in Section 7 of this narrative, the proposed development complies with the applicable On-Site Development and Environmental Standards contained within Article 9 of the Albany Development Code. The proposal includes parking lot improvements, landscaping, pedestrian circulation improvements, stormwater quality facilities, and related site modifications designed to comply with the applicable parking, loading, landscaping, buffering, access, and environmental standards applicable to the proposed religious assembly use. The applicant is requesting one exception related to the maximum parking allowance associated with the proposed church facility. Upon approval of the requested exception, the proposal will comply with the applicable Article 9 standards governing the development of the site.*

- (8) 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.

Applicant's Findings: *The subject property is an existing developed site located within the corporate limits of the City of Albany and is currently served by public water, sanitary sewer, storm drainage infrastructure, and emergency services. The proposal consists primarily of adaptive reuse of an existing developed building and associated site improvements including parking lot expansion, landscaping improvements, and installation of a stormwater quality facility.*

The applicant will continue to coordinate with the City of Albany Public Works Department regarding applicable utility and infrastructure requirements associated with the proposed development. The proposal includes stormwater quality improvements intended to address runoff associated with the parking lot expansion and associated impervious surface alterations.

The site is already developed and connected to existing urban utility systems intended to serve development within this industrial and employment area. The proposed religious assembly use is anticipated to utilize existing public facilities and services already available to the site. Any additional utility or infrastructure improvements determined necessary through the city's

development review process will be completed in accordance with applicable city requirements and development standards.

- (9) 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.

Applicant's Findings: *Transportation improvements and facilities are available to serve the proposed development. The subject property is located within an established industrial and employment area served by an existing transportation network designed to accommodate industrial, employment, and higher-intensity development patterns. The site takes access from Fescue Street SE and is located in close proximity to Interstate 5 and US Highway 20/Santiam Highway, which provides regional access to the site and surrounding area.*

The proposal consists primarily of adaptive reuse of an existing developed building and associated site improvements including parking lot expansion, pedestrian circulation improvements, landscaping, and stormwater quality facilities. Existing access points and internal circulation patterns will continue to serve the site, and no substantial modifications to the surrounding transportation network are proposed.

As discussed within the submitted parking memorandum, the proposed parking supply is intended to accommodate the operational characteristics and anticipated attendance patterns associated with the proposed church facility. The memorandum concludes that the proposed parking supply is reasonable based on nationally recognized ITE parking generation data and the characteristics of the proposed use. Providing adequate on-site parking will reduce the likelihood of overflow parking and circulation impacts on adjacent streets and surrounding industrial properties.

The site is already developed and served by existing transportation infrastructure intended to support development within this industrial and employment area. Based on the existing transportation network and proposed site improvements, transportation facilities are available and adequate to serve the proposed development.

- (10) 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.

Applicant's Findings: *The proposal includes post-construction stormwater quality facilities designed to accommodate the proposed development consistent with the applicable requirements of Title 12 of the Albany Municipal Code. The proposed development includes expansion and modification of existing parking and circulation areas resulting in new and replaced impervious surface area. In response, the applicant has incorporated a vegetated*

Green Stormwater Infrastructure (GSI) facility into the site design to provide stormwater quality treatment associated with the proposed improvements.

The proposed GSI facility is shown on the submitted site and civil plans and is sized at approximately 10 percent of the new and replaced impervious surface area consistent with standard stormwater quality treatment practices and applicable DEQ stormwater quality requirements. The facility is intended to provide water quality treatment and stormwater management associated with runoff generated by the proposed parking lot expansion and related site improvements.

The subject property is an existing developed site already served by urban stormwater infrastructure within the City of Albany. The proposal includes stormwater quality improvements beyond existing site conditions and has been designed to integrate stormwater treatment into the overall site layout through landscaped stormwater facilities and associated site improvements.

At the time of construction permitting and civil plan review, the applicant's engineer will provide additional engineering documentation, stormwater calculations, and supporting stormwater reports if required by the City of Albany Public Works Department or applicable Title 12 standards. The applicant will continue to coordinate with the city regarding final stormwater design and construction requirements associated with the proposed development.

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

Applicant's Findings: *Based on review of the city's pre-application materials and available public permitting resources, the applicant has not identified prior land use approvals or existing conditions of approval that apply to the proposed use or site improvements. The city's pre-application summary identifies the existing site use as warehouse with office space and restaurant and does not identify prior land use conditions applicable to the subject property. The proposal consists of adaptive reuse and modification of the existing developed site for a religious assembly use, including parking lot improvements, landscaping, stormwater quality facilities, pedestrian circulation improvements, and modifications to the building entrance. If the city identifies any prior land use approvals or conditions during review of this application, the applicant will work with staff to address any applicable requirements.*

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

Applicant's Findings: *This criterion is not applicable because the subject property has not lost nonconforming status pursuant to the Albany Development Code.*

2.455 – Review Criteria – Additional Review 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.

Applicant's Findings: *The transportation system can safely and adequately accommodate the proposed development. The subject property is located within an established industrial and employment area served by an existing transportation network intended to accommodate industrial, commercial, and employment-related traffic. The site takes access from Fescue Street SE and is located in close proximity to Interstate 5 and US Highway 20/Santiam Highway, which provides regional access to the site and surrounding area. The proposal consists primarily of adaptive reuse of an existing developed building and associated site improvements including parking lot expansion, pedestrian circulation improvements, landscaping, and stormwater quality facilities. Existing access points and internal circulation patterns will continue to serve the site, and no substantial modifications to the surrounding street network are proposed.*

The proposed parking supply is intended to accommodate the operational characteristics and anticipated attendance patterns associated with the proposed church facility. As discussed within the submitted parking memorandum, the proposed parking supply is reasonable based on nationally recognized ITE parking generation data and the characteristics of the proposed religious assembly use. Providing adequate on-site parking will reduce the potential for overflow parking and circulation conflicts on adjacent streets and surrounding industrial properties. The proposal also includes pedestrian circulation improvements intended to support safe movement between parking areas and the building entrance. Based on the existing transportation network, surrounding street system, and proposed site improvements, the transportation system can safely and adequately accommodate the proposed development.

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

Applicant's Findings: *The proposed parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion. The subject property is an existing developed site with established access points and internal circulation patterns currently serving the property. The proposal maintains the existing general access configuration while improving on-site parking circulation and organization associated with the proposed religious assembly use. The proposed parking lot expansion and reconfiguration are intended to accommodate anticipated parking demand on-site and reduce the potential for overflow parking or circulation*

conflicts on adjacent streets and surrounding industrial properties. The submitted parking memorandum concludes that the proposed parking supply is reasonable based on nationally recognized ITE parking generation data and the operational characteristics of the proposed church facility. The proposal also includes pedestrian circulation improvements intended to support safe movement between parking areas and the building entrance. Parking areas, drive aisles, and circulation routes have been designed to provide orderly vehicle movement throughout the site while maintaining access for emergency and service vehicles. Because the site is located within an established industrial and employment area with an existing transportation network intended to support higher intensity uses, the proposed parking and circulation improvements are not anticipated to create congestion or unsafe traffic conditions.

- (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.

Applicant's Findings: *The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and potential impacts have been sufficiently minimized through the proposed site design and improvements. The subject property is located within an established industrial and employment area characterized by warehouse, manufacturing, storage, contractor, office, and commercial service uses. The proposal consists primarily of adaptive reuse of an existing developed industrial building and site for a religious assembly use.*

The proposal maintains the existing industrial development pattern of the area while improving the functionality and appearance of the site through parking lot improvements, landscaping, stormwater quality facilities, pedestrian circulation improvements, and modifications to the building entrance. The existing building scale, setbacks, and overall site layout will largely remain in place and continue to be compatible with surrounding industrial development.

The proposed church facility is anticipated to operate primarily during limited periods throughout the week and is not expected to interfere with surrounding industrial operations or the continued industrial use of nearby properties. The requested exception allowing additional on-site parking further minimizes potential impacts by reducing the likelihood of overflow parking and circulation conflicts on surrounding properties and adjacent streets.

Landscaped planter islands and landscaping improvements are incorporated throughout the parking area to break up larger paved areas and improve the appearance of the site. The proposal also includes stormwater quality treatment facilities integrated into the overall site design. Overall, the proposed religious assembly use and associated site improvements remain compatible with surrounding development and land uses, and any potential impacts have been sufficiently minimized.

2.460 – Conditions of Approval

The City may attach conditions to the approval of a Site Plan Review application in order to ensure that the proposal will conform to the applicable review criteria. Conditions of approval should be specific to the proposal and the facts set in the staff report for the application. In addition to conditions of approval, a list of general Code provisions that apply to the application may be attached to the approval.

Applicant's Findings: *The applicant understands the city may impose conditions of approval necessary to ensure compliance with the applicable Site Plan Review criteria and development standards. The applicant requests that any conditions of approval remain specific to the proposal and supported by the factual record associated with this application.*

2.465 – Approved Plans are Final

Projects shall be completed according to the approved site plan and landscape plan. Modifications to approved plans are subject to the standards in Section 1.330.

Applicant's Findings: *As the proposal advances into the engineering and construction permitting phases, minor modifications to the site plan may become necessary to address utility coordination, grading, stormwater design, engineering requirements, or similar technical considerations. The applicant requests flexibility to accommodate minor modifications to site design details during final engineering provided such changes do not materially alter the approved development, including the approved number of parking spaces, the amount of landscaping, circulation functionality, or the overall design intent of the approved site plan. If modifications exceeding that level become necessary, the applicant understands that additional land use review or modification approval may be required.*

2.490 – Application Contents

A Site Plan Review application must include:

- (1) A completed application form. The application shall be signed by the subject property's owner(s) and/or the owner's legal representative(s). If a legal representative is used as a signatory, written proof of ability to be a signatory shall be furnished to the City. The owner's name(s) and address, and the applicant's name, address, and signature shall also be provided.
- (2) A written narrative describing the proposed development and explanation of how the development satisfies applicable Albany Development Code standards and review criteria, including information required by Article 6 – Natural Resource Districts.
- (3) One set of conceptual drawings, including floor plans, lighting details, and building elevations and materials. When solar panels are proposed to comply with the large

parking area standards in Section 9.130, provide solar panel specifications including kilowatt production and proposed location.

- (4) A landscape plan showing the type and location of proposed landscaping and screening, including parking lot landscaping and when applicable, the tree canopy calculations, and any vegetated post-construction stormwater quality facilities.
- (5) A storm drainage report when 5,000 square feet of new or replaced impervious surface is added for all phases of development. The storm drainage report must include infiltration feasibility as outlined in the Engineering Standards.
- (6) A site plan showing the following applicable information:
 - (a) Assessor's map and tax lot number and lot and block description or other legal description.
 - (b) Lot dimensions and total lot area.
 - (c) North arrow.
 - (d) Location of all existing and proposed structures, including minimum distances from all structures to property lines.
 - (e) Percentage of the lot covered by all existing and proposed structures and paved areas. Clearly identify the boundaries and total square footage of all new and/or replaced impervious surfaces.
 - (f) Adjacent zoning designations and land uses including approximate location of buildings, accesses, streets, sidewalks, curbs, easements, and utilities.
 - (g) Locations and dimensions of rights-of-way of all abutting streets (whether public or private) and existing and proposed driveways.
 - (h) Size and location of all utilities.
 - (i) Locations, dimensions, and nature of any existing and proposed easements.
 - (j) Location of any non-access strips.
 - (k) Natural drainage patterns, flow arrows showing existing and proposed drainage patterns, and existing and proposed finished grade contours at 1-foot intervals, or at a larger interval if approved by the City Engineer.
 - (l) Clearly identify any existing and proposed swales, ditches, or other drainage ways.
 - (m) Location, size, type and capacity of the existing and proposed drainage system including pipe size, slope, and detention facilities. Show existing and proposed finished grade elevations at collection points and property lines. Include the location, size, and capacity of the downstream drainage system that would serve the proposed development. Also provide any supporting calculations.
 - (n) Location, size, type and capacity of all existing and proposed post-construction stormwater quality facilities. Clearly identify all impervious surfaces and contributing areas draining to each facility.

- (o) Typical cross sections at adjacent property boundaries showing pre-and post-development conditions and clearly identify any changes in elevation at the property line not captured in the typical section.
- (p) Location and species of trees larger than 25 inches in circumference (approximately 8 inches in diameter) measured at 4-1/2 feet above mean ground level from the base of the trunk. To obtain the circumference of a tree with multiple trunks, add the individual trunks circumferences, which are greater than 6 inches in circumference. Identify any trees proposed for protection and the method of protection.
- (q) Location and dimensions of delivery and loading areas.
- (r) Location and dimensions of parking and circulation areas.
- (s) Location and dimensions of trash disposal areas.
- (t) Location of proposed signs.
- (u) Location and type of proposed pedestrian amenities and common areas (when applicable).
- (v) Location of airport height restrictions.
- (w) Location of floodplains.
- (x) Location of hillsides with slopes greater than 12 percent.
- (y) Location of wetlands.
- (z) Location of riparian corridors.
- (aa) Location of Willamette Greenway.
- (bb) Location of historic districts, structures and sites on the City's adopted Local Historic Inventory, including individually designated National Register Historic Landmarks and archaeological sites.

Applicant's Findings: *The applicant has submitted the materials required for Site Plan Review applications applicable to the proposed development including a completed application form, this narrative, conceptual site plans, parking memorandum, conceptual landscape information, conceptual building elevations, and supporting application materials necessary for the city to evaluate the proposal against the applicable review criteria and development standards.*

The submitted plans identify the subject property, existing and proposed site improvements, parking and circulation areas, access points, landscaped areas, stormwater quality facilities, utilities, surrounding zoning and land uses, and other applicable site development information required to evaluate the proposal. The proposal consists primarily of adaptive reuse and modification of an existing developed industrial site, and many of the listed application items are either existing conditions, not applicable to the site, or not impacted by the proposed development.

The submitted plans identify landscaped areas, parking lot landscaping, vegetated stormwater quality facilities, and associated square footages proposed as part of the development. Detailed

landscape plans, planting schedules, tree canopy calculations if required, species information, irrigation information, and related landscape details will be provided at the time of building permit and civil construction plan review, as applicable.

The proposal includes more than 5,000 square feet of new and replaced impervious surface area associated with the parking lot expansion and site modifications. A storm drainage report and supporting engineering documentation will be provided in accordance with applicable city engineering standards and construction permitting requirements, including infiltration feasibility information if required by the city engineer.

Based on available mapping and review completed to date, the subject property does not contain identified wetlands, riparian corridors, floodplains, Willamette Greenway areas, significant slopes, or designated historic resources applicable to the proposed development. The proposal also does not involve development activities associated with many of the listed special site conditions identified within ADC 2.490.

Section 5: Findings Applicable to Article 4

Article 4 – Commercial and Industrial Zoning Districts

4.010 – Overview

The zones created in this article are intended to provide land for commercial, office and industrial uses. The differences among the zones, in the permitted uses and development standards, reflect the existing and potential intensities of commercial and industrial development. The site development standards allow for flexibility of development while minimizing impacts on surrounding uses. The regulations in this article promote uses and development that will enhance the economic viability of specific commercial and industrial areas and the city as a whole. Development may also be subject to the provisions in Article 8, Design Standards, Article 9, On-Site Development and Environmental Standards, and Article 12, Public Improvements. Sites within overlay districts are also subject to the provisions in Article 6, Special Purpose Districts, and Article 7, Historic Overlay Districts.

The following list is a summary of the topics covered in this article:

- Zoning Districts
- Schedule of Permitted Uses
- Development Standards
- Airport Approach Overlay District

Applicant's Findings: *The subject property is designated Industrial on the Albany Comprehensive Plan Map and is zoned LI, Light Industrial District. The proposed development consists of adaptive reuse and modification of an existing developed industrial site and building for a religious assembly use associated with Cornerstone Bible Church.*

As discussed throughout this narrative, the proposal complies with the applicable provisions of Article 4 governing development within commercial and industrial zoning districts. The proposed church facility is permitted within the LI zoning district through the Conditional Use process and the proposal has been designed to remain compatible with the surrounding industrial and employment area.

The proposal includes parking lot improvements, landscaping, pedestrian circulation improvements, stormwater quality facilities, and modifications to the building entrance intended to support safe and orderly operation of the site while maintaining compatibility with surrounding development patterns. The existing building is approximately 35 feet in height, and no vertical expansion of the structure is proposed. Upon approval of the requested exception related to parking maximums, the proposal will comply with the applicable development standards governing the site.

The applicant acknowledges that the proposed development is also subject to applicable provisions of Articles 8 and 9 of the Albany Development Code, along with applicable airport approach regulations associated with the Albany Municipal Airport. Applicable standards from those sections are addressed further within this narrative.

4.020 – Establishment of Commercial and Industrial Zoning Districts

In order to regulate and segregate the uses of lands and buildings and to regulate the density of development, the following commercial and industrial zoning districts are created:

- (8) LI- LIGHT INDUSTRIAL DISTRICT. The LI district is intended primarily for a wide range of manufacturing, warehousing, processing, assembling, wholesaling, specialty contractors and related establishments. Uses will have limited impacts on surrounding properties. This district is particularly suited to areas having good access to highways and perhaps to rail. LI may serve as a buffer around the HI district and may be compatible with nearby residential zones or uses.

Applicant's Findings: *The subject property is zoned LI, Light Industrial District. The purpose of the LI zone is to provide for a range of manufacturing, warehousing, processing, assembling, wholesaling, contractor, and related employment uses with limited impacts on surrounding properties. The zone is intended for areas with good access to major transportation facilities and may serve as a transition area between more intensive industrial development and other uses. The subject property is located within an established industrial and employment area with direct access to Interstate 5 and the surrounding regional transportation network. The surrounding area is characterized by warehouse, industrial, contractor, office, and commercial service uses consistent with the intended character of the LI zoning district.*

The proposed development consists of adaptive reuse and modification of an existing developed industrial building and site for a religious assembly use associated with Cornerstone Bible

Church. The Albany Development Code expressly allows consideration of religious assembly uses within the LI zoning district through the Conditional Use process, recognizing that certain non-industrial uses may be appropriate within industrial areas when designed and operated compatibly with surrounding development. The proposed church facility will operate within the existing building, and no vertical expansion of the structure is proposed. The proposal maintains the existing industrial development pattern of the area while incorporating parking lot improvements, landscaping, pedestrian circulation improvements, and stormwater quality facilities intended to improve the functionality and appearance of the site.

Cornerstone Bible Church is anticipated to operate primarily during limited periods throughout the week and is not expected to interfere with surrounding industrial operations or the continued industrial use of nearby properties. The requested exception allowing additional on-site parking further supports compatibility with the surrounding area by reducing the likelihood of overflow parking and circulation conflicts on surrounding industrial properties and adjacent streets. The LI zone also contemplates compatibility with nearby residential uses or zones. Religious assembly uses are commonly viewed as compatible with and complementary to residential neighborhoods and mixed-use environments due to their community-oriented nature and limited operational impacts. Overall, the proposed ministry use remains consistent with the intent and purpose of the LI zoning district.

4.090 – Purpose

Development standards are intended to promote site planning and design that consider the natural environment, site intensity, building mass, and open space. The standards also promote energy conservation, needed privacy, safe and efficient parking areas for new development, and improve the general living environment and economic life of a development. Table 4.090-1, on the following page, summarizes the basic development standards. It should be used in conjunction with the sections immediately succeeding the table, which address special circumstances and exceptions. See Article 8 for design standards for single-family, middle housing, and multiple-family developments.

- (1) The minimum lot size for residential units is 1,600 sq. ft. per unit. No minimum lot size is required for non-residential development.

Applicant's Findings: *The subject property is approximately 2.99 acres in size. The proposal is for non-residential development and therefore no minimum lot size applies. The proposal consists of modifications to an existing developed site including parking lot improvements, landscaping, stormwater quality facilities, and modifications to the building entrance. Upon approval of the requested exception related to parking maximums, the proposal will comply with the applicable development standards governing the site.*

- (2) New NC zones may be no more than 30,000 sq. ft. of contiguous land.

Applicant's Findings: This criterion is not applicable because the subject property is not zoned NC, Neighborhood Commercial.

- (3) All yards adjacent to streets. Approved vegetated post-construction stormwater quality facilities are allowed in landscaped areas.

Applicant's Findings: The proposal maintains landscaped yard areas adjacent to streets and includes installation of a vegetated post-construction stormwater quality facility integrated into the site landscaping. The proposed GSI facility is shown on the submitted plans and is intended to accommodate stormwater quality treatment associated with the proposed parking lot expansion and impervious surface modifications. The proposed landscaped and stormwater treatment areas comply with the applicable development standards governing the site.

- (4) The minimum lot size for supporting commercial uses may be smaller than 3 acres.

Applicant's Findings: This criterion is not applicable. The proposal does not involve establishment of a supporting commercial use subject to a minimum three-acre lot size requirement. In addition, the proposal does not create a new lot or modify the existing property configuration. The subject property is an existing legal lot approximately 2.99 acres in size and is proposed for a religious assembly use within the LI zoning district.

- (5) Structures on property abutting residential districts and/or uses require 1 foot of setback for each foot of finished wall height with a minimum setback of 10 feet.

Applicant's Findings: This criterion is not applicable because the subject property does not abut residential zoning districts or residential uses. The surrounding properties are zoned LI, Light Industrial District, and Interstate 5 right-of-way is located immediately west of the site.

- (6) No setbacks are required for buildings abutting railroad rights-of-way.

Applicant's Findings: This criterion is not applicable because the subject property does not abut a railroad right-of-way.

- (7) Lot coverage for single dwelling units and middle housing development only includes the area of the lot covered by buildings or structures. Lot coverage may be increased by up to 10 percent for residential or mixed-use development in the OP and NC zones that have no garages or driveways, or all garages or parking areas are accessed from the rear by an alley or shared access easement.

Applicant's Findings: This criterion is not applicable because the proposal does not involve single dwelling units, middle housing development, or residential or mixed-use development within the OP or NC zoning districts. The proposal consists of a non-residential religious assembly use within the LI, Light Industrial District.

- (8) Heights may be reduced in the Airport Approach Overlay District; see Sections 4.400 to 4.440. Heights may be exceeded for developments located in a Climate Friendly Area overlay district. See Article 14.

Applicant's Findings: *The subject property is located within the vicinity of the Albany Municipal Airport and may be subject to applicable Airport Approach Overlay District regulations contained within Sections 4.400 through 4.440 of the Albany Development Code. The existing building is approximately 35 feet in height, and no vertical expansion of the structure is proposed. The proposal is therefore not anticipated to create conflicts with applicable airport approach height limitations or air navigation safety requirements. The proposal is not located within a Climate Friendly Area overlay district.*

- (9) Ten or more multiple-family units require common open space. See Section 8.220.

Applicant's Findings: *This criterion is not applicable because the proposal does not involve multiple-family development. The proposal consists of a non-residential religious assembly use within the LI, Light Industrial District.*

- (10) The maximum business footprint for supporting commercial uses allowed in IP is 5,000 square feet. The maximum business footprint for convenience-oriented and personal service-oriented retail uses in NC and OP is 5,000 square feet. Convenience-oriented and personal service-oriented retail uses in buildings constructed prior to February 7, 2003, in the NC and OP districts are exempt from the maximum business footprint.

Applicant's Findings: *This criterion is not applicable because the proposal does not involve a supporting commercial use within the IP district or convenience-oriented or personal service-oriented retail uses within the NC or OP zoning districts. The proposal consists of a religious assembly use within the LI, Light Industrial District.*

- (11) When adjacent to or across the street from residentially zoned land, the setback shall be 1 foot for each foot of building height over 30 ft. Buildings may increase in height ("step" up) as the setback increases. For example, at the minimum setback in LI, a building may be 30 feet tall but may increase in height up to 50 feet when set back 50 feet from the property line.

Applicant's Findings: *This criterion is not applicable because the subject property is not adjacent to or across the street from residentially zoned land. The surrounding properties are zoned LI, Light Industrial District, and Interstate 5 right-of-way is located immediately west of the site. In addition, no vertical expansion of the existing approximately 35-foot-tall building is proposed.*

- (12) Higher structures permitted by Conditional Use approval.

Applicant's Findings: *This criterion is not applicable. The proposal does not request approval of a higher structure through the Conditional Use process. The existing building is approximately 35 feet in height, and no vertical expansion of the structure is proposed.*

4.100 – Minimum Standards

All setbacks must meet the minimum standards in Table 4.090-1, Development Standards. In addition to the setbacks in this Article, all development must comply with Section 12.180, Clear Vision Area. For residential accessory structures, see also Article 3, Table 3.230-1, Accessory Structure Standards.

Applicant's Findings: *Table 4.090-1 establishes the applicable development standards for the LI, Light Industrial District. For non-residential development in the LI zone, there is no minimum lot size, no maximum lot coverage standard, and the maximum building height is 50 feet, subject to any applicable Airport Approach Overlay limitations. The LI zone requires a minimum 15-foot front setback and minimum 5-foot interior setbacks. Parking and loading spaces are not permitted within required front or interior setback areas except as otherwise allowed by the Code.*

The subject property is an existing 2.99-acre developed site. The existing building is approximately 35 feet in height, which is below the 50-foot maximum building height allowed in the LI zone. No vertical expansion of the existing building is proposed. The existing and proposed setbacks comply with the applicable LI setback standards. Along the eastern property line fronting Fescue Street SE, the existing building is setback approximately 15 feet 2 inches from the property line, meeting the 15-foot front setback standard. The revised parking areas along the Fescue Street frontage will be setback approximately 15 feet 8 inches near the northeast portion of the site and approximately 16 feet 2 inches further south on the site, also meeting the 15-foot front setback standard. Along the southern interior property line, the existing parking and vehicle use area is setback approximately 4 feet 9 inches, and the existing building is setback approximately 59 feet 10 inches. The existing parking setback appears to be slightly less than five feet and is an existing condition. No reduction to this existing setback is proposed. Along the western property line, the vehicle use area is setback approximately 31 feet 6 inches, and the building is setback approximately 101 feet 1 inch. Along the northern property line, the parking area is setback approximately 15 feet 7 inches, and the building is setback approximately 153 feet. The proposed parking expansion will maintain the northern setback. Based on the applicable LI development standards and the setbacks shown on the submitted plans, the proposed development complies with the minimum standards of Table 4.090-1.

ADC 12.180 requires that a clear vision area be maintained at each access to a public street and at intersections. Within the required clear vision area, no fence, wall, hedge, sign, planting, or structure that would impede visibility between the heights of 2 feet and 8 feet may be established. Existing and proposed buildings meeting minimum setback requirements are

exempt from the clear vision area standards pursuant to ADC 12.180(1)(g). For non-residential uses and driveways on collector and arterial streets, the Code requires a triangular clear vision area providing the applicable sight distance identified within Table 12.180-2, measured from a point 15 feet back from the edge of the nearest travel lane. The proposal maintains the existing site access configuration and does not propose relocation or substantial modification of the existing driveway connections serving the site. The existing building complies with the applicable setback standards and is therefore exempt from the clear vision area requirements. The submitted site plans demonstrate that the proposed parking lot expansion, landscaping improvements, stormwater quality facilities, and associated site modifications will maintain adequate visibility at site access points and circulation areas. The proposed improvements do not introduce structures, fencing, signage, landscaping, or other site features anticipated to obstruct visibility within applicable clear vision areas. Landscaping proposed within or adjacent to clear vision areas will consist of low-growing vegetation and site improvements designed to preserve visibility consistent with ADC 12.180. Based on the submitted plans and proposed site design, the proposal complies with the applicable clear vision area requirements of ADC 12.180.

The residential accessory structure standards of Article 3, Table 3.230-1 are not applicable because the proposal does not involve residential development or residential accessory structures.

4.110 – Measurements

Setback distances must be measured perpendicular to all portions of a property line.

Applicant's Findings: *The setback distances identified on the submitted site plans are measured perpendicular to the applicable property lines consistent with ADC 4.110. The proposal maintains the existing building footprint and associated setback relationships while adding parking and site improvements that comply with the applicable setback standards governing the site.*

4.210 – Special Setbacks for Religious Institutions, Public and Semi-Public Buildings

Any new construction of a Religious Institution or Public or Semi-Public building, as defined in Article 22, must be set back at least 25 feet from any property line adjoining or directly across public right-of-way from any residential district. Stockpiling or storing materials or equipment is not permitted in the required front, side, or rear setbacks. All other setbacks of the district where the property is located apply.

Applicant's Findings: *ADC 4.210 requires that any new construction of a Religious Institution or Public or Semi-Public building be setback a minimum of 25 feet from property lines adjoining or directly across a public right-of-way from a residential zoning district. The section also prohibits stockpiling or storage of materials or equipment within required setback areas. This criterion is not applicable to the proposed development because the proposal does not involve new*

construction of a religious assembly building. The proposal consists of adaptive reuse and modification of an existing developed industrial building and site for a religious assembly use associated with Cornerstone Bible Church. No expansion of the existing building footprint or vertical expansion of the structure is proposed.

In addition, the subject property is not adjacent to or directly across a public right-of-way from a residential zoning district. The surrounding properties are zoned LI, Light Industrial District, and Interstate 5 right-of-way is located immediately west of the site. The existing building is setback approximately 59 feet 10 inches from the southern property line, approximately 101 feet 1 inch from the western property line, approximately 153 feet from the northern property line, and approximately 15 feet 2 inches from the eastern property line fronting Fescue Street SE.

The proposal also does not include stockpiling or outdoor storage of materials or equipment within required setback areas. Accordingly, ADC 4.210 does not apply to the proposed development.

4.220 – Parking Restrictions in Setback Areas

Parking and loading spaces must not be located in a required front or interior setback, except:

- (1) Paved driveways used to fulfill parking requirements for single-family detached, duplex, triplex, fourplex, cottage cluster, and townhouse residences. Each space must be at least 10 feet wide and 20 feet long.

Applicant's Findings: *The submitted site plans demonstrate that the proposed parking areas comply with the applicable setback requirements governing the site. Along the Fescue Street frontage, the revised parking areas are setback approximately 15 feet 8 inches near the northeast portion of the site and approximately 16 feet 2 inches further south along the frontage, exceeding the required 15-foot front setback. Along the northern property line, the parking area is setback approximately 15 feet 7 inches from the property line. Along the western property line, the vehicle use area is setback approximately 31 feet 6 inches. Along the southern property line, the existing parking and vehicle use area is setback approximately 4 feet 9 inches from the property line. This existing condition appears to be slightly less than the required interior setback. However, no reduction or expansion of this existing condition is proposed as part of the development. Based on the submitted plans, the proposal complies with the applicable parking setback requirements governing the site.*

4.230 – Height Standards

See Table 4.090-1 for height restrictions.

Applicant's Findings: *Table 4.090-1 establishes a maximum building height of 50 feet within the LI, Light Industrial District, subject to applicable Airport Approach Overlay limitations. The subject property is located within the Airport Approach Overlay District associated with the*

Albany Municipal Airport. Albany Municipal Airport has an airfield elevation of approximately 226 feet above sea level and contains a single runway identified as Runway 16-34 with dimensions of 3,004 feet by 75 feet. The subject property located at 1820 Fescue Street SE has an approximate site elevation of 220 feet above sea level, and the existing building is approximately 35 feet in height.

No vertical expansion of the structure is proposed. The proposal consists primarily of adaptive reuse and modification of the existing building and site and does not include construction of tall structures, towers, cranes, lighting, or other improvements anticipated to create hazards to air navigation or conflict with airport operations. Based on the submitted plans, existing site elevation, and existing building height, the proposal complies with the applicable height standards governing the site, including the Airport Approach Overlay requirements.

4.240 – Height Exceptions

- (1) Roof structures for the housing of elevators, stairways, tanks, ventilating fans and similar equipment required to operate and maintain the building, fire walls, skylights, towers, flagpoles, chimneys, smokestacks, wireless masts, antennas, steeples, and similar structures may be erected above the height limits prescribed in this article, provided that no roof structure, feature, or any other device above the prescribed height limit may be allowed or used for the purpose of providing additional floor space.
- (2) Religious Institutions and Public and Semi-Public Buildings. In zoning districts where churches and certain public and semi-public buildings require Conditional Use approval, the height restrictions may be waived as a part of the Conditional Use proceedings, provided that a request for such has been noted in the public hearing notice.

Applicant's Findings: *The proposal does not request approval of rooftop structures, steeples, towers, antennas, or other height exceptions identified within ADC 4.240. The existing building is approximately 35 feet in height, and no vertical expansion of the structure is proposed. Although the proposal involves a religious assembly use requiring Conditional Use approval within the LI zoning district, the applicant is not requesting a waiver or modification of the applicable height limitations as part of this application. The proposal therefore complies with the applicable height standards without use of the height exception provisions of ADC 4.240.*

4.270 – Landscaping.

General. Developments must comply with the site landscaping standards in Article 9 before occupancy or in accordance with Section 9.140.

Applicant's Findings: *The proposal will comply with the applicable landscaping standards of Article 9 prior to occupancy or in accordance with ADC 9.140, as applicable. Landscaping requirements associated with the proposed development, including parking lot landscaping and vegetated stormwater quality facilities, are addressed further in Section 7 of this narrative.*

4.280 – Buffering and Screening

General. Buffering and screening may be required in addition to the minimum landscaping to offset the impact of development. See Sections 9.210 through 9.270.

Applicant's Findings: *The subject property is surrounded by industrial zoning classifications and Interstate 5 right-of-way and is not adjacent to residentially zoned property or other land uses requiring additional buffering or screening pursuant to Sections 9.210 through 9.270. The proposal therefore does not trigger additional buffering or screening requirements beyond the landscaping improvements otherwise proposed and addressed in Section 7 of this narrative.*

4.400 – Purpose

Purpose. The Airport Approach district is intended to protect the public from excessive noise and air traffic from possible hazards on landing or takeoff.

Applicant's Findings: *The subject property is located within the Airport Approach Overlay District associated with the Albany Municipal Airport. The proposal consists primarily of adaptive reuse and modification of an existing developed industrial building and site for a religious assembly use. No vertical expansion of the existing approximately 35-foot-tall building is proposed. The proposal does not include construction of tall structures, towers, lighting, or other improvements anticipated to interfere with aircraft operations or create hazards associated with airport approach areas. The site is already developed and located within an established industrial and employment area where airport-related noise and aviation activity are existing conditions. Based on the submitted plans and the nature of the proposed development, the proposal is not anticipated to create hazards to aircraft operations or expose the public to excessive airport-related impacts beyond those already associated with development within the Airport Approach Overlay District.*

4.410 – Applicability

The regulations below apply to those areas indicated on Figures 4.410-1 and 4.410-2.

Applicant's Findings: *The subject property is located within the Airport Approach Overlay District associated with the Albany Municipal Airport and is therefore subject to the applicable provisions of Sections 4.400 through 4.440. As demonstrated throughout this narrative, the proposal complies with the applicable Airport Approach Overlay standards governing the site.*

4.420 – Height Restrictions

No structure, mast, antenna, or wire shall be erected, altered, or maintained, and no tree shall be allowed to grow to a height in excess of the height limit established within each of the following described zones (which are also graphically represented in Figure 4.410-1) and in the adopted Albany Municipal Airport Master Plan:

- (1) Visual Approach Area. Slopes 20 feet outward for each foot upward beginning at the ends of the primary surface (200 feet from the end of the pavement) and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- (2) Transitional Areas. Slopes 7 feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to a height of 150 feet above the airport elevation, which is 222 feet above mean sea level using the National Geodetic Vertical Datum of 1929 (equivalent to 225.38 feet using the North American Datum of 1988, NAVD 88). In addition, there are height limits sloping 7 feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface and extending to where they intersect the conical surface.
- (3) Horizontal Area. One hundred fifty (150) feet above the airport elevation.
- (4) Conical Area. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

Applicant's Findings: *The subject property is located within the Airport Approach Overlay District associated with the Albany Municipal Airport and is therefore subject to the height limitations established by ADC 4.420 and the adopted Albany Municipal Airport Master Plan. Albany Municipal Airport has an airport elevation of approximately 222 feet above mean sea level using the National Geodetic Vertical Datum of 1929.*

The proposal consists primarily of adaptive reuse and modification of an existing developed industrial building and site. The existing building is approximately 35 feet in height, and no vertical expansion of the structure is proposed. The site elevation at 1820 Fescue Street SE is approximately 220 feet above sea level, resulting in an approximate top-of-structure elevation substantially below the height limitations applicable within the Airport Approach Overlay District.

The proposal does not include construction of towers, antennas, masts, lighting, cranes, tall rooftop structures, or vegetation anticipated to penetrate the applicable airport approach surfaces identified in ADC 4.420. Based on the submitted plans, existing site elevation, and existing building height, the proposal complies with the applicable airport height restriction standards governing the site.

Section 6: Findings Applicable to Article 8

Article 8 – Design Standards

8.310 – Purpose

These sections are intended to set threshold standards for quality design in commercial and institutional development, and in the non-residential components of mixed-use development. Good design results in buildings that are visually compatible with one another and adjacent neighborhoods and contribute to an attractive, active, and safe built environment that facilitates easy pedestrian movement and a rich mixture of land uses.

Applicant's Findings: *The proposed development is consistent with the purpose of Article 8 by maintaining and improving an existing developed site in a manner that contributes to a functional, orderly, and visually cohesive industrial development pattern. The proposal consists primarily of adaptive reuse of an existing industrial building for a religious assembly use together with associated site improvements including modifications to the primary entrance, parking lot expansion and reconfiguration, landscaping improvements, pedestrian circulation improvements, and installation of a stormwater quality facility.*

The proposal does not involve construction of a new building or a dramatic alteration to the overall development pattern of the site. Rather, the application improves the appearance and functionality of an existing developed property while maintaining compatibility with the surrounding industrial and employment area. The subject property is located within an established Light Industrial district characterized by warehouse, manufacturing, contractor, storage, office, and commercial service uses. The proposed site improvements are designed to remain consistent with the scale, form, and development character of the surrounding area.

The proposal contributes to a safer and more functional built environment through improved pedestrian circulation, organized parking and internal circulation patterns, landscaping enhancements, and stormwater quality improvements associated with the parking area expansion. Landscaped planter islands and landscaped areas are incorporated throughout the parking lot to break up larger paved surfaces and improve the visual appearance of the site. The proposal also includes modifications to the primary entrance intended to improve site orientation and pedestrian access to the building.

The proposal represents continued productive use of an existing developed site with access to existing transportation infrastructure, utilities, and urban services. By reusing and improving an existing industrial property rather than developing a new undeveloped site, the proposal supports efficient land use patterns and continued investment within the existing urban area. Overall, the proposed development is consistent with the purpose of Article 8 and contributes to a functional, attractive, and compatible site design within the surrounding industrial context.

8.315 – Applicability

Applicability. These standards apply to the design of new development and to the expansion of existing developments where commercial and/or institutional uses, as defined in Article 22, are existing or proposed, including when such uses are part of a mixed-use development or live/work dwelling unit, with the following exceptions:

- Modifications to existing developments for which the Director has waived review under the provisions of ADC Section 1.105 are not subject to these standards.
- Utility substations and other utility facilities that do not have on-site personnel are not subject to these standards. However, telecommunication facilities are subject to other design standards in Article 8.
- Only the non-residential portion of a mixed-use development is subject to these standards. New residential Units Above or Attached to a Business are subject to Multiple-Family Design Standard as stated in Section 8.205.

Certain standards provide additional exemptions for modifications to existing sites or buildings. Unless otherwise specified, these standards apply in any zoning district except the Heavy Industrial (HI) Zoning District.

Applicant's Findings: *The proposed development is subject to the commercial and institutional design standards contained within Article 8 because the application involves establishment of a religious institution within an existing developed site in the LI, Light Industrial District. Religious institutions are institutional uses as defined by Article 22 of the Albany Development Code and the proposal includes modifications to the existing site and building associated with the change in use, including parking lot expansion and reconfiguration, landscaping improvements, pedestrian circulation improvements, stormwater quality facilities, and modifications to the primary building entrance. The proposal does not qualify for exemption from the Article 8 standards. The development is not located within the Heavy Industrial (HI) zoning district, does not involve a utility substation or utility facility exempted by this section, and has not been waived from review pursuant to ADC 1.105. The proposal also does not involve a mixed-use development containing residential units subject to the multiple-family design standards of ADC 8.205. Because the proposal involves modification and continued use of an existing developed institutional site within the LI zoning district, the applicable commercial and institutional design standards of Article 8 apply to the proposed improvements except where individual standards provide specific exemptions for existing development or site modifications. The proposed improvements have been designed to remain compatible with the surrounding industrial area while improving site functionality, pedestrian circulation, landscaping, and overall site appearance.*

8.330 – Entrance Orientation and Parking Location

The purpose of the entrance orientation and parking location standards is to help create an attractive streetscape and pleasant pedestrian environment that is conducive to walking, and to help further Crime Prevention Through Environmental Design (CPTED) principles such as natural surveillance of public spaces. These standards apply to new buildings (excluding accessory buildings) in all zoning districts except HD, DMU, CB, and WF. Development in HD, CB, DMU, and WF shall demonstrate appropriate building orientation through compliance with maximum front setback standards in ADC Section 5.120. Except as required to meet building code, fire code, or other regulations, expansions, and modifications to existing buildings and sites shall not decrease conformance with these standards.

Applicant's Findings: *This standard is not applicable to the proposed development. ADC 8.330 expressly applies to new buildings, excluding accessory buildings, in applicable zoning districts. The proposal does not include construction of a new primary building. Rather, the application involves adaptive reuse and modification of an existing developed industrial building and associated site improvements including parking lot modifications, landscaping improvements, pedestrian circulation improvements, stormwater facilities, and entrance alterations. The existing building and site layout will largely remain in place and the proposal does not decrease conformance with the intent of the standard. Accordingly, the entrance orientation and parking location standards of ADC 8.330 are not applicable to the proposed development.*

8.345 – Façade Design, Articulation, and Windows

The following standards are intended to provide architectural relief and interest and to promote pedestrian-oriented design. These standards apply to new buildings (excluding accessory buildings). Except as required to meet building code, fire code, or other regulations, expansions and modifications to existing buildings and sites shall not decrease conformance with these standards.

Applicant's Findings: *This section is not applicable to the proposed development because the proposal does not include construction of a new building. The application consists of adaptive reuse of an existing building together with associated parking lot and site improvements. Accordingly, these standards do not apply.*

8.360 – Pedestrian Amenities

The following standards apply in all zoning districts except HD, CB, DMU, and WF, which are subject to ADC Section 8.365. The purpose of the pedestrian amenity requirements is to enhance pedestrian comfort by providing awnings, seating, special paving, and planters and similar improvements. The standards for pedestrian amenities are related to the scale of the development and also provide the flexibility for the developer to select the most appropriate amenities for the particular site and use.

- (1) Required number of amenities. New buildings or expansions or modifications to existing buildings except those where a land use application is not required pursuant to ADC Section 1.105 shall provide pedestrian amenities with a total point value not less than the amount shown in Table 8.360-1. The point value of each pedestrian amenity is specified in Table 8.360-2.

Applicant's Findings: *This section is not applicable to the proposed development because the proposal does not include new building area. The proposed improvements consist of adaptive reuse of the existing building together with associated site improvements and a covered entrance feature at the northern entrance of the building. The covered entrance does not expand the building footprint or create new building area for purposes of the pedestrian amenity standards. Accordingly, no pedestrian amenity points are required for the proposed development.*

Section 7: Findings Applicable to Article 9

Article 9 – On-Site Development and Environmental Standards

9.010 – Overview

The City of Albany has established standards for on-site improvements and environmental protection. These standards are intended to foster high-quality development throughout the City and to minimize adverse effects on surrounding property owners or the general public. This article contains the following standards:

- Off-Street Parking
- Landscaping
- Tree Protection
- Buffering and Screening*
- Fences
- Environmental

*As identified in Section 9.210, in limited circumstances, an applicant can apply for an Adjustment to the Buffering and Screening standards.

Applicant's Findings: *The proposed development has been designed to comply with the applicable on-site development and environmental standards contained within Article 9 of the Albany Development Code. The proposal consists primarily of adaptive reuse of an existing developed industrial site for a religious assembly use together with associated parking lot modifications, landscaping improvements, pedestrian circulation improvements, stormwater quality facilities, and related site improvements. The subject property is already developed with an existing building, parking areas, utilities, and associated urban infrastructure.*

As discussed throughout this narrative and supporting application materials, the proposal addresses the applicable standards related to off-street parking, landscaping, buffering and screening, and related site development requirements. The applicant is requesting a single exception from the planning administrator related to the maximum parking allowance applicable to religious assembly uses. The requested exception is intended to accommodate the demonstrated parking demand associated with the proposed use while minimizing the potential for overflow parking and circulation impacts on surrounding industrial properties and adjacent public streets. The proposal also includes landscaped planter islands, landscape improvements, and stormwater quality treatment facilities intended to improve the appearance and functionality of the site and mitigate impacts associated with the proposed parking expansion.

The subject property does not contain identified wetlands, riparian corridors, floodplains, or designated natural resource areas based on available mapping and review completed to date. The proposal does not involve regulated tree felling or significant disturbance of natural features. Overall, the proposed development is consistent with the purpose of Article 9 by supporting orderly development of the site while minimizing adverse impacts on surrounding properties and the public.

9.020 – 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.

- (1) Calculating Floor Area for Parking. The area measured is the combined floor area of each level of a building exclusive of vent shafts, courtyards, stairwells, elevator shafts, restrooms, storage rooms and rooms designed and used for the purpose of storage and operation of maintenance equipment, and covered or enclosed parking areas.

Applicant's Findings: *The proposal includes off-street parking for the proposed religious assembly use, subject to the requested exception to exceed the maximum parking allowance established in Table 9.020-1. Based on the proposed 500-seat sanctuary, the maximum parking allowance for the use is 83 spaces. The submitted site plan identifies an existing parking supply of 98 spaces consisting of 82 standard spaces, 12 compact spaces, and 4 accessible spaces. The proposal includes 52 additional parking spaces consisting of 50 standard spaces and 2 accessible spaces, resulting in a total on-site parking supply of 150 spaces. The applicant is therefore requesting an exception to allow parking in excess of the 84-space maximum otherwise permitted for the proposed use. The requested exception and supporting parking demand analysis are addressed further within this narrative and the submitted Transportation Memorandum.*

- (2) Employees. The number of employees shall include those working on the premises, plus proprietors, during the largest shift at peak season.

Applicant's Findings: *The proposed religious assembly use does not utilize an employee-based parking calculation under Table 9.020-1. Parking for the proposed use is calculated based on seating capacity. To the extent employees are present on-site, staffing associated with the proposed church facility is anticipated to be limited and subordinate to the primary assembly function of the use.*

- (3) Fractional Space Requirements shall be counted to the nearest whole space; half spaces will be rounded up.

Applicant's Findings: *Fractional parking calculations associated with the proposed religious assembly use have been calculated consistent with this standard. Based on the proposed 500-seat sanctuary and the maximum parking allowance of one space per six seats, the calculated parking allowance is 83.33 spaces, which rounds to 83 spaces.*

- (4) Unspecified Uses and Alternative Standards. When a use is not specifically listed in Table 9.020-1: Parking Requirements, the Director will determine if the use is similar to a listed use in terms of parking needs. When a use is not similar to a use listed in Table 9.020-1 or the applicant has documentation that demonstrates a different parking demand, the Director may approve alternative parking standards. Acceptable documentation may include parking standards from other cities of similar size, company data on parking demand, parking demand studies, or the ITE Parking Generation Manual.

Applicant's Findings: *The proposed religious assembly use is specifically identified within Table 9.020-1 and therefore does not require interpretation as an unspecified use. However, this section is applicable because the applicant has submitted documentation demonstrating that the parking demand associated with the proposed use differs from the maximum parking allowance otherwise permitted under the code. The submitted Transportation Memorandum includes parking demand information from the Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition, Land Use Code 560 (Church), and evaluates the anticipated parking demand associated with the proposed 500-seat sanctuary. The memorandum identifies that the 85th percentile parking demand for church uses is approximately 170 spaces, substantially exceeding the 83-space maximum parking allowance otherwise permitted under Table 9.020-1. The memorandum further concludes that the proposed 150-space parking supply is reasonable and appropriate based on the operational characteristics of Cornerstone Bible Church, nationally recognized parking demand data, and the physical constraints of the site.*

- (5) Downtown Assessment District. Parking spaces are not required for uses located within the Downtown Off-Street Assessment District as established by separate ordinance. (A map of the district is located at the end of this Article as Figure 9.020-1.) However, improvement of parking areas within this District must comply with the standards of this Article.

Applicant's Findings: *This section is not applicable to the proposed development because the subject property is not located within the Downtown Off-Street Assessment District. The property is located within the LI, Light Industrial District in southeast Albany near Interstate 5. Accordingly, off-street parking is required for the proposed use.*

- (6) Site Plan Review may be required for new parking areas or expansions to existing parking areas unless specified in Section 2.430.

Applicant's Findings: *The proposal includes expansion and reconfiguration of the existing parking area together with associated circulation and pedestrian improvements. Accordingly, the proposal is subject to Site Plan Review pursuant to ADC 2.430.*

- (7) Temporary uses of less than 120 days, as defined in AMC Chapter 5.10 Transient and Itinerant Merchants and Vendors, are not required to meet the standards in this section.

Applicant's Findings: *This section is not applicable to the proposed development because the proposal is not a temporary use of less than 120 days. The application involves establishment of a permanent religious assembly use within an existing building together with associated site improvements.*

- (8) Maximum Parking. Parking provided with new development in the HD – Historic Downtown, DMU– Downtown Mixed Use, CB – Central Business, LE – Lyon Ellsworth, WF – Waterfront, and the ES – Elm Street zones must not exceed the maximum parking standards provided in Table 9.020-1. Parking provided in all other zoning districts must not exceed 30 percent above the maximum parking limits in Table 9.020-1.

- (a) Shared Parking. In the case of mixed-use and multi-tenant developments, the total maximum parking requirements for off-street parking are the sum of the requirements for the various uses for which parking is provided.
- (b) Exemptions to Maximum Parking Allowance. The following types of parking do not count toward the maximum amount of parking allowed on a site. This exemption applies only to the quantity requirements in Table 9.020-1 and not to other requirements of this Article. The City may impose conditions to ensure that parking spaces associated with these parking types are appropriately identified and used for their intended purpose.

- (i) Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures may be exempted from the calculations in this section.
- (ii) Parking for a transit facility or park and ride facility.
- (iii) Storage or display areas for vehicle sales.
- (iv) Employee carpool parking when spaces are dedicated or reserved for that use.
- (v) Fleet and company vehicle parking.
- (vi) Single-dwelling and middle housing dwelling units

Applicant's Findings: The subject property is located within the LI, Light Industrial District and is therefore subject to the maximum parking limitations applicable to zoning districts outside of the HD, DMU, CB, LE, WF, and ES zones. Based on the proposed 500-seat sanctuary, Table 9.020-1 permits a maximum parking supply of 83 spaces for the proposed religious assembly use. The submitted site plan identifies a total proposed parking supply of 150 spaces. The applicant has submitted a Transportation Memorandum prepared using Institute of Transportation Engineers (ITE) Parking Generation Manual data demonstrating that the parking demand associated with the proposed church use substantially exceeds the parking amount otherwise permitted under Table 9.020-1. The memorandum identifies an 85th percentile parking demand of approximately 170 spaces based on the proposed sanctuary seating and concludes that the proposed 150-space parking supply is reasonable and appropriate for the operational characteristics of Cornerstone Bible Church.

The proposal does not involve a mixed-use or multi-tenant development requiring shared parking calculations under subsection (a). Further, the exemptions identified under subsection (b) are generally not applicable to the proposed development because the proposal does not include structured parking, park and ride facilities, vehicle display areas, reserved employee carpool spaces, fleet vehicle parking, or residential dwelling units. The applicant instead relies upon the alternative parking standard provisions of ADC 9.020(4) and the submitted parking demand documentation demonstrating that a different parking standard is warranted for the proposed use.

9.030 – Bicycle Parking

Bicycle parking must be provided in the amounts specified in Table 9.030-1 for all new development and changes of use.

- (1) Exemptions. The Community Development Director may allow exemptions to or reductions in required bicycle spaces in connection with temporary uses or uses that are not likely to need bicycle parking, and parking for uses in existing buildings within the HD, CB, LE, DMU, and WF zoning districts.

Applicant's Findings: The proposed development is subject to the bicycle parking standards because the application involves a change of use to a religious assembly use together with associated site improvements. Pursuant to Table 9.030-1, religious assembly uses are required to provide one bicycle parking space per 40 seats. Based on the proposed 500-seat sanctuary, the development is required to provide 13 bicycle parking spaces. Bicycle parking will be provided consistent with the requirements of Article 9.

- (2) Mixed Uses and Multi-Tenant Developments. When two or more uses occupy a single structure or lot, the total required bicycle parking is the sum of the requirements of individual uses.

Applicant's Findings: The proposal does not involve a mixed-use or multi-tenant development requiring separate bicycle parking calculations for multiple uses. The primary proposed use of the site is a religious assembly use associated with Cornerstone Bible Church. Bicycle parking requirements for the site are therefore based on the proposed church use.

- (3) Climate Friendly Area Requirements. Bicycle parking and ancillary facilities for shared bicycle parking and other small-scale mobility devices shall be provided in designated climate friendly areas and key destinations identified in OAR 660-012-0360.

Applicant's Findings: This section is not applicable to the proposed development. The subject property is not located within a designated Climate Friendly Area and the proposal does not involve development identified as a key destination under OAR 660-012-0360. Accordingly, the additional bicycle parking and ancillary facility requirements of this section do not apply.

- (4) Bicycle parking spaces shall meet the following standards:
- (a) Access and lighting. All bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes to access the bicycle parking area. Bicycle parking areas shall be well lit.

Applicant's Findings: The site currently contains 7 bicycle parking spaces located near the northern entrance of the building. Those bicycle parking spaces will be relocated as part of the proposed entrance revisions and construction of the covered entrance feature. The bicycle parking area will be expanded to provide a minimum of 13 bicycle parking spaces consistent with the requirements of Article 9. The bicycle parking facilities will be located to provide direct and accessible access to the primary building entrance and public right-of-way and will be designed to comply with applicable lighting and accessibility standards. The plans submitted with this application do not include final bicycle parking location and design details. The applicant is willing to accept a condition of approval requiring submission of final bicycle

parking layout and design details demonstrating compliance with the applicable bicycle parking standards at the time of building permit review.

- (b) If bicycle parking is located within vehicle parking areas, it must be separated from vehicular maneuvering areas by curbing or other barriers to prevent damage to parked bicycles.

Applicant's Findings: *Bicycle parking areas located adjacent to vehicle parking or maneuvering areas will be designed with appropriate separation and protection measures including curbing or similar barriers intended to prevent damage to parked bicycles. Final bicycle parking layout and design details demonstrating compliance with this standard will be provided at the time of building permit review.*

- (c) Public Right-of-Way. Bicycle parking may be located in a public right-of-way, including on a public sidewalk with approval from the City Engineer.

Applicant's Findings: *This section is not applicable to the proposed development. Bicycle parking will be provided on-site and no bicycle parking is proposed within the public right-of-way.*

- (d) Sheltered. All required bicycle parking spaces for new multi-dwelling unit development, mixed-use development, offices, and institutional development shall be sheltered. For all other uses, at least 50 percent of required bicycle parking spaces must be sheltered, including 50 percent of spaces sized for larger/cargo bicycles. Spaces must be protected from precipitation by a roof overhang or a separate roof at least seven feet tall. Bicycle parking spaces within roofed buildings and bike lockers are considered sheltered spaces.

Applicant's Findings: *The proposed religious assembly use is classified as institutional development and therefore all required bicycle parking spaces will be sheltered consistent with this standard. The existing bicycle parking area is located near the northern entrance of the building where a covered entrance feature is proposed. The relocated and expanded bicycle parking facilities will be designed to provide the required sheltered bicycle parking spaces. Final bicycle parking location and design details demonstrating compliance with this standard will be provided at the time of building permit review.*

- (e) Space and Access Dimensions. Bicycle parking spaces and access dimensions must comply with the standards in Table 9.030-2, except that at least 25 percent of bicycle parking spaces must be 3 feet wide by 8 feet long, with a 5-foot-wide access aisle and on the ground to accommodate cargo bicycles, including family and cargo bicycles.

Applicant's Findings: The proposed bicycle parking facilities will be designed to comply with the dimensional and access standards of Table 9.030-2, including the requirement that a minimum of 25 percent of bicycle parking spaces accommodate larger cargo-style bicycles. Final bicycle parking layout and design details demonstrating compliance with the applicable dimensional, spacing, and access requirements will be provided at the time of building permit review.

- (f) Bicycle parking spaces must be served by access aisles conforming to the minimum dimensions set forth in Table 9.030-2. These areas must be constructed of concrete, asphalt, or a pervious hard surface such as pavers, or an equivalent. Access aisles serving bicycle parking spaces may be located in public right-of-way with approval from the City Engineer.

Applicant's Findings: Bicycle parking spaces will be served by access aisles meeting the applicable dimensional standards of Table 9.030-2. The bicycle parking area and associated access aisles will be constructed of concrete, asphalt, pavers, or similar durable hard surface materials consistent with this standard. No bicycle parking access aisles are proposed within the public right-of-way. Final bicycle parking layout and construction details demonstrating compliance with these standards will be provided at the time of building permit review.

- (g) Bicycle Racks. Each bicycle parking space must have a parking rack securely fastened to the ground except for vertical tipped spaces. Bicycle parking racks must support each bicycle at a minimum of two points, including at least one point on the frame, be of a durable and difficult to cut material such as steel or stainless steel, serve common bike styles including cargo and accessible bikes, do not restrict the length, height or width of bikes; and must allow the frame and at least one wheel to be locked with a U-type lock.

Applicant's Findings: Bicycle parking racks will be securely installed and designed to comply with the applicable bicycle rack standards of this section. The bicycle parking facilities will utilize durable rack materials and configurations capable of supporting common bicycle styles, including larger cargo-style bicycles, and allowing bicycles to be secured with standard U-type locking devices. Final bicycle rack specifications and installation details demonstrating compliance with this standard will be provided at the time of building permit review.

9.035 – Carpool/Van Spaces

- (1) When parking is provided, at least one standard-sized parking space shall be reserved for carpool/vanpool parking, or ten percent of employee-use parking spaces provided, whichever is greater.
- (2) Preferential carpool/vanpool parking spaces must be closer to the employee entrance of the building than other parking spaces, except for ADA accessible parking spaces.

- (3) Required carpool/vanpool spaces must be clearly marked “Reserved – Carpool/Vanpool Only.”
- (4) Residential development is not required to provide carpool/vanpool spaces.

Applicant’s Findings: *The proposed development will provide a minimum of one reserved carpool/vanpool parking space consistent with this section. The required space will be located closer to the employee entrance than standard employee parking spaces, except for required ADA accessible parking spaces, and will be clearly marked for reserved carpool/vanpool use. Final striping and signage details demonstrating compliance with this section will be provided at the time of building permit review.*

9.040 – Accessible Spaces

Spaces compliant with the Americans with Disabilities Act (ADA) must be provided in accordance with ORS 477.233 when off-street parking is provided. Developments located outside of the HD, DMU, CB, and LE zones that do not provide on-site parking must provide a minimum of one ADA compliant parking space unless the Community Development Director determines that the space is not necessary or feasible. The required ADA parking space may be located on-street (within the public right of way) with the approval of the City Engineer.

Applicant’s Findings: *The proposed development includes off-street parking and will provide ADA-compliant parking spaces in accordance with applicable ADA and Oregon requirements. The submitted site plan identifies existing and proposed accessible parking spaces within the parking area. Accessible parking spaces, access aisles, signage, slopes, and accessible routes to the building entrance will be designed and constructed consistent with applicable accessibility standards at the time of building permit review and construction. No on-street ADA parking spaces are proposed or required for the development.*

9.050 – Electric Vehicle Charging Capacity

Pursuant to ORS 455.417, electrical service capacity sufficient for a level 2 electric vehicle charging station must be provided for no less than 20 percent of all new vehicle parking spaces for non-residential developments and no less than 40 percent of all vehicle parking spaces serving newly constructed residential buildings with five or more multi-dwelling units, and newly constructed privately owned mixed-use buildings with five or more residential dwelling units.

- (1) This standard does not apply to middle housing townhouses.
- (2) Electric vehicle charging capacity must be provided for 40 percent of ADA spaces in residential and mixed-use developments with five or more units, and 25 percent of ADA and Carpool/Vanpool spaces in non-residential developments.

- (3) When charging facilities are provided for accessible spaces, charging facilities must be located so there is a clear and accessible path from the vehicle to the sidewalk and shall be accessible in height.

Applicant's Findings: *The proposed development is a non-residential development and will comply with the applicable electric vehicle charging capacity requirements of this section. The submitted site plan identifies 52 new parking spaces associated with the proposed parking area expansion. Pursuant to this section, electrical service capacity sufficient for Level 2 electric vehicle charging stations must therefore be provided for a minimum of 11 new vehicle parking spaces.*

The site plan also includes a total of 6 ADA accessible parking spaces together with 1 required reserved carpool/vanpool parking space. Pursuant to this section, a minimum of 2 ADA and/or carpool/vanpool parking spaces must include electric vehicle charging capacity. The applicant understands that this standard requires electrical service capacity and associated infrastructure necessary to accommodate future Level 2 charging stations, including conduit and related electrical provisions, but does not require installation of active charging pedestals or charging equipment at this time. Charging pedestals and associated equipment may be installed voluntarily by the applicant in the future or as part of future site improvements. Final electrical and site plans demonstrating compliance with applicable electric vehicle charging capacity and accessibility requirements will be provided at the time of building permit review.

9.060 – Loading Standards

Loading spaces for all uses except office and residential uses shall be off the street and shall meet the following requirements:

- (1) Vehicles in the berth shall not protrude into a public right-of-way or sidewalk. Loading berths shall be located so that vehicles are not required to back or maneuver in a public street.
- (2) A school having a capacity greater than 25 students shall have a driveway designed for the continuous forward flow of passenger vehicles for the purpose of loading and unloading children.
- (3) The minimum required loading area is as follows:
 - (a) 250 square feet for buildings of 10,000 to 20,000 square feet of gross floor area.
 - (b) 500 square feet for buildings of 20,000 to 50,000 square feet of gross floor area.
 - (c) 750 square feet for buildings greater than 50,000 square feet of gross floor area.
- (4) The required loading area shall not be less than 10 feet wide by 25 feet long and shall have an unobstructed height of 14 feet.
- (5) Required loading facilities shall be installed prior to final building inspection and shall be permanently maintained as a condition of use.

- (6) Loading areas shall be subject to the same provisions as parking areas relative to plan information, setbacks, buffering/screening requirements, and lighting.

Applicant's Findings: The proposed development consists of adaptive reuse of an existing approximately 39,250-square-foot building for a religious assembly use. Pursuant to this section, the site is required to provide a minimum loading area of 500 square feet. Existing loading and service areas associated with the historic industrial and warehouse use of the property are located on the south side of the building and will remain intact as part of the proposed development. The proposal does not alter or remove the existing loading facilities.

No school use is proposed, and the provisions related to school passenger loading are not applicable. Existing loading activities occur entirely on-site and do not require vehicles to protrude into the public right-of-way or maneuver within adjacent public streets. Existing loading areas will continue to comply with the applicable operational requirements of this section.

9.065 – Responsibility/Prerequisite

Provision for and maintenance of off-street parking and loading spaces is the responsibility of the property owner. Plans showing property that is and will be available for exclusive use as off-street parking and loading must be presented before the city will issue building permits or approve land use applications.

Applicant's Findings: The subject property owner and applicant acknowledge that provision and maintenance of required off-street parking and loading areas are the responsibility of the property owner. The submitted site plan identifies the parking, loading, circulation, and associated site improvement areas that will remain available for exclusive use by the proposed development. Existing loading facilities located on the south side of the building will remain in place, and the proposed parking areas will continue to serve the site consistent with the approved use. The submitted application materials provide sufficient information for the city to evaluate compliance with the applicable parking and loading requirements.

9.070 – Maintenance

Parking lots must be maintained by the property owner or tenant in a condition free of litter and dust, and deteriorating conditions must be improved to comply with the standards of this Article.

Applicant's Findings: The property owner and applicant acknowledge the ongoing responsibility to maintain the parking areas and associated site improvements in a safe and orderly condition consistent with this section. Existing and proposed parking areas will be maintained free of litter, dust, and deteriorating conditions as part of the continued operation of the site.

9.080 – Parking Plan

A parking plan, drawn to scale, must accompany land use applications. Depending on the nature and magnitude of the development, it may be possible to show the needed parking information on the site plan (see Section 9.120 and 9.130). The plan must show the following elements, which are necessary to indicate that the requirements of this Code are being met.

- (1) Delineation of individual parking spaces, including accessible parking spaces.
- (2) Loading areas and docks.
- (3) Circulation area necessary to serve spaces.
- (4) Location and dimensions of bicycle and motorcycle parking areas.
- (5) Access to streets, alleys, and properties to be served.
- (6) Curb cuts.
- (7) Type of landscaping, fencing or other screening materials.
- (8) Abutting land uses.
- (9) Grading, drainage, post-construction stormwater quality facilities, surfacing, and subgrading details.
- (10) Location of lighting fixtures.
- (11) Delineation of all structures and obstacles to circulation on the site.
- (12) Specifications and location of signs and bumper guards, when applicable.
- (13) Location and dimensions of planter bays when required.
- (14) Proposed number of employees and the number of employee and carpool/vanpool spaces.
- (15) Proposed number and location of parking spaces being provided electric vehicle charging capacity and chargers when provided.
- (16) When solar panels are proposed to comply with the large parking area standards in Section 9.130(a), provide solar panel specifications including the maximum kilowatt production rating and proposed locations.
- (17) When public buildings as defined by ORS 270c.527 are proposed to comply with the large parking area standards in Section 9.130(b), compliance with OAR 330-135-0010 is required.
- (18) When tree canopy is proposed to comply with the large parking area standards in Section 9.130(2)(c), provide a Parking Lot Canopy Plan showing the crown diameter at 15 years after planting (or 20 years old) and a canopy calculation table. Trees shall be drawn to scale to represent the canopy size at 20 years as listed in the city's Parking Lot Tree List.

Applicant's Findings: A site plan and supporting materials have been submitted with this application identifying the existing and proposed parking layout, circulation areas, loading areas, access locations, landscaping, stormwater quality facilities, and associated site improvements necessary for the city to evaluate compliance with the applicable parking and site

development standards. The submitted plans identify parking space counts, accessible parking spaces, circulation patterns, loading areas, curb cuts, landscaping areas, grading and drainage improvements, and other site features associated with the proposed development.

The proposal includes expansion and reconfiguration of the parking area together with associated landscaping and post-construction stormwater quality treatment improvements. Existing loading facilities located on the south side of the building will remain intact. Bicycle parking facilities will be relocated and expanded to provide the required bicycle parking spaces consistent with Article 9. Certain final design details, including bicycle parking specifications, electric vehicle charging infrastructure details, parking signage, lighting details, and related striping information, may continue to be refined during building permit review. The applicant is willing to accept reasonable conditions of approval requiring final plan details demonstrating compliance with applicable development standards prior to issuance of building permits.

9.100 – Parking Area Improvement Standards

All public or private parking areas, loading areas and outdoor vehicle sales areas must be improved based on the following standards:

- (1) General. All parking spaces must be improved in accordance with these standards and available for use at the time of project completion.

Applicant's Findings: Existing and proposed parking areas associated with the development will be improved and maintained consistent with the applicable parking area improvement standards of this article. The proposal includes expansion and reconfiguration of portions of the existing parking area together with associated landscaping, circulation, striping, and stormwater quality improvements. All proposed parking spaces and associated site improvements will be completed and available for use prior to final project completion consistent with applicable city requirements and approved construction plans.

- (2) Other Requirements. All parking areas shall conform to the setback, clear vision, landscaping, and buffering/screening provisions of this Code.

Applicant's Findings: Existing and proposed parking areas associated with the development have been designed to comply with the applicable setback, clear vision, landscaping, and buffering and screening requirements of the Albany Development Code. As discussed previously within this narrative, the revised parking areas along the Fescue Street frontage will be setback approximately 15 feet 8 inches near the northeast portion of the site and approximately 16 feet 2 inches further south along the frontage, exceeding the required 15-foot front setback. Along the northern property line, the parking area is setback approximately 15 feet 7 inches and along the western property line the vehicle use area is setback approximately 31 feet 6 inches. Along the southern property line, the existing parking and vehicle use area is setback approximately 4

feet 9 inches from the property line. This is an existing condition, and no reduction or expansion of this existing setback condition is proposed.

The proposal also includes associated landscaping improvements, planter areas, circulation improvements, and stormwater quality facilities intended to support compliance with applicable site development standards. Applicable landscaping, buffering, screening, and clear vision requirements are addressed further within this narrative.

- (3) Surfacing. All required parking, including travel aisles and access, shall have a durable, dust-free surface of asphalt, cement concrete, or other materials approved by the Director. Parking lot surfacing shall not encroach upon the public right-of-way except when it abuts a concrete public sidewalk or has been otherwise approved by the Director of Public Works. Pervious pavements, such as pervious asphalt or pervious concrete, may be allowed by the Director of Public Works.

Applicant's Findings: *Existing and proposed parking areas, access drives, and circulation aisles associated with the development will consist of durable, dust-free surfacing materials including asphalt, concrete, or other approved paving materials consistent with this standard. The proposal includes expansion and reconfiguration of portions of the existing parking area together with associated paving, striping, landscaping, and stormwater quality improvements. No parking lot surfacing is proposed to encroach into the public right-of-way except as may be otherwise approved through the city's public works and construction permitting processes. Final paving, grading, drainage, and surfacing details will be reviewed during civil engineering and building permit review.*

- (4) Drainage. All parking lots must provide a drainage system to dispose of the runoff generated by the impervious surface. Post-construction stormwater quality facilities are required per Title 12 of the Albany Municipal Code when applicable. Provisions shall be made for the on-site collection of drainage water to eliminate sheet flow of such water onto sidewalks, public rights-of-way, and abutting private property. All drainage systems must be approved by the Director of Public Works.

Applicant's Findings: *The proposal includes parking lot expansion and associated site improvements that will incorporate drainage and stormwater quality facilities designed to accommodate runoff generated by the impervious surfaces associated with the development. The submitted plans include post-construction stormwater quality treatment facilities and associated drainage improvements intended to comply with applicable city engineering and public works requirements. Drainage facilities will be designed to prevent uncontrolled sheet flow onto adjacent sidewalks, public rights-of-way, and neighboring properties. Final stormwater management, grading, and drainage plans will be reviewed and approved through the city's engineering and construction permitting processes.*

- (5) Perimeter Curb. Perimeter curbing is required for protection of landscaped areas and pedestrian walkways, and to prevent runoff onto adjacent properties. All parking areas over 1,000 square feet (contiguous) for residential dwellings, parking areas of any size for all other uses, or approved overflow parking areas shall provide a curb at least 6 inches high along the perimeter of all parking areas. Exceptions may be allowed for connections to approved vegetated post-construction stormwater quality facilities.

Applicant's Findings: Proposed parking area improvements associated with the development will include perimeter curbing consistent with this standard. The proposal includes parking lot expansion together with associated landscaping and stormwater quality improvements intended to protect landscaped areas, define circulation areas, and prevent runoff onto adjacent properties. Existing parking areas already contain perimeter curbing and are not proposed to be substantially modified as part of the development. To the extent applicable, exceptions associated with approved vegetated post-construction stormwater quality facilities may be utilized where necessary to facilitate drainage and water quality treatment functions. Final curb, drainage, and stormwater facility details will be reviewed through the city's engineering and construction permitting processes.

- (6) Wheel Bumper. In parking areas over 1,000 square feet (contiguous) for residential dwellings, or parking areas of any size for all other uses, all parking stalls fronting a sidewalk, alleyway, street or property line shall provide a secured wheel bumper at least six inches high and at least six feet long, set back from the front of the stall at least 2-1/2 feet, but no more than three feet. If the sidewalk is widened to seven feet six inches to allow for vehicle encroachment, no wheel bumpers are required.

Applicant's Findings: Parking stalls fronting sidewalks, property lines, or other applicable areas will include wheel bumpers where required by this section unless otherwise exempted through widened sidewalk design or other approved site improvements. Final parking layout, wheel bumper placement, and associated dimensional details demonstrating compliance with this standard will be provided through the building permit and civil engineering review process.

- (7) Turnaround. For parking areas that meet one of the thresholds in subsections (a) or (b), parking spaces must be located and served by an aisle or turnaround so that their use will require no backing movements or other maneuvering in a street right-of-way other than an alley.

- (a) Residential dwellings: Parking areas over 1,000 square feet (contiguous).
Driveways that could provide additional tandem parking spaces are not included in this calculation.
- (b) All other development: Two or more parking spaces.

Applicant's Findings: The proposed parking areas and circulation aisles have been designed to allow vehicles to maneuver on-site and exit the development in a forward motion without

requiring backing movements into the public right-of-way. Where parking areas terminate internally, the associated drive aisles and turnaround areas are designed with sufficient width and maneuvering area to allow vehicles to safely turn around on-site. Vehicles utilizing the parking areas will not be required to back into Fescue Street SE or other public streets in order to exit the site.

- (8) Striping. Lots containing more than two parking spaces must have all required spaces permanently and clearly striped. Stripes must be at least four inches wide. When motorcycle parking, compact, or handicapped parking spaces are provided, they shall be designated within the stall.

Applicant's Findings: *Parking areas containing more than two parking spaces will be permanently striped consistent with this section. Required parking spaces, including accessible parking spaces and any reserved parking spaces, will be appropriately identified within the parking area. The preliminary site plans demonstrate compliance with the applicable parking layout standards, and a final striping and signage plan will be provided during the civil engineering and construction permitting process.*

- (9) Connecting to Adjacent Parking Areas. Where an existing or proposed parking area is adjacent to a developed or undeveloped site within the same zoning district, any modifications to the parking areas must be designed to connect to the existing or future adjacent parking area. This requirement may be waived by the Director when it is deemed impractical or inappropriate due to the nature of the adjoining uses.

Applicant's Findings: *The applicant requests that the director waive this requirement because extension of parking lot connections to adjacent properties would be impractical and inappropriate in this instance. The subject property and surrounding properties are already developed with existing site layouts, circulation patterns, buildings, and parking configurations that were not designed to function as interconnected parking areas. The proposal consists primarily of expansion and reconfiguration of on-site parking areas serving the existing building and does not alter the established access configuration connecting the site to the public street system.*

The surrounding industrial properties operate independently, and there is no identified circulation need or practical opportunity for interconnection of parking areas through the proposed improvements. Requiring cross-access connections would introduce unnecessary circulation conflicts and could interfere with the established operational patterns of the surrounding industrial developments. The proposed parking improvements are therefore appropriately designed to function independently while continuing to utilize the existing access points serving the site.

- (10) Parking Lot Landscaping. Parking lots over 1,000 square feet (contiguous) shall be landscaped according to the standards in Section 9.150.

Applicant's Findings: The proposed parking lot expansion area is approximately 21,525 square feet and is therefore subject to the parking lot landscaping requirements of ADC 9.150 as well as the large parking area standards of ADC 9.130. The purpose of parking lot landscaping standards is to provide shade, reduce stormwater runoff, and direct traffic circulation through incorporation of landscaped planter areas and related site improvements.

The submitted site plans include landscaped planter bays, perimeter landscaping, and vegetated post-construction stormwater quality facilities integrated throughout the parking lot expansion area. Parking areas are divided by landscaped planter bays intended to break up larger paved surfaces, provide canopy tree coverage, direct circulation, and improve the overall appearance and functionality of the site. Required planter bays will include canopy trees and associated groundcover landscaping consistent with the requirements of ADC 9.150. Landscaping is also proposed adjacent to parking lot entrances and along parking lot edges to define circulation areas and provide visual buffering. The proposal further incorporates vegetated post-construction stormwater quality facilities as part of the site's drainage and stormwater management strategy consistent with this section.

The submitted plans demonstrate that the proposed parking lot landscaping has been integrated into the overall site design together with associated circulation, drainage, and stormwater improvements. Final landscape species, planting details, and related construction specifications will be reviewed during the civil engineering and construction permitting process to ensure compliance with the applicable landscaping standards.

- (11) Compact Car Parking. No more than 40 percent of parking spaces provided may be designated for compact cars. Compact spaces must be signed and/or the space painted with the words "Compact Car Only."

Applicant's Findings: The submitted site plan identifies 12 compact parking spaces within the existing parking supply. Based on the total proposed parking supply of 150 spaces, the maximum number of compact parking spaces permitted under this section is 60 spaces. The proposed development therefore complies with the maximum compact parking limitation. Compact parking spaces will be appropriately identified through striping and/or signage consistent with this section.

- (12) Accessible Parking. All parking areas must provide accessible parking spaces in conformance with the Oregon Structural Specialty Code.

Applicant's Findings: The proposed development includes accessible parking spaces designed to comply with the applicable requirements of the Oregon Structural Specialty Code. The submitted site plan identifies existing and proposed ADA-accessible parking spaces within the parking

area. Final accessible parking dimensions, access aisles, slopes, signage, striping, and accessible route details will be reviewed during building permit review to ensure compliance with applicable accessibility requirements.

- (13) Lighting. Any lights provided to illuminate any public or private parking area or vehicle sales area must be arranged to reflect the light away from any abutting or adjacent properties. Any light source or lamp that emits more than 900 lumens (15-watt fluorescent / LED or 60-watt incandescent) shall be concealed or shielded with an Illumination Engineering Society of North America (IESNA) full cutoff style fixture with an angle not exceeding 90 degrees to minimize the potential for glare and unnecessary diffusion on adjacent property. Examples of shielded light fixtures are shown in figure 9.100-1.

Applicant's Findings: Existing and proposed parking area lighting associated with the development will be designed and maintained to direct illumination away from adjacent properties and minimize glare impacts. Any new lighting fixtures associated with the parking lot expansion or site improvements that exceed the applicable lumen threshold will utilize shielded full cutoff style fixtures consistent with this standard. Final lighting specifications and photometric details demonstrating compliance with applicable lighting requirements will be provided during the construction permitting process.

- (14) Pedestrian Access. Walkways and accessways shall be provided in all new off-street parking lots and additions to connect sidewalks adjacent to new development to the entrances of new buildings. All new public walkways and handicapped accessible parking spaces must meet the minimum requirements of the Oregon Structural Specialty Code.

Applicant's Findings: The proposal includes pedestrian walkways and access improvements intended to provide safe and direct pedestrian connections between the parking areas, adjacent sidewalks, and building entrances. The proposed parking lot expansion and entrance improvements include associated pedestrian circulation elements designed to improve access to the building and organize movement throughout the site. All new pedestrian walkways and accessible parking facilities will be designed to comply with the applicable requirements of the Oregon Structural Specialty Code and other applicable accessibility standards. Final pedestrian access, walkway, and accessibility details will be reviewed during the construction permitting process.

9.120 – Off-Street Parking Lot Design and Circulation

The standards of this section are intended to ensure that onsite vehicle circulation is clearly identifiable, safe, and pedestrian-friendly.

- (1) Applicability. All off-street parking lots over 1,000 square feet (contiguous) must be designed in accordance with the standards in this Article and the City standards for

parking stalls and drive aisles as set forth in Table 9.120-1: Parking Lot Design, and supplemental drawings in Figures 1 and 2. Parking lots larger than 10,890 square feet (0.25 acres) must also comply with standards in ADC 9.130.

Applicant's Findings: *The proposed parking lot expansion area is approximately 21,525 square feet and is therefore subject to the off-street parking lot design and circulation standards of this section as well as the large parking area standards of ADC 9.130. The proposed parking lot improvements have been designed to provide clear and organized vehicle circulation, safe maneuvering areas, pedestrian access connections, landscaped planter areas, and associated stormwater quality improvements integrated throughout the site. The submitted site plans demonstrate compliance with the applicable parking stall, drive aisle, and circulation standards governing the development. Parking areas and internal circulation aisles are arranged to allow vehicles to safely maneuver on-site and exit the property in a forward motion without backing movements into the public right-of-way. The proposal also incorporates pedestrian walkways, landscaping improvements, and circulation features intended to improve safety and overall site functionality. Final striping, signage, and construction details will be reviewed during the civil engineering and construction permitting process to ensure compliance with applicable parking lot design standards.*

- (2) Driveways and Drive Aisles. As used in this Article, driveways are major travel routes through a site that provide access to and from surrounding streets and connections through the site to buildings and parking lot drive aisles. Drive aisles primarily provide vehicular access to bordering parking spaces. See Figure 9.120-1.

Applicant's Findings: *The submitted site plans identify the existing and proposed driveway and drive aisle system serving the development. Existing driveways provide access between the site and adjoining public streets while internal drive aisles provide circulation and access to parking spaces throughout the site. The proposal maintains the existing site access configuration and incorporates internal drive aisles designed to safely accommodate vehicle circulation associated with the proposed parking lot expansion and reconfiguration. The parking layout and circulation system are organized to provide clear internal circulation patterns and efficient access to parking areas and building entrances.*

- (3) Internal Circulation System. Interior driveways must meet the standards below unless the driveway is lined with angled or perpendicular parking stalls. Developments must provide street-like design and features along driveways including curbs, pedestrian facilities, and buildings built up to pedestrian facilities, including the following:
- (a) Driveways must continue the adjacent public street pattern wherever possible.
 - (b) Driveways must have raised curbs and a pedestrian facility with a minimum 5-foot-wide walkway on at least one side the entire length of the driveway, which is unobstructed by obstacles that would impede pedestrians, including

- overhanging cars. Wider walkways may be required per ADC Sections 9.130(5) and (6).
- (c) Trees must be provided along driveways in accordance with Section 9.130 (3) and (4). Driveways must have a minimum 6-foot-wide landscape strip on at least one side of the driveway. For the purposes of this standard, the portions of the linear length driveways that provide direct access to parking stalls are exempt from this standard but must meet other landscape island and tree planting requirements of the Development Code.
 - (d) Traffic calming must be provided through at least one of the following techniques:
 - (i) Installing speed bumps or speed humps at a minimum interval of one every 300 feet of driveway. A minimum of one speed hump or speed bump must be provided if the driveway is less than 300 feet long.
 - (ii) Providing parallel parking on at least one side for at least 50 percent of the length of the driveways.
 - (iii) Planting trees on both sides along the full length of the driveway in accordance with the standards in ADC 9.240(1) to visually narrow the driveway.
 - (e) Walkways at intersections with drive aisles and other driveways must be demarcated by a raised surface that slows vehicular travel, or by different surface materials and textures such as contrasting paving materials (such as pavers, light-color concrete inlay between asphalt, or similar contrasting material) and/or reflective striping that emphasizes the crossing under low light and inclement weather conditions. Crossings demarcated only by painted striping are not permitted.
 - (f) Driveways must not be located between the building(s) and the sidewalk(s), except as provided in (i) or (ii) below:
 - (i) Where drive-through windows are permitted, sites are constrained by natural resources or are infill sites less than one acre.
 - (ii) Where drop-off facilities are provided that have been designed to meet the requirements of the Americans with Disabilities Act but that still provide for direct pedestrian circulation.
 - (g) Buildings must be located along a pedestrian facility in the public right-of-way. Where a building cannot be located along a public right-of-way, it must be built up to a pedestrian facility along an on-site driveway.

Applicant's Findings: *The proposed parking lot and circulation improvements have been designed to provide safe and identifiable internal circulation patterns together with pedestrian access improvements serving the site. The proposal primarily consists of expansion and reconfiguration of parking areas and internal circulation aisles associated with an existing*

developed site and does not establish a new internal private street network comparable to a traditional public street pattern. Existing driveways providing access to the site from adjoining public streets will remain in place and continue to serve the development.

The proposed circulation system incorporates raised curbing, pedestrian walkways, landscaped planter areas, and associated site improvements intended to organize vehicular and pedestrian movement throughout the site. Sidewalk and pedestrian access improvements are provided connecting parking areas to building entrances and associated site features. Landscaping and canopy trees are incorporated throughout the parking lot expansion area consistent with the applicable landscaping and large parking area standards. The proposal also includes vegetated stormwater quality facilities integrated into landscaped areas adjacent to parking and circulation facilities.

The parking and circulation layout has been designed to safely accommodate internal vehicle maneuvering while minimizing conflicts between pedestrians and vehicles. Internal circulation areas are organized to allow vehicles to safely maneuver on-site and exit the development in a forward motion without backing into the public right-of-way. To the extent applicable, pedestrian crossing areas, landscaping improvements, and circulation features will be refined during final engineering and construction permitting review to ensure compliance with applicable city standards.

Several standards within this section are intended primarily for large-scale commercial or mixed-use developments containing new internal street-like driveway systems and buildings oriented along newly created internal driveways. The subject property is an existing developed industrial site containing an existing building and established circulation pattern. The proposal does not involve construction of new buildings along newly created internal driveways or redevelopment of the site into a street-oriented mixed-use development pattern. The applicant therefore requests reasonable flexibility in application of these standards where strict application would be impractical or inconsistent with the existing site configuration and nature of the proposed adaptive reuse development.

- (4) Minimum Driveway and Drive Aisle Widths. Driveways for two-way traffic and emergency vehicle operations must be at least 24 feet wide. One-way driveways and one-way emergency vehicle access must be at least 20 feet wide. Drive aisle dimensions must comply with the standards in Table 9.120- 1.

Applicant's Findings: *The submitted site plans demonstrate that existing and proposed driveways and drive aisles comply with the applicable minimum dimensional standards governing the site. Drive aisles and circulation areas associated with the development are designed to accommodate two-way passenger vehicle circulation together with emergency vehicle access throughout the site. Existing and proposed circulation areas meet or exceed the required minimum widths, with certain drive aisles measuring up to approximately 26 feet in*

width. The parking lot and circulation layout have been designed to safely accommodate vehicle maneuvering, emergency access, and internal circulation associated with the proposed development.

- (5) Parking Lot Design. Parking stall and aisle dimensions must comply with Table 9.120-1. Stall dimensions are measured from inside the stripes. The design of driveways and on-site maneuvering and loading areas for commercial and industrial developments must include 20 feet of storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public street or causing unsafe conflicts with on-site circulation. See Figures 9.120-1 and 9.120-2.

Applicant's Findings: The submitted site plans demonstrate that the proposed parking stall dimensions, drive aisles, maneuvering areas, and circulation layout comply with the applicable parking lot design standards governing the site. Parking stall and drive aisle configurations have been designed consistent with the dimensional requirements of Table 9.120-1 and provide adequate maneuvering space for passenger vehicles and emergency access throughout the development. The proposed parking and circulation layout also includes adequate storage and maneuvering space at driveway entrances and internal circulation areas to allow vehicles to safely enter, circulate within, and exit the site without backing movements into the public right-of-way or creating unsafe conflicts with internal site circulation. The proposed design supports orderly vehicle movement throughout the development while maintaining safe access to parking areas, loading areas, and building entrances.

- (6) Compact spaces must be at least 8 feet wide by 16 feet long.

Applicant's Findings: No new compact parking spaces are proposed as part of the parking lot expansion. Existing compact parking spaces currently located on-site will remain. The submitted parking plan demonstrates that the total number of compact parking spaces remains below the maximum amount permitted by this article.

- (7) Accessible spaces must be a minimum of 9 feet wide and 17 feet long and designed in accordance with the Oregon Structural Specialty Code (OSSC). An adjacent access aisle must be provided that is at least eight feet wide and 17 feet long for a van-accessible space, and six feet wide for a standard accessible space.

Applicant's Findings: The submitted site plan identifies existing and proposed accessible parking spaces within the parking area. Accessible parking spaces and associated access aisles will be designed to comply with the minimum dimensional standards of this section together with the applicable requirements of the Oregon Structural Specialty Code. Final accessible parking dimensions, access aisle widths, striping, signage, slopes, and accessibility details will be reviewed during the civil engineering and construction permitting process.

- (8) Stall Width. Long-term parking spaces must be at least 8.5 feet wide. Parking stalls for grocery stores or adjacent to planter islands must be at least 9.5 feet wide. Stall dimensions are measured from inside the stripes.

Applicant's Findings: The submitted site plan identifies standard parking stalls within the proposed parking lot expansion area that are dimensioned at 8.5 feet wide by 16.5 feet long. The proposed stall width complies with the minimum 8.5-foot width required for long-term parking spaces. The proposed development is not a grocery store use. Final parking stall dimensions, striping, and layout details will be verified during the civil engineering and construction permitting process.

9.130 – Surface Parking Areas

The purpose of these standards is to ensure safe and accessible pedestrian routes within large parking lots by incorporating walkways and landscaping into parking lot design in a manner that is both attractive and easy to maintain, that minimizes the visual impact of surface parking, and that improves environmental and climate impacts (Figure 9.130-1).

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

Applicant's Findings: The proposed parking lot expansion area is approximately 21,525 square feet and therefore exceeds the applicability thresholds established in this section. Accordingly, the proposed development is subject to the surface parking area standards of ADC 9.130 in addition to the other applicable parking, landscaping, circulation, pedestrian access, and stormwater management requirements of Article 9. The proposal includes expansion and reconfiguration of the existing parking area together with associated landscaped planter bays, pedestrian circulation improvements, canopy trees, perimeter landscaping, stormwater quality treatment facilities, curbing, striping, and related site improvements integrated throughout the parking area. The submitted site plans demonstrate that the parking lot expansion has been designed to incorporate landscaping, pedestrian access, circulation improvements, and environmental design features intended to minimize the visual impact of large, paved areas while improving site functionality and stormwater management.

- (2) Comply with one of the following standards in (a) through (c) below.

- (a) Solar Panels. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new parking space on the property. Panels may be located anywhere on the property.
- (b) Public Buildings. Construction, reconstruction, or major renovation of a public building, as defined by ORS 270c.527 that complies with Oregon Administrative Rule 330-135-0010.
- (c) Tree Canopy. Trees must be planted and maintained throughout new or improved parking areas to ensure that at least 40 percent of all parking surface areas will be covered within fifteen years after planting (or 20 years old). Tree canopy must be calculated from a plan view of the tree planting plan and expected crown diameter at fifteen years from planting or 20 years old. Existing mature trees that are preserved may be included in the canopy calculation using the current canopy size. An area under the canopy that is either paved surface or parking lot landscaping (interior or perimeter) is subject to canopy calculations unless specifically exempt per below. Canopy that covers structures may not be included in the calculation, however canopy that covers unenclosed carports over parking spaces may be included. The full canopy area based on the 20-year crown diameter may be counted for tree coverage where there is an overlap of 5 feet or less (measurement to be the length of a line segment within the overlap area of a line between tree trunk/canopy centers).

The following surfaced areas are exempt from canopy requirements or are permitted reductions to the canopy requirements:

- (i) Truck loading area in front of overhead doors.
 - (ii) Truck maneuvering, storage, and parking areas unconnected to and exclusive of any vehicle parking.
 - (iii) Tree canopy or solar panel requirements may be reduced by 50 percent for surface lots provided at automobile dealerships for display/sales/service/vehicle storage areas and provided employee and visitor parking.
- (d) Combination. A combination of options (a) or (c) in this section.

Applicant's Findings: *The applicant elects to comply with the tree canopy option identified in subsection (c). The proposed parking lot expansion area includes landscaped planter bays, perimeter landscaping, and canopy tree plantings intended to achieve the required tree canopy coverage over the parking surface areas within the timeframe established by this section. Landscape plans demonstrating compliance with the applicable canopy coverage requirements will be provided as part of the final engineering and construction permitting process.*

The proposal does not include installation of solar panels or construction of a public building subject to subsection (b). Existing parking areas on the site were lawfully constructed prior to adoption of these standards and already contain substantial mature landscaping and canopy coverage. The proposal does not involve reconstruction of the existing parking areas or complete replacement of existing pavement, curbs, and planter bays associated with those previously developed portions of the site. Accordingly, modifications are focused primarily within the new parking lot expansion area and associated site improvements proposed as part of this application.

- (3) Trees must be provided along all driveways but are not required along drive aisles. (See Figures 9.120- 1 and 9.120-2.) Trees must be at least 10 feet tall at the time of planting. The tree spacing and species planted must be designed to maintain a continuous canopy, except when interrupted by driveways, drive aisles and other site design considerations. A continuous canopy has no less than three trees and breaks of no more than 3 feet, excluding permitted interruptions.

Applicant's Findings: *The proposed parking lot expansion includes landscaping and canopy tree plantings along applicable driveway areas consistent with this section. Trees will be planted to the greatest extent practicable while accommodating the proposed parking layout, internal circulation, visibility requirements, and stormwater management facilities integrated throughout the site. The proposed stormwater quality facility is located along a portion of the driveway corridor and influences the exact placement and spacing of canopy trees within that area. The submitted landscape concept demonstrates the intent to establish a continuous canopy pattern along driveway areas through installation of canopy trees meeting the applicable minimum planting size requirements. Final landscape plans, tree species selections, spacing details, and canopy calculations demonstrating compliance with the applicable tree canopy standards will be provided during the civil engineering and construction permitting process.*

- (4) Development of a tree canopy plan under this section must be done in coordination with the local electric utility and other utility providers, including pre-design, design, building and maintenance phases and meet the following standards.
 - (a) The tree spacing and species planted must be designed to achieve the minimum tree canopy of 40 percent using the expected diameter of the tree crown at 15 years from planting (or 20 years old). Trees must be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species.
 - (b) Trees should be planted in continuous trenches with a minimum soil depth of 3 feet and width of 5 feet where possible.

- (c) The minimum standards for planting and tree care must be no lower than the 2021 American National Standards Institute (ANSI) A300 standards.
- (d) The property owner is responsible for maintaining all required vegetation. Compliance with these standards will be enforced through the City's code enforcement process.

Applicant's Findings: *Development of the required tree canopy plan will occur in coordination with the applicable utility providers serving the site, including Pacific Power and other affected utility providers as necessary. Because the proposal consists of expansion of an existing developed site, the general location of existing overhead and underground utility infrastructure serving the property is already known, allowing tree placement and species selection to be coordinated with existing utility conditions early in the design process. Coordination with utility providers during final engineering, landscape design, construction, and maintenance phases will remain a priority to ensure long-term tree health and minimize conflicts with utility infrastructure. The proposed landscape improvements and tree canopy plan will be designed to achieve the minimum required canopy coverage utilizing canopy tree species appropriate for the site conditions and utility constraints. Trees will be planted and maintained in a manner intended to support long-term survival, root health, and canopy establishment, including provision of appropriate soil volume, irrigation, and planting conditions where feasible. To the extent practicable, trees will be installed within continuous planting areas and landscape trenches integrated throughout the parking lot expansion area. Final landscape and tree canopy plans will be prepared consistent with applicable ANSI planting and tree care standards and will include canopy calculations, species selections, planting details, and maintenance provisions demonstrating compliance with this section. The property owner acknowledges responsibility for ongoing maintenance of the required landscaping and tree canopy improvements.*

- (5) Walkways. For the safety of pedestrians, parking lots and development sites must be designed to separate pedestrians from vehicles and include protected pedestrian walkways that provide a direct and convenient route from parking areas to building entrances, existing or planned pedestrian facilities in the adjacent public rights-of-way, accessible parking spaces, and transit stops.
 - (a) Walkways must be hard surfaced and at least five feet in unobstructed width or eight feet if abutting parking stalls with wheel stops or curbs that enable cars to encroach into the walkway.
 - (b) Walkways must be protected by landscaping, curbs, or wheel stops.
 - (c) When a walkway crosses a vehicle aisle, driveway, or loading area, it must be clearly demarcated by materials, textures or elevation different from the parking and driving areas per ADC Section 9.120(3)(e).
 - (d) Walkways may not share a vehicle aisle or driveway.

- (e) Walkways longer than 100 feet must incorporate a mix of shade, landscaping, benches, and dropoff bays for at least 50 percent of the length of the walkway.
- (f) At least one connection must be made to each adjacent street and sidewalk for every 200 linear feet of street frontage or fraction thereof.
- (g) A direct and accessible walkway must be provided between the street and a customer entrance that complies with the following standards.
 - i. The walkway must be at least seven feet wide and must meet standards for an accessible path of travel in accordance with the Americans with Disabilities Act (ADA).
 - ii. The walkway must be direct and convenient as defined in ADC Section 9.133(2).
 - iii. For sites with frontage on a street with transit service a pedestrian connection must be made to the street with transit, and to the transit stop when present.

Applicant's Findings: *The proposed parking lot expansion and associated site improvements incorporate pedestrian walkways and circulation features intended to improve pedestrian safety and provide direct connections between parking areas, building entrances, accessible parking spaces, and adjacent public rights-of-way. The proposal includes hard-surfaced pedestrian walkways separated from vehicle circulation areas through curbing, landscaping, wheel stops, and related site design features intended to minimize conflicts between vehicles and pedestrians. Where pedestrian walkways cross drive aisles or circulation areas, final construction plans will incorporate differentiated paving materials, textures, striping, elevation changes, or similar design features intended to clearly demarcate pedestrian crossing locations consistent with applicable city standards.*

The preliminary site plan submitted for land use review does not yet fully depict all pedestrian connections extending to the adjacent public street frontage and sidewalk system required by this section. The applicant acknowledges these requirements and is willing to accept a condition of approval requiring final pedestrian circulation and frontage connection details to be incorporated into the final engineering and construction plans prior to issuance of construction permits. Final walkway widths, accessibility features, pedestrian crossing treatments, frontage connections, and related pedestrian circulation improvements will be refined during the civil engineering and construction permitting process to ensure compliance with applicable ADA and city development standards.

- (6) Parking Lots with More Than 75 Spaces. Parking lots with 75 or more spaces must comply with the following additional standards to improve pedestrian safety, to improve vehicle circulation, and reduce visual impacts of large expanses of pavement.

- (a) When pedestrian walkways connecting a main building entrance to the street are required per this Article and must cross a large surface parking area with more than 75 spaces, standards (i) and (ii) below shall apply.
 - i. The walkway shall be at least seven feet wide and must meet standards for an accessible path of travel in accordance with the Americans with Disabilities Act (ADA).
 - ii. The walkway shall incorporate a mix of landscaping, benches, and drop-off bays for at least 50 percent of the length of the walkway.
- (b) Parking Subareas. Parking areas must be divided into subareas of no more than 75 parking spaces each. Parking subareas must be separated from each other with physical breaks by providing one or more of the following: building pads, landscape strips, landscaped pedestrian walkways, interior streets or driveways with trees as defined in 9.120(2). Landscape strips or landscaped pedestrian walkways used for subarea separation must meet the following standards.
 - i. Landscape strips must have a minimum width of six feet that is unobstructed by obstacles that would impede landscape viability, including overhanging cars.
 - ii. Landscaped pedestrian walkways must have a minimum unobstructed walkway width of five feet. Landscaping may be on one or both sides of a pedestrian walkway, with a minimum landscape strip width of six feet when provided.

Applicant's Findings: *The proposed parking lot expansion does not independently create more than 75 new parking spaces, and therefore the additional standards of this subsection are not directly triggered by the proposed improvements. Notwithstanding, the proposed parking lot expansion and circulation design were developed with the intent of incorporating many of the same design objectives reflected in this section. The proposed parking layout includes numerous landscaped planter bays, landscape islands, protected pedestrian walkways, and circulation breaks that visually and functionally divide the parking areas into smaller subsections rather than creating a single uninterrupted paved area. The proposal also incorporates protected pedestrian circulation routes connecting parking areas to the building entrance areas and associated site features. These improvements help improve pedestrian safety, reduce the visual impact of large, paved areas, organize internal circulation patterns, and improve the overall functionality and appearance of the site consistent with the purpose of this section. Final pedestrian and landscaping details will continue to be refined during the civil engineering and construction permitting process.*

9.133 – Connectivity

The purpose of these standards is to promote efficient and convenient pedestrian and bicycle access and circulation between properties, adjacent uses, key destinations, and transit stops,

and improve safety for both drivers and pedestrians, cyclists, and rollers. These standards are intended to comply with the Transportation Planning Rule (OAR 660-012).

- (1) Applicability. The standards apply to development in all zoning districts except HD, DMU, CB, and WF.

Applicant's Findings: *The subject property is located within the Light Industrial (LI) zoning district and is therefore subject to the connectivity standards of this section. The proposal consists of adaptive reuse of an existing developed industrial site together with parking lot expansion and associated site improvements. Because the site is already substantially developed with an existing building, circulation system, and established access configuration, certain connectivity standards may apply differently than they would for entirely new greenfield development.*

The applicant acknowledges that the connectivity provisions of this article are applicable to the proposed development; however, several standards within this section are expressly dependent upon site practicality, surrounding development patterns, existing infrastructure, and the nature of the proposed improvements. Each subsection should therefore be evaluated independently based on the specific applicability language, existing site conditions, and practical limitations associated with redevelopment and expansion of an existing industrial site. The proposed development nevertheless incorporates pedestrian circulation improvements, parking lot connectivity features, and associated site design elements intended to improve pedestrian access and circulation throughout the site consistent with the overall purpose of this section.

- (2) Definitions. The following definitions apply for the purposes of this section:

- (a) "Direct and convenient" means the length of the route is not more than 120 percent of the straightline distance. The length may be increased to no more than 200 percent of the straight-line distance when necessary to accommodate existing trees at least 12 inches in diameter at breast height, slopes, natural resources or hazards.
- (b) "Major transit stop" means transit transfer stations and any additional stops designated as "major transit stops" in the Transportation System Plan.
- (c) "Impractical" means where one or more of the following conditions exist:
 - (i) Physical or topographic conditions make a connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;
 - (ii) Buildings or other existing development physically preclude a connection; or

- (iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.

Applicant's Findings: *The applicant acknowledges the definitions contained within this section, including the definitions of "direct and convenient," "major transit stop," and "impractical," which govern interpretation and application of the connectivity standards addressed in the following subsections. To the extent connectivity standards require evaluation of practicality, directness of access, or existing site constraints, the proposal should be reviewed consistent with these definitions, and the existing developed conditions present on the subject property and surrounding area.*

- (3) Connectivity between sites. To promote connectivity and dispersal of traffic and efficient circulation between properties, new development may be required to provide street or driveway stubs and reciprocal access easements to, and for, adjacent properties.

Applicant's Findings: *This section is not applicable to the proposed development. The proposal consists of adaptive reuse of an existing developed site together with expansion of on-site parking and associated circulation improvements and does not involve subdivision of land, creation of new public streets, or establishment of new development parcels requiring future inter-site street or driveway connectivity. Existing surrounding properties are already developed with established circulation patterns and no practical opportunity or identified need exists for street stubs, driveway stubs, or reciprocal cross-access easements associated with the proposed improvements.*

- (4) Pedestrian and bicycle connections required. Except where impractical, pedestrian, and bicycle connections must be provided in the following locations:
 - (a) Between an existing or planned transit stop and new development that is at, or within, 200 feet of the existing or planned transit stop. Development sites at major transit stops are also subject to subsection (5).
 - (b) A direct and convenient pedestrian route must be provided 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 must be provided between the bicycle parking and the nearest bicycle path abutting the site or roadway where there is no bicycle path.
 - (c) Between the development site and abutting properties: Pedestrian and bicycle connections must connect the onsite circulation system to existing or proposed walkways and bicycle routes, respectively, that abut the property. When abutting properties are undeveloped or have the potential to be redeveloped,

accessways and walkways on site must be laid out or stubbed to allow for an extension to the abutting property.

- (d) Between development sites and neighborhood activity centers, CFA overlay districts, employment centers, civic uses, and other key destinations as defined in Article 22.

Applicant's Findings: *The proposed development includes pedestrian and bicycle circulation improvements intended to improve access between the parking areas, building entrances, adjacent public rights-of-way, and on-site bicycle parking facilities. A direct and convenient pedestrian route will be provided between the primary building entrance areas and the adjacent sidewalk and frontage improvements associated with the site. Bicycle parking facilities will also be connected to the site circulation system through accessible internal pedestrian and bicycle routes. There is currently no existing transit stop located directly along the frontage of the subject property. Accordingly, the provisions related to direct connections to transit stops are limited in applicability to the site. The proposal also does not involve subdivision of land or creation of new development parcels requiring extension of pedestrian or bicycle facilities to undeveloped adjoining sites. Surrounding properties are already substantially developed with established circulation systems and industrial development patterns. The proposed parking lot expansion and associated site improvements incorporate pedestrian circulation elements, protected walkways, landscaping improvements, and bicycle parking facilities intended to improve internal connectivity and support safe pedestrian and bicycle access throughout the site consistent with the overall purpose of this section.*

- (5) Major Transit Stops. Except where impractical, development sites abutting or including a major transit stop must provide the following:
 - (a) Either locate buildings within 20 feet of the transit stop, a transit street or an intersecting street or provide a pedestrian plaza as defined in ADC 8.415(6) at the transit stop or a street intersection;
 - (b) A direct and convenient pedestrian connection between the transit stop and building entrances on the site;
 - (c) A transit passenger landing that is ADA compliant.
 - (d) An easement or dedication for a passenger shelter, if requested by the transit provider; and
 - (e) Lighting at the transit stop.

Applicant's Findings: *This section is not applicable to the proposed development because the subject property does not abut or include a designated major transit stop. Accordingly, the standards related to building orientation toward major transit stops, transit passenger landings, passenger shelter easements, and transit stop lighting do not apply to the proposal.*

- (6) Pedestrian and bicycle connections standard. Pedestrian and bicycle accessways must be clearly marked and constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide.

Applicant's Findings: Proposed pedestrian and bicycle accessways associated with the development will be clearly delineated and constructed of hard-surfaced materials consistent with this section. All new pedestrian and bicycle connections added as part of the proposed development meet or exceed the minimum required width of five feet. Final walkway materials, striping, accessibility details, and connection layouts will be reviewed during the civil engineering and construction permitting process.

9.134 – Additional On-Site Standards

Additional design standards related to site layout and design are in Article 8.

Applicant's Findings: Additional site design standards applicable to the proposed development are addressed within the findings prepared for Article 8 of the Albany Development Code. To the extent applicable, the proposed development has been evaluated for compliance with the relevant design, circulation, pedestrian access, landscaping, and site layout standards contained within Article 8.

9.135 – Purpose

These regulations are intended to enhance aesthetic value in new developments and the community as a whole; minimize erosion; slow the rate of surface water runoff and improve water quality; cool buildings and parking lots in summer months with shade; enhance ecological functions; and provide access to nature.

Applicant's Findings: The proposed development includes landscaping, canopy tree plantings, pedestrian improvements, and stormwater quality facilities intended to enhance the overall appearance and functionality of the site while supporting the purposes of this section. The proposal incorporates landscaped planter bays, perimeter landscaping, canopy trees, and vegetated stormwater quality facilities integrated throughout the parking lot expansion area to help reduce the visual impact of paved surfaces, improve site aesthetics, and support stormwater management functions. The proposed landscaping and tree canopy improvements are also intended to provide shade, support long-term site sustainability, improve pedestrian comfort, and contribute to the overall character of the development. Existing mature landscaping located throughout the developed portions of the site will largely remain in place and continue contributing to the visual and environmental functions identified in this section.

9.140 – General Requirements

Landscaping requirements by type of use are listed below:

- (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).

Applicant's Findings: *This section is not applicable to the proposed development because the subject property is not located within a residential zoning district and the proposal does not involve residential development subject to the residential landscaping requirements of this subsection.*

- (2) Landscaping Required – Non-Residential. All required front and interior 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. Minimum landscaping acceptable for every 1,000 square feet of required setbacks in all commercial-industrial districts is as follows:
- (a) One tree at least six feet tall for every 30 feet of street frontage.

Applicant's Findings: *The subject property contains approximately 389 feet of frontage along the public street. However, the proposed development only includes alterations along approximately 154 feet of frontage located on the north side of the site where the parking lot expansion and associated site improvements are proposed. The remainder of the frontage area will remain substantially unchanged and already contains existing mature landscaping and trees established prior to adoption of the current standards.*

Applying the frontage landscaping requirement proportionally to the approximately 154 feet of frontage impacted by the proposed improvements results in a requirement of approximately 5 frontage trees. One mature tree already exists within this frontage segment and will remain. Additional frontage landscaping and canopy tree plantings are proposed within the improvement area as part of the parking lot expansion, landscaped planter bays, and associated site improvements.

Requiring modification of the remaining unimproved frontage areas that are not impacted by the proposed development would extend beyond the scope of the actual site alterations proposed through this application. While additional landscaping beyond the immediate improvement area may occur voluntarily over time, the applicant requests that compliance with

this section be evaluated based on the frontage area directly associated with the proposed site improvements.

- (b) Five 5-gallon or eight 1-gallon shrubs, trees or accent plants.

Applicant's Findings: *The proposed development includes landscaped planter bays, perimeter landscaping, canopy tree plantings, shrubs, and associated accent landscaping throughout the parking lot expansion and frontage improvement areas. Consistent with the proportional approach discussed above, the applicant requests that landscaping compliance be evaluated based on the approximately 154 feet of frontage directly impacted by the proposed site improvements rather than the entirety of the existing developed frontage. The proposed landscape improvements within the affected frontage area will include the required combination of shrubs, trees, and accent plantings consistent with this section. Final plant counts, species selections, and planting details will be provided as part of the final landscape plan during the civil engineering and construction permitting process.*

- (c) The remaining area treated with suitable living ground cover, lawn, or decorative treatment of bark, rock, or other attractive ground cover.

Applicant's Findings: *The remaining landscaped areas within the frontage improvement and parking lot expansion areas will be treated with a combination of living ground cover, mulch, decorative bark, rock, lawn, and other appropriate landscape materials consistent with the final landscape design for the site. The proposed landscape improvements are intended to complement the parking lot expansion, frontage landscaping, stormwater quality facilities, and pedestrian improvements associated with the development. Final ground cover materials and landscape treatment details will be provided during the civil engineering and construction permitting process.*

- (d) When the yard adjacent to a street of an industrially zoned property is across a right-of-way from other industrially or commercially zoned property, only 30 percent of such setback area must be landscaped.

Applicant's Findings: *The subject property is zoned Light Industrial and is located across the adjoining right-of-way from other commercially and industrially zoned properties. Therefore, pursuant to this section, only 30 percent of the applicable setback area adjacent to the street frontage is required to be landscaped. The proposed development includes frontage landscaping, planter bays, canopy trees, and associated landscape improvements that satisfy the reduced landscaping requirement applicable to industrial frontage areas under this section.*

- (3) Alternate Plan – Non-Residential. The Director may approve placement of the required setback landscaping in public right-of-way when the following conditions are met:

- (a) The site contains existing development that includes substantial building(s), and is subject to ADC improvement requirements due to a change of use or vacancy; and
- (b) The appropriate government agency grants written permission for use of the right-of-way; and
- (c) The applicant provides written assurance that on-site setback landscaping will be installed within 90 days in the event permission to use the right-of-way is revoked; and
- (d) The Director finds that the required setback landscaping can feasibly be installed on the property without creating other violations of this Code; and
- (e) The Director finds that providing the landscaping in the public right-of-way in the interim fulfills the intent this Code for high-quality development (9.010) and the minimum landscaping requirements in Section 9.140(2)(a) through (c).

Applicant's Findings: *This section is not applicable to the proposed development. The applicant is not requesting approval to place required setback landscaping within the public right-of-way and all proposed landscaping associated with the development will be located on-site.*

9.150 – Parking Lot Landscaping

The purpose of landscaping in parking lots is to provide shade, reduce stormwater runoff, and direct traffic. Incorporation of approved vegetated post-construction stormwater quality facilities in landscaped areas is encouraged. Parking lots over 1,000 square feet (contiguous) must be landscaped in accordance with the following minimum standards:

- (1) Planter Bays. Parking areas shall be divided into bays of not more than 12 parking spaces. At both ends of each parking bay, there shall be curbed planters at least five feet wide, excluding the curb. Gaps in the curb may be allowed for connections to approved post-construction stormwater quality facilities. Each planter shall contain one canopy tree at least 10 feet high and decorative ground cover containing at least two shrubs for every 100 square feet of landscape area. Neither planter bays nor their contents may impede access on required public sidewalks or paths, or handicapped-accessible parking spaces.

Applicant's Findings: *The proposed parking lot expansion includes landscaped planter bays integrated throughout the parking layout to break up larger paved areas, direct circulation patterns, improve site aesthetics, and support stormwater management functions. Parking areas are divided into smaller parking bays through incorporation of curbed planter areas and landscaped islands consistent with the intent of this section. The proposal also incorporates vegetated post-construction stormwater quality facilities integrated into portions of the landscaped areas and planter systems associated with the parking lot expansion. The proposed planter bays will include canopy trees, decorative groundcover, shrubs, and associated*

landscaping materials meeting the minimum planting requirements of this section. Proposed canopy trees will be a minimum of 10 feet in height at the time of planting and landscaped areas will be designed to avoid interference with required pedestrian circulation areas and accessible parking facilities. Final planter bay dimensions, plant counts, species selections, and landscape details will be provided during the civil engineering and construction permitting process.

- (2) Entryway Landscaping. Both sides of a parking lot entrance shall be bordered by a minimum five foot-wide landscape planter strip meeting the same landscaping provisions as planter bays, except that no sight-obscuring trees or shrubs are permitted.

Applicant's Findings: *The proposed parking lot entrance improvements include landscaped planter areas along both sides of the parking lot entrance corridor consistent with this section. Entry landscaping areas will incorporate shrubs, decorative groundcover, and associated landscape materials similar to the planter bay landscaping proposed throughout the parking lot expansion area. Landscaping located near driveway entrances and circulation areas will be selected and maintained to preserve appropriate sight distance and visibility for vehicles and pedestrians. Final entry landscaping details and plant selections will be provided during the civil engineering and construction permitting process.*

- (3) Parking Space Buffers. Parking areas shall be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping materials.

Applicant's Findings: *Proposed parking areas associated with the parking lot expansion are separated from the building by a 7.5-foot-wide pedestrian walkway and a covered entry and loading area consistent with this section. The proposal incorporates landscaped buffers and pedestrian circulation improvements intended to organize site circulation, improve pedestrian safety, and soften the visual appearance of paved areas adjacent to the building. Final landscape and pedestrian circulation details will be reviewed during the civil engineering and construction permitting process.*

- (4) Stormwater Collection System. Vegetated post-construction stormwater quality facilities must be considered as the initial stormwater collection system.

Applicant's Findings: *The proposed development incorporates vegetated post-construction stormwater quality facilities as part of the initial stormwater collection and treatment system serving the parking lot expansion area. Stormwater quality facilities are integrated throughout the landscaped planter areas and parking lot improvements to support runoff management, water quality treatment, and overall site drainage functions consistent with applicable city engineering standards. Final stormwater facility design and engineering details will be reviewed during the civil engineering and construction permitting process.*

- (5) Landscape Protection. Required landscaped areas adjacent to graveled areas must be protected, either by railroad ties secured by rebar driven 18 inches into the ground, by large boulders, or by another acceptable means of protection.

Applicant's Findings: To the extent required landscaped areas are located adjacent to gravel or similar surfaced areas; appropriate landscape protection measures will be provided consistent with this section. Landscape protection may include curbing, boulders, wheel stops, or other acceptable protective measures incorporated into the final site and landscape design to prevent encroachment into required landscaped areas. Final landscape protection details will be reviewed during the civil engineering and construction permitting process.

9.165 – 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.

Applicant's Findings: Required landscaped areas associated with the proposed parking lot expansion and frontage improvements will be provided with irrigation sufficient to support long-term plant establishment and survival unless otherwise approved through submission of documentation from a qualified landscape professional demonstrating irrigation is unnecessary for specific plant materials. Final irrigation system design and landscape details will be provided during the civil engineering and construction permitting process. The applicant is not currently proposing irrigation facilities within the public right-of-way.

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.

Applicant's Findings: The submitted development plans identify the existing tree conditions associated with the site consistent with this section. There are no existing trees located within the proposed parking lot expansion area. Existing trees currently located elsewhere on the developed site are generally proposed to remain and continue contributing to the existing landscaped character of the property. To the extent any existing tree is later determined to be dead, dying, diseased, or hazardous; removal may occur consistent with applicable city requirements and standard site maintenance practices.

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. The following uses are required to meet the landscaping requirements of this code but are not required to submit landscape plans:

- (1) Single-family dwellings and middle housing.
- (2) Accessory buildings.
- (3) Changes internal to an existing structure.
- (4) Building additions involving less than 500 square feet.

Applicant's Findings: *The proposed development includes parking lot expansion and associated site improvements exceeding 1,000 square feet and is therefore subject to the landscape plan requirements of this section. Preliminary landscape information has been incorporated into the submitted site plans to demonstrate the general layout of planter bays, frontage landscaping, canopy tree locations, stormwater quality facilities, and associated site landscaping improvements. Detailed landscape plans, including plant schedules, species selections, irrigation details, tree canopy calculations, and associated landscape specifications, will be provided during the civil engineering and construction permitting process.*

Section 8: Conclusion

The applicant respectfully requests approval of the requested Conditional Use Permit, Site Plan Review, and parking exception for the proposed Cornerstone Bible Church development located at 1820 Fescue Street SE in Albany, Oregon. As demonstrated throughout this narrative, the proposal represents a thoughtful adaptive reuse of an existing developed industrial property that remains fully consistent with the intent of the Albany Development Code and the broader goals and policies of the Albany Comprehensive Plan.

The proposal allows continued productive use of an existing building and site within an established industrial and employment area while providing an important community-serving use within the City of Albany. The existing site is already fully urbanized and served by public infrastructure, transportation facilities, utilities, and emergency services. Rather than expanding outward into undeveloped areas, the proposal efficiently utilizes an existing developed site with improvements that enhance circulation, landscaping, stormwater treatment, pedestrian access, and overall site functionality.

The requested Conditional Use Permit is appropriate within the LI zoning district and fully compatible with the surrounding industrial context. The Albany Development Code expressly contemplates religious assembly uses within the LI district through the Conditional Use process, recognizing that certain institutional and community-oriented uses may operate compatibly

within industrial areas when appropriately designed and managed. The proposed church facility will operate within an existing building without substantial structural expansion and will maintain the overall industrial development pattern of the surrounding area. The operational characteristics of the proposed use are not anticipated to interfere with surrounding industrial properties or burden public infrastructure or services.

The requested Site Plan Review approval should likewise be granted because the proposal incorporates significant site improvements that further the purposes of Articles 8 and 9 of the Albany Development Code. The proposal includes expanded and reorganized parking areas, landscaped planter bays, frontage landscaping, pedestrian circulation improvements, stormwater quality facilities, tree canopy improvements, and enhanced site functionality intended to improve safety, aesthetics, stormwater management, and overall site organization. The proposal meaningfully upgrades portions of the existing site while preserving existing mature landscaping and minimizing unnecessary disturbance to developed areas that are not impacted by the proposed improvements.

The requested parking exception is also fully justified and necessary for the proposed use to function appropriately. Religious assembly uses have unique operational characteristics that differ substantially from many other commercial or industrial uses. Peak attendance periods occur during concentrated timeframes, particularly during worship services and special events, creating legitimate parking demand that cannot reasonably be accommodated under the standard parking maximum otherwise applicable to the site. The submitted parking memorandum and supporting analysis demonstrate that the proposed parking supply is supported by nationally recognized ITE parking demand data, the operational characteristics of Cornerstone Bible Church, and the functional realities of religious assembly uses. Approval of the requested parking exception will reduce the likelihood of overflow parking, unsafe circulation patterns, or parking conflicts on adjacent industrial properties and surrounding streets. The requested parking supply is therefore not only reasonable, but necessary to ensure safe and orderly operation of the site.

Importantly, the proposal does not create significant adverse impacts on nearby residential properties, natural resources, public infrastructure, or surrounding land uses. The site is surrounded primarily by industrially designated and zoned properties and separated from residential areas by significant transportation infrastructure and industrial development patterns. The proposed use is anticipated to operate primarily during limited periods throughout the week and includes numerous site improvements intended to minimize impacts and improve overall compatibility with the surrounding area.

The applicant has worked diligently to prepare a complete and comprehensive application package addressing the applicable Albany Development Code standards and review criteria. Where additional technical refinement may occur during final engineering and construction

permitting, the applicant has demonstrated a clear willingness to comply with reasonable conditions of approval and continue coordination with City staff, Public Works, and applicable reviewing agencies to ensure full compliance with all applicable standards.

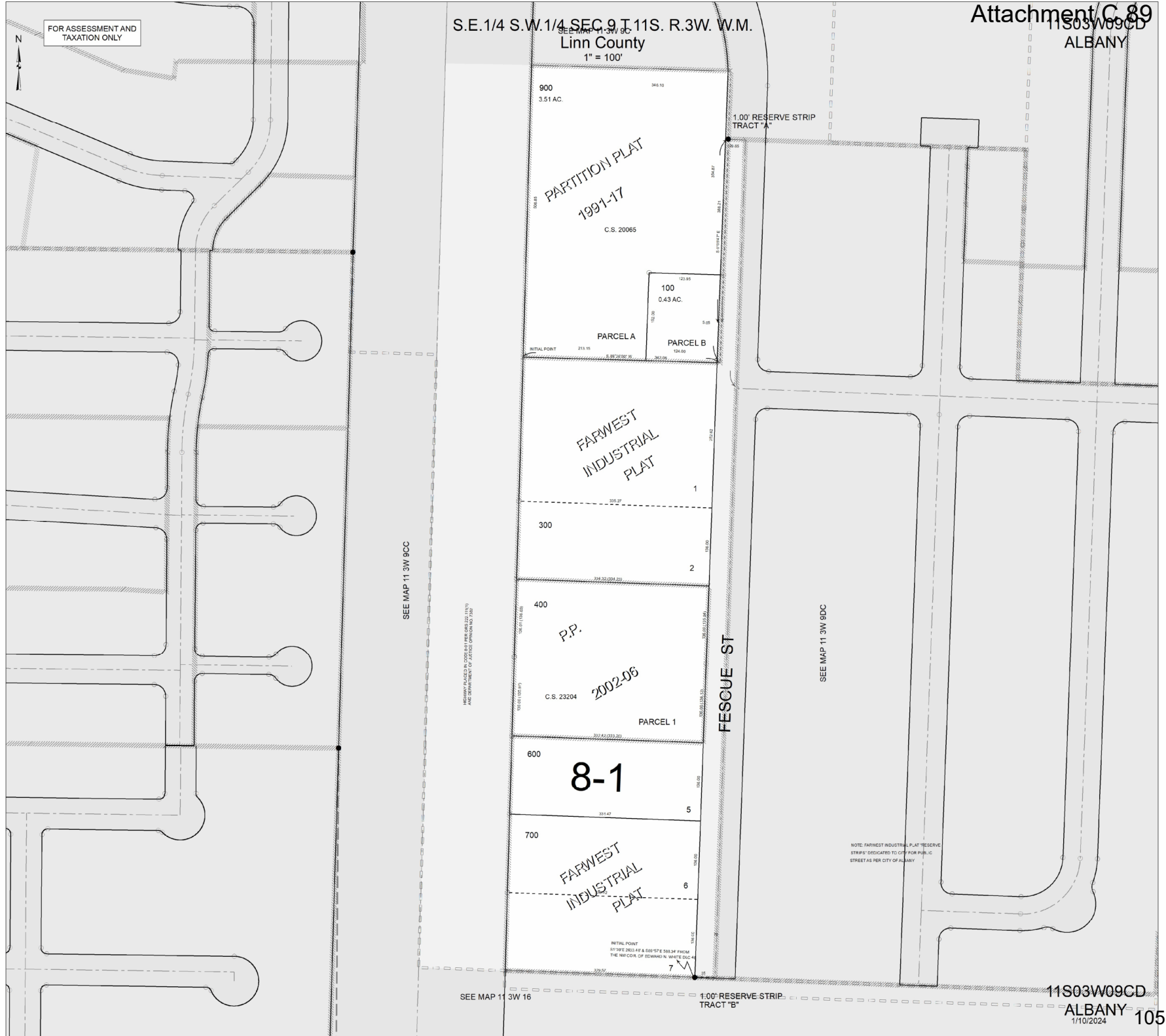
For all of these reasons, the applicant respectfully requests approval of the Conditional Use Permit, Site Plan Review, and parking exception applications. The proposal represents a well-designed adaptive reuse project that provides a beneficial community-serving use, improves an existing developed site, maintains compatibility with the surrounding industrial area, and satisfies the applicable approval criteria of the Albany Development Code.

Section 9: Exhibits

Exhibit A – Linn County Tax Map

S.E. 1/4 S.W. 1/4 SEC. 9 T. 11S. R. 3W. W.M.
Linn County
1" = 100'

FOR ASSESSMENT AND
TAXATION ONLY



SEE MAP 11 3W 16

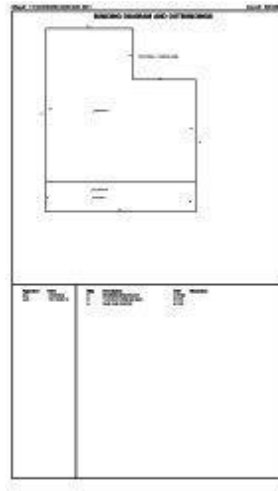
1.00' RESERVE STRIP
TRACT B

Exhibit B – Property Deed

Linn County Parcel Information

**Parcel Information**

Parcel #:	0684908
Tax Lot:	11S03W09CD00300
Site Address:	1820 Fescue St SE
	Albany OR 97322 - 7075
Owner:	Kerley Clackamas LLC
	PO Box 5517
	Salem OR 97304
Twtn/Range/Section:	11S / 03W / 09 / SW
Parcel Size:	2.99 Acres (130,244 SqFt)
Plat/Subdivision:	Farwest Industrial Plat
Lot:	1,2
Census Tract/Block:	020103 / 1033
Levy Code Area:	00801
Levy Rate:	19.9031
Market Value Land:	\$662,660.00
Market Value Impr:	\$3,098,800.00
Market Value Total:	\$3,761,460.00
Assessed Value:	\$3,189,730.00

**Tax Information**

Tax Year	Annual Tax
2025	\$61,560.55
2024	\$57,649.79
2023	\$54,752.30

Legal

FARWEST INDUSTRIAL PLAT - LOT 1,2

Land

Land Use:	201 - COMMERCIAL IMPROVED	Zoning:	Albany-LI - Light Industrial
Watershed:	Muddy Creek-Willamette River	Std Land Use:	2000 - Commercial (General)
Recreation:		School District:	8J - Greater Albany
Primary School:	Meadow Ridge Elementary	Middle School:	Timber Ridge School
High School:	South Albany High School		

Improvement

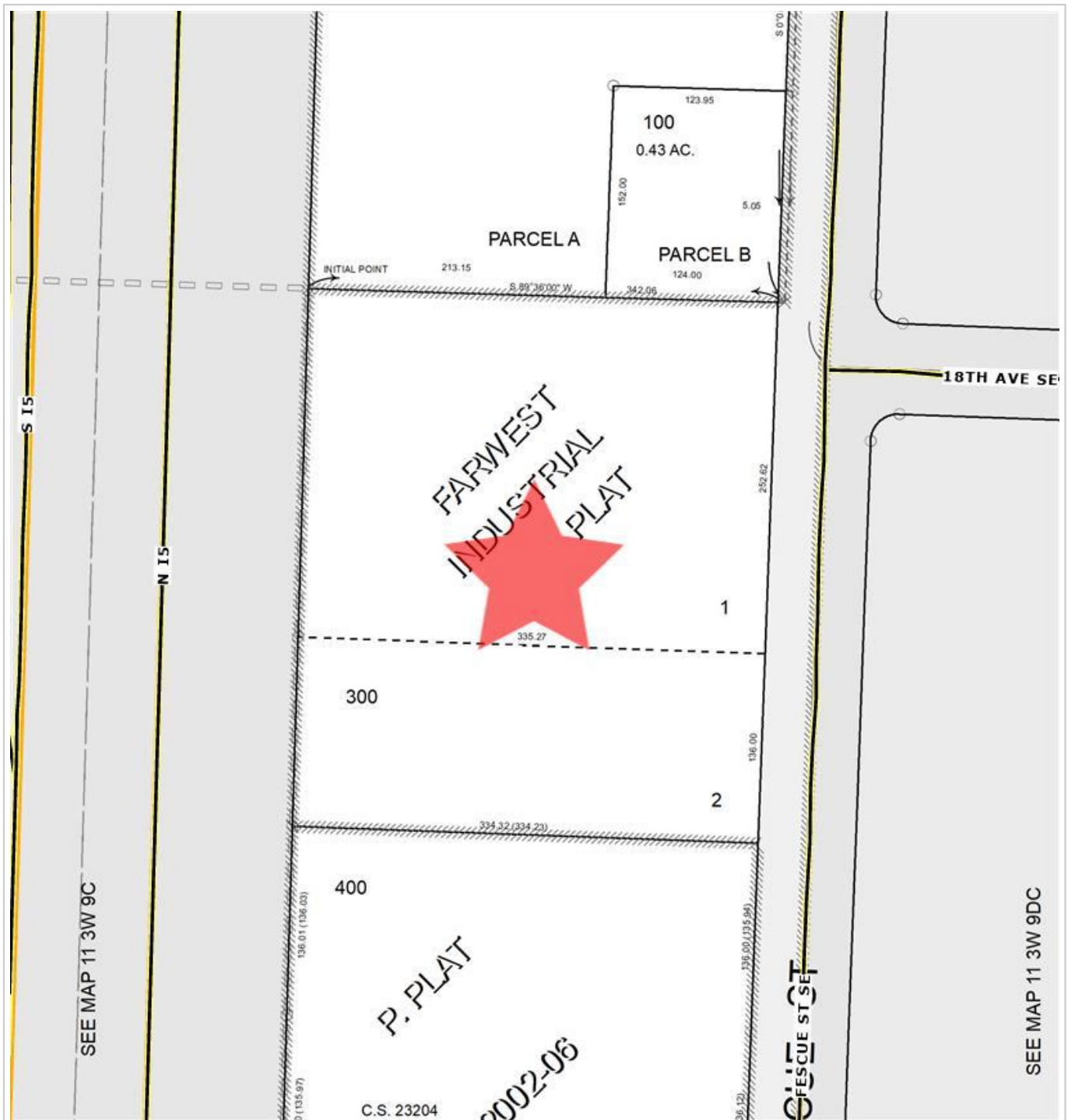
Year Built:	1999	Stories:	1	Finished Area:	39,250 SqFt
Bedrooms:		Bathrooms:		Pool:	
Bldg Type:	615 - Wood Products -Shingle Plant				

Transfer Information

Rec. Date:	10/01/2020	Sale Price:	\$3,600,000.00	Doc Num:	2020 22505	Doc Type:	Deed
Owner:	Kerley Clackamas LLC			Grantor:			
Orig. Loan Amt:				Title Co:			
Finance Type:		Loan Type:		Lender:			

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Assessor Map



TICOR TITLE™

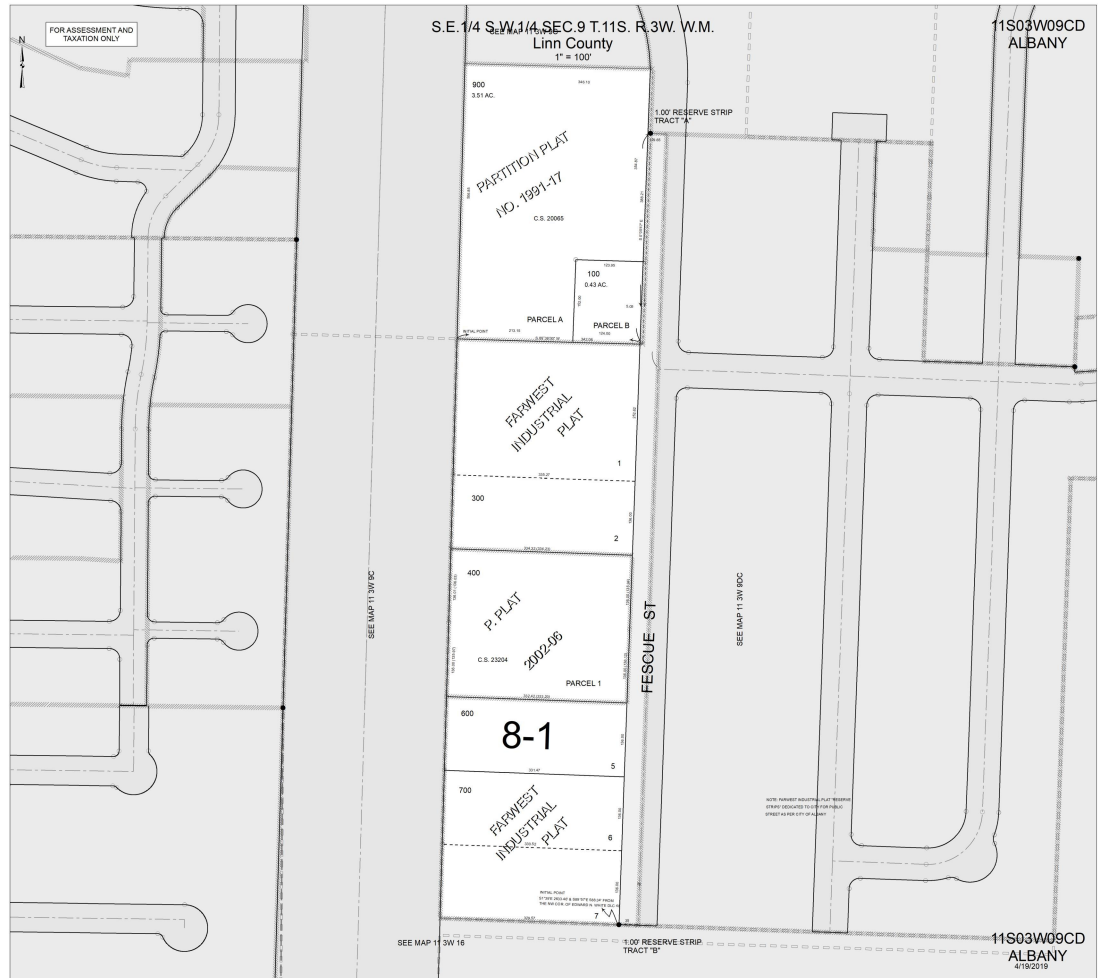
Parcel ID: 0684908

Site Address: 1820 Fescue St SE

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Full Assessor Map

11S03W09CD



Parcel ID: 0684908

Site Address: 1820 Fescue St SE

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



After recording return to:

Kerley Clackamas, LLC

PO Box 5517

Salem, OR 97304

Until a change is requested all tax statements shall be sent to the following address:

Kerley Clackamas, LLC

PO Box 5517

Salem, OR 97304

File No. 346835AM

LINN COUNTY, OREGON

2020-22505

D-WD

Stn=10120 K. PETERSON 10/30/2020 01:51:00 PM

\$10.00 \$11.00 \$10.00 \$60.00 \$19.00

\$110.00

I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk

STATUTORY WARRANTY DEED

Allan Stuart Enterprises LLC, an Oregon limited liability company,

Grantor(s), hereby convey and warrant to

Kerley Clackamas, LLC,

Grantee(s), the following described real property in the County of Linn and State of Oregon free of encumbrances except as specifically set forth herein:

Lots 1 and 2, FARWEST INDUSTRIAL PLAT, Linn County, Oregon

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

11S-03W-09CD 300

The true and actual consideration for this conveyance is \$3,600,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

A 346835AM

Page 2 Statutory Warranty Deed
Escrow No. 346835AM

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 29 day of Oct, 2020.

Allan Stuart Enterprises LLC

X. Allan Stuart
Allan Stuart, Member

State of Oregon ss
County of Washington

On this 29 day of October, 2020, before me, Stephanie Catlett-Goad a Notary Public in and for said state, personally appeared Allan Stuart known or identified to me to be the Managing Member in the Limited Liability Company known as Allan Stuart Enterprises, LLC who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public for the State of
Residing at: Salem
Commission Expires: 12-25-2021



Exhibit C – Ownership and Applicant Articles of Organization



Corporation Division
sos.oregon.gov/business

E-FILED

Jul 26, 2025

OREGON SECRETARY OF STATE**REGISTRY NUMBER**

113807390

REGISTRATION DATE

08/17/2015

BUSINESS NAME

CORNERSTONE BIBLE CHURCH

BUSINESS ACTIVITY

CHURCH

MAILING ADDRESS

35355 EICHER RD SE
ALBANY OR 97322 USA

TYPE

DOMESTIC NONPROFIT CORPORATION

PRIMARY PLACE OF BUSINESS

35355 EICHER RD SE
ALBANY OR 97322 USA

JURISDICTION

OREGON

REGISTERED AGENT

SKIP A HAMILTON
5931 NE TRASK LN
ALBANY OR 97321 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

PRESIDENT

JACOB W LIEDKIE
3354 NW WISHRAM DR
ALBANY OR 97321 USA

SECRETARY

SKIP A HAMILTON
5931 NE TRASK LN
ALBANY OR 97321 USA



I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, directors, employees or agents of the corporation on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE**NAME**

SKIP A HAMILTON

TITLE

SECRETARY

DATE

07-26-2025



Corporation Division
sos.oregon.gov/business

E-FILED

Mar 30, 2026

OREGON SECRETARY OF STATE**REGISTRY NUMBER**

171393490

REGISTRATION DATE

08/31/2020

BUSINESS NAME

KERLEY CLACKAMAS, LLC

BUSINESS ACTIVITY

PROPERTY OWNERSHIP & MANAGEMENT

TYPE

DOMESTIC LIMITED LIABILITY COMPANY

JURISDICTION

OREGON

MAILING ADDRESS

PO BOX 5517
SALEM OR 97304 USA

PRIMARY PLACE OF BUSINESS

131 PINE ST NE
SALEM OR 97301 USA

REGISTERED AGENT

LEONARD W WILLIAMSON
1900 HINES ST SE
SALEM OR 97302 USA

If the Registered Agent has changed, the new agent has consented to the appointment.

MEMBER

DONNA L KERLEY
PO BOX 5517
SALEM OR 97304 USA

MANAGER

DONNA L KERLEY
PO BOX 5517
SALEM OR 97304 USA



I declare, under penalty of perjury, that this document does not fraudulently conceal, fraudulently obscure, fraudulently alter or otherwise misrepresent the identity of the person or any officers, managers, members or agents of the limited liability company on behalf of which the person signs. This filing has been examined by me and is, to the best of my knowledge and belief, true, correct, and complete. Making false statements in this document is against the law and may be penalized by fines, imprisonment, or both.

By typing my name in the electronic signature field, I am agreeing to conduct business electronically with the State of Oregon. I understand that transactions and/or signatures in records may not be denied legal effect solely because they are conducted, executed, or prepared in electronic form and that if a law requires a record or signature to be in writing, an electronic record or signature satisfies that requirement.

ELECTRONIC SIGNATURE**NAME**

JANET KONRAD

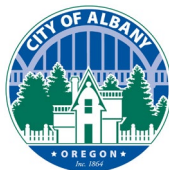
TITLE

SECRETARY

DATE

03-27-2026

Exhibit D – Application Form



COMMUNITY DEVELOPMENT

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

APPLICANT/OWNER & AUTHORIZING SIGNATURES

To be included with ALL City of Albany planning submittals

Send completed signature page and checklist(s) to albanyoregon.gov/permits

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> ☐ Adjustment (AD) ☐ Alternative Setback ☐ Annexation (AN) ☐ Comprehensive Plan Amendment (CP) <ul style="list-style-type: none"> ☐ Map Amendment ☐ Map Amendment; concurrent w/zoning ☐ Text Amendment ☐ Conditional Use, circle one: Type II or III <ul style="list-style-type: none"> ☐ Existing Building: expand or modify ☐ New Construction ☐ Home Business (Type III only) ☐ Development Code Text Amendment (DC) ☐ Floodplain Development Permit (FP) ☐ Historic Review (HI) <ul style="list-style-type: none"> ☐ Exterior Alteration – residential, not visible from street (Type I) ☐ Exterior Alteration – all commercial and residential visible from street (Type III) ☐ New Construction (Type III or I-L) ☐ Demolition or Moving (Type III) ☐ Substitute Materials (Type III) ☐ Interpretation of Code (CI) | <ul style="list-style-type: none"> ☐ Quasi-Judicial (Type II) ☐ Legislative (Type IV) ☐ Land Division (check all that apply) <ul style="list-style-type: none"> ☐ Partition (PA) ☐ Expedited <ul style="list-style-type: none"> ☐ Tentative Plat (Type I-L) ☐ Tentative Plat PD or CD (Type III) ☐ Final Plat (Type I) ☐ Subdivision (SD) ☐ Expedited <ul style="list-style-type: none"> ☐ Tentative Plat (Type I-L) ☐ Tentative Plat PD or CD (Type III) ☐ Final Plat (Type I) ☐ Tentative Re-plat Type I-L (RL) ☐ Modification to Approved Site Plan or Conditional Use ☐ Natural Resource Boundary Refinement (NR) ☐ Natural Resource Impact Review (NR) ☐ Non-Conforming Use (MN) ☐ Planned Development (PD) <ul style="list-style-type: none"> ☐ Preliminary (Type III) ☐ Final (Type I) ☐ Property Line Adjustment (LA) ☐ Site Plan Review (SP) <ul style="list-style-type: none"> ☐ Accessory Building ☐ Change of Use, Temporary or Minor Developments | <ul style="list-style-type: none"> ☐ Manufactured Home Park ☐ Modify Existing Development ☐ Parking Area Expansion (only) ☐ New Construction ☐ Tree Felling ☐ Temporary Placement (TP) ☐ Urban Growth Boundary (UGB) ☐ Vacation (VC) <ul style="list-style-type: none"> ☐ Public Street or Alley ☐ Public Easements ☐ Variance (VR) <ul style="list-style-type: none"> ☐ Major Variance (Type II) ☐ Minor Variance (Type I-L) ☐ Willamette Greenway Use (WG) ☐ Zoning Map Amendment (ZC) <ul style="list-style-type: none"> ☐ Quasi-Judicial (Type IV) ☐ Legislative (Type IV) ☐ Other Required (check all that apply) <ul style="list-style-type: none"> ☐ Design Standards ☐ Hillside Development ☐ Mitigation ☐ Parking/Parking Lot ☐ Traffic Report ☐ Other _____ |
|--|---|--|

Location/Description of Subject Property(s)

Site Address(es): _____

Assessor's Map No(s): _____ Tax Lot No(s): _____

Comprehensive Plan designation: _____ Zoning designation: _____

Size of Subject Property(s): _____ Related Land Use Cases: _____

Project Description: _____

☐ Historic Overlay

☐ Natural Resource Overlay District

☐ Floodplain or Floodway Overlay

albanyoregon.gov/cd



Applicant Information (must be signed)

Name: _____ Signature: _____

Mailing Address: _____ Date: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Fax #: _____ Email: _____

File #(s): _____ Date Fee & Application Received: _____

Pre-App File #(s): _____ Pre-App Meeting Date: _____

Amount Paid: _____ Received By: _____

Property Owner Information (must be signed)☐ Same as Applicant

Name: _____ Signature: _____

Mailing Address: _____ Date: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Fax #: _____

Email: _____

Authorized Agent or Representative (must be signed, if applicable)Choose One: ☐ Engineer ☐ Architect ☐ Other _____Name: _____ Signature: *B. Randall*

Mailing Address: _____ Date: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Fax #: _____

Email: _____

Relationship to property owner(s): _____

Other Representatives (must be signed, if applicable)Choose One: ☐ Engineer ☐ Architect ☐ Other _____

Name: _____ Signature: _____

Mailing Address: _____ Date: _____

City: _____ State: _____ Zip: _____

Phone #: _____ Fax #: _____

Email: _____

Choose One: ☐ Engineer ☐ Architect ☐ Other _____

Name: _____ Signature: _____

Mailing Address: _____ Date: _____

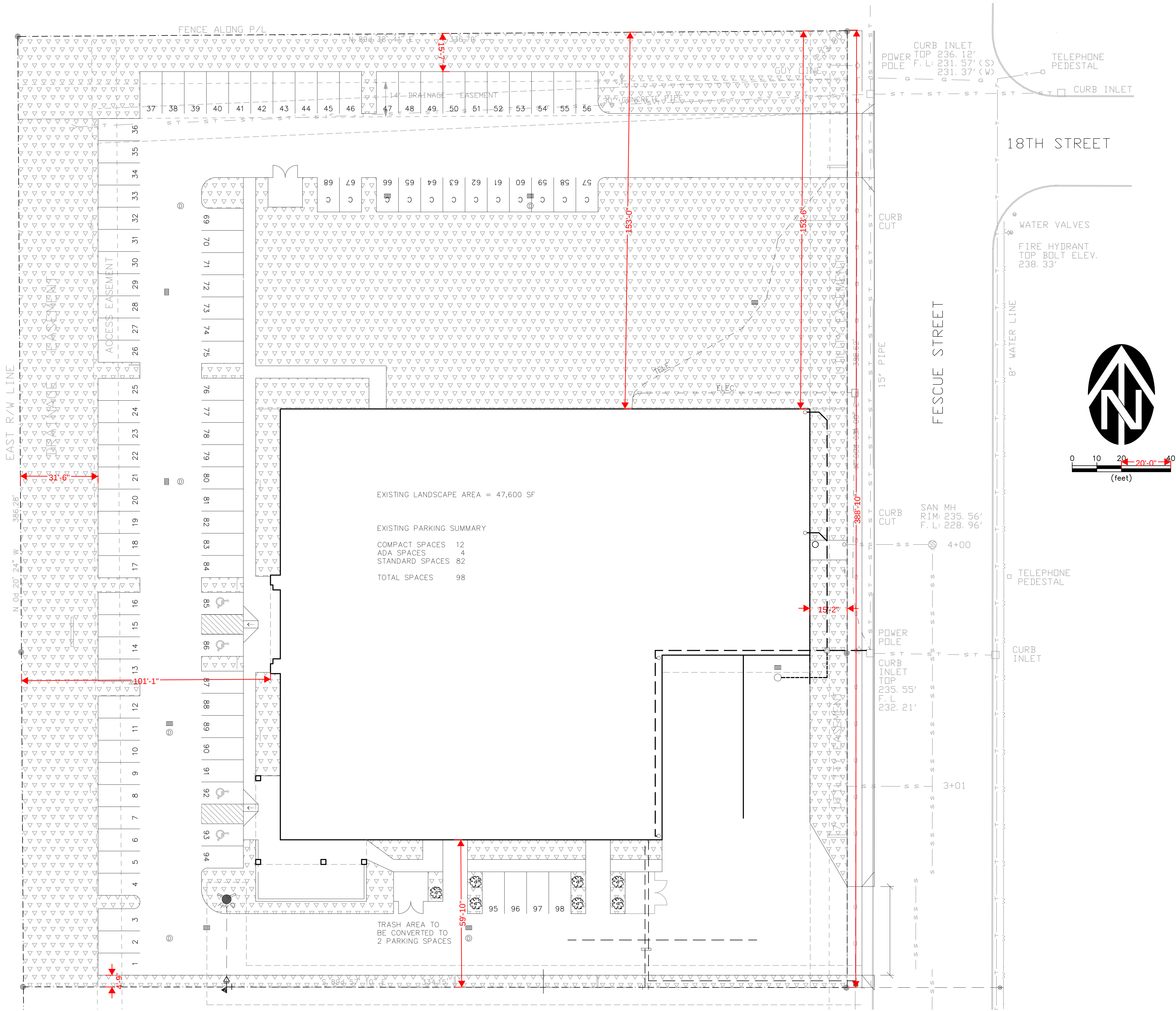
City: _____ State: _____ Zip: _____

Phone #: _____ Fax #: _____

Email: _____

Exhibit E – Existing Conditions Plan

INTERSTATE 5



Cornerstone Bible Church Albany, Oregon

Allann Bros Site Redevelopment

Existing Site &
Parking Plan

DRAWING

1

JOB NUMBER

3617.0000.0

WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS



3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3986
E-mail: westtech@westtech-eng.com

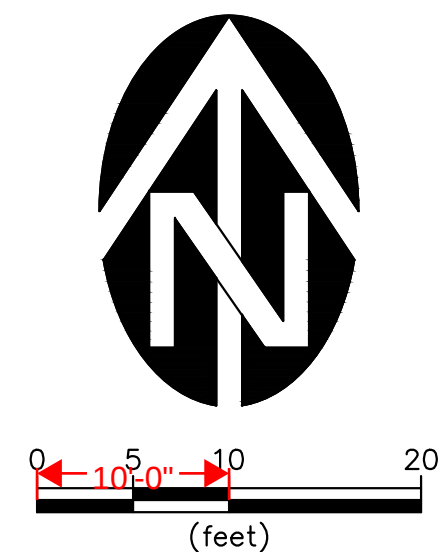


VERIFY SCALE
BAR IS ONE INCH ON
ORIGINAL DRAWING
IF NOT ONE INCH ON
ORIGINAL DRAWING
SUALES ACCORDINGLY

DATE: MAY 2026

NO.	DATE	DESCRIPTION	BY

Exhibit F – Proposed Site Plan



REVIEW

REGISTERED PROFESSIONAL ENGINEER
15700
GREGORY S. RAYMOND
JULY 15, 2027
C. ENGEL

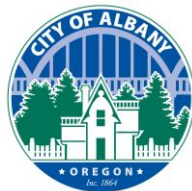
REMARKS: 12/31/2027

WESTTECH
WESTTECH ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS

8841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302
Phone: (503) 585-2474 Fax: (503) 585-3986
E-mail: westech@westech-eng.com

Cornerstone Bible Church		Albany, Oregon
Allann Bros Site Redevelopment		
Proposed Site & Parking Changes		
DRAWING 2		
JOB NUMBER 3617.0000.0		

Exhibit G – Pre-App Notes



COMMUNITY DEVELOPMENT

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

Pre-application Conference Summary

PR-41-25

September 24, 2025

Proposal:	Convert a portion of a warehouse to a religious institution
Property Owner:	Kerly Clackamas, LLC, PO Box 5517, Salem, OR 97304
Applicant:	Jacob Liedkie, Cornerstone Bible Church, 35355 Eicher Rd SE, Albany, OR 97322
Address/Location:	1820 Fescue Street SE
Map/Tax Lot:	Linn County Assessors No. 11S03W09CD Tax Lot 0300
Zoning:	Light Industrial (LI)
Overlay Districts:	None
Total Land Area:	2.99 acres
Existing Land Use:	Warehouse with Office Space, Restaurant

Required Planning Applications

Application types:

Conditional Use Type III: \$2,486

You can find the fee schedule at the following link: [fee guide city of albanys oregon.pdf](#)

Please note that fees are increased July 1st of each year.

The Conditional Use Checklist and Land Use Signature Page can be found at the following link: [Planning Forms and Checklists](#)

SDC FEES DUE AT TIME OF DEVELOPMENT. PLEASE CONTACT PUBLIC WORKS AT 541-917-7676 FOR MORE INFORMATION.

Notes

-
- Conditional Use criteria can be found in ADC 2.250.
 - Land Use Expiration: Per ADC 1.310, the Conditional Use Land Use approval is valid for three years from date of approval. Per ADC 1.320, an approval period may be extended one time for a period of two years. There are no provisions for extensions of phase Conditional Use approvals.
 - Parking: More information is needed to determine maximum parking allowed for the site.
 - Review ADC 9.020(8) for shared parking and exemptions to maximum parking allowance
 - Review Table 9.020-1 for maximum parking allowance for each use that will be on site.
 - ADC 9.020(4) outlines alternative standards for demonstrative a different parking demand than Table 9.020-1.

Required Studies or Reports

- ☐ Traffic Generation Study (only required if 50 or more lots are proposed)
- ☐ Traffic Impact Analysis (TIA)
- ☐ TIA including TPR analysis (rezones) OAR 660-012-0060
- ☐ Urban Conversion Plan (land divisions)
- ☐ Geo-Tech report (hillside development) Slopes 12-25% on site
- ☐ Floodplain study
- ☐ Drainage Study

Neighborhood Meeting Required (ADC 1.140)? ☐ No ☒ **Yes** and notice area required: 300 feet

Applicable Albany Development Code Articles

- ☒ Article 1 [Administration and Procedures](#)
- ☒ Article 2 [Review Criteria Standards](#)
- ☐ Article 3 [Residential Zoning Districts](#)
- ☒ Article 4 [Commercial and Industrial Zoning Districts](#)
- ☐ Article 5 [Mixed Use Zoning Districts](#)
- ☐ Article 6 [Natural Resource Districts](#)
- ☐ Article 7 [Historic Overlay District](#)
- ☐ Article 8 [Design Standards](#)
- ☒ Article 9 [On-site Development and Environmental Standards](#)
- ☐ Article 10 [Manufactured Home Development Standards](#)
- ☐ Article 11 [Land Divisions and Planned Development](#)
- ☒ Article 12 [Public Improvements](#)
- ☒ Article 13 [Signs](#)
- ☒ Article 22 [Use Categories and Definitions](#)

Contacts

	City of Albany Staff	Contact
☒	Planning	Liz Olmstead, 541-917-7561, liz.olmstead@albanyoregon.gov
☒	Fire Marshal	Lora Ratcliff, 541-917-7728, lora.ratcliff@albanyoregon.gov
☒	Engineering Manager	Aaron Hiemstra, 541-704-2325, aaron.hiemstra@albanyoregon.gov
☐	Environmental Services	Jolene Willis-Lujan, 541-497-6222, Jolene.willis-lujan@albanyoregon.gov
☒	Building Official	Johnathan Balkema, 541-791-0199, Johnathan.balkema@albanyoregon.gov
	Other Agency Staff	Contact
☐	ODOT	ODOT Planning Manager, 541-757-4140, odotr2planmgr@odot.state.or.us

Information for the Applicant

Pre-Application conferences. A pre-application conference on a preliminary plan is not a land use decision. The above information identifies current Code sections that will likely apply to this project. They supplement comments presented by staff from other divisions and are not intended to be all-inclusive. The purpose of the pre-application meeting is to discuss issues generally that may affect the design and/or cost of a project based on the preliminary plan submitted. Staff also try to identify obvious additional information, studies, etc. that will be required with the formal application. However, while reviewing the actual application(s), other issues may be discovered that were not anticipated or noticed at the pre-application meeting. The city may request additional details, drawings, information, analyses, or plans relevant to the review up to 30 days following submittal of an application. Pre-application conferences must be re-held if an application relating to the proposed development that was the subject of the pre-application conference has not been submitted within one year.

Expiration of Approvals: All land use approvals expire three years from the date of approval unless the applicant has installed all required public infrastructure related to the development and the infrastructure has been accepted by the city or the applicant has provided financial assurance. If the project did not require public infrastructure, a valid building permit exists for new construction or improvements and the work has commenced (ADC 1.310).

State and Federal Agencies: Notice of the land use application and future development will be given to any agency with jurisdiction (such as DSL and/or ACE). Additional delineation, mitigation and permits may be required by those agencies. It is advisable to contact the Department of State Lands and the Army Corps of Engineers if any wetland areas will be impacted by development. Checking with these agencies prior to beginning the project is the responsibility of the applicant and will help ensure that other required permits are not overlooked by the owner or contractor.



TO: Liz Olmstead, Planner

From: Lora Ratcliff, Fire Marshal

DATE: September 24, 2025

SUBJECT: PR-41-25 —1820 Fescue St SE – Change of Use to Church - Fire Department Comments

The fire department has reviewed the above project for conformance to the 2022 Oregon Fire Code (OFC) per your request and has the following comments:

**** NOTE: Addition of a private fire line will result in a quarterly Fire Line Fee***

****Land Use permit will include a \$125 Fire Plans Review fee****

1. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the property as measured by an approved route of travel around the exterior of the structure. (OFC 503.1.1)
2. The fire apparatus roadways for this project are required to be provided and maintained at a minimum of 20 feet wide of improved surface and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC D105)
3. This proposed project is located within a "Protected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area is currently served by a public water system. The Fire Flow required shall be as specified in Appendix B of the fire code. (OFC 507.3).

LAR/lar

Lora Ratcliff

Lora.ratcliff@albanyoregon.gov

541-917-7728

Exhibit H – Parking Analysis



Transportation Memorandum—Parking Demand Analysis

February 9, 2026

Liz Olmstead
David Martineau
City of Albany
333 Broadalbin Street SW
Albany, OR 97321

Jacob Liedkie
Skip Hamilton
Cornerstone Bible Church
35355 Eicher Road SE
Albany, OR 97322

PURPOSE

This memorandum provides a comparative parking analysis for Cornerstone Bible Church in support of a variance from the Albany Development Code (ADC) parking standard. The analysis relies on nationally recognized data from the Institute of Transportation Engineers (ITE) Parking Generation Manual, 5th Edition, Land Use Code 560 (Church).

EXISTING CITY STANDARD

City Requirement ADC 9.020(8) Maximum Parking Standards for Religious assembly: 1 per 6 seats or 12 feet of bench length.

SITE INFORMATION

- The subject property is 1852 Fescue Street SE, Albany, OR 97322.
- Gross Floor Area: 39,250 square feet
- Current Parking Spaces: 100
- Maximum Feasible On-Site Parking: 165
- Sanctuary Seating: 500 seats (the building is not currently permitted for church use and there is no established sanctuary area, but the intent is to construct a 500-seat sanctuary at the subject property).

4. ITE PARKING DEMAND SUMMARY (LAND USE CODE 560 - CHURCH)

Metric	ITE Observed Value
Average Peak Demand (per 1,000 SF GFA)	9.44 vehicles
Observed Demand Range (per 1,000 SF GFA)	2.36 – 17.32 vehicles
Average Peak Demand (per seat)	0.22 vehicles
Low Estimate Demand (per seat)	0.13 vehicles
High Estimate Demand (per seat)	0.65 vehicles
85th Percentile Demand (per seat)	0.34 vehicles

Source: Institute of Transportation Engineers (ITE), Parking Generation Manual, 5th Edition, Land Use Code 560 (Church).

5. CALCULATED PARKING DEMAND FOR SUBJECT SITE

Basis	Calculation	Result
Albany City Code Requirement	$500 \div 6$	84 spaces
ITE Seat-Based Demand 85 th Percentile	500×0.34	170 spaces
ITE GFA Average Demand	$39,250 \div 1,000 \times 9.44$	≈ 370 spaces
Physical Site Maximum	Site constraint	165 spaces

6. PROFESSIONAL CONCLUSION

Based on ITE national parking demand data, observed variability within the dataset, Albany's local transportation context, and site constraints, a 165-space on-site parking supply is considered reasonable and supportable under ADC 9.020(4) Alternative Standards.

The ministry of Cornerstone Bible Church includes a very active membership. Member families often drive separately due to serving (e.g., a woman drives separately from the rest of her family to arrive early for practicing music, a man drives separately from the rest of his family to stay later after a church service) and there is a high number of single adults.

Data Center Ordinance

WHEREAS, the City of Albany ("City") has authority under ORS Chapter 227 and its Home Rule Charter to regulate land use within its jurisdiction in order to protect the public health, safety, and welfare; and

WHEREAS, data centers are characterized by high electricity demand, substantial water consumption for cooling, generator and fuel storage systems, noise from mechanical equipment, and potential impacts to stormwater, groundwater, and municipal water supply infrastructure; and

WHEREAS, the City has an interest in ensuring that large water-consuming or contamination-risk land uses undergo individualized review before development; and

WHEREAS, the Albany Development Code (ADC) does not currently list "data center" as a defined use or specify the review process applicable to such facilities; and

WHEREAS, the City Council finds that requiring a Conditional Use Permit (CUP) for data centers allows for site-specific review of water demand, wastewater/cooling discharge, stormwater management, energy infrastructure, backup generator emissions and fuel storage, noise, and habitat or natural resource impacts prior to approval;

NOW, THEREFORE...

Section 1. Definitions

The following definitions are added to ADC Article 2 (Definitions):

"Data Center" means a facility, building, or portion thereof, whose primary use is to house computer systems, servers, network infrastructure, and associated equipment for the processing, storage, or distribution of data, and which includes supporting infrastructure such as cooling systems, backup power generation, fuel storage, and electrical substations. This includes new construction and the conversion, retrofitting, or repurposing of an existing structure or property to primary data center use.

"Cooling System" means any mechanical, evaporative, liquid, or immersion-based system used to regulate temperature within a data center, including cooling towers, chillers, and closed- or open-loop water systems.

"Backup Power System" means diesel, natural gas, or other fuel-fired generators, fuel storage tanks, and associated fuel delivery infrastructure installed to provide emergency or supplemental power to a data center.

"Sensitive Water Area" means any area within a designated wellhead protection zone, floodplain, riparian corridor, wetland, or groundwater recharge area as identified in the City's Water Master Plan, Drinking Water Protection Plan, or applicable state/federal mapping.

Section 2. Conditional Use Permit Required

ADC (specify part) is amended to add "Data Center" as a use requiring Conditional Use Permit approval in all zones where it would otherwise be an allowed, limited, or industrial use, including but not limited to Light Industrial (LI), Heavy Industrial (HI), and Mixed-Use Employment zones. Data centers are prohibited outright in any zone where industrial uses are not otherwise permitted.

No person shall construct, establish, expand by more than 10,000 square feet of floor area, or convert an existing structure or property to use as a data center without first obtaining an approved Conditional Use Permit under ADC (or successor CUP provisions) and this ordinance.

Section 3. Application Requirements

In addition to standard CUP application materials, an applicant for a data center CUP shall submit:

1. **Water Demand Study** — Projected potable and non-potable water use (peak day and average annual demand) for cooling, humidity control, and sanitary purposes, and its impact on City water system capacity and existing customers.
2. **Water Source and Supply Plan** — Identification of proposed water source(s) (municipal supply, on-site well, reclaimed/greywater, etc.) and analysis of impacts on aquifer levels or municipal supply reliability during drought conditions.
3. **Cooling System Design Report** — Description of cooling technology (air-cooled, evaporative, liquid, immersion), water recirculation/reuse rate, and blowdown/discharge disposal method.

4. **Wastewater and Stormwater Management Plan** — Volume and quality of any process wastewater or cooling tower blowdown, proposed discharge point (sanitary sewer, on-site treatment, land application), and stormwater management consistent with City and DEQ standards, including spill containment for chemical water treatment additives.
5. **Groundwater and Sensitive Area Assessment** — Analysis of proximity to wellhead protection zones, floodplains, wetlands, and riparian corridors, and mitigation measures if the site is within a Sensitive Water Resource Area.
6. **Backup Power and Fuel Storage Plan** — Generator capacity, fuel type and volume stored, spill containment/secondary containment design, and emissions estimates, with confirmation of compliance with Oregon DEQ air/fuel storage permitting.
7. **Energy Source Disclosure** — Anticipated electrical load, utility service agreements, and any on-site power generation.
8. **Community Liveability and Nuisance Study** — Predicted continuous and intermittent noise levels at property lines, particularly from cooling equipment and generators, demonstrating compliance with applicable noise standards. Anticipated impacts on law enforcement resources, community safety and traffic.
9. **Habitat and Natural Resource Impact Statement** — Identification of impacts to Goal 5 resources, significant vegetation, wildlife habitat, or riparian areas, and proposed mitigation.
10. **Water Rights Documentation** – if applicable, for any use of groundwater or surface water beyond municipal supply.

The City may require a third-party peer review of any submitted study, at the applicant's expense, where technical complexity warrants.

Section 4. Approval Criteria

In addition to the general CUP approval criteria in ADC [citation needed] the decision-making body shall find that:

- (a) The proposed water demand will not exceed available capacity in the City's water system without the applicant funding necessary system upgrades, and will not compromise the City's ability to meet existing and projected demand from residential and other customers, including during periods of drought or supply curtailment;

- (b) The applicant has demonstrated a water conservation and efficiency plan, including consideration of closed-loop or reclaimed water cooling systems where feasible;
- (c) The proposed facility will not be located within a wellhead protection zone unless the applicant demonstrates, through hydrogeologic analysis, that there is no reasonable risk of contamination to municipal drinking water sources;
- (d) Stormwater and any wastewater/cooling discharge will be managed consistent with City, DEQ, and (where applicable) EPA standards, with no net increase in pollutant loading to surface or groundwater;
- (e) Backup generator fuel storage includes adequate secondary containment and spill response planning to prevent contamination of soil, groundwater, or nearby water bodies;
- (f) The proposed use avoids or adequately mitigates impacts to designated natural resources, wetlands, riparian corridors, and wildlife habitat consistent with the City's Comprehensive Plan;
- (g) The applicant has provided a decommissioning and financial assurance plan addressing site restoration, removal of fuel storage/cooling infrastructure, and remediation of any contamination in the event the facility ceases operation; and
- (h) The proposed facility is compatible with surrounding uses with respect to noise, traffic, and visual impact.
- (i) The proposed facility has demonstrated that its electrical grid connection will not cause adverse impacts in the community or lead to avoidable grid failures.
-

Section 5. Conditions of Approval

The City may impose conditions including, but not limited to:

- Water use monitoring and annual reporting to the City Public Works Department;
- Requirements to curtail non-essential water use during declared drought or water shortage emergencies;
- Groundwater monitoring wells and periodic water quality testing near sensitive resource areas;
- Financial assurance (bond, letter of credit) for decommissioning and environmental remediation;
- Limits on generator testing hours and fuel storage volumes;
- Requirements for stormwater treatment facilities exceeding standard City requirements where risk warrants.

Section 6. Exemptions

A “Data Center” shall be understood to include all facilities which are: above [square foot] in size, OR which consume an average of [kWh] of electricity per day or more on average, OR which consume [Gallons] per day of water per day or more on average, AND which are primarily meant to house, store and process data. This definition excludes server rooms, mechanical corridors, and similar that do not meet the above specifications and which are part of a larger office, commercial or industrial environment. Inclusion of such shall not require a CUP, unless required by some other element of the site plan or intended use.

Section 7. Severability

If any section, subsection, sentence, clause, or phrase of this ordinance is held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

Section 8. Effective Date

This ordinance shall take effect [X] days after its passage by the City Council and approval by the Mayor, as provided in the Albany City Charter.

Drafting notes (not part of the ordinance text):

- *This draft is a starting point for Council/staff discussion and legal review.*
- *Coordinate with Public Works on realistic water system capacity thresholds and with the Planning Division on which zones should list data centers as CUP vs. outright prohibited.*
- *Fill in the blanks and placeholders*