PLANNING COMMISSION

AGENDA

Monday, March 30, 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
   - March 16, 2026 [Pages 3-6]
4. Public Comment
5. Public Hearing (continuance): SP-15-25, RL-08-25, & NR-03-25, Type III-Quasi-Judicial Process

   Summary: An appeal of a Director's decision regarding a Site Plan Review to construct a 108-unit multi-dwelling development, Natural Resource Impact Review for the encroachment into the Riparian Corridor, and a Replat application to consolidate three lots into one unit of land. (Project planner – Jennifer Cepello, jennifer.cepello@albanyoregon.gov) [Pages 7-433]

   Persons wanting to provide comments may:
   1- *Email written comments to cd.testimony@albanyoregon.gov, including your name, before* ***noon on the day of the meeting.***
   2- *To comment virtually during the meeting, register by emailing cd.testimony@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
7. Staff updates

8. Next Meeting Date: April 13, 2026

9. Adjournment

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.

MINUTES

Monday, March 16, 2026
Council Chambers – 5:15 p.m.
Approved: DRAFT

Call to Order

Chair JoAnn Miller called the meeting to order at 5:15 p.m.

Pledge of Allegiance

Roll Call

Commissioners Present: JoAnn Miller, Tami Cockeram, Paul Spilsbury, Skylar Bailey (arrived at 5:27pm.)
Kenny Larson, Remi Hill, Ron Green, Ted Bunch Jr.

Commissioners Absent: Stacey Bartholomew (excused)

Approval of Minutes for February 2, 2026 **5:15 p.m.**

Motion: Commissioner Larson moved to approve the meeting minutes from February 2, 2026. Commissioner Cockeram seconded the motion which passed 7-0.

Hearings Board Appointments **5:16 p.m**.

Chair Miller shared that the Hearings Board needed two more members from this Commission. Chair Miller is currently the only board member. Miller asked for nominations to serve on that committee. Commissioners Cockeram and Larson volunteered. Commissioner Hill volunteered as alternate.

Public Comment

None.

Business from the Public **5:17 p.m.**

Public Hearing on Planning Files SP-15-25, RL-08-25. And NR-03-35, Type III-Quasi-Judicial Process

Appeal of Director's decision regarding a Site Plan Review to construct a 108-unit multi-dwelling development, Natural Resource Impact Review for the encroachment into the Riparian Corridor, and Replat application to consolidate three lots into one unit of land.

Chair Miller opened the public hearing at 5:19 p.m.

Commission Declarations

No members declared a conflict of interest.

No members declared an ex-parte contact.

Commissioner Green reported a site visit.

No members abstained from participating in the proceedings.

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

No Commission members abstained from participating.

Current Planning Manager David Martineau read the hearing procedures.

Project Planner Jennifer Cepello provided the staff report on the applications sharing slides*.

The Community Development Director issued the Notice of Decision on February 19, 2026. Roger Nyquist and Elaine Albrich, Legal Counsel with Davis Wright Termaine LLP appealed the Decision on March 3, 2026, and the second Notice of Appeal was received from Amanda Fee and Bill Gsell on March 5, 2026. Staff proposed 23 Conditions of Approval which were listed in the agenda packet and four options for the decision.

Questions for Staff **5:27 p.m.**

Commissioner Hill had a list of questions to ask staff regarding the traffic study, availability of egress, capacity, endangered species, cultural resources, herbicide use, cell tower construction, soil runoff, and the radius used for the notice perimeter. Questions were addressed by Martineau, Cepello and Assistant City Engineer/Public Works Traffic Specialist, Aaron Heimstra.

Applicant Testimony **5:47 p.m.**

Micheal M. Reeder, Legal Counsel for Schneider Homes Inc. testified on behalf of the applicant towards the issues that were raised in the Nyquist appeal. He also provided written materials*. Reeder stated that the application had already been approved before the appeals. He noted that Nyquist had not provided a reciprocal easement to the property but argued this was irrelevant due to the application's merits. Reeder explained that Nyquist had been required under past land use decisions to provide access to his applicant's property.

Reeder on behalf of his client supported denying the appeal and approving the application, stating that the appeal does not justify the denial. He asked that the commission approve the application, affirming the Director's decision.

Commission Questions **6:05 p.m.**

Commissioner Green asked for clarification of the village center, which staff advised and provided a map* to show the boundaries which were part of the agenda packet.

Appellate I Testimony **6:09 p.m.**

Roger Nyquist, Nyquist Ventures, began by noting a correction for the record regarding the easement. That the land use conditions note that the parties enter into a reciprocal agreement, not that he grant the easement. He agreed to negotiate the reciprocal agreement but there has been no progress.

Elaine Albrich, Attorney, outside council for Nyquist Ventures/Lakeshore Lanes stated that they will likely request additional briefing time depending on the direction of the questions. Albrich presented a PowerPoint presentation* sharing appeal issues, history of Lakeshore Lanes, impacts to Nyquist Ventures and Lakeshore Lanes and their request to the Commission and legal justifications.

Albrich provided a copy of their pre-hearing submittal letter and a copy of DKS's Traffic Memo* to enter into the record. Albrich discussed the traffic study findings and safety considerations.

She explained prior land use decisions about the property's configuration, development, and conditions include findings on the village center design, access connectivity and requirements the applicant had to meet prior to final plat or site plan approval. The city has reviewed and approved all of those actions. However, none of those decisions include a reciprocal access easement benefiting the applicant's property.

Albrich argues that the Director's decision was not based on substantial evidence related to connectivity, traffic and transportation safety. She concluded by expressing hope for a better solution to move this application forward.

Architect/Designer (retired) Bill Ryals provided history with the property and shared concerns about the easement going through the Lakeshore Lanes property and shared that he felt there was a lack of consideration for all the social impacts.

Roger Nyquist then provided a history of development in the area and the result of previous conflicts with apartment complexes nearby with noise levels associated with the recreation center.

Elaine Albrich concluded the testimony requested the Planning Commission overturn the Director's decision and deny the application for lack of substantial evidence in the record. They are ready to work with the applicant and their attorney to resolve the traffic and safety issues as stated in the appeal.

Commission Questions **6:27 p.m.**

Commissioner Bailey asked Nyquist if it is a requirement that the easement goes through the Lakeshore Lanes parking lot, and if there would be opposition to it being on the north end of 1400 or 1401 or 1402 as opposed to driving in between the bowling alley and mini golf. Nyquist responded that he is open to having conversations with the applicant and city council.

Bailey also noted that since neither the applicant nor Bowling Center want the easement to go through that area he questioned why the city requires it. Cepello responded that it is part of the code but has options to be waived. A waiver would need to fulfill the existing requirements of the conditions of approval from their previous land use reviews.

Commissioner Larson also asked about the need to use the easement, which Cepello addressed.

Commissioner Hill asked staff about the location of the easement and options to relocate them, which staff provided additional clarifications.

Discussion continued between Commissioner Hill, Mr, Nyquist and Albrich regarding options to move the process forward.

Commissioner Larson noted how there seems to be two rules that contradict each other, based on wording "requiring" versus "ability to waive" requirements. Cepello explained that development in a Climate-Friendly zone is more restrictive.

Commissioner Green asked about amending the Village Center plan to include the vacant South Pacific site to provide connection to 99, due to traffic concerns and the Climate Friendly concept for the area.

Appellant 2 Testimony **6:57 p.m.**

Amanda Fee, neighbor and frequent customer of Lakeshore Lanes testified that after reviewing the plans and considering the increase of traffic her concerns (and through her experienced opinion as member of the board for the Oak Creek Meadows Home Owners Association) were safety issues with traffic, emergency access and daily travel concerns of adding additional residential units and putting a strain on parking availability. Fee then shared concerns over the impacts of construction on wildlife and wetlands. As a resident of the area, she disagreed that the apartments were the best use of the property.

Additional Questions **7:09 p.m.**

Commissioner Hill had an additional question for Nyquist regarding alternatives to the access road, which Mr. Nyquist responded that he was more comfortable discussing those with the applicant.

Chair Miller called for a recess at 7:10 p.m.

Chair Miller reconvened the meeting at 7:20 p.m.

Public Testimony **7:20 p.m.**

Eddie Merrifield, Albany resident, shared many of the same concerns about traffic and suggested that if approved there should be an additional turn lane built in off 53rd.

Bill Allison offered his view that Albany needs additional housing but it must be without negative impacts to the current residents and businesses. His other concern is for the riparian area and potential erosion into that area, as well as human incursions there that may disturb wildlife and increase erosion.

Shannon Stephen shared the concern with the traffic on 53rd and pedestrian safety. And the slow-down of egress/access with the additional residential units. She agrees with the housing needs but doesn't agree that this is the best location.

Applicant Rebuttal Testimony **7:31 p.m.**

Mike Reeder responded that the applicant had provided a traffic study scoped by the city. The technical memo from Nyquist does support the conclusion of the traffic engineer that the intersection of 53rd and Hwy. 99 meets the mobility standards and shows that this project will be safe. He went on to equate that badly needed housing is a health, safety and general welfare and livability issue. This property was planned and zoned for residential. When the city adopts those rules without clear standards that relate to housing those standards should be waived. He concluded by reiterating that the Commission should affirm the Director's decision. He then outlined out the justification for the approval.

Commissioner Bailey asked about removing trees to create the turn lane and who would pay. Cepello indicated that the site plan that was submitted provided for mitigating measures for the left turn lane.

Commissioner Hill asked what the average predicted cost of homes would be. Reeder answered that the clients proposed property cost relative to the average median income for this area.

Commissioner Green asked Mr. Reeder about the idea of developing the South Pacific property into a Village Center as an alternative. Reeder would approach the client about this.

The Chair asked if the applicant agreed to waive the seven-day period to submit additional written argument. Reeder referred to the appellate lawyer, Albrich to respond. Albrich requested additional opportunity to deal with the procedural considerations by leaving the record open. And asked for a continuance to a date certain for anyone to submit additional evidence or answer argument to the Planning Commission to make a decision at the next hearing date. A continuance will give the appellate and applicants and community to have further discussions that may lead to a good path forward.

Cepello directed the Chair on the process for continuance.

Motion: Commissioner Hill motioned to leave record open and continue hearing to a date certain March 30, 2026, at 5:15 p.m. Commissioner Bailey seconded the motion, which passed 8-0.

Next meeting date

March 30, 2026, at 5:15 p.m. The following meeting date is April 13, 2026,

Adjournment

Hearing no further business, Chair Miller adjourned the meeting at 7:50 p.m.

Respectfully submitted,

Susan Muniz
Recorder

Reviewed by,

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.*

CITY OF ALBANY, OREGON
albanyoregon.gov

MEMO

TO: Albany Planning Commission

FROM: David Martineau, Planning Supervisor
Jennifer Cepello, Planner III

DATE: March 24, 2026, for the March 30, 2026, Planning Commission Meeting

SUBJECT: Appeal of a Director's Decision for land use cases SP-15-25, RL-08-25, and NR-03-25

Background/Discussion:

On March 16, 2026, the Planning Commission held a Public Hearing regarding an appeal of a Director's Decision to approve concurrent land use applications consisting of a Site Plan Review, Replat, and Natural Resource Impact Review for the construction of a multi-dwelling development project (land use cases SP-15-25, RL-08-25, and NR-03-25). The subject properties are located at 1190 53rd Avenue SW, 1122 53rd Avenue SW, and 5310 Pacific Boulevard SW. The subject properties of where the development is to occur are split-zoned Mix-Use Commercial (MUC) and Open Space (OS).

The appellant Nyquist Venters LLC and Elaine Albrich requested a continuance of the Public Hearing with an open record. The Planning Commission granted the request for a continuance to, March 30, 2026, at 5:15 p.m.

All provided testimony received between the March 16th, 2026, Agenda Packet and the posting of the March 30th, 2026, Agenda packet can be found in Attachment 6.

Testimony received after March 23, 2026, will be entered into the record and provided to the Planning Commission via memo on the day of the public hearing, March 30, 2026.

The application package was vested under Albany Development Code effective May 23, 2025, with the following decision criteria: Site Plan Review Criteria 2.450; Tentative Plat Review criteria ADC 11.180, and Natural Resource Impact Review Criteria 6.310.

A complete analysis of the application package is contained in the February 19, 2026, Staff Report and is included as Attachment 2.

Attachments:

1. Notices of Appeal
2. Staff Report, dated February 19, 2026
3. Notice of Decision, dated February 19, 2026
4. Traffic Impact Study (CP-01-04)
5. Notice of Decision for LA-11-04, PA-16-04, PA-17-04, and SP-14-04
6. Additional Testimony
7. Memo from City of Albany Public Works

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

Notice of Appeal or Request for Public Hearing

The undersigned, who believe they have standing to appeal, or request a public hearing as the case may be, hereby request consideration by the

City Planning Commission of a decision made on 2/18/2026
(Name of board/ commission, or city council) *(Date)*

by the Albany Community Development Director
(Community Development Director, Hearings Board, Planning Commission, Landmarks Commission)

Relating to a request for Schneider Homes Inc., SP-15-25, RL-08-25, & NR-03-25 *(case file name and number)*

I am/we are appealing this decision because of the following defect(s) in the hearing process and/or interpretation of the criteria set forth in the Albany Development Code sections, which are applicable to the previously stated land use request *(Attach your findings of fact)*: Please see attached.

I (we) understand that a hearing will be set for this appeal, and I (we) will be present at that time to answer questions regarding this appeal.

Name: Roger Nyquist
Address: 2896 Firwood Pl
Albany OR 97322
Signature: [redacted]
Date: 3/3/2026

Name: Elaine Albrich
Address: Davis Wright Tremaine LLP, 560 SW 10th
Suite 700, Portland, OR 97205
Signature: [redacted]
Date: 3/2/2026

See Fee Schedule Filing Fee: Varies *(fees subject to change every July 1)*
- Request for public hearing
- Appeal to City Council
- Appeal to Planning Commission
- Appeal to Hearings Referee (expedited land division only)

*The fee for a public hearing on a tentative decision shall be paid by the applicant, not the person requesting the hearing.

TO BE FILLED OUT BY STAFF

CASE NO. (SAME AS APPLICATION REQUEST): _____

DATE FILED: _____ **FEE PAID:** _____

RECEIPT NO: _____ **RECEIVED BY:** _____

Nyquist Ventures LLC
Notice of Intent to Appeal
City of Albany SP-15-25, RL-08-25, NR-03-25

Requirements for Notice of Intent to Appeal, ADC 1.420

(1) Identification of the decision sought to be reviewed, including the date of the decision.

Response: Appellant seeks review of City of Albany SP-15-25, RL-08-25, NR-03-25, dated February 18, 2026 (Notice of Decision). A copy of the Notice of Decision and Staff Report are included in this submittal ("Decision").

(2) A statement of the interest of the person seeking review and that they were a party to the initial proceedings.

Response: Appellant owns the adjacent property, described as

Taxlot Number: 11S04W24DA01401
Taxlot Number: 11S04W24DA01402
Taxlot Number: 11S04W24DA01400
Taxlot Number: 11S04W24DA01500
Taxlot Number: 11S04W24DA01501

Appellant owns and operates Lakeshore Lanes on the property, a family-friendly bowing center with an 18-hole outdoor mini-golf course. Appellant is adversely affected by the Decision that approves a large development on adjacent property.

(3) The specific policy or criteria relied upon for review.

Response: Appellant challenges the Decision on several basis, including but not limited to the following Albany Development Code ("ADC") code provisions: ADC 2.400-2.500, 8.145-8.305, 9.100-9.133, 11.090, 11.180, 12.010-12.040, 12.090-12.110.[1]

(4) If de novo review is requested or required, a statement summarizing the new evidence that will be offered and the criteria to which it will relate.

Response: Appellant respectfully requests that the Planning Commission hear this appeal de novo on the merits and expects to introduce new evidence related to arguments under the ADC, identified under ADC 1.420(3) above.

(5) Decisions appealed to circuit court or LUBA must follow those body's appeal procedures and criteria. N/A.

[1] Note that references to the ADC are to the current version online and may not mirror the specific reference sin the Decision. Appellant reserves the right to further refine its allegations of error under the ADC.

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City Planning Commission of a decision made on 2/18/2026

(Name of board/ commission, or city council) *(Date)*

by the Albany Community Development Director

(Community Development Director, Hearings Board, Planning Commission, Landmarks Commission)

Relating to a request for Schneider Homes Inc, SP-15-25, RL-08-25, & NR-03-25 *(case file name and number)*

I am/we are appealing this decision because of the following defect(s) in the hearing process and/or interpretation of the criteria set forth in the Albany Development Code sections, which are applicable to the previously stated land use request *(Attach your findings of fact)*: Please see the attached document.

I (we) understand that a hearing will be set for this appeal, and I (we) will be present at that time to answer questions regarding this appeal.

Name: Bill Gsell

Address: 1571 Salmon Run SW

Albany, OR 97321

Signature: [redacted]

Date: 3/5/2026

Name: Amanda Fee

Address: 1641 Elk Cir SW

Albany, OR 97321

Signature: [redacted]

Date: 3/5/2026

See Fee Schedule Filing Fee: Varies *(fees subject to change every July 1)*

Request for public hearing
Appeal to City Council
Appeal to Planning Commission
Appeal to Hearings Referee (expedited land division only)

*The fee for a public hearing on a tentative decision shall be paid by the applicant, not the person requesting the hearing.

TO BE FILLED OUT BY STAFF

CASE NO. (SAME AS APPLICATION REQUEST): _____

DATE FILED: _____ **FEE PAID:** _____

RECEIPT NO: _____ **RECEIVED BY:** _____

albanyoregon.gov/cd

Notice of Intent to Appeal
City of Albany SP-15-25, RL-08-25, NR-03-25

To the Albany Planning Commission,

I respectfully submit this appeal of the February 19, 2026 Notice of Decision approving the Site Plan Review and related applications for the proposed 108-unit apartment development near 53rd Avenue SW and Pacific Boulevard. Pursuant to ADC Article 1, I request that the Planning Commission reconsider and remand the approval because the decision lacks adequate findings supported by substantial evidence in the record that the proposal conforms to the Albany Development Code (ADC) and meets all applicable review criteria under ADC 2.450 (and related sections), including but not limited to ADC 2.400–2.500 (Site Plan Review), 8.145–8.305 (design standards), 9.100–9.133 (wetlands/riparian), 11.090 and 11.180 (access/connectivity), and 12.010–12.110 (public infrastructure/transportation).

1. **Site Plan Review Compliance – ADC 2.400–2.500**

Under ADC 2.450, approval requires findings that the development is consistent with the Comprehensive Plan, complies with zoning and design standards, and meets public facilities/transportation criteria. The surrounding "Animal Kingdom" neighborhood has over 600 homes served by a limited street network with a single outlet, due to the historical halt in street extensions following discovery of a Native American cultural site. The decision lacks adequate findings supported by substantial evidence that the proposed 108-unit development satisfies Site Plan Review criteria regarding safe circulation, emergency access, compatibility with surrounding uses, and minimization of land-use conflicts.

2. **Traffic and Access Feasibility – ADC 12.090–12.110, 11.090, 11.180, and ADC 2.450(9)**

The approved site circulation appears to rely in part on vehicle access through an adjacent private commercial property (via the Lakeshore Lanes driveway connection to Pacific Boulevard/OR 99E). The record contains no substantial evidence of a legally recorded, permanent access easement allowing such use by apartment residents. Even if an easement were obtained, the practicality is questionable due to required left-turn movements across heavy traffic on OR 99E for most north/west destinations. This could concentrate traffic at the 53rd Avenue access points, potentially exceeding safe capacity during peak hours. The traffic study assumes distribution across multiple access points (including Lakeshore Lanes), but absent evidence of reliable access, it likely underestimates congestion and safety impacts. The decision lacks findings supported by substantial evidence that the transportation system can safely and adequately accommodate the development per ADC 12.090–12.110, ADC 11.090/11.180 (access/connectivity), and ADC 2.450(9) (Public Works Director determination on transportation improvements).

3. **Emergency Evacuation Concerns – ADC 2.400–2.500 and ADC 2.450**

The neighborhood's constrained access heightens risks during emergencies (e.g., fire, natural disaster, or peak congestion). Adding 108 units would substantially increase residents relying on the limited primary outlet. The record lacks substantial evidence or findings evaluating how circulation and evacuation conditions remain safe under these constraints, as required for compatibility, safe circulation, and public safety under Site Plan Review criteria (ADC 2.450, including consistency with Comprehensive Plan goals for health/safety).

4. **Wetlands and Riparian Protection – ADC 9.100–9.133**

The proposal involves grading and imported soil near wetlands and riparian areas. While Condition 21 requires wetland delineation concurrence from the Oregon Department of State Lands (DSL), the record lacks substantial evidence or findings that grading, imported soil, or related activities will avoid altering hydrology, introducing contaminants, or impacting adjacent riparian habitat. No conditions mandate soil testing, contaminant screening, or long-term hydrology monitoring. Additional analysis or safeguards are needed to ensure compliance with ADC 9.100–9.133 and protection of wetland/riparian functions per ADC 2.450(7) (Article 9 standards).

5. **Site Design and Circulation Standards – ADC 8.145–8.305**

The decision lacks adequate findings that the proposal meets Article 8 design standards for pedestrian/bicycle connectivity, internal circulation, and reasonable compatibility with surrounding uses. Given the project's scale relative to the neighborhood and limited access points, internal/multimodal connections require fuller evaluation to minimize negative impacts per ADC 2.455 (non-residential compatibility criteria, applicable here via multi-family scale).

6. **Public Infrastructure and Utilities – ADC 12.010–12.040 and ADC 2.450(8)–(10)**

The record lacks substantial evidence or findings (including from the Public Works Director) that water, sewer, and stormwater systems are sufficient or will be made sufficient to serve the development. Utility providers have indicated existing infrastructure is near capacity. Compliance with ADC 12.010–12.040 and ADC 2.450(8)–(10) requires clear evidence of adequate public facilities/utilities and stormwater accommodation.

7. **Missed Opportunity for Mixed-Use Development in MUC Zone – ADC 2.450 and Comprehensive Plan Consistency**

The subject property is zoned Mixed Use Commercial (MUC), intended to promote a blend of commercial and residential uses that support vibrant, service-oriented neighborhoods (per ADC Article 5 and the Comprehensive Plan's Village Center designation). The surrounding southwest Albany area has long requested basic commercial services (e.g., neighborhood markets or gas stations) to reduce travel demands. The approved all-residential 108-unit development occupies prime MUC land that could have included ground-

floor commercial or retail to better address these gaps, enhance compatibility with the underserved neighborhood, and align with mixed-use goals for minimizing conflicts and supporting public services. The decision lacks findings supported by substantial evidence that this purely residential use maximizes the site's potential under MUC zoning and Comprehensive Plan policies for balanced growth.

For these reasons, including the unverified and 'proposed' nature of the shared access easement (with reliance on a separate ODOT permit and no record of a currently recorded easement), potential underestimation of traffic and safety impacts, emergency evacuation risks due to the neighborhood's constrained street network, insufficient upfront findings on wetland and riparian safeguards beyond deferred DSL concurrence, and lack of clear Public Works Director determinations on infrastructure and transportation capacity, the decision does not include adequate findings supported by substantial evidence in the whole record that the proposal fully meets all applicable ADC standards (including ADC 2.450 criteria for public facilities, transportation, natural resources, design, and compatibility). I respectfully request that the Planning Commission remand the application to staff for further proceedings, including: (1) a revised traffic and access analysis that assumes only realistic, legally secured access points (without presuming the Lakeshore Lanes connection); (2) submission and verification of a recorded, permanent reciprocal access easement as required by Condition 15; (3) additional findings and/or conditions addressing emergency evacuation safety, enhanced wetland, soil, and hydrology protections, and confirmed utility and infrastructure adequacy; and (4) any other proceedings necessary to ensure the record contains substantial evidence of full compliance with the ADC before re-approval.

Thank you for your consideration.

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

Staff Report

Site Plan Review for New Construction, Replat, and Natural Resource Impact Review

SP-15-25, RL-08-25, & NR-03-25 February 18, 2026

Summary

The proposal is a concurrent Site Plan Review application for the construction of a 108-unit multi-dwelling development; a Natural Resource Impact Review for encroachments into the Riparian Corridor Overlay; and a Replat application to consolidate three lots into one unit of land.

The site is composed of three separate properties located at 1190 53rd Avenue SW, 1122 53rd Avenue SW, and 5310 Pacific Boulevard. The three lots together are 8.29-acres and are split zoned Mixed-Use Commercial (MUC) and Open Space (OS). A location and zone map are included as Attachment A.

The following criteria are addressed in this report: Site Plan Review criteria contained in Albany Development Code (ADC) 2.450; Natural Resource Impact Review criteria contained in ADC 6.310; and Tentative Plat Review criteria contained in ADC 11.180. These criteria must be satisfied to grant approval for these applications.

As presented in this report, the proposed development application satisfies all applicable review criteria; therefore, this land use application APPROVED with CONDITIONS.

Application Information

Type of Application:	Concurrent Site Plan Review application for the construction of a 108-unit multi-dwelling development; a Natural Resource Impact Review for encroachments into the Riparian Corridor Overlay; and a Replat application to consolidate three lots into one unit of land
Review Body:	Staff (Type I-L Review)
Staff Report Prepared By:	Jennifer Cepello, project planner
Property Owner/Applicant:	Schneider Homes Inc.; 650 Southcenter Blvd, Ste. 1, Tukwila, WA 98188
Applicant's Architect:	Roger Newell AIA; 1102 19th Avenue E., Seattle, WA 98112
Address/Location:	1190 53rd Avenue SW; 1122 53rd Avenue SW; and 5310 Pacific Boulevard
Map/Tax Lot:	Linn County Assessor's Map No. 11S-04W-24 Tax Lot 00606; 11S-04W-24DA Tax Lots 01200, and 01300
Zoning:	Mixed Use Commercial (MUC) and Open Space (OS)
Comprehensive Plan:	Village Center & Open Space

Overlay Districts:	Floodplain (/FP); Riparian Corridor (/RC); Significant Wetlands (/SW)
Total Land Area:	8.29 acres
Existing Land Use:	Undeveloped; Telecommunications Tower
Neighborhood:	South Albany
Surrounding Zoning:	North: Community Commercial (CC) / Residential Medium Density (RM) East: Mixed Use Commercial (MUC) South: Residential (R-6.5) West: Residential (R-6.5)
Surrounding Uses:	North: Commercial East: Undeveloped (currently farmed) South: Low Density Residential West: City owned park/open space

Notice Information

A notice of filing was mailed to property owners located within 1,000 feet of the subject property on December 19, 2025. Property owners were given 14 days to respond to the notice. At the time the comment period ended on January 2, 2026. Fifty-one comments were received on the proposed land use action. Comments received during the Public Notice period can be found under Attachment I.

COMMENTS: Public comments received during the public noticing period expressed concerns on the additional traffic upon 53rd Avenue SW, the construction and limitation of 53rd Avenue SW, impacts to wetlands upon the subject property, flooding in the area, drainage runoff, public notice requirements, criminal activity, and property values.

STAFF RESPONSE:

Traffic: Comments received expressed concerns about the additional traffic expected with the construction of a 108-unit apartment complex. Findings addressing traffic impacts to 53rd Avenue are addressed under Site Plan Review criterion 8 in this staff report.

Construction and Limitations of 53rd Avenue SW: Comments received express concerns on the use of 53rd Avenue as the primary access for the proposed development and the impacts upon 53rd Avenue SW as it is the only access out of the existing neighborhood for hundreds of homes. Comments questioned the capacity of 53rd Avenue in the case of a mass evacuation where individuals were to leave their homes. Fifty-third Avenue is classified as a minor arterial right-of-way. A Local Improvement District (LID) was formed to improve 53rd Avenue. Fifty-third Avenue was designed so that both east and west bound lanes act as separate emergency accesses. This provides two emergency access routes to serve all development west of Oak Creek. Additional findings addressing the capacity of 53rd Avenue and the impacts of the proposed development are located within criterion 8 under the Site Plan Review in this staff report.

Wetlands: The subject property contains multiple natural resource overlays including Open Space zoning, a tributary to Oak Creek, Significant Wetlands, Riparian Corridor, and the Special Flood Hazard Area. Findings addressing impacts to natural resources are addressed under Tentative Plat criterion 3 and under the Natural Resource Impact Review criterion and standards in this staff report.

Drainage: Concerns were raised regarding potential stormwater runoff from the proposed development into the wetlands and the floodplain on the western portion of the subject property.

The application submitted a stormwater report which demonstrates that post development run off will be collected and treated in a private storm infrastructure system. The City's stormwater requires all post storm runoff to match pre-development runoff. Findings further addressing stormwater are located in Site Plan Review criterion 7 and 9 of this staff report.

Flooding: Comments were submitted expressing concerns of the existing flooding potential of Oak Creek and its tributaries. The subject property contains portions within the Special Flood Hazard Area, but all development is located outside of the Special Flood Hazard Area, also known as the 100-year floodplain.

Public Notice Requirements: ADC 1.220(3)(a) states that written notice of the land use application must be sent to all property owners and designated representatives of City Council recognized neighborhood associations within a minimum notice area as specified for the land use review type.

Criminal Activity: The subject properties are served by the Albany Police Department. Criminal activity is not a decision criterion for approval of land development applications.

Property Values: Concerns were expressed about the effect of apartment development upon the property values of the surrounding neighborhoods. Property values are not a decision criterion and are not addressed within this staff report.

Analysis of Development Code Criteria

Sections 2.450, 11.180, and 6.310, 6.400 and 6.410 of the ADC include the following review criteria, which must be met for this application to be approved. Development code criteria are written in bold followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Tentative Plat Review Criteria (ADC 11.180)

Criterion 1

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

Findings of Fact

1.1 The applicant proposes to consolidate three parcels into one single unit of land. The subject properties are identified on Linn County Assessor Map No. 11S-04W-24 Tax Lot 00606 and 11S-04W-24DA Tax lots 01200 and 01300 and have been assigned the addresses of 1190 53rd Avenue SW, 1122 53rd Avenue SW, and 5310 Pacific Boulevard SW (Attachment A).

1.2 Two of the properties, 1122 53rd Avenue and 5310 Pacific Boulevard SW, have an underlying zoning district of Mixed-Use Commercial (MUC). The property at 1190 53rd Avenue is split-zoned Mixed-Use Commercial (MUC) and Open Space (OS).

1.3 The Open Space zoning district is intended for the continuation and preservation of existing agricultural uses, park and recreation areas, wildlife habitats, wetlands, natural areas, flood conveyance, and uses that do not involve the construction of structures other than minor accessory facilities required to conduct the principal use.

1.4 The OS zoning district does not have a minimum lot size, or minimum/maximum widths or depths. The proposed development does not encroach into the OS zoning district.

1.5 The Mixed-Use Commercial zoning district is intended primarily to provide a mix of convenience commercial, personal services, offices, and medium density residential uses. The district would typically be anchored by a grocery store and may include a mix of smaller retailers, offices, live-work units, and residences. The MUC district is easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent

neighborhoods. Uses in the MUC zone will serve area residents and should not draw from the region.

1.6 Lot size in the MUC zone depends on the proposed use. The applicant has applied for a concurrent review of a replat, site plan review for the construction of a 108-unit multi-dwelling development, and a natural resource impact review for proposed encroachment into the Riparian Corridor overlay. Based upon Table 5.090-1 the MUC zoning district does not have a minimum lot size nor a minimum lot width or depth for multi-dwelling development

1.7 According to ADC Table 5.090-1, the minimum front setback standard is five feet and a maximum front setback of 25 feet. The MUC does not have a minimum side or rear setback.

1.8 Land divisions must conform to the lot and block standards found in ADC 11.090 and other applicable provisions of the Code. Standards relevant to this proposed partition are addressed below.

1.9 ADC 11.090(1) states lots must be arranged such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all proposed lots in compliance with the requirements of the Code. The applicant is seeking to consolidate three separate parcels into one 8.29- acre unit of land. There are no foreseeable difficulties in securing building permits to build on the proposed parcel, provided applicable development standards are followed.

1.10 According to ADC 11.090(2), when lots are more than double the minimum area designated by the zoning district, those lots must be arranged to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat. The proposed replat does not create a lot that is more than double the minimum area in the MUC and OS zoning districts. This standard is met.

1.11 ADC 11.090(3) states double frontage lots shall be avoided except when necessary to provide separation of residential developments from streets of collector or arterial street status or to overcome specific disadvantages of topography and/or orientation. Tax Lot 1300 is currently a double frontage lot. The replat will consolidate three lots into one 8.29-acre unit of land with double frontage to 53rd Avenue and Pacific Boulevard. The applicant is not creating a new double frontage lot with the replat but will continue to contain a double lot. This standard is met.

1.12 ADC 11.090(4) states side yards of lots shall run at right angles to the street the property faces. The proposed property line will result in side yards that will run at right angles to the street frontage. This standard is met.

1.13 ADC 11.090(5) lists dimensional requirements when street blocks are created as part of the land division. The proposed replat does not create any new streets or blocks. This standard is not applicable.

1.14 ADC 11.090(6) states off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible. All three lots have frontage onto 53rd Avenue SW, a public right-of-way. Tax lot 01300 has additional frontage onto Pacific Boulevard, a public right-of-way managed by the Oregon Department of Transportation (ODOT). The proposed replat will not alter the existing access to the public rights-of-way. This standard is met.

1.15 ADC 11.090(7) provides recommendations for the minimum distance between arterial street intersections. No new streets or intersections are proposed; therefore, this standard

is not applicable. Findings addressing the proposed access upon 53rd Avenue and Pacific Boulevard, both arterial streets, are located under Site Plan Review criterion 8 and are incorporated herein by reference.

1.16 ADC 11.090(8) regards developments located on a cul-de-sac lot. The subject properties are not a part of a cul-de-sac, and the applicants do not propose creating a cul-de-sac as a part of the future development. This standard is not applicable.

1.17 ADC 11.090(9) pertains to flag lots. The subject properties each have independent access to the public right-of-way that is not via an existing flag lot. The proposed replat will consolidate the three properties into one 8.29-acre unit of land and will not create a new flag lot. This standard is met.

1.18 ADC 11.090(10) regards street intersections and minimum curb radius. No street intersections are created or impacted by the proposed replat; therefore, this standard is not applicable.

Conclusions

1.1 The proposal meets the standards of the underlying zoning districts.

1.2 The proposed replat does not propose to create new blocks, intersections, or cul-de-sacs.

1.3 The proposal meets the underlying development and lot and block standards of the MUC and OS zoning districts.

1.4 This criterion is satisfied without conditions.

Criterion 2

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

Findings of Fact

2.1 The applicant proposes to consolidate three parcels into one 8.29-acre unit of land. There is no remainder of property to consider.

Conclusion

2.1 The above criterion is satisfied, as there is no remainer property to consider.

Criterion 3

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

Findings of Fact

3.1 This review criterion has been interpreted by the city council to require only that adjoining land either has access or be provided with access, to public streets.

3.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic.

3.3 ADC 12.110 states new streets may be required to be located where the City Engineer determines additional access is needed to relieve, or avoid, access deficiencies on adjacent or nearby properties.

3.4 The subject properties and all adjoining lots have access to public streets. No new streets are proposed by this application.

Conclusions

3.1 All the adjoining land has, and will continue to have, access to public streets.

3.2 This criterion is met without conditions.

Criterion 4

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

Findings of Fact

4.1 ADC 12.060 requires public streets adjoining new development to be improved to City standards. The applicant has submitted for concurrent review a Replat to consolidate three parcels into one, 8.29-acre unit of land, a Site Plan Review for the construction of a 108-unit multi-dwelling development, and a Natural Resource Impact Review for encroachments into the Riparian Corridor overlay. The proposed development does not include the creation of new public streets.

4.2 Findings addressing site circulation and public right-of-way connections are located within the staff report under Site Plan Review criteria 6 and 8. Those findings are incorporated herein by reference.

4.3 No new or interior streets are proposed with the replat.

Conclusions

4.1 No new development or new interior streets are proposed with the replat.

4.2 This criterion is satisfied without conditions.

Criterion 5

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

Findings of Fact

Sanitary Sewer

5.1 City utility maps show an 8-inch public sanitary sewer main in 53rd Avenue. The subject properties are not connected to City sewer.

5.2 Additional findings addressing sanitary sewer are in Criterion 7 under the Site Plan Review and are incorporated herein by reference.

Water

5.3 City utility maps show a 12-inch public water main in 53rd Avenue. The subject properties are not connected to City water.

5.4 Additional findings addressing public water for this development are located in Criterion 7 under the Site Plan Review and are incorporated herein by reference.

Storm Drainage

5.5 City utility maps show a 12-inch, 15-inch, and 18-inch public storm drainage mains in 53rd Avenue. The public right-of-way, 53rd Avenue, is constructed to City standards with curb and gutter.

5.6 Additional finding addressing storm water for this development are located in Criterion 7 and 9 of the Site Plan Review and are incorporated herein by reference.

Conclusions

5.1 The proposed replat will not negatively affect public utilities.

5.2 Additional findings addressing the proposed development upon the consolidated parcel are addressed later in this staff report and are incorporated herein by reference.

Criterion 6

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

Findings of Fact

6.1 Article 4: Airport Approach District. Figure 4.410-1 of the ADC shows the subject property is not located within the Airport Approach District.

6.2 Article 6 Floodplain Overlay District: Comprehensive Plan Plate 5: Based on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM# 41043C0526G, dated September 29, 2010) portions of the subject property are located within a Special Flood Hazard Area (SFHA), otherwise known as the 100-year floodplain. The proposed development will not encroach into the SFHA.

6.3 Article 6 Hillside Development Overlay District: According to Chapter 11, Plate 7 of the Comprehensive Plan, the subject property contains slopes that are protected within the Hillside Development District. The proposed development does not encroach into the area of steep slopes.

6.4 Article 6 Significant Wetlands Overlay District: Portions of the subject property are within the Significant Wetlands Overlay District. The proposed development has completed a wetland delineation upon the subject properties. Findings addressing the wetland delineation are located under the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference.

6.5 Article 6 Riparian Corridor Overlay District: Portions of the subject property are within the Riparian Corridor. The proposed site improvements will include three separate encroachments into the Riparian Corridor Overlay district. Permanent alterations within the Riparian Corridor Overlay district require a Natural Resource Impact Review and mitigation. Findings addressing the proposed encroachments and required on-site mitigation are located under the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference.

6.6 Article 6 Habitat Assessment Overlay District: The subject property is not located within a Habitat Assessment Overlay District.

6.7 Historic and Archaeological Resources. According to Chapter 11, Plate 9 of the Comprehensive Plan, shows the property is not located in a historic district. The subject property is bordered by a tributary to Oak Creek to the west and south, which has a high likelihood of containing archaeological resources. The proposed development is located approximately 120 feet from the top of bank of the Oak Creek tributary. Notice of the proposed development was submitted to the Oregon Department of Parks and Recreation, Oregon Heritage/State Historic Preservation Office and to the Confederated Tribes of the Grand Ronde Community of Oregon for review and comments. It is a requirement within the City of Albany's Comprehensive Plan that an Inadvertent Discovery Plan (IDP) be in place and if archaeological and/or cultural resources are discovered the Grand Ronde Community of Oregon be contacted. As a condition of approval, prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.

Conclusions

6.1 The proposed development is not located within the Airport Approach district as described in Article 4.

6.2 According to the FEMA Flood Insurance Rate Map, portions of the subject property are located within the Special Flood Hazard Area (SFHA). The proposed development is not located within the SFHA upon the property.

6.3 Portions of the subject property are located within the Hillside Development Overlay District described in Article 6. The proposed development is not located within the Hillside Development Overlay upon the property.

6.4 Portions of the subject property contain inventoried jurisdictional wetlands, Significant Wetlands, and the Riparian Corridor. Findings addressing impacts and encroachments are found in the Natural Resource Impact Review portion of this staff report and incorporated herein by reference.

6.5 The subject property is not located within a Historic District but is located within the vicinity of archaeological resources. As a condition of approval, the property owner shall establish an Inadvertent Discovery Plan if any archaeological resources are discovered.

Condition

Condition 1: Prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.

Site Plan Review Criteria (2.450)

Criterion 1

The application is complete in accordance with the applicable requirements.

Findings of Fact and Conclusions

1.1 In accordance with ADC 1.170, the application was deemed complete as of November 26, 2025.

1.2 This criterion is met without conditions.

Criterion 2

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

Findings of Fact

2.1 Zoning. The project site includes three parcels which are under concurrent review to be consolidated into one unit of land. Two of the subject properties, 1122 53rd Avenue and 5310 Pacific Boulevard, are located within the Mix Use Commercial (MUC) zoning district. The third property, 1190 53rd Avenue, is split-zoned Mix Use Commercial (MUC) and Open Space (OS). After the consolidation the subject property will consist of 8.29 acres, 3.75 acres zoned MUC and the remaining 4.54 acres zoned OS. The development, as proposed, will be located entirely within the MUC zoning district.

2.2 The applicant is proposing to construct a 108-unit apartment style multi-dwelling development. The development will consist of seven apartment buildings, an office/clubhouse building, two covered bicycle storage facilities, a children's play area, active and passive outdoor open spaces, parking and other associated site improvements.

2.3 Lot Size, Dimensional Requirements, and Lot Coverage. Table 5.090-1 within the ADC contains the development standards for the MUC zoning district. The chart below details the minimum and maximum development standards for the RM zoning district in comparison to the proposed development.

		Development Standard	Proposal
Lot Size	Minimum	None	8.29 acres
Lot Width	Minimum	None	No change
Lot Depth	Minimum	None	No change
Setbacks (Minimum)	Front (North) Interior (East) Interior (West) Rear (South	5 feet None None None	15.5 feet 10 feet ~245 feet ~257 feet
Setbacks (Maximum)	Front	25 feet (residential)	15.5 feet
Open Space	Minimum	250 square feet of useable area*	
Landscaped Area (within required setbacks)		100%	100%
Height	Maximum	85 feet	36 feet
Lot Coverage	Maximum	80%	68%**

** Development must meet the open space requirements of ADC 8.220; **Proposed development will have a lot coverage of 68% of the MUC zoning district (30% of the entire property)*

2.4 Landscaping, Buffering, and Screening. See finding under Criterion 6 below pertaining to Article 9. Landscaping, buffering, and screening standards are incorporated herein by reference.

2.5 Screening of Refuse Containers. See finding under Criterion 6 below pertaining to Article 9. Screening of refuse container standards are incorporated herein by reference.

2.6 Supplemental Village Center and Climate Friendly Area. The subject property has a comprehensive plan map designation of Village Center and is located within a Secondary Climate Friendly Area. Multi-unit development within a secondary Climate Friendly Area has a minimum density of 12 units per net acre. The proposed development has approximately 3.75 acres of developable land outside of protected natural resources. The applicant proposes to create 108 units which exceeds the minimum density.

2.7 The supplemental residential design standards in Village Centers and Climate Friendly Areas are intended to promote the design of an urban environment that is built to human scale and to foster a mixed-use character for village centers with an emphasis on a high-quality pedestrian environment, high-quality and attractive building materials, and architectural details that reduce exterior building mass. These supplemental design standards are addressed below under Criterion 4 and 5 in this staff report and are incorporated herein by reference.

Conclusions

2.1 The proposal meets all applicable development standards.

2.2 This review criterion is met without conditions.

Criterion 3

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

Findings of Fact

3.1 Article 4 Airport Approach district. According to Figure 4.410-1 of the ADC, the subject property is not located within the Albany Airport Approach district.

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

3.3 Article 6: Floodplains. *Comprehensive Plan Plate 5: Floodplains*. The effective FEMA Flood Insurance Rate Map (FIRM), Community Panel No. 41043C0526G, dated September 29, 2010, indicates portions of the subject property are located within the Special Flood Hazard Area (SFHA), (aka 100-year floodplain). The area of the proposed development is located within an unshaded Zone X, areas determined to be outside the 500-year flood level and is not subject to the additional requirements of floodplain development.

3.4 Article 6: Wetlands. *Comprehensive Plan Plate 6: Wetland Sites*. The subject property contains jurisdictional wetlands as well as areas inventoried as Significant Wetlands and the Riparian Corridor. Prior to application submittal the applicant had a wetland study conducted upon the subject property to delineate the extent of the wetlands upon the subject property. The wetland study found the upland boundary of the wetland to be located further east upon the property than indicated upon the city's maps. District boundary corrections and refinements are allowed pursuant to ADC 6.430. The Riparian Corridor overlay district was estimated by measuring the edge of the water/wetland, which was based upon aerial photography. A district boundary refinement is an alteration made, based on professional analysis, to refine the boundary of the Significant Natural Resource Overlay Districts. When a DSL-approved wetland delineation or determination results in a change to the boundary of the significant wetland adjacent to the Riparian Corridor, the Riparian Corridor Overlay boundary will be adjusted accordingly.

3.5 The provided site plan reflects a wetland study upon the property and incorporated the location of the delineated wetlands and the amended reach of the Riparian Corridor Overlay Wetlands upon the subject property. As a part of the application package the applicant has applied for a Natural Resource Impact Review and an associated Mitigation Plan for proposed encroachments into the recently corrected Riparian Corridor Overlay District. Findings addressing permanent impacts and encroachments into the Riparian Corridor Overlay district are addressed under the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference. The proposed development does not propose any development including grading within the Significant Wetland Overlay District.

3.6 Article 6: Topography. *Comprehensive Plan, Plate 7: Slopes*. Portions of the subject property are identified as containing steep slopes. The proposed development is not located within the areas identified as containing steep slopes.

3.7 Article 7: Historic and Archaeological Resources. *Comprehensive Plan, Plate 9: Historic Districts,* shows the property is not located in a historic district. The subject property is bordered by Oak Creek to the west and south, which has a high likelihood of containing archaeological resources. Findings addressing Article 7 compliance are found under Criterion 6 of the Replat portion of this staff report and are incorporated herein by reference.

Conclusions

3.1 The proposed development is not located within the Airport Approach district as described in Article 4.

3.2 According to the FEMA Flood Insurance Rate Map, portions of the subject property are

located within the Special Flood Hazard Area (SFHA). The proposed development is not located within the SFHA upon the property.

3.3 Portions of the subject property are located within the Hillside Development Overlay District described in Article 6. The proposed development is not located within the Hillside Development Overlay upon the property.

3.4 Portions of the subject property contain inventoried jurisdictional wetlands, Significant Wetlands, and the Riparian Corridor. Findings addressing impacts and encroachments are found in the Natural Resource Impact Review portion of this staff report and incorporated herein by reference.

3.5 The subject property is not located within a Historic District but is located within the vicinity of archaeological resources. Findings and a condition of approval are addressed under criterion 6 of the Replat review in this staff report and are incorporated herein by reference.

Criterion 4

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

Findings of Fact and Conclusion

4.1 Applicability. The applicant proposes to construct a 108-unit apartment complex with associated site improvements. The Design Standards under ADC 8.200-8.305 "Multiple-Dwelling Unit Development" apply to this development.

4.2 Relationship to Historic Overlay Districts. As previously stated, the subject property is not located within a historic district and does not contain a historic resource. Accordingly, this standard is not applicable.

4.3 Recreation and Open Space Areas. ADC 8.220 states that the purpose of the open space aeras is to ensure that new multiple dwelling unit developments provide spaces for recreation and relaxation that are adequately sized, located, and functional. The standards also intend to ensure that a development project's open space is an integral part of the overall development design, not merely leftover space. Table 8.220-1 within the ADC contains the recreation and Open Space Requirements by Zoning District. The chart below details the recreation and Open Space standards for the MUC zoning district.

	Required
Common Open Space	250 square feet of useable area*
Children's Play Areas	Not Required
Private Open Space	Not Required

4.4 Common Open Space in All Zoning Districts. ADC 8.220(1) requires the dedication and construction of any multi-use paths upon the subject property if they are identified in the Parks Master Plan, the Transportation System Plan, and adopted area plan, or any other plan adopted by the City of Albany. There is no master plan identified multi-use paths upon the subject properties. This standard is not applicable.

4.5 Private Open Space. ADC 8.220(4) is not required for developments within the MUC zoning district. The applicant proposes to provide private open space for the majority of the dwelling units. The standards of ADC 8.220(4) only apply to required private open space, therefore the provided open space is not subject to the dimensional requirements of ADC 8.220(4). This standard is not applicable.

4.6 Setbacks and Building Orientation. The purpose of ADC 8.240 is to create and maintain street frontages that are attractive, create an environment that is conductive to walking, and provide natural surveillance of public spaces. Building orientation standards promote building and site design that contribute positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries, and yards to public streets. Development site with frontage on a collector or arterial public street has an option to either meet the Street Orientation Option or the Enhanced Landscaping Option in Table 8.240-1.

4.7 Street Orientation Option ADC 8.240(3)(a). Sites with 100 feet or more of frontage on a public street, at least 50 percent of the site width must be occupied by a building(s) placed no farther than 20 feet from the front lot line. The primary entrance(s) of at least 50 percent of the ground floor units of residential building(s) located within 25 feet of a public street must face the street. Ground floor entries to individual units must provide a covered front porch, or a front entry that is recessed a minimum of two feet behind the front building façade. No off-street parking or circulation may be located between the front of the building and the street.

4.8 The subject property's frontage, not including significant natural resources and other similar non-buildable areas, is approximately 613 feet. The proposed development will locate four apartment buildings, totaling 316 feet (52%), along the site's 53rd Avenue frontage. The four apartment buildings are located 15.5 feet from the front property line. Three of the four apartment buildings have ground floor units with a main entrance oriented to 53rd Avenue and are provided with a covered front porch. The site has been designed with the parking and travel aisles located to the side and rear of the apartment buildings. There are no parking or travel aisles between the apartment buildings and 53rd Avenue. This standard is met.

4.9 Façade design, articulation, and windows. ADC 8.225 contains the requirements for façade design, articulation, and windows. The standards apply to any façade that faces toward a front lot line and must include at least two architectural features as listed in ADC 8.225(2). Three apartment buildings are oriented with the main facade facing north (front property line). This regulated faced will include eaves with an overhand greater than 12 inches, offsets of two feet that extend for at least four feet, and balconies with a minimum depth of three feet. This standard is met.

The application materials included glazing calculations (Attachment D) for each of the apartment buildings abutting a public right-of-way. Building 1 will have a total of 31.2 percent transparency along the regulated façade. Buildings 2 and 3 will each have a total of 35.2 percent transparency along the regulated façade. All transparent material must have a minimum visible transmittance of 0.4; be located in any part of the building except garages and parking areas; and face toward or within 45 degrees of the front lot line. Based upon the submitted materials this standard is met.

4.10 Pedestrian Connections. To ensure that pedestrian circulation systems are designed to provide clear, identifiable, safe, and convenient connections within a development and to adjacent uses and public street/sidewalks. Each development shall contain an internal pedestrian circulation system that makes connections between structures, parking areas, common open space aeras, and public rights-of-way.

The submitted site plan (Attachment B) indicates that the apartment facility will provide paved pedestrian connections to parking areas, community spaces, to surrounding development, and connections to the 53rd Avenue and Pacific Boulevard right-of-way. Additional findings concerning pedestrian connections are addressed in Criterion 6 and are incorporated herein by reference.

4.11 Parking Location. Parking must be located within 100 feet of the building entrance. Based upon the submitted site plan, there are provided parking areas located within 100 feet of the building entrances. This standard is met.

4.12 Supplemental Residential Design Standards in Climate Centers and Climate Friendly Areas. Residential development within the Village Center Comprehensive Plan designation and within the Climate Friendly Area overlay districts are subject to the additional design standards in ADC 8.485. The provisions of these additional standards are intended to promote the design of an urban environment that is built to human scale and to foster a mixed-use character for village centers.

4.13 The subject property is zoned MUC with a Village Center Comprehensive Plan designation and is located within the Climate Friendly Area overlay district. Based upon these facts, 50 percent of the building's street-facing and front facades must be surfaced with wood, brick, stucco, stone, masonry, cement or fiber cement, or synthetic versions of these materials. The roof line must provide at least one of the following elements: parapets, cornices, gables, dormers, varied roof heights, or top-level balconies. All exterior HVAC equipment must be screened from street-level view. The application materials indicate the street facing facades will be sided with MCU mutual materials to replicate stone, and cementitious panels (Hardie Plank) replicating wood panels. The structures will provide top-level balconies and varied roof heights, and no mechanical equipment will be visible at street-level view. These standards are met.

Conclusions

4.1 As proposed, all applicable design standards in Article 8 are met.

Criterion 5

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

Findings of Fact and Conclusion

5.1 Article 10 pertains to manufactured homes, manufactured home parks, RV parks, and temporary uses. The applicant does not propose to develop the site with a manufactured home, manufactured home park, RV park, or any temporary uses.

5.2 This standard is not applicable.

Criterion 6

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

Findings of Fact

6.1 Bicycle Parking. ADC Table 9.030-1 requires the following:

Proposed Use	Required	Total Dwelling Units	Calculation	Total
Multiple Dwelling Unit Development	0.5 spaces per dwelling unit	108	108*0.5=	**54** spaces

The applicant proposes to construct two bike shelters, one with 30 stalls and the other with 24 stalls. This standard is met.

6.2 Bicycle Parking Standards. ADC 9.030(4) contains the minimum standards for required bicycle parking spaces.

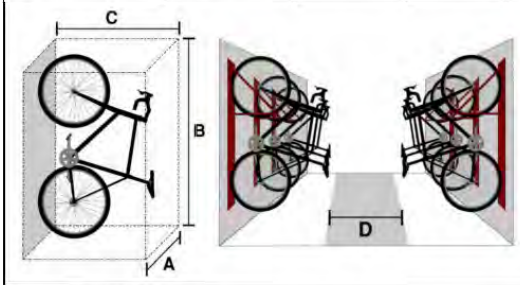
6.3 Access and Lighting. ADC 9.030(4)(a) requires that bicycle parking areas have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and barriers, such as curbs or stairs. Bicycle parking areas must be well lit.

6.4 Sheltered. ADC 9.030(4)(d) requires all bicycle parking spaces for new multi-dwelling unit development to be sheltered. Spaces must be protected from precipitation by a roof overhang or a separate roof at least seven feet tall.

6.5 Space and Access Dimensions: Bicycle parking spaces and access dimensions must comply with the standards in Table 9.030-2 (above), 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.

6.6 Bicycle Racks. Each bicycle parking space must have a parking rack securely fastened to the ground except for vertically tipped spaces. Bicycle parking racks must support each bicycle at a minimum of two points. The racks must be durable and difficult to cut material and must not restrict the length, dight, or width of bikes.

Vertical Spaces					
Standard	2 ft.	6 ft.	4 ft.	5 ft.	N/A
Side-by-side (2)	1.5 ft.				



Limitations and Qualifications

Space Type	Space Width A	Space Length B	Space Height C	Access Aisle Width D	Clearance Between Rack & Wall E

(1) For horizontal spaces, the bike rack shall be centered along the long edge of the bicycle parking space.

(2) Applies where bike racks are located side-by-side. For vertical spaces, the alternative 1.5 ft. space width requires a minimum vertical stagger of 8 inches between each space.

6.7 The applicant proposes to construct two bicycle shelters, one to the north of the development site and one further south along the eastern property line. The northern bicycle shelter is located between Pacific Boulevard (OR99E), and apartment building #1. The site plan indicates a striped pedestrian and bicycle path connecting Building #1, across the secondary eastern driveway to 53rd Avenue and through a parking area, to the bicycle parking structure. The site plan also depicts a durable surfaced connection from the bicycle parking structure to Pacific Boulevard. This bicycle structure will contain 16 vertical stalls, and 8 cargo sized horizontal stalls, for a total of 24 bicycle stalls. The southern bicycle shelter is accessible via durable surfaced sidewalk that connects to the surrounding apartment buildings. This bicycle storage does not have direct access to a public right-of-way since it is located internally to the proposed development. This bicycle shelter will contain 24 vertical bicycle stalls, and 6 cargo sized horizontal stalls. All vertical stalls are proposed at 2 feet wide by 4 feet long with a height of 6 feet and an aisle width of 5 feet. The cargo stalls are proposed at 3 feet wide by 8 feet long with a roof height of 7 feet. The submitted materials did not provide construction details of the location of lighting within the bicycle shelters or the location of curb cuts to ensure there are no access barriers between the parking/travel aisles and the bicycle shelters. As a condition of approval, the applicant

shall submit lighting details and the location of the curb cuts at access points to the bicycle shelters prior to the issuance of building permits.

6.8 Maximum Parking. ADC Table 9.020-1 allows the following:

Proposed Use	Maximum Permitted	Total Units	Calculation	Additional 30 Percent Calculation	Maximum Allowed
Multi-Dwelling Unit: Studio and 1-bedroom units	1 space per unit, plus 1 visitor space every 4 units	66	66*1=66 66/4=16.5 66+16.5=82.5	82.5*1.30=107.25	
Multi-Dwelling Unit: 2-bedroom units	1.5 spaces per unit, plus 1 visitor space every 4 units	42	42*1.5=63 63/4=15.75 63+15.75=78.75	78.75*1.30=102.38	**209**

The site plan shows a total of 143 parking spaces, which is less than the maximum allowed parking for the development. This standard is met.

6.9 Carpool/Vanpool Spaces. Parking is not required for residential development. This standard is not applicable.

6.10 Accessible Space: Off-street parking is not required, but when provided ADC 9.040 requires parking spaces compliant with the Americans with Disabilities Act (ADA) to be provided in accordance with ORS 477.233. The amount and location of required ADA spaces are reviewed at the time of building permits.

6.11 Electrical Vehicle Charging Capacity. Off-street parking is not required, but when provided no less than 40 percent of all vehicle parking spaces serving newly constructed residential buildings to be served by electrical service capacity for a level 2 electric vehicle charging station (ADC 9.050). The applicant's site plan shows a total of 143 parking spaces, five of which are reserved for ADA. The applicant did not provide details on which parking stalls will be served by the required electrical vehicle charging stations. As a condition of approval, prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.

6.12 Parking Area Improvement Standards: All public or private parking areas must be improved to the standards found in ADC 9.100. When the total parking area for development sites exceeds 10,890 square feet, parking area improvements must comply with the additional standards in ADC 9.130.

6.13 The applicant proposes to provide 143 off-street parking spaces with a total parking area of more than 10,890 square feet. The applicant's site plan (Attachment B) shows the proposed parking lot is designed with one main driveway and multiple two-way travel aisles connecting to the main driveway. Provided parking is located along the driveways and within two separated parking clusters. All proposed parking areas will be paved and individual parking stalls striped. Each parking stall provides a wheel bumper to prevent vehicles encroaching upon provided pedestrian facilities, landscaping areas, and property lines.

6.14 Surfacing. ADC 9.100(3) requires parking, including travel aisles and access shall have a durable, dust-free surface. The submitted site plan shows the entirety of the parking lot will be surfaced with a durable, dust-free surface. This standard is met.

6.15 Drainage. ADC 9.100(4) requires all parking lots to provide a drainage system to dispose of stormwater runoff. Findings regarding the proposed stormwater system are found below under Criterion Seven and incorporated here by reference.

6.16 Perimeter Curb. ADC 9.100(5) requires perimeter curbing around all parking areas. The applicant's site plan indicates perimeter curbing will be provided around all parking areas and pedestrian paths bordering parking areas and driveways. This standard is met.

6.17 Wheel Bumper. ADC 9.100(6) requires wheel bumpers to be used when parking stalls abut a sidewalk, alleyway, street, or property line. Wheel bumpers must be installed in parking spaces facing the building unless the adjacent sidewalk is at least seven feet six inches wide to accommodate vehicle encroachment. The submitted site plan depicts the use of wheel bumpers for all parking stalls along sidewalks. This standard is met.

6.18 Turnaround. ADC 9.100(7) requires groups of more than two parking spaces to be located and served by an aisle or turnaround so that their use will require no backing movements or other maneuvering in a street right-of-way other than an alley. The proposed parking area has been designed to ensure no backing movement or other maneuvering in a street right-of-way will be required. This standard is met.

6.19 Striping. ADC 9.100(8) requires all provided off-street parking stalls to be permanently and clearly striped. When motorcycle parking, compact, or ADA parking spaces are provided, they must be designated within the stall. The applicant's site plan indicates the parking lot will be striped and accessible pavement markings to be provided for all designated ADA spaces. This standard is met.

6.20 Connecting to Adjacent Parking Areas. ADC 9.100(9) requires parking lots to connect to adjacent existing or future parking areas. This requirement for connections to adjacent parking areas can be waived when it is deemed impractical or inappropriate due to the nature of the adjoining uses. The subject properties abut four properties to the east and one property to the west. The properties to the east are located within the MUC zoning district and are partially developed with an entertainment center and mini-golf course. The site plan shows a driveway connecting the proposed development to the existing developed driveway to the east. The remaining properties to the east are undeveloped. The site plan shows a parking lot abutting the undeveloped sites with travel aisles that could be connected when the properties are developed. The singular property to the west is located within the R-6.5 zoning district and is separated from the proposed development by the OS zone and protected natural features. A connection to the western property would be both impractical and inappropriate. Additional findings and conditions of approval addressing site connectivity are located under criterion 8 of the Site Plan Review and are incorporated herein by reference.

6.21 Parking Lot Landscaping. ADC 9.100(10) requires parking lots over 1,000 square feet (contiguous) to conform with the parking lot landscaping standards found in ADC 9.150. A more detailed finding is provided further below.

6.22 Compact Car Parking. ADC 9.100(11) allows up to 40 percent of the required parking stalls to be compact. The applicant proposes to provide 55 compact stalls; this would make up 38.5 percent of all provided parking. This standard is met.

6.23 Accessible Parking. ADC 9.040 and 9.100(12) requires accessible parking be provided in conformance with the Oregon Structural Specialty Code. As indicated in the proposed site plan, the applicant has provided accessible parking and an accessible route to the building. Conformance with the Oregon Structural Specialty Code will be assessed at the time of building permit application.

6.24 Lighting. ADC 9.100(13) requires all provided lighting to be arranged to reflect light away from any abutting or adjacent properties. All outdoor lighting shall provide glare shields as required to ensure light intrusion does not occur on adjacent properties or within the public right-of-way. The application materials provided site lighting details including the locations of all sconces, path lighting, post lighting, and accent lighting. As a condition of approval, all lighting must be arranged to reflect light away from abutting or adjacent properties prior to the issuance of final occupancy.

6.25 Pedestrian Access. ADC 9.100(14) requires walkways and accessways to be provided for all new off-street parking lots and additions to connect sidewalks adjacent to new development to the entrances of new buildings. The site plan indicates that a durable surfaced walkway will be provided from each new building to the provided off-street parking and connections to the public right-of-way. This standard is met.

6.26 Off-Street Parking Lot Design. ADC 9.120 states that all off-street parking lots over 1,000 square feet (contiguous) must be designed in accordance with City standards for stalls and aisles set forth in Table 9.120-1. The proposed development will include 143 off-street parking spaces. Provided off-street parking will be located along the site's driveway and within two separate parking areas. The driveway, which provides the main circulation through the site, has a width of 26 feet and will support two-way traffic through the development. The parking area, including driveways and drive aisles, will exceed 10,890 square feet and will be subject to the standards in ADC 9.130 in addition to the standards in 9.120. Findings addressing the standards in ADC 9.130 are located elsewhere in this staff report and are incorporated herein by reference.

6.27 Driveways. ADC 9.120 (3) requires interior driveways to meet specific standards, unless the driveway is lined with angled or perpendicular parking stalls. The applicant proposes to provide parking stalls perpendicular to the interior driveways; therefore, the standards of 9.120(3) are not applicable.

6.28 Minimum Driveway and Drive Aisle Widths. ADC 9.120(4) a minimum of a 24-foot-wide driveway for two-way traffic and emergency vehicles. One-way driveways and one-way emergency vehicle access must be at least 20 feet wide. Drive aisles dimensions must comply with the standards in Table 9.120-1. The site plan shows 26-foot-wide driveway and drive aisles throughout the site. This standard is met.

6.29 Parking Lot Design. ADC 9.120(5) and 9.120 (6) "Compact Spaces" requires parking stalls and aisles to comply with Table 9.120-1. The site plan shows a total of 143 off-street parking stalls. Of the 143 parking spaces, 55 are to be compact stalls and the remaining 88 spaces will be standard sized. All provided parking will be at a 90-degree angle and are served by a 26-foot-wide travel aisle. The following are the dimensions of provided parking stalls: standard parking spaces are approximately 8.5 feet wide with a depth of 18.5; compact spaces are 8 feet wide and depth of 16 feet. Parking stalls fronting a sidewalk, street, or property line will be equipped with a wheel bumper to be located no closer than 3 feet from the curb. This standard is met.

6.30 Accessible Spaces. According to ADC 9.120, accessible spaces shall be a minimum of nine feet wide and 17 feet long and designed in accordance with the Oregon Structural Specialty Code (OSSC). An adjacent aisle must be provided that is at least eight feet wide and 17 feet long for a van-accessible space, and 6 feet wide for a standard accessible space. The dimensions for ADA spaces are reviewed for compliance at the time of building permit review.

6.31 Stall Width. ADC 9.120(8) requires long term sparking spaces to be at least 8.5 feet wide. Parking stalls for grocery stores or adjacent to planter islands to be at least 9.5 feet wide. The proposed development does not offer long-term parking spaces and is not part of a grocery development. The spaces next to the planter bays will be at least 9.5 feet wide. This standard is met.

6.32 Surface Parking Areas. ADC 9.130 requires parking areas of more than 0.25 acres (10,890 square feet) to comply with standards to minimize visual impact of surface parking and improve environmental and climate impacts. The required standards for parking areas greater than 10,890 square feet consisting on complying with one of the following options: the installation of solar panels with a generation capacity of at least a 0.5 kilowatt per new parking space; public buildings, as defined in ORS 270c.527, meeting the requirements with OAR 330-135-00100; or the planting and maintaining of a tree canopy that is at least 40 percent of all parking surface areas.

The proposed parking area will exceed 10,890 square feet and must meet one of the standard options under ADC 9.130.

6.33 The applicant proposes to meet this requirement by providing tree canopy that will cover at least 40 percent of all parking surface areas within 15 years of planting. The applicant provided a landscaping plan (Attachment E) which includes a list of trees to be planted and the canopy calculations. Per the landscaping plan the total proposed surface parking area is 54,213 square feet, which would require a minimum tree canopy of 21,685 square feet. Based upon the landscaping plan the applicant proposes to have a canopy area of 21,685 square feet (40 percent) over the surface parking area. This standard is met.

6.34 Walkways. ADC 9.130(5) requires that parking lots be designed to separate pedestrians from vehicles and include protected pedestrian walkways from parking areas to building entrances. Walkways must be protected by landscaping, curbs, or parking bumpers. Walkways may cross a vehicle aisle if distinguished by a color, texture, or elevation different from the parking and driving areas. Walkways must not share a vehicle aisle. The proposed parking lot design shows a two-way vehicle aisles between the parking spaces provided and the entrances of the apartment buildings. The applicant's site plan (Attachment B) shows that walkways are protected by curbs and parking bumpers and the pedestrian crossing of the drive aisle demarcated by striping. As a condition of approval, the applicant must demarcate the pedestrian crossing by a different color, texture or elevation from the parking and driving areas prior to the issuance of any occupancy.

6.35 Parking Lots with More than 75 Spaces. ADC 9.130(6) contains additional standards for parking lots with more than 75 parking spaces. The proposed development will not create a single parking lot with more than 75 parking spaces. This standard is not applicable.

6.36 Street Bicycle and Pedestrian Connectivity. The standards of ADC 9.133 are intended to promote efficient circulation between properties, convenient pedestrian and bicycle access to nearby streets, adjacent uses, and transit stops, and improve safety for both drivers and pedestrians. These standards apply to all zoning districts except HD, DMU, CB and WF. The subject property is located within the MUC zoning district; therefore, the standards of ADC 9.133 apply and are addressed below.

6.37 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. The subject property has a Comprehensive Plan Map designation of Village Center and is located within a secondary Climate Friendly Area overlay, both of which have additional

requirements for interconnectivity between properties. The submitted site plan shows a direct connection to the developed property to the east, Lakeshore Lanes. The site plan also provides travel aisles that terminate at the property line to the undeveloped lots north of Lakeshore Lanes. Additional findings and conditions of approval addressing the requirements for reciprocal access and parking easements for this development are addressed under criterion 9 within this staff report and are incorporated herein by reference.

6.38 Pedestrian and bicycle connections. ADC 9.133(4) requires pedestrian and bicycle connections to be provided via a direct route between the building's main entrance and the nearest sidewalk or the roadway where there is no sidewalk. The site plan shows direct five-and-half-foot-wide pedestrian walkway connections throughout the proposed development connecting to the public right-of-way and the abutting commercial uses. The site plan did not delineate direct bicycle paths through the site to adjoining right-of-way or adjacent properties and uses.

6.39 The subject property is located within a secondary Climate Friendly Area overlay and is subject to the standards of ADC Article 14. The Lot and Block standards of ADC 14.040(4)(a) has a maximum block length of 500 feet. Where block lengths exceed 350 feet a public through block accessway must be provided to facilitate a safe and convenient pedestrian and bicycle connectivity. Due to the existing site conditions, and the fact that the proposed development is not creating new lots or blocks, the proposed development meets the exceptions as defined in ADC 14.040(4)(d)i, 14.040(4)(d)iii, and 14.040(4)(d)vii. Additionally, the site constraints also include access constraints to the public right-of-way. The City Engineer finds the standards found within ADC 8.280, and here in ADC 9.133(4) together with the exemption under ADC 14.040, the site will not be required to provide a public access way for pedestrian and bicycle connectivity. The development will be required to provide direct and convenient bicycle and pedestrian access through the site per ADC 14.040(4) "*When approving an exception, the City Engineer may require pedestrian and/or bicycle connectivity through the development when warranted*." As a condition of approval, an updated site plan delineating a direct and convenient pedestrian and bicycle access through the site to adjacent properties and uses must be approved by the Public Works Engineering and Planning Department prior to the issuance of building permits.

6.40 Major Transit Stops. ADC 9.133(5) contains additional site improvements for sites at major transit stops. A major transit stop is not located at the site. This standard is not applicable.

6.41 Pedestrian and bicycle connections standard. All pedestrian and bicycle accessways must be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide. The submitted site plans demonstrates all pedestrian and bicycle connections will be at least five feet wide and constructed of concrete. This standard is met.

6.42 Landscaping Required –Residential. ADC 9.140(1) requires all 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. The subject property is located within the MUC zoning district which has front setback of 5 feet. The subject property abuts two arterial rights-of-way, 53rd Avenue and Pacific Boulevard (OR99E) and is subject to the buffering standards for multi-dwelling unit development abutting an arterial right-of-way. The application materials included a detailed landscaping plan, which exceeds the minimum landscaping requirements for residential development. This standard is met.

6.43 Planter Bays. ADC 9.150(1) states parking areas shall be divided into bays of not more than 12 parking stalls, and the end of each parking bay shall be a curbed planter at least 6 feet

wide, excluding the curb. The submitted site plan shows planter bays at least six feet in width at the end of each parking bay. The submitted landscaping plan provided planter bay details and generally meet the standard of ADC 9.150(1). There are three parking areas that appear to be missing planter bays, the parking area between the existing communications tower and the bike shelter, the parking area to the north of building #7, and a parking aisle to the east of building #1. As a condition of approval, prior to the issuance of building permits, an updated landscaping plan meeting the requirements of ADC 9.150 for all parking areas must be submitted and approved.

6.44 Entryway Landscaping. ADC 9.150(2) requires both sides of the parking lot entrance to be bordered by a minimum five-foot-wide landscape planter strip meeting the same landscaping provision as planter bays. The proposed development will consist to two parking lot entrances onto 53rd Avenue. Based upon the submitted landscaping plan (Attachment E) both entrances will have landscaped planters that are at least five feet wide.

6.45 Parking Space Buffers. ADC 9.150(3) requires parking areas to be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping. As shown on the applicant's site plan, the proposed buildings are separated from parking areas by a five-and-half foot-wide pedestrian walkway. This standard is met.

6.46 Stormwater Collection System. ADC 9.150(4) requires vegetated post-construction stormwater quality facilities to be considered as the initial stormwater collection system. This standard is addressed in Criterion 7 and 9 within this staff report and is incorporated herein by reference.

6.47 Landscaping Protection. ADC 9.150(5) requires all landscaped areas adjacent to graveled areas to be protected. The proposed development does not include any gravel areas. This standard is not applicable.

6.47 Irrigation of Required Landscaping. ADC 9.165 requires all required landscaped areas to be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman provides documentation that the plants do not require irrigation. The applicant proposes installing an automatic irrigation system for all landscape areas. As a condition of approval, an irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.

6.48 Tree Protection. ADC 9.202 through 9.206 contain the tree protection standards that apply to any proposed development. The applicant does not propose to remove 5 or more trees from the subject properties. This standard is met.

6.49 Buffering and Screening. Table 9.210-1, ADC 9.240 requires a 10-foot-wide landscape buffer when a development abuts an arterial street. The subject site abuts 53rd Avenue, a minor arterial, to the north and Pacific Boulevard, a principal arterial, to the east. The north property line adjacent to an arterial street, for the reach of this project, is approximately 661 feet which requires 6,610 square feet of landscaped buffer area. The eastern property line adjacent to Pacific Boulevard is approximately 116 feet, requiring 1,160 square feet of landscaping area. The following landscaping is required along 53rd Avenue: At least one row of either 10-foot-tall deciduous trees spaced not more than 30 feet apart or 5-foot-tall evergreen trees spaced not more than 15 feet apart; 35, 5-gallon shrubs or 60, 1-gallon shrubs; and the remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, or evergreen shrubs). The following landscaping is required along Pacific Boulevard: least one row of either 10-foot-tall deciduous trees spaced not more than 30 feet apart or 5-foot-tall evergreen trees spaced not more than 15 feet apart; six, 5-gallon shrubs or 12, 10-gallon

shrubs; and the remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, or evergreen shrubs).

6.50 The submitted landscaping plan detailed the location of trees and shrubs proposed to meet the buffering standards along 53rd Avenue and Pacific Boulevard. As a condition of approval, all required buffering landscaping must be installed prior to the issuance of final occupancy.

6.51 Screening of Refuse Containers. ADC 9.255 requires any refuse container or disposal area that would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area must be screened from view by a sight-obscuring fence, wall or hedge at least 6 feet tall. The location of the refuse containers will not be visible from a public right-of-way but will be visible from the on-site residential parking areas. The submittal included elevations for the screening of the refuse containers. This standard is met.

6.52 Environmental Standards. ADC 9.435, 9.440 - 9.500 includes environmental standards related to neighborhood compatibility, noise, visible emissions, vibrations, odors, glare, heat, insects, rodents, and hazardous waste. The applicant states that there will be no unusual noise, vibration, odors, degraded water quality, or glare caused by the development and residential use.

Conclusions

6.1 The proposal conforms with the applicable site development standards, as conditioned.

Conditions

Condition 2 **Bicycle Parking Shelter.** Prior to the issuance of building permits, the applicant must provide the lighting details within each of the bicycle shelters and the location of all curb cuts providing access to the bicycle parking areas.

Condition 3 **Electrical Vehicle Charging**. Prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.

Condition 4 **Lighting Details.** Prior to any issuance of occupancy, all exterior lighting must be arranged to reflect light away from abutting or adjacent properties.

Condition 5 **Walkways.** Prior to the issuance of any occupancy the applicant must demarcate the pedestrian crossing within the travel aisle by a different color, texture or elevation from the parking and driving areas.

Condition 6 **Pedestrian and Bicycle Connectivity.** Prior to the issuance of building permits, the developer shall provide to Public Works and the Planning Department a site circulation plan with a direct and convenient pedestrian and bicycle access through the site to adjacent properties, uses, and public right-of-way.

Condition 7 **Buffering Standards**. Prior to any occupancy, all required buffering landscaping must be installed.

Condition 8 **Landscaping.** Prior to the issuance of final occupancy, all landscaping must be installed or financially insured under ADC 9.190(1)

Condition 9 **Irrigation of Required Landscaping**. An irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.

Criterion 7

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

Findings of Fact

Sanitary Sewer

7.1 City utility maps show an 8-inch public sanitary sewer main in 53rd Avenue. The subject properties are not connected to City sewer.

7.2 The objectives contained in ADC 10.01.010(1) are to facilitate the orderly development and extension of the wastewater collection and treatment system, and to allow the use of fees and charges to recover the costs of construction, operation, maintenance, and administration of the wastewater collection and treatment system. ADC 12.470 requires all new development to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line. ADC 12.490 requires that sewer collection mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion.

7.3 AMC 10.01.080(2) states that before the City will issue a Building Permit, the applicant must pay to the City and necessary System Development Charges and any other applicable fees for connection to the public sanitary sewer system.

7.4 The applicant's preliminary utility plan indicates the project will connect to existing sanitary sewer main with a new lateral. An Encroachment Permit from the City of Albany's Public Works Engineering Division is required for any work in the public right-of-way and connecting to public sanitary sewer. New sewer lateral(s) must comply with the City's Engineering Standards.

Water

7.5 City utility maps show a 12-inch public water main in 53rd Avenue. The subject properties are not connected to City water.

7.6 ADC 12.410 requires all new developments to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main. ADC 12.430 requires that water distribution mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion.

7.7 The applicant's preliminary utility plan shows installation of new water service and fire line. The applicant proposed a new water service to serve the proposed development. The developer must obtain a Water Meter Permit through the City of Albany's Engineering Division for a new water service with meter. The developer must obtain a Permit for Private Construction of Public Improvements through the City of Albany's Engineering Division for the installation of a fire line.

Storm Drainage

7.8 City utility maps show 12-inch, 15-inch, and 18-inch public storm drainage mains in 53rd Avenue. Fifty-third Avenue is constructed to City standards with curb and gutter.

7.9 It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage

systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the City of Albany's Engineering Division.

7.10 ADC 12.530 state that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer.

7.11 The applicant provided a preliminary drainage plan and storm report for the project. The applicant's preliminary site improvement plans show constructing a private piped system on site to convey the building's runoff and site runoff through an underground detention pipe and the vegetated water quality swale that discharges to an existing onsite stormwater system.

7.12 AMC 12.01.090 the Public Works Director may require best management practices (BMPs) for any activity, operation, or facility which may cause or contribute to the introduction of pollutants to rights-of-way, wetlands, drainage ways, the municipal stormwater system, receiving waters, and/or areas that include or contribute directly to the Waters of the State. Where BMP requirements are promulgated by the Director, the owner or operator of such activity, operation, or facility shall provide, at their own expense, reasonable protection from the discharge of pollutants, as described above, through the use of these structural and/or nonstructural BMPs. An erosion prevention and sediment control (EPSC) permit shall be obtained for land-disturbing activities affecting an area of 2,000 square feet or greater, cumulatively (AMC 12.40.030).

Conclusions

7.1 Public utilities (water, sanitary sewer and storm) are available to serve the proposed development.

7.2 The applicant must obtain an Encroachment Permit through the City's Public Works Department for the proposed sewer lateral.

7.3 The applicant must obtain a Water Meter permit from the City's Public Works Department for a new water service with meter.

7.4 The applicant must obtain a Permit for Private Construction of Public Improvements Permit from the Publics Works Department prior to connecting to the public water system for the proposed fire line.

7.5 The applicant's preliminary drainage plans show the installation of onsite detention for flood control and discharges to the public storm drainage system. The applicant must obtain an Encroachment Permit through the City's Public Works Department for the proposed storm drainage lateral.

7.6 The applicant shall install Best Management Practices prior to any ground disturbing activities under Public Work's Erosion Prevention and Sediment Control Permit.

Conditions

Condition 10 Prior to connecting to the public sanitary sewer for a new sanitary sewer service an Encroachment Permit must be obtained from the Public Works Department.

Condition 11 Prior to connecting to the public water main for proposed fire line, the applicant must obtain a Site Improvement permit from Public Works Department.

Condition 12 Prior to connecting to the public storm drainage system for a new storm service an Encroachment Permit must be obtained from the Public Works Department.

Condition 13 Prior to any ground disturbing activities, the applicant must obtain an Erosion Prevention and Sediment Control Permit for Public Works Department and install Best Management Practices.

Criterion 8

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

Findings of Fact

8.1 The proposed development includes a replat to consolidate three parcels into an 8.29-acre unit of land; a Site Plan Review for the construction of 108-unit apartment complex. The subject properties are located at 1190 53rd Avenue, 1122 53rd Avenue, and 5310 Pacific Boulevard.

8.2 The subject property takes access off 53rd Avenue and Pacific Boulevard (Highway 99E). The applicant proposes two new accesses off of 53rd Avenue to serve the site. The eastern access must be a restricted right-in and right-out only access. The existing accesses off of 53rd Avenue the Pacific Boulevard are to be removed.

8.3 Fifty-third Avenue is classified as a major collector street and is fully improved to city standards along the site's frontage. Existing improvements include: a vehicle travel lane in each direction, two-way center turn lane, on street bike lanes, and sidewalk along the subject property frontage.

8.4 The applicant submitted a Traffic Impact Analysis (TIA) with the application. The study was performed by Clemow Associates LLC and is dated September 24, 2025. The development is projected to generate approximately 768 vehicle trips per day, of which 67 would occur during the peak PM traffic hour.

8.5 The Clemow Associates LLC TIA analyzed the operation of the street system at build-out of the development at year 2026, and at year 2031 (build-out + 5 years) meeting ODOT standards. ODOT intersection performance standards are: a volume to capacity (v/c) ratio of 0.95 for the worst-case movement at two-way, stop-controlled intersections and driveway approaches to a public street. The study performed a queuing analysis to evaluate storage adequacy. The traffic distribution was analyzed with 70 percent of trips generated using 53rd Avenue and 30 percent of trips using a shared access via Lakeshore Lane's driveway. Based upon these assumptions, the submitted TIA demonstrates the site development meets all mobility standards and there is adequate queuing storage.

8.6 The traffic study evaluated the performance of the following intersections:

- Fifty-third Avenue at Willetta Street. This intersection is controlled by a stop sign on Willetta Street as a "tee-intersection". The site proposes a new access point at this intersection, west access. At year 2026 the intersection was projected to operate at LOS A, V/C of 0.01 during both the AM and PM peak traffic hours. At year 2031 projected to operate at LOS A, V/C of 0.02 during the AM and PM peak traffic hours. The intersection will meet City of Albany operational standards and can accommodate the development with no mitigation. Queuing analysis showed a TIA recommendation that the center turn lane be used for westbound left-turn movements into the site. The recommendation provided is 75 feet of storage for the site.

- September 24, 2025 TIA divided trips to the development with 70 percent utilizing the 53rd Avenue access and the remaining 30 percent accessing Highway 99E

- Pacific Blvd. at 53rd Ave. This intersection is controlled by a traffic signal. At year 2026 projected to operate at LOS A, V/C of 0.46 during the AM and V/C of 0.49 during the PM peak traffic hours. At year 2031 projected to operate at LOS A, V/C of 0.51 during the AM and V/C of 0.54 during the PM peak traffic hours. The intersection will meet ODOT operational standards and can accommodate the development with no mitigation. Queuing analysis performed on this intersection did not show an increase in queuing length at this intersection at 2026 or 2031 build-out.

- Existing shared Lakeshore Lanes Access at Pacific Blvd. This was evaluated for separate turn lane analysis and queuing analysis. At year 2026 it was projected to operate at LOS A, V/C of 0.01 during the AM and V/C of 0.10 during the PM peak traffic hours. At year 2031 it was projected to operate at LOS A, V/C of 0.07 during the AM and V/C of 0.13 during the PM peak traffic hours. The intersection will meet ODOT operational standards and can accommodate the development with no mitigation. Queuing analysis did not show an increase in queuing length at this intersection at year 2026 or 2031 build-out.

- New access to 53rd Avenue, east access. This was evaluated for separate turn lane analysis and queuing analysis. This site access is located approximately 95 feet from Pacific Blvd and 53rd Avenue intersection The TIA shows due to the proximity to this intersection and the eastbound left-turn queues, that left-turn movements into the site should be restricted for safe and efficient operations.

8.7 The subject property was part of a Comprehensive Plan Map Amendment and Zone change (CP-01-04 et al). The previous land use had a Traffic Impact Study performed by Lancaster Engineering that evaluated the "Village Center" properties owned by the Schneiders, Martins, and Nyquist. The Village Center overlay was intended to create a fully interconnected neighborhood of mixed uses (commercial, office, recreation, residential units). All the properties within the "Village Center" overlay proposed this designation and were applicants for the proposed amendments. The land use review of the Comprehensive Plan Map Amendment and Zone Amendments included seven separate properties, four owned by Schneider Homes; two owned by Nyquist Ventures, LLC; and one owned by the Martin family. All properties included in the combined applications, CP-01-04 et al, were evaluated together in a traffic impact study with 70 percent of trips generated going to 53rd Avenue and 30 percent going to Highway 99E (Pacific Boulevard). This distribution was used for the increase in generated vehicle trips from the development potential of the site based upon a "worse-case" scenario as an impact under a transportation planning rule (TPR) analysis OAR-660-12-060(1). The evaluated site included an internal connection between 53rd Avenue and Highway 99E. The TPR analysis showed that the trips generated were split between the two approaches and reducing the impacts on 53rd Avenue and Highway 99E intersection. The TPR analysis shows, as analyzed with the trip distribution, that the increase in trips did not cause the need for mitigation. Findings from the staff report for CP-01-04 reference this shared common interior circulation pattern that results in shared access to Highway 99E and 53rd Avenue (see directly below).

1.18 In addition to the review criteria above, Oregon Administrative Rule (OAR) 660-12-060(1) states that ***"Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility."***

The site is located on the southwest corner of Highway 99E and 53rd Avenue, and has frontage on both roads. Highway 99E is classified as a principal arterial street and is under the jurisdiction of ODOT. The street is improved to City standards and includes: curb, gutter, and sidewalk; two travel lanes in each direction; a two-way center left-turn lane; and bike lanes. The speed limit is 50 MPH. 53rd Avenue is classified as a major collector street.

53rd Avenue is in the process of being improved to City standards with a Local Improvement District (LID). Improvement will include: curb, gutter and sidewalk; a travel lane in each direction; bike lanes; and installation of a traffic signal at the intersection of Highway 99E and 53rd Avenue. Tax lots 602, 603 and 604 are not within the LID boundary. When the 53rd Avenue LID was formed, the parcels involved in this zone change were zoned for single-family residential development. The assessment methodology developed with the LID was based upon the assumption that future development of these parcels would be single-family development.

The applicant submitted a traffic study with the application. The study was performed by Lancaster Engineering and is dated June, 2004. ODOT and City staff have reviewed the study. The study assumed the site would be developed with uses permitted under the requested zone designation, and that those uses would have a shared common interior circulation pattern that resulted in shared access to both Highway 99E and 53rd Avenue. Anticipated uses included: a 16-lane bowling alley, 33,560 square feet of retail space, 11,160 square feet of office space, a 4,500-square-foot restaurant, and 18 apartment units. Trip generation estimates were then calculated for the proposed uses and the public street system was analyzed at year 2019 to determine capacity and the extent of any needed improvements.

8.8 Part of the June 2004 traffic study included the Lakeshore Lanes Bowling Alley and the shared access at Highway 99E. The Site Plan Review, SP-14-04, for the development of the Lakeshore Lanes Bowling Alley provided a Traffic Impact Analysis by Lancaster Engineering which built upon the CP-01-04 traffic impact study as a basis for the report as Phase 1 of the overall Village Center site development. Both traffic reports have references to internal road connections to serve all the properties within the Village Center designation.

8.9 Findings from the Site Plan Review, SP-14-04, staff report acknowledges the creation of "private street" and is referenced throughout project as the "village center main street"(below).

1.16 The project proposes a driveway connection to Highway 99E located about 310 feet south of 53rd Avenue. Eventually this access will loop around to a future connection to 53rd Avenue through adjoining property across from Willetta Street. The resulting private street would serve as the sole access to property within the village center, including the applicant's property. In this staff report, the private street is referred to as the village center main street.

8.10 The Traffic Impact Analysis submitted under SP-14-04, noted the overall site development met the warrants for a right-turn on Highway 99E to access the site, but ODOT issued a permit for access without the need for the right-turn lane. At the time of writing the SP-14-04 staff report ODOT had submitted comments conditionally approving the driveway approach to Highway 99E with a possibility of access becoming restricted to a right-in/right-out in the future (see below).

1.19 ODOT has reviewed the development and conditionally approved a request for a driveway approach to Highway 99E. The approach may be restricted to a right-in/out if a safety issue occurs in the future, or if a connection to 53rd Avenue is made.

8.11 Previous land use cases and traffic studies were approved with a common shared accessway between Highway 99E and 53rd Avenue. SP-14-04 Condition 6.1 required shared reciprocal access and parking easement for all properties in the Village Center to promote efficient circulation between uses and to promote connectivity and dispersal of traffic. The proposed development will need to provide a reciprocal access and parking

easement for the benefit of all properties within the Village Center to promote connectivity and dispersal of traffic. The required easement will be located over all driveways and connect to Lakeshore Lanes' shared accessway and provide connection to vacant properties identified upon the Linn County Tax Assessment Map as 11S04W24DA01401 and 11S04W24DA01402.

8.12 During the public notice period comments were submitted from the abutting property owner expressing concern of additional traffic being directed through the Lakeshore Lane's existing driveway to OR99E. As mentioned in the findings above, the interconnected nature of the uses within a Village Center designation was not an unintended consequence, as some of the comments received on this development seem it imply, it was the goal.

8.13 Albany's Transportation System Plan (TSP) does not identify any level of service or congestion issues adjacent to the proposed development.

Conclusions

8.1 The development's frontage on 53rd Avenue is improved to city standards.

8.2 The project will construct a 108-unit multi-family apartment complex.

8.3 The development will create new accesses to 53rd Avenue. The design and location of the driveways comply with the standards contained in ADC 12.100. The east driveway shall be restricted to right-in and right-out movements. Existing access to the site along 53rd Avenue and Pacific Boulevard will be removed and replaced with standard curb, gutter and sidewalk.

8.4 The applicant submitted a traffic impact study with the application. The development is projected to generate approximately 768 vehicle trips per day, of which 67 would occur during the peak PM traffic hour. All studied intersections and driveways were found to meet ODOT and City of Albany performance standards at buildout of the development. The TIA recommended that the center turn lane be used for westbound left-turn movements into the site.

8.5 The development is consistent with previous traffic studies for new trip impacts to adjacent streets. The proposed development is to maintain the internal connection between adjacent uses and properties to disperse traffic between 53rd Avenue and Highway 99E with 30 percent of the trips generated going to the access on Highway 99E and 70 percent going to the 53rd Avenue access. ODOT may require a new access agreement for Highway 99E for further development of the Village Center. The applicant shall coordinate with ODOT for any work or modifications for access onto Highway 99E.

8.6 The development will need to provide a reciprocal access and parking easement for the benefit of all properties within the Village Center.

8.7 Albany's Transportation System Plan does not identify any level of service or congestion issues adjacent to the proposed development.

Condition

Condition 14 Prior to the issuance of any occupancy, the applicant shall construct a new driveway approach to 53rd Avenue at the size and location shown on the approved site plan. The existing driveways along 53rd Avenue and upon Pacific Boulevard must be removed. All work shall be constructed to City Standards under a Public Works encroachment permit. The applicant shall restrict left turn movements leaving the

site including the following:

- Right-in/Right-out restriction at eastern 53rd Avenue access. This access shall have a "pork-chop" style restriction meeting City of Albany standards.
- Western 53rd Avenue access shall include median transition restriping of center-turn lane to be a left-turn pocket of approximately 75 feet as shown on the approved site plan.
- Remove and replace driveways not being used with standard curb and gutter. Work in Highway 99E/Pacific Boulevard will require an ODOT permit.

Condition 15 Prior to final plat, the developer shall provide a reciprocal access and parking easement for the benefit of all properties within the Village Center.

Condition 16 Prior to any occupancy the developer shall construct all shared vehicle, pedestrian, and bicycle connections to adjacent properties within the Village Center.

Criterion 9

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

Findings of Fact and Conclusion

9.1 AMC 12.45.030 requires that a post-construction stormwater quality permit is obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than 5,000 square feet or more of impervious surface area, including all phases of the development. (Ord. 6012 § 2, 2023; Ord. 5841 § 3, 2014).

9.2 The proposed development will create or replace more than 5,000 square feet of impervious surface. The applicant provided a preliminary drainage plan and storm report for the project. The applicant's preliminary site improvement plan shows constructing a private piped system on site to convey the building's runoff and site runoff through vegetated water quality swale discharging to an existing onsite stormwater system.

Conclusions

9.1 The applicant must provide stormwater quality and detention facilities for the proposed development as generally shown on the preliminary utility plans.

Condition

Condition 17 Prior to issuance of any building permits, the applicant must apply for stormwater quality permit through the City's Public Works Department. Prior to final occupancy the applicant must construct stormwater quality and detention facilities that comply with the City's Engineering Standards.

Criterion 10

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

Findings of Fact and Conclusion

10.1 The subject properties were approved for a concurrent Comprehensive Plan Map Amendment and Zone Map Amendment under land use case numbers CP-01-04 & ZC-01-04. The proposal changed the Comprehensive Plan from Urban Residential Reserve (URR) to Village Center (VC) and amend the zoning map to increase the Open Space zone to include the entirety of the floodplain as well as possible wetlands and re-zone the remaining land as Mixed Use Commercial (MUC).

10.2 This criterion is met.

Criterion 11

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

Findings of Fact and Conclusion

11.1 The existing development (communication tower) is not considered nonconforming. This criterion is not applicable.

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

Criterion 1

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

Findings of Fact

1.1 The subject property is split zoned Mixed-Use Commercial (MUC) and Open Space (OS). The proposal is to develop a 108-unit multi-dwelling upon the MUC zoned portion of the subject property. Multi-dwelling development is an allowed use within the MUC zoning district. The proposed development does not include any encroachments into the OS overlay zone.

1.2 This criterion is met without conditions.

Criterion 2

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

Findings of Fact

2.1 The subject property consists of 8.49 acres and contains approximately 4.9 acres within a natural resource overlay district such as the Special Flood Hazard Area, Significant Wetlands along a tributary of Oak Creek, and an associated Riparian Corridor which extends 50 feet from the upland edge of the Significant Wetlands. Prior to submitting the applications for development of the site, the property owner had a Wetland study conducted in order to delineate the upland extent of the wetlands upon the property (Attachment G). The wetland study found the edge of the wetland extended further upland than indicated upon the City's significant natural resources maps.

2.2 ADC 6.430 "District Boundary Corrections and Refinements" states the boundaries for Significant Natural overlay districts are approximate. District boundary corrections/refinements is an alteration made, based on professional analyses, to refine the boundary line of the Significant Natural Resource overlay districts. In the case of adjustments to the Riparian Corridor, when an approved wetland delineation or determination results in a change to the boundary of the significant wetland adjacent to the riparian corridor, the Riparian Corridor overlay boundary will be adjusted accordingly.

2.3 The boundary correction and refinement of both the Significant Wetlands and the associated Riparian Corridor reduced the amount of development land upon the already constrained property. The applicant adjusted the locations of proposed buildings and the location of other site improvements to limit the total square footage of encroachments into the Riparian Corridor. The applicant's proposal will encroach into the refined Riparian Corridor at three locations, a portion of Building 4, a portion of Building 5, and a portion of provided parking next to Building 5. All encroachments are less than 25 feet into the Riparian Corridor and total 2,703 square feet.

2.4 This criterion is met without conditions.

Criterion 3

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

Findings of Fact

3.1 The subject property consists of 8.49 acres and contains approximately 4.9 acres within a natural resource overlay such as the Special Flood Hazard Area, Significant Wetlands along a tributary of Oak Creek, and an associated Riparian Corridor which extends 50-feet from the upland edge of the Significant Wetlands. Prior to submitting applications for development of the site the property owner had a Wetland study conducted in order to delineate the upland extent of the wetlands upon the property (Attachment G). The wetland study found the edge of the wetland extended further upland than indicated upon the City's significant natural resources maps.

3.2 As previously mentioned, the applicant had completed a wetland delineation which found the upland edge of the significant wetlands were more expansive than upon the City's mapped inventory. The district boundary corrections and refinements provisions of ADC 6.430 amended the location of the Riparian Corridor to extend 50 feet from the delineated significant wetland boundary. The development, as proposed, will contain three encroachments into the amended Riparian Corridor overlay; none of which will encroach further than 25 feet and come to a total of 2,703 square feet of impervious area. The proposed development will not encroach into the delineated Significant Wetlands or the Special Flood Hazard Areas upon the subject property.

3.2 When a request is made to develop or impact the Riparian Corridor overlay district area per ADC 6.310(B)(2)(b), a mitigation plan is required for enhancement of the remaining area per ADC 6.410.

3.3 The mitigation plan must document the location of the impact, the existing conditions of the resource prior to impact, presence of invasive species, the location of the proposed mitigation area, a detailed planting plan of the proposed mitigation area with species and density, and a narrative describing how the resource will be replaced, and how debris and invasive species will be removed.

3.4 The applicant's consultant, Zion Natural Resources Consulting, characterized existing conditions as a forested riparian area with the drainage and wetland areas dominated by Fraxinus latifolia and Carex obnupta. The upland areas, development site, as "remnant pasture containing non-native grasses and forbs long with patches of Himalayan blackberry". The consultant concluded the impact areas are considered Degraded Quality as defined in Table 6.410-1 for Riparian Corridor Overlays.

3.5 Staff agrees with the applicant that the impact areas upon the site are consistent with the "Degraded" classification found in Table 6.410-1 of the ADC. The submitted mitigation plan includes mitigation strategies to enhance the mitigation site within the riparian buffer area to "Marginal Quality." The mitigation plan also provided recommendations for the removal and control of invasive non-native grasses, weeds, and blackberries from the site (Attachment F).

3.6 The property owner subject to an approved mitigation plan must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120

percent of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

3.7 A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. The City may arrange an on-site inspection to verify information contained in the report. If the survival rate for tree and shrub species is below 80 percent, a replanting strategy shall be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Community Development Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80 percent, the bond will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80 percent, the bond will be forfeited.

3.8 This criterion can be met through conditions of approval.

Conditions

Condition 18 The applicant or property owner must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

Condition 19 A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation.

Criterion 4

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

Findings of Fact

4.1 The application submittal included Riparian Corridor Local Mitigation Plan for the Loren at Brookside Project report prepared by Zion Natural Resources Consulting dated November 2025.

4.2 The provided mitigation plan documents the impacts of the proposed encroachments into the Riparian Corridor. The report notes a total of three encroachments are proposed as part of the development plan which comes to a total of 2,703 square feet of encroachment areas.

4.3 The submitted report details the existing condition of the site as a forested riparian area along the tributary to Oak Creek. The drainage and wetland area is dominated by Oregon

Ash (*Fraxinus latifolia)* and slough sedge (*Carex obnupta*) with the uplands consisting of a mosaic of non-native grasses and forbs along with patches of Himalayan blackberry (*Rubus armeniacus*). The riparian corridor expands 50 feet upland of the edge of the delineated wetland boundary and is part of the uplands conditions. Based upon the site survey of the property the consultant concluded the impact areas are of Degraded Quality as defined in Table 6.410-1 for Riparian Corridor Overlays.

4.4 The submitted mitigation report noted that using the undisturbed vegetation upon the site is limited based on the concern of the Emerald ash borer primarily hosts on all species of ash. Based upon this limitation and the presence of invasive species, the mitigation plan proposes to reintroduce the Willamette Valley Ponderosa Pine, which was once a dominant species throughout the Willamette Valley, and bitter cherry. The proposed herbaceous layer is to be a native grass seed mix.

4.5 ADC 6.310(2)(b) allows disturbance or development within the Riparian Corridor overlay district under specific circumstances. ADC 6.310(2)(b)(ii) requires the applicant to demonstrate that equal or better protection will be ensured though riparian corridor restoration and enhancement within the remaining overlay district area. The local mitigation standards require on-site enhancement where the Riparian Corridor overlay district is impacted (ADC 6.400(2)(a)). The applicant has requested to utilize the standards under ADC 6.400(2)(b) where mitigation will occur upon the site and as close to the impact area as reasonably feasible, taking into consideration the existing natural and human-made features of the site.

4.6 Guidance from the Oregon Department of State Lands and the U.S. Army Corps of Engineers recommends placing mitigation sites in areas that are removed from potential future human disturbances and that provide access to irrigation. Based upon these facts the applicant proposes on-site mitigation in the southeast corner of the site, south of Building #6. This location is within a degraded portion of the riparian corridor, the same Significant Resource overlay district, in the same drainage system.

4.7 Based upon the submitted mitigation plan the mitigation site consists of a 1:1 ratio of 2,703 square feet of mitigation area to compensate for the 2,703 square feet of encroachment areas. The preliminary landscape plan indicates the planning of four Willamette Valley Ponderosa Pines and three bitter cherry trees and 2,703 square feet of river refuge seed grass mix

4.8 This criterion is met with the following condition.

Condition

Condition 20 Tree replacements must have a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed.

Criterion 5

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

Findings of Fact

5.1 Staff routed the proposed development to the Oregon Department of State Lands (DSL). DSL submitted a response to the proposed development requesting the referenced wetland delineation be submitted to DSL for concurrence. Received comments indicated a federal permit may be required by the Army Corps of Engineers (Attachment H).

5.2 As a condition of approval, the applicant must obtain a DSL concurrence of the performed wetland delineation prior to the issuance of any development permits.

5.3 This criterion can be met with the following condition.

Condition

Condition 21 Prior to the issuance of a development permit, the submitted wetland delineation must receive concurrence from the Oregon Department of State Lands.

Criterion 6

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

Findings of Fact

6.1 Findings addressing ADC 6.310(B)(2)(b), Permanent Alteration Within the Riparian Corridor are addressed below and incorporated herein by reference.

6.2 This criterion is met without conditions.

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

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

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

Criterion (i)

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

Findings of Fact

i.1 According to the applicant's consultant, the resource adjacent to the Oak Creek tributary is classified as "degraded," using the quality levels for riparian corridors in Table 6.410-1. Degraded Quality is defined as having "less vegetation and canopy coverage than Marginal Quality, and/or greater than 10 percent coverage of any non-native species." Marginal Quality is defined as having a "combination of native trees, shrubs, and groundcover are at least 80 percent of the overlay area, and there will be 25 percent-50 percent tree canopy coverage at maturity."

i.2 Mitigation requirements for a resource that is considered "degraded" is as follows: "Enhance to at least Marginal Quality with an approved plan (mature overlay area coverage will be estimated); A smaller ratio of 1.0 (impact area) to 0.5 (mitigation area) may be allowed for restoration to Good Quality."

Conclusions

i.1 The riparian corridor where impacts are proposed are classified as degraded quality.

i.2 The resource must be restored to marginal quality with an approved mitigation plan.

i.3 A condition of approval will require the removal of invasive Himalayan blackberry and nonnative grasses and forbs using the method described by the consultant.

Conditions

Condition 22 Nonnative grasses and forbs will be removed with a broad-spectrum herbicide such as Roundup (glyphosate) applied at labeled rates in late spring and thereafter as required to prepare the site for seeding.

Condition 23 The invasive Himalayan blackberry must be removed from the mitigation planting area.

Criterion (ii)

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

Findings of Fact

ii.1 The mitigation plan will consist of installing native plant materials as indicated on the Mitigation Plan (Attachment F). By installing these plants in their proposed quantities, the natural resource area would be improved to a marginal quality riparian corridor area after successful completion of the Mitigation Plan. The selected plant species are native to western Oregon.

ii.2 Ground cover will consist of an herbaceous stratum “River Refuge Seed” grass mix which is composed of native riparian grasses.

ii.3 The findings, conclusions and conditions provided under Criterion 3 above are hereby incorporated by reference.

Conclusion

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

Criterion (iii)

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

Findings of Fact

iii.1 The proposed development will contain three separate permanent encroachments into the Riparian Corridor overlay district. The three encroachments, together, come to a total of 2,703 square feet, and do not encroach more than 25 feet into the amended Riparian Corridor overlay district.

iii.2 The riparian buffer will only be improved with a landscape mitigation plan that will restore the riparian corridor from “degraded” to “marginal” quality if the plan is followed.

Conclusion

iii.1 This criterion is met without conditions.

Natural Resource Mitigation Standards (ADC 6.400)

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

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

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

(1) When Mitigation is Required: Mitigation will be required under the following circumstances:

(a) Removal of one or more native trees greater than 25 inches in circumference, which requires replacement per section (2)(c).

(b) Disturbance of more than 2,000 square feet of vegetated surface area. This level of impact will require a mitigation plan per 6.410.

(c) When a request is made to develop or impact the Riparian Corridor overlay district area per 6.310(B)(2)(b), a mitigation plan will be required for enhancement of the remaining area per 6.410.

Findings of Fact

1.1 The proposed development consists of a 108-unit multi-dwelling development and associated site improvements. Due to the existing configuration of the subject property and the location of natural resources the proposed development will include encroachments into the Riparian Corridor overlay district. As proposed, the development includes a total of three encroachments totaling 2,703 square feet of impact. A mitigation plan is required for enhancement of the remaining area per ADC 6.410.

1.2 The applicant submitted a mitigation plan for enhancing a mitigation area within the Riparian Corridor area located on the subject property (Attachment F).

Conclusion

1.1 This standard is met without conditions.

(2) Local Mitigation Standards:

(a) On-site enhancement is required when the 50-foot area of the Riparian Corridor overlay district is impacted per 6.310(B)(2)(b), unless the activity is otherwise exempted per this section of the Code.

(b) For other mitigation options, on-site mitigation shall occur within the relevant Significant Resource overlay district as close to the impact area as reasonably feasible, taking into consideration the existing natural and human-made features of the site.

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

(i) Within the impacted Significant Resource overlay district in the same drainage system; or

(ii) Outside the impacted Significant Resource overlay district, but within 100 feet of a Significant Resource overlay district in the same drainage system; or

(iii) Outside the same drainage system, but within a Significant Resource overlay district.

(c) Tree replacement requires planting a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed. The replanted tree shall be of a species that will eventually equal or exceed the removed tree in size if appropriate for the new location.

(d) Mitigation for impacts shall require a mitigation area ratio of 1:1; however, if the quality of the resource is enhanced or restored per 6.410(5) the ratio may be lowered with Director approval.

(e) Planting densities and species composition shall be consistent with native wetland and riparian area plant communities currently or historically found in the drainage basin. Use of a reference site as guidance for developing a revegetation plan is recommended.

(f) Any mitigation requirements resulting from a proposed land division, shall require a mitigation plan concurrent with the land division process.

Findings of Fact

2.1 Onsite enhancement is being proposed due to the impacts of three separate encroachments, totaling 2,703 square feet into the Riparian Corridor on the subject property. The proposed encroachments do not encroach more than 25 feet into the Riparian Corridor and will not impact the Significant Wetlands or the Special Flood Hazard Areas upon the subject property.

2.2 Findings addressing this standard are located within Criterion 4 of the Natural Resource Impact Review and are incorporated herein by reference.

Conclusion

2.1 Findings addressing this standard are located within Criterion 4 of the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference.

2.2 This standard is met through conditions of approval addressed within this staff report and incorporated herein by reference.

Natural Resource Mitigation Standards (ADC 6.410)

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

(1) The mitigation plan shall document the location of the impact, the existing conditions of the resource prior to impact, presence of invasive species, the location of the proposed mitigation area, a detailed planting plan of the proposed mitigation area with species and density, and a narrative describing how the resource will be replaced, and how debris and invasive species will be removed.

(2) The mitigation plan shall comply with all applicable State and Federal regulations, in addition to the City's standards. The City may approve a development but shall not issue a building permit until all required State and Federal permit approvals have been granted and copies of those approvals have been submitted to the City.

(3) The applicant or property owner of a development subject to an approved mitigation plan shall provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance shall be in place before the issuance of development permits to ensure the success of mitigation improvements and the survival of the plants. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented per (4) below. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy. When the City of Albany, or another unit of government, is the applicant, it must adhere to the standards in this section, but an assurance is not required.

(4) A report on the survival and health of planted vegetation, and the status of invasive species, shall be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. The City may arrange an on-site inspection to verify information contained in the report. If the survival rate for tree and shrub species is below 80 percent, a replanting strategy shall be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80 percent, the bond described in (3) will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80 percent, the bond will be forfeited.

(5) Table 6.410-1 below summarizes the quality levels, mitigation requirements and expected condition of the significant wetlands and riparian corridor areas after successful completion of the mitigation plan; ODFW will solely determine the requirements for mitigation of significant wildlife habitat.

Findings of Fact

1.1 Onsite enhancement is being proposed due to the impacts of three separate encroachments, totaling 2,703 square feet into the Riparian Corridor on the subject property. The proposed encroachments do not encroach more than 25 feet into the Riparian Corridor and will not impact the Significant Wetlands or the Special Flood Hazard Areas upon the subject property. As such, the project requires a Natural Resource Impact Review and compliance with mitigation standards in accordance with ADC 6.400 and 6.410.

1.2 The condition of the buffer along the east side of the subject property is characterized as “degraded,” using the quality levels for riparian corridors in Table 6.410-1 of the Albany Development Code.

1.3 Findings addressing assurances of completion are located within Criterion 3 and 4 of the Natural Resource Impact Review portions of this staff report and are hereby incorporated by reference.

1.4 Conditions of approval listed above and are hereby incorporated by reference.

Conclusion

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

1.2 This criterion is met through conditions of approval listed above and are hereby incorporated by reference.

Overall Conclusion

As proposed and conditioned, the application for a Replat, Site Plan Review, and Natural Resource Impact Review satisfies all applicable review criteria as outlined in this report.

Conditions of Approval

Condition 1 **Archeological Discovery.** Prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.

Condition 2 **Bicycle Parking.** Prior to the issuance of building permits, the applicant must provide lighting details within each of the bicycle shelters and the location of all curb cuts providing access to the bicycle parking areas.

Condition 3 **Electrical Vehicle Charging**. Prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.

Condition 4 **Lighting Details**. Prior to any issuance of occupancy, all exterior lighting must be arranged to reflect light away from abutting or adjacent properties.

Condition 5 **Walkways.** Prior to the issuance of any occupancy the applicant must demarcate the pedestrian crossing within the travel aisle by a different color, texture or elevation from the parking and driving areas.

Condition 6 **Pedestrian and Bicycle Connectivity**. Prior to the issuance of building permits, the developer shall provide to Public Works and the Planning Department a site circulation plan with a direct and convenient pedestrian and bicycle access through the site to adjacent properties, uses, and public right-of-way.

Condition 7 **Buffering Standards.** Prior to the issuance of any occupancy, all required buffering landscaping must be installed.

Condition 8 **Landscaping.** Prior to the issuance of final occupancy, all landscaping must be installed or financially insured under ADC 9.190(1)

Condition 9 **Irrigation of Required Landscaping**. An irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.

Condition 10 **Sanitary Sewer.** Prior to connecting to the public sanitary sewer for a new sanitary sewer service an Encroachment Permit must be obtained from the Public Works Department.

Condition 11 **Public Water.** Prior to connecting to the public water main for proposed fire line, the applicant must obtain a Site Improvement permit from Public Works Department

Condition 12 **Encroachment Permit.** Prior to connecting to the public storm drainage system for a new storm service an Encroachment Permit must be obtained from the Public Works Department.

Condition 13 **Erosion Control.** Prior to any ground disturbing activities, the applicant must obtain an Erosion Prevention and Sediment Control Permit for Public Works Department and install Best Management Practices**.**

Condition 14 **Transportation.** Prior to the issuance of any occupancy, the applicant shall construct a new driveway approach to 53rd Avenue at the size and location shown on the approved site plan. The existing driveways along 53rd Avenue and upon Pacific Boulevard must be removed. All work shall be constructed to City Standards under a Public Works encroachment permit. The applicant shall restrict left turn movements leaving the site including the following:

- Right-in/Right-out restriction at eastern 53rd Avenue access. This access shall have a "pork-chop" style restriction meeting City of Albany standards.
- Western 53rd Avenue access shall include median transition restriping of center-turn lane to be a left-turn pocket of approximately 75 feet as shown on the approved site plan.
- Remove and replace driveways not being used with standard curb and gutter. Work in Pacific Boulevard will require an ODOT permit.

Condition 15 **Transportation.** Prior to final plat, the developer shall provide a reciprocal access and parking easement for the benefit of all properties within the Village Center.

Condition 16 **Transportation.** Prior to any occupancy the developer shall construct all shared vehicle, pedestrian, and bicycle connections to adjacent properties within the Village Center.

Condition 17 **Stormwater.** Prior to issuance of any building permits, the applicant must apply for stormwater quality permit through the City's Public Works Department. Prior to final occupancy the applicant must construct stormwater quality and detention facilities that comply with the City's Engineering Standards

Condition 18 **Natural Resources Mitigation.** The applicant or property owner must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

Condition 19 **Natural Resources Mitigation.** A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation.

Condition 20 **Natural Resources Mitigation.** Tree replacements must have a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed.

Condition 21 **Natural Resources Mitigation.** Prior to the issuance of a development permit, the submitted wetland delineation must receive concurrence from the Oregon Department of State Lands.

Condition 22 **Natural Resources Mitigation.** Nonnative grasses and forbs will be removed with a broad-spectrum herbicide such as Roundup (glyphosate) applied at labeled rates in late spring and thereafter as required to prepare the site for seeding.

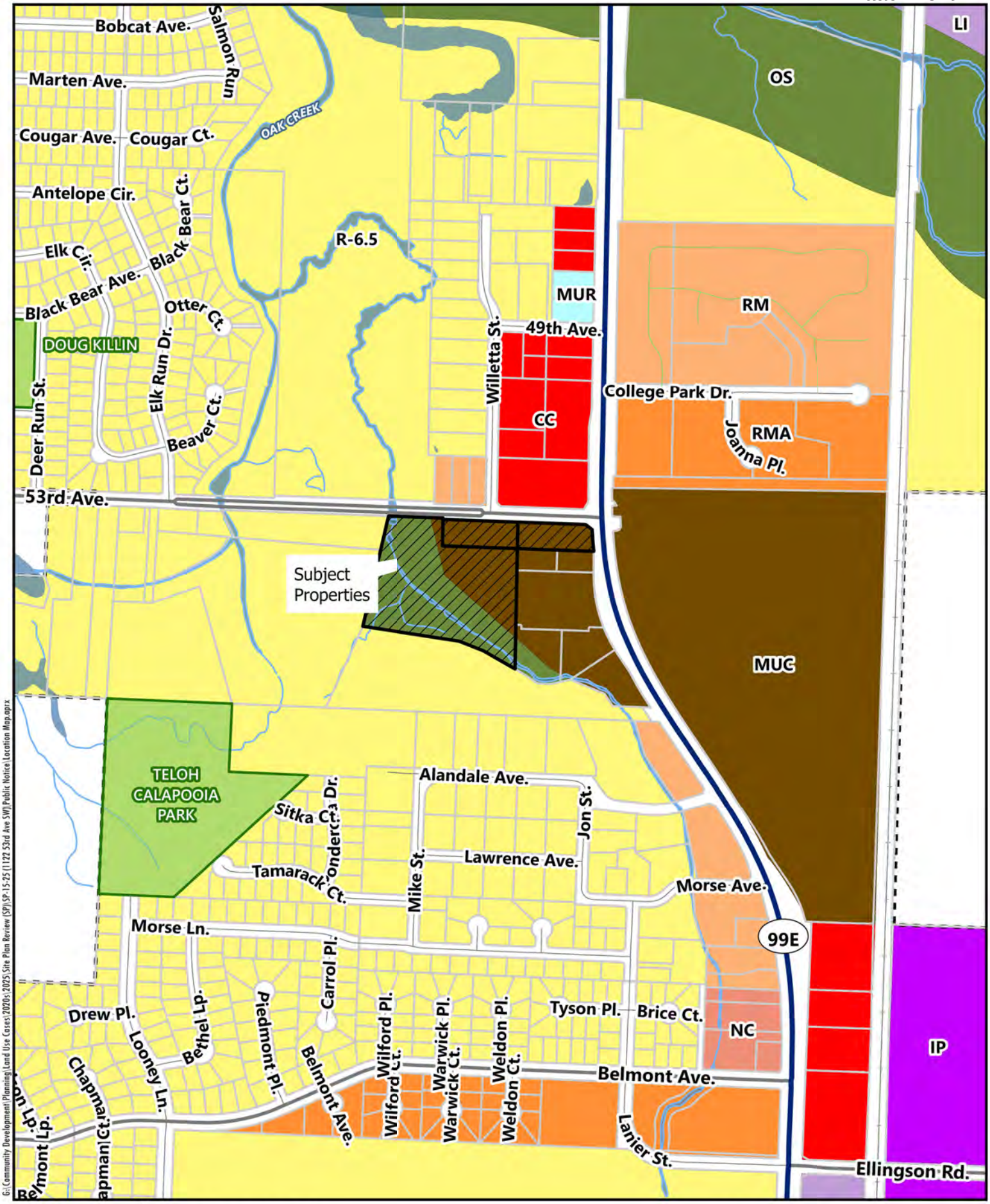
Condition 23 **Natural Resources Mitigation.** The invasive Himalayan blackberry must be removed from the mitigation planting area.

Attachments

A. Location Map
B. Site Plan
C. Applicant's Narrative
D. Building Elevations
E. Landscaping Plan
F. Mitigation Plan
G. Wetland Delineation
H. Comments from Affected Agencies
I. Submitted Comments

Acronyms

ADA	Americans with Disabilities Act
ADC	Albany Development Code
ADT	Average Daily Trip
AMC	Albany Municipal Code
CP	Comprehensive Plan Amendment file designation
DSL	Oregon Department of State Lands
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
ITE	Institute of Transportation Engineers
MUC	Mixed-Use Commercial
ODOT	Oregon Department of Transportation
OS	Open Space
R-6.5	Residential Low Density
RC	Riparian Corridor
SP	Site Plan Review file designation
SW	Significant Wetlands
TIA	Traffic Impact Analysis
TSP	Transportation Systems Plan



G:\Community Development\Planning\Land Use Cases\2020s\2025\Site Plan Review (SP)\SP-15-25 (1122 53rd Ave SW)\Public Notice\Location Map.aprx

N

0 210 420 Feet

Date: 8/25/2025 Map Source:

5310 Pacific Blvd. SW

Location Map

Construction Notes

ROGER H. NEUELL, AIA, SHALL BE REFERRED TO AS THE ARCHITECT.

ALL CONSTRUCTION SHALL COMPLY WITH THE 2022 OSSC.
THE CONTRACTOR SHALL HAVE KNOWLEDGE OF GENERAL CONSTRUCTION REQUIREMENTS OF THIS CODE. ALL SEWER, ELECTRICAL, PLUMBING, & MECHANICAL CONSTRUCTION TO CONFORM TO ALL APPLICABLE LOCAL, STATE, & NATIONAL CODES & ORDINANCES.

DO NOT SCALE DRAWING. CONSULT ARCHITECT FOR ANY DIMENSIONAL CLARIFICATIONS, ERRORS OR CONFLICTS. GENERAL CONTRACTOR MUST VERIFY DIMENSIONS PRIOR TO STARTING WORK. & CONSULT ARCHITECT REGARDING ERRORS, OMISSIONS OR CHANGES PRIOR TO PROCEEDING W/ CONSTRUCTION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING A WEATHER-TIGHT BUILDING INCLUDING ALL NECESSARY SEALANTS AND FLASHINGS. THESE DRAWINGS ARE BID-DESIGN DOCUMENTS. THE CONTRACTOR SHALL ASSUME RESPONSIBILITY & LIABILITY FOR COORDINATION OF RELATED BID-DESIGN WORK INCLUDING BUT NOT LIMITED TO ELECTRICAL, PLUMBING, HEATING & VENTILATION.

THE ARCHITECT IS NOT LIABLE FOR CHANGES/CORRECTIONS MADE BY THE OWNER DURING THE COURSE OF CONSTRUCTION. THE CONTRACTOR SHALL UTILIZE HIGHEST QUALITY CONSTRUCTION TECHNIQUES & BEST PRACTICE STANDARDS APPLICABLE TO THE CONSTRUCTION INDUSTRY. THE ARCHITECT DOES NOT ASSUME LIABILITY OR RESPONSIBILITY FOR METHODS OF CONSTRUCTION OR CONSTRUCTION DETAILS NOT INCLUDED IN THESE CONTRACT DOCUMENTS. THE ARCHITECT HAS NOT BEEN RETAINED OR COMPENSATED TO PROVIDE DESIGN AND/OR CONSTRUCTION REVIEW SERVICES RELATING TO THE CONTRACTOR'S SAFETY PRECAUTIONS OR TO MEANS, METHODS, TECHNIQUES OR PROCEDURES REQUIRED FOR THE CONTRACTOR TO PERFORM REQUIRED WORK. THE UNDERTAKING OF PERIODIC SITE VISITS BY THE ARCHITECT SHALL NOT BE CONSTRUED AS SUPERVISION OF ACTUAL CONSTRUCTION NOR MAKE HIM OR THE OWNER RESPONSIBLE FOR PROVIDING A SAFE PLACE FOR PERFORMANCE OF WORK BY THE CONTRACTOR, THE CONTRACTOR'S EMPLOYEES, EMPLOYEES OF SUPPLIERS OF SUBCONTRACTORS OR FOR ACCESS, VISITS, USE, WORK, TRAVEL OR OCCUPANCY BY ANY PERSON. THESE DRAWINGS ARE INTENDED FOR PERMIT SUBMITTAL AND DO NOT INCLUDE DETAILS OF EVERY CONSTRUCTION CONDITION.

THE OWNER/ DEVELOPER/ CONTRACTOR SHALL RETAIN THE SERVICES OF A REPUTABLE WATERPROOFING CONSULTANT TO REVIEW DETAILS, PREPARE SPECIFICATIONS, REVIEW SUB-CONTRACTS AND SUPERVISE CONSTRUCTION FOR THE FOLLOWING:

- BELOW GRADE WALLS AND SLABS
- ABOVE GRADE SLABS, DECKS AND DRIVES
- EXTERIOR BUILDING CLADDING
- ROOFING MEMBRANE AND RELATED FLASHINGS
- WINDOWS AND WINDOW INSTALLATION
- EXTERIOR RAILINGS AND FLASHINGS
- VENT FLASHINGS
- CAULKING

THE CONTRACTOR SHALL DELIVER WATERPROOF CONSULTANT'S FINAL REPORT REGARDING INSTALLATIONS AND PRODUCTS TO THE OWNER. CONTRACTOR SHALL PROVIDE WRITTEN WARRANTIES TO OWNER.

Design without Construction Phase Services

IT IS UNDERSTOOD AND AGREED THAT THE DESIGN PROFESSIONAL'S BASIC SERVICES UNDER THIS AGREEMENT DO NOT INCLUDE PROJECT OBSERVATION OR REVIEW OF THE CONTRACTOR'S PERFORMANCE OR ANY OTHER CONSTRUCTION PHASE SERVICES, AND THAT SUCH SERVICES WILL BE PROVIDED BY THE CLIENT. THE CLIENT ASSUMES ALL RESPONSIBILITY FOR INTERPRETATION OF THE CONTRACT DOCUMENTS AND FOR CONSTRUCTION OBSERVATION AND SUPERVISION AND WAIVES ANY CLAIMS AGAINST THE DESIGN PROFESSIONAL THAT MAY BE IN ANY WAY CONNECTED THERETO.

IN ADDITION, THE CLIENT AGREES, TO THE FULLEST EXTENT PERMITTED BY LAW, TO INDEMNIFY AND HOLD THE DESIGN PROFESSIONAL HARMLESS FROM ANY LOSS, CLAIM OR COST, INCLUDING REASONABLE ATTORNEY'S FEES AND COSTS OF DEFENSE, ARISING OR RESULTING FROM THE PERFORMANCE OF SUCH SERVICES BY OTHER PERSONS OR ENTITIES AND FROM ANY AND ALL CLAIMS ARISING FROM MODIFICATIONS, CLARIFICATIONS, INTERPRETATIONS, ADJUSTMENTS OR CHANGES MADE TO THE CONTRACT DOCUMENTS OR TO REFLECT CHANGES MADE IN THE FIELD OR OTHER CONDITIONS, EXCEPT FOR CLAIMS ARISING FROM THE SOLE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE DESIGN PROFESSIONAL.

IF THE CLIENT REQUESTS IN WRITING THAT THE DESIGN PROFESSIONAL PROVIDE ANY SPECIFIC CONSTRUCTION PHASE SERVICES AND IF THE DESIGN PROFESSIONAL AGREES IN WRITING TO PROVIDE SUCH SERVICES, THEN THEY SHALL BE COMPENSATED FOR AS ADDITIONAL SERVICES PROVIDED IN THE CONTRACT.

Fire Safety Notes

EMERGENCY RESPONDER RADIO COVERAGE SHALL BE PROVIDED PER SEC. 510 OF THE OFC.

PROVIDE SMOKE DETECTORS AT ALL SLEEPING ROOMS AND 1 SMOKE/CO DETECTOR PER FLOOR PER UNIT WHERE SHOWN ON ¼" FLOOR PLANS PER 907.2.11 AND 915 2022 OSSC.

PROVIDE AN EGRESS WINDOW IN EVERY SLEEPING ROOM WITH A MINIMUM NET CLEAR OPERABLE AREA OF 5.7 SQUARE FEET. MINIMUM CLEAR HEIGHT 24" AND MINIMUM CLEAR WIDTH 20", AND A MAXIMUM SILL HEIGHT OF 44" ABOVE THE FLOOR.

PROVIDE PORTABLE FIRE EXTINGUISHER @ EACH UNIT. MIN RATING = 1-A:10-B:C.

NOTE: SPRINKLER SHOP DRAWINGS SHALL PROVIDE DETAIL FOR ATTACHMENT OF SPRINKLERS COMPLYING W/ LOADS PER IBC.

SPRINKLERS:
FULLY SPRINKLERED PER NFPA 13R, OSSC 903.3.1.2.
ALL SPRINKLERS INSIDE DWELLING UNITS SHALL BE LISTED RESIDENTIAL SPRINKLERS (QUICK RESPONSE).

SPRINKLERS AT BALCONIES, DECKS & PATIOS WITH A DECK OR ROOF ABOVE. MAY PROVIDE SIDE WALL SPRINKLERS PER IBC 903.3.1.2.1.

STANDPIPES:
NOT REQUIRED PER IBC 905.3.1

EXIT SIGNAGE & LIGHTING:
EXIT LIGHTING SHALL BE PROVIDED PER IBC 1008 CURRENT EDITION. NOTE FINAL LOCATIONS OF EXIT SIGNS & LIGHTING WILL BE DETERMINED BY THE FIELD INSPECTOR.
1) EXIT SIGNS - NOT REQUIRED AT EXTERIOR STAIRS PER 1013.1 EX. 1.2. PROVIDE INTERNALLY ILLUMINATED EXIT SIGNS AT COMMON BASEMENT STORAGE PER PLAN.
2) EXIT ILLUMINATION - EXIT ILLUMINATION SHALL BE PROVIDED PER THE FOLLOWING SCHEDULE:

STAIRWAYS	1 FEER LANDING
CORRIDORS, HALLS,	1 FOOTCANDLE AT WALKING SURFACE
PARKING GARAGES	1 FOOTCANDLE AT WALKING SURFACE

2 SOURCES OF POWER SHALL BE PROVIDED FOR EXIT ILLUMINATION & SIGNS.

FIRE ALARMS:
MANUAL FIRE ALARMS NOT REQUIRED PER IBC 907.2.11 EX. 2.4.3 PROVIDED THE OCCUPANT NOTIFICATION APPLIANCES WILL AUTOMATICALLY ACTIVATE IN NOTIFICATION ZONES UPON A SPRINKLER WATER FLOW.

MONITORING:
MONITORING BY APPROVED CENTRAL STATION SERVICE.

CONTRACTORS:
NO FLAMMABLE LIQUIDS, WELDING / CUTTING EQUIPMENT OR COMPRESSED GASSES SHALL BE USED BY THE CONTRACTOR OR ANY SUBCONTRACTOR EXCEPT UNDER FIRE DEPT. PERMIT. THIS INCLUDES DEMOLITION WORK.

DRAFTSTOPPING:
DRAFTSTOPPING IS NOT REQUIRED IN ATTIC SPACES WHEN THE BUILDING IS EQUIPPED THROUGHOUT WITH SPRINKLERS IN ACCORDANCE W/ SEC 903.3.1.1, SEE SEC 718.4 EXCEPTION.

Energy/Mechanical

THE BUILDING SHALL COMPLY W/ THE 2025 OREGON ENERGY EFFICIENCY SPECIALTY CODE.

PRESCRIPTIVE BUILDING ENVELOPE REQUIREMENTS FOR CZ 4-C PER TABLE 5.5-4

ATTIC	R-49
WALL (WOOD)	R-20
FLOOR (WOOD)	R-30
SLAB-ON-GRADE	R-20 FOR 4' AT PERIMETER
DOORS (OPAQUE)	U-0.37 (SWINGING)
FENESTRATION (FIXED)	U-0.36 SHGC MAX 0.36
FENESTRATION (OPERABLE)	U-0.45 SHGC MAX 0.33
FENESTRATION (ENTRY)	U-0.63 SHGC MAX 0.33
SKYLIGHTS	U-0.50 SHGC MAX 0.40

WINDOWS AND SLIDING GLASS DOORS
MAX. AIR LEAKAGE RATE PER SECTION 5.8.3.2. ALL FENESTRATION SHALL HAVE MANUFACTURER PRINTED LABELS WITH THE U-FACTOR, SHGC, VT & AIR LEAKAGE RATES LISTED.

AIR BARRIERS
THE THERMAL ENVELOPE SHALL LIMIT AIR LEAKAGE. BREAKS OR JOINTS IN THE AIR BARRIER SHALL BE SEALED. PROVIDE SEALS AT:
- FOUNDATION AND SILL PLATE
- TOP PLATE AND TOP OF WALLS
- BETWEEN WALL CAVITIES AND WINDOWS OR DOORS
- PENETRATIONS THROUGH WALLS AND CEILING
- RECESSED LIGHTING AT THE THERMAL ENVELOPE

WHOLE HOUSE MECHANICAL VENTILATION.
PROVIDE A BALANCED VENTILATION SYSTEM COMPLIANT WITH OMSC 403.

WHOLE HOUSE VENTILATION CONTINUOUS RATES, TABLE M1505.4.3(1)

UNIT LESS THAN 1500 SF	0-1 BEDROOM = 30 CFM
UNIT LESS THAN 1500 SF	2-3 BEDROOM = 45 CFM

INTERMITTENT RATES PER TABLE 7.5(5.4.3.2.)

RESIDENTIAL EXHAUST RATES, TABLE 403.3.2.3

RANGE HOODS	MIN. 150 CFM (75 CFM INTERMITTENT)
TOILET ROOM	MIN. 50 CFM (25 CFM INTERMITTENT)

NOTE: FANS PROVIDING CONTINUOUS VENTILATION SHALL BE RATED AT MAX. 1.0 SONES FOR SOUND. INTERMITTENT FANS SHALL BE RATED AT MAX. 3.0 SONES FOR UNDER 400 CFM.

FANS FOR OVER-ISLAND RANGE HOODS SHALL BE LISTED AND LABELLED IN ACCORDANCE WITH.

BATH EXHAUST FANS SHALL BE ENERGY STAR RATED.

LIGHTING
RECESSED LIGHTING FIXTURES SHALL BE IC-LABELLED FOR DIRECT INSULATION CONTACT.
RECESSED FIXTURES INSTALLED IN THE THERMAL ENVELOPE SHALL BE INSTALLED INSIDE AN AIRTIGHT, SEALED BOX MADE FROM 1/2" THICK GWB.
ALL INTERIOR AND EXTERIOR LIGHTING SHALL BE HIGH-EFFICIENCY LIGHT SOURCES (LED LAMPS WITH EFFICACY OF NOT LESS THAN 65 LUMENS / WATT OR 45 LUMENS / WATT FOR EACH LUMINAIRE).

SERVICE WATER PIPED SHALL BE INSULATED PER ASHRAE 90.1-2022 TABLE 7.4-2

DRYER DUCTS: PER OMSC SECT. 504 TERMINATION AT THE OUTSIDE OF THE BUILDING SHALL BE NOT LESS THAN 3 FEET IN ANY DIRECTION FROM OPENINGS INTO BUILDINGS. PROVIDE A BACKDRAFT DAMPER. DUCTS SHALL HAVE A SMOOTH INTERIOR FINISH, CONSTRUCTED OF NOT LESS THAN 28 GAGE METAL, AND MIN. 4" DIAMETER.

ADDITIONAL ENERGY CREDITS (GREEN): 13.1-1) ALL BUILDINGS SHALL MEET REQUIREMENTS FOR MULTIFAMILY STRUCTURES CZ-4C (32 CREDITS):
1% DUCTLESS HEAT PUMP. RE
A. PROVIDE HEAT PUMP IN PRIMARY ZONE WITH MIN. HSPF 10.0 OR HIGHER. SUB. REPLACING ELECTRICAL HEAT.
B. PROVIDE PROGRAMMABLE THERMOSTAT FOR ALL HEATERS IN BEDROOMS.

Sound Control

JOINTS IN THE PERIMETER OF THE PARTY WALL 4 PARTY FLOOR ASSEMBLIES SHALL BE ACOUSTICALLY SEALED W/ AN APPROVED, PERMANENT RESILIENT MATERIAL.
CONDUITS, PIPES, & VENTS IN PARTY WALLS SHALL BE ISOLATED FROM THE BUILDING CONSTRUCTION BY RESILIENT SLEEVES OR MOUNTS. OTHER OPENINGS THROUGH WHICH SUCH ITEMS PASS SHALL HAVE THE EXCESS OPENING FULLY SEALED FOR BOTH SOUND & FIRE.

ELECTRICAL BOXES SHALL NOT BE PLACED BACK-TO-BACK IN PARTY WALLS & CORRIDOR/STAIR WALLS. MIN. 12" OFFSET FROM OUTLETS IN OPPOSITE WALL & SHALL BE BACKED BY AN APPROVED ACOUSTICAL FIBER INSULATION AND PUTTY PADS.

Shop Drawings / Deferred Submittals

SUBMIT SHOP DRAWINGS TO THE CITY OF ALBANY, THE ARCHITECT & THE STRUCTURAL ENGINEER FOR THE ROOF TRUSSES

SUBMIT SHOP DRAWINGS TO THE CITY OF ALBANY FOR THE FOLLOWING: STANDPIPES, AUTOMATIC SPRINKLERS, FIRE ALARM & SEE STRUCTURAL FOR ADDITIONAL SUBMITTALS.

DEFERRED SUBMITTALS INCLUDE:
CARPORT DESIGN, ELECTRICAL PERMIT, MECHANICAL PERMIT, PLUMBING PERMIT,
FIRE ALARM PERMIT, SPRINKLER PERMIT & SIGNAGE PERMIT

Utilities In R.O.W.

LOCATE SIDE SEWER AND WATER SERVICE FROM SITE INTO THE ROW. THESE UTILITY LINES NEED TO BE LOCATED AND EITHER PROTECTED OR ABANDONED PRIOR TO INSTALLATION OF SOLDIER PILES OR EXCAVATION. CALL 811 AT LEAST 48 HOURS AND NO MORE THAN 10 WORKING DAYS BEFORE YOU BEGIN DIGGING. YOU MAY ALSO REQUEST THAT THE LINES BE MARKED AT THIS NUMBER.

Treated Lumber

CONTRACTOR SHALL VERIFY TYPE OF PRESSURE TREATED WOOD TO BE USED IN PROJECT AND PROVIDE FASTENERS IN ACCORDANCE WITH OSSC OR PROVIDE ISOLATION OF WOOD / METAL CONTACT. NOTE: MOST GALVANIZED FASTENERS AND CONNECTORS ARE NOT HOT DIPPED GALVANIZED. CONTRACTOR SHALL VERIFY THAT ALL CONNECTORS AND FASTENERS IN CONTACT WITH PRESSURE TREATED WOOD ARE "HOT DIPPED" OR STAINLESS STEEL AS REQ'D IN THE OSSC AND PER THE WOOD PRESERVATIVE, FASTENER AND CONNECTOR MANUFACTURERS.

Special Inspections

SPECIAL INSPECTIONS ARE REQUIRED FOR:
- REINFORCED CONCRETE
- BOLTING IN CONCRETE
- WOOD SHEAR WALLS
- FIRE RESISTIVE PENETRATIONS
- EMERGENCY LIGHTS

Zoning Notes

ZONING: MIC MIXED USE COMMERCIAL / OS OPEN SPACE

COMPREHENSIVE PLAN DESIGNATION: VILLAGE CENTER, OPEN SPACE

OVERLAY DISTRICTS: FLOOD PLAIN, RIPARIAN CORRIDORS, SIGNIFICANT WETLANDS

PROPOSED USE: 189 MULTI-FAMILY RESIDENTIAL HOUSING UNITS IN 7 BUILDINGS W/ CLUBHOUSE/OFFICE

LOT AREA: MIC DEVELOPMENT AREA = 158,688 SF (3.64 ACRES)
OS ZONED OPEN SPACE = 200,551 SF (4.61 ACRES).
TOTAL = 359,239 SF (8.25 ACRES)

DENSITY
REQUIRED: 18 UNITS/ACRE = 36 UNITS MINIMUM

PROPOSED: 189 UNITS / 3.64 ACRES = 29.1 UNITS/ACRE

LOT COVERAGE
ALLOWED: MAXIMUM BUILDING COVERAGE N/A
MAXIMUM DEVELOPMENT COVERAGE = 158,688+200 = 126,950 SF

PROPOSED: BUILDINGS, WALKWAYS, PARKING = 106,575 SF (67%)

PRIVATE OPEN SPACE
REQUIRED: NONE

PROVIDED: PRIVATE DECKS PROVIDED AS AMENITY - NOT REQ'D.

COMMON OPEN SPACE
REQUIRED: 25x0 SF

PROVIDED: 7,30 SF INDOOR COMMON SPACE PROVIDED BY CLUBHOUSE.

BUILDING HEIGHT
ALLOWED: 85'
VERTICAL DISTANCE FROM AVERAGE GRADE TO HIGHEST POINT OF BUILDING OR STRUCTURE

EXCEPTIONS: ELEVATORS, STAIRWAYS, MECHANICAL EQUIPMENT, FIRE WALLS, SKYLIGHTS, TOWERS, FLAG POLES, CHIMNEYS, ANTENNAS.

PROPOSED: 36'-0", SEE ELEVATIONS A3.00, A3.01, A3.04

SETBACKS
FRONT, INTERIOR: 5' MIN, 15'-6" PROVIDED
0'

BUFFER
FRONT: 10' TO PARKING
INTERIOR: 10' TO MULTI-FAMILY BUILDINGS

STREET ORIENTATION OPTION
FRONTAGE: SITE FRONTAGE=667' LF-36(ENTRY)
-26 (2ND ENTRY @ 53'ND.)=609 LF
BLDG FRONTAGE=155.75 (4) + 56 (2) + 56 (3) + 275.75 LF

SETBACK: NO MINIMUM, 25' MAX, 15'-6" PROVIDED

ENTRIES: FACING 53RD ST // COVERED AWNINGS

PARKING
ALLOWED: MAX ALLOWED = [42 (2BR) x 1.5)]+[66 (1BR+STUDIO) x 1.0] + [(189/4)-63-66-2]=156 STALLS MAX
PROVIDED: PARKING PROVIDED= 143 STALLS ⚠
MAX ALLOWED COMPACT =143+189-156 MAX. 99 PROVIDED

ELECTRICAL VEHICLE CHARGING
REQUIRED: ELECTRICAL SERVICE CAPACITY FOR A LEVEL 2 CHARGING STATION FOR 40% OF RESIDENTIAL AND ADA SPACES = 143x0.40 = 58 SPACES

PROVIDED: SERVICE CAPACITY FOR 58 PARKING SPACES

BICYCLE PARKING
REQUIRED: 95 BICYCLE STALL PER UNIT = 189x0.5=94

PROVIDED: 94 BICYCLE STALLS (1) 36 STALL AND (1) 24 STALL, SEE A100, A312

LANDSCAPING
REQUIRED
RESIDENTIAL: 100% ENHANCED LANDSCAPING AT STREET FRONTAGE & FRONT SETBACK PER ADC TABLE 8240-2.

PARKING: LANDSCAPING TO COMPLY WITH PARKING LOT TREE CANOPY (ADC 9.380) PARKING LOTS (9.380) & PARKING LOT PERIMETER (9.390) REQUIREMENTS.

REFUSE: MUST BE SCREENED BY SIGHT OBSCURING FENCE, WALL OR HEDGE AT LEAST 6' IN HEIGHT. DISPOSAL AREAS NOT ALLOWED IN SETBACKS OR WITHIN 5' OF A DWELLING WINDOW (ADC 9.275)

RIPARIAN MITIGATION: DEGRADED RIPARIAN BUFFER DISTURBANCE AREA (7,383 SF) IS MITIGATED WITH ENHANCED QUALITY OF EQUAL AREA AS SHOWN ON LANDSCAPE PLAN (SHEET L1.22).

Corrosive Metals

ALL FRAMING FASTENERS SHALL BE GALVANIZED INCL. NAILS, SCREWS, BOLTS, WASHERS, LAG SCREWS, NAIL PLATES ETC. . ALL VENTILATION SCREENINGS AND VENTING INCL. DUCTS SHALL BE GALVANIZED. TRUSS PLATES SHALL BE STAINLESS OR POWDER COATED METAL. RAILINGS SHALL BE STAINLESS OR POWDER COATED ALUMINUM. NO EXPOSED STEEL ALLOWED UNLESS STAINLESS, HOT DIPPED GALVANIZED OR FACTORY COATED ENAMEL FINISH.

Barrier Free Units

TYPE A ACCESSIBLE UNITS ARE REQUIRED FOR 6%(0.06)x189 UNITS = 13 UNITS

TYPE B ACCESSIBLE UNITS: ALL OTHER GROUND LEVEL FLAT UNITS SHALL MEET ANSI 117.1 FOR TYPE B ACCESSIBILITY. SECOND AND THIRD FLOOR UNITS ARE NOT REQUIRED TO BE ACCESSIBLE.

Building Area Totals

BLDG. AREA: 24 UNITS, 2 BR / 1 BR, BUILDINGS 1 & 4

	RES. SF	CORR. SF	SUB-TOTAL SF
1ST	6,658	396	7,054
2ND	6,701	540	7,212
3RD	6,102	648	7,150
T	20,061	1,584	21,416
x2 =	39,320	2,169	41,850 SF

BLDG. AREA: 12 UNITS, 1 BR / STUDIO, BUILDINGS 2, 3

	RES. SF	CORR. SF	SUB-TOTAL SF
1ST	2,362	226	2,588
2ND	2,386	241	2,653
3RD	2,386	226	2,612
T	7,134	719	7,853
x2 =	14,268	1,438	15,706 SF

BLDG. AREA: 12 UNITS, 2 BR / 1 BR, BUILDINGS 5, 6, 7

	RES. SF	CORR. SF	SUB-TOTAL SF
1ST	3,266	198	3,464
2ND	3,288	255	3,543
3RD	3,288	224	3,512
T	9,842	677	10,519
x3 =	29,526	2,031	31,557
T =	83,188	6,171	89,359 SF

UNIT MIX: 1 BR/1 BR, 24 + UNIT BLDG 1, 4

A	1BR	(1ST)	6,761	8	5,360
A	1BR	(2ND, 3RD)	6,81	16	10,976
B	2BR		963	12	11,556
C	2BR		1,056	12	12,312
				48	40,124 SF

UNIT MIX: 1 BR/STUDIO, 12 UNIT BLDG 2, 3

D	STUDIO	(1ST)	494	4	1,976
D	STUDIO	(2ND, 3RD)	471	8	3,768
E	1BR		722	12	8,664
				24	14,408 SF

UNIT MIX: 2 BR/2BR, 12 UNIT BLDG. 2, 3

A	1BR	(1ST)	6,761	8	5,360
A	1BR	(2ND, 3RD)	6,81	16	10,976
B	2BR		963	12	11,556
				36	29,936 SF

UNIT MIX TOTALS

STUDIO	1 BR	2 BR	TOTAL
12 +	84 +	42 =	189

UNIT AREA TOTALS
TOTAL UNIT AREA=40,124+14,268+29,936=83,188 SF

AREA: OFFICE / CLUBHOUSE

OFFICE	738
CLUBHOUSE	1,38
TOTAL	1,476 SF

Drawing Index

ARCHITECTURAL
A0.00 PROJECT INFORMATION, NOTES
A0.01 SITE PLAN
A0.11 IMPERVIOUS SURFACE AND COMMON OPEN SPACE CALCS
A2.00 1ST + 2ND FLOOR PLANS - BLDGS 1 + 4
A2.01 3RD FLOOR + ROOF PLAN - BLDGS 1 + 4
A2.02 1ST + 2ND FLOOR PLANS - BLDGS 2 + 3
A2.03 3RD FLOOR + ROOF PLAN - BLDGS 2 + 3
A2.04 1ST + 2ND FLOOR PLANS - BLDGS 5, 6 + 7
A2.05 3RD FLOOR + ROOF PLAN - BLDGS 5, 6 + 7
A2.06 UNIT PLANS 1/4"
A2.07 UNIT PLANS 1/4"
A2.08 CLUBHOUSE / OFFICE FLOOR PLAN
A3.00 ELEVATIONS - BLDGS 1 + 4
A3.01 ELEVATIONS - (COLOR) BLDGS 1 + 4
A3.02 ELEVATIONS - BLDGS 2 + 3
A3.03 ELEVATIONS - (COLOR) BLDGS 2 + 3
A3.04 ELEVATIONS - BLDGS 5, 6 + 7
A3.05 ELEVATIONS - (COLOR) BLDGS 5, 6 + 7
A3.06 ELEVATIONS - OFFICE/CLUBHOUSE
A3.07 ELEVATIONS - (COLOR) OFFICE/CLUBHOUSE
A3.08 BUILDING SECTIONS AA, BB
A3.09 OFFICE/CLUBHOUSE SECTION
A3.10 BIKE STORAGE PLAN, ELEVATION + SECTION

CIVIL
C1.00 PRELIMINARY LAYOUT PLAN
C1.01 PRELIMINARY GRADING PLAN
C1.02 PRELIMINARY UTILITY PLAN

LANDSCAPE
L0.00 COVER
L1.11 PRELIMINARY PLANTING PLAN
L1.12 PRELIMINARY PLANTING PLAN
L1.13 PLANKINS LOT TREE CANOPY PLAN

SURVEY
1 of 2 ENLARGED PLAN TOPOGRAPHY
2 of 2 FULL LOT TOPOGRAPHY



Vicinity Map
NTS

Legal Description:

LOCATED IN THE ROBERT E. HARRON D.L.C. NO. 77 AND IN SE 1/4 SECTION 24, TOWNSHIP 11 S, RANGE 4 WEST, WILLAMETTE MERIDIAN, LINN CO., OR.

Project Data

PROPERTY ADDRESS: 1. 1NF 53RD AVE SE, ALBANY, OR 97321
2. 1221 53RD AVE SE, ALBANY, OR 97321
3. 1398 PACIFIC BLVD. SE, ALBANY, OR 97321

APN: 1. 11-4W-24-CA/04
2. 11-4W-24D-A-13200
3. 11-4W-24DA-13000

OWNER: SCHNEIDER HOMES
6540 SOUTH CENTER BLVD STE 1
TUKWILA, WA 98188
O: 206-248-2471
zach@schneiderhomes.com

ARCHITECT: ROGER H NEUELL, AIA
1932 19TH AVE E
SEATTLE, WA 98102
O: 206-322-7153 F: 206-322-5161
roger@rhneuellaia.com

OCCUPANCY: R-2 APARTMENT
SECTION 420: SPECIAL R-2 OCCUPANCY REQUIREMENTS
WALLS SEPARATING UNITS SHALL BE 1-HR. PER 708
FLOORS SEPARATING UNITS SHALL BE 1-HR PER 711
A-3 RECREATION (1,150SF/15=50 OCCUPANTS)
B OFFICE (738/150=5 OCCUPANTS)

CIVIL ENGINEER: DEVCO ENGINEERING INC.
345 NE CONIFER BLVD.
CORVALLIS, OR 97330
O: 541-751-8693
steve@devcoengineering.com

OCCUPANT LOAD:
24-UNIT (*1, 4) TOTAL 20,950/100 OCCUPANTS
SEC. 1005, STAIR 21"/IN BASED ON OCC. LOAD AT EA. STORY,
2ND FLR. (1) STAIR WELL=1,350/200=OCC LOAD 11

12 UNIT (*2, 3) TOTAL 7,134+36 OCCUPANTS
SEC. 1005, STAIR 21"/IN BASED ON OCC. LOAD AT EA. STORY,
2ND FLR=2,386/200=OCC LOAD 12

12 UNIT (*5, 6 + 7) TOTAL 9,842+48 OCCUPANTS
SEC. 1005, STAIR 21"/IN BASED ON OCC. LOAD AT EA. STORY,
2ND FLR=3,288/200=OCC LOAD 16

GEOTECH: FOUNDATION ENGINEERING, INC.
8109 NW CORNELL AVE.
CORVALLIS, OR 97330
O: 541-757-1645
kjt@foundation engr.com

BUILDING HEIGHT
ALLOWED: 60'
TABLE 504.3
(R-2 OCC/V-A/S 13R)

PROPOSED: 36'-9", SEE A3.00, A3.01, A3.04

SURVEYOR: COLE SURVEYING, LLC
345 NE CONIFER BLVD
CORVALLIS, OR 97330
O: 541-257-1695
kevin@colesurveying.com

NUMBER OF STORIES
ALLOWED: 4 STORIES
TABLE 504.4
(R-2 OCC/V-A/S 13R)

PROPOSED: 3 STORIES

WETLAND CONSULTANT: ZION NATURAL RESOURCES CONSULTING
P.O. BOX 548
MONMOUTH, OR 97361
O: 503-838-0103
eric@zionconsulting.org

FLOOR AREA
SINGLE OCC BLDG
ALLOWED: 506(2) 4 TABLE 506.2 EQ 5-1: ALLOWABLE AREA = A(t) + [NS x 1(f)]
A(t) FOR R-2 OCC/ V-A/S 13R = 12,000 SF
NS FOR R-2 OCC/ V-A/S 13R = 12,000 SF
1(f) = (F-30) / 30 FOR 80% OF PERIMETER, TABLE 506.3.3.)

ALLOWED AREA = 12,000 + [12,000 x 0.75]
= 12,000 + 9,000 = 21,000 SF PER FLOOR

PROPOSED: BUILDING 1, 4 = 7,212 # 2ND (MAX.)
BUILDING 2, 3 = 7,853 # 2ND (MAX.)
BUILDING 5, 6, 7 = 3,543 # 2ND (MAX.)

FIRE RESISTANCE RATING
V-A BUILDING ELEMENTS (HOURS -SECTIONS 601/ 1015.1/1016/TI.1010)

PRIMARY STRUCTURAL FRAME	= 1
EXTERIOR BEARING WALLS	= 1
INTERIOR BEARING WALLS	= 1
INTERIOR NON BEARING WALLS	= 0
FLOOR CONSTRUCTION	= 1
ROOF CONSTRUCTION	= 1
CORRIDORS	= 1

AUTOMATIC FIRE SPRINKLER (SECTION 903.3.1.2) NFPA 13R THROUGHOUT
w/ QUICK RESPONSE / RESIDENTIAL AUTO SPRINKLERS
AT R-2 DWELLING UNITS. SIDEWALL SPRINKLERS PERMITTED AT BALCONIES, DECKS, AND PATIOS (PER SECTION 903.3.2.1.)

EGRESS ILLUMINATION (SECTION 1008.2) MEANS OF EGRESS = 1 FOOT CANDLE AT WALKING SURFACE
EXIT STAIRWAYS AND LANDINGS = 10 FOOT CANDLES AT WALKING SURFACE

TYPE A ACCESSIBLE UNITS (1008.2.2.1) 2% OF TOTAL SITE UNITS SHALL BE
TYPE A = 189 x 0.07 = 13 TYPE A
REMAINING GROUND FLOOR UNITS SHALL BE TYPE B.
TOTAL 36 GROUND FLOOR UNITS - 3 UNITS = 33 TYPE B UNITS

Building Code

BUILDING CODE: 2022 OSSC (OREGON STRUCTURAL SPECIALTY CODE)

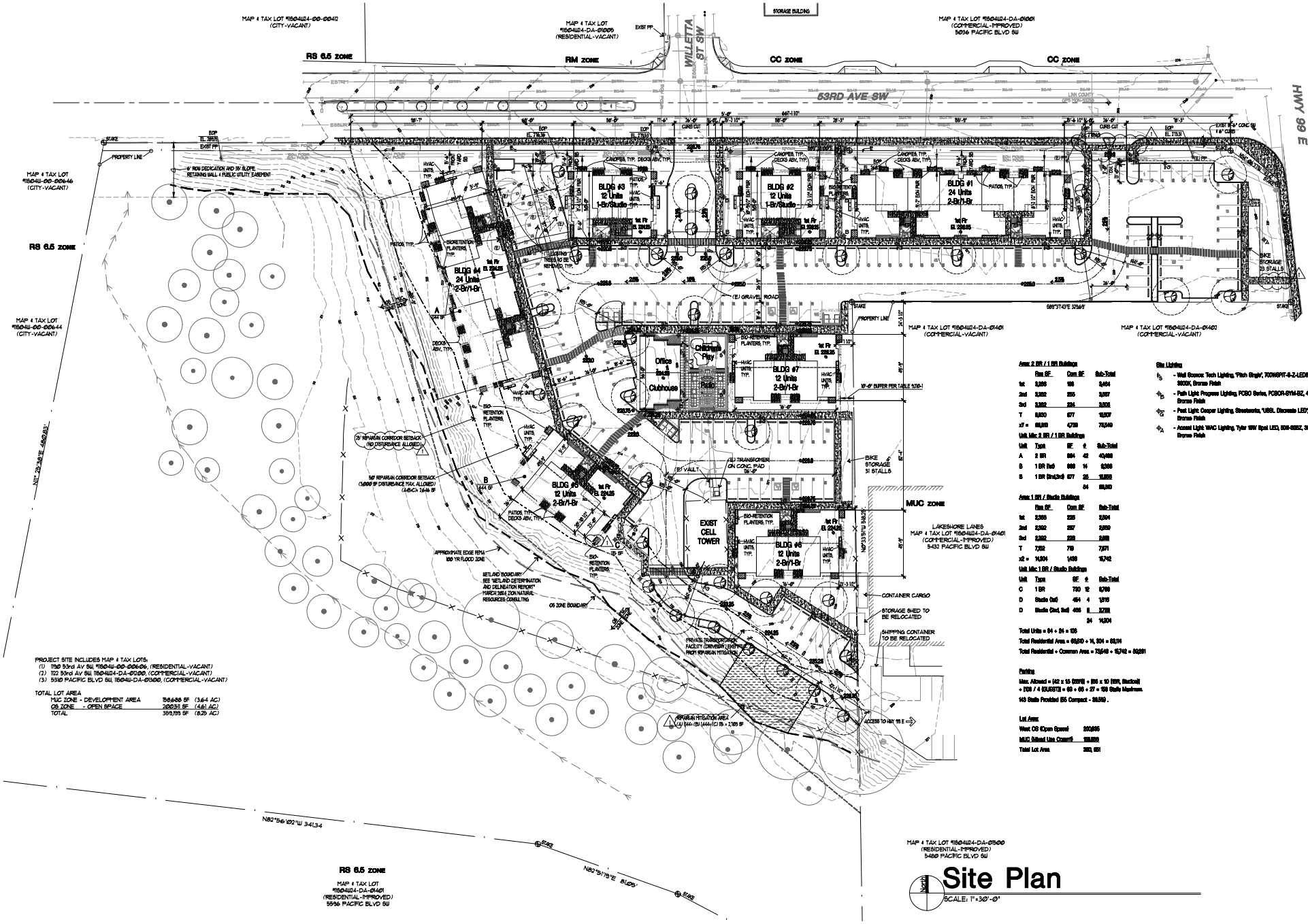
TYPE OF CONSTRUCTION: V-A STRUCTURAL FRAME, BEARING WALLS
EXTERIOR AND INTERIOR WALLS,
FLOOR AND ROOF CONSTRUCTION + 1HR
OSSC 1209.2
EXTERIOR WALLS WITH A FIRE SEPARATION DISTANCE OF > 10' SHALL BE RATED FOR EXPOSURE TO FIRE FROM THE INSIDE.
EXTERIOR WALLS WITH A FIRE SEPARATION DISTANCE OF < 10' SHALL BE RATED FOR EXPOSURE TO FIRE FROM BOTH SIDES.

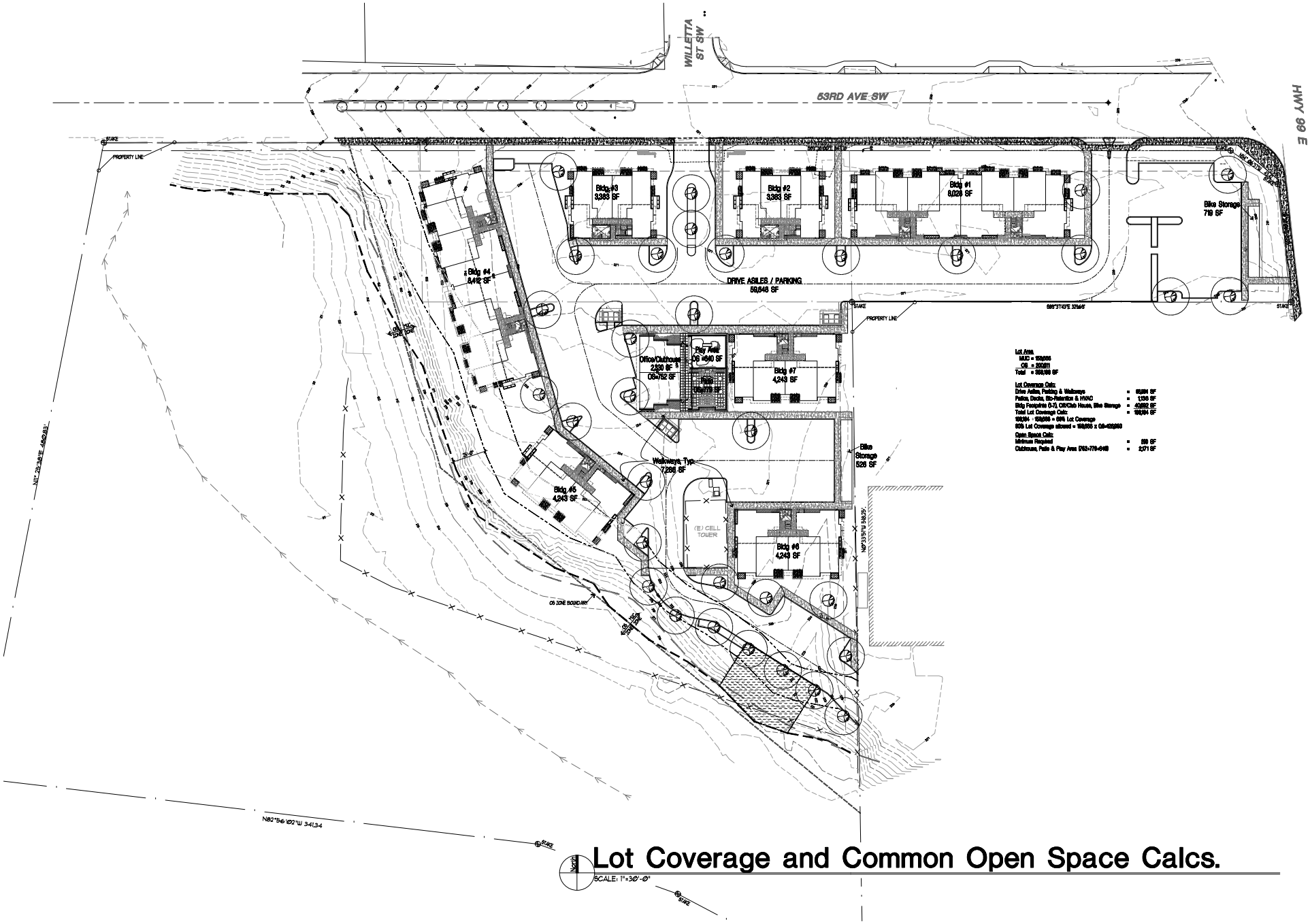
ROGER H. NEUELL AIA
REGISTERED ARCHITECT
OREGON
EXPIRES: 12/31/2026

DATE: 07/08/25
Δ 24-25 RESPONSE TO COMMENTS
DRAWN: MV
CHECKED: RHN

The Loren at Brookside
Schneider Homes
Albany, OR

A000
PROJECT NO. 2020.4


MAP & TAX LOT 11S04W24-00-00412 (CITY-VACANT)
MAP & TAX LOT 11S04W24-DA-01005 (RESIDENTIAL-VACANT)
MAP & TAX LOT 11S04W24-DA-01001 (COMMERCIAL-IMPROVED) 5036 PACIFIC BLVD SW
RS 6.5 ZONE
RM ZONE
CC ZONE
CC ZONE
WILLETTA ST SW
63RD AVE SW
HWY 99 E
STORAGE BUILDING
MAP & TAX LOT 11S04W24-00-00406 (CITY-VACANT)
MAP & TAX LOT 11S04W24-00-00444 (CITY-VACANT)
BLDG #3 12 Units 1-Br/Studio
BLDG #2 12 Units 1-Br/Studio
BLDG #1 24 Units 2-Br/1-Br
BLDG #4 24 Units 2-Br/1-Br
BLDG #7 12 Units 2-Br/1-Br
BLDG #5 12 Units 2-Br/1-Br
BLDG #6 12 Units 2-Br/1-Br
Clubhouse
Office
Children's Play
Patio
EXIST CELL TOWER
(E) GRAVEL ROAD
(E) TRANSFORMER ON CONC. PAD
(E) VAULT
BIKE STORAGE 31 STALLS
BIKE STORAGE 13 STALLS
MAP & TAX LOT 11S04W24-DA-01401 (COMMERCIAL-VACANT)
MAP & TAX LOT 11S04W24-DA-01402 (COMMERCIAL-VACANT)
MUC ZONE
LAKESHORE LANES
MAP & TAX LOT 11S04W24-DA-01401 (COMMERCIAL-IMPROVED) 5432 PACIFIC BLVD SW
MAP & TAX LOT 11S04W24-DA-01500 (RESIDENTIAL-IMPROVED) 5460 PACIFIC BLVD SW
RS 6.5 ZONE
MAP & TAX LOT 11S04W24-DA-01401 (RESIDENTIAL-IMPROVED) 5556 PACIFIC BLVD SW
CONTAINER CARGO
STORAGE SHED TO BE RELOCATED
SHIPPING CONTAINER TO BE RELOCATED
6' ROW DEDICATION AND 25' SLOPE, RETAINING WALL & PUBLIC UTILITY EASEMENT
PROPERTY LINE
STAKE
EXIST FF
EOP
EXIST CURB
EXIST 8" CONC SD & 6" CURB
(E) FH
(E) PP
(E) TRANS
(E) POLE
(E) SIGN
(E) MB
(E) MW
(E) TREE
(E) SHRUB
(E) BUSH
(E) GRASS
(E) BOLLARD
(E) CONC
(E) ASPH
(E) GRAVEL
(E) BLDG
(E) CONC SD
(E) CONC CURB
(E) CONC WALK
(E) ASPH PAVING



The Loren at Brookside
Schneider Homes
Albany, OR

A101

PROJECT NO. 2010.4

ROGER H. NEWELL, AIA ARCHITECT 1102 - 19TH AVE EAST - SEATTLE, WA 98112 - 206-322-1192 - FAX 206-322-5161

July 31, 2025

REVIEW CRITERIA AND DEVELOPMENT STANDARDS RESPONSES – SITE PLAN REVIEW

Community Development Department
City of Albany, Oregon
333 Broadalbin St SW
Albany, Oregon 97321

RE: Loren at Brookside Apartments,
1122 – 53rd Av SW, 1190 – 53rd Av SW & 5310 Pacific Blvd SW
Albany, Oregon 97321

Community Development Staff:

Please find the following responses to the Review Criteria as required by ADC 2.450:

Criterion 1: The application is complete in accordance with the applicable requirements.
Facts: The narrative herein and accompanying documents represent our best effort to respond to and answer all requirements for a complete application.
Conclusion: This submittal is complete and in accordance with these requirements.

Criterion 2: The application complies with all applicable provisions of the underlying zoning district, including but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.
Facts:

- The subject property is zoned MUC (Mixed-Use Commercial) and under the Ellington Street Secondary Climate Friendly Area overlay. The proposed 108-unit multi-family apartment project is allowed with Site Plan Review.
- Density: By ADC 14.040(2)(b), minimum density 15 units/ac. x 3.75 ac = 56.25 units. Project proposes 108 units.
- Height: By ADC Table 5.090-1, max. 85'. Proposed 30'.
- Setbacks: By ADC Table 5.090-1 & 8.240-1
  Front: min. 15', max. 25'. Proposed 15'-6".
  Side & Rear: min. 0', max. 15'. Proposed 12'-6" to 13'-3"
- Landscaping: By ADC Table 5.090-1 & 8.240-1
  100% enhanced street frontage required. Complete and enhanced landscaping for all street frontage proposed.
- Block Length & Pedestrian/Bike Accessways: By ADC 14.040(4 & 5), 350' max. Street access is provided within the prescribed maximum.
- Common Open Space: By ADC Table 8.220-1, 250 sf of common open space is required. The proposed Clubhouse will provide approx. 730 sf common open space that qualifies under this section.
- Lot Coverage: By ADC Table 5.090-1, 80% (x 158,688 sf x 80% = 126,950 sf) max. Proposed development area of MUC zoning including pavement and buildings is 68,495 sf (43.2%). Note this table also specifies 100% landscaping.

Conclusion: This submittal is complete and in accordance with the requirements of the applicable zone and overlay districts.

Criterion 3: Activities and developments within special purpose districts comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.
Facts:

- Albany Airport Approach District: The subject property is outside of the Albany Airport Approach District (ADC 4.410) and does not apply to this project.

- Floodplain: The project development area lies outside the mapped areas as described in ADC 6.080 and are not subject to the requirements of the floodplain portions of Article 6.
- Riparian Corridor: By ADC 6.450, up to 3,000 sf of encroachment into the riparian corridor may be permitted with a Minor Variance. The proposal will encroach 2,270 sf into the 50' riparian corridor. A minor variance for this encroachment has been submitted as part of this Site Plan Review.
- Mitigation: Per ADC 6.400(1)(b) mitigation is required when there is disturbance of more than 2,000 sf of vegetated surface area. The proposed encroachment will meet the conditions of ADC 6.310(B)(2)(b). Mitigation plan recommendations per ADC 6.410 have been prepared by Zion Consulting and is submitted with this Site Plan Review. These recommendations have been integrated into the Site and Landscape Plan and are reflected there (See sheets A100, L1.2).
- Exemptions for Specific Activities in Riparian Corridor: By ADC 6.310(B)(2)(d), location and private construction of public non-master planned transportation facilities is permitted in riparian corridor overlay districts meeting the requirements of this section. The connecting access at the south end of the development encroaches into the Riparian Corridor. The proposed road and pedestrian access is the minimum required. No actual crossings of the corridor are made.
- Historic Overlay District: The project is not subject to the regulations of the Historic Overlay District (Article 7).

Conclusion: With application and approval of the Minor Variance and Riparian Corridor Mitigation Plan the proposed design conforms to the requirements of these Articles of the ADC.

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

- Common Open Space: By ADC Table 8.220-1, 250 sf of common open space is required. The proposed Clubhouse will provide approx. 730 sf common open space that qualifies under this section.
- Private Open Space and Children's Play Areas are not required under the MUC zoning.
- Street Orientation: The project provides only 275 lf of the 609 lf along 53rd Avenue SW. This does not meet the 50% of street frontage required for this option. The project will meet the Enhanced Landscaping requirements (ADC 8.240)
- Enhanced Landscaping: Minimum 10' front setback in addition to base zoning (base 5' + 10' = 15'). Proposed front setback 15'-6" with enhanced landscaping per 8.240(3)(b).
- Façade Articulation: Per ADC 8.225(2), street-facing facades are to provide two of the listed features including: recessed entries must be three to six feet deep, eaves not less than 12 inches, wall and roof offsets of two feet for a minimum of four feet among others. The street-facing building elevations do exhibit these three features.
- Street-facing Windows: ADC 8.225(3) requires at least 15% of the total area of the regulated facades contain windows and doors meeting the glazed area requirement as described. The elevations of these street-facing buildings conform to this requirement. See front elevations for calculations.
- Pedestrian Connections: ADC 8.280 prescribes pedestrian circulation systems such as walkways, sidewalks and crosswalks provide all residents with connection to all adjacent uses and public right-of-ways. Walkways are provided to all buildings in conformance with the requirements of ADC 8.280, with regard to materials, dimensions, pavement marking, connections to adjacent right-of-ways and the Americans with Disabilities Act. Pedestrian crossings within the parking areas will be a minimum of 5-feet wide and marked with reflective stripping. Concrete walkways will be separated from vehicle circulation areas with a minimum 6" high curb. Pedestrian connections to adjacent streets/sidewalks are required for every 200' of street frontage. The site has approximately 792.5' of frontage along 53rd St SW and Pacific Blvd. Three pedestrian connections from the site to adjacent streets/sidewalks are provided.
- Parking: Per ADC 8.300 & 8.305 parking must be provided convenient to residents. Parking must be provided within 100 feet of each building entry for 50% of that building's residents. No parking is permitted between the buildings and the front lot line and spacing between driveways must be a minimum of 25 feet apart. The proposed Site Plan allows for the prescribed number of parking spaces to be provided that meets this requirement. Driveway access will be exclusively from 53rd St SW with additional access to

adjacent property to the southeast as directed by City staff. Driveway width of 26' will comply with ADC 12.100.

- Residential Design Standards: A minimum of 50% of the street-facing facades must comply with the material requirements of ADC 8.485. Materials proposed include brick and fiber-cement panels and siding. Gabled roofs will be incorporated and exterior HVAC will be screened from street view to conform to this paragraph.

Conclusion: This submittal complies with the requirements of the Design Standards of Article 8.

Criterion 5: The application complies with all applicable Design Standards of Article 10.
Facts: The project does not propose any manufactured housing. The project will be site-built.
Conclusion: This project complies with the requirements of the Design Standards of Article 10 as it does not apply.

Criterion 6: The application complies with all applicable On-Site Development and Environmental Standards of Article 9.
Facts:

- Off-Street Parking and Loading: By ADC Table 9.020-1 maximum off-street parking for Multi-Dwelling units studio and 1-bedroom units and 2-bedroom units apply to this project. There are 66 studio and 1-bedroom units and 42 2-bedroom units proposed. The maximum number of parking spaces allowed would be (66 x 1.0 space/du + 42 x 1.5) 120. Additionally 27 visitor spaces are allowed (108 / 4) for a total of maximum 156 spaces allowed. 145 parking spaces are provided.
- Bicycle Parking: There must be a minimum of 54 bicycle parking spaces provided for the 108 dwelling units (50%) according to ADC Table 9.030-1. 54 bicycle storage lockers that conform to the requirements of ADC 9.030(4) are provided in this plan.
- Accessible Spaces: Per ORS 447.233, five accessible spaces, of which one is a wheelchair user only space, are required. These spaces are shown on the Site Plan.
- Electric Vehicle Charging Capacity: Per ADC 9.050 electric vehicle charging capacity will be provided for 40% of all vehicle parking spaces (58 spaces) and 25% of all ADA parking spaces (2 spaces) provided for the project.
- Parking Plan & Standards: The information required by ADC 9.080 is included on the Site Plan. The parking area will conform to the standards of ADC 9.100 and are noted on the plan.
- Parking Lot Design: Per ADC 9.120, interior driveways reflect the orientation of the adjacent right-of-ways. Traffic calming will be provided by locating trees on both sides of the full length of the driveways where possible. Dimensions of parking stalls (standard, compact and accessible) and aisles will comply with the requirements of this section.
- Compact spaces comprise 38.6% of the total parking spaces provided, within the 40% limit (56/145). Wheel bumpers will be provided. Parking lot lighting fixtures will reflect away from adjacent properties per ADC 9.100(13). Pedestrian accessways are provided and offer complete circulation to all residents and facilities. Public walkways and parking spaces will meet requirements of the the OSSC.
- The parking lot and property perimeters will be landscaped to comply with General Residential Requirements (9.140), Parking Lots (9.150) and Village Centers (9.160) as shown in the Landscape Plan.
- Tree Canopy: Trees will be planted to meet the requirements of ADC 9.130(2-4) in lieu of providing any solar panels. This is reflected in the Landscape Plan.
- Walkways: As prescribed in ADC 9.130(5) pedestrian walkways and accessways will meet these provisions including those regarding dimension of width and height, surface material and markings and separation from parking and driving areas.
- Landscaping: As noted under the response to Criterion 2, complete (100%) enhanced landscaping is required along the street frontages and for the full depth of the front setback as noted under Article 5. Irrigation will be provided as described by the Landscape Plan. The Landscape Plan has been prepared by a licensed landscape architect.
- Tree Protection: Two trees of qualifying circumference within the development envelope have been identified for removal. This does not require additional Tree Felling review. Removal of these trees are a part of this Site Plan Review application. No other trees on the property will be affected by the construction.

- Buffering and Screening: Per Table 9.210-1 landscape buffering will be required along the arterial street (Pacific Blvd. SW). This is shown on the Landscape Plan.
- Environment: No other environmental impact to the site or neighboring properties as described under ADC 9.400-500 are anticipated.

Conclusion: This submittal complies with the requirements of the Design Standards of Article 9.

Criterion 7: The Public Works Director has determined that the 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.
Facts: The development proposal is under review by the Public Works Department and will make that determination as a part of this Site Plan Review.
Conclusion: This submittal is to be reviewed by the Public Works Director.

Criterion 8: The Public Works Director has determined that the transportation improvements are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.
Facts: The development proposal is under review by the Public Works Department and will make that determination as a part of this Site Plan Review.
Conclusion: This submittal is to be reviewed by the Public Works Director.

Criterion 9: The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.
Facts: The development proposal is under review by the Public Works Department and will make that determination as a part of this Site Plan Review.
Conclusion: This submittal is to be reviewed by the appropriate government entity.

Criterion 10: The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.
Facts: Prior land-use approvals include:

- CU-01-14; New Wireless Communication Facility
- DC-01-04; Text Amendment
- CP-01-04; Comp. Plan Amendment to change tax lot 606 from URR to VC, MDR and OS
- ZC-01-04; Zone Amendment to change tax lot 606 from RS-6.5 to MUR and OS

This proposal is consistent with the land-use changes in effect.
Conclusion: This submittal meets this requirement.

Criterion 11: Sites that have lost their nonconforming status must be brought into compliance and may be brought into compliance incrementally in accordance with Section 2.370.
Facts: The development proposal is consistent with the current regulations and policies of the Albany Development Code.
Conclusion: This submittal complies and conforms to the ADC.

Respectfully submitted,

Rob Okazaki
Project Architect

[End Response]

November 24, 2025

Planning Director
City of Albany
333 Broadalbin St SW
Albany, OR 97321

City of Albany Planning files: SP-15-25, NR-03-25, RL-08-25
Loren at Brookside Apartments
1122, 1190 - 53rd Av SW, 5310 Pacific Blvd SW
RE: Tentative Plat Review Criteria [ADC 11.180]

Director:

We request a review of Tentative Plat for the above mentioned project. This proposal meets the criteria of the Albany Development Code for Tentative Plat Review as follows:

(1) Development Standards: The underlying MUC zoning specifies maximum building footprint, maximum and minimum yard setbacks, maximum height limit, maximum lot coverage and landscaping. This project conforms to all these Development Standards.

Lot and block standards are exceeded but due to the unique situation of the parcel and development area adjacent to wetland these standards are requested to be exempted.

Open space provided by this project comply with standards for this zoning.

(2) Ownership: This proposal will merge all parcels under the same ownership. No portion of the property under the same ownership will remain.

(3) Access for adjoining property: This proposal will not prevent access or development to any adjoining parcel.

(4) Transportation Improvements: We request the Public Works Director to determine what, if any, transportation improvements are available this proposed consolidation as part of this review.

(5) Utility Improvements: We request the Public Works Director to determine what, if any, public facilities and utilities improvements are available this proposed consolidation as part of this review.

(6) Conformance with ADC: This project is consistent with the regulations of Article 6 (Natural Resources) of the ADC. Articles 4 and Article 7 do not apply.

Should any additional information or elaboration be needed, please contact us immediately.

Respectfully submitted,

Rob Okazaki
Project Architect

[End Narrative]

November 24, 2025

Public Works Director
City of Albany
333 Broadalbin St SW
Albany, OR 97321

City of Albany Planning files: SP-15-25, NR-03-25, RL-08-25
Loren at Brookside Apartments
1122, 1190 - 53rd Av SW, 5310 Pacific Blvd SW
RE: Block Length Accessway Exception Request

Director:

We request an exception from the requirement listed herein:

ADC 14.040(4) Maximum Block Length:

The stated intent of this chapter is to facilitate pedestrian and bicycle connectivity for parcels and blocks that exceed 500 feet of width. Per paragraph (d) the City Engineer may grant an exception to this standard when one or more listed conditions exist on the development site.

Accessways are defined as a paved surface of 10' width with 5' of landscaping on either side – a 20' wide accessway.

The location of this site is constrained by wetland and riparian corridor (natural features) to the west and south, private property to the south and east, and provides no public access (available access) to the south. The configuration of the parcel is largely fronting the north along 53rd Av SW with the south portion behind neighboring private property fronting Pacific Blvd on the east (parcel orientation, shape).

We assert that for these reasons this project be allowed an exception to this regulation for a required accessway.

No public right-of way exists to the south or west of the development site.

Any accessway provided bisecting the property would not connect to any existing public right-of-way.

Due to the nature of a residential community, and for security of the residents, transient and public egress through the middle of this private residential development would not be encouraged. However, a new bicycle and pedestrian connection through the property would be established via the required southern access and proposed pathways and driveways.

We request the City Engineer except this project from the Block Length requirements of ADC 14.040(4) including pedestrian and bicycle accessway through the development.

We are including a site plan exhibit with the pathway through the property highlighted and with proposed enhancement of the proposed connection. Please contact us if there are any other questions or documentation needed for your evaluation. Thank you.

Respectfully submitted,

Rob Okazaki, Project Architect
Roger H. Newell AIA

WILLETTA ST SW

53RD AVE SW

HWY 99 E

LINN COUNTY GPS MON-53255

N11° 25'30"E 480.03'

N82°56'02"W 341.34

N82°51'19"E 81.05'



Connection Path Crossing Example

Connectivity Exhibit

North

SCALE: 1"=30'-0"

ROGER A. HEWELL, AIA
ARCHITECT PC (503) 322-1182
FACSIMILE (FAX) 322-1182
2505 SE 11TH AVENUE
PORTLAND, OREGON 97202

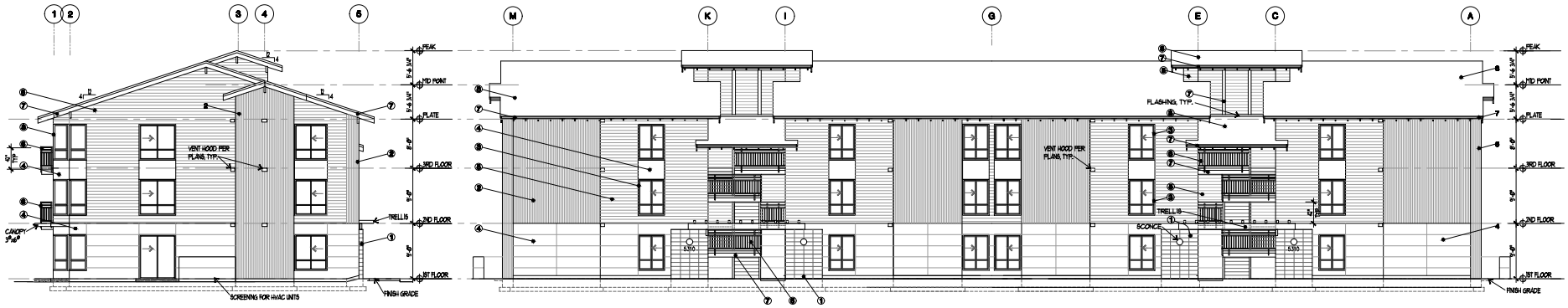
DATE: 03/26/23
DRAWN: MY
CHECKED: RH

03-05-25 SITE PLAN REVIEW
1-24-25 RESPONSE TO COMMENTS

The Loren at Brookside
Schneider Homes
Albany, OR

Ex-01

PROJECT NO.
2020.4



Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 1, 4

Rear Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 1, 4

MATERIALS	COLOR
1. CMU MUTUAL MATERIALS "VERASTONE"	"CHIANTI" STACKED BOND
2. HARDIE PANEL 6" VERTICAL CHANNEL SIDING	"COOL COLONIAL RED"
3. WINDOWS QUALITY VINYL	"BLACK ONYX"
4. CEMENTITIOUS PANELS, HARDIE	PAINTED (SHERWIN WILLIAMS SW 7078 "GAUNTLET GRAY" W/BLACK TRIM)
5. HORIZONTAL SIDING, HARDIE PLANK SELECT CEDARMILL, SMOOTH	"KHAKI BROWN"
6. DECK RAILS	POWDER COAT TO MATCH SHERWIN WILLIAMS 7078 "GUANTLET GRAY"
7. DECKS & ROOF FASCIA	SHERWIN WILLIAMS SW 6386 "DOVER WHITE
8. ROOFING GAF "TIMBERLINE"	WEATHERED WOOD COMPOSITION ASPHALT SHINGLE

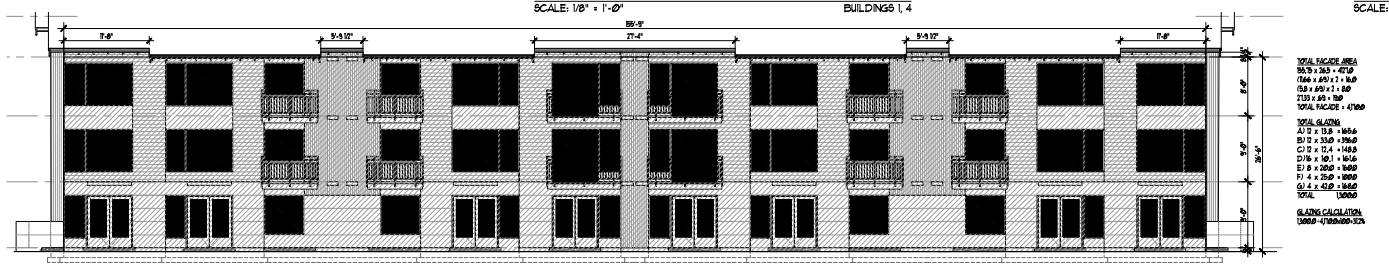


Front Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 1, 4

Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 1, 4



Glazing Calculation @ 53rd Ave SW

SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3

The Loren at Brookside
Schneider Homes
Albany, OR

A300

PROJECT NO. 20204



Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 1, 4



Rear Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 1, 4



Front Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 1, 4



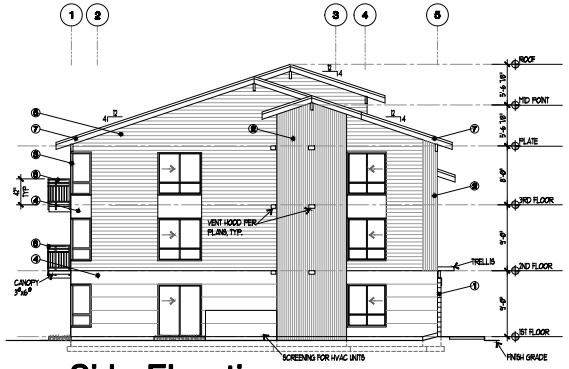
Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 1, 4

The Loren at Brookside
Schneider Homes
Albany, OR

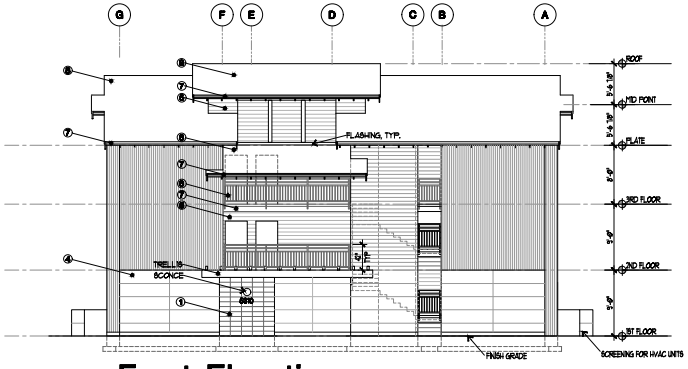
A301

PROJECT NO. 2020.4



Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3



Front Elevation

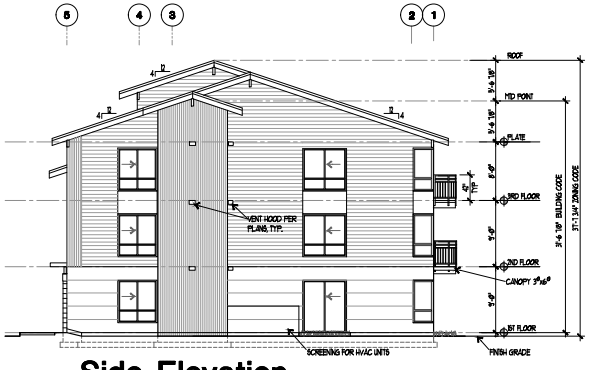
SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3

MATERIALS	COLOR
1. CMU MUTUAL MATERIALS "VERASTONE"	"CHIANTI" STACKED BOND
2. HARDIE PANEL 6" VERTICAL CHANNEL SIDING	"COOL COLONIAL RED"
3. WINDOWS QUALITY VINYL	"BLACK ONYX"
4. CEMENTITIOUS PANELS, HARDIE	PAINTED W/SHERWIN WILLIAMS SW 7078 "GAUNTLET GRAY" W/BLACK TRIMS
5. HORIZONTAL SIDING, HARDIE PLANK SELECT CEDARMILL, SMOOTH	"KHAKI BROWN"
6. DECK RAILS	POWDER COAT TO MATCH SHERWIN WILLIAMS "7078 "GUANTLET GRAY"
7. DECKS & ROOF FASCIA	SHERWIN WILLIAMS SW 6385 "DOVER WHITE
8. ROOFING GAF "TIMBERLINE"	WEATHERED WOOD COMPOSITION ASPHALT SHINGLE



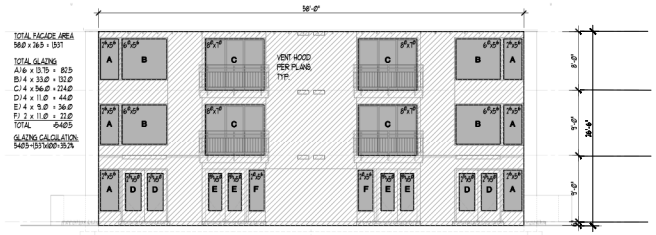
Rear Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3



Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3



Glazing Calculation @ 53rd Ave SW

SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3

The Loren at Brookside
Schneider Homes
Albany, OR

A302

PROJECT NO. 2020.4



Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3



Rear Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3



Front Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3



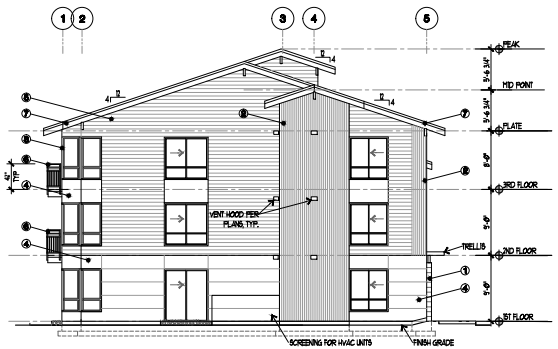
Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 2 & 3

The Loren at Brookside
Schneider Homes
Albany, OR

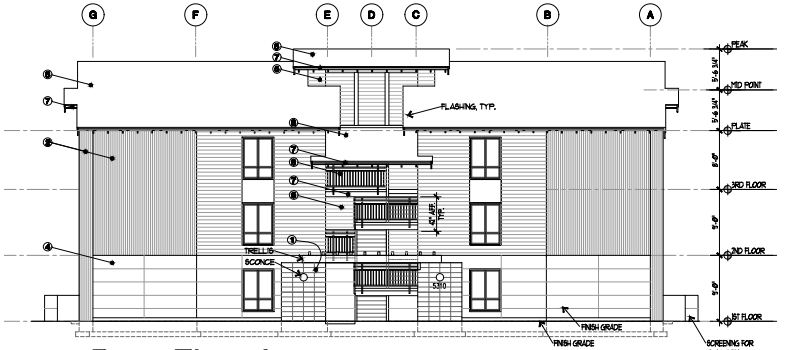
A303

PROJECT NO.
2020.4



Side Elevation

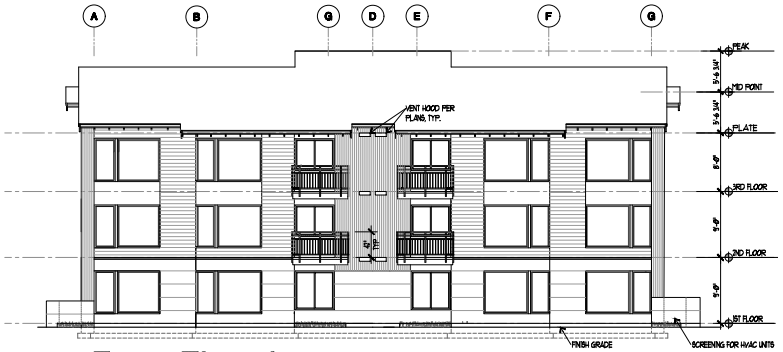
SCALE: 1/8" = 1'-0" BUILDINGS 5, 6, & 7



Rear Elevation

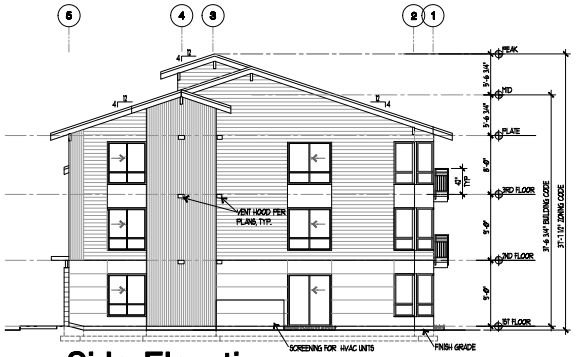
SCALE: 1/8" = 1'-0" BUILDINGS 5, 6, & 7

MATERIALS	COLOR
1. CMU MUTUAL MATERIALS "VERASTONE"	"CHIANTI" STACKED BOND
2. HARDIE PANEL 6" VERTICAL CHANNEL SIDING	"COOL COLONIAL RED"
3. WINDOW QUALITY VINYL	"BLACK ONYX"
4. CEMENTITIOUS PANELS, HARDIE	PAINTED W/SHERWIN WILLIAMS SW 7079 "GAUNTLET GRAY" W/BLACK TRIMS
5. HORIZONTAL SIDING, HARDIE PLANK SELECT CEDARMILL SMOOTH	"KHAKI BROWN"
6. DECK RAILS	POWDER COAT TO MATCH SHERWIN WILLIAMS "7079 "GAUNTLET GRAY"
7. DECKS & ROOF FASCIA	SHERWIN WILLIAMS SW 6385 "DOVER WHITE
8. ROOFING GAF "TIMBERLINE"	WEATHERED WOOD COMPOSITION ASPHALT SHINGLE



Front Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 5, 6, & 7



Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 5, 6, & 7

The Loren at Brookside
Schneider Homes
Albany, OR

A304

PROJECT NO. 2020.4



Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 5, 6, & 7



Front Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 5, 6, & 7



Rear Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 5, 6, & 7



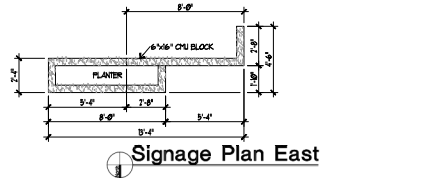
Side Elevation

SCALE: 1/8" = 1'-0" BUILDINGS 5, 6, & 7

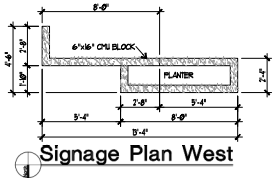
The Loren at Brookside
Schneider Homes
Albany, OR

A305

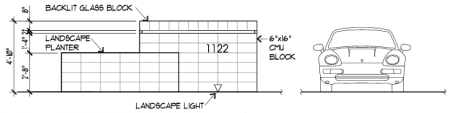
PROJECT NO. 2020.4

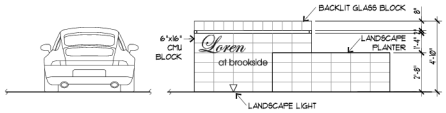


Signage Plan East



Signage Plan West



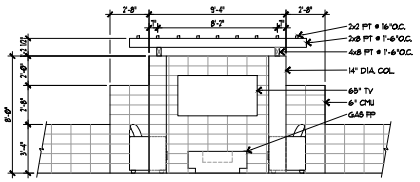




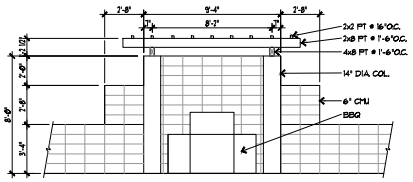


Entrance Signage

SCALE: 1/4" = 1'-0"



TV Gazebo

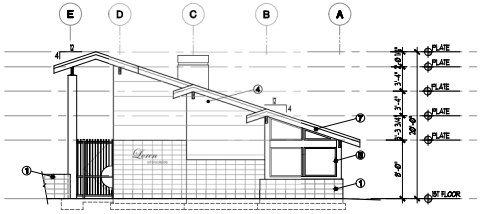


BBQ Elevation

Patio Elevations

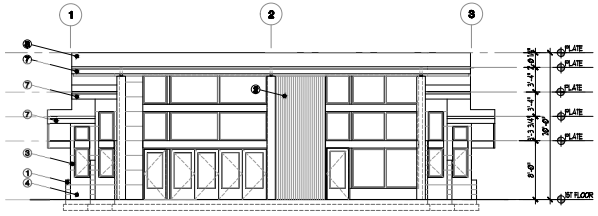
SCALE: 1/4" = 1'-0"

MATERIALS	COLOR
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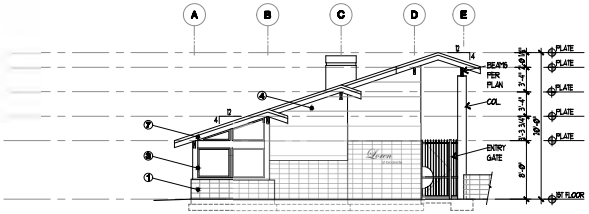
North Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"



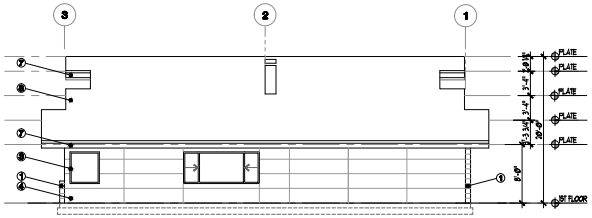
East Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"



South Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"



West Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"

The Loren at Brookside
Schneider Homes
Albany, OR

A306

PROJECT NO. 2020.4



North Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"



East Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"



South Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"



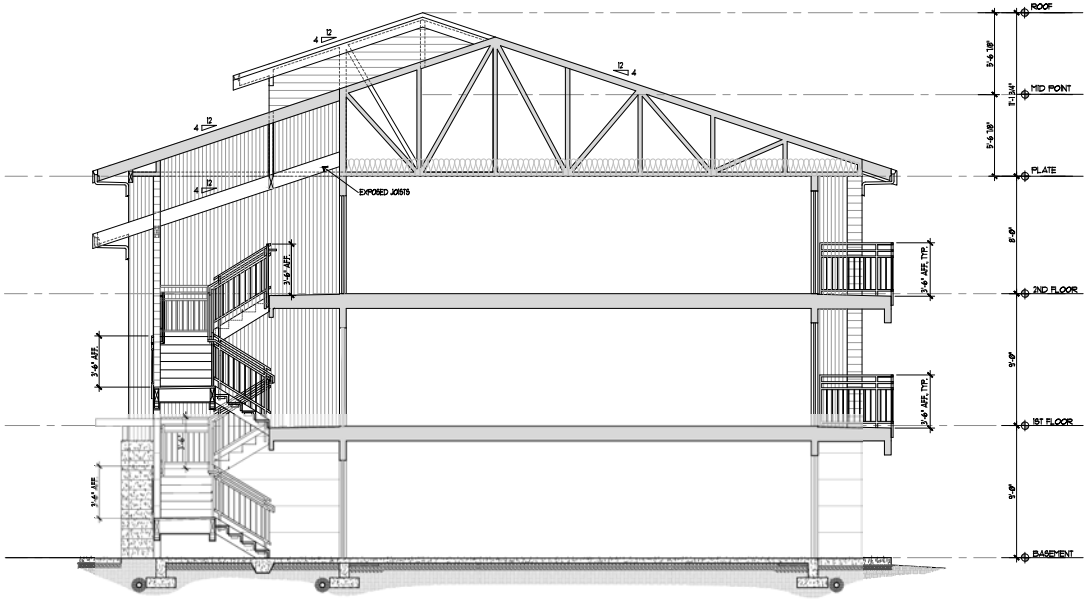
West Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"

The Loren at Brookside
Schneider Homes
Albany, OR

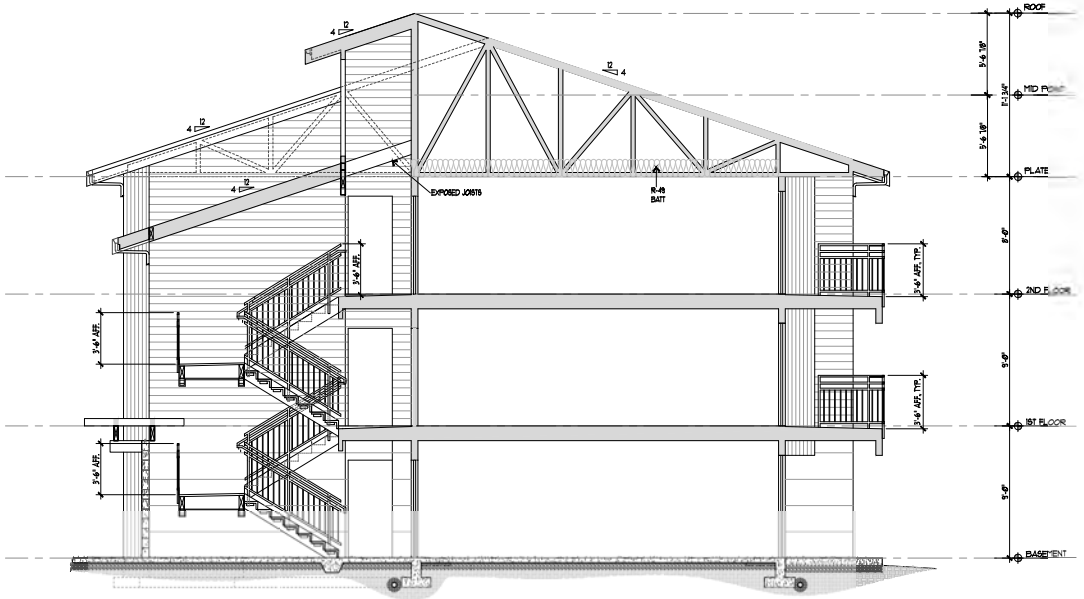
A307

PROJECT NO.
2020.4



Section AA **Buildings 2, 3**

SCALE: 1/4" = 1'-0"



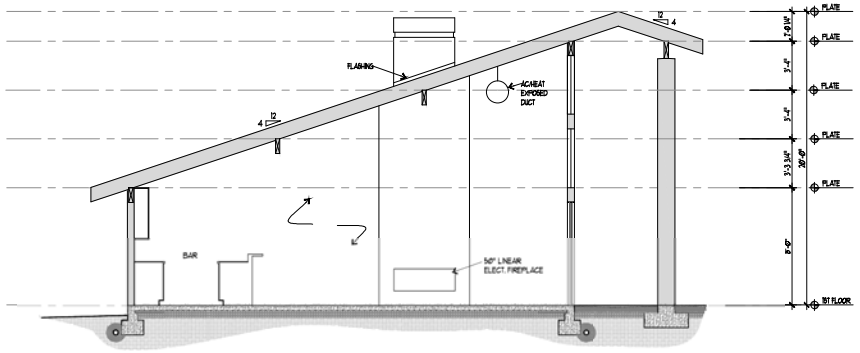
Section BB **Buildings 5, 6, 7**

SCALE: 1/4" = 1'-0"

The Loren at Brookside
Schneider Homes
Albany, OR

A308

PROJECT NO. 2020.4



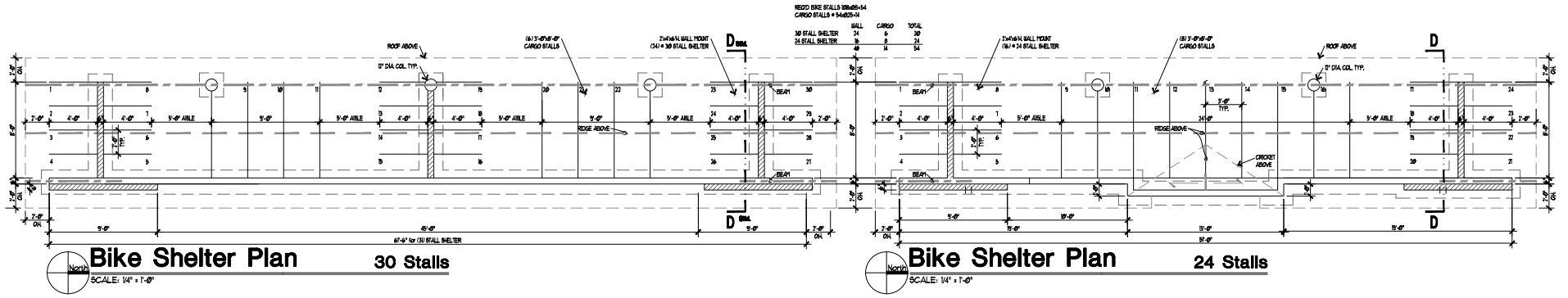
Section Clubhouse/Office

SCALE: 1/4" = 1'-0"

The Loren at Brookside
Schneider Homes
Albany, OR

A309

PROJECT NO. 2020.4

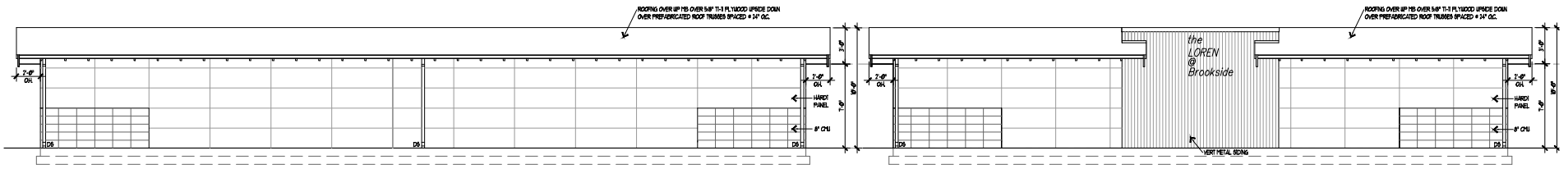


Bike Shelter Plan — 30 Stalls

SCALE: 1/4" = 1'-0"

Bike Shelter Plan — 24 Stalls

SCALE: 1/4" = 1'-0"

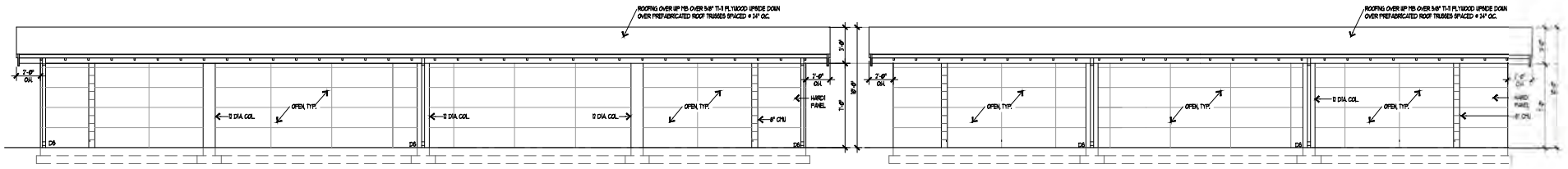


East Elevation

SCALE: 1/4" = 1'-0" — 30 STALL BIKE SHELTER

East Elevation

SCALE: 1/4" = 1'-0" — 24 STALL BIKE SHELTER

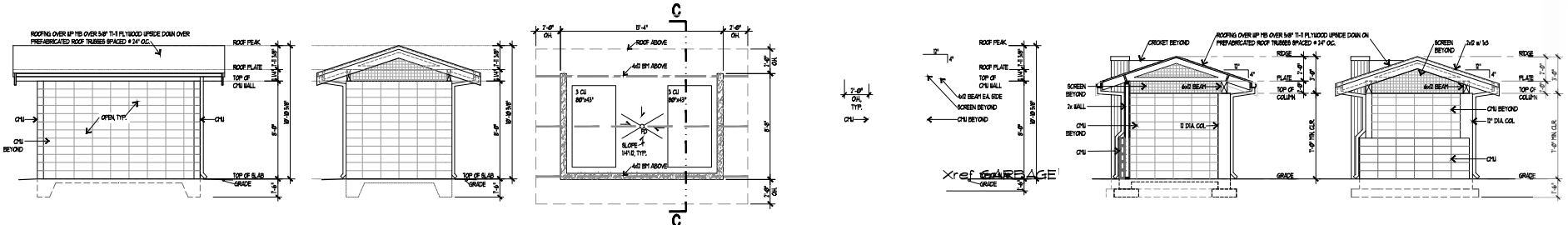


West Elevation

SCALE: 1/4" = 1'-0" — 30 STALL BIKE SHELTER

West Elevation

SCALE: 1/4" = 1'-0" — 24 STALL BIKE SHELTER



Front Elevation

SCALE: 1/4" = 1'-0" — REFUSE/RECYCLE

Side Elevation

SCALE: 1/4" = 1'-0" — REFUSE/RECYCLE

Refuse/Recycle Plan

SCALE: 1/4" = 1'-0" — REFUSE/RECYCLE

Section CC

SCALE: 1/4" = 1'-0" — REFUSE/RECYCLE

Section DD

SCALE: 1/4" = 1'-0" — BIKE SHELTER, TYP.

End Elevation

SCALE: 1/4" = 1'-0" — BIKE SHELTER TYP.

The Loren at Brookside
Schneider Homes
Albany, OR

A310

PROJECT NO. 2020.4

SCHNEIDER FAMILY HOMES:
THE LOREN AT BROOKSIDE

53RD AVENUE SW
ALBANY, OREGON

DRAWINGS FOR:

SCHNEIDER FAMILY HOMES
CONTACT: ZACH SCHNEIDER
206 . 450 . 8330

LANDSCAPE ARCHITECT:

LAURUS DESIGNS, LLC
LAURA ANTONSON, RLA, ASLA
1012 PINE STREET
SILVERTON, OREGON 97381
503 . 784 . 6494
LAURA@LAURUSDESIGNS.COM

CALL BEFORE YOU DIG
AVOID CUTTING UNDERGROUND UTILITY LINES. IT'S COSTLY.
811
OR
1.800.332.2344
www.callbeforeyoudig.org

SHEET INDEX:

L0.0 COVER SHEET

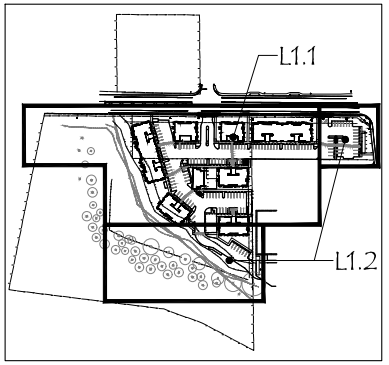
L1.1 PRELIMINARY PLANTING PLAN
L1.2 PRELIMINARY PLANTING PLAN
L1.3 PARKING LOT TREE CANOPY PLAN

VICINITY MAP:



MAP COURTESY OF GOOGLE

KEY MAP:



Laurus Designs, LLC
1012 Pine Street
Silverton, Oregon 97381
503.784.6494
laurusdesigns.com

THE LOREN AT BROOKSIDE

53RD AVENUE SW
ALBANY, OREGON

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

COVER SHEET

NOVEMBER 17TH, 2025

REVISIONS

#	DATE	NOTES	INITIALS

L0.0

SHEET 1 OF 4

PROJECT # 1547R

LANDSCAPE REQUIREMENTS:

TOTAL MUC SITE AREA: 158,723 SF
REQUIRED LANDSCAPE: 15% (23,808 SF)
PROPOSED LANDSCAPE: 32% (51,014 SF)

FRONT SETBACK: 53RD AVENUE SW
TOTAL LINEAR FEET (LF): 590 LF
TREES: (1) TREE MIN. 6' HT. PER 50 LF = 12 TREES
SHRUBS: (4) SHRUBS MIN. 1 GAL. PER 50 LF = 48 SHRUBS
GROUND COVER: REMAINING AREA

CHILDREN'S PLAY AREA
500 SF MINIMUM
20' MINIMUM DIMENSION

BUFFER
TREES: DECIDUOUS @ 30' O.C.
EVERGREEN @ 15' O.C.
SHRUBS: (5) 5 GAL. SHRUBS OR
(10) 1 GAL. SHRUBS PER 1000 SF
OF BUFFER AREA
GROUND COVER: REMAINING AREA

SCREENING:
CONTINUOUS EVERGREEN HEDGE

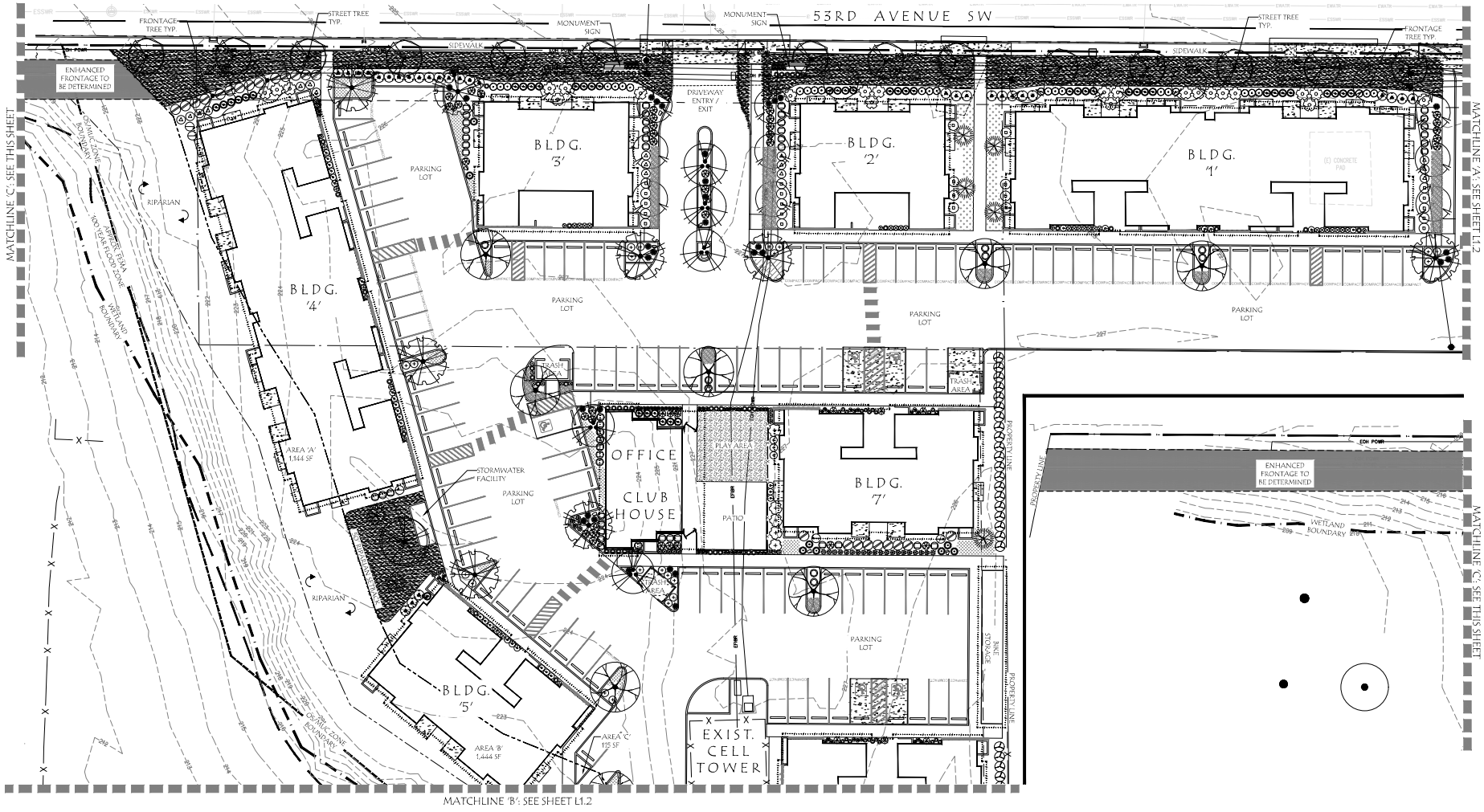
PARKING
PARKING PLANTERS: (1) TREE PER PLANTER
(2) SHRUBS PER 100 SF
GROUND COVER

LEGEND:

- EXISTING TREE TO REMAIN
- OS/MUC ZONE BOUNDARY
- FEMA 100 YEAR FLOODPLAIN
- WETLAND BOUNDARY
- LANDSCAPE BOULDERS, 1'-3' DIA.
- 2"-6" ROUND ROCK, GRAY, 6" DEPTH
- STORMWATER PLANTER
- PLAY AREA SURFACE. SEE NOTES FOR SAFETY INFORMATION

GENERAL NOTES:

1. DRAWINGS ARE PRELIMINARY, NOT FOR CONSTRUCTION OR BIDDING.
2. SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN AND AREA CALCULATIONS.
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7. FRONTAGE SETBACK LANDSCAPE TREES SELECTED FROM APPROVED STREET TREES BENEATH OVERHEAD LINES.
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10. PRELIMINARY PLANT SCHEDULE AND MITIGATION SCHEDULE SEE SHEET L1.2.
11. SITE TO BE IRRIGATED BY A PERMANENT AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY THE LANDSCAPE ARCHITECT.



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1012 Pine Street
Silverton, Oregon 97381
503.784.6494
laurusdesigns.com

THE LOREN AT BROOKSIDE

53RD AVENUE SW
ALBANY, OREGON

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

PRELIMINARY PLANTING PLAN

SCALE: 1" = 20' - 0"
0' 10' 20' 40'
SCALE

NOVEMBER 17TH, 2025

REVISIONS

#	DATE	NOTES	INITIALS

L1.1
SHEET 2 OF 4
PROJECT # 1547R

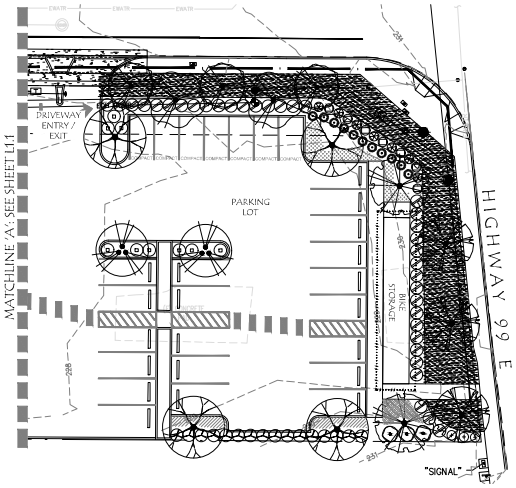
PRELIMINARY PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	SIZE	NOTES
	3	ACER GRISEUM / PAPERBARK MAPLE	2" CAL., B&B	STREET TREE
	15	ACER TRUNCATUM X PLATANOIDES "WARRENRED" TM / PACIFIC SUNSET MAPLE	6' HT. MIN., B&B	FRONTAGE TREE
	8	CHAMAECYPARIS NOOTKATENSIS 'GLAUCA PENDULA" / WEEPING NOOTKA FALSE CYPRESS	6' HT. MIN., B&B	GENERAL TREE
	4	CORNUS KOUSA 'RUTGAN' / STELLAR PINK KOUSA DOGWOOD	6' HT. MIN., B&B	FRONTAGE TREE
	7	LAGERSTROEMIA INDICA X FAURIEI 'NATCHEZ' / NATCHEZ CRAPE MYRTLE	10' HT. MIN., B&B	PARKING LOT TREE
	3	NYSSA SYLVATICA "WILDFIRE" / BLACK GUM	10' HT. MIN., B&B	PARKING LOT TREE
	14	TILIA TOMENTOSA 'STERLING' / STERLING SILVER LINDEN	10' HT. MIN., B&B	PARKING LOT TREE
	11	ZELKOVA SERRATA "GREEN VASE" / SAWLEAF ZELKOVA	10' HT. MIN., B&B	PARKING LOT TREE
	17	ZELKOVA SERRATA 'JFS-KWI' / CITY SPRITE' JAPANESE ZELKOVA	2" CAL., B&B	STREET TREE

SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE
	30	ABELIA X GRANDIFLORA 'SHERWOODII' / SHERWOOD GLOSSY ABELIA	2 GAL.
	6	CHOISYA TERNATA 'SUNDANCE' / SUNDANCE MEXICAN MOCK ORANGE	5 GAL.
	52	CORNUS SERICEA 'KELSEYI' / KELSEY'S DWARF RED TWIG DOGWOOD	2 GAL.
	47	EUONYMUS JAPONICUS / JAPANESE EUONYMUS	3 GAL.
	19	EUONYMUS JAPONICUS "GREEN SPIRE" / GREEN SPIRE JAPANESE EUONYMUS	24"-30" HT.
	62	ILEX CRENATA "SOFT TOUCH" / SOFT TOUCH JAPANESE HOLLY	2 GAL.
	25	LEUCOTHOE FONTANESIANA "RAINBOW" / RAINBOW LEUCOTHOE	3 GAL.
	16	LONICERA NITIDA "LEMON BEAUTY" / BOXLEAF HONEYSUCKLE	2 GAL.
	27	LONICERA PILEATA / PRIVET HONEYSUCKLE	2 GAL.
	22	MAHONIA REPENS / CREEPING MAHONIA	1 GAL.
	34	NANDINA DOMESTICA "ATROPURPUREA NANA" / DWARF NANDINA	2 GAL.
	18	NANDINA DOMESTICA "FIREPOWER" / FIREPOWER HEAVENLY BAMBOO	2 GAL.
	11	OSMANTHUS HETEROPHYLLUS 'GOSHIKI' / GOSHIKI HOLLY OLIVE	5 GAL.
	7	PHYSOCARPUS OPULIFOLIUS "DONNA MAY" / DONNA MAY NINEBARK	3 GAL.
	25	PRUNUS LAUROCERASUS "MOUNT VERNON" / MOUNT VERNON LAUREL	1 GAL.
	30	PRUNUS LAUROCERASUS 'OTTO LUYKEN' / OTTO LUYKEN ENGLISH LAUREL	3 GAL.
	67	RHAPHIOLEPIS UMBELLATA 'SNOW WHITE' / YEDDA HAWTHORN	3 GAL.
	45	ROSA X 'RADTKOPINK' / PINK DOUBLE KNOCK OUT" ROSE	2 GAL.
	45	SARCOCOCCA CONFUSA / FRAGRANT SARCOCOCCA	2 GAL.

GRASSES/ PERENNIALS	QTY	BOTANICAL / COMMON NAME	SIZE
	21	BOUTELOUA GRACILIS "BLONDE AMBITION" / BLONDE AMBITION BLUE GRAMA	1 GAL.
	54	CALAMAGROSTIS X ACUTIFLORA "KARL FOERSTER" / FEATHER REED GRASS	1 GAL.
	6	CAREX COMANS 'BRONZE' / BRONZE HAIR SEDGE	1 GAL.
	9	HAKONECHLOA MACRA 'AUREOLA' / GOLDEN VARIEGATED FOREST GRASS	1 GAL.
	45	HEMEROCALLIS X 'BIG BIRD' / BIG BIRD DAYLILY	1 GAL.
	73	LIRIOPE MUSCARI 'BIG BLUE' / BIG BLUE LILYTURF	1 GAL.
	31	PENNISETUM ALOPECUROIDES "HAMELN" / HAMELN FOUNTAIN GRASS	1 GAL.

GROUND COVERS	QTY	BOTANICAL / COMMON NAME	SIZE	SPACING
	34	ARCTOSTAPHYLOS UVA-URSI "MASSACHUSETTS" / MASSACHUSETTS MANZANITA	1 GAL.	30" o.c.
	94	GENISTA LYDIA 'SELECT' / BANGLE' DYERS GREENWOOD	1 GAL.	36" o.c.
	102	RUBUS CALYCINOIDES "EMERALD CARPET" / EMERALD CARPET CREEPING RASPBERRY	1 GAL.	48" o.c.
	10,158 SF	PROTIME PTSOI WATER SMARTER FESCUE	SEED OR SOD	
	16 SF	ANNUAL COLOR	4" POTS	

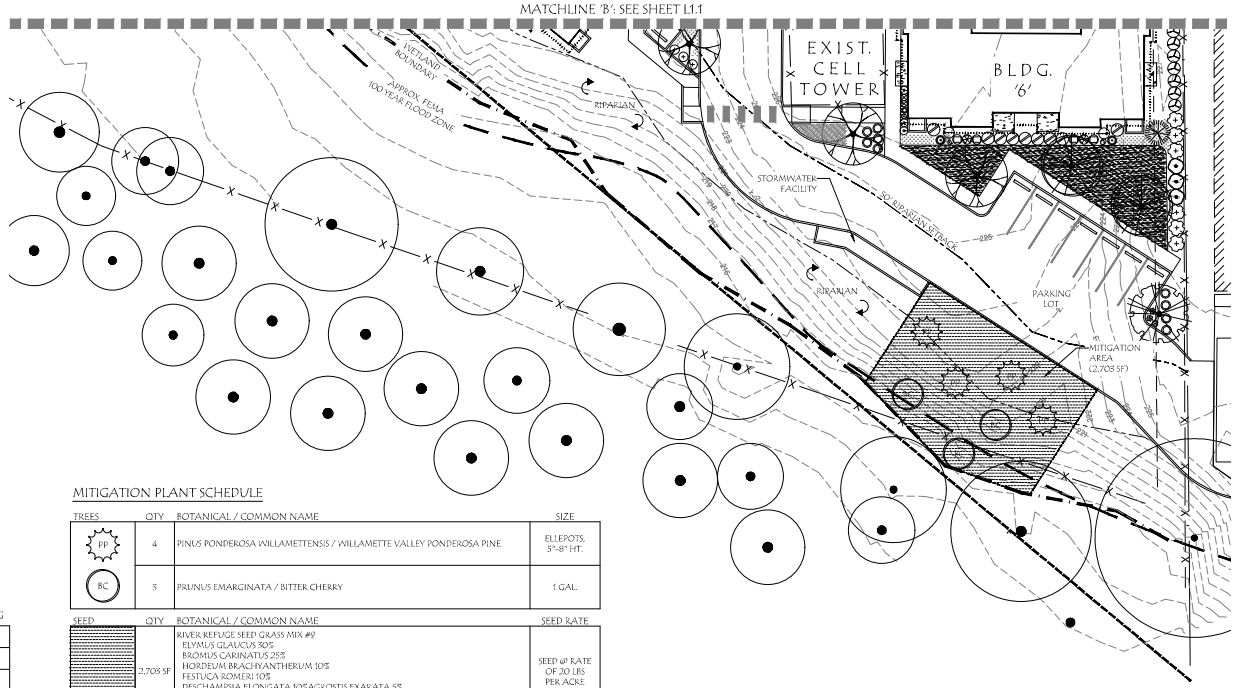


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11. SITE TO BE IRRIGATED BY A PERMANENT AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY THE LANDSCAPE ARCHITECT.



MITIGATION PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	SIZE
PP	4	PINUS PONDEROSA WILLAMETTENSIS / WILLAMETTE VALLEY PONDEROSA PINE	ELLEPOTS, 5'-8' HT.
BC	3	PRUNUS EMARGINATA / BITTER CHERRY	1 GAL.

SEED	QTY	BOTANICAL / COMMON NAME	SEED RATE
	2,705 SF	RIVER REFUGE SEED GRASS MIX #9 ELYMUS GLAUCUS 30% BROMUS CARINATUS 25% HORDEUM BRACHYANTHERUM 10% FESTUCA ROMERI 10% DESCHAMPSIA ELONGATA 10%AGROSTIS EXARATA 5% DESCHAMPSIA CESPITOSA 5% FESTUCA RUBRA SSP. JUCEA "MOLATE" 5%	SEED @ RATE OF 20 LBS PER ACRE

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THE LOREN AT BROOKSIDE

53RD AVENUE SW
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REGISTERED 643 PRELIMINARY LAURA A. ANTONISON OREGON 11/16/2007 LANDSCAPE ARCHITECT

PRELIMINARY PLANTING PLAN

SCALE: 1" = 20' - 0"
0' 10' 20' 40'
SCALE

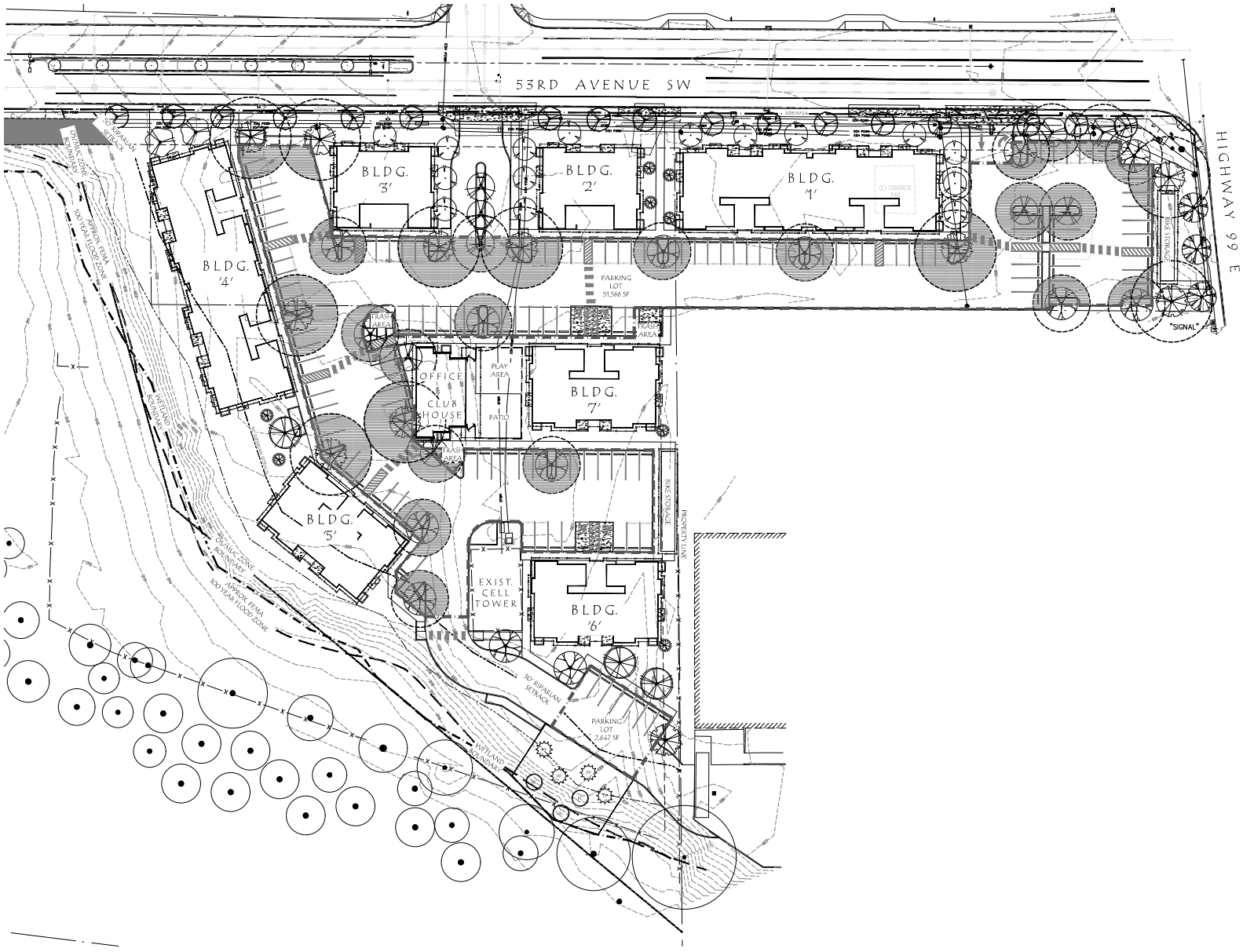
NOVEMBER 17TH, 2025

REVISIONS

#	DATE	NOTES	INITIALS

L1.2
SHEET 3 OF 4

PROJECT # 1547R



LEGEND:

- EXISTING TREE TO REMAIN
- PARKING LOT LIMITS
- TREE CANOPY
- CANOPY COVERAGE

GENERAL NOTES:

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3. SEE CIVIL DRAWINGS FOR GRADING, UTILITIES, AND STORMWATER INFORMATION.
4. PRELIMINARY PLANTING PLAN SEE SHEETS L1.1 AND L1.2.

TREE CANOPY REQUIREMENTS:

PARKING
PARKING LOTS SF: 54,215 SF
REQUIRED 40% TREE CANOPY: YES
40% TREE COVERAGE = 21,685 SF CANOPY

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laurusdesigns.com

THE LOREN AT BROOKSIDE

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ALBANY, OREGON

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

PARKING LOT TREE CANOPY PLAN

SCALE: 1" = 30' - 0"
0' 15' 30' 60'
SCALE

NOVEMBER 17TH, 2025

REVISIONS

#	DATE	NOTES	INITIALS

L1.3
SHEET 4 OF 4
PROJECT # 1547R

RIPARIAN CORRIDOR LOCAL MITIGATION PLAN

for the

Loren at Brookside Project

City of Albany

Linn County, Oregon

ZION
Natural Resources Consulting

Prepared for:

Schneider Homes
c/o Zach Schneider
5310 Pacific Blvd SW
Albany, OR 97321

Submitted by:

ZION Natural Resources Consulting
P.O. Box 545
Monmouth, OR 97361
Phone: 503-838-0103
Fax: 503-623-7425
ZNR Project #: 1837

November 2025

ZION Natural Resources Consulting

A. INTRODUCTION

At the request of Schneider Homes, Zion Natural Resources Consulting has created the following mitigation plan in order to comply with the City of Albany Development Code Natural Resource Impact Review Standards for Significant Natural Resource overlay districts including Riparian Corridors (/RC) (ADC 6.310). The Riparian Corridor is located south of SW 53rd Avenue and west of Pacific Blvd SW in Albany, OR (T11S, R4W, Sec. 24DA, Tax Lots 1200 and 1300 as well as Sec. 24 tax lot 606). These proposed impact areas are for the placement of Loren at Brookside apartment complex with associated parking and amenities.

B. OBJECTIVES

The objective of this plan is to be based on the Local Mitigation Standards (6.400). "On-site enhancement is required when the 50-foot area of the Riparian Corridor overlay district is impacted per 6.310(B)(2)(b), unless the activity is otherwise exempted per this section of the Code". Mitigation will occur based on the existing resource quality and the mitigation requirements expected for future resource quality. The proposed impact areas are considered Degraded Quality which will be enhanced to Marginal Quality at maturity as defined in Table 6.410-1 for Riparian Corridor Overlays.

TABLE 6.410-1

Quality levels, mitigation requirements and expected condition of the significant wetlands and riparian corridor areas after successful completion of the mitigation plan.

Existing Resource Quality	Mitigation Requirements/Expected Future Resource Quality
Waterways & Significant Wetlands (riparian and isolated)	
Good Quality: Little enhancement potential per the Local Wetland Inventory assessment or other wetland assessment by a qualified professional. City staff will verify existing condition.	Preserve or enhance per approved mitigation plan; Invasive species are removed and are not persisting.
Marginal Quality: Moderate enhancement potential per the Local Wetland Inventory assessment or other wetland assessment by a qualified professional. City staff will verify existing condition.	Restore to Good Quality per approved mitigation plan; Invasive species are removed and are not persisting.
Degraded Quality: High enhancement potential per the Local Wetland Inventory assessment or other wetland assessment by a qualified professional; Farmed or otherwise converted. City staff will verify existing condition.	Enhance to at least Marginal Quality; A smaller ratio of 1.0 (impact area) to 0.5 (mitigation area) may be allowed for restoration to Good Quality.
Riparian Corridor Overlay	
Good Quality: Combination of native trees, shrubs, and groundcover are at least 80% of the overlay area, and there will be more than 50% tree canopy coverage at maturity.	Preserve or enhance per approved mitigation plan; Invasive species are removed and are not persisting.
Marginal Quality: Combination of native trees, shrubs, and groundcover are at least 80% of the overlay area, and there will be 25%-50% tree canopy coverage at maturity.	Restore to Good Quality with an approved plan (mature overlay area coverage will be estimated); Invasive species are removed and are not persisting;
Degraded Quality: Less vegetation and canopy coverage than Marginal Quality, and/or greater than 10% coverage of any non-native species.	Enhance to at least Marginal Quality with an approved plan (mature overlay area coverage will be estimated); A smaller ratio of 1.0 (impact area) to 0.5 (mitigation area) may be allowed for restoration to Good Quality.

[Ord. 5947, 1/01/21]

C. MITIGATION PLAN

Impact Location

There are three riparian corridor impact areas (A-C) being proposed as part of this development plan (Figure 4A-C). These encroachment areas are for the placement of apartment buildings 4 and 5 and a small portion for associated public parking next to building 5.

Existing Conditions

The existing condition of the site consists of vacant land with a gravel road and a cell tower (placed in 2016) in the center of the site with a forested riparian area along the tributary to Oak Creek. This drainage and wetland area is dominated by *Fraxinus latifolia* and *Carex obnupta*. The uplands consist of remnant pasture containing non-native grasses and forbs along with patches of Himalayan blackberry (*Rubus armeniacus*) a non-native invasive species. The 50-foot riparian corridor has been defined based on the delineated wetland boundary.

Mitigation Location

The mitigation location is in the southeast corner of the site, south of building 6 (Figure 4B). This location is within a degraded portion of the riparian corridor. Guidance from the Oregon Department of State Lands and the U.S. Army Corps of Engineers recommends placing mitigation sites in areas that are removed from potential future human disturbances and that provide access to irrigation. The mitigation site consists of a 1:1 ratio of 2,703 square feet of mitigation area to compensate for the 2,703 square feet of encroachment areas (A-C).

Reference Site

The refence site is based on the existing undisturbed riparian corridor. The tree stratum consists of Oregon ash (*Fraxinus latifolia*), with the shrub stratum consisting of Himalayan blackberry (*Rubus armeniacus*). The herbaceous stratum is a mosaic of non-native grasses and forbs. Utilizing this undisturbed corridor as a reference site is limited based on the concern of the Emerald ash borer primarily hosts on all species of ash. Based on this limitation and the presence of invasive species the mitigation plan proposes to reintroduce Willamette Valley Ponderosa Pine, which was once a dominant species throughout the Willamette Valley, and bitter cherry. A native grass seed mix is proposed for the herbaceous layer.

Planting Plan

This mitigation plan will restore suitable conditions for a high diversity of native species. The entire mitigation area will be seeded with the native seed mix which will be obtained from seed suppliers of native NW species. Planting will occur over a period of several months as the plants become available and at the recommended planting times.

Tree Stratum

- Willamette Valley Ponderosa Pine (*Pinus ponderosa var. benthamiana willamettensis*) = 4 elle pots 5-8" tall
- Bitter Cherry (*Prunus emerginata*) = 3 one-gallon pots

Herbaceous Stratum

River Refuge Seed grass mix #9 (20lbs per acre)

Elymus glaucus 30%
Bromus carinatus 25%
Hordeum brachyantherum 10%
Festuca romeri 10%
Deschampsia elongata 10%
Agrostis exarata 5%
Deschampsia cespitosa 5%
Festuca rubra ssp. Jucea "Molate" 5%

Management

Removal and control of exotic species

Maintenance will occur as needed and will coincide with monitoring events. The removal of non-native, invasive weeds is necessary throughout the maintenance period, or until a healthy stand of desirable vegetation is established. Removal and control of exotic species of plants will be conducted at a minimum of two times per year. Removal may include the use of power tools or through the application of herbicides by a licensed professional.

Containerized stock should be installed only from February 1 through May 1 and October 1 through November 15. Bare root stock should be installed only from December 15 through April 15.

Plant placement should be consistent with naturally occurring plant communities. Shrubs should be placed in singles or clusters of the same species to provide a natural planting scheme. This arrangement may follow curved rows to facilitate maintenance. Distribution and relative abundance will be dependent on the plant species and on the size of the revegetation area. Plant placement and seeding will promote maximum vegetative cover to minimize weed establishment.

Installation recommendations for plant material

Till the sub-grade in these areas to a depth of at least four inches and add at least 12 inches of clean compost-amended topsoil. Where appropriate and necessary for erosion control or to enhance organic matter, leaf compost may be placed uniformly on topsoil. Other amendments, conditioners, and bioamendments may be added as needed to support the specified plants or adjust the soil pH. Traditional fertilization techniques (applying N-P-K) are not necessary for native plants. Trees, shrubs, and groundcovers planted in upland areas should be mulched a minimum of three inches in depth and 18 inches in diameter, to retain moisture and discourage weed growth around newly installed plant material. Appropriate mulches are made from composted bark or leaves that have not been chemically treated.

Irrigation

Appropriate plant selection, along with adequate site preparation and maintenance, reduces the need for irrigation. However, an irrigation system should be used during the two-year plant establishment period. Watering should be at a minimum rate of at least one inch per week from June 15 through October 15.

D. MONITORING AND MAINTENANCE

A monitoring report detailing the survival and health of planted vegetation, and the status of invasive species, will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. Monitoring fieldwork will be conducted annually in the spring and will include ground level photos of the mitigation area.

If the survival rate for tree and shrub species is below 80%, a replanting strategy will be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80%, the bond described in (3) will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80%, the bond will be forfeited.

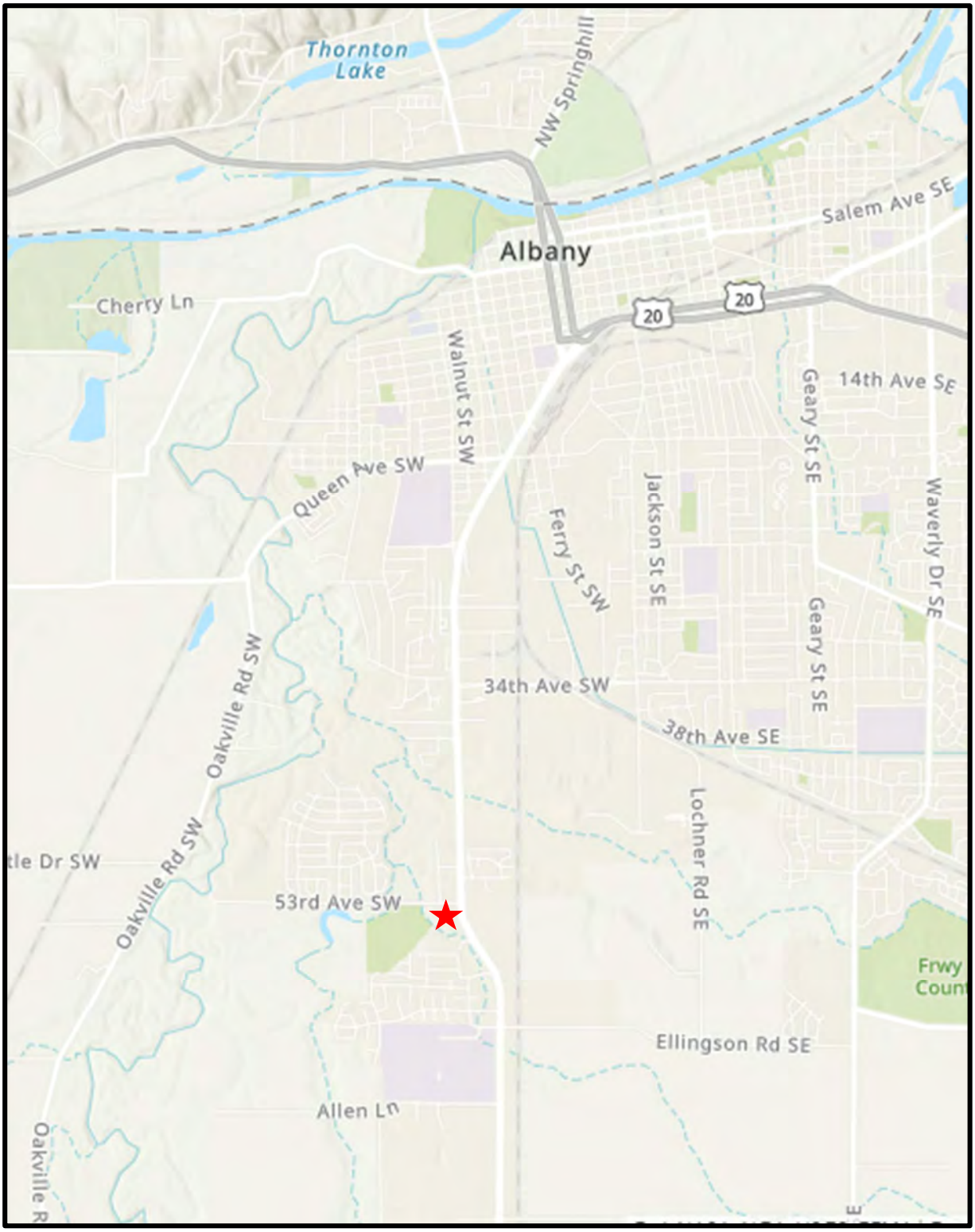
E. FINANCIAL ASSURANCES

According to 6.410(3), Schneider Homes will provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120% of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance shall be in place before the issuance of development permits to ensure the success of mitigation improvements and the survival of the plants. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented per (4) below. If mitigation improvements fail during the 2-year period, the assurance will both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

APPENDIX A:

Site Figures

ZION Natural Resources Consulting

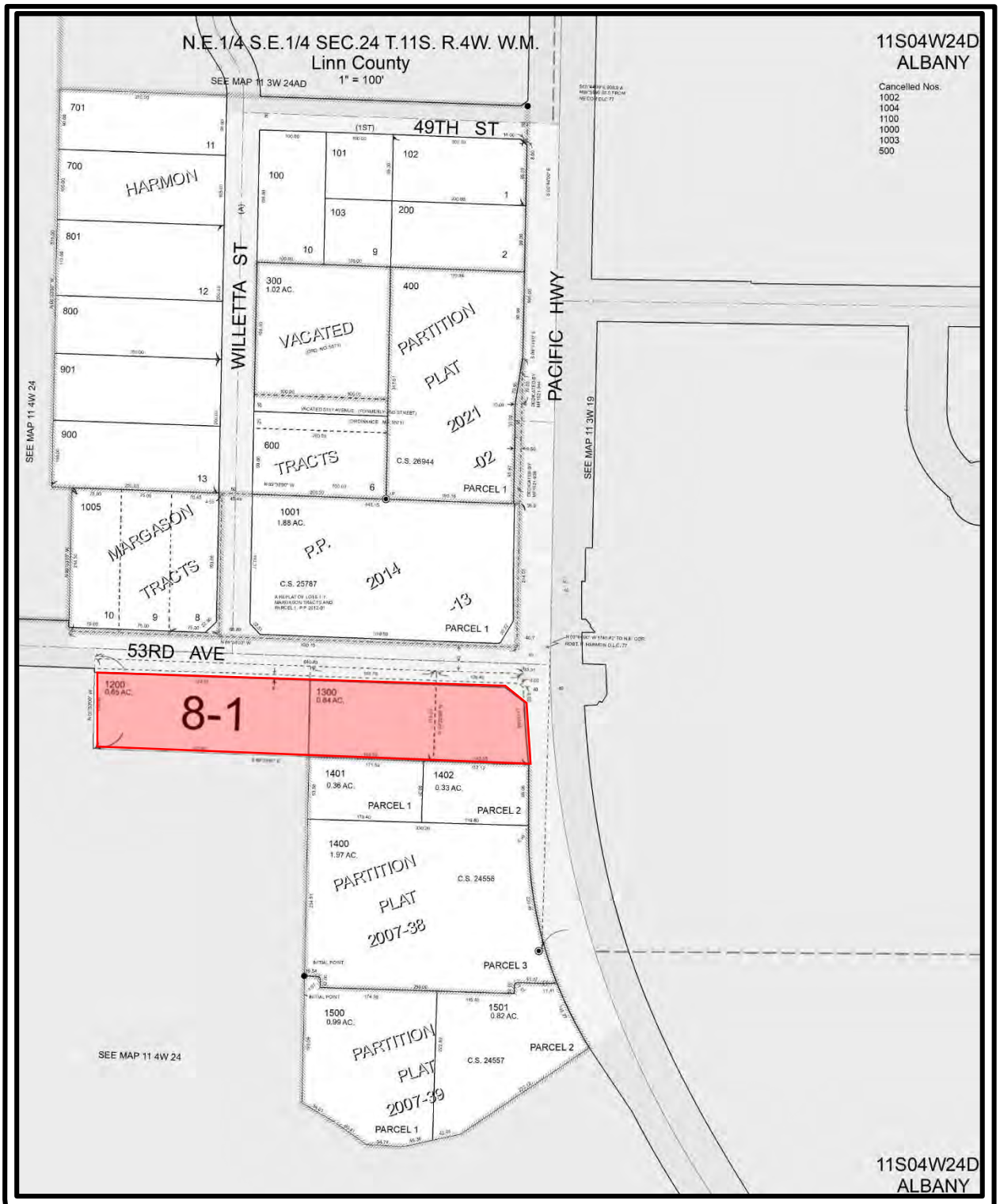


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FIGURE 1
Vicinity Map

Project: Loren at Brookside

ZION Natural Resources Consulting



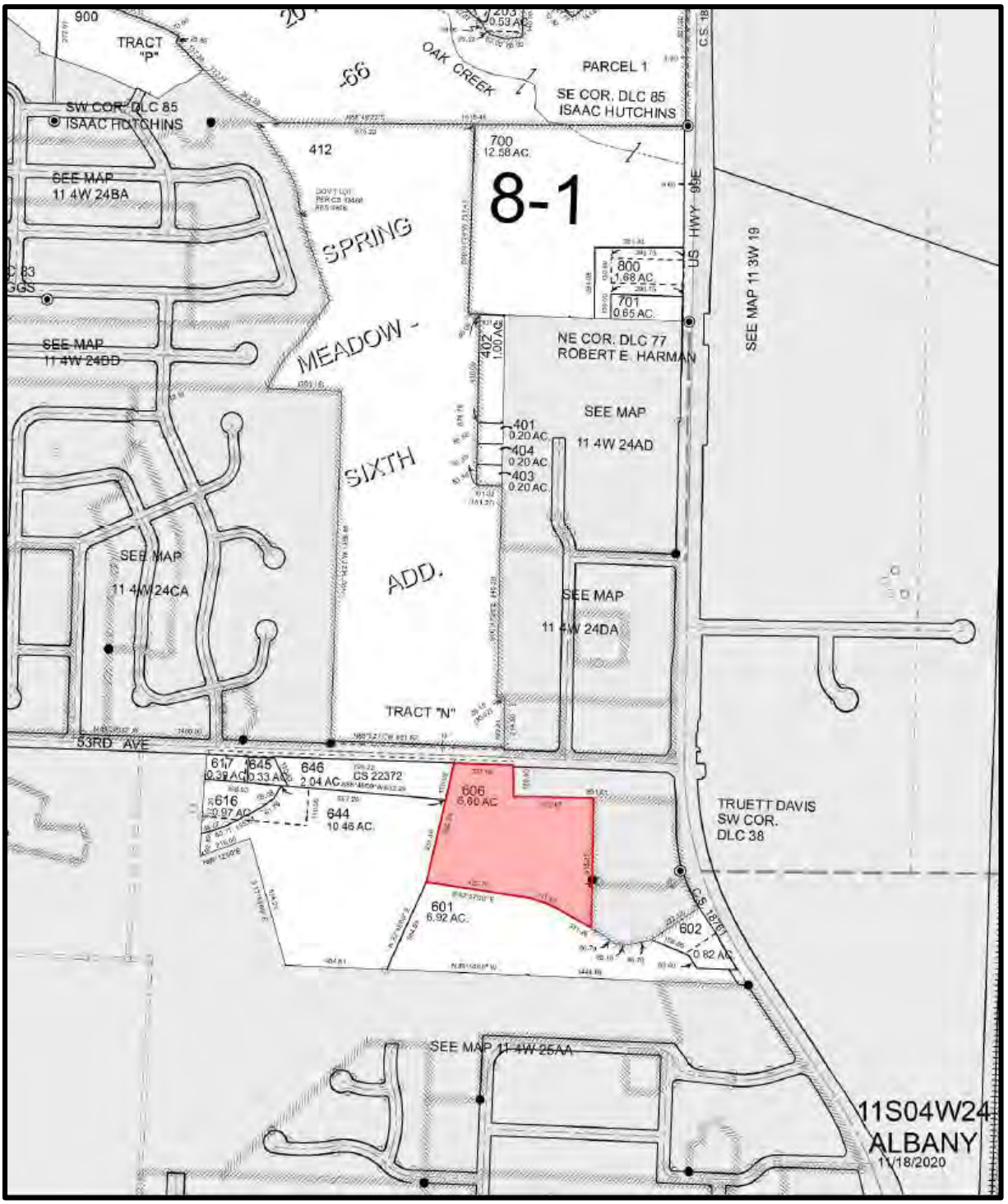
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FIGURE 2a
Tax Lot Map

Project: Loren at Brookside

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ZION Natural Resources Consulting



ZION Natural Resources Consulting

FIGURE 2b
Tax Lot Map

Project: Loren at Brookside

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S

ZION Natural Resources Consulting



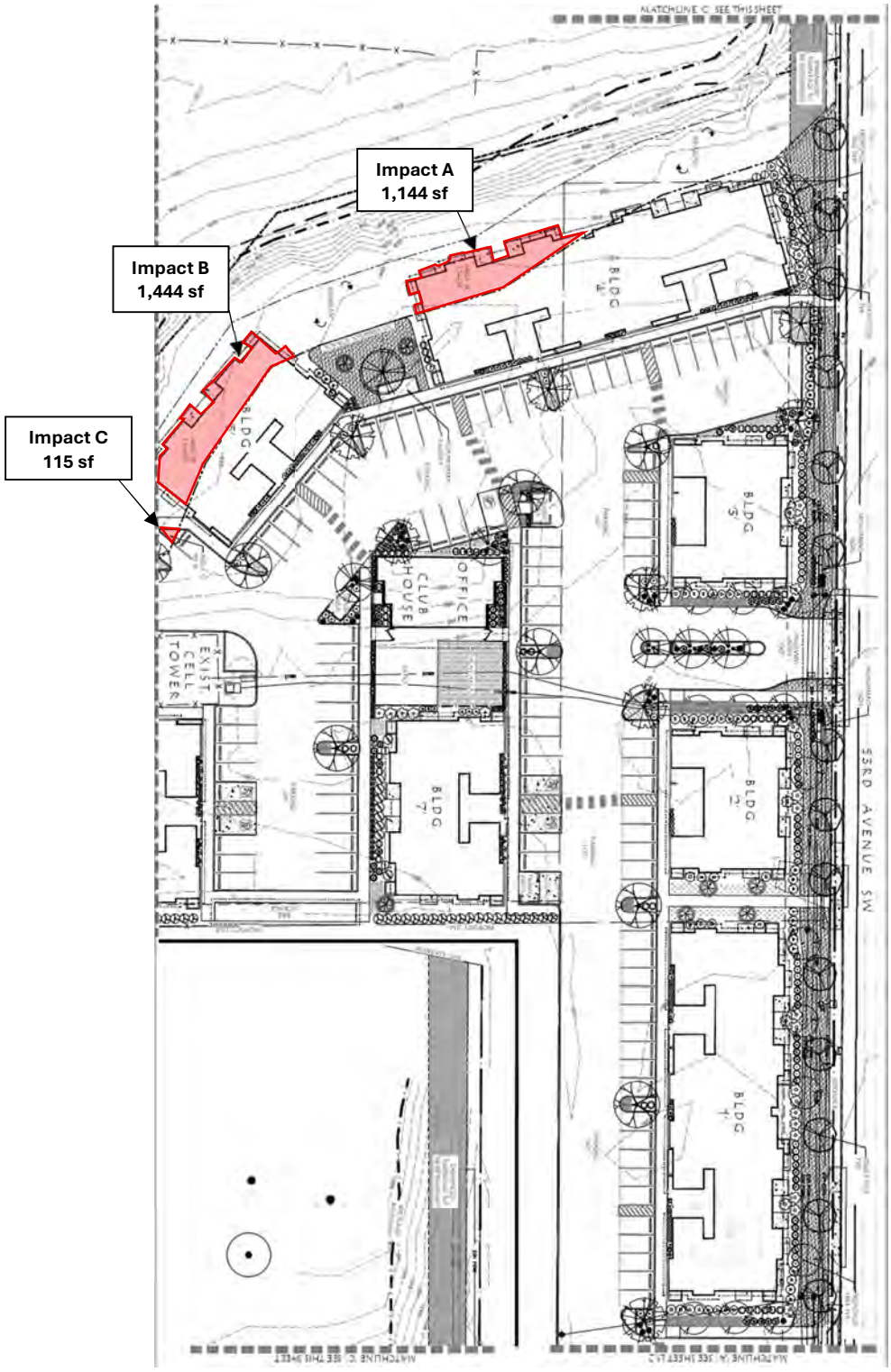
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FIGURE 3
Google Earth Aerial - July 8th, 2023

Project: Loren at Brookside

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FIGURE 4A
Preliminary Landscape Plan Sheet 1.1

Project: Loren at Brookside

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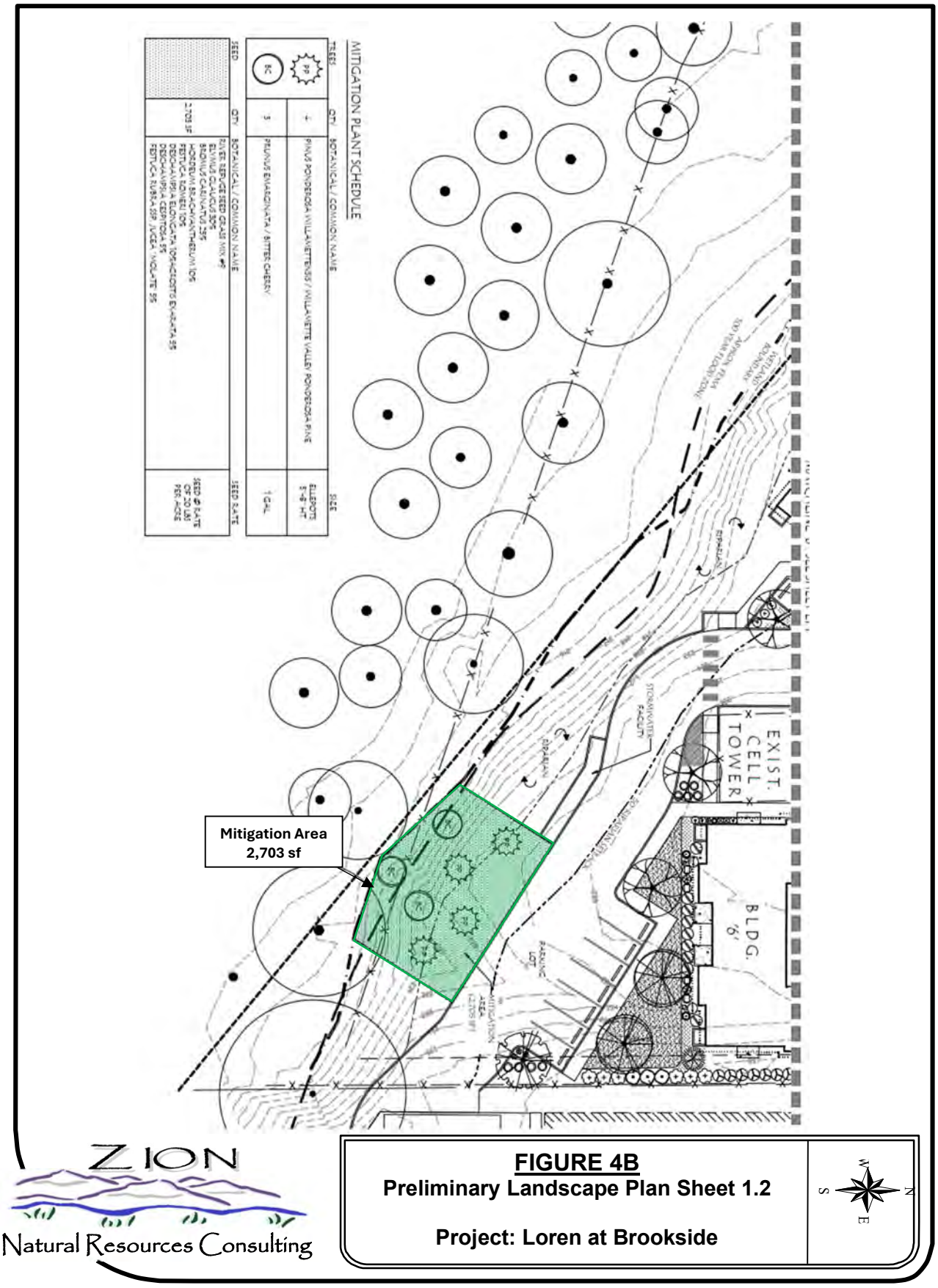
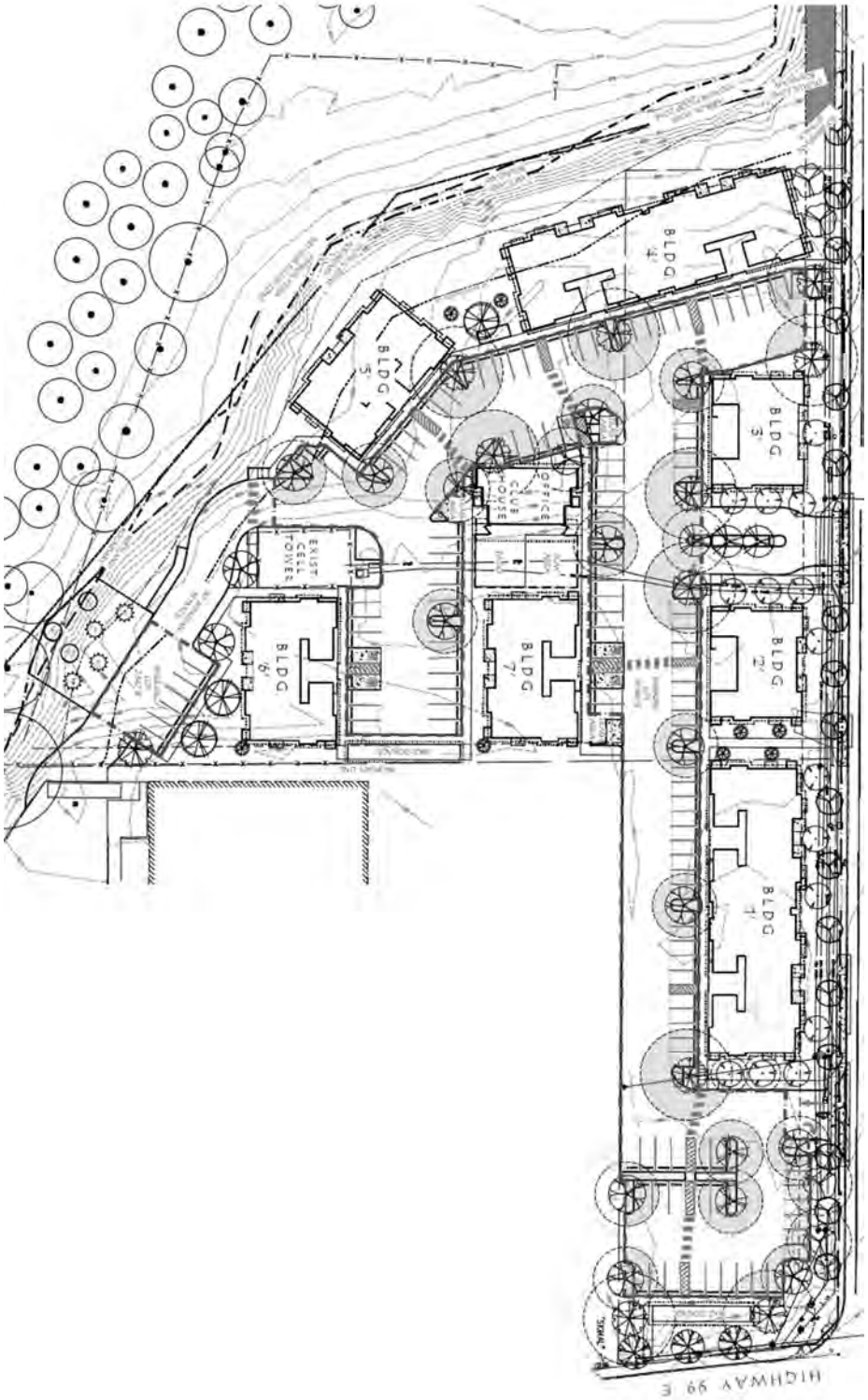


FIGURE 4B
Preliminary Landscape Plan Sheet 1.2

Project: Loren at Brookside

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FIGURE 4C
Preliminary Landscape Plan Sheet 1.3

Project: Loren at Brookside

N W E S

APPENDIX B:

Site Photographs



Photo Point #1 – Located in the northeastern corner of the study area looking west across tax lot 1300.



Photo Point #2 – Located in the northwest corner of the study area viewing west along the wetland boundary.



Photo Point #3 – Located in the northwest corner of the study area viewing south along the wetland boundary.



Photo Point #4 – Located in the center of the study area looking east across the wetland area.

WETLAND DETERMINATION AND DELINEATION REPORT

for the

Loren at Brookside Project

City of Albany

Linn County, Oregon

ZION
Natural Resources Consulting

Prepared for:

Schneider Homes
c/o Zach Schneider
5310 Pacific Blvd SW
Albany, OR 97321

Submitted by:

ZION Natural Resources Consulting
P.O. Box 545
Monmouth, OR 97361
Phone: 503-838-0103
Fax: 503-623-7425
ZNR Project #: 1837

March 2024

ZION Natural Resources Consulting

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A. Landscape Setting and Land Use

At the request of Schneider Homes, Zion Natural Resources Consulting performed a wetland delineation on a 8.29 acres property located south of SW 53rd Avenue and west of Pacific Blvd SW in Albany, OR (T11S, R4W, Sec. 24DA, Tax Lots 1200 and 1300 as well as Sec. 24 tax lot 606). The study area is defined by the three tax lots. The study area consists of a vacant lot with a gravel road and a cell tower (placed in 2016) in the center of the site with a forested riparian area along the tributary to Oak Creek. Prior to 2006 the site contained a rural home site with field fencing indicating the site was likely historically grazed.

B. Possible Site Alterations

Based on the 2005 and 2006 aerial photographs fill and grading took place within the study area. These site alterations may have affected the presence or absence of wetlands or waters of the state within the study area.

C. Precipitation Data and Analysis

The precipitation on the day of site investigation and the precipitation approximately 1-2 weeks before the dates of the field investigation are listed below.

Station	December 11th, 2023	11/26-12/11
OSU Hyslop Weather Station – Corvallis, OR	0.34 inches	6.26 inches

The percent of normal precipitation for the water year to date and the monthly percent of normal precipitation were obtained through the NRCS WETS table for the OSU Hyslop Weather Station in Benton County. The precipitation for the three months preceding the field investigation was obtained for the Corvallis area through the OSU Hyslop Weather Station in Benton County and is listed below.

Since October 1st: 14.42 inches

Table 1. Comparison of recorded monthly precipitation to the WETS Tables.

Month	Average	WETS Rainfall Percentile (in)		Measured Rainfall	Departure from Normal
		30th	70th		
September	1.57	0.70	1.92	2.83	Above Normal
October	3.48	2.28	4.18	3.06	Normal
November	6.45	4.32	7.72	5.15	Normal

D. Site-Specific / Field Methodology

Site observations were made using the "Routine Onsite" delineation method from the 1987 U.S. Army Corps of Engineers Wetland Delineation manual along with the Regional

Supplement for Western Mountains, Valleys, and Coast. The study area is defined by the proposed development of the three tax lots. A total of 8 sample plots were established on December 11th, 2023, to document wetland and upland conditions within the project area. Plot locations were placed on all sides of the contiguous wetland area. The number of sample plots documented is believed to be representative of the change in plant communities, soil features, or level of groundwater hydrology found within the study area.

Subtle topographic features and other visible features such as vegetation density, plant stress, and surface saturation were also used in determining the location of the wetland boundaries. After the soil pits were excavated and soil data was recorded, the pits were left open long enough to allow the water table to equilibrate within the hole.

The wetland boundaries were based on the microtopography of the site and taking informal soil probes and/or checking for water table between paired plots to help verify the wetland boundary. Soils with redox features within 10" were cross referenced with oxidized rhizophores and/or level of saturation. This was done for each wetland boundary flag placed in the field.

E. WETLAND / WATERS OF THE STATE DESCRIPTION

The USDA Natural Resource Conservation Service has mapped the following soil series within the study area.

Soil Series	Drainage Class	Hydric	Hydric Inclusions
Amity silt loam (3)	Somewhat poorly drained	No	Concord, Dayton
Woodburn silt loam, 0 to 3% slopes (106A)	Moderately well drained	No	Concord, Dayton
Woodburn silt loam, 3 to 12% slopes (106C)	Moderately well drained	No	Concord, Dayton
Conser silty clay loam, 0 to 3% slopes (2205A)	Poorly drained	Yes	Awbrig, Courtney

Wetland A (PFO 3.65 and PEM 0.89 ac)

These palustrine emergent wetlands are located at the lowest elevation within the southwest portion of the study area. The wetland is contiguous with an unnamed tributary to Oak Creek that flows through the study area offsite in a northerly direction. This drainage is dominated by *Fraxinus latifolia* and *Carex obnupta*. The boundaries of the wetlands were defined by hydric soil features with a noticeable difference in topography. Vegetation along the wetland boundary consists of field mowed pasture grasses. Hydrology appears to come from precipitation, groundwater, contributing waters upstream to the southeast, and runoff from the upland areas in the northeast portion of the site.

F. DEVIATION FROM NATIONAL AND/OR LOCAL WETLANDS INVENTORY

There are wetland/waters of the state associated with this site as depicted on the National Wetland Inventory (NWI) Map (Figure 3a). These wetlands consist of PEM1C (palustrine,

emergent, persistent, seasonally flooded) and PFOC (palustrine, forested, seasonally flooded) and waters identified as R4SBC (riverine, intermittent, streambed, seasonally flooded). The Local Wetland Inventory (LWI) Map (Figure 3b) also depicts PEMC wetlands and PFOC wetlands within the study area. These maps depict similar features as delineated in the field.

G. Mapping Method and Estimated Accuracy

Wetland boundaries and sample plots were established and flagged by Zion Natural Resources Consulting and were field surveyed by Devco Engineering Inc. using a Leica TS16 Robotic Total Station accurate to within 0.5 ft.

H. Additional Information to Help Establish State Jurisdiction

There is no additional information to help establish state jurisdiction.

I. Results and Conclusions

Based upon our site reconnaissance and sampling of the three required wetland criteria (wetland hydrology, hydric soils, and hydrophytic vegetation), ZNR has identified one potentially jurisdictional wetland classified as 3.65 acres of forested wetlands and 0.89 ac of palustrine emergent wetlands (PEM). Figure 6 depicts the location of the potentially jurisdictional wetlands and sample sites. Upland in most instances is quite apparent and well defined topographically (Photos 1-4).

J. Limitations and Required Disclaimer

This report was prepared for the use of the client, its affiliates, lenders and assigns, their consultants and various governmental agencies. Any results and conclusions within this report represent our professional judgment based on the most recent information provided from publications, maps aerial photos, and field investigations as defined within the scope of services.

This report documents the investigation, best professional judgment and conclusions of the investigator. It is correct and complete to the best knowledge of ZNR. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the Oregon Department of State Lands in accordance with OAR 141-090-0005 through 141-09-0055. The review process must be completed and the boundary concurred with, prior to any detailed site planning or construction activities take place.

APPENDIX A:

Criteria, Methodology, and Definitions

I. CRITERIA, METHODOLOGY, AND DEFINITIONS

A. WETLAND AND WATERS OF THE STATE DEFINITION

The ACOE (Federal Register 1982) and the Environmental Protection Agency (EPA) (Federal Register 1980) jointly define wetlands as "those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Except under certain situations defined in the ACOE Wetlands Delineation Manual, evidence of a minimum of one positive wetland indicator from each parameter (hydrology, soil, and vegetation) must be found in order to make a positive wetland determination".

Waters of the State are defined as "natural waterways including all tidal and non-tidal bays, intermittent streams, continually flowing streams, lakes, wetlands and other bodies of water in this state, navigable and non-navigable…" "Natural waterways" is further defined as waterways created naturally by geological and hydrological processes, waterways that would be natural but for human-caused disturbances (i.e. channelized or culverted streams, partially drained wetlands or ponds created in wetlands)…" (DSL 1995).

B. CRITERIA 1 - WETLAND HYDROLOGY

Wetland hydrology encompasses all hydrologic characteristics of areas that are periodically inundated or have soils saturated to the surface or within the major portion of the root zone (usually above 12 inches) at some time (typically at least 12.5%) during the growing season.

1987 Manual defines the "growing season" as the portion of the year when soil temperature (measured 20 inches below the surface) is above biological zero (5 degrees Celsius, or 41 degrees Fahrenheit). This period can be approximated by the number of frost free days based on air temperature. Data for the growing season can be acquired via the Natural Resources Conservation Service (NRCS).

Indicators of hydrologic conditions that occur in wetlands may include, but are not limited to: drainage patterns, drift lines, sediment deposits, watermarks, stream gage data and flood predictions, historic records, visual observation of saturated soils, visual observation of inundation, and oxidized rhizospheres with living roots. Oxidized rhizospheres are defined as yellowish-red zones around the roots and rhizomes of some plants that grow in frequently saturated soils.

C. CRITERIA 2 - HYDRIC SOILS

The definition of a hydric soil is a soil that formed under conditions of saturation, flooding or ponding long enough during the growing season to develop anaerobic conditions in the upper part. The concept of hydric soils includes soils developed under sufficiently wet conditions to support the growth and regeneration of hydrophytic vegetation. Soils that are sufficiently wet because of artificial measures are included in the concept of hydric soils.

Also, soils in which the hydrology has been artificially modified are hydric if the soil, in an unaltered state, was hydric. Some series, designated as hydric, have phases that are not hydric depending on water table, flooding, and ponding characteristics.

Soil field indicators are characteristics which are documented to be strictly associated only with hydric soils and are an efficient on-site means to confirm the presence of hydric soil. The indicators are designed to identify soils which meet the hydric soil definition without further data collection. Some hydric soils exist for which no field indicators have yet been recorded and documented, and to identify these soils as hydric, evidence must be gathered to demonstrate that the definition is met.

Soil field indicators include: organic content of greater that 50% by volume, sulfidic material or "rotten egg" odor, and/or presence of redoximorphic features and dark soil matrix as determined by the use of a Munsell Soil Color Chart. This chart establishes chroma, value, and hue of soils based on comparison with the color chips. The field data is then brought in-house and compared to the site-specific soils data mapped by the NRCS.

D. CRITERIA 3 - WETLAND VEGETATION

Wetland vegetation is more specifically termed hydrophytic vegetation. This type of plant life occurs in areas where the frequency and duration of inundation or soil saturation produce permanently or periodically saturated soils to influence the plant species present. Vegetation that is not hydrophytic lack the morphological and physiological adaptations to grow, effectively compete, or persist in areas that are subject to prolonged inundation or saturated soil conditions.

Plant indicators, along with their definitions and indicator codes are listed in Table 2. Once plants are identified in the field they are researched through the U.S. Fish and Wildlife Service Region 9 (encompasses all of Oregon) Plant list to identify their corresponding indictor status. Wetland vegetation criteria are met when the percent dominant species is OBL, FACW, and/or FAC.

Table 2. Plant Indicator categories and definitions.

Indicator Symbol	Indicator Category	Definition
OBL	Obligate wetland	Plants that occur almost always in wetlands (>99%).
FACW	Facultative wetland	Plants that occur usually in wetlands (67-99%).
FAC	Facultative	Plants that occur in equally in wetlands and non-wetlands (34-66%).
FACU	Facultative upland	Plants that occur sometimes in wetlands (1-33%).
UPL	Obligate upland	Plants that occur rarely in wetlands (>99%).
NOL	Not on list	Has not yet received a wetland indicator status.

E. DELINEATION METHODOLOGY

Prior to beginning field work, Zion Natural Resources Consulting will review available information in order to ascertain where potential wetlands may exist on-site and to facilitate the gathering of data. This review includes the U.S. Geological Survey (USGS) topographic quadrangle, the Natural Resource Conservation Service soil series maps, the list of Oregon hydric soils by County, and the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) map. If available, a Local Wetland Inventory map (LWI) will also be obtained as well as any public records for prior wetland determinations at or near the property.

Zion Natural Resources Consulting evaluated the site utilizing the routine on-site method as described in the *U.S. Army Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987). Data sheets were completed at each sample plot documenting the vegetation, soils, and hydrology. Areas in which wetland hydrology, hydric soils, and hydrophytic vegetation were all simultaneously present would likely be considered wetlands by the U.S. Army Corps of Engineers (ACOE) or Oregon Department of State Lands (DSL).

Approximately one-foot diameter soil pits were excavated to a depth of 16 inches in selected locations. The soil profiles were examined for wetland hydrology and hydric soil field indicators. In addition, a visual percent-cover estimate of the dominant species of the plant community was performed using the soil pit locations as the center of reference. Dominant plant species are based on estimates of percent cover for shrub/scrub and herbaceous species within a 5-foot radius of the sample point and a basal area cover for tree species within a 30-foot radius of the sample point. Plant species in each vegetative layer, which are estimated at less than 20%, are not considered to be dominant. The wetland indicator status is then used to determine if there is an overall dominance (greater than 50%) of wetland or upland plant species.

F. REGULATORY JURISDICTION

Wetlands and waters of the State are regulated by the U.S. Army Corps of Engineers (ACOE) under Section 404 of the Clean Water Act and by the Oregon Department of State Lands (DSL) under the Removal-Fill Law (ORS 196.800-196.990).

The principal regulatory reference material for wetland delineations within Oregon is the Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1 (Environmental Laboratory 1987) which is recognized by both ACOE and DSL.

APPENDIX B:

Literature and Data Sources

LITERATURE AND DATA SOURCES

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe, 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S.D.I. Fish and Wildlife Service. FWS/OBS-79/31.45 pp.

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Reed, P.B. Jr. 1993. 1993 Supplement to List of Plant Species that Occur in Wetlands: Northwest (Region 9). U.S.D.I. Fish and Wildlife Service, Supplement to Biological Report 88 (26.0). 11 pp.

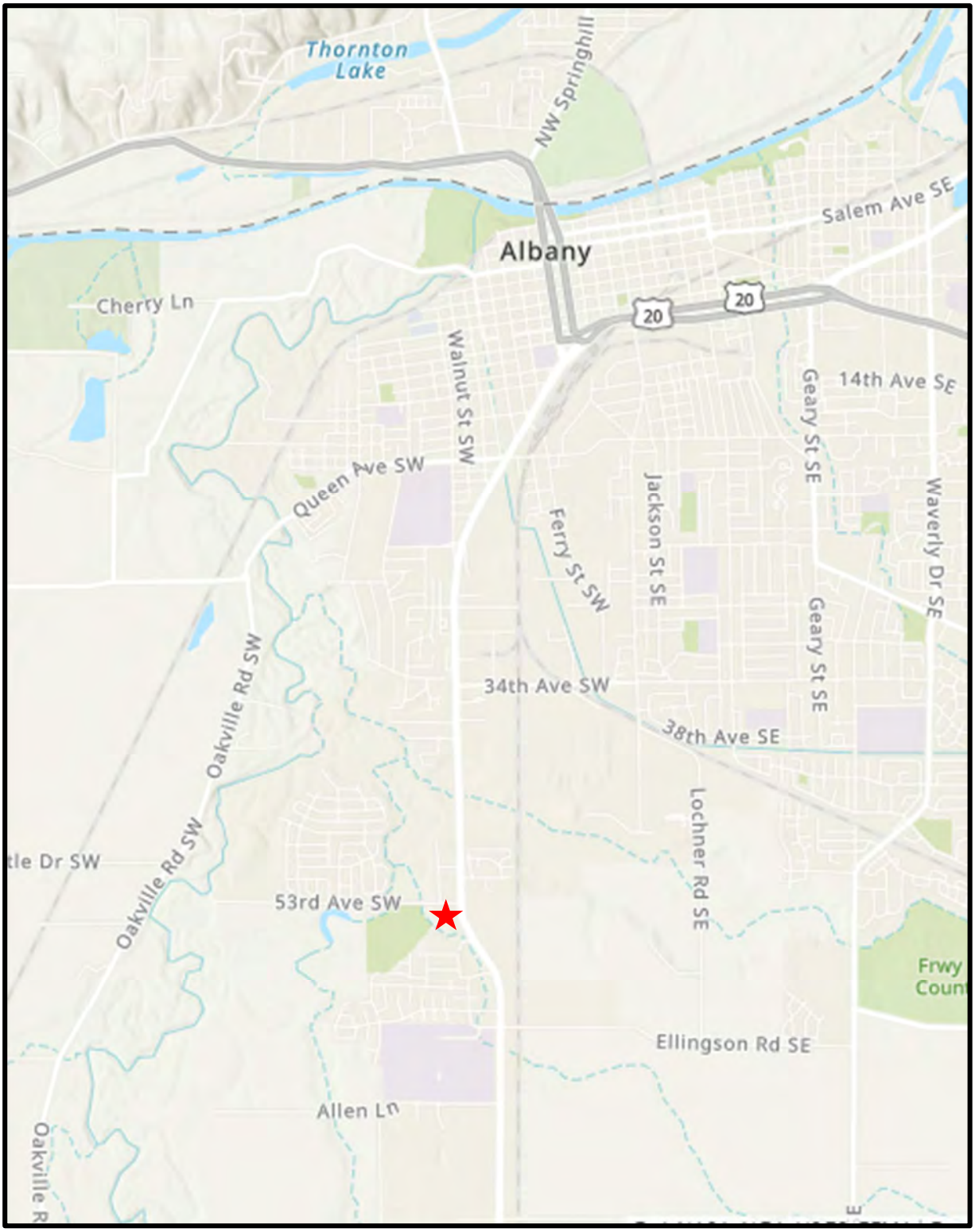
TerraServer USA, Microsoft Corporation, 2022 (USGS topographic maps and USGS aerial imagery). TerraServer 6.0 http://terraserver.microsoft.com/.

US Fish and Wildlife Service, Branch of Wildlife Habitat Assessment, National Wetlands Inventory, 2022. NWI Wetlands Mapper http://wetlandsfws.er.usgs.gov/.

APPENDIX C:

Site Figures

ZION Natural Resources Consulting

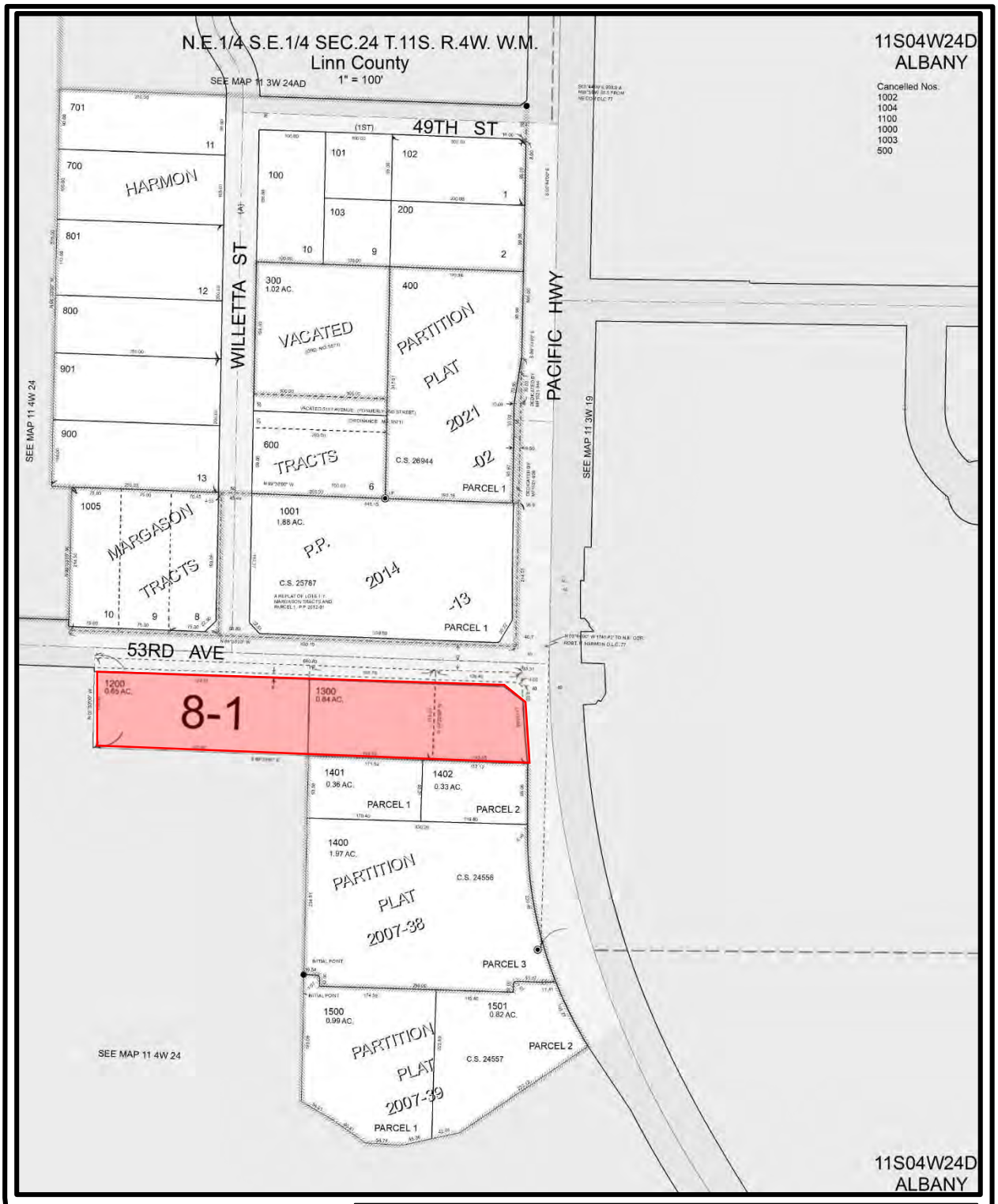


ZION Natural Resources Consulting

FIGURE 1
Vicinity Map

Project: Loren at Brookside

ZION Natural Resources Consulting



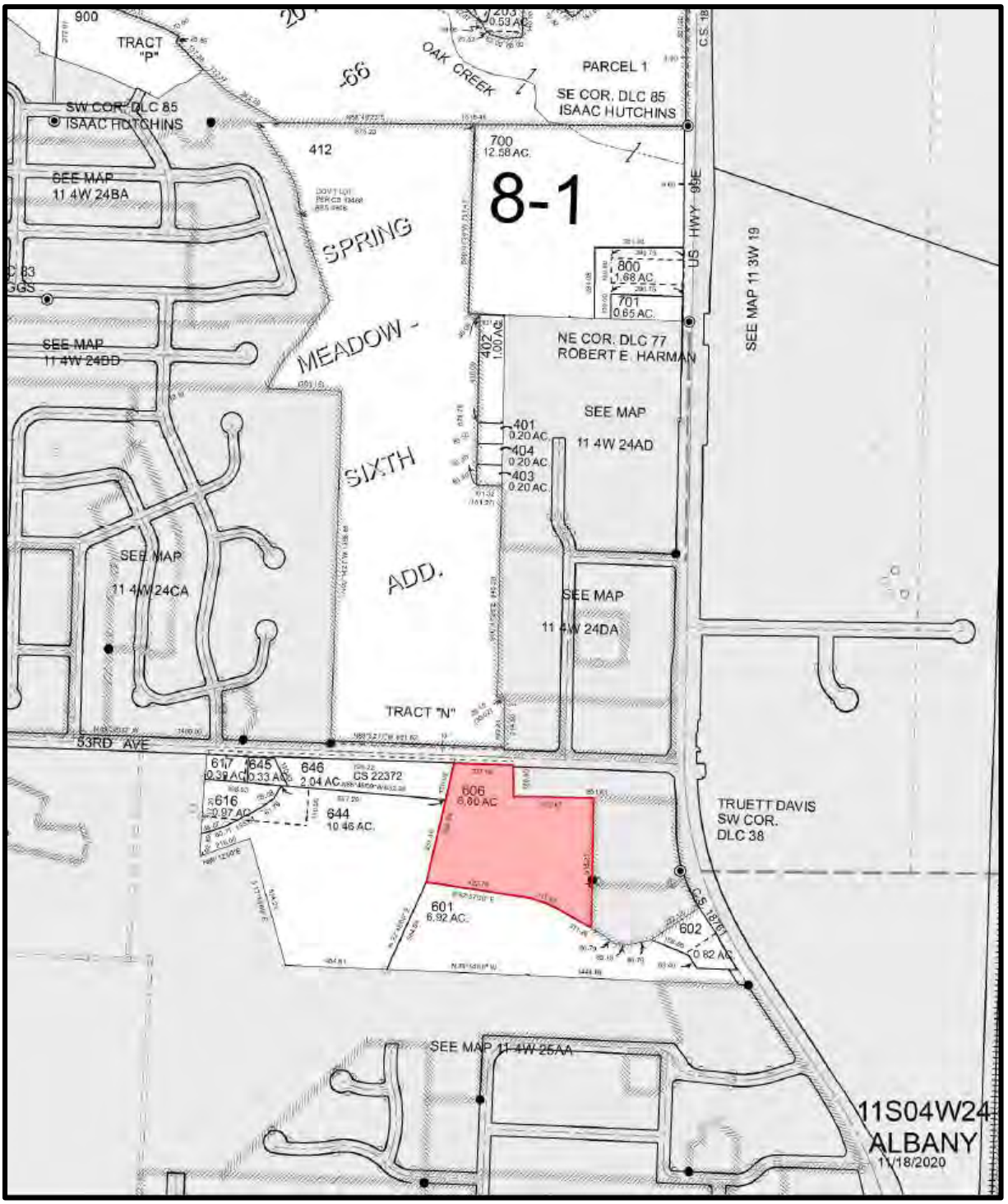
ZION Natural Resources Consulting

FIGURE 2a
Tax Lot Map

Project: Loren at Brookside

N
W E
S

ZION Natural Resources Consulting



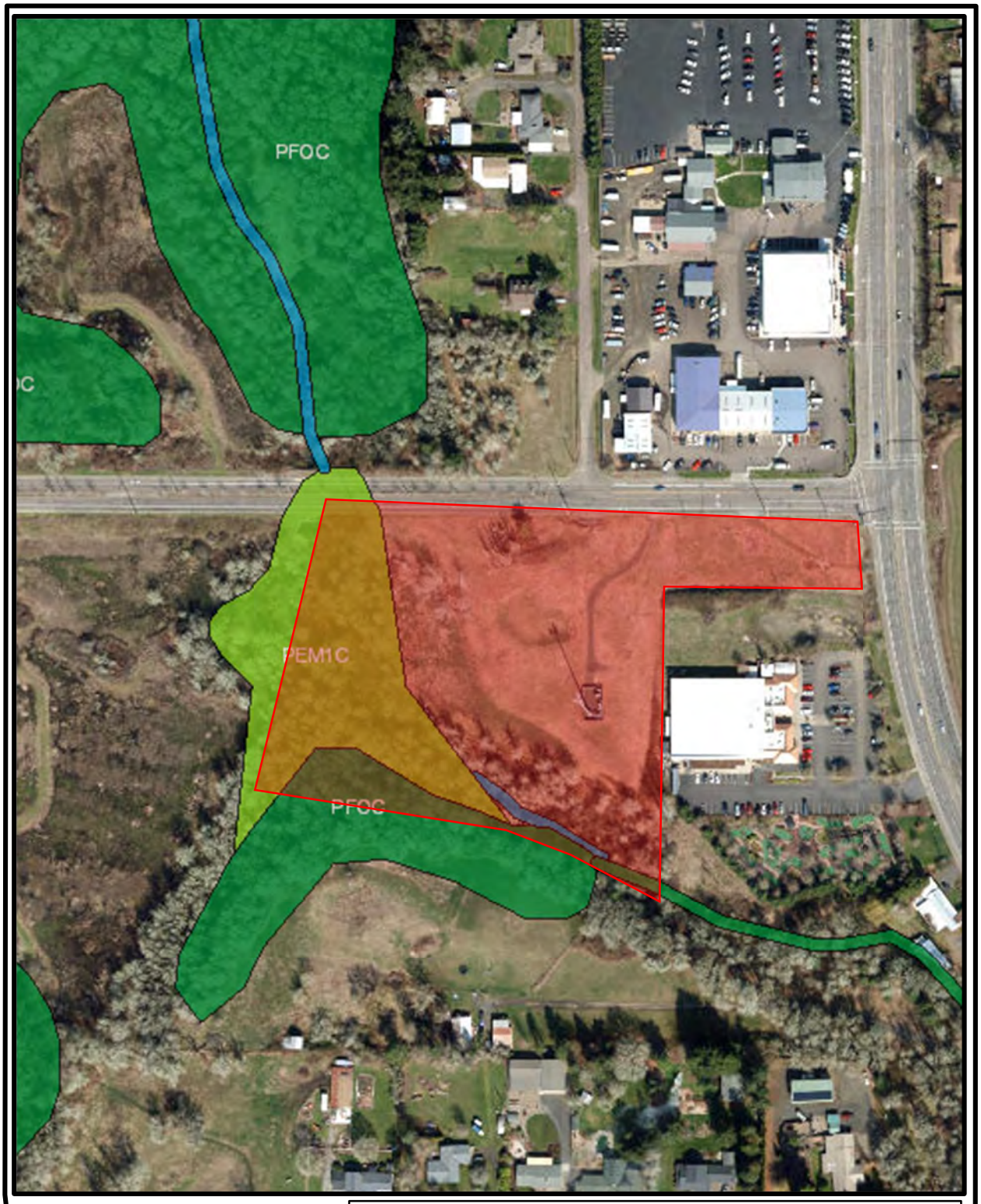
ZION Natural Resources Consulting

FIGURE 2b
Tax Lot Map

Project: Loren at Brookside

N
W E
S

ZION Natural Resources Consulting

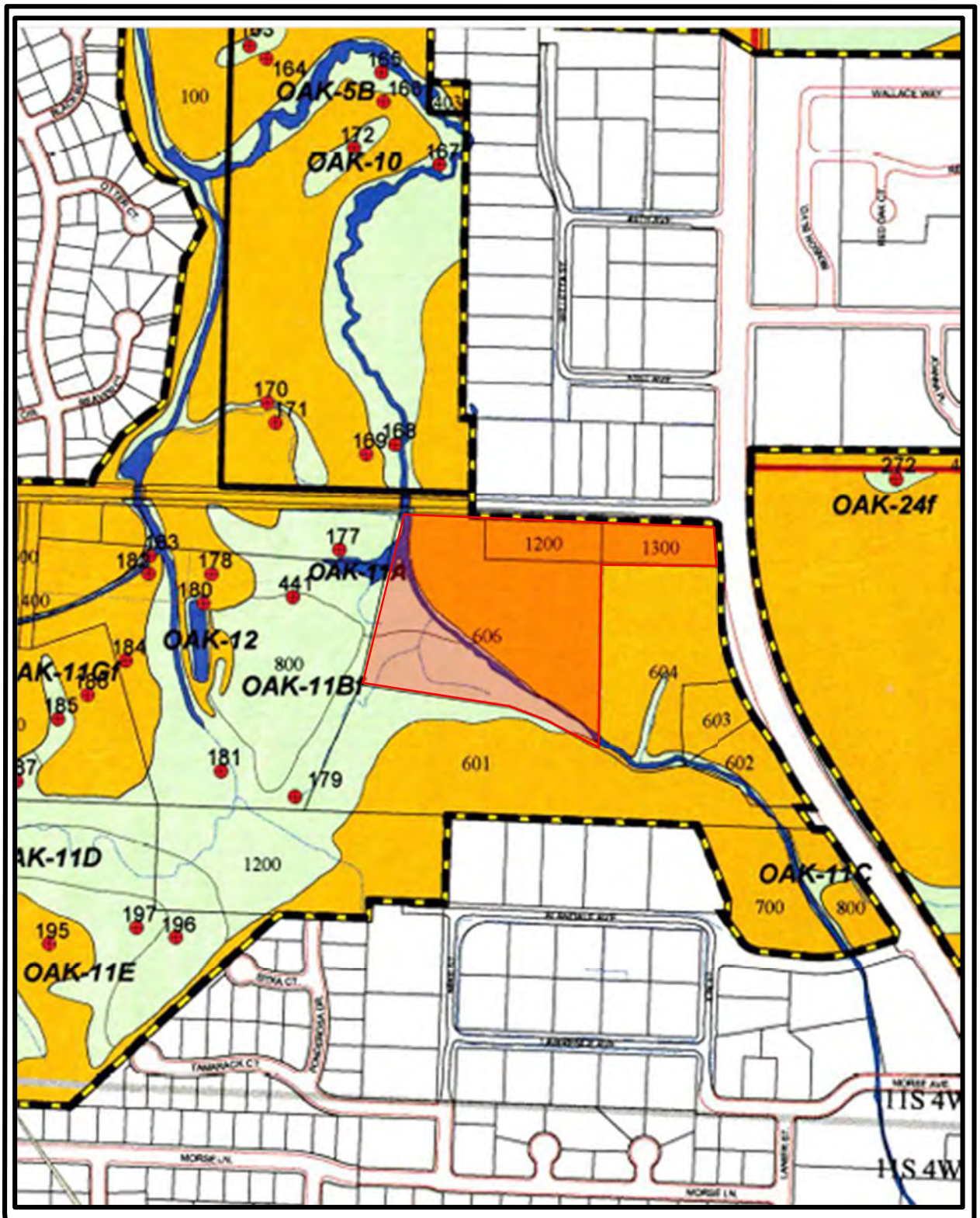


ZION Natural Resources Consulting

FIGURE 3a
National Wetlands Inventory Map

Project: Loren at Brookside

ZION Natural Resources Consulting



ZION Natural Resources Consulting

FIGURE 3b
Local Wetlands Inventory Map

Project: Loren at Brookside

N W E S

ZION Natural Resources Consulting



Soil Series	Drainage Class	Hydric
Amity silt loam (3)	Somewhat poorly drained	No
Woodburn silt loam, 0 to 3% slopes (106A)	Moderately well drained	No
Woodburn silt loam, 3 to 12% slopes (106A)	Moderately well drained	No
Conser silty clay loam, 0 to 3% slopes (2205A)	Poorly drained	Yes

ZION Natural Resources Consulting

FIGURE 4
County Soils Survey Map - NRCS

Project: Loren at Brookside

N W E S

ZION Natural Resources Consulting

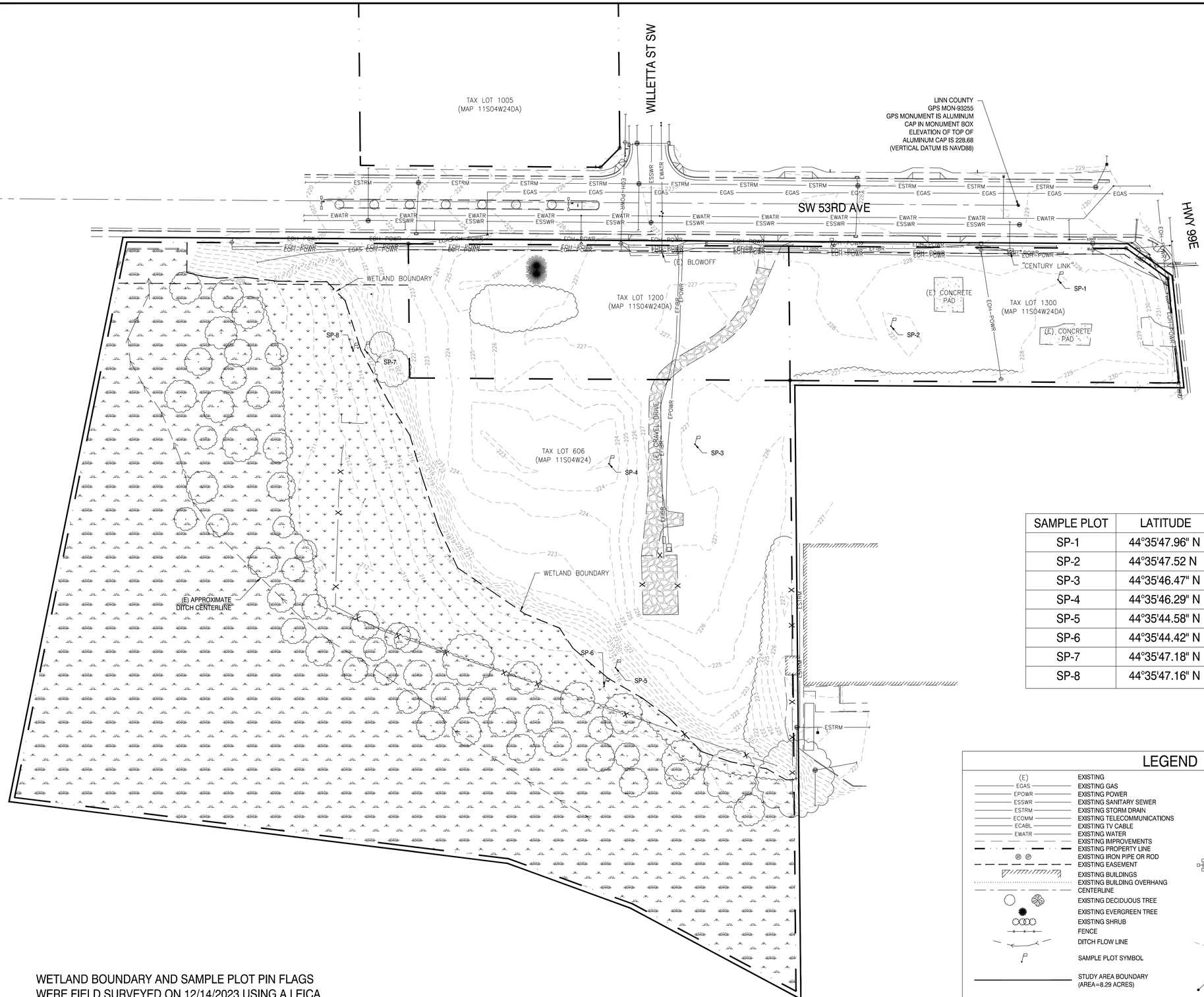


ZION Natural Resources Consulting

FIGURE 5
Google Earth Aerial - July 8th, 2023

Project: Loren at Brookside

N W E S



SCALE: 1" = 40'

0 10 20 40 80

SCALE IN FEET

SAMPLE PLOT	LATITUDE	LONGITUDE
SP-1	44°35'47.96" N	123°06'49.43" W
SP-2	44°35'47.52 N	123°06'51.45" W
SP-3	44°35'46.47" N	123°06'53.70" W
SP-4	44°35'46.29" N	123°06'54.70" W
SP-5	44°35'44.58" N	123°06'54.54" W
SP-6	44°35'44.42" N	123°06'54.67" W
SP-7	44°35'47.18" N	123°06'57.60" W
SP-8	44°35'47.16" N	123°06'57.74" W

LEGEND

- (E) EXISTING
- EGAS — EXISTING GAS
- EPOWR — EXISTING POWER
- ESSWR — EXISTING SANITARY SEWER
- ESTRM — EXISTING STORM DRAIN
- ECOMM — EXISTING TELECOMMUNICATIONS
- ECABL — EXISTING TV CABLE
- EWATR — EXISTING WATER
- EXISTING IMPROVEMENTS
- EXISTING PROPERTY LINE
- EXISTING IRON PIPE OR ROD
- EXISTING EASEMENT
- EXISTING BUILDINGS
- EXISTING BUILDING OVERHANG
- CENTERLINE
- EXISTING DECIDUOUS TREE
- EXISTING EVERGREEN TREE
- EXISTING SHRUB
- FENCE
- DITCH FLOW LINE
- SAMPLE PLOT SYMBOL
- STUDY AREA BOUNDARY (AREA=8.29 ACRES)
- PFO WETLAND HATCH (AREA=3.65 ACRES)
- PEM WETLAND HATCH (AREA=0.89 ACRES)
- SANITARY SEWER MANHOLE
- STORM DRAIN MANHOLE
- TELECOMMUNICATIONS MANHOLE
- GAS VALVE
- WATER VALVE, AIR RELEASE VALVE
- WATER METER, GAS METER
- FIRE HYDRANT
- FIRE DEPARTMENT CONNECTION
- CATCH BASIN
- CURB INLET
- CLEAN OUT
- STREET LIGHT, PARKING LOT LIGHT
- LANDSCAPE LIGHT
- UTILITY POLE
- UTILITY VAULT
- ELECTRICAL PEDESTAL
- TRANSFORMER
- CABLE PEDESTAL
- TELECOMMUNICATIONS PEDESTAL
- SIGN
- MAILBOX
- 249 EXISTING CONTOUR (NAVD88)
- GPS MONUMENT/BENCHMARK (NAVD88)
- XXX.XX EXISTING SPOT ELEVATION
- XXX.XX / XXX.XX EXISTING TOP OF STRUCTURE OR CURB (TOS=TOP OF STRUCTURE) EXISTING FINISH ELEV.(IE=FLOW LINE)
- EXISTING GRAVEL HATCH
- EXISTING CONCRETE HATCH

WETLAND BOUNDARY AND SAMPLE PLOT PIN FLAGS WERE FIELD SURVEYED ON 12/14/2023 USING A LEICA TS16 ROBOTIC TOTAL STATION. PIN FLAG LOCATIONS ARE ACCURATE TO WITHIN +/- 0.50 FT.

PRELIMINARY

DRAWING STATUS: ☐ PRELIMINARY ☒ SUBMITTED ☐ BID SET ☐ PERMIT SET ☐ CONST. SET

No.	REVISION:	DATE:
1		
2		
3		
4		
5		
6		
7		

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PROJECT: LOREN AT BROOKSIDE APARTMENTS
PROJECT LOCATION: ALBANY, OR
CLIENT: SCHNEIDER HOMES

SHEET TITLE: WETLAND DELINEATION MAP

JOB NO. 22411
DRAWN BY: DEVCO
DRAWING: FIGURE 6

FILE: I:\CIVIL3D Projects\22411\Production Drawings\Land-use\22411WETL_STUDY_AREA.dwg [FIG 6] 1/10/2024 1:34 PM - Kolnee

APPENDIX D:

Site Photographs



Photo Point #1 – Located in the northeastern corner of the study area looking west across tax lot 1300.



Photo Point #2 – Located in the northwest corner of the study area viewing west along the wetland boundary.



Photo Point #3 – Located in the northwest corner of the study area viewing south along the wetland boundary.



Photo Point #4 – Located in the center of the study area looking east across the wetland area.

APPENDIX E:

Climatological Data

ZION Natural Resources Consulting

WETS Station: CORVALLIS STATE UNIVERSITY, OR

Requested years: 1992 - 2021

Month	Temperature (°F)			Precipitation (inches)				
	Avg daily max	Avg daily min	Avg daily mean	Avg	30% chance will have		Avg number of days with 0.10 inch or more	Average total snowfall
					less than	more than		
Jan	47.6	34.8	41.2	6.63	4.51	7.92	13	0.5
Feb	51.0	34.8	42.9	4.90	2.93	5.95	10	1.6
Mar	56.1	36.9	46.5	4.94	3.54	5.84	12	0.3
Apr	61.1	39.6	50.4	3.26	2.27	3.87	10	0.0
May	68.3	44.7	56.5	2.21	1.33	2.66	6	0.0
Jun	74.3	48.9	61.6	1.34	0.93	1.59	4	0.0
Jul	83.3	52.3	67.8	0.32	0.11	0.32	1	0.0
Aug	83.8	51.7	67.8	0.37	0.13	0.40	1	0.0
Sep	77.5	48.3	62.9	1.57	0.70	1.92	4	0.0
Oct	64.8	42.3	53.5	3.48	2.28	4.18	8	0.0
Nov	53.3	37.8	45.6	6.45	4.32	7.72	13	0.0
Dec	46.7	34.0	40.4	7.88	5.74	9.28	14	1.0
Annual:					37.95	48.45		
Average	64.0	42.2	53.1	-	-	-	-	-
Total	-	-	-	43.35			96	3.4

GROWING SEASON DATES

Requested years of data:	1992 - 2021		
Years with missing data:	24 deg = 2	28 deg = 2	32 deg = 2
Years with no occurrence:	24 deg = 5	28 deg = 0	32 deg = 0
Data years used:	24 deg = 28	28 deg = 28	32 deg = 28

College of Agricultural Sciences – Corvallis Farm Unit
Hyslop Weather Station

Date	Precip	Date	Precip	Date	Precip	Date	Precip
9/1/2023	0.79	10/1/2023	0	11/1/2023	0	12/1/2023	0.64
9/2/2023	0	10/2/2023	0	11/2/2023	0.85	12/2/2023	0.37
9/3/2023	0	10/3/2023	0.18	11/3/2023	0	12/3/2023	1.55
9/4/2023	0	10/4/2023	0	11/4/2023	0.63	12/4/2023	0.94
9/5/2023	0	10/5/2023	0	11/5/2023	0.54	12/5/2023	0.04
9/6/2023	0	10/6/2023	0	11/6/2023	1.07	12/6/2023	0.98
9/7/2023	0	10/7/2023	0	11/7/2023	0.4	12/7/2023	0.67
9/8/2023	0	10/8/2023	0	11/8/2023	0.03	12/8/2023	0.26
9/9/2023	0	10/9/2023	0	11/9/2023	0	12/9/2023	0.01
9/10/2023	0	10/10/2023	0.49	11/10/2023	0.12	12/10/2023	0.41
9/11/2023	0	10/11/2023	0.72	11/11/2023	0.03	12/11/2023	0.34
9/12/2023	0	10/12/2023	0.29	11/12/2023	0.25		
9/13/2023	0	10/13/2023	0	11/13/2023	0.32		
9/14/2023	0	10/14/2023	0.16	11/14/2023	0		
9/15/2023	0	10/15/2023	0.01	11/15/2023	0.1		
9/16/2023	0	10/16/2023	0.1	11/16/2023	0.01		
9/17/2023	0	10/17/2023	0.03	11/17/2023	0.01		
9/18/2023	0	10/18/2023	0	11/18/2023	0		
9/19/2023	0	10/19/2023	0	11/19/2023	0.51		
9/20/2023	0	10/20/2023	0	11/20/2023	0.01		
9/21/2023	0	10/21/2023	0.06	11/21/2023	0		
9/22/2023	0	10/22/2023	0.02	11/22/2023	0.21		
9/23/2023	0	10/23/2023	0	11/23/2023	0.01		
9/24/2023	0.21	10/24/2023	0	11/24/2023	0		
9/25/2023	0.72	10/25/2023	0.75	11/25/2023	0		
9/26/2023	0.48	10/26/2023	0.25	11/26/2023	0		
9/27/2023	0.34	10/27/2023	0	11/27/2023	0		
9/28/2023	0.01	10/28/2023	0	11/28/2023	0		
9/29/2023	0.28	10/29/2023	0	11/29/2023	0		
9/30/2023	0	10/30/2023	0	11/30/2023	0.05		
		10/31/2023	0				
Totals	***2.83***		***3.06***		***5.15***		***6.21***

APPENDIX F:

Wetland Determination Datasheets

TO: Jennifer Cepello, Planner

From: Lora Ratcliff, Fire Marshal

DATE: August 27, 2025

SUBJECT: SP-15-25—5310 Pacific Blvd SW – Multi-Family Development - 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. This project will be addressed off 53rd Ave SW.

2. 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)

3. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4)

4. 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).

5. Location of any Fire Department Connections (FDCs) that will serve any fire sprinkler system(s) protecting your buildings shall be installed at a location approved by the Albany Fire Department and shall be provided with approved STORZ fitting. The FDC shall be located near the site entrance as not to obstruct subsequent arriving fire apparatus and within 40 feet of a fire hydrant (public fire hydrants whenever possible). The FDC shall be located out of the building collapse zone (1.5x the height of the building away). (OFC 903.3.7 and Albany Fire Department requirements)

LAR/lar

Lora Ratcliff
Lora.ratcliff@albanyoregon.gov
541-917-7728

Cepello, Jennifer

From: SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Sent: Friday, January 30, 2026 2:30 PM
To: Cepello, Jennifer
Cc: LINER Duane J; MOREY Brian T
Subject: RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

Follow Up Flag: Follow up
Flag Status: Completed

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Jennifer,

Thanks for clarifying; the Project Review date you gave me let me find what I needed. Back in 2024 during the initial pre-app phase Duane had given the following direction regarding access:

"*Access is proposed to the site at two locations on 53rd Avenue SW, and by using the existing Lakeshore Lanes approach location along OR99E by way of a proposed access easement. The City of Albany is the permitting jurisdiction for access to 53rd Avenue SW and ODOT is the permitting jurisdiction for access to OR99E. Based on the current proposal and submittals, an Application Form for State Highway Approach would be needed for the proposed site access using the existing OR99E Lakeshore Lanes approach. This is based on OAR 734-051-3020 Change of Use of a Private Connection criteria being met.*"

So, I guess my only remaining question is if the applicant will be advised to contact ODOT for an access permit, if necessary, or if these earlier comments are no longer applicable because they were not included in a response to the "Project Review" last month.

Thanks,
Brion Scott, PE
Development Review
ODOT - Region 2 - Area 3
885 Airport Road SE, Building P Salem, OR 97301
(503) 871-1411
Brion.Scott@odot.oregon.gov

From: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Sent: Thursday, January 29, 2026 4:44 PM
To: SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Subject: RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Hello Brion,

The City of Albany submits a "Project Review" to affected agencies and other city department when we receive an application for land use. All land use applications are sent to the odotr2planmgr@odot.gov that we have on file. The Project Review allows agencies a period of time (approx. 2 weeks) to submit

Cepello, Jennifer

From: Clevenger, Wayne (PacifiCorp) <wayne.clevenger@pacificorp.com>
Sent: Monday, December 1, 2025 10:33 AM
To: Cepello, Jennifer; Development Review Team; Bliss, Candy; 'lance_roth@comcast.com'; Ficek, Michael; 'Michael_Allen@comcast.com'; 'thpo@grandronde.org'; 'David Bolin'; EXTERNAL - Linn Co., Assessor; 'culturalresources@ctsi.nsn.us'; 'travis.vaughn@lumen.com'; 'nwalbanyengineering@nwnatural.com'; 'joy.r.vaugh@state.or.us'; EXTERNAL - ODOT Planning; Willis, Nicole (PacifiCorp); Vath, Elke (PacifiCorp); Steiner, Eddie (PacifiCorp); EXTERNAL - Morgan, Amie
Cc: Willis, Nicole (PacifiCorp)
Subject: RE: [INTERNET] Project Review: SP-15-25; 5310 Pacific Blvd. SW

Follow Up Flag: Follow up
Flag Status: Flagged

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Developers are expected to create a Pacific Power work request for any development far in advance breaking ground for a development. This will help to avoid delays with supply chain items like transformers and streetlight material.
Builders and developers are expected to observe OSHA requirements for minimum approach distances from overhead power lines.
City or County approved drawings usually do not address the vertical clearances.
Failure to follow these guidelines can result in costly delays and alterations to your project.

Electric Service Requirements Manual 2022

Underground Manual

NOTE: YOUR GENERAL SERVICE NEEDS A METERBASE WITH A SAFETY BYPASS
Electric Service Requirements (pacificpower.net)

https://www.pacificpower.net/content/dam/pcorp/documents/en/pp-rmp/electric-service-requirements/meter-mounted-device/Meter-Mounted-Device-List.pdf

CALL INSPECTIONS IN BY USING THE BUILDERS HOTLINE
Builder's Hotline:..... 1-800-469-3981

From: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Sent: Monday, December 1, 2025 10:18 AM
To: Development Review Team <DevelopmentReviewTeam@cityofalbany.net>; Bliss, Candy <Candy.Bliss@albanyoregon.gov>; 'lance_roth@comcast.com' <lance_roth@comcast.com>; Ficek, Michael <Michael.Ficek@albanyoregon.gov>; 'Michael_Allen@comcast.com' <michael_allen@comcast.com>; 'thpo@grandronde.org' <thpo@grandronde.org>; 'David Bolin' <david.bolin@albany.k12.or.us>; EXTERNAL - Linn Co., Assessor <assessor@co.linn.or.us>; 'culturalresources@ctsi.nsn.us' <culturalresources@ctsi.nsn.us>; 'travis.vaughn@lumen.com' <travis.vaughn@lumen.com>; 'nwalbanyengineering@nwnatural.com'

Wetland Land Use Notice Response

Response Page

Department of State Lands (DSL) WN# *

WN2025-0958

Responsible Jurisdiction

Staff Contact	Jurisdiction Type	Municipality
Jennifer Cepello	City	Albany

Local case file #	County
SP-15-25; NR-03-25; RL-08	Linn

Activity Location

Township	Range	Section	QQ section	Tax Lot(s)
11S	04W	24		303

Street Address

5310 Pacific Blvd SW

Address Line 2

City

Albany

State / Province / Region

OR

Postal / Zip Code

97321

Country

Linn

Latitude	Longitude
44.5963068	-123.1183755

Township	Range	Section	QQ section	Tax Lot(s)
11S	04W	24	DA	1200,1300

Street Address

Address Line 2

City

State / Province / Region

Postal / Zip Code

Country

Latitude	Longitude
44.5963068	-123.1183755

Wetland/Waterway/Other Water Features

☐ There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

- [ ] The National Wetlands Inventory shows wetland, waterway or other water features on the property
- [ ] The National Hydrography Dataset shows wetland, waterway or other water features on the property
- [ ] Local Wetlands Inventory shows wetland, waterway or other water features on the property
- [ ] The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Your Activity

- [ ] It appears that the proposed project **may** impact wetlands and **may** require a State permit.

- [ ] An onsite inspection by a qualified wetland consultant is recommended prior to site development to determine if the site has wetlands or other waters that may be regulated. The determination or delineation report should be submitted to DSL for review and approval. Approved maps will have a DSL stamp with approval date and expiration date.

Applicable Oregon Removal-Fill Permit Requirement(s)

- [ ] A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

DSL Review

Wetland Ecologist Comments

Based on the available information, a jurisdictional wetland may be present on the property. Therefore, a wetland delineation is required to evaluate how much of the project area is wetlands.

We note on the site plan that a wetland delineation was conducted in 2024 by Zion Natural Resource Consulting. Delineations should be submitted to DSL for review and concurrence prior to construction; a state Removal-Fill permit may be required.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

- [ ] A Federal permit may be required by The Army Corps of Engineers: 541-600-7644

Contact Information

For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county.

Response Date

12/24/2025

Response by:

Stefanie Lane

Response Phone:

9717010321

January 2, 2026

Attention: Jennifer Cepello and the City Planning Division of the City of Albany

I am writing to you regarding the 108-unit apartment complex being proposed to your Division by the developer/property owner Schneider Homes Inc. of Tukwila, Wash.

Argument Against the Proposed 108-Unit Apartment Complex at 53rd Ave & 99E, Albany, Oregon

The proposed 108-unit apartment complex at the corner of 53rd Avenue and Highway 99E presents significant and unacceptable impacts to the surrounding neighborhoods. While development and growth are inevitable, they must be pursued responsibly, with full consideration of the burdens placed on existing residents in 3 significant communities surrounding this proposed apartment complex. In this case, the project raises three major concerns: severe traffic congestion for nearby communities, questionable claims regarding affordable housing benefits, and environmentally damaging riparian encroachment along Oak Creek corridor.

1. Severe Traffic Impacts on Brookfield and Spring Meadow Residents

Brookfield and Spring Meadow HOA's are established residential communities whose residents rely on a single point of egress—53rd Avenue—to reach work, school, and essential services. This roadway already experiences congestion during peak hours, and the addition of a 108-unit complex would dramatically increase vehicle volume, even if just assuming a single additional vehicle for every one of the additional 108 new unit residents.

- A development of this size will likely add hundreds of daily trips, compounding delays for residents who have no alternative route that live in Brookfield and Spring Meadow communities.

- The intersection at 53rd and 99E is already a bottleneck; funneling additional traffic into this constrained corridor will worsen backups and increase commute times.

- Emergency response times may be compromised if congestion intensifies, particularly given the lack of secondary access points for these neighborhoods.

In short, the project places a disproportionate burden on existing homeowners who depend on 53rd Avenue as their only lifeline to the broader Albany transportation network.

2. Questionable Claims About Affordable Housing Benefits and Community Safety

Any claim by either the developer or supporters within the City Planning Division or in the Albany governance community with assertions that the complex will help meet affordable housing needs does not address the concerns of nearby homeowners who must live with the consequences of rapid, high-density development. While affordable housing is important, it must be integrated responsibly and with adequate planning for community cohesion and safety.

- I know if no residents convinced that the proposed units will meaningfully mitigate housing challenges, especially without clear oversight, management plans, or community engagement.

- High-density, lower-income housing—when placed abruptly into established neighborhoods without supporting infrastructure—can correlate with increased illicit activity or criminal behavior if not properly managed and deliberately outlined for nearby residents to understand.

- Homeowners in Brookfield and Spring Meadow, Willeta Street communities specifically have legitimate concerns that the project may introduce safety risks rather than alleviate them.

The burden of proof lies with the developer to demonstrate that this project will enhance—not diminish—the quality of life for current residents. So far, that burden has not been met.

3. Riparian Encroachment and Increased Flood Risk to Northern and Northwestern Communities

The request for riparian encroachment along the Oak Creek corridor raises serious environmental and safety concerns. The proposal appears to allow the developer to “push dirt” into the low-lying waterway, effectively reducing the creek’s natural capacity to hold and convey water in times of excess rainfall.

- Removing water-volume space from Oak Creek increases the likelihood of overflow during heavy rain events.

- The displaced water will not disappear—it will move outward, toward the northern and northwestern neighborhoods already constrained by known floodplain boundaries.

- These communities are geographically isolated and more vulnerable to potential super flooding risk; any reduction in creek capacity directly threatens their homes and property without mitigating the impacts.

Riparian zones exist for a reason: they protect waterways, wildlife, and people. Allowing encroachment for the sake of maximizing buildable land is short-sighted and places existing residents at unnecessary risk.

4. The 1,000 feet (304.8 meters) distance allowance for resident feedback is ridiculous

Lastly, I would like to highlight with graphics included for your convenience. Public feedback allowance was outlined for those within 1,000 (304 meters) feet distance from the edge of the proposed site or property line under proposed development. Please review how unresponsible this feedback allowance really is. The bulk of those impacted (those in the Brookfield, Spring Meadow, and Willetta Street communities (see Graphic 1 and 2) are not inside the 1,000 feet (304 meters) distance allowance. The remainder of those communities who actually are significantly inside this 1,000 feet perimeter to the south and northeast of the site proposal (see Graphic 3 and 4) are communities not directly impacted by the incredible traffic effects.

This is wholly unresponsible and short-sighted on the part of the City Planning Division, and has already generated among residents initial energy against this proposal.

Conclusion

The proposed 108-unit apartment complex at 53rd Avenue and 99E poses significant risks to traffic flow, neighborhood safety, and environmental stability. The project, as currently envisioned, prioritizes developer interests over the well-being of long-standing communities. Until these concerns are fully addressed—with transparent planning, credible mitigation strategies, and genuine community engagement—the development should not move forward.

Thank you,

Enedina and Albert Arellano

Cepello, Jennifer

From: Andrew Bailey [redacted]
Sent: Tuesday, December 30, 2025 9:17 PM
To: Cepello, Jennifer
Subject: Site Plan Review for 108 Unit Apartment Complex Comment

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

Hello,

I'm emailing to voice concerns regarding the site plan review and potential 108 unit multi-dwelling development at 1190 53rd Ave, 1122 53rd Ave, & 5310 Pacific Blvd. I live in the neighborhood off of 53rd and am very concerned about the impact this would have on our community.

Our community currently only has one protected entry and exit road that can oftentimes be busy with our current resident population. Adding a potential 100+ extra cars would cause a lot more traffic, heavily impacting traffic getting into and out of our neighborhood. The intersection of 53rd and Pacific Highway also appears to have issues with car crashes with several near the intersection this past year. The additional 100+ car traffic from this multi-dwelling development could cause even more issues.

The impact of construction would also cause issues for our community due to there only being one protected entry and exit to our neighborhood. This would heavily impact our ability to get to work, take our children to school, and other activities.

The notice also states the construction would affect the current natural habitats that we have coming into our community. I worry any destruction of this area would be a detriment to our community. I sincerely hope this proposal is not approved as it would only cause major issues for the wonderful community that resides off of 53rd.

Sincerely,
Andrew Bailey

_____
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Cepello, Jennifer

From: Brittany [redacted]
Sent: Friday, January 2, 2026 4:47 PM
To: Cepello, Jennifer
Subject: Proposal at 99E and 53rd Ave

Follow Up Flag: Follow up
Flag Status: Flagged

[WARNING! This email came from outside our organization. Do NOT click unknown attachments or links in email.]

Hello,

This is an Argument Against the Proposed 108-Unit Apartment Complex at 53rd Ave & 99E, Albany, Oregon

The proposed 108-unit apartment complex at the corner of 53rd Avenue and Highway 99E presents significant and unacceptable impacts to the surrounding neighborhoods. While development and growth are inevitable, they must be pursued responsibly, with full consideration of the burdens placed on existing residents in 3 significant communities surrounding this proposed apartment complex. In this case, the project raises three major concerns: severe traffic congestion for nearby communities, questionable claims regarding affordable housing benefits, and environmentally damaging riparian encroachment along Oak Creek corridor.

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In short, the project places a disproportionate burden on existing homeowners who depend on 53rd Avenue as their only lifeline to the broader Albany transportation network.

2. Questionable Claims About Affordable Housing Benefits and Community Safety

Any claim by either the developer or supporters within the City Planning Division or in the Albany governance community with assertions that the complex will help meet affordable housing needs does not address the concerns of nearby homeowners who must live with the consequences of rapid, high-density development. While affordable housing is important, it must be integrated responsibly and with adequate planning for community cohesion and safety.

- I know of no residents convinced that the proposed units will meaningfully mitigate housing challenges, especially without clear oversight, management plans, or community engagement.

- High-density, lower-income housing—when placed abruptly into established neighborhoods without supporting infrastructure—can correlate with increased illicit activity or criminal behavior if not properly managed and deliberately outlined for nearby residents to understand.

- Homeowners in Brookfield and Spring Meadow, Willeta Street communities specifically have legitimate concerns that the project may introduce safety risks rather than alleviate them.

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This is wholly unresponsible and short-sighted on the part of the City Planning Division, and has already generated among residents initial energy against this proposal.

Conclusion

The proposed 108-unit apartment complex at 53rd Avenue and 99E poses significant risks to traffic flow, neighborhood safety, and environmental stability. The project, as currently envisioned, prioritizes developer interests over the well-being of long-standing communities. Until these concerns are fully addressed—with transparent planning, credible mitigation strategies, and genuine community engagement—the development should not move forward.

Thank you,

Cepello, Jennifer

From: Kevin Bryan [redacted]
Sent: Friday, January 2, 2026 3:20 PM
To: Cepello, Jennifer
Subject: New Housing development on 53rd st and 99E

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello Jennifer;
I'm writing to you to express my opposition to the proposed apartment complex on 53rd st in Albany. I have lived in the Springbrook development since it was built in 2002.
I'm greatly concerned about the increased traffic that it will cause at the intersection of 99E.
With the number of houses already in our total development the traffic is really quite heavy already.
Witn over 500 homes down 53rd st, and most homes have a least two cars most every morning noon and evening the turn lane is so full you can only make the light after two changes. And the backup will be in front of any new driveway they put in, increasing the congestion even worse.
Also I am very concerned about the ripairian zone around the creek and low lands. This is a nice area containing many diverse species of animals and birds. The chances of no impact from this development is highly unlikely. I would like to think it's in the city's best interest to keep these areas protected. We who live here really enjoy that wildlife area.
The last item that really has a stink to it is the 1000ft limitation on comments regarding this proposal. I don't know if that is a blank application of city rules or not but anyone can see that deliberately excludes everyone in the 53rd st subdivision.
I would ask you and the rest of the city people involved to reconsider this proposal. I realize that nobody wants development in "there back yard" but this is a community with only one way in and out.
Thanks,
Kevin Bryan
[redacted]
Albany

Sent from AOL on Android

_____
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From: Jordan Crow [redacted]
Sent: Wednesday, December 24, 2025 10:06 AM
To: CD – Customer Service <cd.customerservice@albanyoregon.gov>
Subject: Fwd: Strong Opposition to the Proposed 108-unit apartment complex.

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 10 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to

school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential

shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,

Jordan R Crow

[redacted]

[redacted]

_____

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Cepello, Jennifer

From: Christina Custodia [redacted]
Sent: Monday, December 22, 2025 5:22 PM
To: Cepello, Jennifer
Subject: Site plan off 53rd & Pacific

Follow Up Flag: Follow up
Flag Status: Flagged

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Mrs. Cepello,

We have received notice of the site plan for the additional housing off 53rd Ave and Pacific Blvd. We will not be supporting the movement of the tentative plans and strongly oppose it. I hope you consider our comment.

Thank you,
Christina Custodia

_____
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Cepello, Jennifer

From: Dixie Hill [redacted]
Sent: Wednesday, December 31, 2025 4:06 PM
To: Cepello, Jennifer
Subject: Strong Opposition to proposed 108 unit apartment complex

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Jennifer,
I have lived in the neighborhood of Spring Meadows for the last 17 years. This letter is in strong opposition to the proposed 108 unit apartment complex off of Pacific Blvd and 53rd.

If this apartment complex was allowed, the obscene amount of traffic at the light off of Pacific Blvd and 53rd would be absolutely unbearable. I also worry about a strong decline in our home and property values.

Thank you for your consideration to this matter.

Dixie Hill

Sent from Yahoo Mail for iPhone

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Cepello, Jennifer

From: Ruettgers, Matthew
Sent: Monday, January 5, 2026 10:48 AM
To: Martineau, David; Cepello, Jennifer; Martin, Kaitlin
Subject: FW: Feedback for project on 53rd

Just making sure this made it to the right people

From: Adams, Sophie <sophie.adams@albanyoregon.gov>
Sent: Monday, January 5, 2026 8:57 AM
To: Ruettgers, Matthew <Matthew.Ruettgers@albanyoregon.gov>
Subject: FW: Feedback for project on 53rd

FYI

From: David [redacted]
Sent: Tuesday, December 30, 2025 4:05 PM
To: Adams, Sophie <sophie.adams@albanyoregon.gov>
Subject: Fw: Feedback for project on 53rd

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Hi Sophie, sharing with you just in case Jennifer isn't the right person. I would love to support a growing city if done the right way!
David

Sent from Proton Mail for Android.

-------- Original Message --------
On Tuesday, 12/30/25 at 16:00 DJackson [redacted] wrote:

> Hi Jennifer
> I'm providing feedback for the planned housing project at 53rd.
> As a member of the nearby community, and a new resident to Albany with a young family, I want to be open to be hosting projects so that the city can grow and others can enjoy what we've come to enjoy.
>
> However this project isn't one I'd currently support for several reasons.

First and foremost, this process has moved incredibly quickly over the holiday season, and without an opportunity for those impacted to provide feedback publicly, making it seem like there an agenda and or no feedback is actually desired.

Only property owners within 1000 feet were notified of this development. However, this development is going to affect hundreds of area residents that live more than 1000 feet from this site, potentially negatively.

It also potentially negatively affects the riparian and drainage area for Oak Creek. At a minimum the details on the prepared plans are unclear.

There are also no shopping, grocery, and/or gas stations nearby; this will result in a significant increase in an already high flow of vehicle traffic on 53rd Ave and Pacific Blvd (99E).

From a major safety concern, there is only one inlet and exit for traffic on 53rd Avenue SW. Even with added entrances and exits the traffic issue will become even worse for all who live here.

It's also unclear what kind of units are being built, if they're affordable, and ultimately whether they are intended to be a positive addition to the community and City. I urge Albany city leadership to delay any further approvals until more information is available and the process changes to include the feedback of current residents.

Kind regards
David

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Cepello, Jennifer

From: [redacted]
Sent: Tuesday, December 23, 2025 6:02 PM
To: Cepello, Jennifer
Subject: Planned apartments at 53rd and Pacific

Follow Up Flag: Follow up
Flag Status: Flagged

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Jennifer:

Why wasn't anyone in the Spring Meadow/Brookfield neighborhoods notified of this plan since this planned development will SIGNIFICANTLY affect us and our quality of life? I have more than a few concerns.

Who rents studio apartments? Students who don't stick around and who, more often than not, trash the apartments and the neighborhoods once they are gone. They do it around OSU and LBCC all the time. You can't say this won't happen here.

Where are the services? You, the city, keep allowing greedy developers to plan apartment complexes and housing developments where there are already **NO** grocery stores, **NO** gas stations, **NO** more schools, or other services and yet this developer wants to cram 108+ people into this area? Unacceptable!

Property rates for us will be devalued because apartments are being considered. But will that stop the city from increasing our taxes (fees) even more? Probably not. Unacceptable.

The developer wants to "encroach on the riparian area?" Absolutely not! We need our open spaces. The area considered floods when the rains are heavy. How much runoff will end up in Oak Creek polluting it because of the encroachment? I'm sure the developer will not consider this but rather try to do things as cheaply as possible as a "work around." They always do. Albany has enough of a problem with this already. I expect the developer and the city to pay for an environmental impact study performed by a completely impartial agency and the results be submitted to our neighborhood and our HOAs.

For 20+ years the Spring Meadow/Brookfield neighborhoods have had only ONE outlet which is a DIVIDED road called 53rd Street. Has the city ever considered more infrastructure back here? No, because there is never any money for infrastructure improvements in the Albany city budget. That has now created a safety hazard. We are

constantly being warned about the possibility of wildfires by you, the city. Let's say that happens in this area. 450+ families already must be evacuated on that divided road which is 53rd street. Again, THERE IS NO OTHER OUTLET. And now a greedy developer wants to add over 108+ residents who also have to use 53rd to leave? Ridiculous! **In the face of an emergency evacuation, you, the planning commission have been short-sighted and have created the potential for a completely unsafe and disastrous situation**. In this very litigious society that we now live in I'm not sure the city could handle the legal ramifications.

Enough is enough. Albany already has TOO many of these apartment complexes without any consideration for additional and needed services or finances to improve existing infrastructure to existing neighborhoods. It's shortsighted and ill-considered planning.

Deanna Emmert
Resident of Spring Meadow neighborhood

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Cepello, Jennifer

From: Connie L E [redacted]
Sent: Wednesday, December 24, 2025 3:01 PM
To: Van Drimmelen, Chris; McLeod, Carolyn; Cepello, Jennifer
Subject: Objection to Schneider Homes Apartment Proposal on 53rd Avenue

Follow Up Flag: Follow up
Flag Status: Flagged

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To: Jennifer Cepello, Chris Van Drimmelen (Ward 2), Carolyn McLeod (Ward 2)

I object to the proposal by Schneider Homes to construct apartments on the south side of 53rd Avenue due to significant traffic safety concerns.

The proposed access configuration would require left-hand turns from westbound traffic into the development with an extremely limited stopping distance from the Highway 99 signal. In addition, vehicles traveling southbound on Willetta would disrupt the flow of traffic on 53rd Avenue in both eastbound and westbound directions, as well as impede movements from Highway 99. This configuration presents a clear and unacceptable safety hazard.

The access design provides insufficient distance for safe weaving movements by vehicles exiting the proposed approach and crossing multiple lanes of traffic. These conflicts would occur in close proximity to signalized intersections and on roadways classified as collectors or arterials under the acknowledged Transportation System Plan and Comprehensive Plan, as well as classifications recognized by the Federal Highway Administration.

The proposed development poses a significant traffic safety risk and would negatively impact the surrounding neighborhood. Schneider Homes'
development objectives should not come at the expense of public safety or neighborhood livability. For these reasons, I respectfully urge you to deny this request.

Sincerely,
Connie Erickson
[redacted]
[redacted]

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Cepello, Jennifer

From: Amanda Fee [redacted]
Sent: Friday, December 26, 2025 2:17 PM
To: Cepello, Jennifer
Subject: Concerns Regarding Proposed Apartment Development at 53rd and Pacific

Follow Up Flag: Follow up
Flag Status: Completed

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

Hello,
We understand that a plan has been submitted to the City Council for a one hundred eight unit apartment complex at 53rd and Pacific. We strongly urge the Council not to approve this proposal at this time.

During that time, I served for several years on the Board of the Oak Creek Meadows Homeowners Association, which includes one hundred thirty homes in the southwest corner of the neighborhood. Through this role, I met with various city departments and developed a basic understanding of the issues this project would create. Our neighborhood includes more than six hundred homes in the area commonly referred to as the Animal Kingdom or Zoo. One of the most significant and unique challenges is that the neighborhood has only one outlet. This was not part of the original design but resulted from a halt in construction when a Native American historical and burial site was discovered. Although 53rd Street was widened to support emergency evacuations, the intersection is already strained given the number of residents, and any emergency would significantly magnify this issue.

If these apartments are built, they will further strain the already limited road access during emergencies and place additional pressure on utilities and services routed through the neighborhood. We have already been informed by service providers such as Comcast that the existing infrastructure is operating at high capacity and would not easily support such a large increase. Smaller townhomes, which were discussed in earlier plans, may have been manageable, but the current scale of this proposal is not. Having lived in one of Schneider's homes for many years, I am concerned about construction quality and do not believe it has improved significantly over time.

Our neighborhood also lacks basic conveniences such as grocery stores, gas stations, and other services. As a result, residents rely heavily on Pacific, which is already congested during peak times. These apartments will likely house multiple residents per unit, meaning far more than one vehicle per household. This increase in traffic would create serious challenges for current residents. In addition, it is unclear how local schools would accommodate the additional students, given existing space limitations and limited bus routes.

These concerns do not even account for the disruption and strain caused during the construction phase. With only one access point, residents would have no alternative routes, and construction would further impact local wildlife that is already limited in habitat. For these reasons, we respectfully but strongly urge the Council to reject this proposal.

Thank you for your time and consideration.

Sincere regards,

James and Amanda Fee

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Cepello, Jennifer

From: Holly Flom [redacted]
Sent: Thursday, December 25, 2025 10:07 AM
To: Cepello, Jennifer
Subject: 53rd / Pacific apartment proposal

Follow Up Flag: Follow up
Flag Status: Completed

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Jennifer,
I would like to address 3 issues concerning the proposed new apartment construction on 53rd/Pacific.

1) encroachment into the wetland set back. A hard no! With the floods and heavy rains we get in this area, we need that wetland riverbed area to remain as is. In the 5 years I have lived here, that area has been flooded no less than 3 of the years. It also is home to many species, recently a family of beavers have moved into the area. We have an extensive wet lands animal and plant population that requires continued protections.

2) increased traffic on 53rd street. Unless the city can figure out another means for the residents to enter and leave this area, increased traffic of even an additional 100 people, will cause significant problems.

3) lack of support services in the area. We do not have any support services, such as gas stations, grocery, school options

4) a three story housing unit really doesn't fit into the current aesthetics of the area. I equate it with plopping a city high rise in the middle of a farm.

As a resident of the area, I am opposed to treating the three lots as a single lot. And I oppose any encroachment onto the creek/river/wetlands set backs, the set backs/wetlands are there for a reason. The proposed apartment complex needs to take into account atmosphere and access limitations of the current surrounding neighborhoods. The increased traffic onto the single road also is concerning and is a potential safety problem.

Thank you for allowing me to voice my concerns, Holly Flom

_____
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Cepello, Jennifer

From: Bill Gsell [redacted]
Sent: Thursday, January 1, 2026 5:04 PM
To: Cepello, Jennifer
Subject: Proposed apartment complex development on 53rd ave.

Follow Up Flag: Follow up
Flag Status: Flagged

[WARNING! This email came from outside our organization. Do NOT click unknown attachments or links in email.]

January 1, 2026

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 12 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,

William and Louise Gsell

[redacted]

[redacted]

_____

Cepello, Jennifer

From: Katie Guaschino [redacted]
Sent: Friday, January 2, 2026 5:00 PM
To: Cepello, Jennifer
Subject: against 53rd

Follow Up Flag: Follow up
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i am writing as a resident within the limits of this proposed 108 unit apartment complex on 53rd. We live at 4992 willetta st sw.

We are AGAINST this proposal as it will increase traffic down our 'local traffic only' road. We already get people speeding down our road trying to beat lights, etc. We have young children who like to play outside and this poses a huge risk to them.
Also, bringing in low income residents in that volume will increase foot traffic, unsavory activity, crime, etc. We already have issues with people using our road as a drinking spot and other various crimes, especially on that corner of willetta and 53rd. There is already open access through the wetlands to the backs of all of our properties. We dont need teens, etc wandering around behind our properties where there is no line of sight from the road, making all of us on Willetta easy targets. The more traffic there is on 53rd, the more likely we are to have people wandering around. We have young children on this road who homeschool and are home all day and need a safe place in their backyard to play without worrying about unsavory people wandering through the woods, doing God knows what in there, or heave forbid, preying on our children in one way or another.
We moved here because WIlletta was a quiet road with a private neighborhood.
THe addition of these 108 units, with multiple occupants per unit, will bring in an exponential amount of foot, driving, etc traffic through the whole area.
With that many vehicles and people being introduced to the area will force more and more people walking and driving down our 'locals only' road. Unless you have a way of enforcing this will not occur, this 108 unit apartments isnt feesable for this area/neighborhood.
This is all not to mention the impact this unit will have on the eco system of the wetlands, the strain on the environment, the increased trash, etc.

I wish I could be more eloquent in my writing but as I just foudn out about the 5pm deadline, I am left fever typing trying to get our argument to you on time. If there is a public hearing, we will be there.
I know everything I say is repeated by all of our neighbors. We dont want more traffice. We dont want more people. We dont want more crime. We dont want more drinking and drugs on our street. This unit will ruin the haven we all moved onto this street to have.

Thank you
Katie Guaschino

Cepello, Jennifer

From: Holly Fellows [redacted]
Sent: Friday, January 2, 2026 5:02 PM
To: Cepello, Jennifer
Subject: Proposed Development Comments

Follow Up Flag: Follow up
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Jennifer,

See comments on 53rd Ave development. I live at 5085 Elk Run Dr SW. I believe we are within 1,000 feet of the site but we did not receive a notice from the city.

Site Plan Review Criteria (ADC 2.450)
(8) The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.

Comment: The proposed project does not meet this criterion, as presented. The site plan shows no improvements to 53rd Ave SW to mitigate the vehicle trips generated by 108 new units. At a minimum, the intersection of Willetta St SW and 53rd Ave SW should have marked crosswalks, and a dedicated left turn lane at that intersection from 53rd into the subject property's main driveway (could be developed within existing middle turn lane). In addition, the intersection of Pacific and 53rd Ave SW is the only access point into the existing subdivision off 53rd Ave. More research is needed to fully understand the public safety and emergency management impacts of an additional 108 units.

Natural Resource Impact Review Standards (ADC 6.310)

A. **(2) There are no other reasonably feasible options or locations outside the Significant Natural Resource overlay districts for the proposed activity on the subject parcel.** Comment: The proposed project does not meet this criterion. The site plan can be reasonably and feasibly modified to avoid development in the Significant Natural Resource overlay district by reducing the number of units/building square footage on the subject parcel(s).

Regards,

Holly Halligan
[redacted]

Sent from my iPhone

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Cepello, Jennifer

From: Josh Hanson [redacted]
Sent: Wednesday, December 31, 2025 3:21 PM
To: Cepello, Jennifer
Subject: Apartment application on 53rd comment

Follow Up Flag: Follow up
Flag Status: Flagged

[WARNING! This email came from outside our organization. Do NOT click unknown attachments or links in email.]

To whom it may concern,
I am a property owner within the 1,000 feet of this proposed development, at 1550 Beaver ct Sw.
Several reasons why this location is a very poor choice:
1-53rd serves a few hundred homes and is only inlet/outlet to the entire neighborhood. Over 100 apartments would make the traffic conditions at the intersection of pacific and 53rd dangerous for vehicles as well as pedestrians. Only way this can be mitigated is if another access is created elsewhere from the existing development. Or this kind of complex being built across pacific, that was traffic mitigation could be planned.
2-It's a couple acres of wetland and riparian environment, this apartment complex completely wipes out this environment. And allowing a developer to buy a few acres in another part of the state and dumping water on it to call wetland shouldn't be allowed, it's not creating a true wetland environment. I thought Oregon was suppose to be leaders in environmental protections, not so if this is allowed.
3-the schools that this apartment development falls under are already stretched and overcrowded, this would exacerbate that problem.
4-home owners in near by existing development bought in this area because it didn't have large apartments near by, it brings down home ownership values, it reduces home ownership desires, and would be a major eye sore at entrance to our neighborhood.
5-SAFETY:When the cell tower was allowed to be built, one of the requirements was no structures could be in the circle of the cell tower in case it became structurally unsound and fell, such as in an earthquake. On the plans it shows 3 main apartment building directly under this umbrella, if they are allowed in this area then that is ignoring safety measures put in place. If those protocols get changed then I would have to ask who is getting paid to make that happen.
6-Apartments of this size bring in multiple levels of economic ability, usually on the lower end, with that petty theft increases, accidents increase, home invasions increase.
7-The profits of this development go out of state, to a builder in Washington. Yes the city gets the property tax but the city will get this no matter the location they are built within city limits. This same home builder built most of the homes in our neighborhood, they are poorly built, lots of corners cut, and their will be no difference in the quality of these apartments, they would not be high end, and again us in Albany or even in Oregon do NOT benefit from a company profiting that is based out of state.

WE highly discourage any acceptance of this building application. If it goes through, we will be looking for another city to pay taxes in.

Josh and Meredith Hanson
[redacted]

Cepello, Jennifer

From: Jason Alicia Hayzlett [redacted]
Sent: Thursday, January 1, 2026 11:31 AM
To: Cepello, Jennifer
Subject: Proposed apartment complex near 53rd Ave

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]
Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for nearly 21 years, and we are deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of our primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect. Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. We are currently seeing first-hand how this is affecting the Meadow Ridge/Timber Ridge schools. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce

perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act. Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. We strongly oppose this project and implore you to deny the necessary approvals. The long-short of it is, just because there is a small piece of open land space, doesn't mean the City of Albany has to fill it; not only that, but fill it with something that has so many negative impacts to Albany residents and our protected wetland spaces. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,
Jason & Alicia Hayzlett
[redacted]

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Cepello, Jennifer

From: Jim Hill [redacted]
Sent: Wednesday, December 31, 2025 5:00 PM
To: Cepello, Jennifer
Subject: SP-15-25

Follow Up Flag: Follow up
Flag Status: Flagged

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Hi Jennifer,

This is in regards to the land use application SP-15-25.

I oppose the proposed 108-unit apartment complex near 53rd and Pacific Blvd for the following reasons.

1. Traffic Congestion & Safety Risks

There is only one way in and out of the neighborhood off of 53rd. Adding a 108-unit apartment complex can generate 300-500+ additional vehicle trips per day. I am concerned that the addition will lead to traffic bottlenecks during morning and evening peak hours. Increased risk of collisions. Difficulty for residents turning in or out of the neighborhood.

2. Emergency Access Concerns

A single access point already presents a risk in emergencies.
Increased traffic could delay: Fire trucks, Ambulances, Police response.

In the event of: A major accident, A fire, Natural disaster or evacuation, the entrance could become blocked, leaving residents trapped.

This proposed development worsens an existing safety vulnerability.

3. Incompatibility With Neighborhood Design

High-density apartments at the entrance can: Change the established character of the neighborhood, Create a sharp transition from low-density residential to high-density housing, The entrance acts as the "front door" of a neighborhood--placing a large complex there affects community identity and cohesion.

Density and placement matter; this is not an appropriate transition zone.

4. Property Value Impact

Congestion, noise, and parking spillover can: Reduce curb appeal, Make homes harder to sell, Negatively affect long-term property values.

Buyers often avoid neighborhoods with traffic bottlenecks at entrances.

I am not opposed to development or additional housing. However, placing a 108-unit apartment complex at the only entrance to our neighborhood creates significant safety, traffic, emergency access, and quality-of-life concerns. This location is not appropriate for high-density housing, and I respectfully request that the city reconsider this placement or require substantial redesign and mitigation.

Sincerely, Jim Hill

I have lived in this neighborhood since July 2007.

[redacted]

_____

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Cepello, Jennifer

From: Garageworks 1 [redacted]
Sent: Wednesday, December 31, 2025 3:57 PM
To: Cepello, Jennifer
Subject: Apartment complex

Follow Up Flag: Follow up
Flag Status: Flagged

[WARNING! This email came from outside our organization. Do NOT click unknown attachments or links in email.]

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 10 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,

Mason Holloway
[redacted]

_____
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Cepello, Jennifer

From: Joel Jamison [redacted] >
Sent: Thursday, January 1, 2026 3:29 PM
To: Cepello, Jennifer
Subject: 53rd St Development

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd Ave SW. I have lived here for 15 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

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Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times, especially our area, where there is only one entrance/exit route. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational

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In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this very critical matter. I look forward to your response, and hope to see this proposal rejected based on doing the right thing, and not succumbing to the pressure of a developer/group who have absolutely ZERO ties to our community, other than squeezing every available dollar from us.

Sincerely,
Joel & Karen Jamison
[redacted]
[redacted]

Cepello, Jennifer

From: Dana Jensen [redacted]
Sent: Monday, December 29, 2025 4:28 PM
To: Cepello, Jennifer
Subject: Proposed Apartments at 53rd and Pacific in Albany

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Ms. Cepello:
I have been a resident of the Bridgefield development for 20 years. The back of my house faces 53rd Avenue.
I am extremely concerned about the proposed apartment development at the corner of 53rd and Pacific. Development at that intersection is challenging and hazardous. Examples are:

- There is only one entrance to and from the Bridgefield complex. Construction of the apartments with the associated vehicles will impact movement. If there was (heaven forbid) an event at the apartments requiring emergency vehicles, it could affect vehicles from entering or leaving Bridgefield.
- Cars travelling up and down 53rd do not always follow the speed limit. I frequently hear speeders and accelerating vehicles from my home. This would be dangerous for vehicles entering or leaving the proposed development.
- Will new left turn lanes be introduced to 53rd to accommodate entrance to the proposed development? The road is not very wide, I am not sure how feasible it would be to modify it.
- People walk, run, bike, and walk their dogs along the entire length of 53rd. Students walk to and from school. Vehicles entering and exiting the new development could endanger the pedestrians and bicyclists.
- Vehicles entering 53rd from Elk Run particularly occasionally pull in front of traffic going either way requiring oncoming vehicles to slow down. This is an artery and trucks and other commercial vehicles use it. This intersection is the closest to the new development. Slow downs to the east could cause issues with vehicles leaving the development with drivers not expecting the traffic to slow.

- When the former South Pacific Auto location is re-occupied, the corner of Pacific/53rd will have traffic entering the intersection and crossing the westbound lane into the left turn lane onto Pacific. If there is an entrance to the apartment complex anywhere close to that location, there is a major risk of accidents.
- The wetlands and floodplain to the west of the proposed development are essential to protecting the Bridgefield complex and surrounding neighborhoods from flooding. How will the developers channel runoff from a paved apartment complex without damaging a fragile and important ecosystem?
- I believe 53rd is the County/City boundary. If there are issues between my neighborhood and the proposed complex, will we have to deal with inter-jurisdiction issues?
- How will traffic entering and leaving the new development affect the patrons of the bowling alley? They already have to cross two lanes of traffic to proceed towards downtown Albany. Vehicles from the development will add to the southbound traffic.

I must stress that this is not a "Not In My Backyard" reaction. I am merely concerned about the impact on vehicular traffic, pedestrians, and the wetlands.

Thank you for your attention.

Sincerely,

Dana Jensen

[redacted]

[redacted]

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Cepello, Jennifer

From: Shauna Kahn [redacted]
Sent: Monday, December 22, 2025 8:57 AM
To: Cepello, Jennifer
Subject: Re: Automatic reply: Letter of concern

Follow Up Flag: Follow up
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Dear Members of the City Council and Planning Commission,

I am writing to submit additional comments in opposition to the proposed apartment complex at the entrance of our neighborhood, specifically regarding serious concerns about encroachment on riparian areas.

The riparian areas near this proposed development serve an important environmental function, including natural stormwater filtration, erosion control, flood mitigation, and wildlife habitat. Any encroachment or reduction of these protected areas risks long-term environmental damage not only to the immediate site but also to downstream properties and waterways.

Development in close proximity to riparian corridors often increases runoff, sedimentation, and pollutant discharge into nearby streams. This can worsen flooding risks, degrade water quality, and negatively impact native plant and animal species that rely on these areas for survival.

I am also concerned that allowing development to encroach on riparian buffers sets a troubling precedent. Once these natural protections are compromised, they cannot be easily restored, and future development pressure may further erode protections intended to preserve these sensitive areas.

Given the environmental significance of riparian zones and their role in protecting surrounding neighborhoods, I strongly urge the city to deny approval of any project that encroaches upon or reduces required riparian setbacks. At minimum, a thorough and

transparent environmental review should be conducted to fully evaluate the long-term impacts of this proposal.

For these reasons, I respectfully but firmly oppose the proposed apartment complex and ask the city to prioritize environmental stewardship and community safety in its decision-making.

Thank you for your time and consideration.

Sent from my iPhone

On Dec 22, 2025, at 7:59 AM, Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov> wrote:

I am out of the office. If you need immediate assistance during my absence, please call Community Development at 541-917-7550 or email cd.customerservice@cityofalbany.net.

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Cepello, Jennifer

From: Katy Kuhnert [redacted]
Sent: Friday, January 2, 2026 4:07 PM
To: Cepello, Jennifer
Subject: Opposition to apartments

Follow Up Flag: Follow up
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Good afternoon -
I just wanted to send a quick note expressing my opposition to the proposed building of apartments at Pacific and 53rd Street.

As a resident of the neighborhood, 53rd street is the only outlet for the both neighborhood's. Being a 1 outlet neighborhood makes the light at 53rd already congested. Adding apartments to the corner will increase the amount of traffic at the light significantly - with needs for cars to turn both directions in a very short turn lane space.

I hope the Albany planning department looks at the oppositions to this new build and takes them under advisement.

Thank you for your time. Spring meadows resident Katy Kuhnert.

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Cepello, Jennifer

From: Tracy L [redacted]
Sent: Tuesday, December 23, 2025 8:30 AM
To: Cepello, Jennifer
Cc: Tracy L
Subject: Proposed apartment complex at 53rd and Pacific

Follow Up Flag: Follow up
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Hello,

I live in the Spring Meadow/Brookfield neighborhood and was just made aware of the proposed apartment complex on 53rd. I am very concerned with all of the additional traffic this will bring to 53rd. It is the only way out of our neighborhood and the additional traffic could have catastrophic consequences if an evacuation of our neighborhood is ever required in the event of an emergency. It has already been noted that there is an existing concern of this bottleneck and a grant was given to do some clearing/clean up in the nature area surrounding our subdivision as part of a fire prevention effort.

According to the two HOA's websites we have around 600 homes not including the houses not in the HOA and on the south side of 53rd. With the addition of the apartments there would be well over 700 homes funneling out a single street. In the event of an emergency you can bet that would not end well.

Please consider the safety of our neighborhood and do not approve the proposed complex.

Tracy Leith
[redacted]

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Cepello, Jennifer

From: Nancy Lile [redacted]
Sent: Friday, January 2, 2026 4:23 PM
To: Cepello, Jennifer
Subject: 108 Apartment Units Planned at 53rd /99E

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

Dear Ms. Cepello, my husband and I are homeowners in Brookfield neighborhood off 53rd Avenue SW. I, along with numerous neighbors in my neighborhood and in adjacent Spring Meadow neighborhood are alarmed at the City Planning department proposal to build a large housing rental complex on the corner of 53rd Avenue and Pacific without any input from the three established neighborhoods that will be overwhelmingly affected.
This one street provides ingress and egress for hundreds of homeowners, land and farm owners. This is completely unsafe in regards to the higher traffic load that will occur with the proposed apartment complex. There is already a bottleneck during high traffic volume during the work and school week at Pacific and 53rd Avenue.
In the event of a fire outbreak or personal emergency, firetrucks and ambulances will face a longer response time. Has it been considered how dangerous 53rd Avenue will be in the event of a required mass evacuation? How are the riparian lands going to be affected? Oak Creek's water flow could be compromised by site construction dirt removal and trash, leading to flooding in severe rains.
There are numerous neighborhood issues that should be included and considered by the City Planning department before approving this building project. Thank you for listening to the residents' valid concerns.
Respectfully,
Nancy Lile
Brookfield Neighborhood

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Cepello, Jennifer

From: Jericha Lim [redacted]
Sent: Monday, December 22, 2025 8:17 AM
To: Cepello, Jennifer
Subject: Comment Opposing Proposed Apartment Development Near Our Neighborhood

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Planning Commission,

I am a resident of the neighborhood near the proposed apartment development at 53rd street. I am writing to express my opposition to this project.

Our area is a quiet residential neighborhood, and this development would likely increase traffic, noise, overcrowding, and safety risks, while also potentially lowering property values. These impacts would significantly affect residents' quality of life.

I respectfully ask the city to reconsider this proposal and fully evaluate its impact on our community before moving forward.

Thank you for considering my comment.

Sincerely,

Jericha Lim

Oak Creek Meadows Residents

_____

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Cepello, Jennifer

From: Bill Maddy [redacted]
Sent: Monday, December 22, 2025 10:06 PM
To: Cepello, Jennifer
Subject: 53rd Avenue Development Issue

Follow Up Flag: Follow up
Flag Status: Flagged

[WARNING! This email came from outside our organization. Do NOT click unknown attachments or links in email.]

I write in regard the the new development at 53rd Ave and Pacific Blvd, Albany.

Property owners within 1000 feet may have been notified of this development. However, this development is going to negatively affect hundreds of area residents that live more than 1000 feet from this site. It also potentially negatively affects the riparian and drainage area for Oak Creek. There are also no shopping, grocery, and/or gas stations nearby; this will result in a significant increase in an already high flow of vehicle traffic on 53rd Ave and Pacific Blvd (99E). There is only one inlet and exit for traffic on 53rd Avenue SW.
I have lived through the 1962 Columbus Day storm and the 1964 and 1996 floods. But, I don't believe that my neighbors, neighborhood or I are ready for this development disaster.

Bill Maddy
[redacted]
[redacted]

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Cepello, Jennifer

From: Jason Marquardt [redacted]
Sent: Wednesday, December 24, 2025 11:01 AM
To: Cepello, Jennifer
Subject: Concern about proposed apartment complex

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

Hello,

I saw that this address is open for public comment regarding the proposed apartment complex at 53rd and Pacific Hwy. My family and I live in the neighborhood behind this proposed complex, and we immediately became concerned upon hearing the plan for 108 apartments to be put in on the lot near the bowling alley. Specifically, I am concerned about the impact that this huge influx of residents will have on the surrounding wetlands and Oak Grove trail area. An increase in population of this size right next to the trail will undoubtedly lead to a fundamental change in the feel of the trail, and it may also lead to potential environmental damage.

Additionally, I seriously hope that the city plans to engage in a thorough study of how this proposed complex will affect traffic turning onto Pacific Hwy from 53rd. Will there be any alterations made to the traffic flow to account for the hundreds of additional people that will suddenly be living in our neighborhood?

Another thing to consider is what additional police resources will need to be allocated into the surrounding neighborhoods, as this apartment complex will almost certainly lead to an increase of people wandering into these neighborhoods and looking for trouble. I do not mean to malign people who live in apartments, as I myself lived in apartments for much of my life, and certainly most of the people who do live in apartments are decent, law-abiding people. However, we can all readily observe that there are invariably a few bad actors who tend to live in apartments, and that these bad actors tend to cause issues in the areas immediately surrounding the places where they spend time.

I hope that the city is taking all of this into account when deciding whether to approve this application, as this has the potential to completely change the character of the neighborhood that my family has come to cherish over these past eight years. Thank you for considering my thoughts about this.

Jason Marquardt

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Cepello, Jennifer

From: LaVonne Napier [redacted]
Sent: Friday, January 2, 2026 4:50 PM
To: Cepello, Jennifer
Subject: Argument Against the Proposed 108-Unit Apartment Complex at 53rd Ave & 99E, Albany, Oregon

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

Attn: Jennifer Cepello

As two of the residents land-locked in the 53rd Avenue neighborhood, we are responding to impacts generated from a developer's actions to our neighborhood and way of life.

We are against the building of the proposed 108-unit apartment complex at the corner of 53rd Avenue and Highway 99E presents significant and unacceptable impacts to the surrounding neighborhoods. Consideration of the burdens placed on existing residents in the three communities surrounding this proposed apartment complex include severe traffic congestion for nearby communities, questionable claims regarding affordable housing benefits, and environmentally damaging riparian encroachment along Oak Creek corridor.

As for the issue regarding severe traffic impacts on Brookfield and Spring Meadow Residents please understand that residents rely on a single point of egress—53rd Avenue—to reach work, school, and essential services. This roadway already experiences congestion during peak hours, and the addition of an 108-unit complex would dramatically increase vehicle volume. A development of this size will likely add compounding delays for residents who have no alternative route and funneling additional traffic into this constrained corridor will significantly lower air quality, worsen backups and increase commute times. Unfortunately, Emergency response times will also be compromised if congestion intensifies, particularly given the lack of secondary access points for these neighborhoods.

The proposal does not address the concerns of nearby homeowners who must live with the consequences of rapid, high-density, lower-income housing when placed abruptly into established neighborhoods without supporting infrastructure. Such choices can correlate with increased illicit activity or criminal behavior if not properly managed and deliberately outlined for nearby residents to understand.

Riparian encroachment and increased flood risk to Northern and Northwestern communities raises serious environmental and safety concerns. The proposal appears to allow the developer to severely impact the creek's natural capacity to hold and convey water in times of excess rainfall which in all likelihood will create overflow during heavy rain events. These communities are geographically isolated and more vulnerable to potential super flooding risk; any reduction in creek capacity directly threatens our homes and property without mitigating the impacts. There are many animals and plant species

including protected varieties that inhabit Oak Creek and the areas surrounding the neighborhoods that will be negatively impacted. Riparian zones exist for a reason: they protect waterways, wildlife, and people. Allowing encroachment for the sake of maximizing buildable land is short-sighted and places existing residents at unnecessary risk.

In conclusion, the proposed 108-unit apartment complex at 53rd Avenue and 99E poses significant risks to overall traffic flow, neighborhood safety, and environmental stability. The project, as currently envisioned, prioritizes developer interests over the well-being of long-standing communities. Until these concerns are fully addressed—with transparent planning, credible mitigation strategies, and genuine community engagement from all who will be impacted—the development should not move forward.

Sincerely,
Carol and LaVonne Napier
[redacted]

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Cepello, Jennifer

From: [redacted]
Sent: Wednesday, December 24, 2025 4:01 PM
To: Cepello, Jennifer
Subject: 53 st apartments

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

My name is Scott Normandin, I live on Beaver Ct in Brookfield Subdivision. I am not in favor of the apartments that are proposed to be built. I don't like them encroaching on the wetlands or the added traffic that it will bring to 53rd street.

Thank You,
Scott Normandin

_____
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From: roger nyquist
To: Martineau, David
Subject: Schneider Homes Inc application
Date: Wednesday, December 24, 2025 9:04:04 AM

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Mr. Martineau:

I write to you today to express my concerns about the Schneider Homes Inc application to build 109 apartments just west of Pacific Blvd on the south side of 53rd Street. As an adjacent property owner operating a successful small business at the current location for the last 20 years I have concerns in at least three areas.

The first is the plan to access our parking lot between the south side of the bowling center and our miniature golf course to route apartment resident traffic to Pacific Blvd. Our patrons generally come from the bowling center and walk to the miniature golf course to play and then go back to the bowling center to return the equipment. During the summer months we average 2000 patrons a month and I would estimate between 20% and 30% of those customers are under the age of 12. Routing outside traffic through that area of the parking lot creates an unthinkable risk. It is an unacceptable risk.

My second area of concern is parking for the apartment residents and their guests. I am interested in learning more from the applicant as to what the details are of what they envision in that regard.

I am also concerned about potential conflicts with noise that are inherent with putting such a large project next to a bowling center. I would be willing to pay 50% of the costs of a sound study so if the project goes forward it is done in a way that helps to minimize the potential conflicts.

I received the notice for the proposed project on December 19th. Many of the experts I would rely on to analyze this project are not available during the holiday break. I would like to make additional comments on the proposed project and ask that you keep the record open to comment through Wednesday February 4th at 5:00pm.

I would be interested in meeting with the applicants of this project to learn more about what they plan and to go over my concerns to see if those can be resolved, if they are so inclined.

Thank you for your consideration in this matter.

Roger Nyquist
Nyquist Ventures LLC

Cepello, Jennifer

From: Clevenger, Wayne (PacifiCorp) [redacted]
Sent: Monday, December 1, 2025 10:33 AM
To: Cepello, Jennifer; [redacted]
Subject: RE: [INTERNET] Project Review: SP-15-25; 5310 Pacific Blvd. SW

Follow Up Flag: Follow up
Flag Status: Flagged

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Developers are expected to create a Pacific Power work request for any development far in advance breaking ground for a development. This will help to avoid delays with supply chain items like transformers and streetlight material.
Builders and developers are expected to observe OSHA requirements for minimum approach distances from overhead power lines.
City or County approved drawings usually do not address the vertical clearances.
Failure to follow these guidelines can result in costly delays and alterations to your project.

Electric Service Requirements Manual 2022

Underground Manual

NOTE: YOUR GENERAL SERVICE NEEDS A METERBASE WITH A SAFETY BYPASS
Electric Service Requirements (pacificpower.net)

https://www.pacificpower.net/content/dam/pcorp/documents/en/pp-rmp/electric-service-requirements/meter-mounted-device/Meter-Mounted-Device-List.pdf

CALL INSPECTIONS IN BY USING THE BUILDERS HOTLINE
Builder's Hotline:..... 1-800-469-3981

From: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Sent: Monday, December 1, 2025 10:18 AM
To: Development Review Team <DevelopmentReviewTeam@cityofalbany.net>; Bliss, Candy <Candy.Bliss@albanyoregon.gov>; 'lance_roth@comcast.com' <lance_roth@comcast.com>; Ficek, Michael <Michael.Ficek@albanyoregon.gov>; 'Michael_Allen@comcast.com' <michael_allen@comcast.com>; 'thpo@grandronde.org' <thpo@grandronde.org>; 'David Bolin' <david.bolin@albany.k12.or.us>; EXTERNAL - Linn Co., Assessor <assessor@co.linn.or.us>; 'culturalresources@ctsi.nsn.us' <culturalresources@ctsi.nsn.us>; 'travis.vaughn@lumen.com' <travis.vaughn@lumen.com>; 'nwalbanyengineering@nwnatural.com'

Cepello, Jennifer

From: Kari Petersen [redacted]
Sent: Monday, December 22, 2025 8:25 PM
To: Cepello, Jennifer
Subject: Formal concerns re: SP-15-25, NR-03-25, RL-08-25

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Members of the City Planning Committee,

I am writing to formally express my opposition to the proposed development of 108 unit 7-building apartment complexes, at the location of 1190 53rd Ave, 1122 53rd Ave, & 5310 Pacific Blvd currently under review by the committee. I understand that an application for this project has been filed and is under consideration, and I appreciate the opportunity to share my concerns during this process.

My primary concern is the impact this development would have on public safety and traffic. The nearby neighborhood affected by this proposal consists of over 500 homes and currently has only one point of entry and exit. This additional developement will also have the same entry and exit onto 53rd. Adding additional developments without creating alternative access routes would significantly worsen traffic congestion and pose serious risks during emergencies. In the event of a natural disaster, fire, medical emergency, or evacuation order, a single access road could severely limit the ability of residents and emergency responders to move safely and efficiently.

In addition, I am deeply concerned about the proposed encroachment on nearby wetlands and the current unknown impact of such substantial construction. Wetlands serve a critical role in flood mitigation, water quality, and wildlife habitat. Disturbing or reducing these areas could increase flooding risks, negatively impact local ecosystems, and lead to long-term environmental consequences that may be difficult or impossible to reverse. I urge the committee to carefully consider both the immediate and cumulative environmental impacts of developing land so close to these sensitive areas.

Given the scale of the nearby neighborhood, the existing infrastructure limitations, and the environmental significance of the wetlands, I respectfully request that the committee deny this proposal or require substantial modifications that adequately address traffic safety, emergency access, and environmental protection.

Thank you for your time, consideration, and service to our community. I trust that the committee will carefully weigh these concerns as part of its review process.

Sincerely,
Kari Petersen

From: lancepugh@aol.com [redacted]
Sent: Thursday, January 1, 2026 12:58 PM
To: CD – Customer Service <cd.customerservice@albanyoregon.gov>
Subject: Apartments on 53rd St

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]
Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 20 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and

shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

For these reasons, I strongly object to the approval of the plans for these apartments and encourage you to deny the plans.

Respectfully,
Lance Pugh

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Cepello, Jennifer

From: Elizabeth Rapp [redacted]
Sent: Friday, January 2, 2026 3:34 PM
To: Cepello, Jennifer
Subject: Response to "Proposed 108-Unit Apartment Complex at Highway 99E and 53rd Avenue"

Follow Up Flag: Follow up
Flag Status: Flagged

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Please include my feedback in the group of Brookfield/Spring Meadow Residents who STRONGLY oppose the development of a 108-unit apartment complex at the intersection of Highway 99E and 53rd Avenue. **My reasons for opposition include traffic impact/emergency planning and response and riparian encroachment.**

TRAFFIC IMPACT/EMERGENCY PLANNING

I have lived in the community for four years. At the time I purchased I was oblivious to the fact that only one way in and out of the community exists.

In the case of a disaster (natural or man-made) which forces evacuation it would be impossible for our residential community to safely evacuate in a timely manner. My perspective is that this is due to the shortsightedness of prior Planning Commissions, focusing on revenue and increased housing density. Do not compound their mistake by adding additional traffic to our two lane access road.

Perhaps the Planning Commission could evaluate the Paradise, Butte County, California Planning Commission's actions both in the years prior to the 2018 Camp Fire and as a result of lessons learned from that fire. Essentially, the Safety Element of the town's 1994 general plan was updated in 2024 to better manage the public safety risks including ensuring residential developments in hazard areas must have at least two emergency evacuation routes.

In addition, I encourage our Planning Commission to review Albany's general plan and evaluate this recommendation to any neighborhood with a single egress point.

RIPARIAN ENCROACHMENT

The applicant requested that they be allowed to move dirt into the low-lying waterway of the Oak Creek corridor.

The Oak Creek corridor is a riparian corridor, a transition zone between water and drier land. In this area, moisture-loving plants filter water, prevent erosion, provide wildlife habitat, control flooding, and maintain water quality. It is a living buffer in which it is critical to minimize soil disturbance because of the impact on erosion and sediment buildup. Additional soil overlay on this area negatively impacts wildlife habitats, water movement, and drainage.

In conclusion, I urge the Planning Commission to vote NO on the 108-unit apartment complex at 53rd and 99E unless solutions to the above livability issues are implemented.

Respectfully,

Liz Rapp

[redacted]

[redacted]

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Cepello, Jennifer

From: hoops3220 [redacted]
Sent: Wednesday, December 31, 2025 10:16 PM
To: Cepello, Jennifer
Subject: Proposed Apartment Complex

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 10 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate.
Please open this to a public hearing where those being affected can voice concerns, of at least take these things into consideration when reviewing the proposed plan.
Cordially,
Dean and Sue Roberts
[redacted]

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Cepello, Jennifer

From: Jen [redacted]
Sent: Tuesday, December 23, 2025 7:29 AM
To: Cepello, Jennifer
Cc: Jeffrey e Robinson
Subject: apartments off 53rd

Follow Up Flag: Follow up
Flag Status: Completed

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Hi Ms Cepello:

We live at [redacted] in Albany near the bowling alley off 53rd and HWY 99.

It has come to our attention via an article on FB that an apartment complex is looking to be built off 53rd.

Our sole concern about this build is safety. Adding substantial housing in that location will greatly congest what is already the only in and out road to the already congested neighborhood. We are at the very end of Moose Run and knowing there is only one road out of this neighborhood (53rd) in an emergency is dangerous.

Please provide our feedback to those who are considering this. We are not in favor, but would actually request the city to consider opening another road.

Thank you so much!

Jen Robinson
(Jeff Robinson)

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Cepello, Jennifer

From: Judith & Ted Rockwell [redacted]
Sent: Friday, January 2, 2026 4:27 PM
To: Cepello, Jennifer
Subject: Proposed building construction at 53rd and Pacific

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Ms. Cepello;

My wife and I are home owners on BlackBear Ave. SW just off of 53rd. and near the proposed large housing project being proposed along 53rd near Pacific.

We are both opposed to this development at this location as proposed.
There are multiple reasons to oppose this proposed development:

1. The bulk of the area to be developed is wetlands and subject to flooding multiple times a year. This area is an important component of the Oak Creek watershed which is a part of the watershed of the Calapooia River. This wetlands actively performs flood water retention and augments the ability of the watershed to accommodate and reduce water flows. Removing flood water retention and storage will move flood waters down stream, where we live. The developer's proposal makes me and our fellow residents pay for their profit, should you approve their proposal. This is unfair, and it becomes a hidden tax that residents must pay for the decisions made by permitting authorities.

2. Previous planning efforts put forth that South Albany would be a "Community known for having Oak Creek as its 'front yard'; this is a community goal that needs to be respected and protected. It is easy to see that nothing has changed that would cause us to decide to degrade or destroy this community and regional asset.

3. The residents in the existing development to the north of 53rd have nurtured protected the wetlands, green belt that is adjacent to their homes. The area to be destroyed by the proposed commercial development is a contiguous part of the Oak Creek wetlands and green belt. There is no need to destroy this area, which should be further protected, when there is available other land, not wetland, within the immediate vicinity of the proposed development. In fact, immediately to the north of this property is abandoned commercial vacant property for sale which could accommodate the housing being proposed without having to destroy any existing natural areas.

4. There is currently concern about the safety of existing residents to evacuate on the single residential road that provides ingress and egress to the development. The addition of hundreds of additional vehicles at the very obvious pinch point, where 53rd meets Pacific, seems ill advised and seems to reflect poorly on any planning effort undertaken by the project proponents or the City.

There are many more objections to this proposal but by limiting notification to neighbors further away than 1000 feet the city has effectively stifled informed discussion and comment.

Please enter my comments into the official record for this proposed project and city action.

Thank you.
Ted

Judith & Ted Rockwell
[redacted]

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Cepello, Jennifer

From: Guaschino [redacted]
Sent: Friday, January 2, 2026 4:59 PM
To: Cepello, Jennifer
Subject: arguemnt against 108 unit 53rd

Follow Up Flag: Follow up
Flag Status: Completed

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

I am writing as a resident within the limits of this proposed 108 unit apartment complex on 53rd. We live at 4992 willetta st sw.

We are AGAINST this proposal as it will increase traffic down our 'local traffic only' road. We already get people speeding down our road trying to beat lights, etc. We have young children who like to play outside and this poses a huge risk to them.
Also, bringing in low income residents in that volume will increase foot traffic, unsavory activity, crime, etc. We already have issues with people using our road as a drinking spot and other various crimes, especially on that corner of willetta and 53rd. There is already open access through the wetlands to the backs of all of our properties. We dont need teens, etc wandering around behind our properties where there is no line of sight from the road, making all of us on Willetta easy targets. The more traffic there is on 53rd, the more likely we are to have people wandering around. We have young children on this road who homeschool and are home all day and need a safe place in their backyard to play without worrying about unsavory people wandering through the woods, doing God knows what in there, or heave forbid, preying on our children in one way or another.
We moved here because WIlletta was a quiet road with a private neighborhood.
THe addition of these 108 units, with multiple occupants per unit, will bring in an exponential amount of foot, driving, etc traffic through the whole area.
With that many vehicles and people being introduced to the area will force more and more people walking and driving down our 'locals only' road. Unless you have a way of enforcing this will not occur, this 108 unit apartments isnt feesable for this area/neighborhood.
This is all not to mention the impact this unit will have on the eco system of the wetlands, the strain on the environment, the increased trash, etc.

I wish I could be more eloquent in my writing but as I just foudn out about the 5pm deadline, I am left fever typing trying to get our argument to you on time. If there is a public hearing, we will be there.
I know everything I say is repeated by all of our neighbors. We dont want more traffice. We dont want more people. We dont want more crime. We dont want more drinking and drugs on our street. This unit will ruin the haven we all moved onto this street to have.

Thank you
steven Guaschino

Cepello, Jennifer

From: Shauna Kahn [redacted]
Sent: Monday, December 22, 2025 7:59 AM
To: Cepello, Jennifer
Subject: Letter of concern

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Members of the City Council and Planning Commission,

I am writing to formally express my opposition to the proposed apartment complex being built at the entrance of our neighborhood. While I recognize the need for additional housing within our city, I am strongly against this project being placed in this specific location due to the negative impacts it would have on our community.

The increase in traffic at the neighborhood entrance presents serious safety concerns. This road was not designed to handle the volume of traffic a large apartment complex would generate, and the added congestion would increase risks for pedestrians, cyclists, children, and emergency vehicles.

In addition, the intersection of 53rd and Pacific is already highly congested during morning commute hours. Traffic regularly backs up, causing delays and safety concerns. Adding a large number of new residences at this location would further worsen congestion at this intersection, increasing wait times and the likelihood of accidents.

I am also concerned about the strain this development would place on existing infrastructure, including water, sewer, drainage, and electrical systems, which may not be adequately sized to support high-density housing without costly upgrades.

The placement of a large apartment complex at the entrance of a single-family neighborhood could negatively impact nearby property values through increased noise, light pollution, and reduced neighborhood appeal.

Parking overflow is another significant concern. If on-site parking proves insufficient, apartment residents and guests may use neighborhood streets, further increasing congestion and reducing available parking for homeowners.

There are also environmental concerns associated with this project, including the loss of green space, increased stormwater runoff, and potential flooding risks that could affect surrounding homes.

Finally, I am concerned about the public process and long-term precedent this project would set. Approving high-density apartments at the entrance of an established neighborhood could lead to additional developments of similar intensity without sufficient community input.

For these reasons, I respectfully but firmly oppose the approval of the proposed apartment complex at this location and ask the city to reconsider this plan or explore more suitable alternatives.

Thank you for your time and consideration.

Sincerely,

Shauna Kahn
Homeowner
[redacted]

Sent from my iPhone

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Cepello, Jennifer

From: [redacted]
Sent: Friday, January 2, 2026 9:31 AM
To: Cepello, Jennifer
Subject: 53rd St Apartments

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello.

My name is Susan Normandin and I live at [redacted]w. I am strongly opposed to the building of the apartments on 53rd St. I believe ii will greatly impact traffic that is already heavy at times I am also very concerned about the possible impact on the wetlands, Thank you for your time.
Susan Normandin

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Cepello, Jennifer

From: Larry Robinett [redacted]
Sent: Tuesday, December 30, 2025 3:54 PM
To: Cepello, Jennifer
Subject: 53rd st Apartments

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Jennifer, I am writing to express our deep concerns regarding the proposed development of apartments on 53rd Street, near Falcon Street. We believe that this project will lead to increased congestion at the entrance and exits of 53rd Street, exacerbating the already frequent accidents at the intersection of Pacific Boulevard and 53rd Street. Furthermore, we are worried about the potential impact on the wetlands and wildlife, particularly the deer population in the area. Additionally, we fear that this development may lower property values in our neighborhood. The Animal Kingdom neighborhoods have only one entrance and exit, raising safety concerns in the event of emergency evacuations. Thank you for your attention to this matter. Best regards,

Larry Robinett
Tina Scalise

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Cepello, Jennifer

From: Pollyanna Schosha [redacted]
Sent: Wednesday, December 31, 2025 10:07 PM
To: Cepello, Jennifer
Subject: Apartment complex proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[WARNING! This email came from outside our organization. Do NOT click unknown attachments or links in email.]

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 10 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,
Ben and Pollyanna Schosha
Sent from my iPhone

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Cepello, Jennifer

From: Jodie Bowens-Shilling [redacted]
Sent: Friday, January 2, 2026 2:19 PM
To: Cepello, Jennifer

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Planning Commission and City Council Members:

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for almost 14 years, and I am deeply concerned about the negative impacts this development will have on our community, specifically traffic. I urge you to reject this rezoning without proper traffic changes to adjust to the bottle neck this will create.

I am a proponent to apartments even in my own backyard. However my biggest concern is this development will exacerbate traffic congestion in an area already challenged by suburban growth. This doesn't take into account that we are a one outlet community either. This will create safety hazards for pedestrians, cyclists, and families walking and driving to school and work.
Another concern in adding 3 bedroom apartments will bring in families, not just singles and students. That includes multi car families of adults and teenagers to add to the traffic problems we already have. Lastly, the fact that Albany has added so much housing from here to the menonite home and we have zero grocery stores on the south and southwest end of town. Where is the city development for that? I feel this development is not well thought out and I ask that you consider rejecting at this time until a better traffic plan can be created.

Respectfully,
Jodie and Eric Shilling
[redacted]

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Cepello, Jennifer

From: Phillip Smith [redacted]
Sent: Friday, January 2, 2026 6:25 PM
To: Cepello, Jennifer
Subject: Comment on Notice of Filing: 1190 53rd Ave, 1122 53rd Ave, 5310 Pacific Blvd

Follow Up Flag: Follow up
Flag Status: Completed

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To Whom It May Concern,
I am writing as a concerned citizen to formally oppose the proposed mixed-use commercial zoning and the construction of a 100+ unit apartment complex at **1190 53rd Ave, 1122 53rd Ave, and 5310 Pacific Blvd in Albany, Oregon (97321).**
While I understand the need for additional housing, this proposal raises serious concerns related to infrastructure capacity, neighborhood safety, and environmental impact in this area of Albany.

First, the roadways serving this location are not designed to accommodate the substantial increase in traffic that would result from a development of this size. The primary access routes into and out of the surrounding neighborhood already experience congestion during peak hours. Introducing hundreds of new residents, along with service vehicles and delivery traffic, will exacerbate congestion, increase safety risks for pedestrians and cyclists, and strain roads that were never intended to support high-density residential use.

Second, this area lacks the basic services needed to support a development of this scale. There is **no gas station within two miles**, and the **nearest grocery store is more than five miles away**. A development of this size would require residents to make longer vehicle trips for everyday needs, further increasing traffic volumes and undermining the goals of sustainable, walkable community planning.

Equally concerning are the **environmental impacts** associated with this proposal. The project area includes or directly abuts a **riparian corridor, wetlands, and portions of the floodplain**. These natural features play a critical role in stormwater management, groundwater recharge, and habitat protection. Increasing impervious surfaces and altering natural drainage patterns in or near these sensitive areas raises the risk of flooding, erosion, and long-term degradation of local ecosystems. Once disturbed, these environmental assets are difficult, if not impossible, to fully restore.

Finally, the surrounding neighborhood infrastructure - including schools, emergency services, utilities, and drainage systems - was not designed for a sudden and significant increase in population density. To date, there has been little clarity regarding how these impacts will be mitigated or who will bear the long-term costs.

Growth is important, but it should be carefully planned and responsibly located. Approving a large, high-density residential development in an area that lacks adequate transportation capacity, essential services, and environmental resilience risks creating lasting problems for both existing residents and future tenants.

I respectfully urge the planning commission and city leadership to reconsider this zoning change, require a comprehensive traffic and environmental impact analysis, and evaluate alternative locations better suited for high-density development.

Additionally, I understand that only the homes within 1,000 feet were provided notice to comment. I would strongly urge you to reconsider this – the impact of building on the corner of 53rd Ave and Pacific Blvd affects every resident that lives down 53rd Avenue (considering there is only one way in and out of the neighborhood): more than 500 single family homes, and the vast majority having multiple vehicles/multiple driver-age residents and dependents.

Thank you for your time and for considering the concerns of those who live in and care deeply about this community.

Sincerely,

Phillip B Smith III, TPCP® CRPC® AIF®
Financial Planner
Schedule A Meeting
450 Country Club Road Suite 350 | Eugene, OR 97401
Phone: 458.247.7665
Fax: 541.484.4271
Text: 541.249.7979
tidepoolwealth.com phillip.smith@ceterawealth.com

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Cepello, Jennifer

From: Chris Spellings [redacted]
Sent: Tuesday, December 23, 2025 9:01 AM
To: Cepello, Jennifer

Follow Up Flag: Follow up
Flag Status: Flagged

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Apartment buildings on 53rd SW

As a long time resident of Albany and specifically the Springmeadow development, I have several concerns.
1- Traffic impact. There is already a backup at the intersection of 53 rd and Pacific during peak periods. It is often necessary to wait through several cycles before entering Pacific.
Traffic on Pacific has been increasing steadily and will increase even more so as development on Ellingson is completed.
2- Wetland impact- how will this be mitigated? Much of the area where building is planned is a designated riparian area and home to a variety of wildlife.
3- School impact. Will new schools be planned to house these incoming students. As far as I can see, there is no room on the campuses of Liberty, Memorial or West Albany to add more classrooms.
4- Most importantly, Emergency Evacuation. How will all these additional people affect the exit strategy of the neighborhood in case of fire, flood or other disaster? It would seem that the additional 100+ vehicles they are planning for would significantly block the exit for the rest of the area. This really needs to be addressed by planners before this project is approved.

Thank you for your consideration.
Chris Spellings
Deer Run Drive SW

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Cepello, Jennifer

From: [redacted]
Sent: Tuesday, December 23, 2025 12:39 PM
To: Cepello, Jennifer
Subject: 53rd Apts

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello. I would like to say I am very against the proposed apartments for 53rd St. I Live in Brookfield and feel there is already a lot of traffic on 53rd. I also have concerns about the wetlands. Thank you for your time.

Susan Normandin

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Cepello, Jennifer

From: Melissa Riddell Turk [redacted]
Sent: Tuesday, December 30, 2025 8:11 PM
To: Cepello, Jennifer
Subject: 1190 53RD AVE, 1122 53RD AVE, & 5310 PACIFIC BLVD

Follow Up Flag: Follow up
Flag Status: Flagged

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Dear Ms. Cepello:

I am writing with questions and concerns regarding the site plan review for the proposed apartment complex on SW 53rd & Pacific (specific address referenced above). Of greatest concern is the existence of only one entry and exit for the homes and neighborhoods off SW 53rd and the safety risks that presents to current residents. This is not simply a matter of convenience but could have life or death consequences should there be a need for evacuation of those homes/neighborhoods. The risk at the forefront of my mind is the risk associated with wildfires, in part because the City of Albany has already identified this area as being at risk and has even engaged in mitigation activities to address vegetation surrounding this area. Currently, there is one way in and out of this area and it is one lane in each direction. We've known this would be an issue in the event of the need for evacuation the addition of 108 dwelling units. It is estimated that on average each unit is associated with 1.3 to 2 or more vehicles. Given the lack of grocery stores and robust public transportation in this area of Albany, it seems likely there would be more vehicles rather than fewer. On an average day, this has the potential to create significant traffic considerations and delay, but would likely have dire consequences in the event of an emergency evacuation.

I'm curious what, if any, review has occurred to consider impact of additional traffic on the safety of those living in the current residences should evacuation be necessary. Before plans are approved, I ask that a comprehensive assessment occur and plans be implemented or modified to improve the safety of all residents living in this area.

Thank you in advance for your consideration of the above information.

Sincerely,

Melissa Riddell Turk

Get Outlook for iOS

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From: Bev Weaver [redacted]
Sent: Monday, December 22, 2025 11:04 AM
To: CD – Customer Service <cd.customerservice@albanyoregon.gov>
Subject: FW: Apartment Permits for 53rd Street In Albany Opposition

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From: Bev Weaver
Sent: Monday, December 22, 2025 10:56 AM
To: 'Jennifer.Cepello@albanyOregon.gov' <Jennifer.Cepello@albanyOregon.gov>
Subject: Apartment Permits for 53rd Street In Albany Opposition

Jennifer:

I would like to oppose the building of Apartments on the 3 parcels on 53rd street near the bowling alley in Albany.

I live in the Spring Meadow's Subdivision and have the following concerns:

1. **Traffic and congestion** on 53rd street along with the 53rd Street and Highway 99/Pacific Blvd intersection. This traffic concern was addressed with the Morman church submitted to build on the property that is now the park. Traffic turning right onto Hwy 99 can not see to make a right-hand turn on red if any one is in the turn lane to turn onto 53rd, so that backs up. In addition, 53rd street is the only entrance and exit for the 650 homes of SpringMeadow plus the hundreds of homes in Brookfield. With the additional of over 100 living quarters this would put significant stress on exiting in case of an emergency.
2. **Encroachment of the Riparian**. Adding to the risk of pollution into Oak Creek and the Calapooia Rivers and disruption of Fish, Frogs, homes of Birds and Deer that habitat in the wetlands area of 53rd.
3. More entries onto the Oak Creek Nature trail use causing more erosion and exposure.
4. Loss of "Dead-end" privacy into the subdivisions – opportunity of drawing more crime into the secluded neighborhood.

Thank you for your considerations in denying approval to merge the 3 lots and permitting over 100 Apartments to be built.

Beverly J Weaver
Homeowner
[redacted]

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Cepello, Jennifer

From: Kelly Weinberg [redacted]
Sent: Tuesday, December 23, 2025 11:49 AM
To: Cepello, Jennifer
Subject: 108 Apartments off Pacific/53rd St.

Follow Up Flag: Follow up
Flag Status: Flagged

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As a homeowner in the animal kingdom, I am wondering two things.

One is it sensible, let alone safe, to have only one entrance into this many dwellings? How will this affect the traffic out here?

Secondly, how is this going to affect the creek, wetlands, and the overall ecosystem of an area like this. We live on the side of the development that butts up to the wetlands and are not allowed to build on, take down any trees unless safety is at issue, or any changes other than managing tree limbs and such. We truly love our natured area out here.

We live more than 1000 ft. from this planned development, but it seems that this is poor planning in at least these two ways!

Just because a space is empty, do we really need more apartments? Affordable housing is what is needed in Oregon, not just more, more, more.

Kelly Weinberg

Sent from Yahoo Mail for iPhone

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Cepello, Jennifer

From: Dee Wendler [redacted]
Sent: Saturday, December 27, 2025 5:52 PM
To: Cepello, Jennifer
Subject: Subject: 108 Unit Housing Development at 53rd & Pacific Blvd

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]
Greetings,

We are submitting an email in opposition to the proposed housing development by Schneider Homes Inc. at the southwest corner of 53rd street and Pacific Boulevard in Albany, Oregon. The developer is proposing 108 apartment units with 156 adjacent parking spaces. The sole entry into the complex will be off 53rd street. The proposed layout shows 7 separate 3 story apartment buildings as well as a clubhouse and adjacent parking. We have several concerns with the proposed project:

1. *Egress for the Spring Meadow and Brookfield Subdivisions*. Over 450 homes are located in these subdivisions. There is one route for ingress and egress: 53rd street. The City is proposing adding an additional 108 units. This does not provide for adequate egress from the neighborhood in the event of an emergency evacuation due to flood or fire.
2. *Increase in traffic congestion and negative impact on bicycle and pedestrian safety*. The City has not completed a traffic study of the area since 2010. *That was 16 years ago*. Traffic on Pacific Boulevard (Highway 99E) has *significantly* increased since 2010 due to the rise in population. Adding these units so close to the intersection of 53rd & Highway 99E will significantly impact people's ability to get into and out of the Spring Meadow & Brookfield subdivisions. This is further impacted by the single proposed left turn from 53rd to enter the new apartment complex.
3. *Zoning at the proposed site is MUC - Mixed-Use Commercial District*. The definition of this zoning states, in part:
    a. "The MUC zoning district is intended primarily to provide a mix of convenience commercial, personal services, offices and ***medium*** density residential uses. The district would typically be anchored by a grocery store and may include a mix of smaller retailers, offices, live-work units, and residences."
4. A few points related to this:

    a. We haven't seen ANY mention of other mixed uses being added — only housing. No grocery stores, no offices, no personal services. If a grocery store did want to go in, where would they go, and where would be the entrance & exit for the traffic access? 53rd Street again? At this point, the ONLY land that will be left for any development of needed retail to support a population of over 550 would be the South Pacific property.
    b. The housing that is proposed does NOT appear to be medium density - rather it is seven 3 story buildings of housing, 108 units total, plus a clubhouse, and 156 parking spaces. This increases housing served by 53rd street by 50%, just for residential alone - and that doesn't count any increased traffic for future retail to retain the "mixed use" designation.
    c. In reading the City's Notice of Filing, the development will be in an area with overlay districts for "Riparian Corridor, Significant Wetlands, and Floodplain". How is the wetland designation being mitigated? Is the City allowed to override the Wetlands designation, given the abundant amount of birds, wildlife and the protected species of turtle found in the adjacent wetlands?
    d. The developer has applied for an encroachment into the “riparian corridor” of Oak Creek, which runs along the south side of the property. Has the City confirmed that the Division of State Lands has given them permission for this? If so, who approved it, and when?
5. *Lack of transparency and communication by the City*. We are very disappointed in the City's lack of proactive communication and transparency regarding this proposed housing. It took a reporter's story to bring this matter to light -

and if the reporter hadn't, the apartments would likely have been passed by City Council before anyone in the adjacent 450 home neighborhood off 53rd street knew anything about it. If the City wants people to support development (and they should, since we do need it given growth), then they should strive for transparency and proactive communication and allow residents to have input on the planning process - not try to notify the minimum number of people required and pass it before anyone is aware and can bring up potential issues.

Please respond confirming receipt of this email.

Thank you,

Denise I. Wendler
Charles C. Hays
[redacted]

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Cepello, Jennifer

From: Melinda Wooten [redacted]
Sent: Monday, December 22, 2025 11:45 AM
To: Cepello, Jennifer
Cc: Curtis Wooten
Subject: Comments on Application: SP-15-25, NR-03-25, RL-08-25

Follow Up Flag: Follow up
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Hi Jennifer,
My husband and I are submitting public comment regarding the applications referenced above, which propose a 108-unit residential development on property located approximately 100 feet from our home on Alandale Avenue. We are strongly opposed to approval of this project.

Because our property directly abuts the proposed development area, this project would have a significant and direct impact on our daily lives. We are concerned about increased noise, light pollution, traffic, and the potential for trash and debris migrating into our neighborhood, even with proposed fencing or barriers. There is also concern about contaminating the aquafer which we rely on for drinking water.

Our most serious concern, however, is the impact this development would have on wildlife and the integrity of the greenbelt. When we purchased our home, it was our understanding that this property was part of a protected greenbelt area that helps with drainage in our neighborhood. That greenbelt plays an important role as a wildlife corridor and drainage area. We regularly observe deer, raccoons, opossums, owls, bats, and other wildlife moving through this space and onto our street.

Preservation of green space was a significant factor in our decision to choose Albany and to purchase our home in this location. Albany's stated commitment to protecting natural resources and open spaces was something we valued and trusted. Approval of this project would represent a troubling departure from that commitment and would set a concerning precedent for future development on designated greenbelt land.

We respectfully request that the City deny approval of this project or, at a minimum, require a more rigorous evaluation of environmental impacts, wildlife displacement, drainage concerns, and neighborhood compatibility. We also question why alternative locations, such as the recently vacated commercial property near Pacific Boulevard and 53rd Avenue, are not being prioritized over development of sensitive greenbelt land, especially given the massive home developments east of Pacific Avenue.

Thank you for considering our comments. We understand housing is an issue in Albany but vehemently protest the use of greenbelt/greenbelt adjacent development. We appreciate the opportunity to provide input and hope the City will carefully weigh the long-term environmental and community impacts before making a decision.

Sincerely,
Curtis & Melinda Wooten

Melinda Wooten
KW Strategems

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

Notice of Decision

Site Plan Review, Replat, and Natural Resource Impact Review

SP-15-25, RL-08-25, & NR-03-25 February 19, 2026

Application Information

Proposal:	Site Plan Review to construct a 108-unit multi-dwelling development, Natural Resource Impact Review for the encroachment into the Riparian Corridor, and a Replat application to consolidate three lots into one unit of land.
Review Body:	Planning Staff (Type I-L review)
Staff Report Prepared By:	Jennifer Cepello, project planner
Property Owner/Applicant:	Schneider Homes Inc.; 6501 Southcenter Blvd, Ste. 1, Tukwila, WA 98188
Applicant's Architect:	Roger Newell AIA; 1102 19th Avenue E., Seattle, WA 98112
Address/Location:	1190 53rd Avenue., 1122 53rd Avenue, and 5310 Pacific Blvd.
Map/Tax Lot:	Linn County Assessor's Map No. 11S-04W-24DA Tax Lots 01200 & 01300; 11S-04W-24 Tax Lot 00606
Zoning:	Mixed Use Commercial (MUC) & Open Space (OS)

On February 19, 2026, the City of Albany Community Development Director granted **APPROVAL WITH CONDITIONS** of the application described above.

The City based its decision upon consideration of applicable standards and review criteria listed in the Albany Development Code (ADC) with an effective date of May 23, 2025. The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW, Albany, OR 97321. For more information, please contact Jennifer Cepello, project planner, at 541-917-7561 or Current Planning Manager, David Martineau at 541-917-7555. The staff report is available for review at albanyoregon.gov/cd/projectreview. Paper copies can be made available by request.

The City's decision may be appealed to the Albany Planning Commission if a person with standing files a completed notice of intent to appeal and the associated filing fee no later than 10 days from the date the City mails the notice of decision [ADC 1.220(7)]. The applicants may proceed, at their own risk, prior to the end of the appeal period, provided they sign a Release and Indemnity Agreement with the City. This approval expires in three years unless 1) the applicant has installed all of the required public infrastructure related to the development and the infrastructure has been accepted by the City, or 2) the applicant has provided financial assurance for all required public

infrastructure per ADC Section 12.600, or 3) the development did not require public infrastructure, a valid building permit exists for new construction or improvements, and work has commenced.

Signature on file
Community Development Director

Appeal Deadline: March 5, 2026

Approval Expiration Date (if not appealed): February 19, 2029

Attachments: Information for the Applicant, Location Map, Site Plan

The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

Conditions of Approval

Condition 1 **Archeological Discovery.** Prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.

Condition 2 **Bicycle Parking.** Prior to the issuance of building permits, the applicant must provide the lighting details within each of the bicycle shelters and the location of all curb cuts providing access to the bicycle parking areas.

Condition 3 **Electrical Vehicle Charging**. Prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.

Condition 4 **Exterior Lighting.** Prior to any issuance of occupancy, all exterior lighting must be arranged to reflect light away from abutting or adjacent properties.

Condition 5 **Walkways.** Prior to the issuance of any occupancy the applicant must demarcate the pedestrian crossing within the travel aisle by a different color, texture or elevation from the parking and driving areas.

Condition 6 **Pedestrian and Bicycle Connectivity.** Prior to the issuance of building permits, the developer shall provide to Public Works and the Planning Department a site circulation plan with a direct and convenient pedestrian and bicycle access through the site to adjacent properties, uses, and public right-of-way.

Condition 7 **Buffering Standards.** Prior to any occupancy, all required buffering landscaping must be installed.

Condition 8 **Landscaping**. Prior to the issuance of final occupancy, all landscaping must be installed or financially insured under ADC 9.190(1)

Condition 9 **Irrigation of Required Landscaping**. An irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.

Condition 10 **Infrastructure.** Prior to connecting to the public sanitary sewer for a new sanitary sewer service an Encroachment Permit must be obtained from the Public Works Department

Condition 11 **Infrastructure.** Prior to connecting to the public water main for proposed fire line, the applicant must obtain a Site Improvement permit from Public Works Department.

Condition 12 **Infrastructure.** Prior to connecting to the public storm drainage system for a new storm service an Encroachment Permit must be obtained from the Public Works Department.

Condition 13 **Erosion Control.** Prior to any ground disturbing activities, the applicant must obtain an Erosion Prevention and Sediment Control Permit for Public Works Department and install Best Management Practices.

Condition 14 **Transportation.** Prior to the issuance of any occupancy, the applicant shall construct a new driveway approach to 53rd Avenue at the size and location shown on the approved site plan. The existing driveways along 53rd Avenue and upon Pacific Boulevard must be removed. All work shall be constructed to City Standards under a Public Works encroachment permit. The applicant shall restrict left turn movements leaving the site including the following:

- Right-in/Right-out restriction at eastern 53rd Avenue access. This access shall have a “pork-chop” style restriction meeting City of Albany standards.
- Western 53rd Avenue access shall include median transition restriping of center-turn lane to be a left-turn pocket of approximately 75 feet as shown on the approved site plan.
- Remove and replace driveways not being used with standard curb and gutter. Work in Pacific Boulevard will require an ODOT permit.

Condition 15 **Transportation.** Prior to final plat, the developer shall provide a reciprocal access and parking easement for the benefit of all properties within the Village Center.

Condition 16 **Transportation.** Prior to any occupancy the developer shall construct all shared vehicle, pedestrian, and bicycle connections to adjacent properties within the Village Center.

Condition 17 **Stormwater.** Prior to issuance of any building permits, the applicant must apply for stormwater quality permit through the City’s Public Works Department. Prior to final occupancy the applicant must construct stormwater quality and detention facilities that comply with the City’s Engineering Standards.

Condition 18 **Natural Resources.** The applicant or property owner must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

Condition 19 **Natural Resources.** A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the

expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation.

Condition 20 **Natural Resources.** Tree replacements must have a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed.

Condition 21 **Natural Resources.** Prior to the issuance of a development permit, the submitted wetland delineation must receive concurrence from the Oregon Department of State Lands.

Condition 22 **Natural Resources.** Nonnative grasses and forbs will be removed with a broad-spectrum herbicide such as Roundup (glyphosate) applied at labeled rates in late spring and thereafter as required to prepare the site for seeding.

Condition 23 **Natural Resources.** The invasive Himalayan blackberry must be removed from the mitigation planting area.

Information for the Applicant

Please read through the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the land use decision. They are Albany Municipal Code (AMC) or ADC regulations, or administrative policies of the Planning, Public Works, Fire, or Building Departments that you must meet as part of the development process. You must also comply with state, federal, and local law.

PLANNING

1. Land use approval does not constitute building or public works permit approvals.
2. **To complete the replat process:**
    a. **Submit a final partition plat to the City Planning Division for review and approval.**

       Note: The Linn County Surveyor also needs to review the final plat. These reviews should be done concurrently. Contact the County Surveyor's Office to learn about their current processes, fees, and possible other expenses (Property taxes must be current, for example).

    b. The survey and final plat must be prepared by a registered professional land surveyor (Oregon Revised Statutes).

    c. If applicable, pay or segregate any existing City liens on the property, and pay or finance any other fees due as a result of the land division. Contact the Finance Department at 541-917-7533 to make these arrangements.

    d. After the City signs the final plat, it will be returned to the applicant for recording.

    e. **After recording, and before the City will accept a permit application** to develop either parcel, the property owner must return one copy of the recorded final plat to the Albany Planning Division.

Expiration of Land Use Approvals (ADC 1.310)

3. All land use approvals, except Type IV approvals, shall expire three years from the date of approval, unless:

    a. The applicant has installed all of the required public infrastructure related to the development, and the infrastructure has been accepted by the City, or the applicant has provided financial assurance for all required public infrastructure per Section 12.600, or the first phase, if the development was approved for phased construction; or

    b. If the development did not require public infrastructure, a valid approved building permit exists for new construction or improvements, and work has commenced; or

    c. Phased Subdivisions or Planned Developments. When an applicant desires to develop and record final subdivision plats covering portions of an approved tentative plat in phases, the City may authorize a time schedule for platting and otherwise developing the various phases not to exceed five years for all phases. Each phase that is platted and developed shall conform to the applicable requirements of this title; or

    d. An extension has been filed before the expiration date and subsequently granted approval pursuant to Section 1.320.

PUBLIC WORKS – ENGINEERING

4. The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While the information we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in part, upon the information provided, we specifically advise that you independently field verify the information contained within our records.

BUILDING

5. The proposed project may require permits that will need to be applied for at: albanyoregon.gov/permits. For questions about permitting requirements, please email cd.customerservice@albanyoregon.gov.

6. The proposed design has not been reviewed for code compliance with the Oregon Building Code and the design will need to meet the applicable Oregon Building Code requirement in effect at time of application.

ALBANY FIRE DEPARTMENT

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****

7. This project will be addressed off 53rd Avenue SW.

8. 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 to the structure. (OFC 503.1.1)

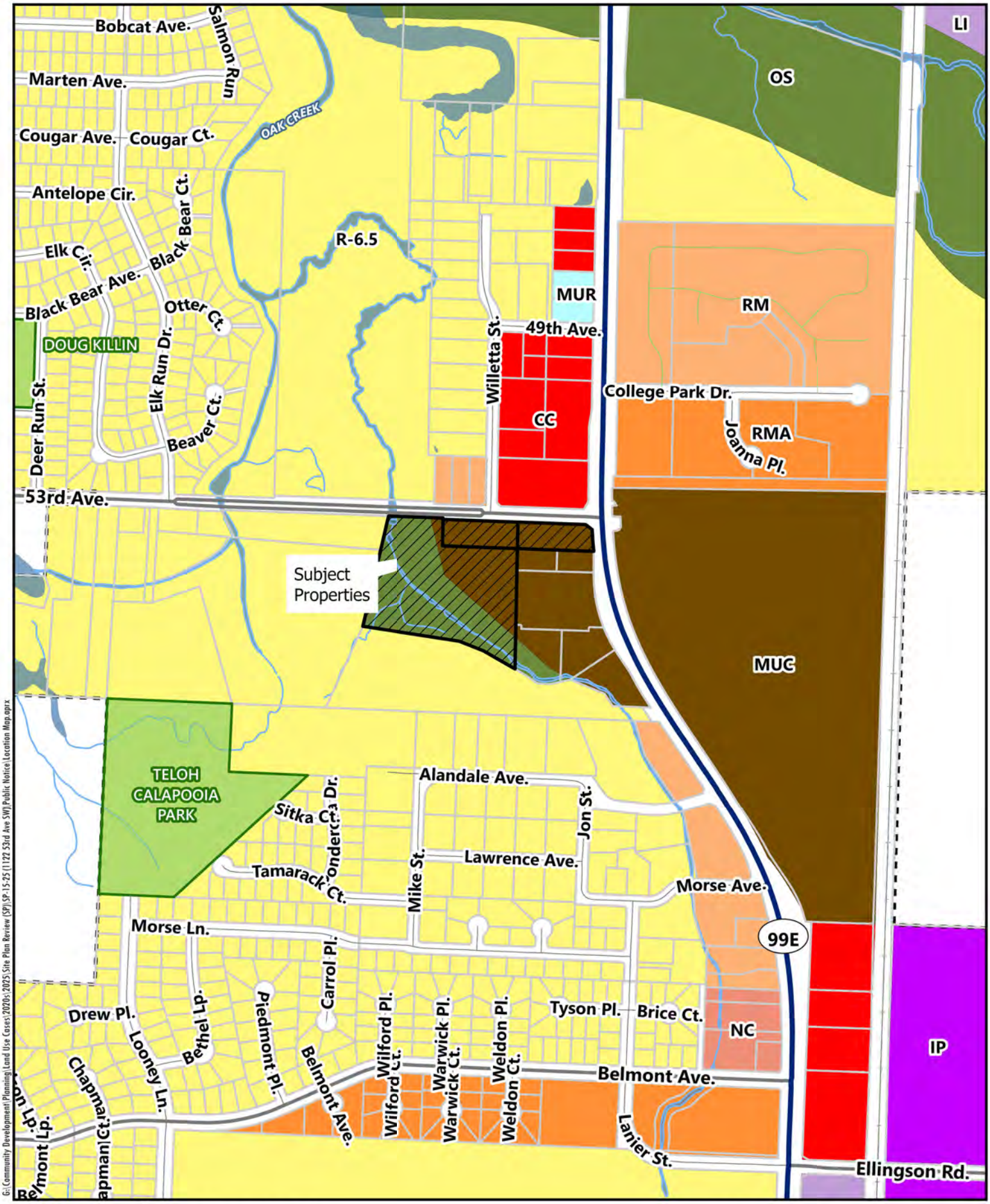
9. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4).
10. This proposed project is located within a "Protected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area 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)
11. Location of any Fire Department Connections (FDCs) that will serve any fire sprinkler system(s) protecting your buildings shall be installed at a location approved by the Albany Fire Department and shall be provided with approved STORZ fitting. The FDC shall be located near the site entrance so as not to obstruct subsequent arriving fire apparatus and within 40 feet of a fire hydrant (public fire hydrants whenever possible). The FDC shall be located out of the building collapse zone (1.5x the height of a building away). (OFC 903.3.7 and Albany Fire Department Requirements)

OREGON DEPARTMENT OF TRANSPORTATION

12. Access is proposed to the site at two locations on 53rd Avenue SW, and by using the existing Lakeshore Lanes approach location along OR99E. by way of a proposed access easement. The City of Albany is the permitting jurisdiction for access to 53rd Avenue SW and ODOT is the permitting jurisdiction for access to OR99E. Based on the current proposal and submittals, an Application Form for State Highway Approach would be needed for the proposed site access using the existing OR99E Lakeshore Lanes approach. This is based on OAR 734-051-3020 Change of Use of a Private Connection criteria being met.

COMCAST

13. The removal or conversion to underground of the existing poles will be at the expense of the developer.



G:\Community Development\Planning\Land Use Cases\2020s\2025\Site Plan Review (SP)\SP-15-25 (1122 53rd Ave SW)\Public Notice\Location Map.aprx

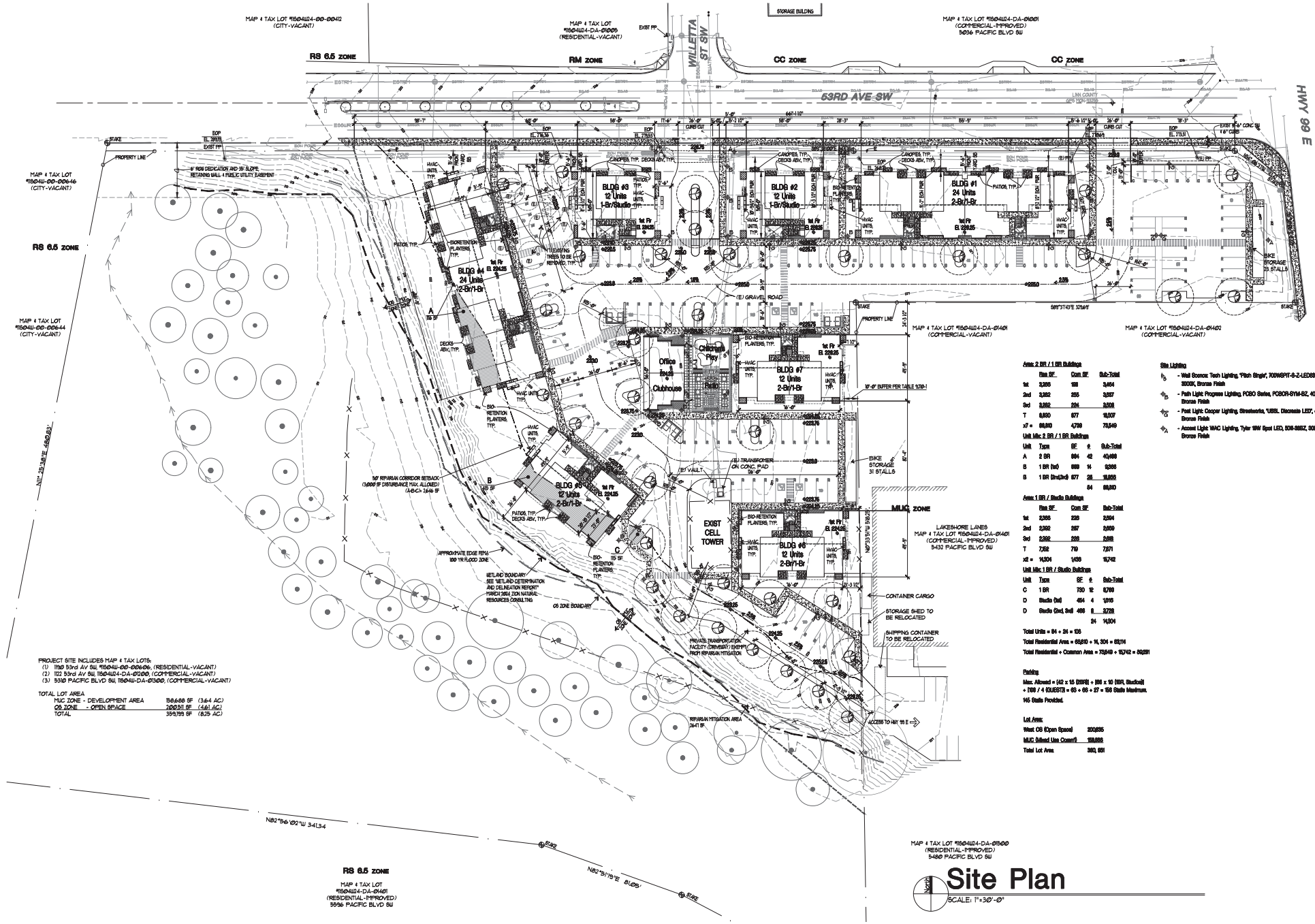
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0 210 420 Feet

Date: 8/25/2025 Map Source:

5310 Pacific Blvd. SW

Location Map



09-05-25 SITE PLAN REVIEW

The Loren at Brookside
Schneider Homes
Albany, OR

A100

PROJECT NO. 2020.4

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

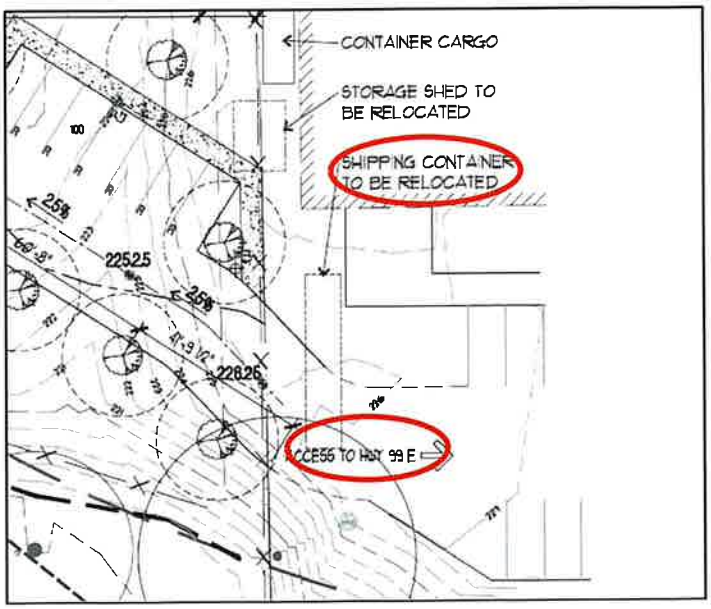
February 20, 2026

Roger Nyquist
Nyquist Ventures LLC
2896 Firwood Pl. SE
Albany, OR 97321

Dear Mr. Nyquist,

Regarding Decision for Site Plan Review, Replat, and Natural Resource Impact Review
City of Albany Planning Files SP-15-25, RL-08-25, & NR-03-25
Address: 1122 53rd Avenue SW, 1190 53rd Avenue SW, 5310 Pacific Boulevard SW
Linn County Assessor's Map No. 11S-04W-24DA; Tax Lots 1200, 1300, & 606

This letter serves as confirmation and acknowledgment that the Notice of Decision for the proposed development on the properties included in above land use decision that was issued on February 19, 2026, herein referenced as the "Schneider Development", does not impose any conditions of approval that require changes or actions outside of the property boundaries contained in the application. (Not withstanding any required improvements in adjacent the rights of way of the City of Albany or Oregon Department of Transportation) Specifically, the Notice of Decision issued for the Schneider Development contains a copy of the approved site plan which contains two call outs; one referring to an existing shipping container wholly located on property owned by Nyquist Ventures, LLC, and another note indicating access to HWY 99E. For clarity an image is shown below.



These call outs are shown for reference purposes only and refer to a potential future scenario in which access from the Schneider Development would obtain legal access through Nyquist Ventures, LLC property, to HWY 99E. If this were to occur, based on that particular scenario, the existing shipping container would need to be relocated and a legal easement from Nyquist Ventures, LLC would need to be granted. Neither of these two items are required at this time.

In summary, the mere presence of these two notes shall not be construed/interpreted, implied or otherwise, as a condition of approval of the Schneider Development, nor does it place any requirement, condition, or grant of permission to the Schneider Development that would impact or result in any action on the adjacent Nyquist Ventures, LLC at this time, by way of the Notice of Decision referenced above.

I hope this helps provide clarity on this topic and for continued clarity in the future, a copy of this letter will be included in the case file for this land use decision. If you have any questions or concerns, please do not hesitate to contact me by phone at 541-917-7674 or by email at matthew.ruettgers@albanyoregon.gov.



Matthew Ruettgers
Community Development Director

MADDY PROPERTY COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

TRAFFIC IMPACT STUDY

ALBANY, OREGON

PREPARED BY
LANCASTER ENGINEERING

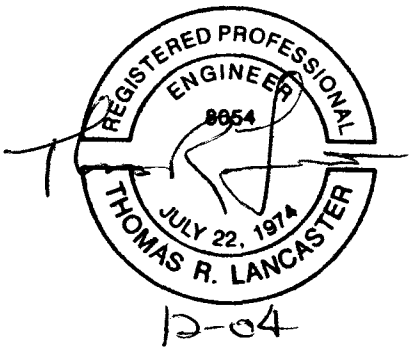
JUNE 2004

LANCASTER
engineering

MADDY PROPERTY COMPREHENSIVE PLAN AMENDMENT AND ZONE CHANGE

Traffic Impact Study

Albany, Oregon



12-04

Prepared By
GEOFFREY JUDD, E.I.T.
TOM LANCASTER, P.E., P.T.O.E

June, 2004

Union Station, Suite 206 ▪ 800 NW 6th Avenue ▪ Portland, OR 97209 ▪ Phone 503.248.0313 ▪ Fax 503.248.9251

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EXECUTIVE SUMMARY

1. Several tax lots are proposed for a change in zoning in the City of Albany, Oregon. The site is predominantly located in the southwest quadrant of the Highway 99E/53rd Avenue intersection, although a small portion of the site is located on the north side of 53rd Avenue. Access to the site will be via driveways onto Highway 99E and 53rd Avenue.

2. When compared to the current zoning, the proposed zone change is expected to result in a net increase of 104 new trips during the morning peak hour and 166 new trips during the evening peak hour. There will be a total net increase of 1,686 new weekday trips.

3. Sight distance at the proposed highway access was determined to be adequate. It was not possible to measure sight distance at the 53rd Avenue access due to road construction and it is recommended that sight distance be examined upon completion of the proposed access.

4. All of the study intersections are currently operating acceptably during the morning and evening peak hours according to ODOT and City of Albany standards. In all of the future scenarios, all of the intersections are forecast to continue to operate acceptably under both the current and proposed zoning scenarios.

5. The ODOT right-turn lane warrants were evaluated for the Highway 99E/site access intersection for all scenarios studied. The warrants are met under all future scenarios. However, the close proximity to the signalized Highway 99E/53rd Avenue intersection limits the length of this right-turn lane. If a right-turn lane is installed, it is recommended that a right-turn lane be designed such that it will fit within the available distance.



INTRODUCTION

Several tax lots in Albany, Oregon have been proposed for a change in zoning to accommodate future development. The parcels are located along 53rd Avenue SW, to the west of the intersection with Highway 99E.

The purpose of this study is to assess the traffic impact of the proposed zone change on the nearby street system and to recommend any required mitigation measures. The analysis will include detailed trip generation calculations, intersection operational analyses, queuing analyses, examination of ODOT's right-turn lane warrants, and discussion of site access points.

Detailed information on level of service, traffic counts, trip generation calculations, level of service calculations, queuing calculations, and ODOT's right-turn lane warrants is included in the appendix to this report.

LOCATION DESCRIPTION

Several parcels have been proposed for a change in zoning in Albany, Oregon. The parcels are located on 53rd Avenue SW, west of the intersection of Highway 99E/53rd Avenue SW. The table below shows the tax lot numbers, size, and current and proposed zoning.

ZONING SUMMARY

Linn-Benton Bowling Center

Tax Lot	Size (acres)	Current Zoning	Proposed Zoning
1005	1.11	RS-6.5	RM-5
1300	0.84	MUR	MUC
1200	0.85	RS-6.5	MUC
602	0.82	MUR	MUC
603	0.70	MUR	MUC
604	3.49	MUR	MUC
606	1.93	RS-6.5	MUC
606	4.67	RS-6.5	OS

RS-6.5 - Residential Single Family
RM-5 Residential Limited Multiple Family
MUR - Mixed-Use Residential
MUC - Mixed-Use Commercial
OS - Open Space

The Oregon Department of Transportation (ODOT) and the City of Albany have requested an analysis of the intersections of Highway 99E at 53rd Avenue, Highway 99E at the proposed site driveway, and 53rd Avenue at the proposed site driveway. A vicinity map showing the existing lane configurations with planned traffic control devices at the study intersections is provided on page seven.

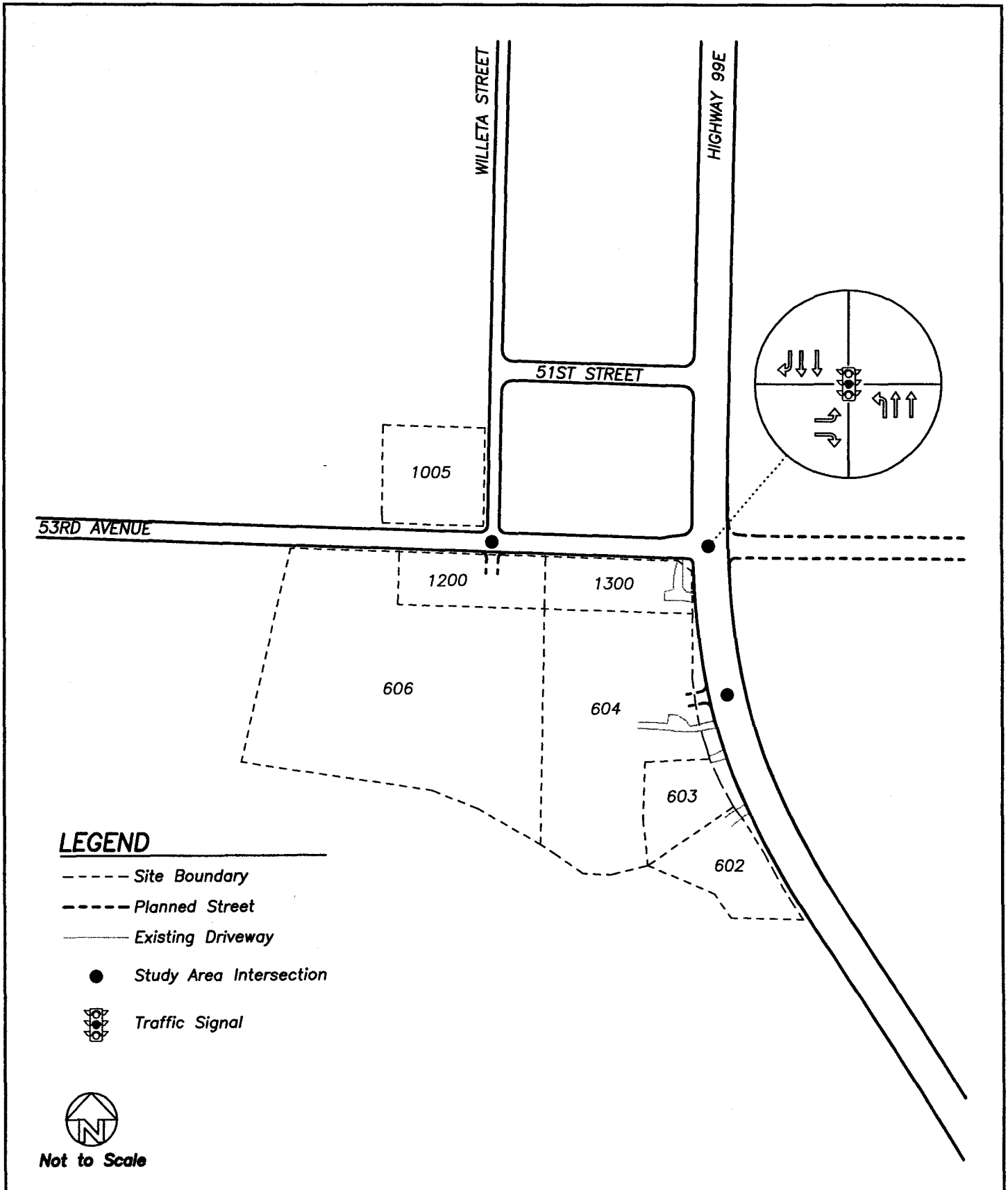
Highway 99E is under the jurisdiction of ODOT and is classified as an Urban Regional Highway in the *1999 Oregon Highway Plan*. It is also classified by the City of Albany as a Principal Arterial. It is generally a five-lane road near the site with two travel lanes in each direction and a center turn lane. There are bike lanes, curbs, and sidewalks on both sides of the road. The road was undergoing construction at the time of this traffic study to provide additional road width between 51st Avenue and 53rd Avenue and a southbound right-turn lane. The posted speed near the site is 50 mph.

53rd Avenue SW is under the jurisdiction of the City of Albany and is classified as a Major Collector. The road was undergoing construction at the time when the data was collected for this traffic study. Upon completion of this construction, the road will be a two-lane facility with curbs and sidewalks on both sides of the road.

The intersection of Highway 99E and 53rd Avenue was under construction at the time of data collection. Upon completion of this construction, it will be a standard signalized three-legged intersection. The 53rd Avenue approach will have exclusive left-turn and right-turn lanes. The northbound highway approach will have an exclusive left-turn lane and the southbound highway approach will have an exclusive right-turn lane.

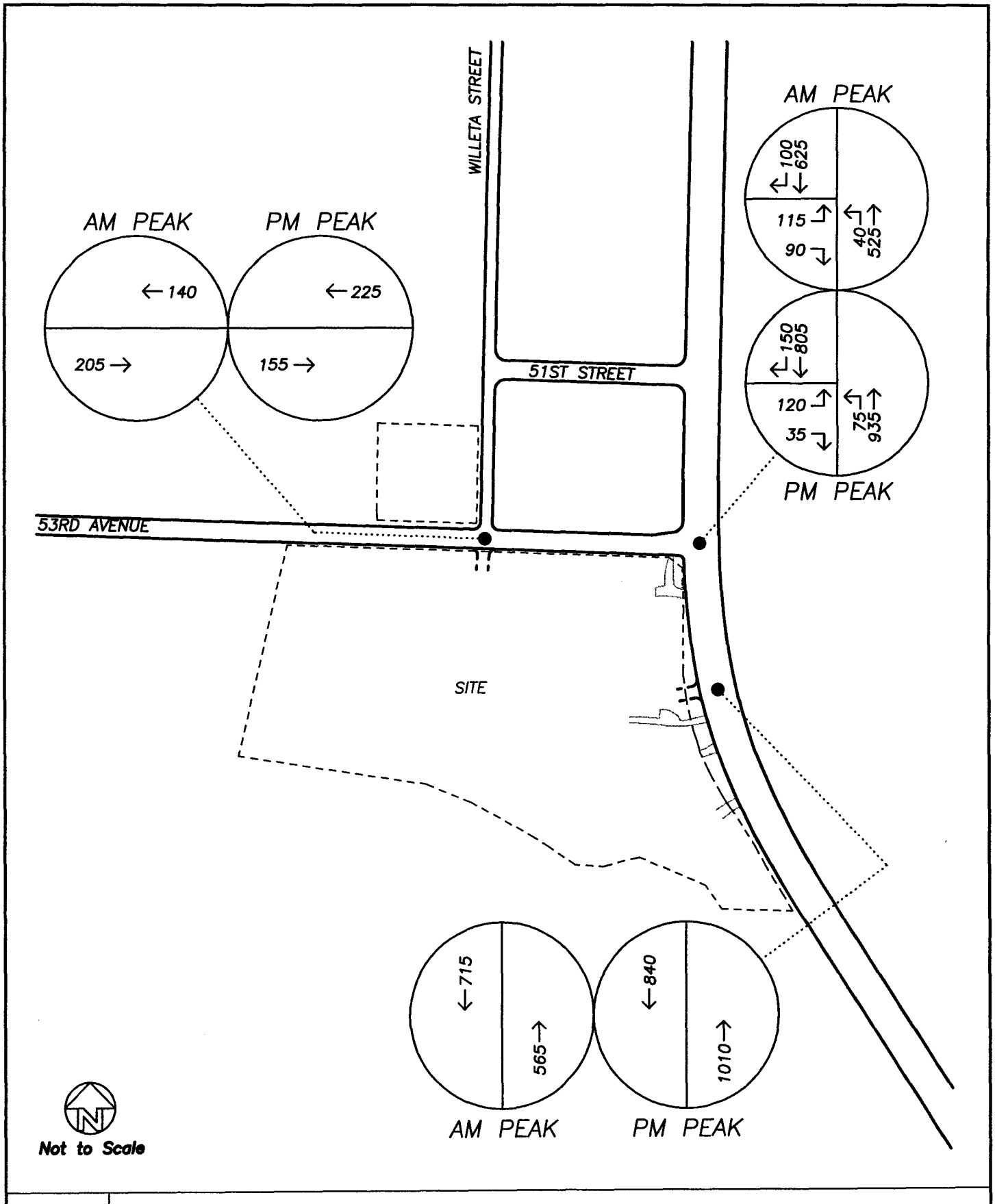
There is transit service near the site. Albany Transit Route 1, *Morning Express*, Route 3, *Mid-day*, and Route 4, *Afternoon*, run along Highway 99E in front of the site with stops located at 51st Avenue and College Park Road. Total service runs from about 7:30 a.m. to about 5:30 p.m. with buses about every hour.

Because the study area is under construction, current traffic counts would not reflect normal conditions in the area. Historical traffic counts from a *Traffic Signal Warrant* analysis prepared by Kittelson & Associates in July 2002 were used. The Kittelson report was analyzing the need for and operations of a signal at the Highway 99E/53rd Avenue intersection in the near and long term horizons. The 2003 traffic volumes from the Kittelson report were used as existing conditions for this study. The volumes for the morning and evening peak hours are shown in the traffic flow diagram on page eight.



VICINITY MAP
Existing Intersection Configurations & Traffic Control Devices

Maddy.dwg



TRAFFIC VOLUMES
Existing Conditions
AM & PM Peak Hours

Maddy.dwg

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TRIP GENERATION

When a zone change is proposed, a reasonable worst-case development, from a trip generation standpoint, under the current zoning is typically compared to a reasonable worst-case development under the proposed zoning. The current Comprehensive Plan predicts transportation needs based on the current zoning designations. When that designation is changed, there is a potential for additional traffic impacts if the new zoning is more traffic intensive.

There are several tax lots included in this proposed change in zoning. The total area of the all of the parcels being rezoned is approximately 14.41 acres. The following table shows the tax lot number, size of the lot, current and proposed zoning, and worst-case development under each zoning designation.

1e

ZONING SUMMARY

Maddy Zone Change and Comprehensive Plan Amendment

Tax Lot	Size (acres)	Current Zoning	Development	Proposed Zoning	Development
1005	1.11	RS-6.5	5 SFDH	RM-5	18 Apartments
1300	0.84	MUR	5 SFDH 1,450 sf Retail	MUC	5,500 sf Retail 1,850 sf Office
1200	0.85	RS-6.5	3 SFDH	MUC	5,350 sf Retail 1,785 sf Office
602	0.82	MUR	5 SFDH 1,425 sf Retail	MUC	5,350 sf Retail 1,785 sf Office
603	0.70	MUR	4 SFDH 1,200 sf Retail	MUC	4,550 sf Retail 1,525 sf Office
604	3.49	MUR	22 SFDH 6,100 sf Retail	MUC	16 Lane Bowling 4,500 sf Restaurant
606	1.93	RS-6.5	7 SFDH	MUC	12,610 sf Retail 4,200 sf Office
606	4.67	RS-6.5	0 SFDH	OS	Wetlands
Total	14.41		51 SFDH 10,175 sf Retail		18 Apartments 33,560 sf Retail 11,160 sf Office 16 Lane Bowling 4,500 sf Restaurant Wetlands

RS-6.5 - Residential Single Family (4.3 units per acre)

RM-5 - Residential Multi-Family (16.7 units per acre)

MUR - Mixed Use Residential (20% Retail, 80% Residential {8 units per acre})

MUC - Mixed Use Commercial (75% Retail, 25% Office)

OS - Open Space

SFDH - Single Family Detached Housing

20% of the lot for Retail and Office developed as the building.



To estimate the number of trips that could potentially be generated by the worst-case development under both the current and proposed zoning scenarios, trip rates from the manual *TRIP GENERATION*, Seventh Edition, published by the Institute of Transportation Engineers (ITE), were used.

Since the worst-case developments under both the current and proposed zoning designations are multi-use facilities that include a mixture of office, residential, and retail, there is potential for trips to travel on site between the uses. Internalized trips are common when several uses are located adjacent to each other. Internalization factors were calculated from the methods given in the Sixth Edition of the *TRIP GENERATION HANDBOOK* to compute the amount of trips that would be internal to the site. These trips were then subtracted from the total trip generation estimates to provide the number of trips at the driveways.

The shopping center, bowling center, and restaurants are all retail uses and some of the trips generated by the site would be pass-by trips. Pass-by trips are trips that divert from the adjacent streets to patronize the site and then continue in their original direction of travel. The pass-by trips are taken out after the internalized trips. The pass-by rate for the shopping center was 34%, the restaurant pass-by rate was 64%, and the bowling center pass by rate was 10%. The shopping center and restaurant percentages were derived from the table given in the Sixth Edition of the *TRIP GENERATION HANDBOOK*. At the direction of the City of Albany a pass-by rate was used for the bowling center. It was determined that based on the size of the bowling center and the nature of the surrounding area, a rate of 10% would be reasonable to assume. No specific data is currently available for this type of land use in the *TRIP GENERATION HANDBOOK*.

A summary of the trip generation calculations for the proposed zone change is shown in the following tables. Detailed trip generation calculations are included in the appendix to this report.

1e

TRIP GENERATION SUMMARY

Maddy Comprehensive Plan Amendment and Zone Change

Current Zoning

	Entering Trips	Exiting Trips	Total Trips
Single Family Detached Housing (62 units)			
AM Peak Hour	10	28	38
Internalization	*-3*	*-4*	*-7*
PM Peak Hour	33	19	52
Internalization	*-9*	*-6*	*-15*
Weekday	244	244	488
Internalization	*-34*	*-34*	*-68*
Shopping Center (10,175 sq.ft.)			
AM Peak Hour	46	29	75
Internalization	*-4*	*-3*	*-7*
PM Peak Hour	67	72	139
Internalization	*-6*	*-9*	*-15*
Weekday	769	769	1,538
Internalization	*-108*	*-108*	*-216*
Pass-By Trips (for Shopping Center)			
AM Peak Hour	-12	-12	-24
PM Peak Hour	-21	-21	-42
Weekday	-225	-225	-450
Total Site Trips (Current Zoning)			
AM Peak Hour	37	38	75
PM Peak Hour	64	55	119
Weekday	646	646	1,292

1e

TRIP GENERATION SUMMARY

Maddy Comprehensive Plan Amendment and Zone Change

Proposed Zoning (Table 1 of 2)

	Entering Trips	Exiting Trips	Total Trips
Apartments (18 units)			
AM Peak Hour	2	7	9
Internalization	*-1*	*-4*	*-5*
PM Peak Hour	7	4	11
Internalization	*-2*	*-2*	*-4*
Weekday	60	60	120
Internalization	*-3*	*-3*	*-6*
Office (11,160 sq.ft.)			
AM Peak Hour	15	2	17
Internalization	*-3*	*0*	*-3*
PM Peak Hour	3	14	17
Internalization	*-1*	*-3*	*-4*
Weekday	61	61	122
Internalization	*-3*	*-3*	*-6*
Shopping Center (33,560 sq.ft.)			
AM Peak Hour	93	60	153
Internalization	*-2*	*-2*	*-4*
PM Peak Hour	146	159	305
Internalization	*-3*	*-3*	*-6*
Weekday	1,670	1,670	3,340
Internalization	*-84*	*-84*	*-168*
Pass-By Trips (for Shopping Center)			
AM Peak Hour	-25	-25	-50
PM Peak Hour	-51	-51	-102
Weekday	-539	-539	-1,078

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Proposed Zoning (Table 2 of 2)

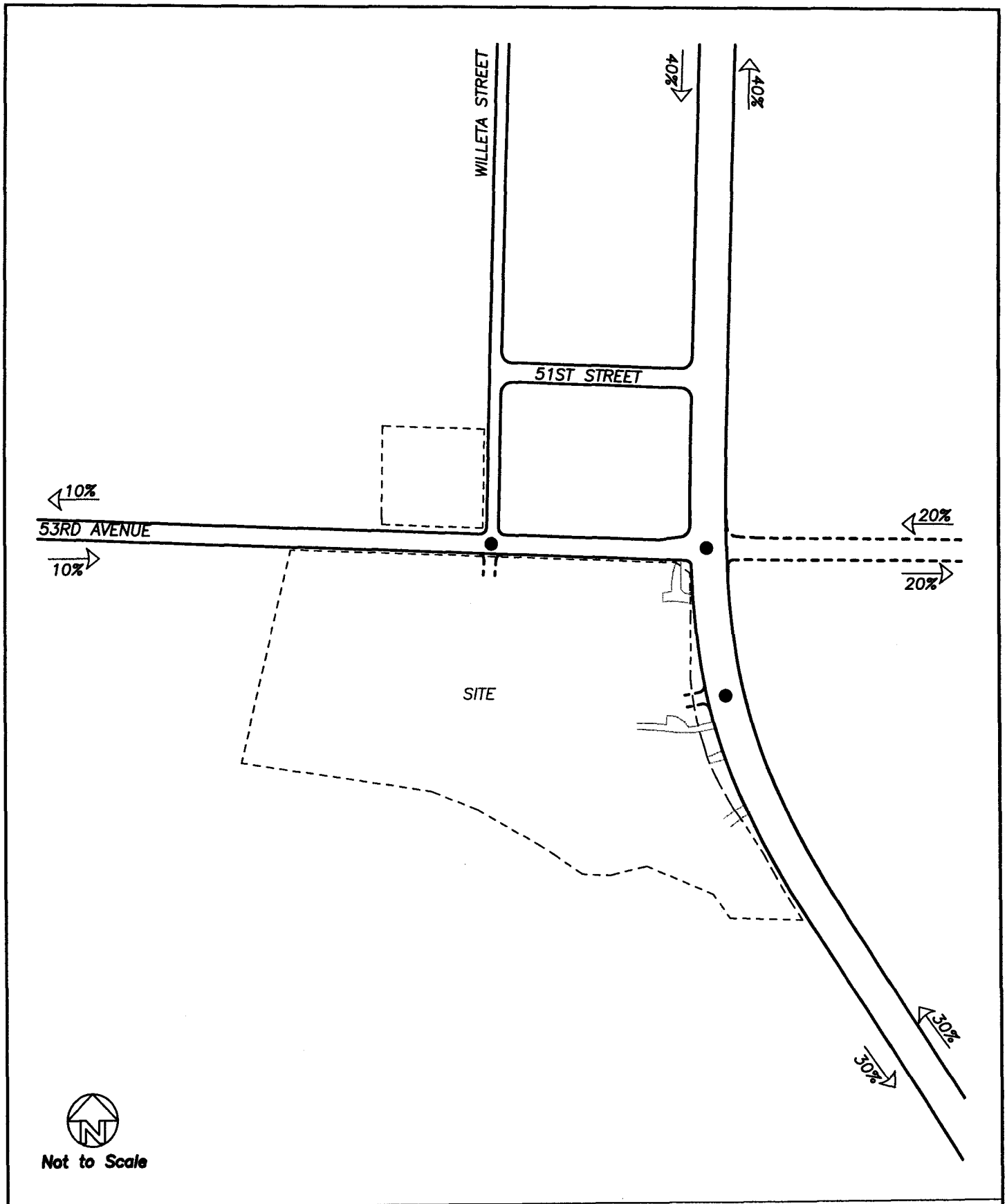
	Entering Trips	Exiting Trips	Total Trips
Bowling Alley (16 Lanes)			
AM Peak Hour	30	20	50
Internalization	*-1*	*-1*	*-2*
PM Peak Hour	20	37	57
Internalization	*-1*	*0*	*-1*
Weekday	27	27	53
Internalization	*-13*	*-13*	*-26*
Pass-By Trips (for Bowling Center)			
AM Peak Hour	-2	-2	-4
PM Peak Hour	-3	-3	-6
Weekday	-25	-25	-50
Restaurant (4,500 sq.ft.)			
AM Peak Hour	27	25	52
Internalization	*-1*	*-1*	*-2*
PM Peak Hour	30	19	49
Internalization	*-1*	*0*	*-1*
Weekday	286	286	572
Internalization	*-14*	*-14*	*-28*
Pass-By Trips (for Restaurant)			
AM Peak Hour	-16	-16	-32
PM Peak Hour	-15	-15	-30
Weekday	-174	-174	-348
Total Site Trips (Proposed Zoning)			
AM Peak Hour	116	63	179
PM Peak Hour	129	156	285
Weekday	1,489	1,489	2,978
Net Increase in Site Trips (Proposed Zoning - Current Zoning)			
AM Peak Hour	79	25	104
PM Peak Hour	65	101	166
Weekday	843	843	1,686

TRIP DISTRIBUTION

The site trips from the worst-case developments under both the current and proposed zoning were distributed based upon the future traffic volumes at the intersection of Highway 99E at 53rd Avenue taken from the Kittelson report. This was done to include a future fourth leg at the Highway 99E/53rd Avenue intersection. The diagram on page 16 shows the distribution of the site trips for worst-case developments under both the current and proposed zone designations during the morning and evening peak hours.

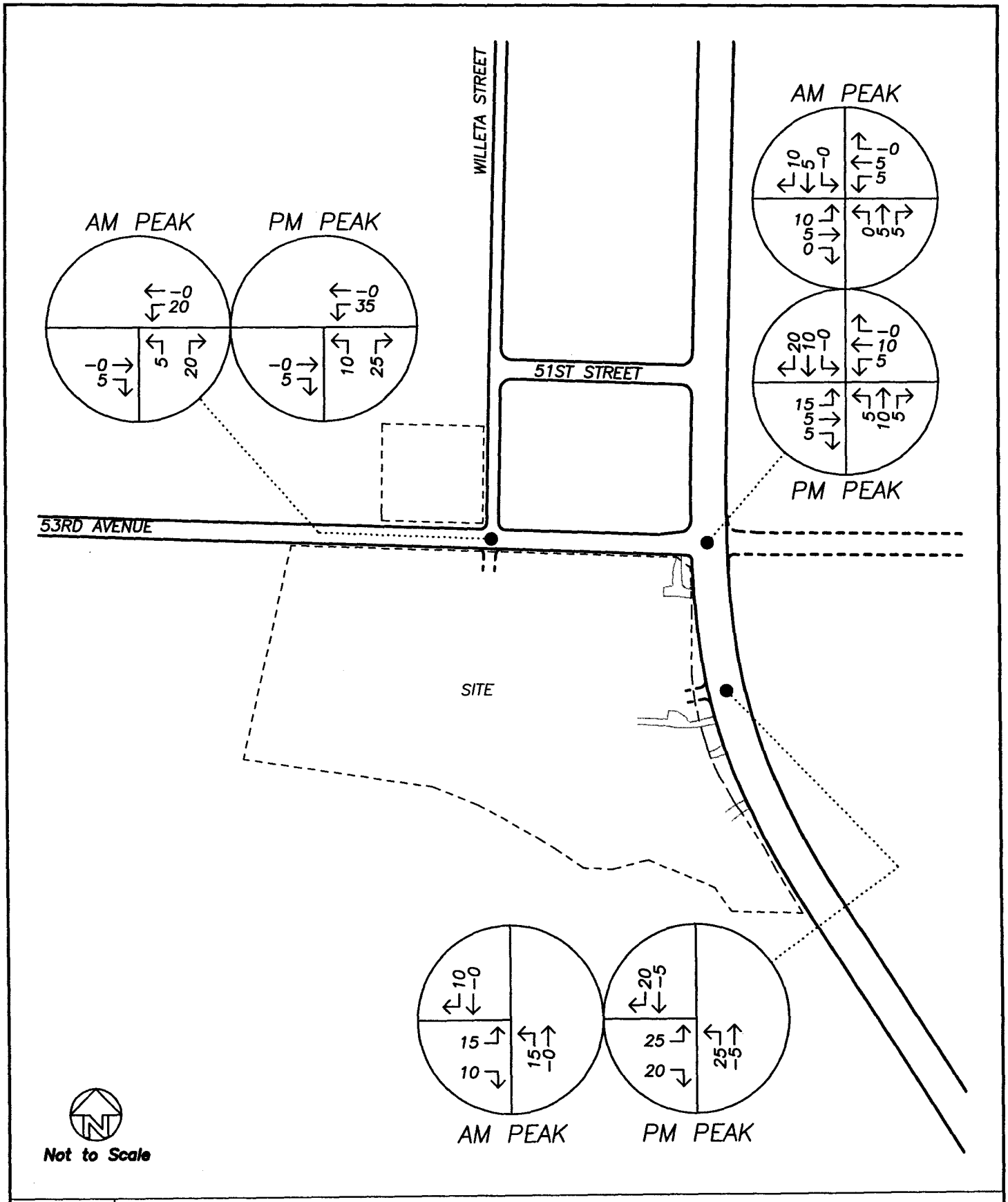
Based upon the trip distribution, the site trips from the worst-case developments under both the current and proposed zoning were assigned to the roadways. The primary and pass-by trip assignments for the worst-case developments under both the current and proposed zoning designations are provided in the appendix to this report. The diagram on page 17 shows the assignment of the site trips for the worst-case development under the current zoning during the morning and evening peak hours. The diagram on page 18 shows the assignment of the site trips for the worst-case development under the proposed zoning during the morning and evening peak hours.

In order to evaluate the impact of the proposed zone change, the net increase in site trips was computed as the worst-case development under the proposed zoning minus the worst-case development under the current zoning. The diagram on page 19 shows the net increase in site trips for the proposed zone change during the morning and evening peak hours.



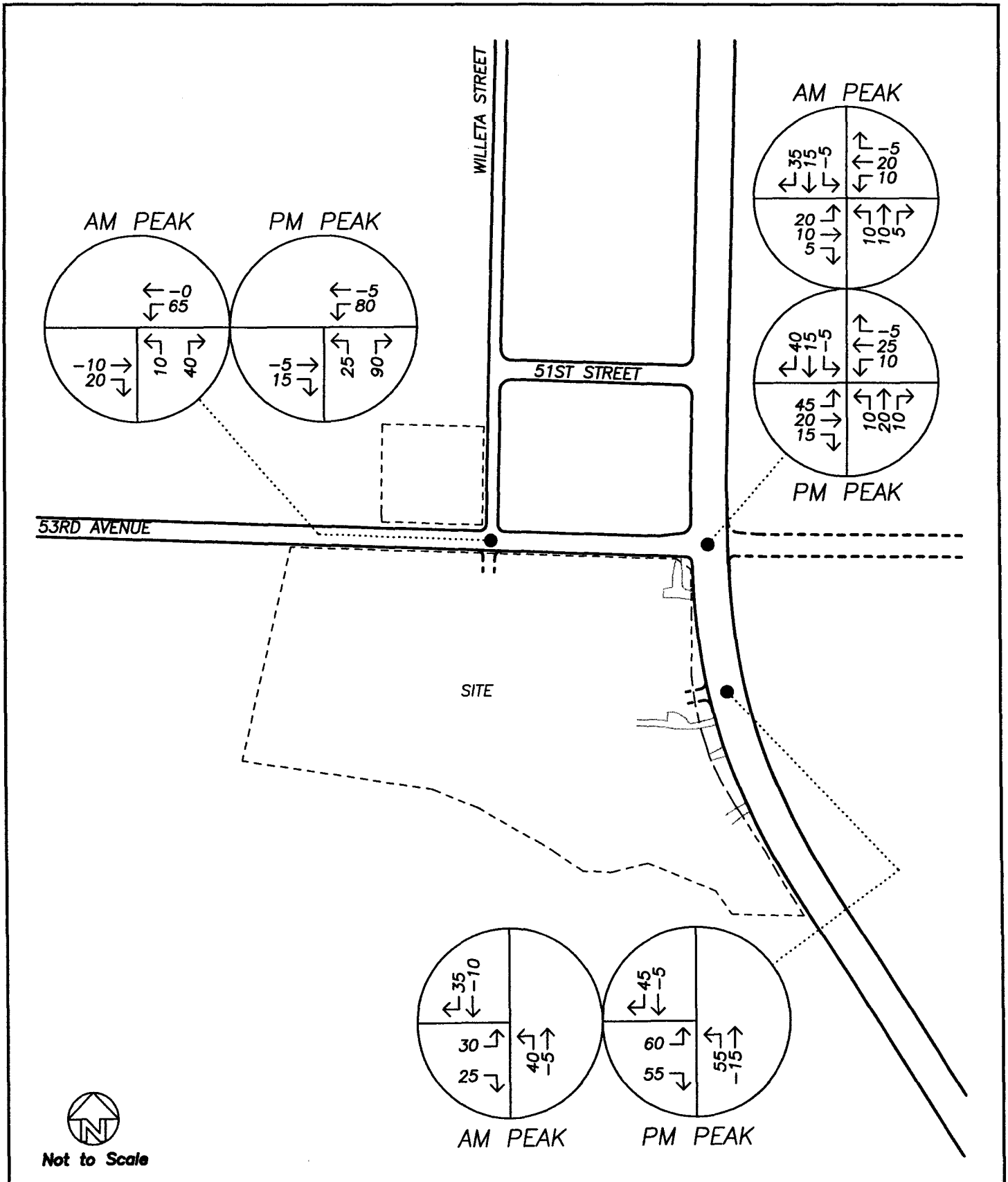
SITE TRIP DISTRIBUTION
Inbound & Outbound Percentages
AM & PM Peak Hours

Maddy.dwg



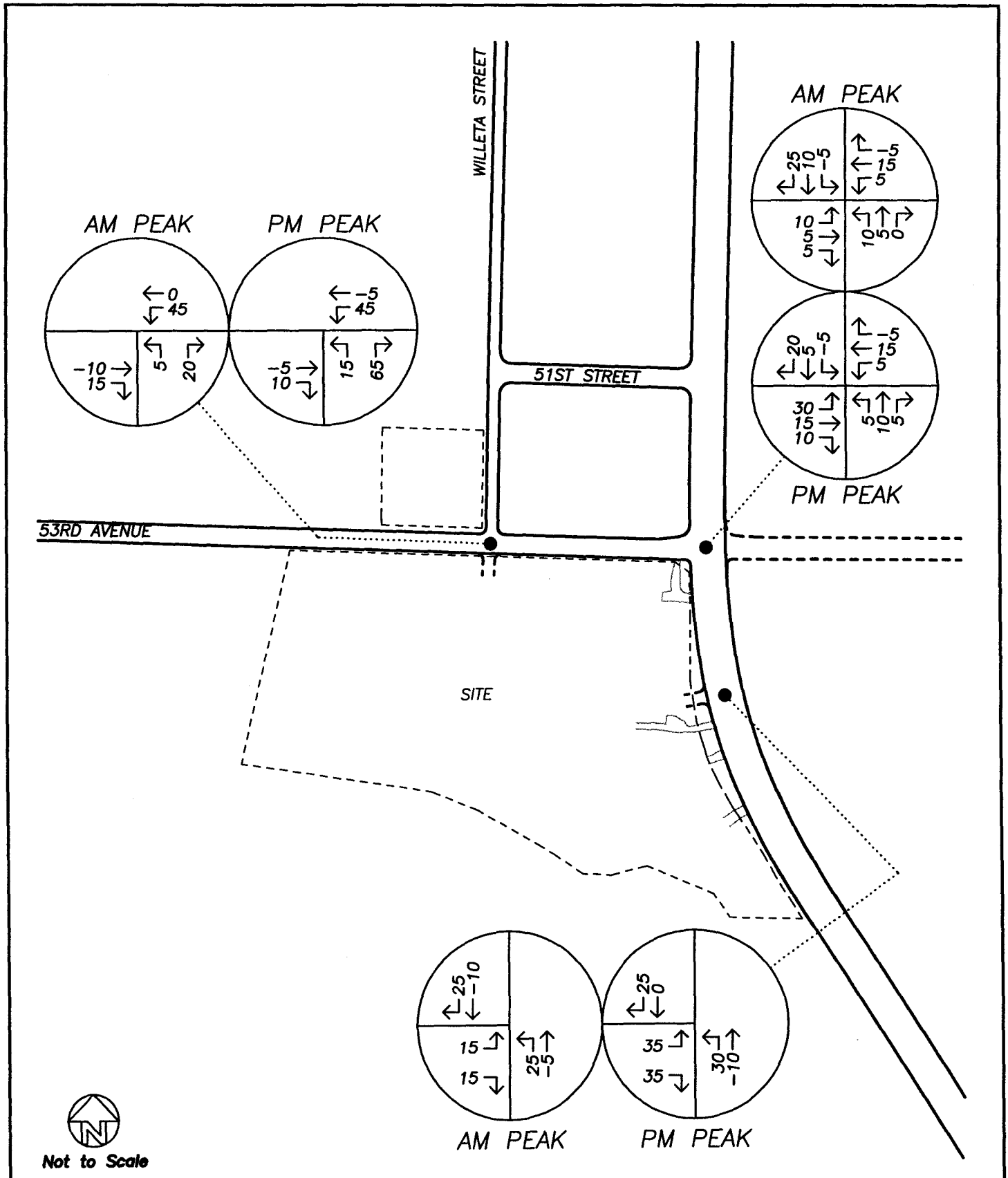
TRAFFIC VOLUMES
Site Trips (Current Zoning)
AM & PM Peak Hours

Maddy.dwg



TRAFFIC VOLUMES
Site Trips (Proposed Zoning)
AM & PM Peak Hours

Maddy.dwg



TRAFFIC VOLUMES
Net Increase in Site Trips
AM & PM Peak Hours

Maddy.dwg

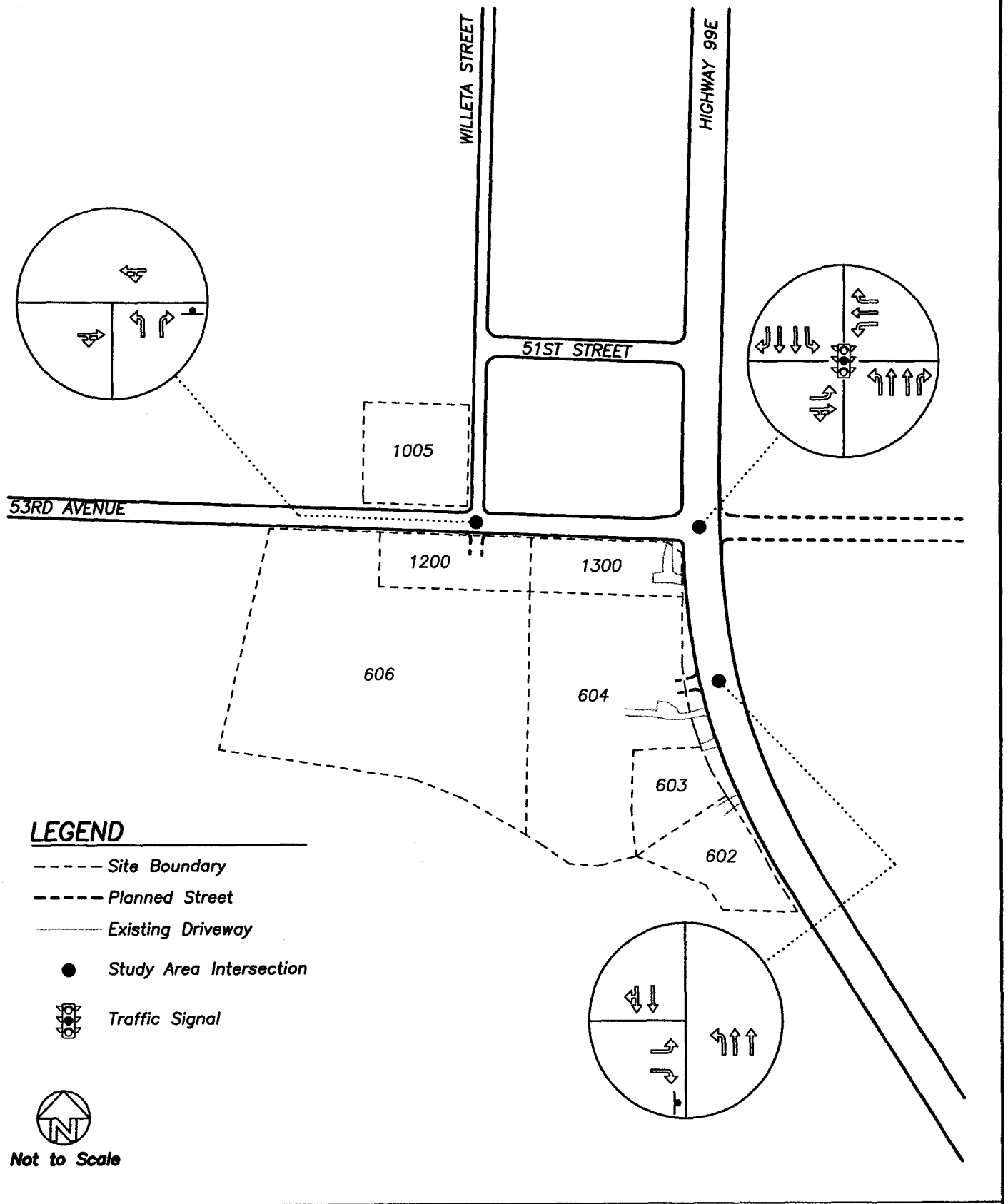
OPERATIONAL ANALYSIS

Year 2019 Background Traffic

As part of the change in zoning on the site, the year 2019 forecasted traffic volume conditions were analyzed. The traffic volumes for the year 2019 background conditions were interpolated from the year 2023 traffic volumes in the Kittelson report and the year 2015 *EMME/2* traffic model volumes. In the Kittelson report and in the year 2015 *EMME/2* traffic model, a fourth leg was added to the Highway 99E/53rd Avenue intersection that connects to Ellingson Road during the future year conditions.

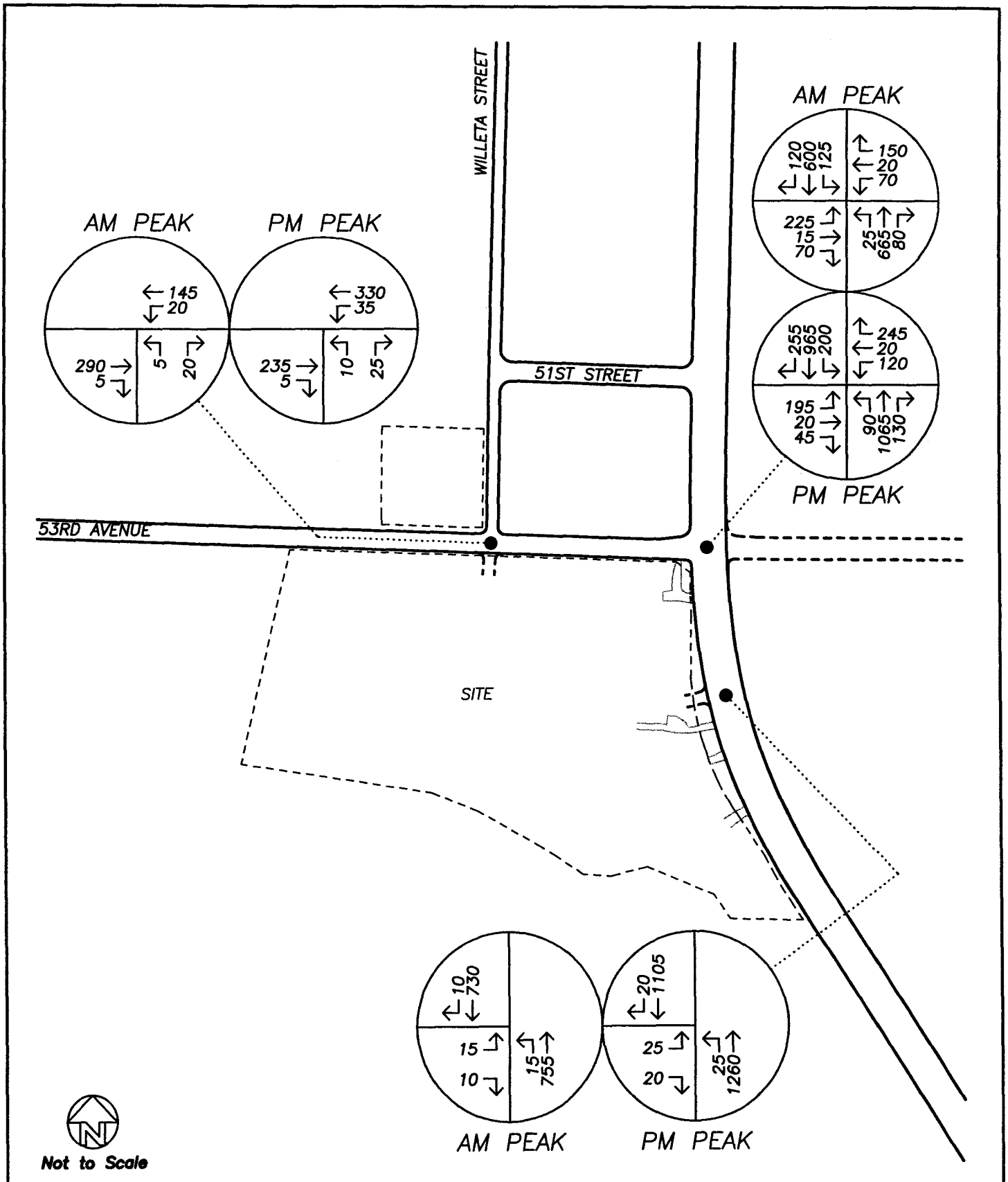
The Kittelson report analyzed two different scenarios, one with the existing rail crossing at Ellingson Road open and one with the rail crossing at Ellingson Road closed. For a reasonable worst-case scenario in this report, the traffic volumes from the scenario with the rail crossing at Ellingson Road closed were used to derive the year 2019 traffic volumes.

The figure on page 21 shows the future lane configurations at the study intersections. The traffic flow diagram on page 22 shows the year 2019 background traffic conditions during the morning and evening peak hours. The traffic flow diagram on page 23 shows the year 2019 background plus net increase in site trips during the morning and evening peak hours.



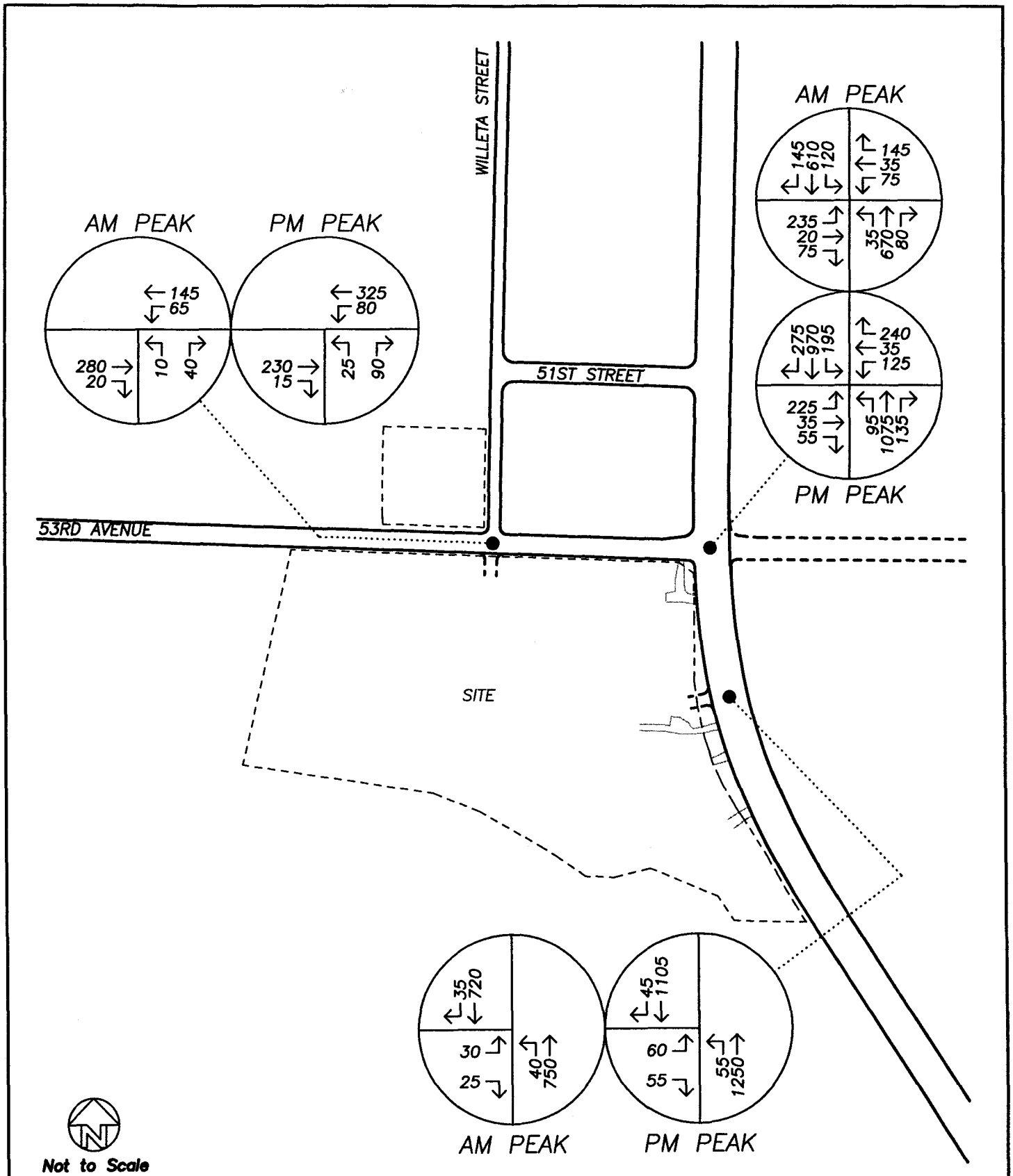
VICINITY MAP
Future Intersection Configurations & Traffic Control Devices

Maddy.dwg



TRAFFIC VOLUMES
2019 Background Conditions
AM & PM Peak Hours

Maddy.dwg



TRAFFIC VOLUMES
2019 Background + Net Increase in Site Trips
AM & PM Peak Hours

Moddy.dwg



Capacity Analysis

To determine the level of service at the study intersections, a capacity analysis was conducted. The level of service can range from A, which indicates very little or no delay, to level F, which indicates a high degree of congestion and delay. The City of Albany has no specific standards concerning level of service, however level of service D or better is generally considered acceptable.

The study intersections were analyzed using the signalized and unsignalized intersection analysis methods in the *HIGHWAY CAPACITY MANUAL (HCM)*, published in 2000 by the Transportation Research Board. The analysis was made for the morning and evening peak hours for the existing, 2019 background, and 2019 background plus net increase in site trips due to the zone change conditions.

The two intersections along Highway 99E are under ODOT jurisdiction. ODOT standards are based on a volume-to-capacity ratio (v/c) instead of average vehicle delay and level of service. The v/c ratio compares the potential capacity to the actual travel volumes to determine the available capacity of an intersection.

Currently the City of Albany does not have a Metropolitan Planning Organization (MPO), but in the 20-year forecasted future the City will have one. Therefore, for an Urban Regional Highway outside a MPO, the maximum allowable v/c ratio is 0.75 at signalized intersections and 0.80 at unsignalized intersections. In the future, the maximum allowable v/c ratio is 0.85 at signalized intersections and 0.90 at unsignalized intersections.

The 53rd Avenue at the future site access intersection is under City of Albany jurisdiction and was analyzed with respect to delay and level of service.

It was assumed the intersection of Highway 99E and 53rd Avenue was signalized for existing conditions since the signal is currently under construction and is expected to be finished in the near future. Based on that assumption, the intersection of Highway 99E at 53rd Avenue is currently operating acceptably during the both morning and evening peak hours. During the year 2019 traffic conditions, the intersection will continue to operate acceptably during both the morning and evening peak hours with or without the proposed zone change.

The intersection of Highway 99E and the proposed site access is forecast to operate acceptably according to ODOT standards under all scenarios. However, the delay at this intersection is significant and it operates at level of service F. If the traffic from the site wishes to avoid the high delays at this intersection, the northern access (53rd Avenue) is forecast to operate with a relatively low delay. The operations of the signal will not be affected by the reassignment of site traffic to the northern site driveway.

1c

During the year 2019 background conditions, the 53rd Avenue/proposed site access intersection is forecast to operate acceptably during both the morning and evening peak hours. With the addition of the net increase in site trips from the proposed zone change, the 53rd Avenue/proposed site access intersection will continue to operate acceptably during both the morning and evening peak hours.

The results of the capacity analysis, along with the Levels of Service (LOS), Delay, and V/C ratios are shown in the following table. Tables showing the relationships between delay and level of service are included in the appendix to this report.

LEVEL OF SERVICE SUMMARY

Maddy Comprehensive Plan Amendment and Zone Change

	AM Peak Hour			PM Peak Hour		
	LOS	Delay	V/C	LOS	Delay	V/C
Highway 99E/53rd Avenue*						
Existing Conditions	B	14	0.34	B	15	0.43
2019 Background Conditions	D	38	0.59	C	32	0.67
2019 Background + Net Increase[1]	D	38	0.59	D	36	0.73
Highway 99E/Site Driveway						
2019 Background Conditions	C	20	0.06	F	56	0.26
2019 Background + Net Increase[1]	C	23	0.13	F	148	0.73
53rd Avenue/Site Driveway						
2019 Background Conditions	B	12	0.01	B	14	0.03
2019 Background + Net Increase[1]	B	14	0.03	C	17	0.08

LOS = Level of Service
Delay = Average Delay per Vehicle in Seconds
V/C = Volume-to-Capacity ratio
* signalized intersection
[1] Net Increase in site trips from the proposed zone change

The Highway 99E/Site access intersection was also analyzed as a right-in/right-out intersection. The traffic that would have made a left-turn out of the Highway 99E/Site access intersection was redistributed to the 53rd Avenue/ site access intersection. With the right-in/right-out in place, all of the study intersections would operate acceptably under all scenarios.



Sight Distance

Intersection sight distance was examined at the proposed location of the site access on Highway 99E. Sight distance was measured at a point 15 feet from the edge of the travel lane from a driver's eye height of 3.5 feet to an oncoming driver's eye height of 3.5 feet, in accordance with guidelines in *A POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS*, published in 2001 by the American Association of State Highway and Transportation Officials (AASHTO). ODOT uses a design speed of 55 mph for intersection sight distance and the highway is multi-lane near the site, therefore a minimum of 650 feet is required in both directions for adequate sight distance.

Sight distance on Highway 99E was found to be in excess of 700 feet in both directions. Therefore, sight distance was determined to be adequate.

It was not possible to measure sight distance at the potential access on 53rd Avenue since construction of the street is not yet finished. However, there were no obstructions noted along 53rd Avenue and sight distance should be adequate. It is recommended that sight distance be measured at the potential access at such time as the access becomes available.

Bicycle and Pedestrian Facilities

There is a sidewalk along the highway at the site frontage and a sidewalk will be constructed on 53rd Avenue. There are also bike lanes along the highway. Pedestrian and bicycle facilities are adequate and no further mitigations are recommended.

Right-Turn Lane Warrants

The ODOT right-turn lane warrants were evaluated for the Highway 99E/site access driveway intersection for the southbound right-turn movement during the year 2019 background and background plus net increase in site trips conditions. Based upon the right-turning volume and the approaching volume, the southbound right-turning volume meets the criteria for installation of a southbound right-turn lane under both conditions. A southbound right-turn lane would be necessary under either the current or the proposed zoning designation.

However, there is approximately 310 feet between the proposed driveway and the signalized Highway 99E/53rd Avenue intersection. Further, discussions with City staff revealed that ODOT has issued the permit for this access without the right-turn lane. Therefore, if the



right-turn lane would need to be constructed such that it would not influence the signalized intersection.

Queuing/Stacking Distance

A queuing analysis was performed at the intersection of Highway 99E at 53rd Avenue for the year 2019 background plus net increase in site trips during morning and evening peak hour conditions. An evaluation of the northbound and eastbound queuing at this intersection was done to evaluate the impact to the proposed site access driveway location. The queue length was calculated from the Poisson distribution of the traffic volumes for each of the lane groups at the intersection. The 95th percentile of the distribution is used to estimate queue length for the traffic movements. This means that 95 percent of the time, the queue length will be less than or equal to what is calculated.

The 95th percentile queue lengths are given in the following table. One vehicle was assumed to be 25 feet. The queue length is reported in feet.

QUEUE LENGTH SUMMARY

Maddy Comprehensive Plan Amendment and Zone Change

	AM Peak	PM Peak
Highway 99E/53rd Avenue		
Year 2023 Background + Net Increase Site Trips		
Northbound left-turn	75	125
Northbound through	250	225
Northbound right-turn	100	100
Eastbound left-turn	250	200
Eastbound through/right-turn	125	125

The Highway 99E/site access driveway is located approximately 310 feet south of the intersection of Highway 99E at 53rd Avenue. The 53rd Avenue/site access driveway is located approximately 400 feet west of the intersection of Highway 99E at 53rd Avenue. Therefore, the queues generated at the Highway 99E/53rd Avenue intersection will not affect the operations of either site driveway.



Conclusions and Recommendations

The City of Albany currently does not have a Metropolitan Planning Organization (MPO). However, in the 20-year future the City will have a MPO. Therefore, for the two study intersections under ODOT's jurisdiction, the v/c ratio standard is different between the existing and future year scenarios.

All of the study intersections operate acceptably in all of the scenarios analyzed in this report. Therefore, no capacity related mitigations are necessary for the proposed zone change.

There are no sight distance restrictions along Highway 99E at the proposed site driveway location. The sight distance at the proposed access onto 53rd Avenue was not measured due to the reconstruction of this roadway, although no obvious restrictions were noted at the time of the field observations. Upon completion of this northern access to the site, the sight distance should be measured.

The ODOT right-turn lane warrants were evaluated for the Highway 99E/site access intersection for all scenarios studied. The warrants are met, however, the close proximity to the signalized Highway 99E/53rd Avenue intersection limits the length of this right-turn lane. In addition, ODOT has issued the permit for this access without a right-turn lane. Therefore, if a right-turn lane is installed, it is recommended that a right-turn lane be designed such that it will fit within the available distance.

The queuing at the signalized intersection will not interfere with either of the proposed site access driveways under either the existing or the proposed zoning designation.



LEVEL OF SERVICE

Level of service is used to describe the quality of traffic flow. Levels of service A to C are considered good, and rural roads are usually designed for level of service C. Urban streets and signalized intersections are typically designed for level of service D. Level of service E is considered to be the limit of acceptable delay. For unsignalized intersections, level of service E is generally considered acceptable. Here is a more complete description of levels of service:

Level of service A: Very low delay at intersections, with all traffic signal cycles clearing and no vehicles waiting through more than one signal cycle. On highways, low volume and high speeds, with speeds not restricted by other vehicles.

Level of service B: Operating speeds beginning to be affected by other traffic; short traffic delays at intersections. Higher average intersection delay than for level of service A resulting from more vehicles stopping.

Level of service C: Operating speeds and maneuverability closely controlled by other traffic; higher delays at intersections than for level of service B due to a significant number of vehicles stopping. Not all signal cycles clear the waiting vehicles. This is the recommended design standard for rural highways.

Level of service D: Tolerable operating speeds; long traffic delays occur at intersections. The influence of congestion is noticeable. At traffic signals many vehicles stop, and the proportion of vehicles not stopping declines. The number of signal cycle failures, for which vehicles must wait through more than one signal cycle, are noticeable. This is typically the design level for urban signalized intersections.

Level of service E: Restricted speeds, very long traffic delays at traffic signals, and traffic volumes near capacity. Flow is unstable so that any interruption, no matter how minor, will cause queues to form and service to deteriorate to level of service F. Traffic signal cycle failures are frequent occurrences. For unsignalized intersections, level of service E or better is generally considered acceptable.

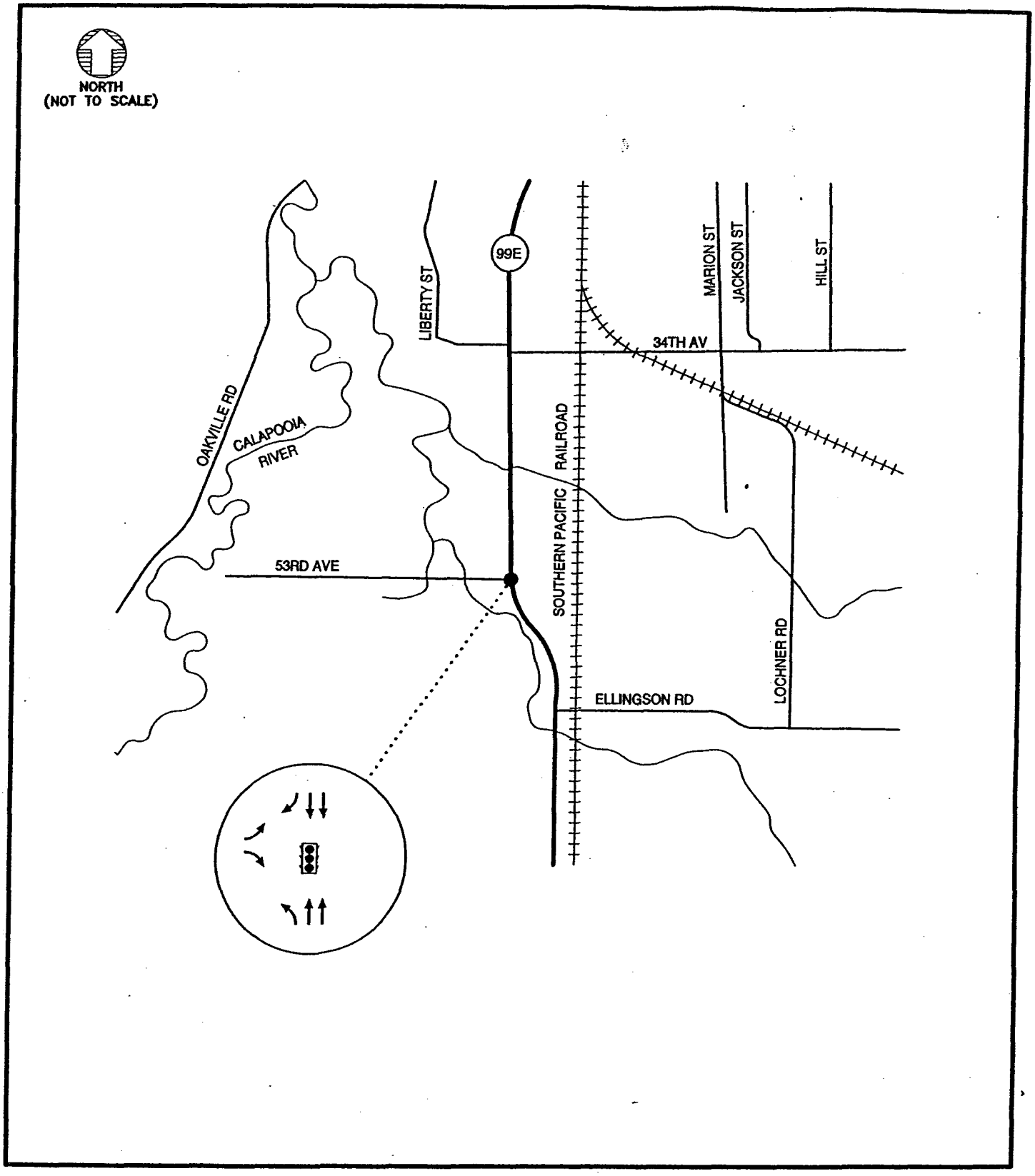
Level of service F: Extreme delays, resulting in long queues which may interfere with other traffic movements. There may be stoppages of long duration, and speeds may drop to zero. There may be frequent signal cycle failures. Level of service F will typically result when vehicle arrival rates are greater than capacity. It is considered unacceptable by most drivers.

LEVEL OF SERVICE CRITERIA
FOR SIGNALIZED INTERSECTIONS

LEVEL OF SERVICE	CONTROL DELAY PER VEHICLE (Seconds)
A	< 10
B	10-20
C	20-35
D	35-55
E	55-80
F	> 80

LEVEL OF SERVICE CRITERIA
FOR UNSIGNALIZED INTERSECTIONS

LEVEL OF SERVICE	CONTROL DELAY PER VEHICLE (Seconds)
A	< 10
B	10-15
C	15-25
D	25-35
E	35-50
F	> 50



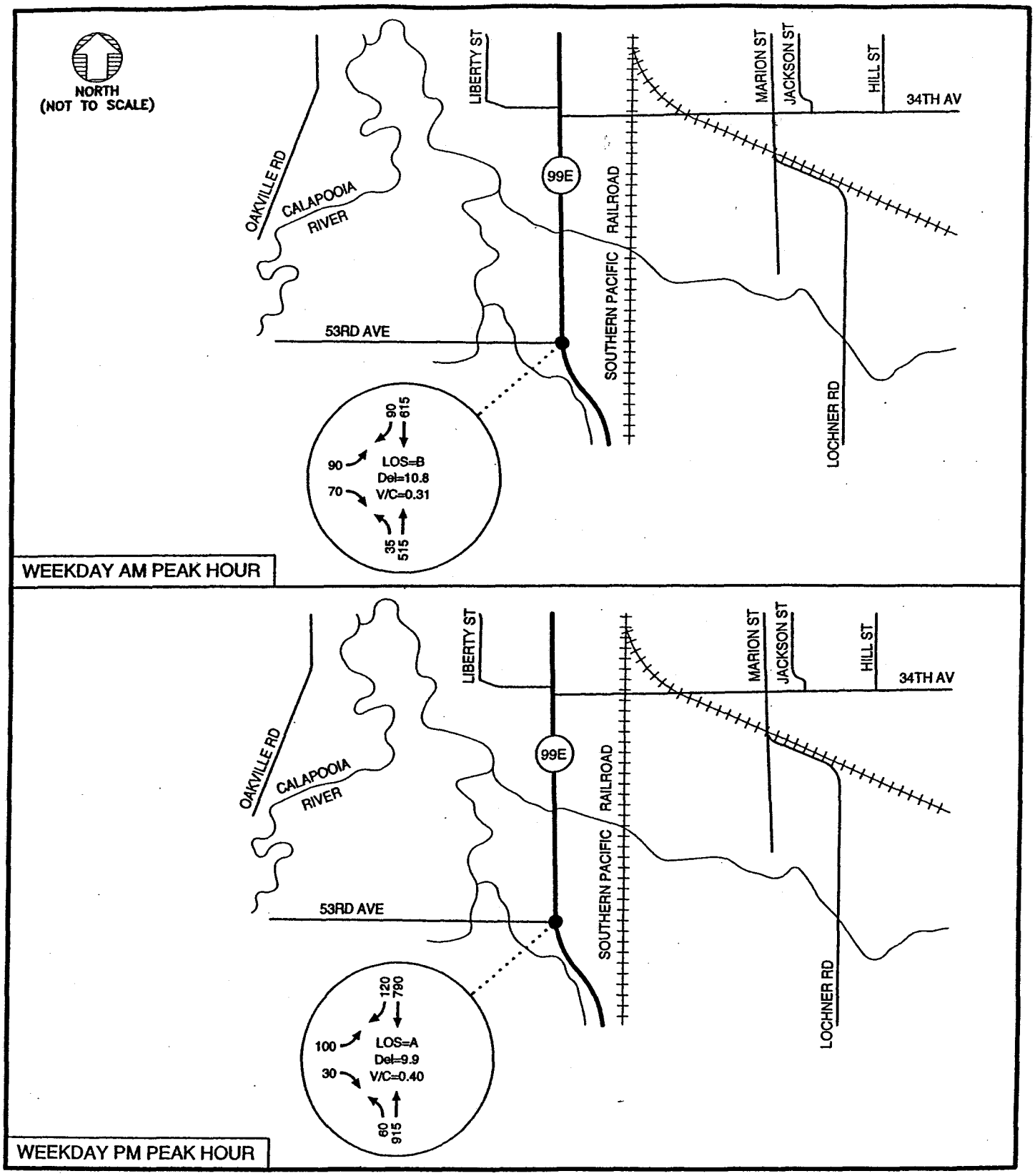
LEGEND

- TRAFFIC SIGNAL

YEAR 2003 LANE CONFIGURATIONS AND TRAFFIC CONTROL DEVICES

53RD AVENUE LID ALBANY, OREGON JULY 2002	FIGURE *8*

4985F008 (YXE: 4985LANE)



LEGEND

CM = CRITICAL MOVEMENT (UNSIGNALIZED)
LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED)/ CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)
Del = INTERSECTION AVERAGE DELAY (SIGNALIZED)/ CRITICAL MOVEMENT DELAY (UNSIGNALIZED)
V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

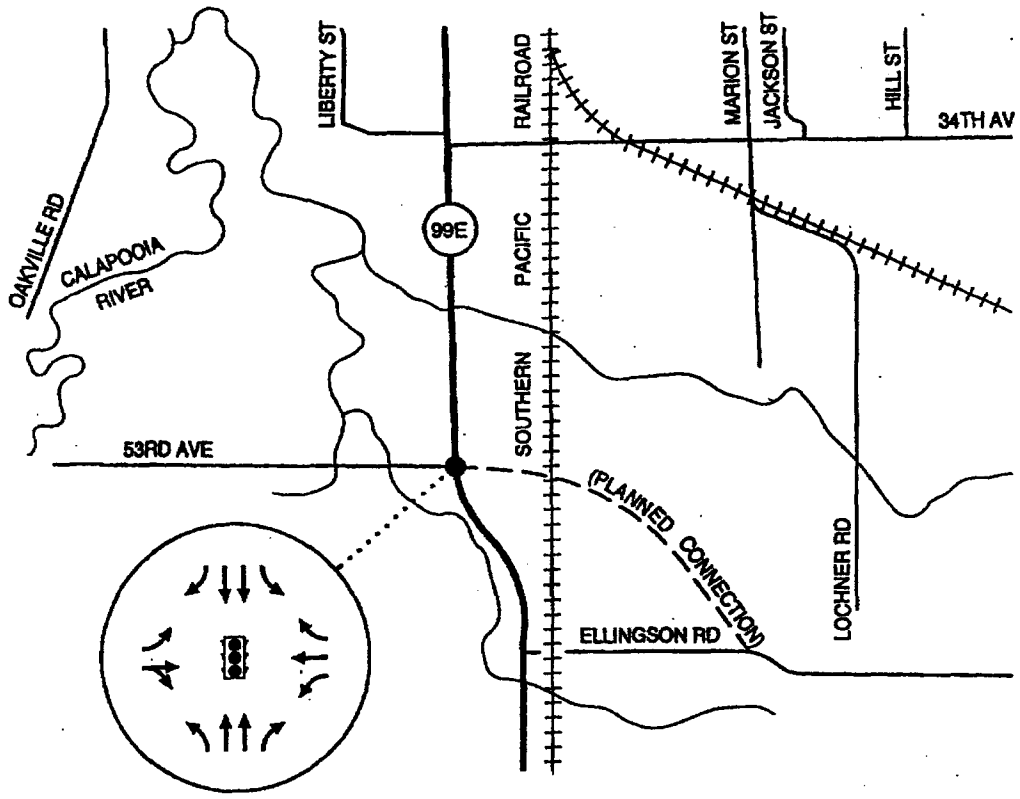
YEAR 2003 FUTURE TRAFFIC CONDITIONS WEEKDAY AM AND PM PEAK HOUR

53RD AVENUE LID
ALBANY, OREGON
JULY 2002

FIGURE 9

4985F009 (YXE: 4985TOP/4985BOTM)

NORTH
(NOT TO SCALE)



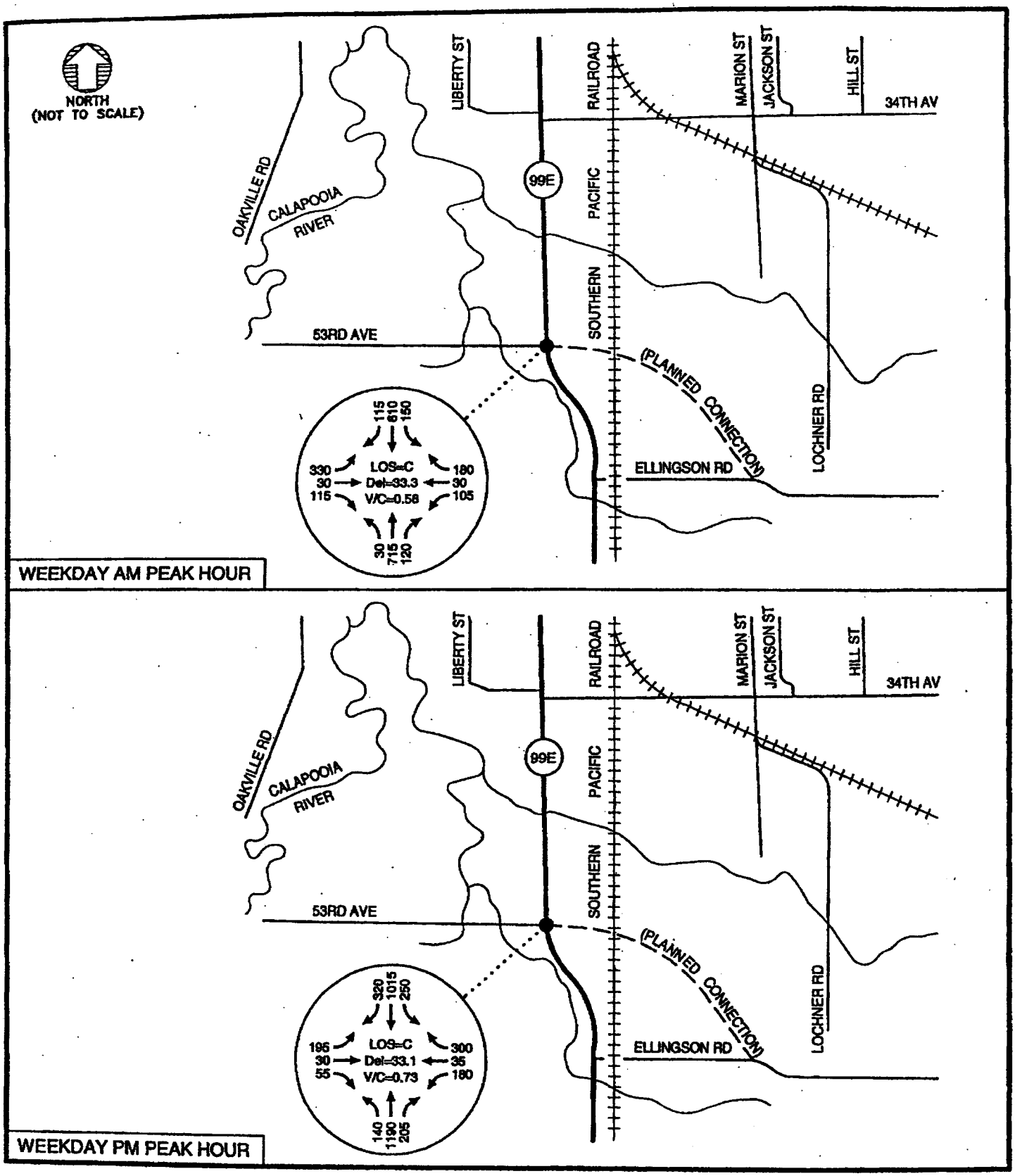
LEGEND

- TRAFFIC SIGNAL

ELLINGSON ROAD RAIL CROSSING CLOSED
YEAR 2023 LANE CONFIGURATIONS
AND TRAFFIC CONTROL DEVICES

HWY 99E/53RD AVE INTERSECTION ALBANY, OREGON AUGUST 2002	FIGURE 4

4985FSUPL



LEGEND

CM = CRITICAL MOVEMENT (UNSIGNALIZED)
LOS = INTERSECTION LEVEL OF SERVICE (SIGNALIZED)/ CRITICAL MOVEMENT LEVEL OF SERVICE (UNSIGNALIZED)
Del = INTERSECTION AVERAGE DELAY (SIGNALIZED)/ CRITICAL MOVEMENT DELAY (UNSIGNALIZED)
V/C = CRITICAL VOLUME-TO-CAPACITY RATIO

ELLLINGSON ROAD RAIL CROSSING CLOSED
YEAR 2023 FORECAST TRAFFIC CONDITIONS
WEEKDAY AM AND PM PEAK HOURS

HWY 99E/53RD AVE INTERSECTION
ALBANY, OREGON
AUGUST 2002

FIGURE 5

4986FSUPL (YXE: 4985TOP/4985BOTM)

TRIP GENERATION SUMMARY
Linn - Benton Bowling Center Update

	Size	AM Peak Hour In	AM Peak Hour Out	AM Peak Hour Total	PM Peak Hour In	PM Peak Hour Out	PM Peak Hour Total	Weekday In	Weekday Out	Weekday Total
CURRENT ZONING										
Single-Family Detached Housing	51	10	28	38	33	19	52	244	244	488
Internalization		*3*	*4*	*7*	*9*	*6*	*15*	*34*	*34*	*68*
Shopping Center	10,175	46	29	75	67	72	139	769	769	1,538
Internalization		*4*	*3*	*7*	*6*	*9*	*15*	*108*	*108*	*216*
Pass-by Trips (34%)		*12*	*12*	*24*	*21*	*21*	*42*	*225*	*225*	*450*
Total Trips		**56**	**57**	**113**	**100**	**91**	**191**	**1,013**	**1,013**	**2,026**
Total Internalization Trips		*7*	*7*	*14*	*15*	*15*	*30*	*142*	*142*	*284*
Total Driveway Trips		**49**	**50**	**99**	**85**	**76**	**161**	**871**	**871**	**1,742**
Total Pass-by Trips		*12*	*12*	*24*	*21*	*21*	*42*	*225*	*225*	*450*
Net New Trips		***37***	***38***	***75***	***64***	***55***	***119***	***646***	***646***	***1,292***
PROPOSED ZONING										
Apartment	18	2	7	9	7	4	11	60	60	120
Internalization		*1*	*4*	*5*	*2*	*2*	*4*	*3*	*3*	*6*
Shopping Center	33,560	93	60	153	146	159	305	1,670	1,670	3,340
Internalization		*2*	*2*	*4*	*3*	*3*	*6*	*84*	*84*	*168*
Pass-by Trips (34%)		*25*	*25*	*50*	*51*	*51*	*102*	*539*	*539*	*1,078*
General Office Building	11,160	15	2	17	3	14	17	61	61	122
Internalization		*3*	*0*	*3*	*1*	*3*	*4*	*3*	*3*	*6*
Bowling Alley	16	30	20	50	20	37	57	267	267	534
Internalization		*1*	*1*	*2*	*1*	*0*	*1*	*13*	*13*	*26*
Pass-by Trips (10%)		*2*	*2*	*4*	*3*	*3*	*6*	*25*	*25*	*50*
High-Turnover (Sit-Down) Restaurant		27	25	52	30	19	49	286	286	572
Internalization		*1*	*1*	*2*	*1*	*0*	*1*	*14*	*14*	*28*
Pass-by Trips (64%)		*16*	*16*	*32*	*15*	*15*	*30*	*174*	*174*	*348*
Total Trips		**167**	**114**	**281**	**206**	**233**	**439**	**2,344**	**2,344**	**4,688**
Total Internalization Trips		*8*	*8*	*16*	*8*	*8*	*16*	*117*	*117*	*234*
Total Driveway Trips		**159**	**106**	**265**	**198**	**225**	**423**	**2,227**	**2,227**	**4,454**
Total Pass-by Trips		*43*	*43*	*86*	*69*	*69*	*138*	*738*	*738*	*1,476*
Net New Trips		***116***	***63***	***179***	***129***	***156***	***285***	***1,489***	***1,489***	***2,978***

Weekday Internalization rate is average of AM and PM Peak Hours
PZ Retail internalization weighted for each retail land use.

NET INCREASE IN SITE TRIPS									
Current Zoning	37	38	75	64	55	119	646	646	1,292
Proposed Zoning	116	63	179	129	156	285	1,489	1,489	2,978
Net Increase in Site Trips	**79**	**25**	**104**	**65**	**101**	**166**	**843**	**843**	**1,686**

1e

TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing
Land Use Code: 210
Variable: Dwelling Units
Variable Value: 51

AM PEAK HOUR

Trip Rate: 0.75

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	10	28	38

PM PEAK HOUR

Trip Rate: 1.01

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	33	19	52

WEEKDAY

Trip Rate: 9.57

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	244	244	488

SATURDAY

Trip Rate: 10.10

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	258	258	516

Source: TRIP GENERATION, Seventh Edition



TRIP GENERATION CALCULATIONS

Land Use: Shopping Center
Land Use Code: 820
Variable: 1000 Sq Ft Gross Leasable Area
Variable Value: 10.175

AM PEAK HOUR

Trip Rate: Ln(T) = 0.60Ln(X) + 2.29

	Enter	Exit	Total
Directional Distribution	61%	39%	
Trip Ends	46	29	75

PM PEAK HOUR

Trip Rate: Ln(T) = .66Ln(X) + 3.40

	Enter	Exit	Total
Directional Distribution	48%	52%	
Trip Ends	67	72	139

WEEKDAY

Trip Rate: Ln(T) = .65Ln(X) + 5.83

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	769	769	1,538

SATURDAY

Trip Rate: Ln(T) = .63Ln(X) + 6.23

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	1,095	1,095	2,190

Source: TRIP GENERATION, Seventh Edition

1e

TRIP GENERATION CALCULATIONS

Land Use: Apartment
Land Use Code: 220
Variable: Occupied Dwelling Units
Variable Value: 18

AM PEAK HOUR

Trip Rate: 0.51

	Enter	Exit	Total
Directional Distribution	20%	80%	
Trip Ends	2	7	9

PM PEAK HOUR

Trip Rate: 0.62

	Enter	Exit	Total
Directional Distribution	65%	35%	
Trip Ends	7	4	11

WEEKDAY

Trip Rate: 6.72

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	60	60	120

SATURDAY

Trip Rate: 5.86

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	53	53	106

Source: TRIP GENERATION, Seventh Edition

1c

TRIP GENERATION CALCULATIONS

Land Use: Shopping Center
Land Use Code: 820
Variable: 1000 Sq Ft Gross Leasable Area
Variable Value: 33.56

AM PEAK HOUR

Trip Rate: Ln(T)=0.60Ln(X)+2.29

	Enter	Exit	Total
Directional Distribution	61%	39%	
Trip Ends	93	60	153

PM PEAK HOUR

Trip Rate: Ln(T)=.66Ln(X)+3.40

	Enter	Exit	Total
Directional Distribution	48%	52%	
Trip Ends	146	159	305

WEEKDAY

Trip Rate: Ln(T)=.65Ln(X)+5.83

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	1,670	1,670	3,340

SATURDAY

Trip Rate: Ln(T)=.63Ln(X)+6.23

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	2,322	2,322	4,644

Source: TRIP GENERATION, Seventh Edition

1e

TRIP GENERATION CALCULATIONS

Land Use: General Office Building
Land Use Code: 710
Variable: 1000 Sq Ft Gross Floor Area
Variable Value: 11.160

AM PEAK HOUR

Trip Rate: 1.55

	Enter	Exit	Total
Directional Distribution	88%	12%	
Trip Ends	15	2	17

PM PEAK HOUR

Trip Rate: 1.49

	Enter	Exit	Total
Directional Distribution	17%	83%	
Trip Ends	3	14	17

WEEKDAY

Trip Rate: 11.01

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	61	61	122

SUNDAY

Trip Rate: 0.98

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	5	5	10

Source: TRIP GENERATION, Seventh Edition

1e

TRIP GENERATION CALCULATIONS

Land Use: Bowling Alley
Land Use Code: 437
Variable: Bowling Lanes
Variable Value: 16

AM PEAK HOUR

Trip Rate: 3.13

	Enter	Exit	Total
Directional Distribution	60%	40%	
Trip Ends	**30**	**20**	**50**

PM PEAK HOUR

Trip Rate: 3.54

	Enter	Exit	Total
Directional Distribution	35%	65%	
Trip Ends	**20**	**37**	**57**

WEEKDAY

Trip Rate: 33.33

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**267**	**267**	**534**

Source: TRIP GENERATION, Seventh Edition

1e

TRIP GENERATION CALCULATIONS

Land Use: High-Turnover (Sit-Down) Restaurant
Land Use Code: 932
Variable: 1,000 Sq. Feet Gross Floor Area
Variable Value: 4.5

AM PEAK HOUR

Trip Rate: 11.52

	Enter	Exit	Total
Directional Distribution	52%	48%	
Trip Ends	27	25	52

PM PEAK HOUR

Trip Rate: 10.92

	Enter	Exit	Total
Directional Distribution	61%	39%	
Trip Ends	30	19	49

WEEKDAY

Trip Rate: 127.15

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	286	286	572

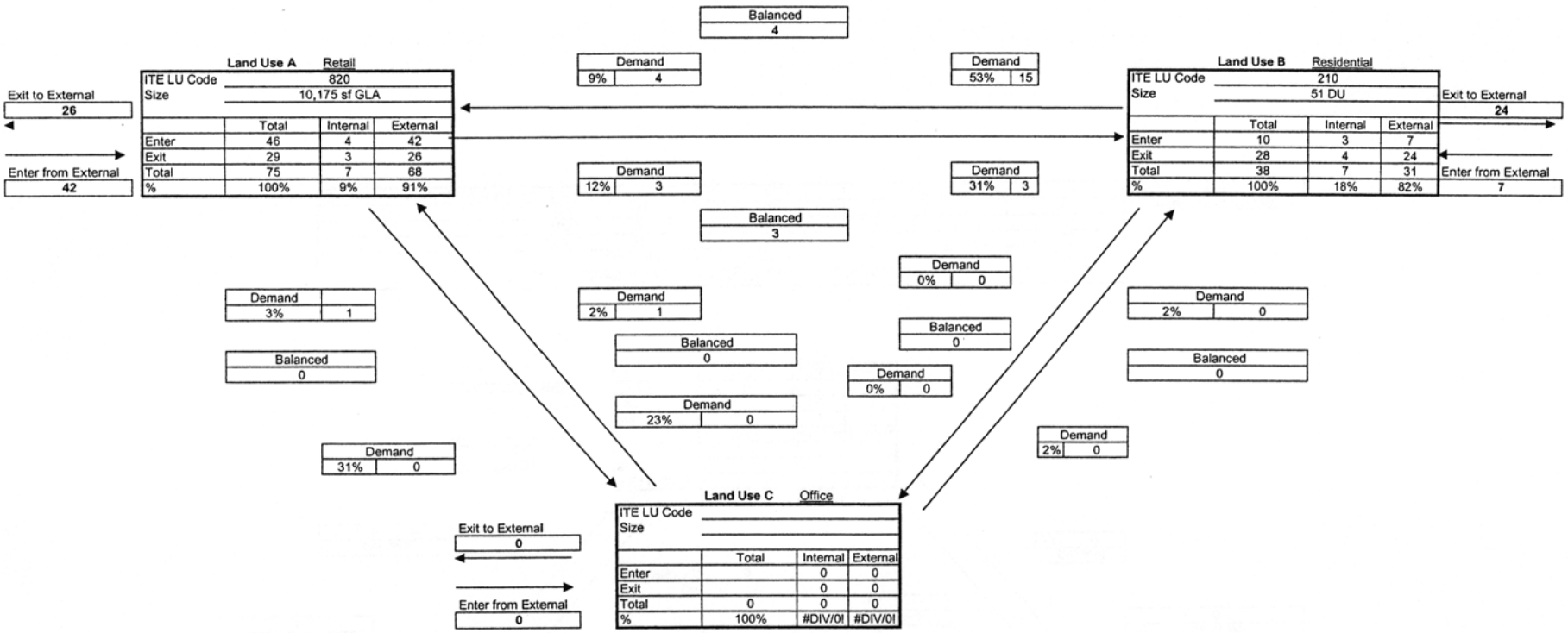
SATURDAY

Trip Rate: 158.37

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	356	356	712

Source: TRIP GENERATION, Seventh Edition

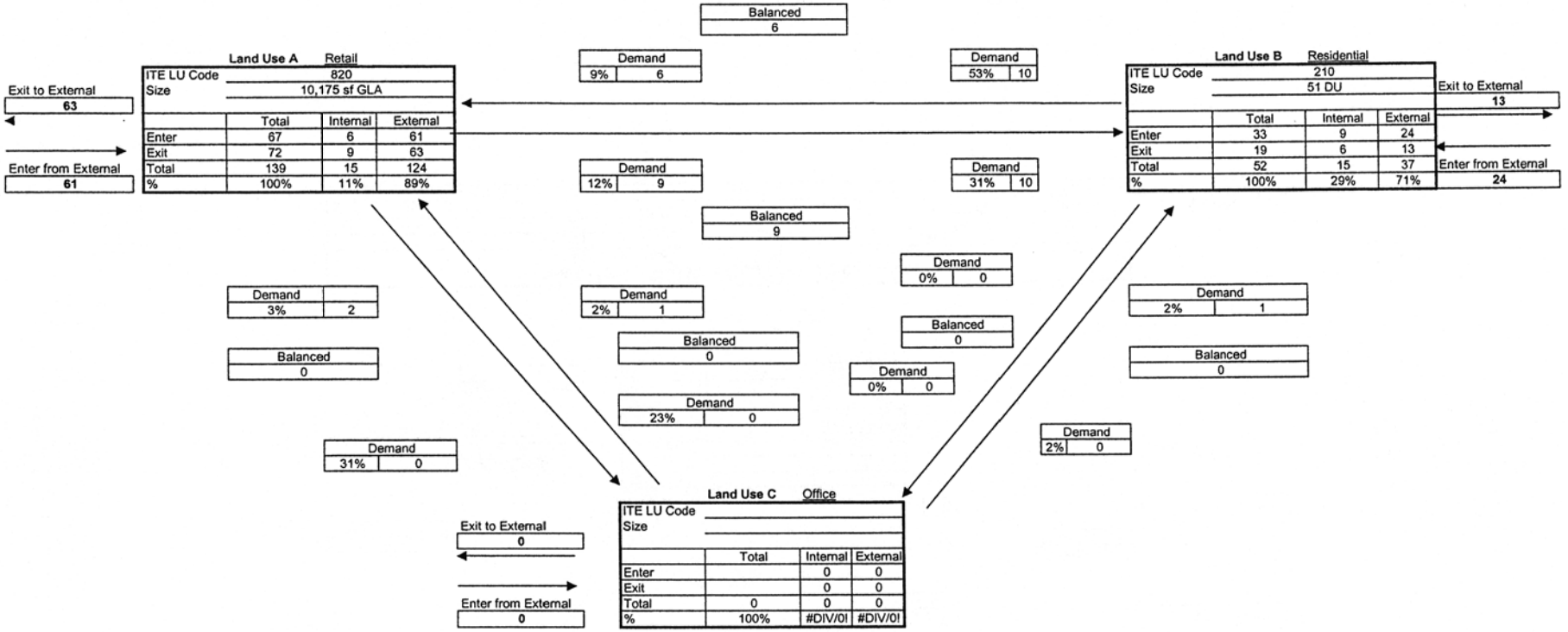
Internalization (Current Zoning) AM Peak



Net External Trips for Mulit-Use Development

	Land Use A	Land Use B	Land Use C	Total	
Enter	42	7	0	49	
Exit	26	24	0	50	
Total	68	31	0	99	*INTERNAL CAPTURE*
Single-Use Trip Gen. Est.	75	38	0	113	12%

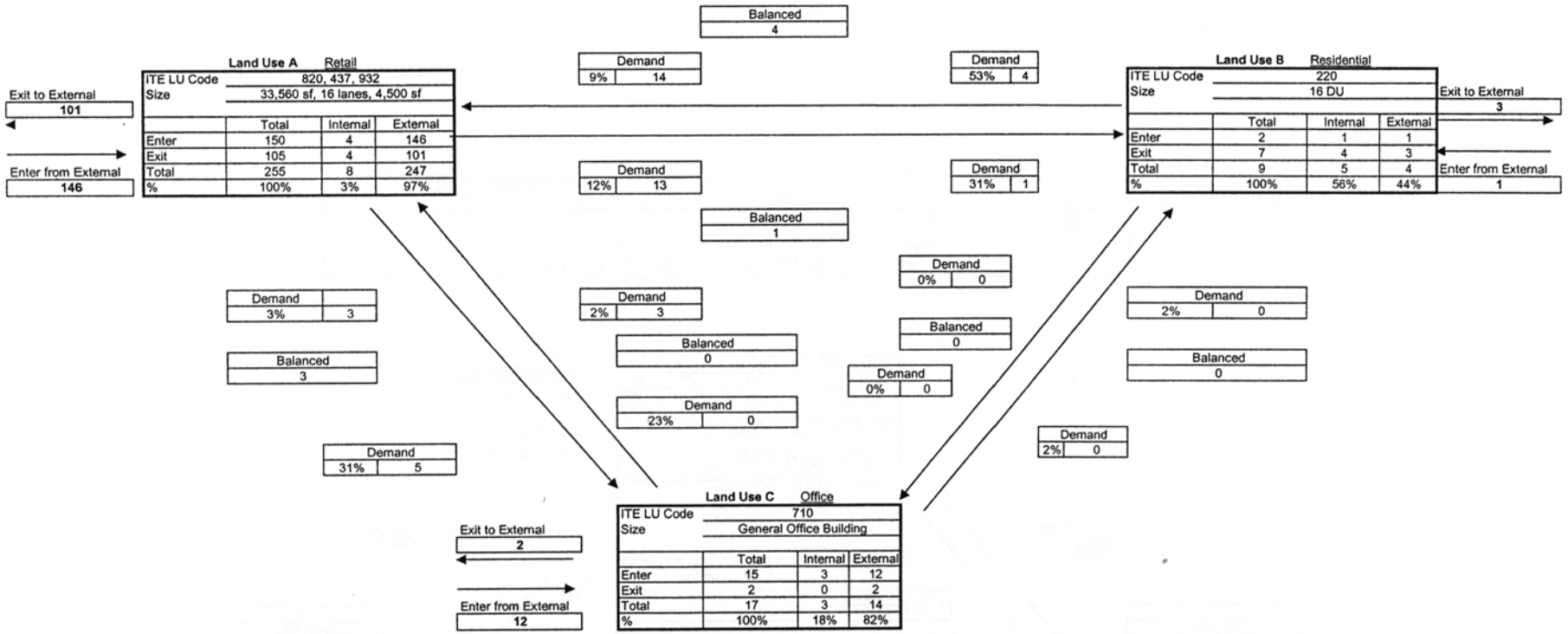
Internalization (Current Zoning) PM Peak



Net External Trips for Mulit-Use Development

	Land Use A	Land Use B	Land Use C	Total	
Enter	61	24	0	85	
Exit	63	13	0	76	
Total	124	37	0	161	*INTERNAL CAPTURE*
Single-Use Trip Gen. Est.	139	52	0	191	16%

Internalization (Proposed Zoning) PM Peak

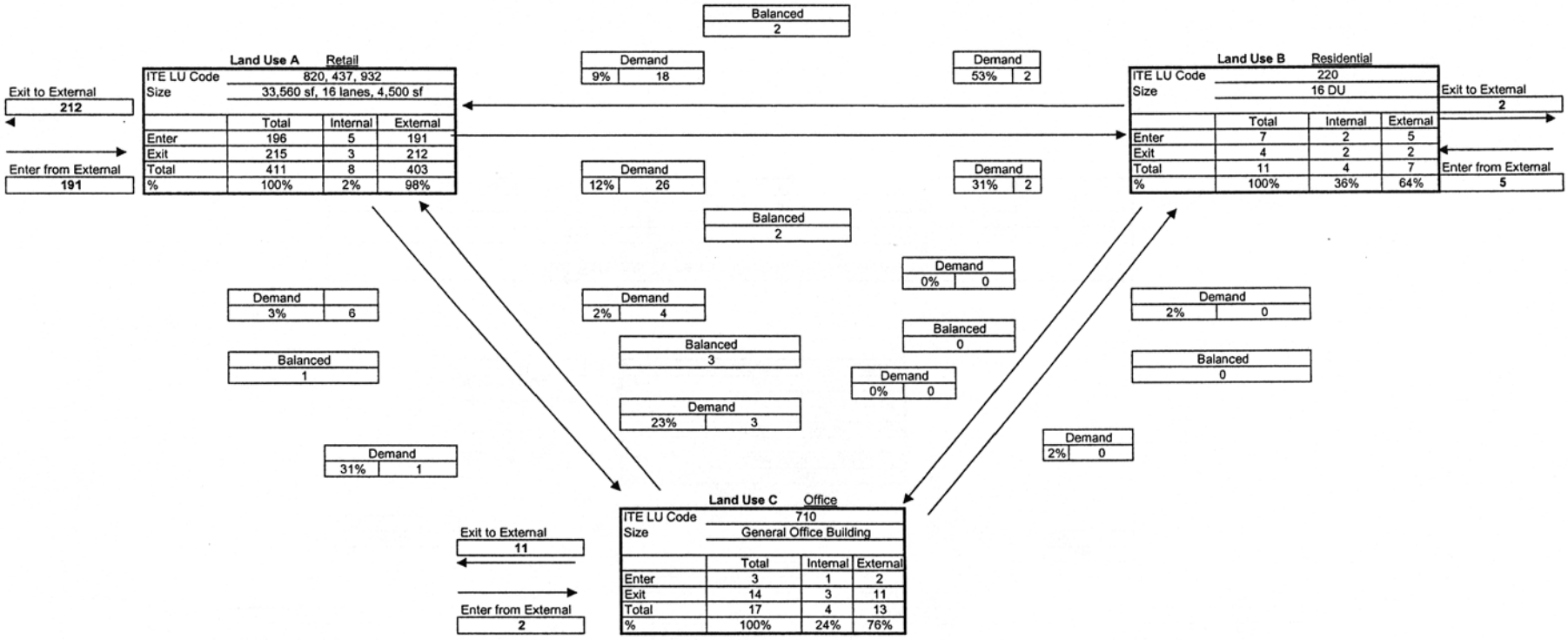


Net External Trips for Mulit-Use Development

	Land Use A	Land Use B	Land Use C	Total
Enter	146	1	12	159
Exit	101	3	2	106
Total	247	4	14	265
Single-Use Trip Gen. Est.	255	9	17	281

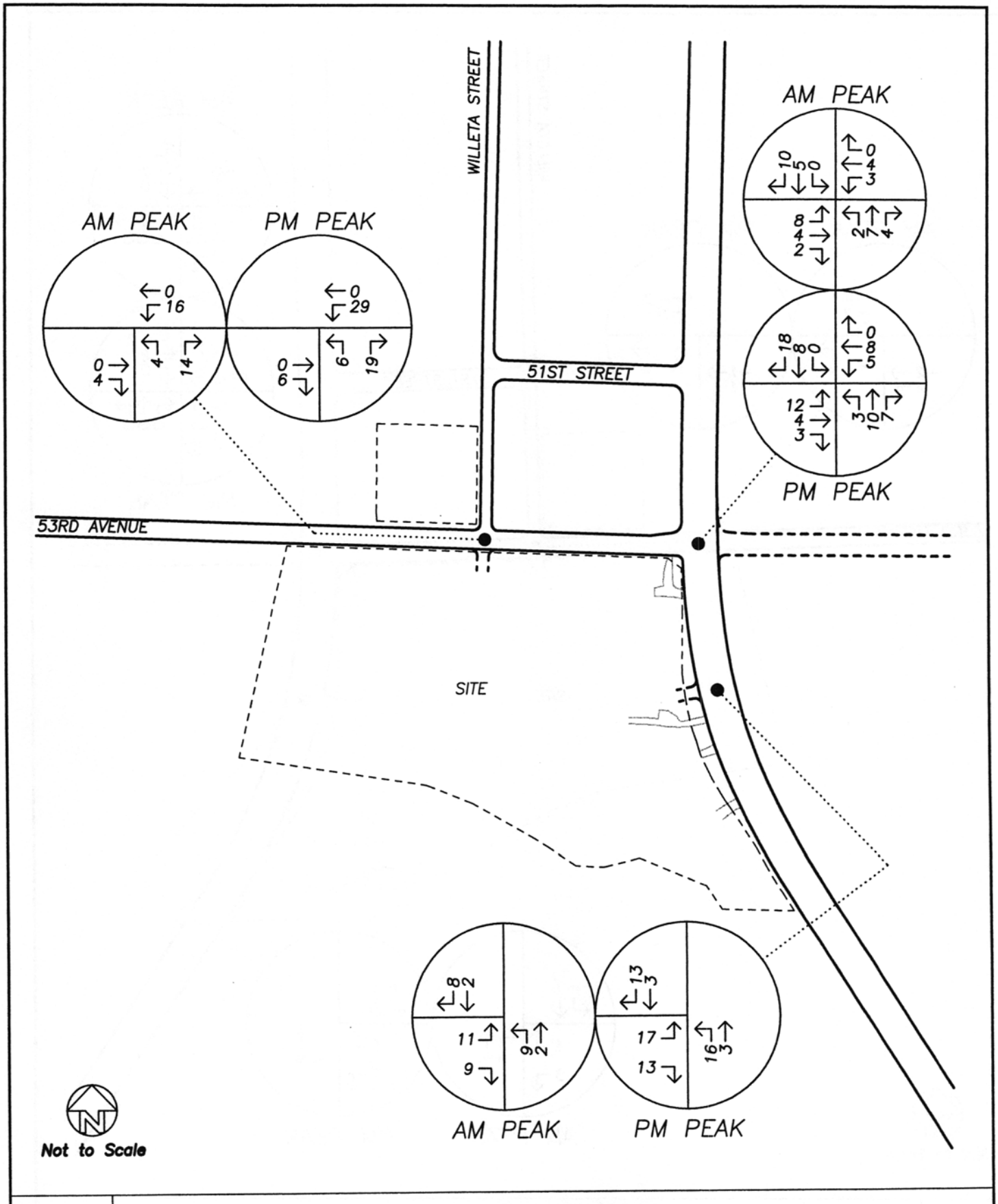
INTERNAL CAPTURE: 6%

Internalization (Proposed Zoning) PM Peak



Net External Trips for Mulit-Use Development

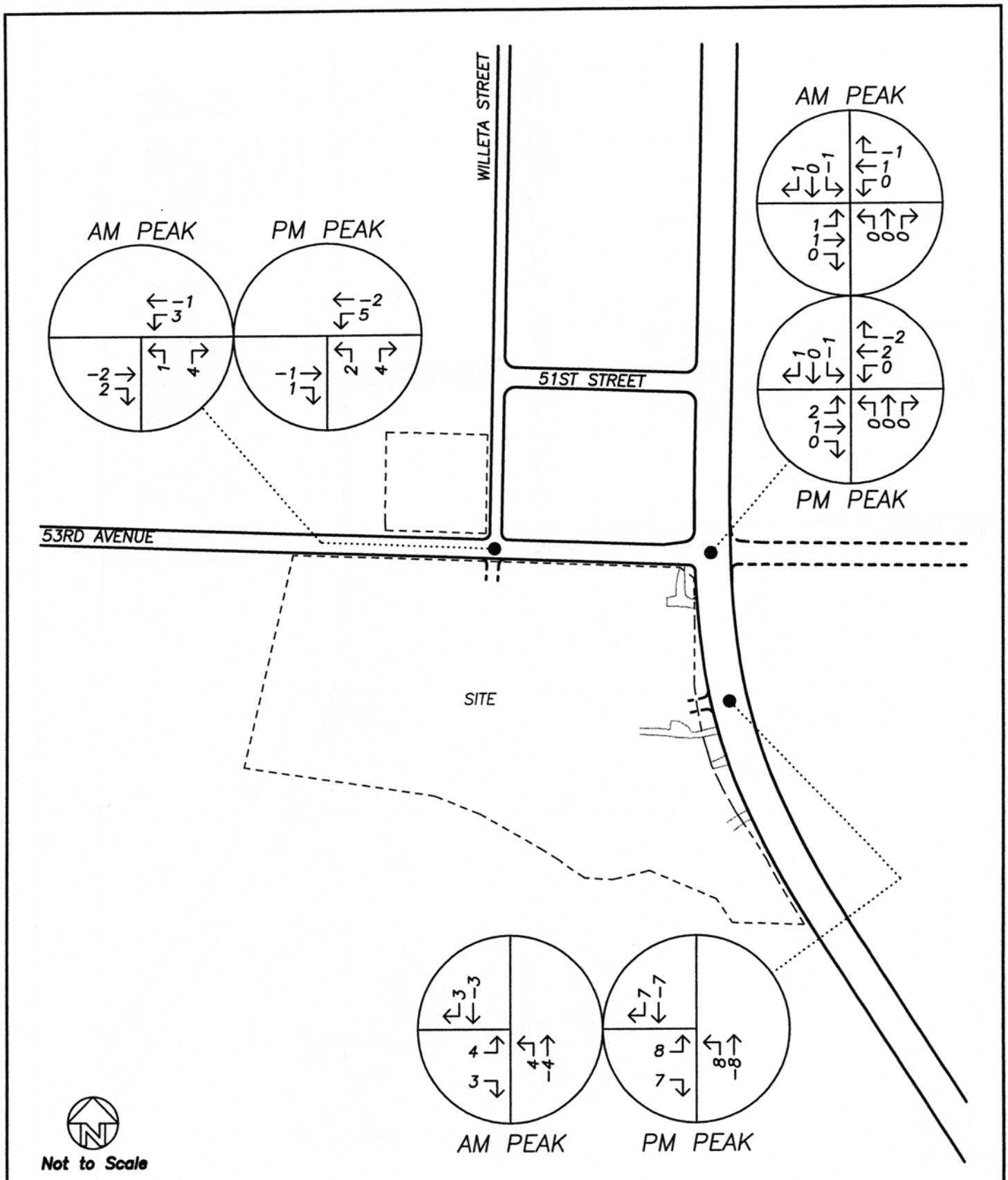
	Land Use A	Land Use B	Land Use C	Total	
Enter	191	5	2	198	
Exit	212	2	11	225	
Total	403	7	13	423	*INTERNAL CAPTURE*
Single-Use Trip Gen. Est.	411	11	17	439	4%



1e

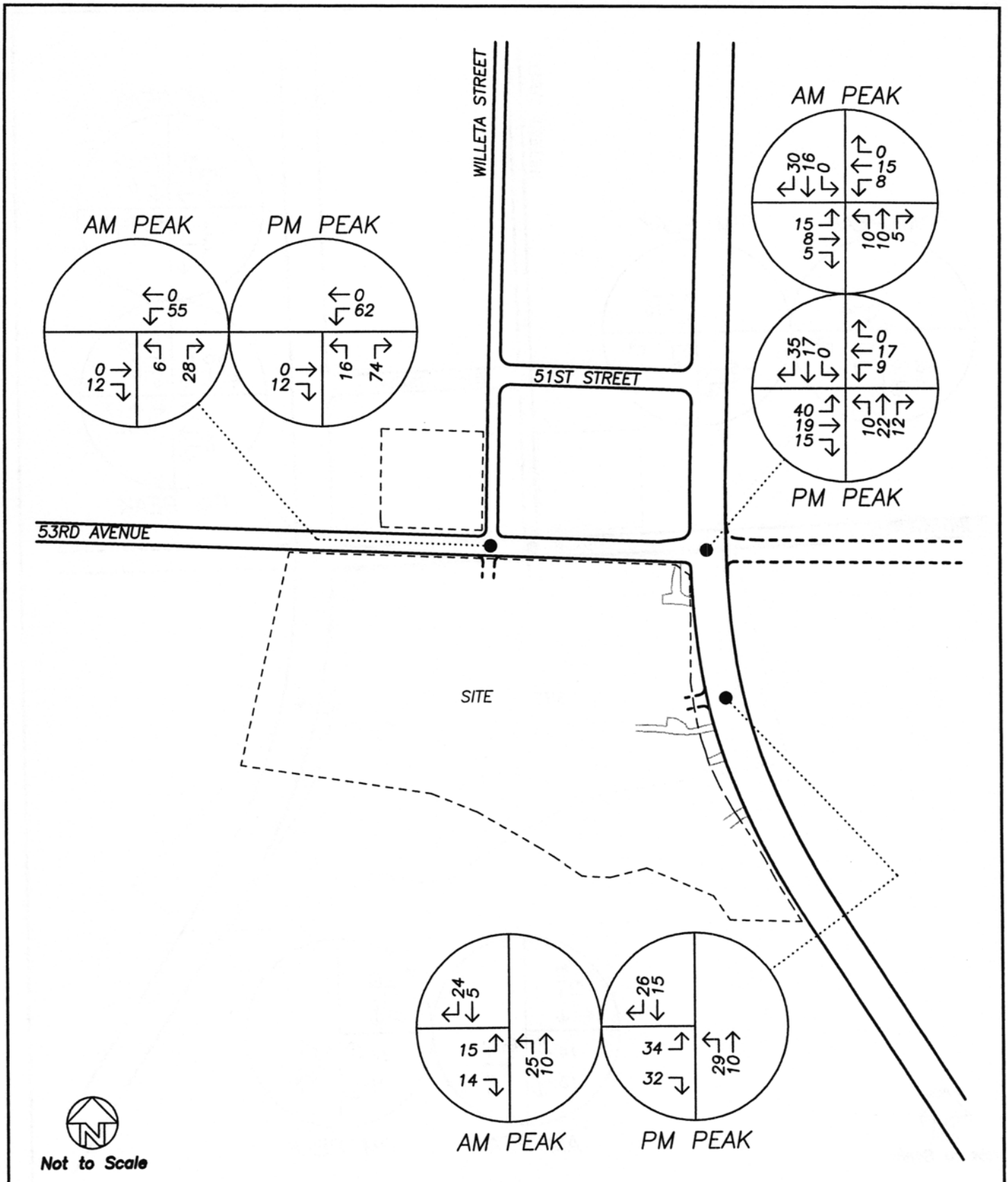
TRAFFIC VOLUMES
Primary Site Trips (CZ)
AM & PM Peak Hours

Maddy.dwg



TRAFFIC VOLUMES
Pass-by Trips (CZ)
AM & PM Peak Hours

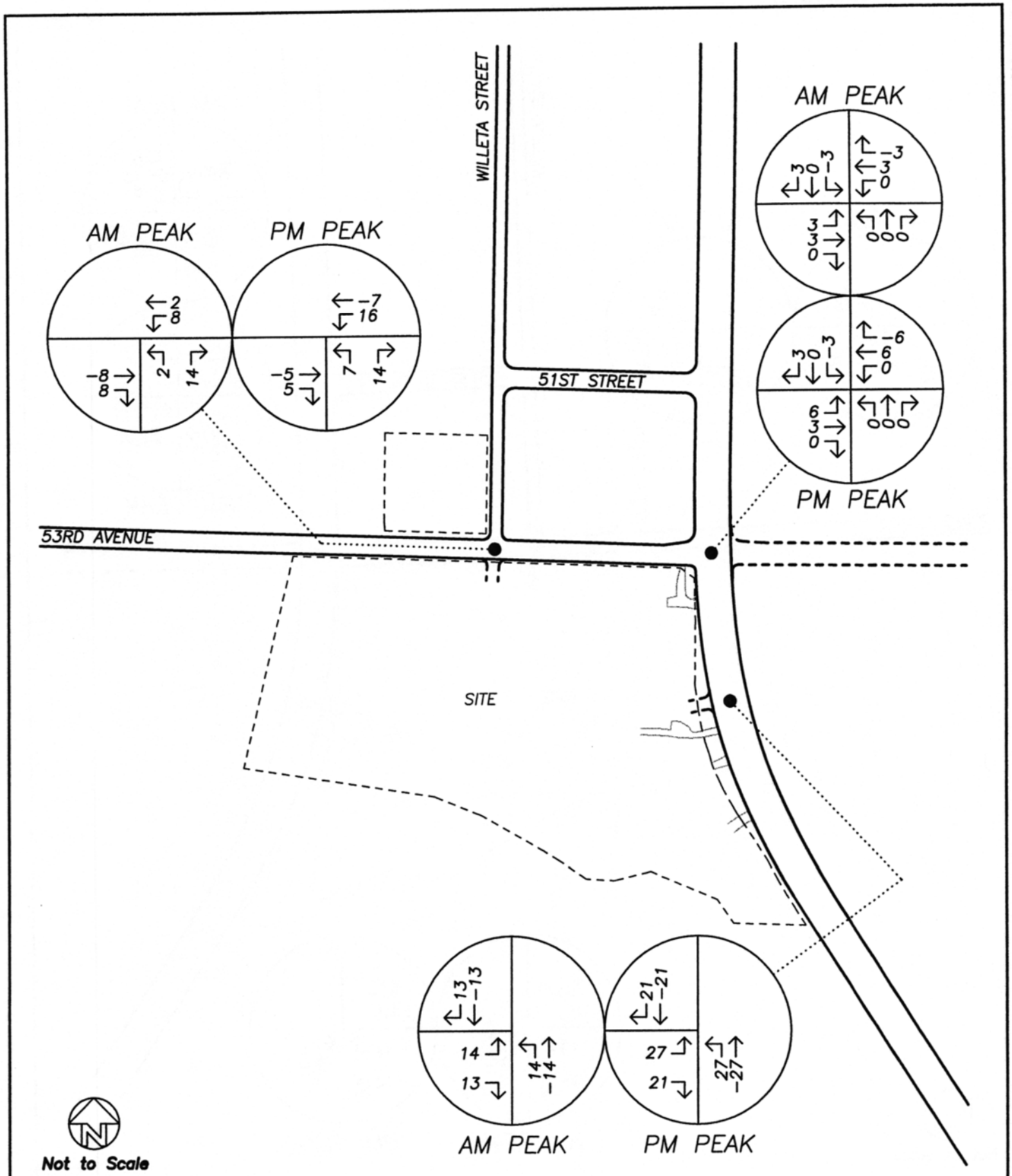
Maddy.dwg



1e

TRAFFIC VOLUMES
Primary Site Trips (PZ)
AM & PM Peak Hours

Maddy.dwg



TRAFFIC VOLUMES
Pass-by Trips (PZ)
AM & PM Peak Hours

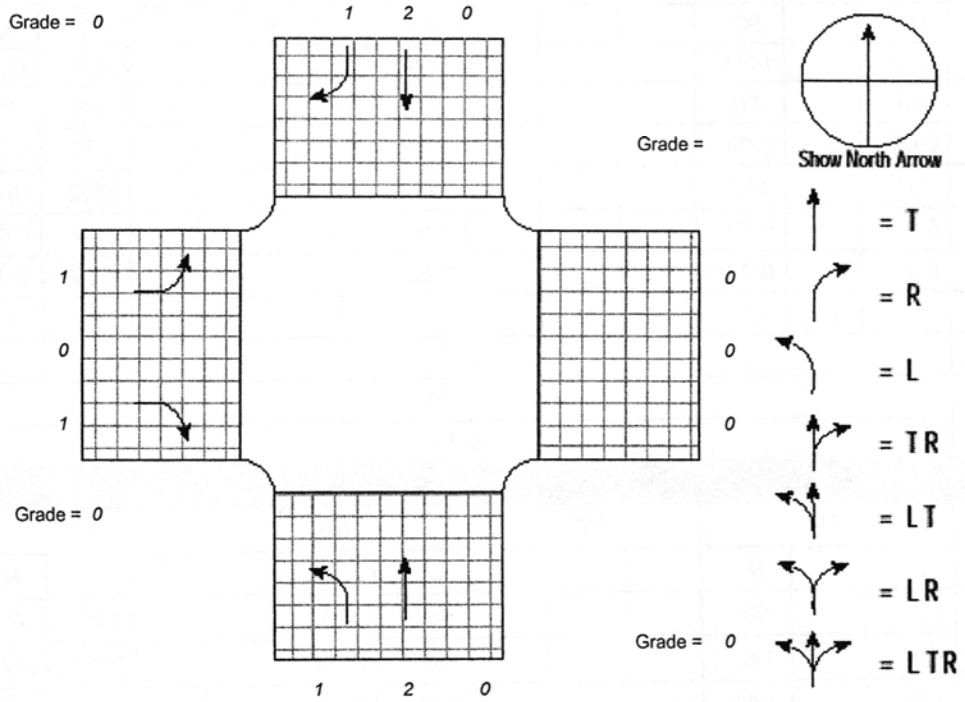
Maddy.dwg

INPUT WORKSHEET

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*99E & 53rd*
Agency or Co.	*LANCASTER ENGINEERING*	Area Type	*All other areas*
Date Performed	*08/19/2003*	Jurisdiction	*ODOT*
Time Period	*AM PEAK HOUR*	Analysis Year	*2004 EX COND*

Project Description *LINN-BENTON BOWLING CENTER*

Intersection Geometry



Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Volume, V (vph)	*115*		*90*				*40*	*525*			*625*	*100*
% heavy vehicles, % HV	*0*		*4*				*0*	*3*			*4*	*0*
Peak-hour factor, PHF	*1.00*		*1.00*				*1.00*	*1.00*			*1.00*	*1.00*
Pretimed (P) or actuated (A)	*A*		*A*				*A*	*A*			*A*	*A*
Start-up lost time, l_1 (sec)	*4.0*		*4.0*				*4.0*	*4.0*			*4.0*	*4.0*
Extension of effective green, e (s)	*2.0*		*2.0*				*2.0*	*2.0*			*2.0*	*2.0*
Arrival type, AT	*3*		*3*				*3*	*3*			*3*	*3*
Unit extension, UE (s)	*3.0*		*3.0*				*3.0*	*3.0*			*3.0*	*3.0*
Ped/Bike/RTOR Volume per hour	*0*	*0*	*0*	*0*						*0*	*0*	*15*
Lane width, W	*12.0*		*12.0*				*12.0*	*12.0*			*12.0*	*12.0*
Parking (Y or N)	*N*		*N*	*N*		*N*	*N*		*N*	*N*		*N*
Parking maneuvers, N_m (man/h)												
Bus stopping, N_b (buses/hr)	*0*		*0*				*0*	*0*			*0*	*0*

	EB Only	02	03	04	NB Only	Thru & RT	07	08
Timing	G = *11.0*	G =	G =	G =	G = *6.0*	G = *72.0*	G =	G =
	Y = *4*	Y =	Y =	Y =	Y = *3*	Y = *4*	Y =	Y =
Analysis duration, T (h) = *1.00*						Cycle Length, C (s) = *100.0*		

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CAPACITY AND LOS WORKSHEET

General Information

Project Description *LINN-BENTON BOWLING CENTER*

Capacity Analysis

	EB			WB			NB			SB		
Lane group	*L*		*R*				*L*	*T*			*T*	*R*
Adj. flow rate	*115*		*90*				*40*	*525*			*625*	*85*
Satflow rate	*1710*		*1471*				*1710*	*3320*			*3288*	*1530*
Lost time	*4.0*		*4.0*				*4.0*	*4.0*			*4.0*	*4.0*
Green ratio	*0.09*		*0.09*				*0.04*	*0.79*			*0.70*	*0.70*
Lane group cap.	*154*		*132*				*68*	*2623*			*2302*	*1071*
v/c ratio	*0.75*		*0.68*				*0.59*	*0.20*			*0.27*	*0.08*
Flow ratio	*0.07*		*0.06*				*0.02*	*0.16*			*0.19*	*0.06*
Crit. lane group		*N*	*N*		*N*			*N*			*Y*	*N*
Sum flow ratios	*0.28*											
Lost time/cycle	*17.00*											
Critical v/c ratio	*0.34*											

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Lane group	*L*		*R*				*L*	*T*			*T*	*R*
Adj. flow rate	*115*		*90*				*40*	*525*			*625*	*85*
Lane group cap.	*154*		*132*				*68*	*2623*			*2302*	*1071*
v/c ratio	*0.75*		*0.68*				*0.59*	*0.20*			*0.27*	*0.08*
Green ratio	*0.09*		*0.09*				*0.04*	*0.79*			*0.70*	*0.70*
Unif. delay d1	*44.4*		*44.1*				*47.2*	*2.6*			*5.6*	*4.8*
Delay factor k	*0.30*		*0.25*				*0.18*	*0.11*			*0.11*	*0.11*
Increm. delay d2	*20.0*		*14.4*				*13.3*	*0.0*			*0.1*	*0.0*
PF factor	*1.000*		*1.000*				*1.000*	*1.000*			*1.000*	*1.000*
Control delay	*64.4*		*58.5*				*60.5*	*2.7*			*5.6*	*4.8*
Lane group LOS	*E*		*E*				*E*	*A*			*A*	*A*
Apprch. delay	*61.8*						*6.8*			*5.5*		
Approach LOS	*E*						*A*			*A*		
Intersec. delay	*13.8*			Intersection LOS						*B*		

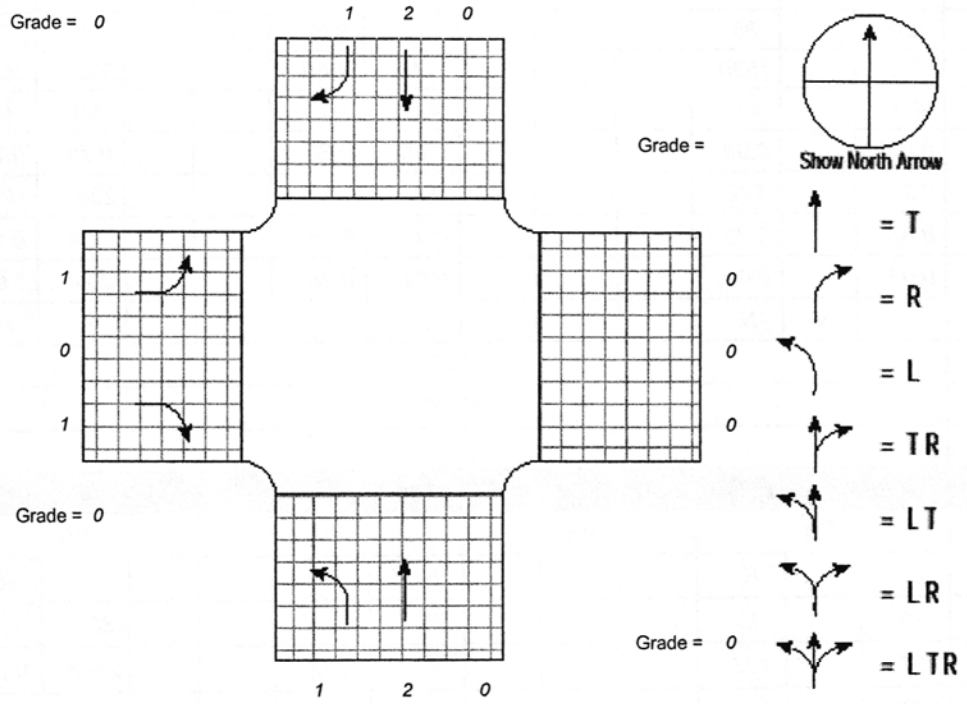
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INPUT WORKSHEET

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*99E & 53rd*
Agency or Co.	*LANCASTER ENGINEERING*	Area Type	*All other areas*
Date Performed	*08/19/2003*	Jurisdiction	*ODOT*
Time Period	*PM PEAK HOUR*	Analysis Year	*2004 EX COND*

Project Description *LINN-BENTON BOWLING CENTER*

Intersection Geometry



Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Volume, V (vph)	*120*		*35*				*75*	*935*			*805*	*150*
% heavy vehicles, % HV	*0*		*0*				*0*	*1*			*2*	*0*
Peak-hour factor, PHF	*1.00*		*1.00*				*1.00*	*1.00*			*1.00*	*1.00*
Pretimed (P) or actuated (A)	*A*		*A*				*A*	*A*			*A*	*A*
Start-up lost time, l_1 (sec)	*4.0*		*4.0*				*4.0*	*4.0*			*4.0*	*4.0*
Extension of effective green, e (s)	*2.0*		*2.0*				*2.0*	*2.0*			*2.0*	*2.0*
Arrival type, AT	*3*		*3*				*3*	*3*			*3*	*3*
Unit extension, UE (s)	*3.0*		*3.0*				*3.0*	*3.0*			*3.0*	*3.0*
Ped/Bike/RTOR Volume per hour	*0*	*0*	*0*	*0*						*0*	*0*	*25*
Lane width, W	*12.0*		*12.0*				*12.0*	*12.0*			*12.0*	*12.0*
Parking (Y or N)	*N*		*N*	*N*		*N*	*N*		*N*	*N*		*N*
Parking maneuvers, N_m (man/h)												
Bus stopping, N_b (buses/hr)	*0*		*0*				*0*	*0*			*0*	*0*

	EB Only	02	03	04	NB Only	Thru & RT	07	08
Timing	G = *10.0*	G =	G =	G =	G = *7.0*	G = *72.0*	G =	G =
	Y = *4*	Y =	Y =	Y =	Y = *3*	Y = *4*	Y =	Y =
Analysis duration, T (h) = *1.00*						Cycle Length, C (s) = *100.0*		

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CAPACITY AND LOS WORKSHEET

General Information

Project Description *LINN-BENTON BOWLING CENTER*

Capacity Analysis

	EB			WB			NB			SB		
Lane group	*L*		*R*				*L*	*T*			*T*	*R*
Adj. flow rate	*120*		*35*				*75*	*935*			*805*	*125*
Satflow rate	*1710*		*1530*				*1710*	*3386*			*3353*	*1530*
Lost time	*4.0*		*4.0*				*4.0*	*4.0*			*4.0*	*4.0*
Green ratio	*0.08*		*0.08*				*0.05*	*0.80*			*0.70*	*0.70*
Lane group cap.	*137*		*122*				*86*	*2709*			*2347*	*1071*
v/c ratio	*0.88*		*0.29*				*0.87*	*0.35*			*0.34*	*0.12*
Flow ratio	*0.07*		*0.02*				*0.04*	*0.28*			*0.24*	*0.08*
Crit. lane group		*N*	*N*		*N*			*N*			*Y*	*N*
Sum flow ratios	*0.35*											
Lost time/cycle	*17.00*											
Critical v/c ratio	*0.43*											

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Lane group	*L*		*R*				*L*	*T*			*T*	*R*
Adj. flow rate	*120*		*35*				*75*	*935*			*805*	*125*
Lane group cap.	*137*		*122*				*86*	*2709*			*2347*	*1071*
v/c ratio	*0.88*		*0.29*				*0.87*	*0.35*			*0.34*	*0.12*
Green ratio	*0.08*		*0.08*				*0.05*	*0.80*			*0.70*	*0.70*
Unif. delay d1	*45.5*		*43.3*				*47.2*	*2.8*			*5.9*	*4.9*
Delay factor k	*0.40*		*0.11*				*0.40*	*0.11*			*0.11*	*0.11*
Increm. delay d2	*59.1*		*1.3*				*83.8*	*0.1*			*0.1*	*0.0*
PF factor	*1.000*		*1.000*				*1.000*	*1.000*			*1.000*	*1.000*
Control delay	*104.6*		*44.6*				*130.9*	*2.8*			*6.0*	*4.9*
Lane group LOS	*F*		*D*				*F*	*A*			*A*	*A*
Apprch. delay	*91.1*						*12.4*			*5.9*		
Approach LOS	*F*						*B*			*A*		
Intersec. delay	*15.3*			Intersection LOS			*B*					

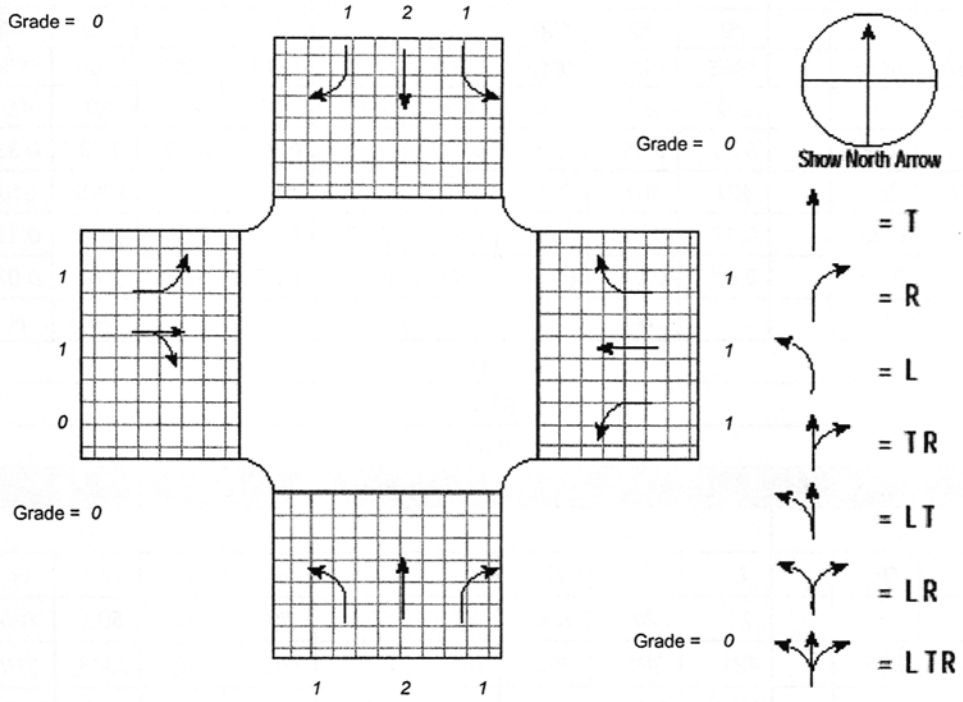
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INPUT WORKSHEET

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*99E & 53rd*
Agency or Co.	*LANCASTER ENGINEERING*	Area Type	*All other areas*
Date Performed	*08/19/2003*	Jurisdiction	*ODOT*
Time Period	*AM PEAK HOUR*	Analysis Year	*2019 BK COND*

Project Description *LINN-BENTON BOWLING CENTER*

Intersection Geometry



Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Volume, V (vph)	*225*	*15*	*70*	*70*	*20*	*150*	*25*	*665*	*80*	*125*	*600*	*120*
% heavy vehicles, % HV	*0*	*0*	*4*	*0*	*0*	*0*	*0*	*3*	*0*	*0*	*4*	*0*
Peak-hour factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Pretimed (P) or actuated (A)	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*
Start-up lost time, l_1 (sec)	*4.0*	*2.0*		*2.0*	*2.0*	*2.0*	*4.0*	*4.0*	*2.0*	*2.0*	*4.0*	*4.0*
Extension of effective green, e (s)	*2.0*	*2.0*		*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*
Arrival type, AT	*3*	*3*		*3*	*3*	*3*	*3*	*3*	*3*	*3*	*3*	*3*
Unit extension, UE (s)	*3.0*	*3.0*		*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*
Ped/Bike/RTOR Volume per hour	*0*		*0*	*0*		*0*	*0*		*0*	*0*		*15*
Lane width, W	*12.0*	*12.0*		*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*
Parking (Y or N)	*N*		*N*	*N*		*N*	*N*		*N*	*N*		*N*
Parking maneuvers, N_m (man/h)												
Bus stopping, N_b (buses/hr)	*0*	*0*		*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*

	Excl. Left	Thru & RT	03	04	Excl. Left	Thru & RT	07	08
Timing	G = *28.0*	G = *19.0*	G =	G =	G = *15.0*	G = *42.0*	G =	G =
	Y = *4*	Y = *4*	Y =	Y =	Y = *4*	Y = *4*	Y =	Y =
Analysis duration, T (h) = *1.00*					Cycle Length, C (s) = *120.0*			

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CAPACITY AND LOS WORKSHEET

General Information

Project Description *LINN-BENTON BOWLING CENTER*

Capacity Analysis

	EB			WB			NB			SB		
Lane group	*L*	*TR*		*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*
Adj. flow rate	*225*	*85*		*70*	*20*	*150*	*25*	*665*	*80*	*125*	*600*	*105*
Satflow rate	*1710*	*1612*		*1805*	*1900*	*1615*	*1710*	*3320*	*1615*	*1805*	*3288*	*1530*
Lost time	*4.0*	*2.0*		*2.0*	*2.0*	*2.0*	*4.0*	*4.0*	*2.0*	*2.0*	*4.0*	*4.0*
Green ratio	*0.22*	*0.16*		*0.23*	*0.16*	*0.16*	*0.11*	*0.33*	*0.35*	*0.13*	*0.33*	*0.33*
Lane group cap.	*371*	*255*		*421*	*301*	*256*	*185*	*1107*	*565*	*226*	*1096*	*510*
v/c ratio	*0.61*	*0.33*		*0.17*	*0.07*	*0.59*	*0.14*	*0.60*	*0.14*	*0.55*	*0.55*	*0.21*
Flow ratio	*0.13*	*0.05*		*0.04*	*0.01*	*0.09*	*0.01*	*0.20*	*0.05*	*0.07*	*0.18*	*0.07*
Crit. lane group		*N*			*N*	*Y*		*Y*	*N*		*N*	*N*
Sum flow ratios	*0.49*											
Lost time/cycle	*20.00*											
Critical v/c ratio	*0.59*											

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Lane group	*L*	*TR*		*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*
Adj. flow rate	*225*	*85*		*70*	*20*	*150*	*25*	*665*	*80*	*125*	*600*	*105*
Lane group cap.	*371*	*255*		*421*	*301*	*256*	*185*	*1107*	*565*	*226*	*1096*	*510*
v/c ratio	*0.61*	*0.33*		*0.17*	*0.07*	*0.59*	*0.14*	*0.60*	*0.14*	*0.55*	*0.55*	*0.21*
Green ratio	*0.22*	*0.16*		*0.23*	*0.16*	*0.16*	*0.11*	*0.33*	*0.35*	*0.13*	*0.33*	*0.33*
Unif. delay d1	*42.4*	*44.9*		*36.7*	*43.0*	*46.9*	*48.4*	*33.3*	*26.7*	*49.3*	*32.6*	*28.6*
Delay factor k	*0.19*	*0.11*		*0.11*	*0.11*	*0.18*	*0.11*	*0.19*	*0.11*	*0.15*	*0.15*	*0.11*
Increm. delay d2	*2.9*	*0.8*		*0.2*	*0.1*	*3.5*	*0.3*	*0.9*	*0.1*	*3.0*	*0.6*	*0.2*
PF factor	*1.000*	*1.000*		*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*
Control delay	*45.3*	*45.6*		*36.9*	*43.0*	*50.4*	*48.7*	*34.3*	*26.8*	*52.3*	*33.2*	*28.8*
Lane group LOS	*D*	*D*		*D*	*D*	*D*	*D*	*C*	*C*	*D*	*C*	*C*
Apprch. delay	*45.4*			*45.8*			*34.0*			*35.5*		
Approach LOS	*D*			*D*			*C*			*D*		
Intersec. delay	*37.5*			Intersection LOS						*D*		

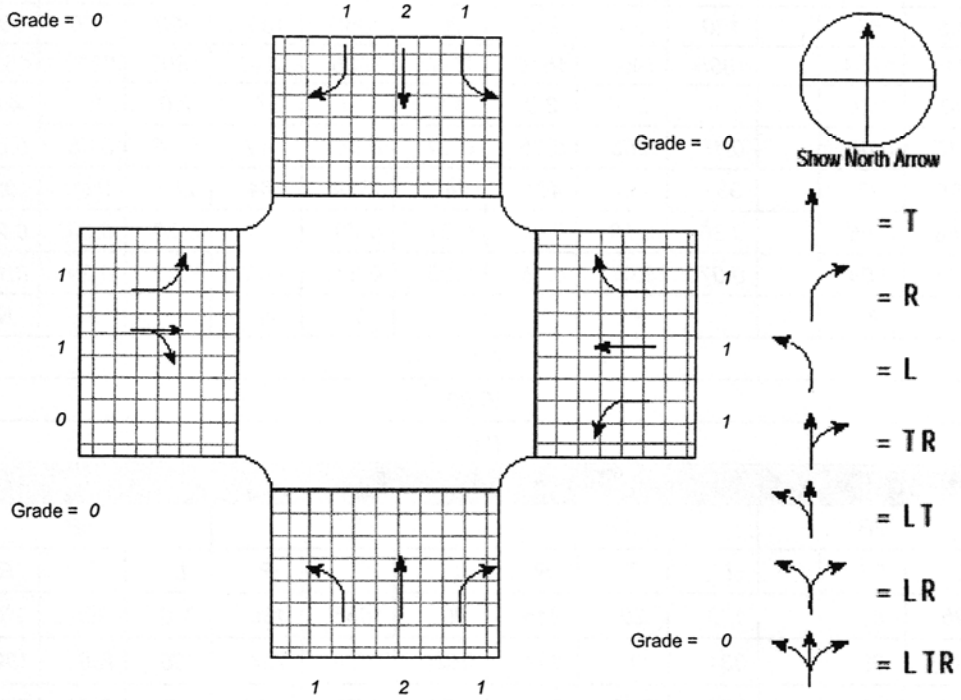
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INPUT WORKSHEET

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*99E & 53rd*
Agency or Co.	*LANCASTER ENGINEERING*	Area Type	*All other areas*
Date Performed	*08/19/2003*	Jurisdiction	*ODOT*
Time Period	*PM PEAK HOUR*	Analysis Year	*2019 BK COND*

Project Description *LINN-BENTON BOWLING CENTER*

Intersection Geometry



Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Volume, V (vph)	*195*	*20*	*45*	*120*	*20*	*245*	*90*	*1065*	*130*	*200*	*965*	*255*
% heavy vehicles, % HV	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*1*	*0*	*0*	*2*	*0*
Peak-hour factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Pretimed (P) or actuated (A)	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*
Start-up lost time, l_1 (sec)	*4.0*	*2.0*		*2.0*	*2.0*	*2.0*	*4.0*	*4.0*	*2.0*	*2.0*	*4.0*	*4.0*
Extension of effective green, e (s)	*2.0*	*2.0*		*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*
Arrival type, AT	*3*	*3*		*3*	*3*	*3*	*3*	*3*	*3*	*3*	*3*	*3*
Unit extension, UE (s)	*3.0*	*3.0*		*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*
Ped/Bike/RTOR Volume per hour	*0*		*0*	*0*		*0*	*0*		*0*	*0*		*25*
Lane width, W	*12.0*	*12.0*		*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*
Parking (Y or N)	*N*		*N*	*N*		*N*	*N*		*N*	*N*		*N*
Parking maneuvers, N_m (man/h)												
Bus stopping, N_b (buses/hr)	*0*	*0*		*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*

	Excl. Left	Thru & RT	03	04	Excl. Left	Thru & RT	07	08
Timing	G = *22.0*	G = *7.0*	G =	G =	G = *19.0*	G = *56.0*	G =	G =
	Y = *4*	Y = *4*	Y =	Y =	Y = *4*	Y = *4*	Y =	Y =
Analysis duration, T (h) = *1.00*					Cycle Length, C (s) = *120.0*			

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CAPACITY AND LOS WORKSHEET

General Information

Project Description *LINN-BENTON BOWLING CENTER*

Capacity Analysis

	EB			WB			NB			SB		
Lane group	*L*	*TR*		*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*
Adj. flow rate	*195*	*65*		*120*	*20*	*245*	*90*	*1065*	*130*	*200*	*965*	*230*
Satflow rate	*1710*	*1703*		*1805*	*1900*	*1615*	*1710*	*3386*	*1615*	*1805*	*3353*	*1530*
Lost time	*4.0*	*2.0*		*2.0*	*2.0*	*2.0*	*4.0*	*4.0*	*2.0*	*2.0*	*4.0*	*4.0*
Green ratio	*0.17*	*0.06*		*0.18*	*0.06*	*0.25*	*0.14*	*0.45*	*0.47*	*0.16*	*0.45*	*0.67*
Lane group cap.	*285*	*99*		*331*	*111*	*404*	*242*	*1524*	*754*	*286*	*1509*	*1020*
v/c ratio	*0.68*	*0.66*		*0.36*	*0.18*	*0.61*	*0.37*	*0.70*	*0.17*	*0.70*	*0.64*	*0.23*
Flow ratio	*0.11*	*0.04*		*0.07*	*0.01*	*0.15*	*0.05*	*0.31*	*0.08*	*0.11*	*0.29*	*0.15*
Crit. lane group		*N*			*N*	*Y*		*Y*	*N*		*N*	*N*
Sum flow ratios	*0.58*											
Lost time/cycle	*16.00*											
Critical v/c ratio	*0.67*											

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Lane group	*L*	*TR*		*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*
Adj. flow rate	*195*	*65*		*120*	*20*	*245*	*90*	*1065*	*130*	*200*	*965*	*230*
Lane group cap.	*285*	*99*		*331*	*111*	*404*	*242*	*1524*	*754*	*286*	*1509*	*1020*
v/c ratio	*0.68*	*0.66*		*0.36*	*0.18*	*0.61*	*0.37*	*0.70*	*0.17*	*0.70*	*0.64*	*0.23*
Green ratio	*0.17*	*0.06*		*0.18*	*0.06*	*0.25*	*0.14*	*0.45*	*0.47*	*0.16*	*0.45*	*0.67*
Unif. delay d1	*47.0*	*55.3*		*42.9*	*53.8*	*39.8*	*46.7*	*26.5*	*18.6*	*47.8*	*25.5*	*7.8*
Delay factor k	*0.25*	*0.23*		*0.11*	*0.11*	*0.19*	*0.11*	*0.27*	*0.11*	*0.27*	*0.22*	*0.11*
Increm. delay d2	*6.9*	*15.7*		*0.7*	*0.8*	*2.6*	*1.0*	*1.4*	*0.1*	*7.7*	*0.9*	*0.1*
PF factor	*1.000*	*1.000*		*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*
Control delay	*53.9*	*71.1*		*43.5*	*54.6*	*42.4*	*47.6*	*27.9*	*18.7*	*55.5*	*26.4*	*8.0*
Lane group LOS	*D*	*E*		*D*	*D*	*D*	*D*	*C*	*B*	*E*	*C*	*A*
Apprch. delay	*58.2*			*43.4*			*28.4*			*27.5*		
Approach LOS	*E*			*D*			*C*			*C*		
Intersec. delay	*32.1*			Intersection LOS						*C*		

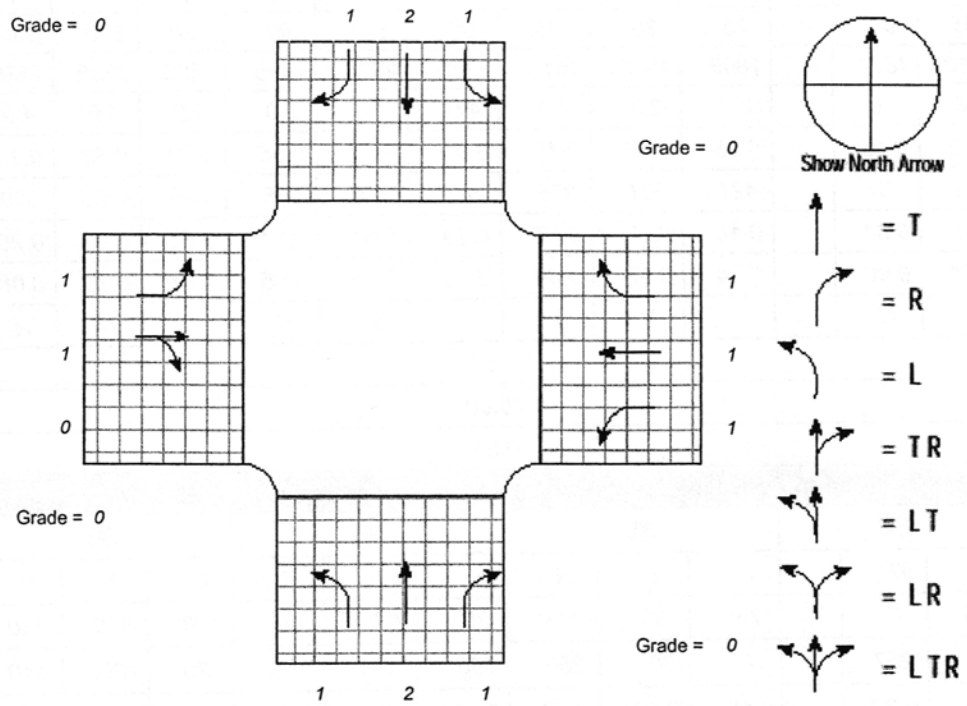
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INPUT WORKSHEET

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*99E & 53rd*
Agency or Co.	*LANCASTER ENGINEERING*	Area Type	*All other areas*
Date Performed	*08/19/2003*	Jurisdiction	*ODOT*
Time Period	*AM PEAK HOUR*	Analysis Year	*2019 BK +ST COND*

Project Description *LINN-BENTON BOWLING CENTER*

Intersection Geometry



Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Volume, V (vph)	*235*	*20*	*75*	*75*	*35*	*145*	*35*	*670*	*80*	*120*	*610*	*145*
% heavy vehicles, % HV	*0*	*0*	*4*	*0*	*0*	*0*	*0*	*3*	*0*	*0*	*4*	*0*
Peak-hour factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Pretimed (P) or actuated (A)	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*
Start-up lost time, l_1 (sec)	*4.0*	*2.0*		*2.0*	*2.0*	*2.0*	*4.0*	*4.0*	*2.0*	*2.0*	*4.0*	*4.0*
Extension of effective green, e (s)	*2.0*	*2.0*		*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*
Arrival type, AT	*3*	*3*		*3*	*3*	*3*	*3*	*3*	*3*	*3*	*3*	*3*
Unit extension, UE (s)	*3.0*	*3.0*		*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*
Ped/Bike/RTOR Volume per hour	*0*		*0*	*0*		*0*	*0*		*0*	*0*		*15*
Lane width, W	*12.0*	*12.0*		*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*
Parking (Y or N)	*N*		*N*	*N*		*N*	*N*		*N*	*N*		*N*
Parking maneuvers, N_m (man/h)												
Bus stopping, N_b (buses/hr)	*0*	*0*		*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*

	Excl. Left	Thru & RT	03	04	Excl. Left	Thru & RT	07	08
Timing	G = *28.0*	G = *19.0*	G =	G =	G = *15.0*	G = *42.0*	G =	G =
	Y = *4*	Y = *4*	Y =	Y =	Y = *4*	Y = *4*	Y =	Y =
Analysis duration, T (h) = *1.00*						Cycle Length, C (s) = *120.0*		

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CAPACITY AND LOS WORKSHEET

General Information

Project Description *LINN-BENTON BOWLING CENTER*

Capacity Analysis

	EB			WB			NB			SB		
Lane group	*L*	*TR*		*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*
Adj. flow rate	*235*	*95*		*75*	*35*	*145*	*35*	*670*	*80*	*120*	*610*	*130*
Satflow rate	*1710*	*1624*		*1805*	*1900*	*1615*	*1710*	*3320*	*1615*	*1805*	*3288*	*1530*
Lost time	*4.0*	*2.0*		*2.0*	*2.0*	*2.0*	*4.0*	*4.0*	*2.0*	*2.0*	*4.0*	*4.0*
Green ratio	*0.22*	*0.16*		*0.23*	*0.16*	*0.16*	*0.11*	*0.33*	*0.35*	*0.13*	*0.33*	*0.33*
Lane group cap.	*371*	*257*		*421*	*301*	*256*	*185*	*1107*	*565*	*226*	*1096*	*510*
v/c ratio	*0.63*	*0.37*		*0.18*	*0.12*	*0.57*	*0.19*	*0.61*	*0.14*	*0.53*	*0.56*	*0.25*
Flow ratio	*0.14*	*0.06*		*0.04*	*0.02*	*0.09*	*0.02*	*0.20*	*0.05*	*0.07*	*0.19*	*0.08*
Crit. lane group		*N*			*N*	*Y*		*Y*	*N*		*N*	*N*
Sum flow ratios	*0.50*											
Lost time/cycle	*20.00*											
Critical v/c ratio	*0.59*											

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Lane group	*L*	*TR*		*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*
Adj. flow rate	*235*	*95*		*75*	*35*	*145*	*35*	*670*	*80*	*120*	*610*	*130*
Lane group cap.	*371*	*257*		*421*	*301*	*256*	*185*	*1107*	*565*	*226*	*1096*	*510*
v/c ratio	*0.63*	*0.37*		*0.18*	*0.12*	*0.57*	*0.19*	*0.61*	*0.14*	*0.53*	*0.56*	*0.25*
Green ratio	*0.22*	*0.16*		*0.23*	*0.16*	*0.16*	*0.11*	*0.33*	*0.35*	*0.13*	*0.33*	*0.33*
Unif. delay d1	*42.7*	*45.1*		*36.8*	*43.3*	*46.7*	*48.7*	*33.4*	*26.7*	*49.2*	*32.7*	*29.1*
Delay factor k	*0.21*	*0.11*		*0.11*	*0.11*	*0.16*	*0.11*	*0.19*	*0.11*	*0.13*	*0.15*	*0.11*
Increm. delay d2	*3.6*	*0.9*		*0.2*	*0.2*	*3.0*	*0.5*	*1.0*	*0.1*	*2.4*	*0.6*	*0.3*
PF factor	*1.000*	*1.000*		*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*
Control delay	*46.2*	*46.0*		*37.0*	*43.5*	*49.7*	*49.2*	*34.4*	*26.8*	*51.6*	*33.4*	*29.4*
Lane group LOS	*D*	*D*		*D*	*D*	*D*	*D*	*C*	*C*	*D*	*C*	*C*
Apprch. delay	*46.2*			*45.1*			*34.3*			*35.3*		
Approach LOS	*D*			*D*			*C*			*D*		
Intersec. delay	*37.7*			Intersection LOS						*D*		

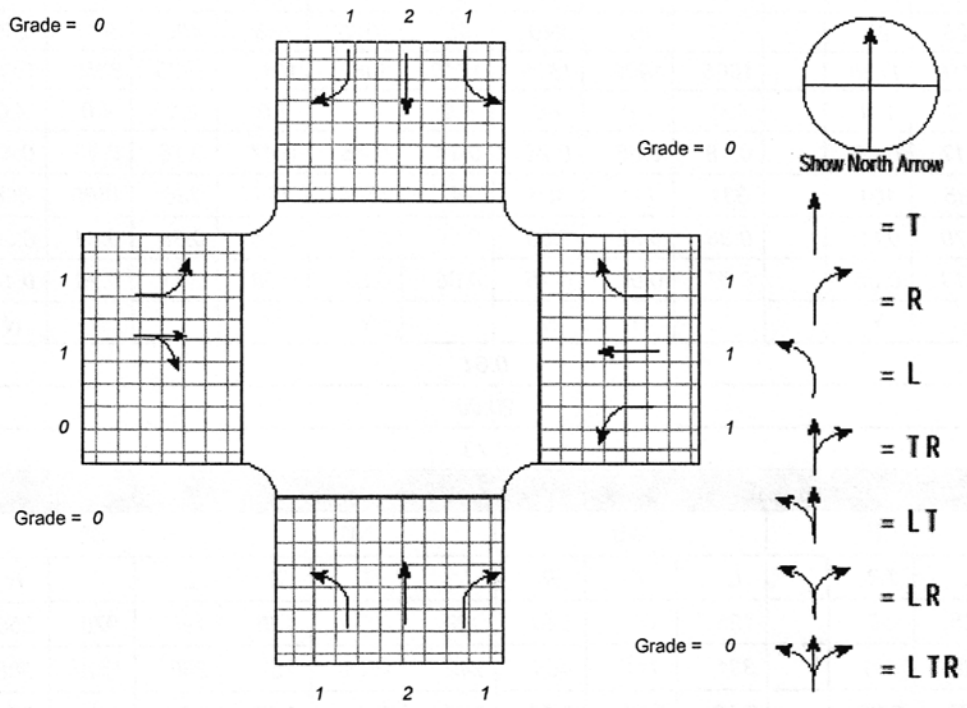
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INPUT WORKSHEET

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*99E & 53rd*
Agency or Co.	*LANCASTER ENGINEERING*	Area Type	*All other areas*
Date Performed	*08/19/2003*	Jurisdiction	*ODOT*
Time Period	*PM PEAK HOUR*	Analysis Year	*2019 BK + ST COND*

Project Description *LINN-BENTON BOWLING CENTER*

Intersection Geometry



Volume and Timing Input

	EB			WB			NB			SB		
	LT	TH	RT	LT	TH	RT	LT	TH	RT	LT	TH	RT
Volume, V (vph)	*225*	*35*	*55*	*125*	*35*	*240*	*95*	*1075*	*135*	*195*	*970*	*275*
% heavy vehicles, % HV	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*1*	*0*	*0*	*2*	*0*
Peak-hour factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Pretimed (P) or actuated (A)	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*	*A*
Start-up lost time, l_1 (sec)	*4.0*	*2.0*		*2.0*	*2.0*	*2.0*	*4.0*	*4.0*	*2.0*	*2.0*	*4.0*	*4.0*
Extension of effective green, e (s)	*2.0*	*2.0*		*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*	*2.0*
Arrival type, AT	*3*	*3*		*3*	*3*	*3*	*3*	*3*	*3*	*3*	*3*	*3*
Unit extension, UE (s)	*3.0*	*3.0*		*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*	*3.0*
Ped/Bike/RTOR Volume per hour	*0*		*0*	*0*		*0*	*0*		*0*	*0*		*25*
Lane width, W	*12.0*	*12.0*		*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*	*12.0*
Parking (Y or N)	*N*		*N*	*N*		*N*	*N*		*N*	*N*		*N*
Parking maneuvers, N_m (man/h)												
Bus stopping, N_b (buses/hr)	*0*	*0*		*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*	*0*

	Excl. Left	Thru & RT	03	04	Excl. Left	Thru & RT	07	08
Timing	G = *22.0*	G = *7.0*	G =	G =	G = *19.0*	G = *56.0*	G =	G =
	Y = *4*	Y = *4*	Y =	Y =	Y = *4*	Y = *4*	Y =	Y =
Analysis duration, T (h) = *1.00*					Cycle Length, C (s) = *120.0*			

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CAPACITY AND LOS WORKSHEET

General Information

Project Description *LINN-BENTON BOWLING CENTER*

Capacity Analysis

	EB			WB			NB			SB		
Lane group	*L*	*TR*		*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*
Adj. flow rate	*225*	*90*		*125*	*35*	*240*	*95*	*1075*	*135*	*195*	*970*	*250*
Satflow rate	*1710*	*1726*		*1805*	*1900*	*1615*	*1710*	*3386*	*1615*	*1805*	*3353*	*1530*
Lost time	*4.0*	*2.0*		*2.0*	*2.0*	*2.0*	*4.0*	*4.0*	*2.0*	*2.0*	*4.0*	*4.0*
Green ratio	*0.17*	*0.06*		*0.18*	*0.06*	*0.25*	*0.14*	*0.45*	*0.47*	*0.16*	*0.45*	*0.45*
Lane group cap.	*285*	*101*		*331*	*111*	*404*	*242*	*1524*	*754*	*286*	*1509*	*688*
v/c ratio	*0.79*	*0.89*		*0.38*	*0.32*	*0.59*	*0.39*	*0.71*	*0.18*	*0.68*	*0.64*	*0.36*
Flow ratio	*0.13*	*0.05*		*0.07*	*0.02*	*0.15*	*0.06*	*0.32*	*0.08*	*0.11*	*0.29*	*0.16*
Crit. lane group		*Y*			*N*	*N*		*Y*	*N*		*N*	*N*
Sum flow ratios	*0.61*											
Lost time/cycle	*20.00*											
Critical v/c ratio	*0.73*											

Lane Group Capacity, Control Delay, and LOS Determination

	EB			WB			NB			SB		
Lane group	*L*	*TR*		*L*	*T*	*R*	*L*	*T*	*R*	*L*	*T*	*R*
Adj. flow rate	*225*	*90*		*125*	*35*	*240*	*95*	*1075*	*135*	*195*	*970*	*250*
Lane group cap.	*285*	*101*		*331*	*111*	*404*	*242*	*1524*	*754*	*286*	*1509*	*688*
v/c ratio	*0.79*	*0.89*		*0.38*	*0.32*	*0.59*	*0.39*	*0.71*	*0.18*	*0.68*	*0.64*	*0.36*
Green ratio	*0.17*	*0.06*		*0.18*	*0.06*	*0.25*	*0.14*	*0.45*	*0.47*	*0.16*	*0.45*	*0.45*
Unif. delay d1	*48.0*	*56.1*		*43.0*	*54.2*	*39.6*	*46.8*	*26.6*	*18.6*	*47.6*	*25.5*	*21.7*
Delay factor k	*0.34*	*0.42*		*0.11*	*0.11*	*0.18*	*0.11*	*0.27*	*0.11*	*0.25*	*0.22*	*0.11*
Increm. delay d2	*15.3*	*84.6*		*0.7*	*1.6*	*2.4*	*1.1*	*1.5*	*0.1*	*6.7*	*0.9*	*0.3*
PF factor	*1.000*	*1.000*		*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*	*1.000*
Control delay	*63.3*	*140.7*		*43.7*	*55.8*	*42.0*	*47.9*	*28.1*	*18.7*	*54.4*	*26.5*	*22.0*
Lane group LOS	*E*	*F*		*D*	*E*	*D*	*D*	*C*	*B*	*D*	*C*	*C*
Apprch. delay	*85.4*			*43.8*			*28.6*			*29.5*		
Approach LOS	*F*			*D*			*C*			*C*		
Intersec. delay	*36.0*			Intersection LOS						*D*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*99E & SITE ACCESS*
Agency/Co.	*LANCASTER ENGINEERING*	Jurisdiction	*ODOT*
Date Performed	*08/19/2003*	Analysis Year	*2019 BK COND*
Analysis Time Period	*AM PEAK HOUR*		
Project Description	*LINN-BENTON BOWLING CENTER (ACCESS TO HWY 99E)*		
East/West Street:	*SITE ACCESS*	North/South Street:	*HIGHWAY 99E*
Intersection Orientation:	*North-South*	Study Period (hrs):	*1.00*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*15*	*755*	*0*	*0*	*730*	*10*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*15*	*755*	*0*	*0*	*730*	*10*
Percent Heavy Vehicles	*2*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*1*	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*15*	*0*	*10*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*15*	*0*	*10*
Percent Heavy Vehicles	*0*	*0*	*0*	*2*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*1*	*0*	*1*
Configuration				*L*		*R*

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*					*L*		*R*
v (vph)	*15*					*15*		*10*
C (m) (vph)	*1020*					*259*		*937*
v/c	*0.01*					*0.06*		*0.01*
95% queue length	*0.04*					*0.18*		*0.03*
Control Delay	*8.6*					*19.8*		*8.9*
LOS	*A*					*C*		*A*
Approach Delay	--	--				*15.4*		
Approach LOS	--	--				*C*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*99E & SITE ACCESS*
Agency/Co.	*LANCASTER ENGINEERING*	Jurisdiction	*ODOT*
Date Performed	*08/19/2003*	Analysis Year	*2019 BK COND*
Analysis Time Period	*PM PEAK HOUR*		
Project Description	*LINN-BENTON BOWLING CENTER*		
East/West Street:	*SITE ACCESS*	North/South Street:	*HIGHWAY 99E*
Intersection Orientation:	*North-South*	Study Period (hrs):	*1.00*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*25*	*1260*	*0*	*0*	*1105*	*20*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*25*	*1260*	*0*	*0*	*1105*	*20*
Percent Heavy Vehicles	*0*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*1*	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*25*	*0*	*20*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*25*	*0*	*20*
Percent Heavy Vehicles	*0*	*0*	*0*	*0*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*1*	*0*	*1*
Configuration				*L*		*R*

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*					*L*		*R*
v (vph)	*25*					*25*		*20*
C (m) (vph)	*788*					*96*		*835*
v/c	*0.03*					*0.26*		*0.02*
95% queue length	*0.10*					*1.03*		*0.07*
Control Delay	*9.7*					*55.6*		*9.4*
LOS	*A*					*F*		*A*
Approach Delay	--	--				*35.1*		
Approach LOS	--	--				*E*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*99E & SITE ACCESS*
Agency/Co.	*LANCASTER ENGINEERING*	Jurisdiction	*ODOT*
Date Performed	*08/19/2003*	Analysis Year	*2019 BK + ST COND*
Analysis Time Period	*AM PEAK HOUR*		

Project Description	*LINN-BENTON BOWLING CENTER (ACCESS TO HWY 99E)*
East/West Street: *SITE ACCESS*	North/South Street: *HIGHWAY 99E*
Intersection Orientation: *North-South*	Study Period (hrs): *1.00*

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	*40*	*750*	*0*	*0*	*720*	*35*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*40*	*750*	*0*	*0*	*720*	*35*
Percent Heavy Vehicles	*2*	--	--	*0*	--	--
Median Type	*Undivided*					
RT Channelized			*0*			*0*
Lanes	*1*	*2*	*0*	*0*	*2*	*0*
Configuration	*L*	*T*			*T*	*TR*
Upstream Signal		*0*			*1*	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	*0*	*0*	*0*	*30*	*0*	*25*
Peak-Hour Factor, PHF	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*	*1.00*
Hourly Flow Rate, HFR	*0*	*0*	*0*	*30*	*0*	*25*
Percent Heavy Vehicles	*0*	*0*	*0*	*2*	*0*	*0*
Percent Grade (%)		*0*			*0*	
Flared Approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized			*0*			*0*
Lanes	*0*	*0*	*0*	*1*	*0*	*1*
Configuration				*L*		*R*

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	*L*					*L*		*R*
v (vph)	*40*					*30*		*25*
C (m) (vph)	*1014*					*235*		*929*
v/c	*0.04*					*0.13*		*0.03*
95% queue length	*0.12*					*0.44*		*0.08*
Control Delay	*8.7*					*22.6*		*9.0*
LOS	*A*					*C*		*A*
Approach Delay	--	--				*16.4*		
Approach LOS	--	--				*C*		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	CATRIONA SUMRAIN	Intersection	99E & SITE ACCESS
Agency/Co.	LANCASTER ENGINEERING	Jurisdiction	ODOT
Date Performed	08/19/2003	Analysis Year	2019 BK + ST COND
Analysis Time Period	PM PEAK HOUR		
Project Description	LINN-BENTON BOWLING CENTER		
East/West Street:	SITE ACCESS	North/South Street:	HIGHWAY 99E
Intersection Orientation:	North-South	Study Period (hrs):	1.00

Vehicle Volumes and Adjustments

Major Street	Northbound			Southbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume	55	1250	0	0	1105	45
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	55	1250	0	0	1105	45
Percent Heavy Vehicles	0	--	--	0	--	--
Median Type	Undivided					
RT Channelized			0			0
Lanes	1	2	0	0	2	0
Configuration	L	T			T	TR
Upstream Signal		0			1	

Minor Street	Westbound			Eastbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume	0	0	0	60	0	55
Peak-Hour Factor, PHF	1.00	1.00	1.00	1.00	1.00	1.00
Hourly Flow Rate, HFR	0	0	0	60	0	55
Percent Heavy Vehicles	0	0	0	0	0	0
Percent Grade (%)		0			0	
Flared Approach		N			N	
Storage		0			0	
RT Channelized			0			0
Lanes	0	0	0	1	0	1
Configuration				L		R

Delay, Queue Length, and Level of Service

Approach	NB	SB	Westbound			Eastbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration	L					L		R
v (vph)	55					60		55
C (m) (vph)	776					82		825
v/c	0.07					0.73		0.07
95% queue length	0.23					5.47		0.21
Control Delay	10.0					148.2		9.7
LOS	A					F		A
Approach Delay	--	--				82.0		
Approach LOS	--	--				F		

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TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	CATRIONA SUMRAIN	Intersection	53rd & SITE ACCESS
Agency/Co.	LANCASTER ENGINEERING	Jurisdiction	CITY OF ALBANY
Date Performed	08/19/2003	Analysis Year	2019 BK COND
Analysis Time Period	AM PEAK HOUR		

Project Description: LINN-BENTON BOWLING CENTER (ACCESS TO 53rd AVENUE)

East/West Street: 53rd AVENUE | North/South Street: SITE ACCESS

Intersection Orientation: East-West | Study Period (hrs): 0.25

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	0	290	5	20	145	0
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate (veh/h)	0	322	5	22	161	0
Proportion of heavy vehicles, P_{HV}	0	--	--	2	--	--
Median type	Undivided					
RT Channelized?			0			0
Lanes	0	1	0	0	1	0
Configuration			TR	LT		
Upstream Signal		0			1	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	5	0	20	0	0	0
Peak-hour factor, PHF	0.90	0.90	0.90	0.90	0.90	0.90
Hourly Flow Rate (veh/h)	5	0	22	0	0	0
Proportion of heavy vehicles, P_{HV}	2	0	2	0	0	0
Percent grade (%)		0			0	
Flared approach		N			N	
Storage		0			0	
RT Channelized?			0			0
Lanes	1	0	1	0	0	0
Configuration	L		R			

Control Delay, Queue Length, Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		LT	L		R			
Volume, v (vph)		22	5		22			
Capacity, c_m (vph)		1233	501		717			
v/c ratio		0.02	0.01		0.03			
Queue length (95%)		0.05	0.03		0.09			
Control Delay (s/veh)		8.0	12.3		10.2			
LOS		A	B		B			
Approach delay (s/veh)	--	--	10.6					
Approach LOS	--	--	B					

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*53rd & SITE ACCESS*
Agency/Co.	*LANCASTER ENGINEERING*	Jurisdiction	*CITY OF ALBANY*
Date Performed	*08/19/2003*	Analysis Year	*2019 BK COND*
Analysis Time Period	*PM PEAK HOUR*		

Project Description *LINN-BENTON BOWLING CENTER (ACCESS TO 53rd AVENUE)*

East/West Street: *53rd AVENUE* | North/South Street: *SITE ACCESS*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*0*	*235*	*5*	*35*	*330*	*0*
Peak-hour factor, PHF	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*
Hourly Flow Rate (veh/h)	*0*	*261*	*5*	*38*	*366*	*0*
Proportion of heavy vehicles, P_{HV}	*0*	--	--	*0*	--	--
Median type	*Undivided*					
RT Channelized?			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration			*TR*	*LT*		
Upstream Signal		*0*			*1*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*10*	*0*	*25*	*0*	*0*	*0*
Peak-hour factor, PHF	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*
Hourly Flow Rate (veh/h)	*11*	*0*	*27*	*0*	*0*	*0*
Proportion of heavy vehicles, P_{HV}	*0*	*0*	*0*	*0*	*0*	*0*
Percent grade (%)		*0*			*0*	
Flared approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized?			*0*			*0*
Lanes	*1*	*0*	*1*	*0*	*0*	*0*
Configuration	*L*		*R*			

Control Delay, Queue Length, Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		*LT*	*L*		*R*			
Volume, v (vph)		*38*	*11*		*27*			
Capacity, c_m (vph)		*1310*	*395*		*780*			
v/c ratio		*0.03*	*0.03*		*0.03*			
Queue length (95%)		*0.09*	*0.09*		*0.11*			
Control Delay (s/veh)		*7.8*	*14.4*		*9.8*			
LOS		*A*	*B*		*A*			
Approach delay (s/veh)	--	--	*11.1*					
Approach LOS	--	--	*B*					

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*53rd & SITE ACCESS*
Agency/Co.	*LANCASTER ENGINEERING*	Jurisdiction	*CITY OF ALBANY*
Date Performed	*08/19/2003*	Analysis Year	*2019 BK + ST COND*
Analysis Time Period	*AM PEAK HOUR*		

Project Description *LINN-BENTON BOWLING CENTER (ACCESS TO 53rd AVENUE)*

East/West Street: *53rd AVENUE* | North/South Street: *SITE ACCESS*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*0*	*280*	*20*	*65*	*145*	*0*
Peak-hour factor, PHF	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*
Hourly Flow Rate (veh/h)	*0*	*311*	*22*	*72*	*161*	*0*
Proportion of heavy vehicles, P_{HV}	*0*	--	--	*2*	--	--
Median type	*Undivided*					
RT Channelized?			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration			*TR*	*LT*		
Upstream Signal		*0*			*1*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*10*	*0*	*40*	*0*	*0*	*0*
Peak-hour factor, PHF	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*
Hourly Flow Rate (veh/h)	*11*	*0*	*44*	*0*	*0*	*0*
Proportion of heavy vehicles, P_{HV}	*2*	*0*	*2*	*0*	*0*	*0*
Percent grade (%)		*0*			*0*	
Flared approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized?			*0*			*0*
Lanes	*1*	*0*	*1*	*0*	*0*	*0*
Configuration	*L*		*R*			

Control Delay, Queue Length, Level of Service

Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		*LT*	*L*		*R*			
Volume, v (vph)		*72*	*11*		*44*			
Capacity, c_m (vph)		*1226*	*421*		*719*			
v/c ratio		*0.06*	*0.03*		*0.06*			
Queue length (95%)		*0.19*	*0.08*		*0.20*			
Control Delay (s/veh)		*8.1*	*13.8*		*10.3*			
LOS		*A*	*B*		*B*			
Approach delay (s/veh)	--	--	*11.0*					
Approach LOS	--	--	*B*					

TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	*CATRIONA SUMRAIN*	Intersection	*53rd & SITE ACCESS*
Agency/Co.	*LANCASTER ENGINEERING*	Jurisdiction	*CITY OF ALBANY*
Date Performed	*08/19/2003*	Analysis Year	*2019 BK + ST COND*
Analysis Time Period	*PM PEAK HOUR*		

Project Description *LINN-BENTON BOWLING CENTER (ACCESS TO 53rd AVENUE)*

East/West Street: *53rd AVENUE* | North/South Street: *SITE ACCESS*

Intersection Orientation: *East-West* | Study Period (hrs): *0.25*

Vehicle Volumes and Adjustments

Major Street	Eastbound			Westbound		
Movement	1	2	3	4	5	6
	L	T	R	L	T	R
Volume (veh/h)	*0*	*230*	*15*	*80*	*325*	*0*
Peak-hour factor, PHF	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*
Hourly Flow Rate (veh/h)	*0*	*255*	*16*	*88*	*361*	*0*
Proportion of heavy vehicles, P_{HV}	*0*	--	--	*0*	--	--
Median type	*Undivided*					
RT Channelized?			*0*			*0*
Lanes	*0*	*1*	*0*	*0*	*1*	*0*
Configuration			*TR*	*LT*		
Upstream Signal		*0*			*1*	

Minor Street	Northbound			Southbound		
Movement	7	8	9	10	11	12
	L	T	R	L	T	R
Volume (veh/h)	*25*	*0*	*90*	*0*	*0*	*0*
Peak-hour factor, PHF	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*	*0.90*
Hourly Flow Rate (veh/h)	*27*	*0*	*100*	*0*	*0*	*0*
Proportion of heavy vehicles, P_{HV}	*0*	*0*	*0*	*0*	*0*	*0*
Percent grade (%)		*0*			*0*	
Flared approach		*N*			*N*	
Storage		*0*			*0*	
RT Channelized?			*0*			*0*
Lanes	*1*	*0*	*1*	*0*	*0*	*0*
Configuration	*L*		*R*			

Control Delay, Queue Length, Level of Service

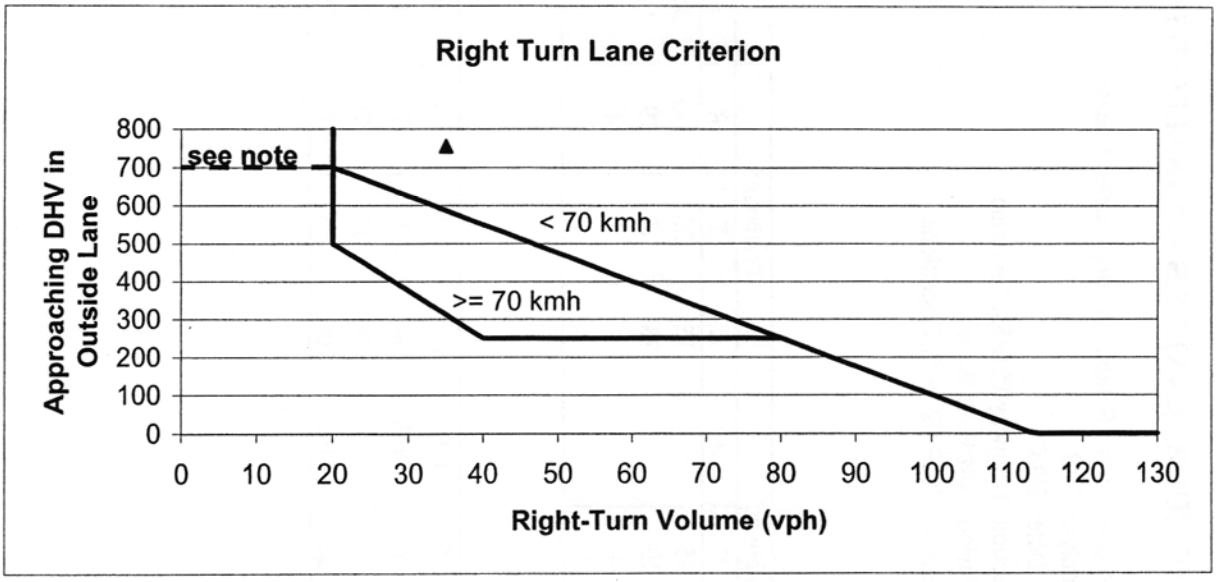
Approach	EB	WB	Northbound			Southbound		
Movement	1	4	7	8	9	10	11	12
Lane Configuration		*LT*	*L*		*R*			
Volume, v (vph)		*88*	*27*		*100*			
Capacity, c_m (vph)		*1304*	*332*		*781*			
v/c ratio		*0.07*	*0.08*		*0.13*			
Queue length (95%)		*0.22*	*0.26*		*0.44*			
Control Delay (s/veh)		*8.0*	*16.8*		*10.3*			
LOS		*A*	*C*		*B*			
Approach delay (s/veh)	--	--	*11.7*					
Approach LOS	--	--	*B*					

1e

Project: 04044 - Linn-Benton Bowling Center Update
Date: 6/9/04
Scenario: 2019 Background plus Net Increase in Site Trips

Speed? 45 mph 72 kmh

AM Peak Hour		PM Peak Hour	
Right-Turn Volume	35	Right-Turn Volume	45
Approaching DHV	755	Approaching DHV	1150
Lane Needed?	Yes	Lane Needed?	Yes



Note: If there is no right turn lane, a shoulder needs to be provided.
If this intersection is in a rural area and is a connection to a public street, a right turn lane is needed.

QUEUING ANALYSIS - SIGNALIZED INTERSECTION

Project Name: Linn - Benton Bowling Center Update
Analyst: GAJ
Date: 6/9/04
Intersection: Highway 99E/53rd Avenue
Time Period: AM Peak Hour
Scenario: 2019 Bk + St Conditions

DATA ENTRY

Cycle Length: 120 sec
Storage per Vehicle: 25 feet

	Eastbound			Westbound			Northbound			Southbound			
	L	T	R	L	T	R	L	T	R	L	T	R	
Volume:	235	95		75	35	145	35	670	80	120	610	145	vph
Green Time:	28	19		28	19	19	15	42	42	15	42	42	sec
Yellow Time:	4	4		4	4	4	3	4	4	3	4	4	sec
Number of Lanes:	1	1		1	1	1	1	2	1	1	2	1	

CALCULATIONS

Average Total Queue:	5.7	2.6	0.0	1.8	0.9	3.9	1.0	13.8	1.6	3.4	12.5	3.0	veh
95th Percentile Queue:	10	5	#N/A	4	3	7	3	20	4	7	19	6	veh
95th Percentile Queue Length:	250	125	#N/A	100	75	175	75	500	100	175	475	150	feet
Required Storage per Lane:	**250**	**125**	**#N/A**	**100**	**75**	**175**	**75**	**250**	**100**	**175**	**250**	**150**	feet

QUEUING ANALYSIS - SIGNALIZED INTERSECTION

Project Name: Linn - Benton Bowling Center Update
Analyst: GAJ
Date: 6/9/04
Intersection: Highway 99E/53rd Avenue
Time Period: PM Peak Hour
Scenario: 2019 Bk + St Conditions

DATA ENTRY

Cycle Length: 100 sec
Storage per Vehicle: 25 feet

	Eastbound			Westbound			Northbound			Southbound			
	L	T	R	L	T	R	L	T	R	L	T	R	
Volume:	225	90		125	35	240	95	1075	135	195	970	275	vph
Green Time:	22	7		22	7	26	19	56	56	19	56	78	sec
Yellow Time:	4	4		4	4	4	3	4	4	3	4	4	sec
Number of Lanes:	1	1		1	1	1	1	2	1	1	2	1	

CALCULATIONS

Average Total Queue:	4.6	2.2	0.0	2.6	0.9	4.7	2.1	11.9	1.5	4.2	10.8	1.4	veh
95th Percentile Queue:	8	5	#N/A	5	3	8	5	18	4	8	16	3	veh
95th Percentile Queue Length:	200	125	#N/A	125	75	200	125	450	100	200	400	75	feet
Required Storage per Lane:	**200**	**125**	**#N/A**	**125**	**75**	**200**	**125**	**225**	**100**	**200**	**200**	**75**	feet

COMMUNITY DEVELOPMENT DEPARTMENT
333 Broadalbin Street SW, P.O. Box 490, Albany OR 97321 Ph: (541) 917-7550 Fax: (541) 917-7598

NOTICE OF DECISION

DATE OF NOTICE:	March 24, 2005
FILES:	LA-11-04, PA-16-04, PA-17-04
TYPE OF APPLICATIONS:	LA-11-04: Property Line Adjustment that will transfer 58,850 square feet of land from Tax Lot 604 (Property "A") to Tax Lot 603 (Property "B"); and will transfer 5,820 square feet from Tax Lot 603 (Property "B") to Tax Lot 604 (Property "A"). PA-16-04: Partition Tentative Plat that will divide 1.92 acres of land into two parcels. Parcel 1 will be 50,338 square feet and Parcel 2 will be 33,299 square feet. (This is Tax Lot 603, "Property B," after reconfiguration by the property line adjustment, File LA-11-04.) Portions of each parcel are in the floodplain, but a restrictive easement over this area will be granted to the City to ensure it will not be developed. PA-17-04: Partition Tentative Plat that will divide 2.59 acres of land into three parcels. Parcel 1 will be 20,497 square feet, Parcel 2 will be 15,240 square feet, and Parcel 3 will be 77,127 square feet. (This property is Tax Lot 604, "Property A," after reconfiguration by the property line adjustment, File LA-11-04).
REVIEW BODY:	Planning Staff
PROPERTY OWNER/ APPLICANT:	Roger Nyquist; 3034 North Shore Drive SE; Albany, OR 97321
APPLICANT'S REP:	Jason Cota; K&D Engineering, Inc.; PO Box 725; Albany, OR 97321
ADDRESSES/LOCATIONS:	Tax Lot 603: 5480 Pacific Boulevard SW Tax Lot 604: 5408 Pacific Boulevard SW
MAP/TAX LOT:	Linn County Assessor's Map No. 11S-4W-24; Tax Lots 603 and 604
ZONING:	MUC (Mixed Use Commercial) and OS (Open Space)

On March 24, 2005, the City of Albany Community Development Director granted APPROVAL WITH CONDITIONS of the tentative partition plat and property line adjustment applications referenced above.

The City based its decisions on conformance with the applicable review criteria listed in the Albany Development Code. The staff report is enclosed with this notice. This report contains the background facts that led to the resulting conditions of approval for the applications. The supporting documentation relied upon by the City in making these decisions is available for review at City Hall, 333 Broadalbin Street SW. If you wish to talk to a planner about this project, please call planners Janet Morris or Don Donovan at (541) 917-7550.

The City's approval is valid for three years from the date of the notice. It will expire after that date unless final plats or final survey map, as appropriate, has been submitted to the City of Albany for

review. A person with standing may appeal this decision to the State of Oregon Land Use Board of Appeals by filing a Notice of Appeal with them no later than 5:00 P.M. on Friday, April 14, 2005.

Jami Morris For Helen Burns Sharp
Helen Burns Sharp, Community Development Director

Attachments: Location Map, Property Line Adjustment map, two Tentative Plats, Conditions of Approval, and Information For The Applicant

Distribution:

Applicant/Property Owner *	1
Applicant Representative *	1
Building Division (Blaine Brassfield)	1
Finance Department (Linda Lamer)	1
Fire Department (Jason Sharer)	1
Public Works Engineering (Gordon S.) *	1
Public Works Traffic Engineering (Ron Irish) *	1
Participating Parties	0
Files: PA-16-04/PA-17-04/LA-11-04	3

*Staff Report included

U:\Planning\Current\2004\04PA16.PA.17.LA11.ND.tentplat.doc

CONDITIONS OF APPROVAL
Files: LA-11-04; PA-16-04 and PA17-04
(Please refer to the staff report for background information.)

PROPERTY LINE ADJUSTMENT – LA-11-04 – Tax Lots 603 and 604

Compliance with adopted transporation, public facilities or neighborhood plans

3.1 Before the City will approve the final survey map for the property line adjustment, the applicant must provide direct access to the public sewer system to "Property A" across "Property B" either by an easement or construction of an extension of the public sanitary sewer main.

Compliance with previous land use actions

4.1 The final property line adjustment survey map must provide easements for a reciprocal shared access between Tax Lots 602, 603, 604, 606, 1200 and 1300. The location of the shared driveway on Pacific Boulevard SW will be determined by ODOT.

TENTATIVE PARTITION PLAT – PA-16-04 – Tax Lot 603

Adjoining Land

2.1 The final partition plat must provide for reciprocal shared access between Tax Lot 603 and Tax Lots 602, 604, 606, 1200 and 1300. The location of the shared driveway on Pacific Boulevard SW will be determined by ODOT and an access permit must be obtained from them before it is constructed.

Transportation Facilities

3.1 Before the City will sign the final partition plat, the applicant must provide for reciprocal shared access between Parcels 1 and 2 created out of Tax Lot 603 and for surrounding Tax Lots 602, 604, 606, 1200 and 1300 either by separate documents or on the final partition plat. The location of the shared access to Pacific Boulevard SW will be determined by ODOT and an access permit must be obtained from them before it is constructed.

Public Utilities

4.1 Before the City will approve the final partition plat, the applicant must construct an 8-inch public sanitary sewer main that will provide direct access to the public sanitary sewer system for Parcel 2. The applicant has proposed a main extension along the west and north boundaries of Parcel 1, to the northwest corner of Parcel 2. While this configuration appears to be generally acceptable, final design details must be approved by the City of Albany Engineering Division as part of the Permit for Private Construction of Public Improvements.

4.2 Before the City will approve the final partition plat, the applicant must construct an 8-inch public water main extension that will provide direct access to the public water system for Parcel 1. The applicant has proposed a main extension from the existing main in Pacific Boulevard SW to a point near the northeast corner of Parcel 1. While this configuration appears to be generally acceptable, final design details must be approved by the City of Albany Engineering Division as part of the Permit for Private Construction of Public Improvements.

Special Features of the Site

5.1 Any fill or construction in the wetlands must comply with the conditions of the fill permit to be issued by the U.S. Army Corps of Engineers.

5.2 The final partition plat must show the location and elevation of the 100-year flood contour line followed by the date the flood elevation was established.

5.3 The final partition plat must grant the City of Albany a conservation easement over the area within the 100-year floodplain. The purpose of the easement is for the preservation of the floodplain. The City of Albany will maintain the easement related only to elements affecting storm drainage and flood capacity.

5.4 The final partition plat must include a statement to read as follows: A perpetual conservation easement is reserved over the portion of the plat that is within the 100-year floodplain. No development can occur in this easement unless approved by the City. This reservation shall include the right of ingress and egress by the City in any manner necessary for the purpose of maintaining the easement for storm drainage and flood capacity purposes.

TENTATIVE PARTITION PLAT – PA-17-04 – Tax Lot 604

Adjoining Land

2.1 The final partition plat must provide for a reciprocal shared access between all parcels created out of Tax Lots 604 and 603. The location of the shared driveway on Pacific Boulevard SW will be determined by ODOT and an access permit must be obtained from them before it is constructed.

Transportation Facilities

3.1 Before the City will sign the final partition plat, the applicant must provide for reciprocal shared access easements between parcels created out of Tax Lot 604 and surrounding Tax Lots 602, 603, 606, 1200 and 1300 either by separate documents or on the final partition plat. The location of the shared access to Pacific Boulevard SW will be determined by ODOT.

Public Utilities

4.1 Before the City will approve the final plat, the applicant must construct an 8-inch public sanitary sewer main that will serve each of the three proposed parcels. The final design details must be approved by the City of Albany Engineering Division as part of the Permit for Private Construction of Public Improvements.

4.2 Before the City will approve the final plat, the applicant must provide a private utility easement through Parcel 2 to give Parcel 1 access to the public water main in Pacific Boulevard SW.

4.3 Before the City will approve the final plat, the applicant must provide private easements for Parcels 1 and 2 that will allow them to discharge storm water runoff to Parcel 3.

Special Features of the Site

5.1 Any fill or construction in the wetlands must comply with the conditions of the fill permit to be issued by the U.S. Army Corps of Engineers.

IMPORTANT INFORMATION FOR THE APPLICANTS ANDPROPERTY OWNERS
CITY OF ALBANY FILES LA-11-04; PA-16-04; PA-17-04

Please read through the following requirements, which are often overlooked by applicants or developers. This list is not meant to be all-inclusive and are not conditions of the Land Use decision. They are Municipal Code or Development Code regulations or administrative policies of the Planning, Engineering, Fire, or Building Departments that you must meet as part of the development process.

PLANNING (Janet Morris)

1. The final plat and/or survey maps must substantially conform to the tentative maps as approved by the City.

2. Land use approval does not constitute Building or Public Works permit approvals.

3. I assume you will reflect the lot line adjustment on one of the final plats of the partitions. jTo complete the land division process, the applicant must:

3. **To complete the land division process of each partition**, the applicant must:

   a. **Satisfy the Conditions of Approval and submit a completed Final Plat application** fore each plat to the Planning Division for review and approval. There is a review fee, a Notice of Filing, and Notice of Decision related to the final plat applications. Allow a minimum of three weeks for the final plat review process.

      Note: The Linn County Surveyor will also review the plat. The reviews can be done concurrently. Contact the appropriate county surveyor and recorder's offices to learn about their current processes, fees and possible expenses (property taxes) related to finalizing the plat.

   b. The final partition plats must be prepared by a registered professional land surveyor or engineer per ORS 92.050 and ORS 209.250. The plats to be signed must be on mylar. The interim review plats can be on paper.

   c. If applicable, pay or segregate any existing City liens on the properties and pay or finance any other fees due as a result of the land division. Contact Diane Wood in the Finance Department (917-7520) to make these arrangements.

   d. After approval by the City, submit the signed plats to Linn County _____for their signatures and recording.

   e. Before the City will accept a building permit application for a structure in the new plat area, the applicant must:

      (1) Return one paper copy of the recorded plat to the Albany Planning Division; **and**

      (2) Provide the Building Division with a copy of the recording county's paperwork that assigns the tax assessor's map and tax lot identification numbers to each new lot/parcel.

ENGINEERING (Gordon Steffensmeier)

1. The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification.

All information provided represents the current information we have in a readily available format. While theinformation we provide is generally believed to be accurate, occasionally this information proves to be incorrect, and thus we do not warrant its accuracy. Prior to making any property purchases or other investments based, in full or in part, upon the information provided, we specifically advise that you independently field verify the information contained within our records.

BUILDING (Gary Stutzman)

1. Obtain Building Permits from the Building Division before construction of any structures on the parcels..

2. Obtain Final Inspection from the Building Division for Demolition Permits.

3. If any utility lines or access ways cross property lines, each parcel must have recorded easements or covenants that run with the land.

4. Check with Linn County Environmental Health Department, 967-3821, on requirements for abandoning a private septic system.

FIRE DIVISION (Jason Sharer)

1. All future development on the parcels will be assessed for adequate access for fire apparatus vehicles.

2. All future development on the parcels is dependant on there being served with adequate water to meet fire flow demands. This may result in the need for the installation of fire hydrants.

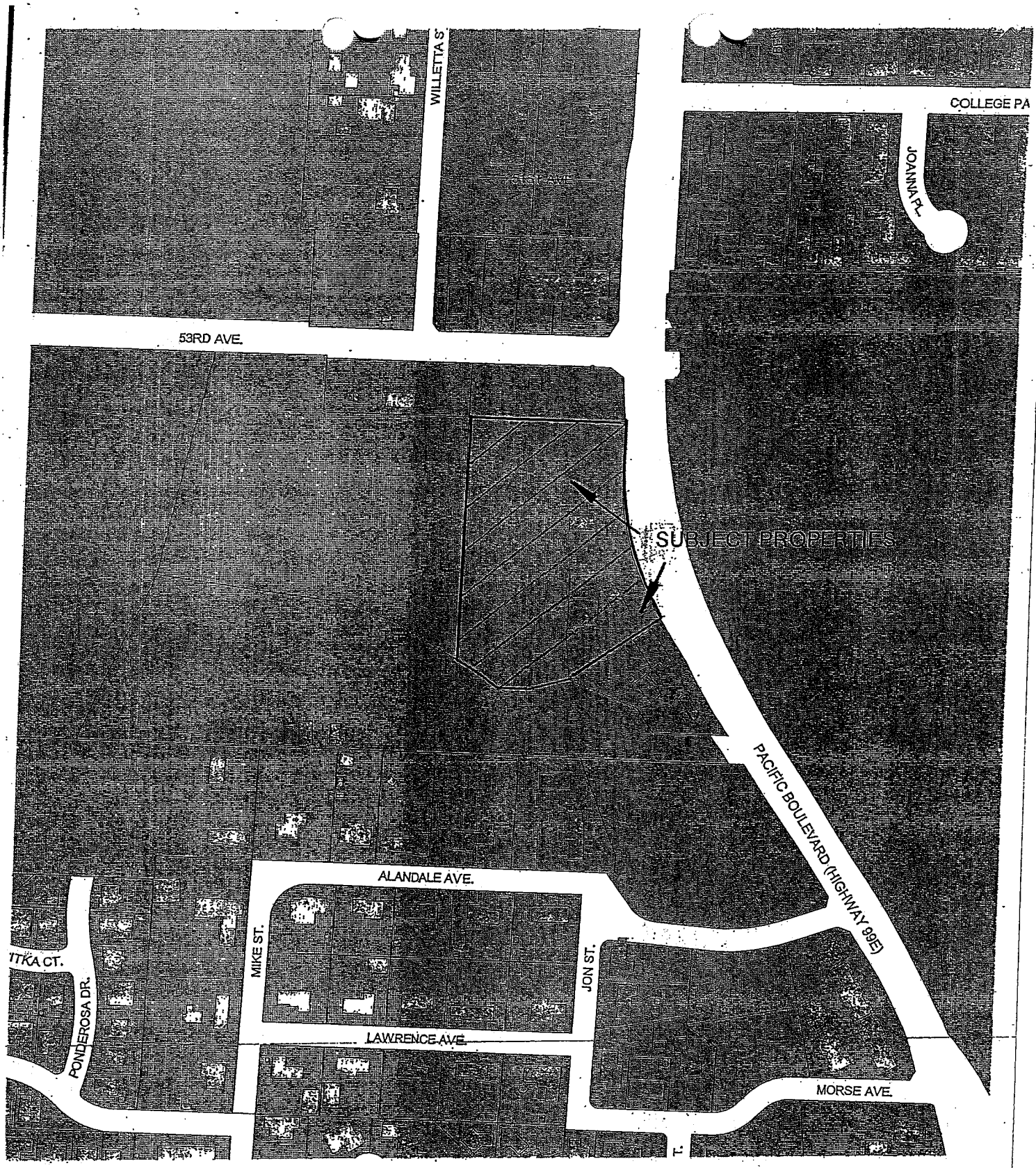
FEES/ASSESSMENTS/CHARGES

1. **System Development Charges (SDCs), in-lieu-of assessments, and other assessments may be financed with the City.** If you choose to finance these charges, prior to issuance of building permits contact Diane Wood in the Finance Department (917-7522) to make these arrangements. The amount to be paid or financed is calculated on the rate in place at the time the applicant submits for building permits, not on the date the Notice of Decision is issued. SDC rates are subject to change periodically.

3. **Before building permits will be issued for future development on the parcels, Transportation System Development Charges** (SDCs) must be paid or arrangements made for financing. The rates for these charges are set by Council Resolution. The fee is based upon projected vehicle trips using the ITE Trip Generation Manual. The SDC fee is indexed to the ENR Construction Cost index, and is adjusted on July 1 of each year.

4. **Before building permits will be issued for future development on the parcels, Sanitary Sewer and Water System Development Charges** (SDCs) must be paid or arrangements made for financing. The rates for these charges are set by Council Resolution. For calculation of these SDCs, contact the City of Albany Engineering Department at 917-7676

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Proposed Property Line Adjustment – File: LA-11-04
Proposed Partitions: Files PA-16-04 and PA-17-04

N

100 0 100 Feet

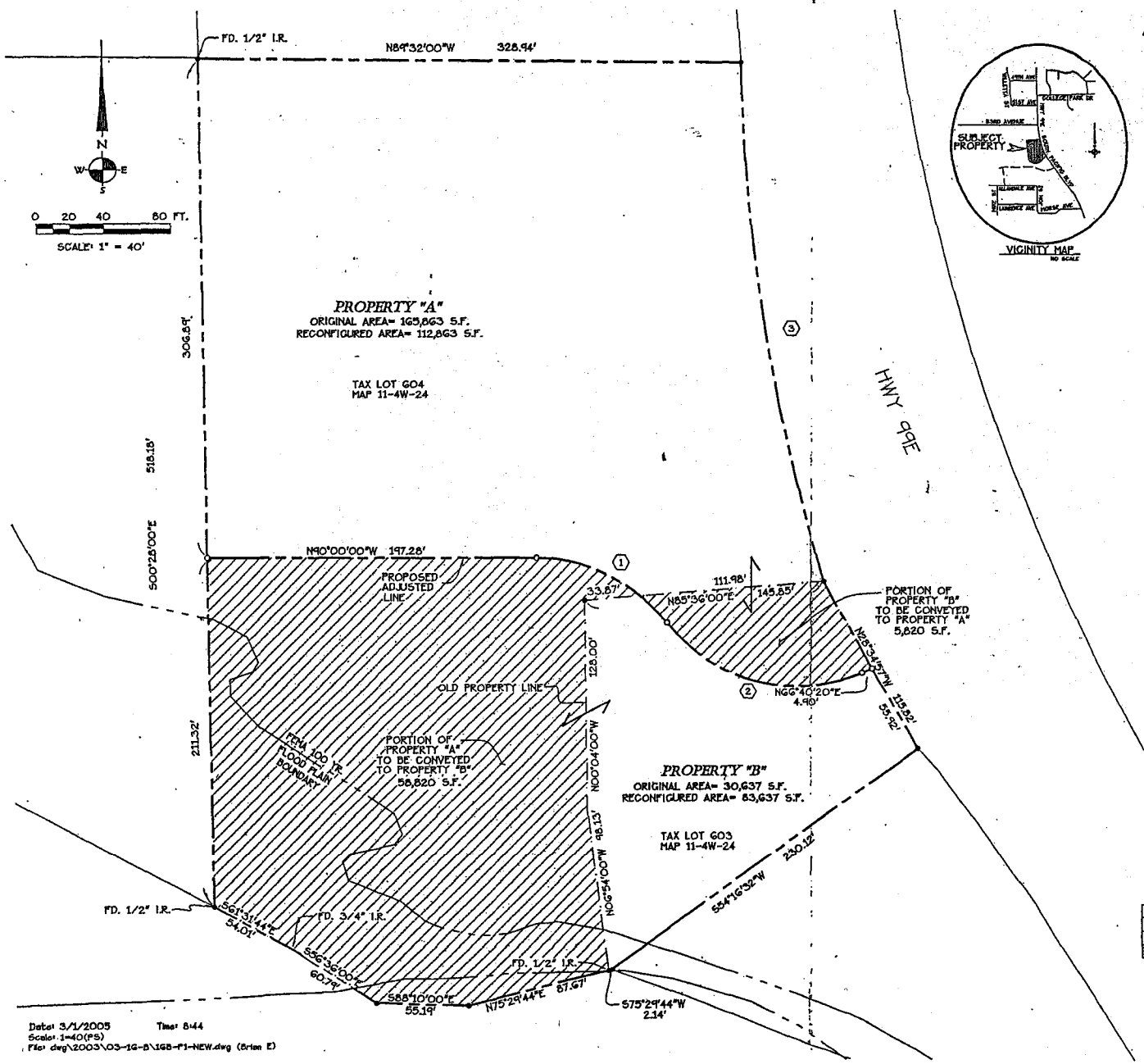
Planning

dond nil

The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All the information provided represents current information in a readily available format. While the information provided is generally believed to be accurate, sometimes the information proves to be incorrect, and thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the information provided, it is specifically advised that you independently field verify the information contained within our records.

CITY OF Albany

COPY OF APPROVED TENTATIVE PROPERTY LINE ADJUSTMENT MAP - FILE LA-11-04
(To Be Modified As Appropriate Based upon Conditions of Approval)



Date: 3/1/2005 Time: 8:44
Scale: 1=40(PS)
File: dwg\2003\03-16-8\16B-F1-NEW.dwg (Brian E)

PROPOSED PROPERTY LINE ADJUSTMENT

FOR

ROGER NYQUIST

LOCATED IN

TAX LOT 603 + 604, MAP 11-4W-24
SEC. 24, T. 11 S., R. 4 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON

MARCH 1, 2005

(CITY FILE LA-11-04)

NOTE:

1) SEE CITY OF ALBANY CASE FILE SP-14-04 FOR SITE IMPROVEMENTS CURRENTLY UNDER CONSTRUCTION.

2) SIMULTANEOUS LAND USE ACTION PER CITY FILE PA-17-04 + PA-16-04

PROPERTY "A"

ORIGINAL AREA= 165,863 S.F.
RECONFIGURED AREA= 112,863 S.F.

PROPERTY "B"

ORIGINAL AREA= 30,637 S.F.
RECONFIGURED AREA= 83,637 S.F.

OWNER/DEVELOPER:

ROGER NYQUIST
682 AIRPORT ROAD SE
ALBANY, OREGON 97322
(541) 926-4631

SITE ADDRESS:

5480 + 5408 PACIFIC BLVD.
ALBANY, OREGON 97321
TAX LOT 603, AND 604, (MAP 11-4W-24)

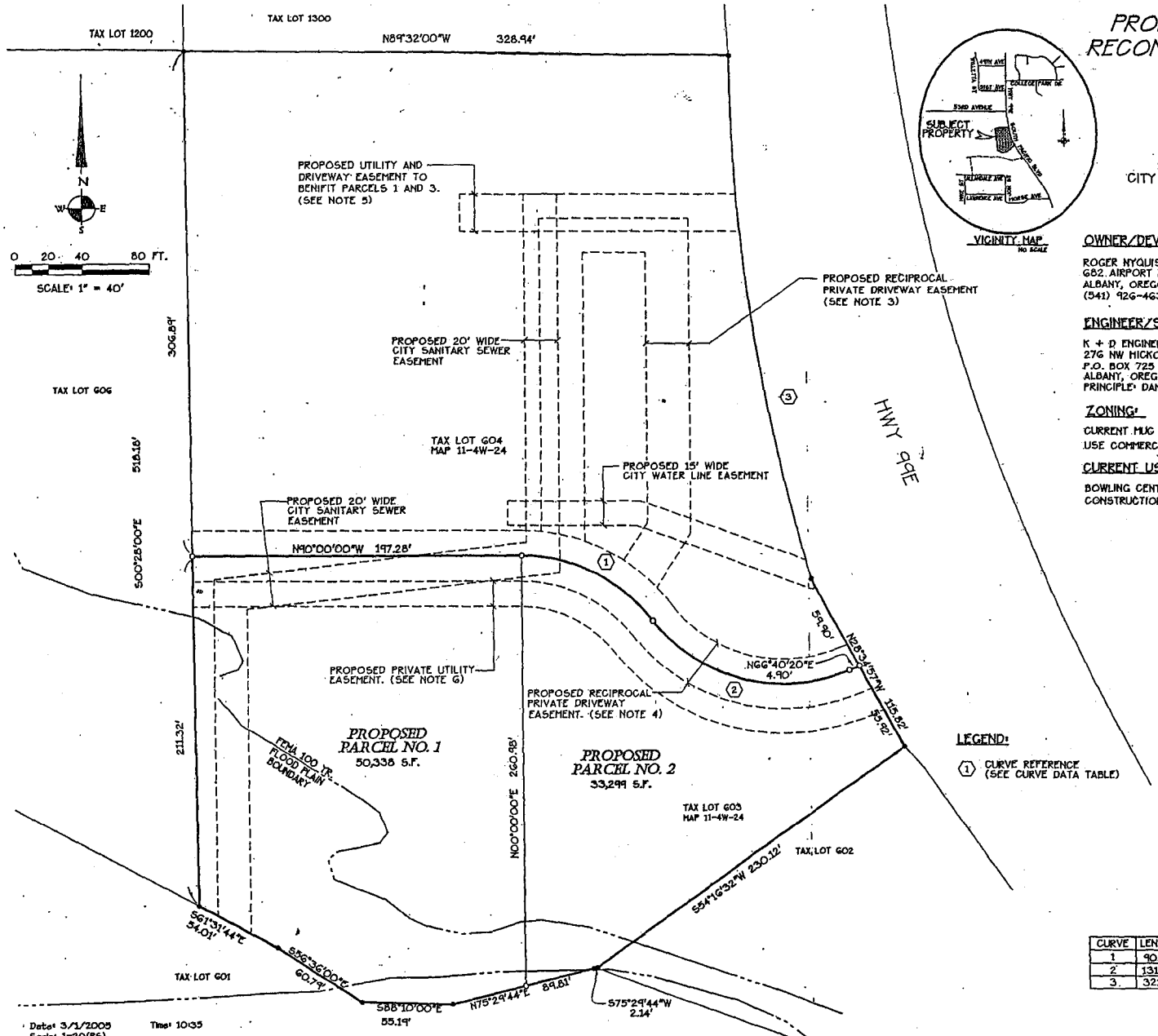
RECEIVED
MAR 1 2005

CURVE DATA TABLE

CURVE	LENGTH	RADIUS	CHORD	DELTA
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2	131.60	100.00	S75°37'42"E 122.30	75°23'55"
3	322.35	1182.20	S08°25'03"E 321.36	15°37'23"

K&D K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 926-2583

COPY OF APPROVED TENTATIVE PARTITION PLAT - FILE PA-16-04
(To Be Modified As Appropriate Based upon Conditions of Approval)



VICINITY MAP
NO SCALE

PROPOSED PARTITION OF RECONFIGURED PROPERTY "B"

FOR

ROGER NYQUIST

LOCATED IN

TAX LOT 603, MAP 11-4W-24
SEC. 24, T. 11 S., R. 4 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON
MARCH 1, 2005
(CITY FILE PA-16-04)

OWNER/DEVELOPER:
ROGER NYQUIST
682 AIRPORT ROAD SE
ALBANY, OREGON 97322
(541) 926-4631

ENGINEER/SURVEYOR:
K + D ENGINEERING, INC
276 NW HICKORY STREET
P.O. BOX 725
ALBANY, OREGON 97321
PRINCIPLE: DANIEL K. WATSON

ZONING:
CURRENT MUC (MIXED USE COMMERCIAL)

CURRENT USE:
BOWLING CENTER UNDER CONSTRUCTION

SITE ADDRESS:
5480 + 5408 PACIFIC BLVD.
ALBANY, OREGON 97321
TAX LOT 603, (MAP 11-4W-24)

PROPERTY "B"
RECONFIGURED AREA= 83,637 S.F.

FLOOD ZONE:
BASE FLOOD ELEVATION (BFE) IS 212.4 PER FEMA COMMUNITY-PANEL NO. 410137 0005 F, MAP REVISED JULY 7, 1999.

NOTE:

1) SEE CITY OF ALBANY CASE FILE SP-14-04 FOR SITE IPROVEMENTS CURRENTLY UNDER CONSTRUCTION. FOR BOWLING CENTER.
2) SIMULTANEOUS LAND USE ACTION. PER CITY FILE PA-17-04 + PLA-11-04.
3) ALL PROPOSED PARCELS SHALL SHARE RECIPROCAL DRIVEWAY EASEMENT THAT IS THROUGH THE PROPOSED PARKING LOT.
4) ALL PROPOSED PARCELS AND THE ADJACENT PROPERTY TO THE WEST (TL 606) SHALL SHARE THE RECIPROCAL DRIVEWAY EASEMENT TO GAIN ACCESS TO HWY 99E.
5) PROPOSED PARCELS 1 AND 3 PER CITY FILE PA-17-04 SHALL BENEFIT FROM THIS PROPOSED PRIVATE UTILITY AND DRIVEWAY EASEMENT.
6) PROPOSED PRIVATE UTILITY EASEMENT TO BENIFIT PARCELS 1 AND 2 OF CITY FILE PA-16-04 PARCEL 3 OF CITY FILE PA-17-04 AND ADJACENT PROPERTY TO THE WEST (TL 606.)

LEGEND:
(1) CURVE REFERENCE (SEE CURVE DATA TABLE)

CURVE DATA TABLE

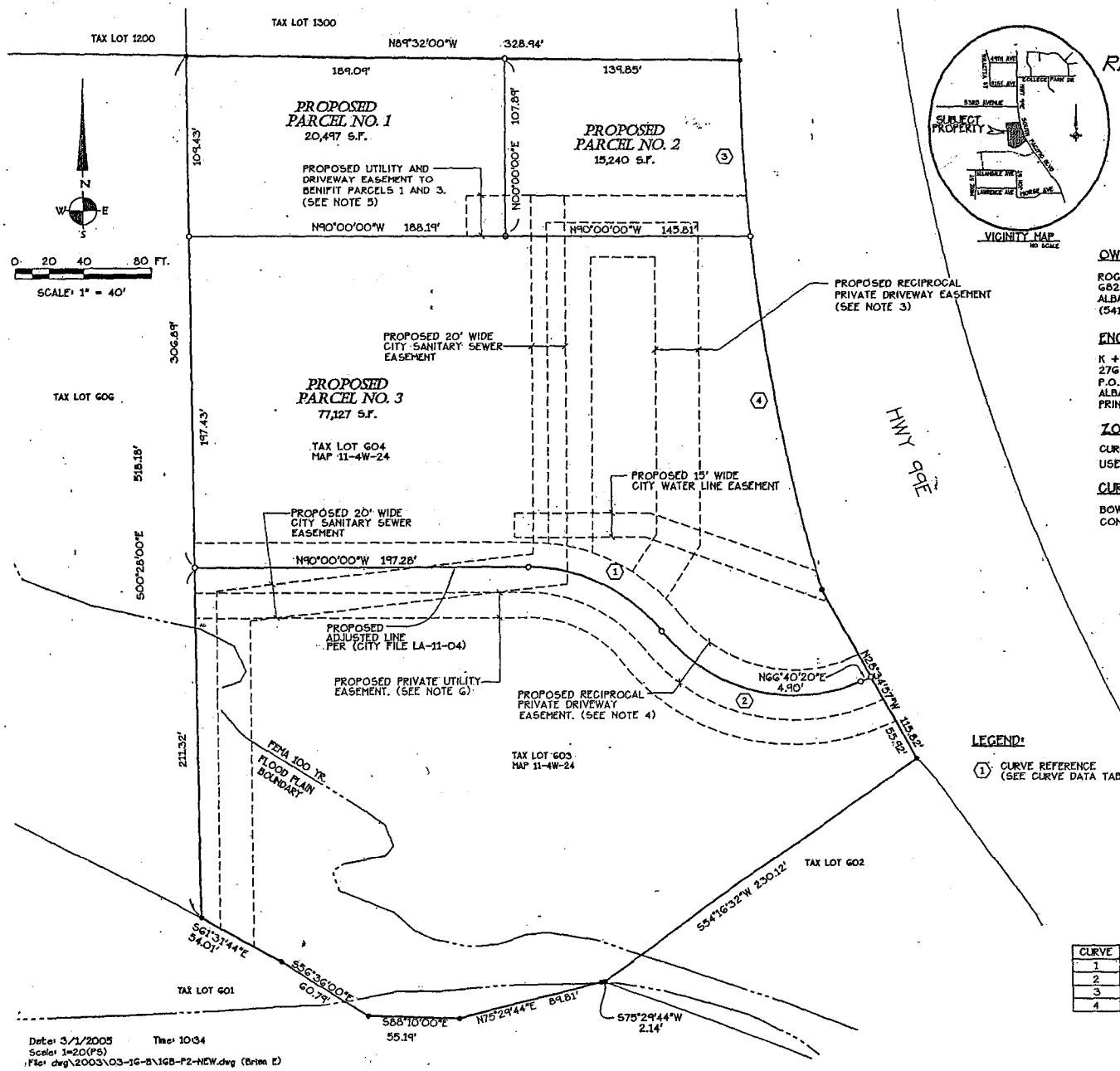
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RECEIVED
MAR 1 2005

Date: 3/1/2005 Time: 10:35
Scale: 1=20(PS)
File: dwg\2003\03-16-B\16B-P3-NEW.dwg (Brian E)

K&D K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 926-2553

COPY OF APPROVED TENTATIVE PARTITION PLAT - FILE PA-17-04
(To Be Modified As Appropriate Based upon Conditions of Approval)



PROPOSED PARTITION OF RECONFIGURED PROPERTY "A"

FOR

ROGER NYQUIST

LOCATED IN

TAX LOT 604, MAP 11-4W-24
SEC. 24, T. 11 S., R. 4 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON

MARCH 1, 2005

(CITY FILE PA-17-04)

OWNER/DEVELOPER:

ROGER NYQUIST
682 AIRPORT ROAD SE
ALBANY, OREGON 97322
(541) 926-4631

ENGINEER/SURVEYOR:

K + D ENGINEERING, INC
276 NW HICKORY STREET
P.O. BOX 725
ALBANY, OREGON 97321
PRINCIPLE: DANIEL K. WATSON

ZONING:

CURRENT MUC (MIXED USE COMMERCIAL)

CURRENT USE:

BOWLING CENTER UNDER CONSTRUCTION

SITE ADDRESS:

5460 + 5408 PACIFIC BLVD.
ALBANY, OREGON 97321
TAX LOT 604, (MAP 11-4W-24)

PROPERTY "B"

RECONFIGURED AREA= 112,864 S.F.

FLOOD ZONE:

BASE FLOOD ELEVATION (BFE) IS 212.4 PER FEMA COMMUNITY-PANEL NO. 410137 0005 F, MAP REVISED JULY 7, 1999.

NOTE:

1) SEE CITY OF ALBANY CASE FILE SP-14-04 FOR SITE IPROVEMENTS CURRENTLY UNDER CONSTRUCTION. FOR BOWLING CENTER.

2) SIMULTANEOUS LAND USE ACTION. PER CITY FILE PA-16-04 + PLA-11-04.

3) ALL PROPOSED PARCELS SHALL SHARE RECIPROCAL DRIVEWAY EASEMENT THAT IS THROUGH THE PROPOSED PARKING LOT.

4) ALL PROPOSED PARCELS AND THE ADJACENT PROPERTY TO THE WEST (TL 606) SHALL SHARE THE RECIPROCAL DRIVEWAY EASEMENT TO GAIN ACCESS TO HWY 99E.

5) PROPOSED PARCELS 1 AND 3 PER CITY FILE PA-17-04 SHALL BENEFIT FROM THIS PROPOSED PRIVATE UTILITY AND DRIVEWAY EASEMENT.

6) PROPOSED PRIVATE UTILITY EASEMENT TO BENIFIT PARCELS 1 AND 2 OF CITY FILE PA-16-04 PARCEL 3 OF CITY FILE PA-17-04 AND ADJACENT PROPERTY TO THE WEST (TL 606.)

LEGEND:

(1) CURVE REFERENCE (SEE CURVE DATA TABLE)

CURVE DATA TABLE

CURVE	LENGTH	RADIUS	CHORD	DELTA
1	90.88	100.00	S63°57'52"E 87.79	52°04'15"
2	131.60	100.00	S75°37'42"E 122.30	75°23'55"
3	106.95	1182.20	S03°11'52"E 106.91	5°11'00"
4	215.41	1182.20	S11°00'33"E 215.11	10°26'23"

RECEIVED
MAR 1 2005

K&D K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2583

Community Development Department

333 Broadalbin Street SW, P.O. Box 490
Albany OR 97321

Ph: (541) 917-7550 Fax: (541) 917-7598
www.cityofalbany.net

NOTICE OF DECISION

DATE OF NOTICE:	August 26, 2004
FILES:	SP-14-04
TYPES OF APPLICATIONS:	Site Plan Review for a bowling center and parking lot, and to remove four trees over eight inches in diameter.
PROPERTY OWNER / APPLICANT:	Roger Nyquist; 3034 North Shore Drive SE; Albany, OR 97321
APPLICANT REP:	Dan Watson; K&D Engineering; PO Box 725; Albany, OR 97321
ADDRESS/LOCATION:	Multiple addresses
MAP/TAX LOT:	Linn County Assessor's Map No. 11S-4W-24, Tax Lots 603 and 604

On August 25, 2004, the City of Albany City Council granted APPROVAL WITH CONDITIONS for the application for a bowling center and parking lot, and to remove four trees over eight inches in diameter.

The City based its decision on the project's conformance with the review criteria listed in the Albany Development Code.

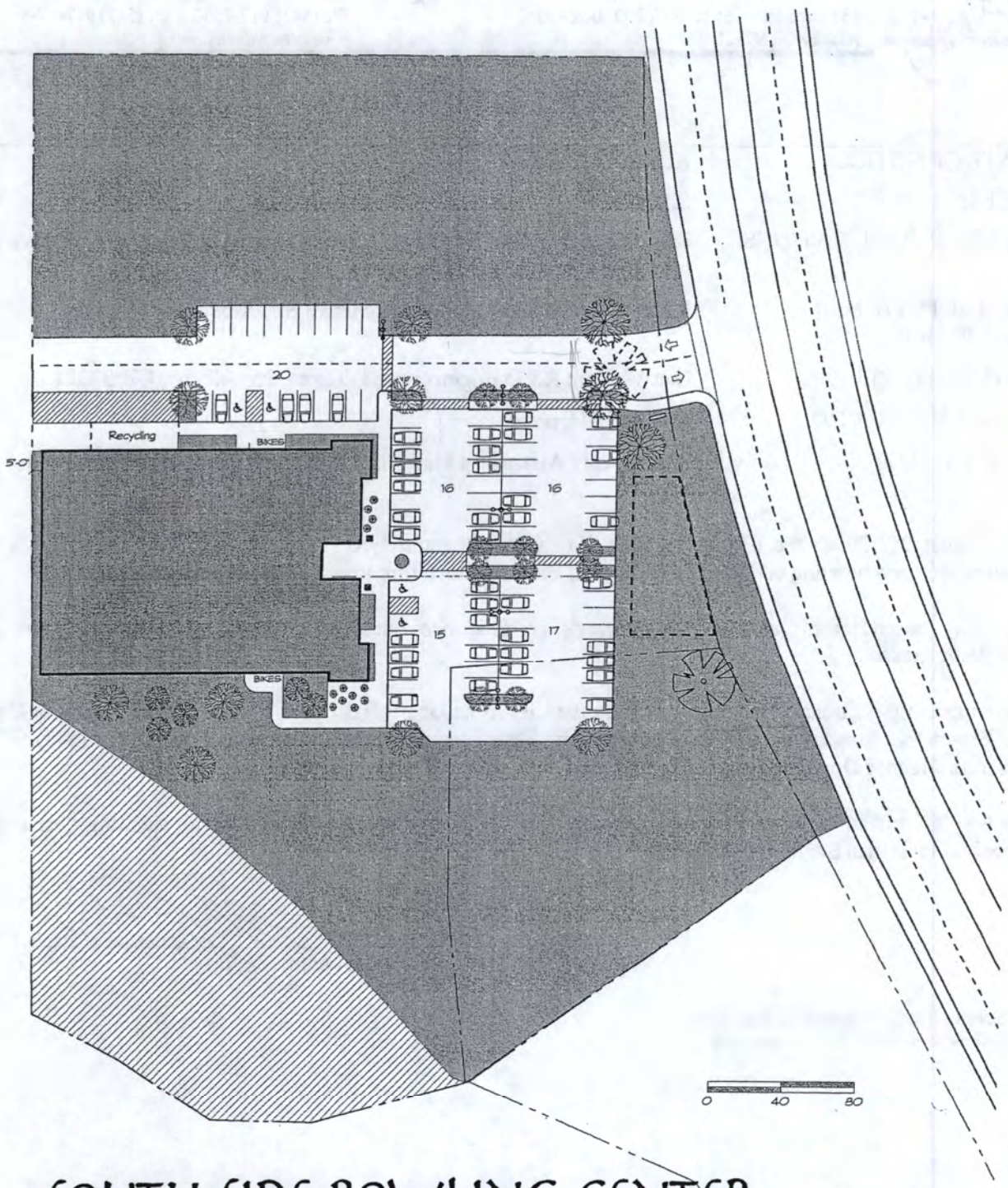
The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. For more information, please contact Rich Catlin, project planner, at (541) 917-7564, or Senior Planner Don Donovan, (541) 917-7561.

The City's decision may be appealed to the Land Use Board of Appeals if a person with standing files a notice to appeal no later than September 16, 2004.

Charles A. McLaran, Mayor

Attachments: Approved Site Plan
U:\Planning\Current\2004\04sp14.notdec.doc

COPY OF APPROVED SITE PLAN
FILE SP-14-04



SOUTH SIDE BOWLING CENTER

ROGER NYQUIST PROPERTY

MASTER PLAN 8/17/04

WILLIAM G. RYALS - ARCHITECT

Public Facilities

1.1 Construct an 8-inch public sewer main protected by a public utility easement. If additional development occurs on this property but the development is limited to a single parcel, then the sewer line can be constructed as a private line.

1.2 Consult with the Building Division regarding the placement of needed hydrants. The hydrants and supply mains may be public and constructed within public utility easements. Public utility construction must be done under a Permit for Private Construction of Public Improvements through the Public Works Engineering Division.

1.3 Before the City will issue building permits for this proposal, the applicant must submit to the Public Works Engineering Division a storm drainage plan for the site that shows the slope of the lot and how storm drainage will be collected and routed to a public storm drain system. If storm drain pipes are planned, indicate the size and slope of each pipe. For systems discharging into open channels, the applicant must show a detail of the outfall into the channel. The City does not allow sheet flow of storm water across the sidewalk and into the street. The high point on the private street must be at the property line so that all on-site drainage is collected within the applicant's property. Also, no storm water (including roof drainage) may be discharged to the sanitary sewer.

Special Features

2.1 Comply with the conditions of the wetland fill permit issued by the US Army Corps of Engineers.

Compatability

3.1 Provide a landscaped berm, as needed, and construct the building with sound-attenuating features in consultation with the adjoining neighbor to the south.

Parking

4.1 Before issuance of a building permit, the applicant shall obtain an encroachment permit to remove the two existing driveway approaches on Highway 99E and replace them with standard sidewalk. The permit shall also include installation of a new driveway approach to Highway 99E located about 310 feet south of 53rd Avenue.

4.2 The new driveway approach to Highway 99E shall have a maximum width of 36 feet. It shall be striped as a two-lane driveway.

4.3 Maintain a minimum unobstructed aisle width of no less than 20 feet clear width for fire apparatus access. Turning radii must have a minimum outside turning radius of 50 feet and inside distance of 30 feet.

4.4 Provide a means for turning around fire apparatus. No parking is allowed in the required turnaround area. The turnaround area must have a minimum outside turning radius of 50 feet and inside turning distance of 30 feet.

4.5 Provide a minimum of 79 parking spaces including disabled parking. No more than 40% of the total parking spaces may be designated for compact cars. The parking lot must be constructed in conformance with Section 9.120 and 9.130 of the Albany Development Code (ADC). Perimeter curbing is required at the edges of all hard-surface paved areas.

4.6 Prior to issuance of building permits, submit a landscape plan for review and approval that conforms to ADC Sections 9.140 and 9.150. Irrigation shall be provided according to Section 9.160.

4.7 Provide eight bicycle parking spaces located as near as possible to building entrances used by automobile occupants. Each space must be a minimum of six feet long, two feet wide, and have an overhead clearance of size feet.

Tree Protection

5.1 Precautions shall be made to protect the Oregon white oak and its roots from damaging agents during and after construction. The following tree protection specifications should be followed to the maximum extent feasible:

(a) Within the drip line, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.
(b) Prior to and during construction, barriers shall be erected around the Oregon white oak with such barriers to be of orange fencing a minimum of four (4) feet in height, secured with metal T-posts, no closer than six (6) feet from the trunk or one-half (½) of the drip line, whichever is greater. There shall be no storage or movement of equipment, material, debris or fill within the fenced tree protection zone.
(c) During the development's construction stage, the applicant shall prevent the cleaning of equipment or materials or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.
(d) No damaging attachments, wires, signs or permits may be fastened to any protected tree.
(e) The installation of utilities, irrigation lines or any underground fixtures requiring excavation deeper than six (6) inches shall be accomplished by boring under the root system at a minimum depth of twenty-four (24) inches.

Commercial Design Standards

6.1 Comply with all commercial design standards set forth in ADC 8.310 to 8.475, including the following excerpts deferred to plans review for the building permit:

- Customer entrances to the north and east shall be clearly defined and highly visible, using features such as canopies, porticos, arcades, arches, wing walls and planters.
- The village center main street shall be developed like a public street with sidewalks, crosswalks, landscape strips, and street trees. It is recommended that the design of the village center main street comply with City construction standards for public streets.
- The east building elevation and a portion of the north building elevation (customer entrance to northeast building corner) shall have 25% transparency.
- The north wall shall be designed with a combination of architectural elements.
- Allow for extension of the village center main street, travel aisles, and pedestrian corridors to future development. Submit copies of recorded reciprocal access and parking easements for all properties in the village center to promote efficient circulation between uses and properties, and to promote connectivity and dispersal of traffic.
- Confirm pedestrian amenities at the time of plans review for the building permit.
- Confirm compliance with compatibility details for commercial design standards.
- Building facades longer than 100 feet shall have relief such as recessed entries, offsets, jogs, bays, columns, ribs, pilasters, piers, cornices, bases or other distinctive constructed changes.
- Design of the bowling center sets the standard for the predominant characteristics shared by all buildings on the MUC site so that the development forms a cohesive place within the district.

- Trees intended for the parking area landscaping shall provide a canopy cover of at least 20 percent of the parking area at maturity. Existing trees may be included to meet the canopy requirement.
- The parking lot (excluding entranceways) shall be screened from the main street.
- Signs must be scaled appropriately to appeal both to pedestrians walking on the adjacent sidewalks and to nearby motorists.
- Monument signs are preferred rather than freestanding signs.

INFORMATION FOR THE APPLICANT
FILE SP-14-04

Please read through the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the Land Use decision. They are Municipal Code or Development Code regulations or administrative policies of the Planning, Engineering, Fire, or Building Departments that you must meet as part of the development process.

PLANNING

1. Construction must substantially conform to the approved Site Plan subject to the conditions above. The Planning Division must approve any changes to the approved plan.

2. This approval expires in three years unless substantial construction of the project has been accomplished. Substantial construction is defined as "any physical improvement of a property, the cost of which equals or exceeds fifty percent of the fair market value of the property before the improvement was started." If substantial construction has been accomplished, construction can continue to completion.

ENGINEERING

1. The City of Albany has gathered infrastructure records, drawings, and other documents over many decades, using different standards for quality control, documentation, and verification. The information we provide is the most current we have readily available. While we believe this information is generally accurate, sometimes it proves to be incorrect. We do not warrant its accuracy. Before you buy any property or make any other investment based, in full or in part, on the information we provide, we advise that you independently verify the information in our records.

2. City records indicate that the subject properties have never been connected to the public sanitary sewer system, and have never been assessed for the existing public sanitary sewer main adjacent to the site. A Connection Charge shall be due and payable when accessing the City's sanitary sewers from or for the benefit of any real property against which no assessment has previously been levied or for which the cost of constructing the sanitary sewer has not been paid by the property owner or predecessor thereof. The Connection Charge will be due before the City will issue a building permit for the project. Contact the Public Works Engineering Division for more information about this charge.

3. Check with Linn County Environmental Health Department, 967-3821, on requirements for abandoning a private septic system. Before building permits will be issued, the applicant must provide a letter of response from the Linn County Environmental Health Department to the Public Works Engineering Division.

4. Water customers are not allowed to establish or maintain a cross-connection to the public water supply. It is unknown at this time if a backflow protection assembly will be required for this project to protect the public water system from backflow from the private system (including fire lines, irrigation lines, process water lines). The applicant must provide the City with enough information to evaluate the degree of any potential, suspected, or actual cross-connection (AMC 11.01.220).

5. Water service to the new building is not shown on the submitted Site Plan. Before building permits will be issued, the intended meter locations and sizes must be shown on the plans. The requirements for installing new services and meters are issued by the Engineering Division. (AMC11.01.100).

6. Public utility easements at least 15 feet wide, centered over the main, are required for all public water lines and appurtenances (ADC 12.370). Permanent structures are not allowed to encroach on a public utility easement, or be placed over a public water line (AMC 11.01.290).

7. Before a building permit will be issued, the applicant must pay to the City, or arrange for financing of, the required System Development Charges (SDCs) and other applicable fees or charges for connection to the public water system. The rates for these charges are set by Council Resolution (AMC 11.01.100 (2)).

8. All required public utility improvements must be constructed, or financial assurances for their construction provided, prior to issuance of building permits.

9. Surface water drainage patterns and proposed storm drainage must be shown on every development proposal plan. Before beginning work, the applicant must submit to the Public Works Engineering Division, a storm drainage plan for the site that shows the proposed slope of the lot and how storm drainage will be collected and routed to a public storm drain system. If storm drain pipes are planned, indicate the size and slope of each pipe. The City does not allow sheet flow of storm water across the sidewalk and into the street. The high point on the driveway must be at the property line so that all on-site drainage is collected within the applicant's property. Also, no storm water (including roof drainage) may be discharged to the sanitary sewer (ADC 12.530).

10. In order to improve the quality of the storm water runoff discharged to the public storm drain system, the final catch basin in a private storm drainage system must include an approved oil/water separator at a minimum (ADC 12.570 (8)).

11. Before doing any work in the public right-of-way or on public utility lines, an encroachment permit must be acquired from the City of Albany Public Works Department. Contact the Engineering Division, 917-7676, with questions about this permit. The City of Albany's Engineering Division will inspect all work performed in the public right-of-way and on public utilities (AMC14.12.020).

12. Before doing any work in the State right-of-way, the applicant must get an encroachment permit from the State of Oregon Transportation Department and the City of Albany Public Works Engineering Division. Contact ODOT, 757-4211, and the City of Albany Engineering Division, 917-7676, regarding these permits. The City of Albany's Engineering Division will inspect all work performed in the public right-of-way. Where regulations of the City and State conflict, the more restrictive requirements will apply.

13. Follow the City of Albany Standard Construction Specifications for all work in the City right-of-way or on public utilities (ADC 12.050).

14. The applicant is responsible for obtaining utility locates. This can be done by calling 1-800-332-2344. A City representative must be present when any public utilities are exposed.

BUILDING AND FIRE

1. The current building codes will change on October 1, 2004 per adoption of new codes by the State of Oregon. The current codes are the 2001 Amendments to the 1998 Oregon Structural Specialty Code (OSSC) which amends the 1997 UBC; the 2002 Oregon Mechanical Specialty Code (OMSC), which is Oregon's version of the 2000 IMC; the 2000 Oregon Plumbing Specialty Code (OPSC), which is Oregon's version of the 1997 Uniform Plumbing Code; the 2002 Amendments to the 1998 Edition of the 1997 Uniform Fire Code (OUFC); and the 2002 NEC.

2. All plans and calculations provided are to be drawn by an Oregon registered architect or engineer.

3. Obtain all building permits prior to start of any construction.

4. Obtain demolition permits from the Building Department prior to demolition of existing buildings. Obtain DEQ asbestos survey.

5. Provide soils engineering that shows the soil conditions will support the proposed structure.

6. Provide a drainage plan for all hard-surface areas at the time of building permit submittal.

7. The structure and parking must be fully accessible to the disabled. Provide the number of accessible parking spaces and details as per ODOT Disable Parking Standards handout.

8. Replat all tax lots into one lot where the building covers multiple lots. Provide easements between lots with different owners where utilities, storm, water, sewer lines and access cross multiple lots. Where different lots with the same owner are used, provide a covenant between the lots recorded on a form provided by the City of Albany.

9. Occupant loads for a bowling alley are based on 5 occupants for each alley including 15 feet of runway. In the remainder of the facility, including the eating, drinking, and assembly areas, the occupant load is based on 15 sq. ft. per person. The occupant area for office area is 100 sq. ft. per person.

10. Under the current Code, an automatic fire sprinkler system would need to be provided in rooms used for the consumption of alcohol when the total area of rooms not separated by 1-hour construction exceeds 5,000 sq.ft.

    Starting in October 2004, fire sprinklers will be required when an area not separated by fire walls exceeds 12,000 square feet or has 300 or more occupants.

    Depending on the type of construction of the building, fire sprinklers may be required to achieve the proposed size of the building.

    Fire hydrant requirements are based on type of construction and square footage of the building. See OUFC Tables A-III-1 and Table A-III-B-1. Current Code allows a 75% reduction in fire flow requirements in a fully-sprinkled building. In October, the reduction in fire flow drops to 50%. Average spacing of hydrants are as per Table A-III-B-1.

    Example: A 19,800-square-foot building Type V-N construction fully sprinkled requires 3750 gpm - 75% = a minimum of 1500 gpm plus sprinkler requirements. One hydrant is required within 250' of the street frontage with an average spacing of hydrants around the facility of 500'. Sprinklers would be based on Ordinary I category requiring at least .15 gpm over a 1500 square foot remote area roughly 225 to300 gpm.

11. Provide access for fire apparatus to within 150' of the most remote part of the building, measured around the exterior of the building, or provide fire sprinklers throughout the facility. OUFC 902.2.1. If the access dead ends more than 150' long, than an approved turnaround will be required. OUFC 902.2.2.4

12. An exterior grease interceptor will be required to serve the kitchen areas. Contact the plumbing plans examiner at the Building Division and/or Waste Water Services for proper size and location.

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Cepello, Jennifer

From: [redacted]
Sent: Monday, March 23, 2026 7:57 PM
To: Cepello, Jennifer
Subject: SP-15-25 - Additional information for appeal being considered
Attachments: CU-06-03 Traffic Study.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

Jennifer,
Can you please add this to the record for the apartment complex project SP-15-25? I would appreciate this being shared with members of the Planning Commission. Thank you!

****

Dear Members of the Planning Commission,

I am writing to express several concerns regarding the proposed apartment complex at the corner of 53rd Avenue and Pacific. As a member of the local community, I am particularly concerned about the cumulative impact this project will have on traffic flow, parking, and emergency access in our already congested neighborhood.

Traffic Impact and Inconsistency with Previous Decisions

When the church proposal was considered, it was rejected due to concerns about traffic congestion and the single access point into the neighborhood. At that time, the neighborhood had far fewer homes, and the anticipated traffic from the church was much lower. However, the proposed apartment complex would generate far more traffic, and the infrastructure remains unchanged—yet the same concerns about access and traffic flow are seemingly being overlooked.

The current infrastructure, with only one access point, is already insufficient to handle the increased traffic during peak times from the existing 600 homes and the new development. Given that the church proposal was rejected for similar reasons, it seems inconsistent to approve a much larger development under the same conditions.

Parking Demand and Overflow

The proposed parking plan includes 145 spaces for the 108 apartment units, based on a formula of 1.0 space per 1-bedroom unit and 1.5 spaces per 2-bedroom unit. However, the suburban nature of the neighborhood suggests that many households will have multiple vehicles, and 145 spaces may not be enough to meet the demand.

Since there is no on-street parking available and no room for expansion, there is concern about where overflow parking will go. It's likely that overflow parking could block fire lanes or impede emergency services, which would create serious safety issues for both residents and emergency responders.

Traffic Study for Key Intersections

While it's been noted that the intersection at 53rd Avenue and Pacific will be impacted, the builder's attorney mentioned that no traffic study has been conducted for the intersections at 34th Avenue and Ellingson Road. These intersections, especially those leading north into Albany, are also crucial and will likely bear the brunt of the increased traffic from the development. It's essential to determine if the current infrastructure at these points can handle the added strain.

Request

The proposed development will place additional strain on traffic, parking, and emergency access in a neighborhood that already faces significant challenges. I urge the Planning Commission to consider the infrastructure limitations, the increased traffic volume, and the previous rejection of the church proposal based on similar concerns. A more thorough evaluation of the current traffic flow, parking needs, and emergency access is essential to ensure the area remains safe and functional for both current residents and new tenants.

Due to the suburban location of the complex, I also believe the Planning Commission should reevaluate the adequacy of the 145 parking spaces and consider additional parking options or alternative arrangements to ensure that all residents and guests have adequate parking.

Thank you for your time and consideration.

Sincere regards,

Amanda Fee

_____

DISCLAIMER: This email may be considered a public record of the City of Albany and subject to the State of Oregon Retention Schedule. This email also may be subject to public disclosure under the Oregon Public Records Law. This email, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you have received this communication in error, please notify the sender immediately and destroy all copies of the original message.

GROUP MACKENZIE

September 22, 2003

McSwain and Woods
Attention: Mac McSwain
4040 S.E. International Way, Suite E204
Milwaukie, OR 97222-6073

Re: **LDS Albany Traffic**
Trip Generation Comparison and Access Spacing
Project Number 2030185.00

Dear Mr. McSwain:

Group Mackenzie has prepared this letter for the proposed 25,000 square foot (SF) Church of Jesus Christ of Latter-day Saints (LDS) Albany Stake Center to be located at the northwest corner of the 53rd Avenue and Deer Run Street intersection in Albany, Oregon. Specifically, this letter presents a description of LDS churches and a trip generation comparison of the proposed use with an allowed residential use, and addresses access spacing of the driveways.

LATTER-DAY SAINTS CHURCHES

LDS churches are designed to serve geographical areas, called Wards, two or three of which will meet in the same building. The meeting times of the Wards will generally overlap, with one Ward occupying the large meeting room while the second Ward occupies the smaller classrooms. This scheduling maximizes the use of the building and limits the number and size of churches.

LDS churches serve as either a Meetinghouse or a Stake Center. An LDS Stake Center is larger than a standard Meetinghouse to accommodate Stake meetings, which occur several times per year; however, during an average week Stake Centers are used in a similar manner as Meetinghouses. For this reason, the number of trips generated by Stake Centers and Meetinghouses are generally the same.

TRIP GENERATION

A comparison of trip generation rates between allowed residential use and proposed church use has been prepared.

Development of the 6.0-acre site could include construction of up to 40 single-family homes. Anticipated trips for 40 homes based on ITE rates for Single-Family Detached (Land Use 210) are presented in the table below.

0690 SW Bancroft St / PO Box 69039 Portland, OR 97239-0039
Tel: 503.224.9560 Web: www@grpmack.com Fax: 503.228.1285
360.695.7879

Group Mackenzie, Incorporated

Group Mackenzie Engineering, Incorporated

The combination of Mackenzie engineering and Mackenzie Sorte continues

Trips for the proposed Stake Center are based on surveys conducted by Group Mackenzie at similar sites in the Portland metro area. A summary of the results is attached. With the exception of Sunday peak hours, the trip estimates are similar to or higher than those found in ITE Trip Generation for a church.

Trip Generation Comparison					
Site Use	Weekday			Sunday	
	Daily	AM Peak	PM Peak	Daily	Peak Hour
40 Single Family Homes	383	31	41	351	34
25,000 sf Stake Center	435	16	33	981	138

A comparison of trips from the proposed church use and allowed single-family use shows that a greater number of daily and Sunday peak hour trips would be expected with the church, but the critical weekday peak hour trips would be less.

ACCESS SPACING

City of Albany standards for access to public streets are located in the Development Code section 12.100. Specific requirements listed in items 1-8 apply to the proposed Stake Center, with items 1, 2 and 8 being related to the design and not the location of the accesses.

The proposed church site plan includes two accesses, one to 53rd Avenue approximately 300 feet west of Deer Run Street, and one to Deer Run Street approximately 365 feet north of 53rd Avenue. A copy of the site plan is attached. The site is located approximately one-half mile west of Pacific Highway (Highway 99E).

12.100(3) – The location of the proposed driveways exceeds minimum spacing standards. The driveway to 53rd Avenue is located 140 feet east of Falcon Street and 300 feet west of Deer Run Street. The driveway to Deer Run Street is located approximately325 feet south of Black Bear Avenue and 365 feet north of 53rd Avenue.

12.100(4) – The Stake Center is subject to site plan review, but does not propose access to an arterial. The location and number of accesses does not need to be limited from the two currently proposed.

12.100(5) – The two proposed accesses are needed to provide adequate circulation for the site and meet the standards of this section. The limit of access is two lanes per 100 feet of frontage, which would allow many more access locations than proposed. The access locations are not expected to inhibit the safe circulation and carrying capacity of the adjacent streets.

12.100(6) – Although the site has frontage on three public streets, access does not need to be limited to one street. Allowing access to two public streets will disperse the impact on the adjacent streets, improve on-site circulation and provide a means of access if one driveway is blocked.

12.100(7) – Common accesses are beneficial in reducing the number of access points to a roadway; however, the properties adjacent to the proposed site are residential in nature and a shared access would not be appropriate.

CONCLUSION

The proposed 25,000 SF LDS Stake Center at the northwest corner of 53rd Avenue and Deer Run Street is expected to generate more daily and Sunday peak hour traffic than allowed residential uses, but will have less critical weekday peak hour volumes. The two proposed site accesses to Deer Run Street and 53rd Avenue meet the requirements of the City of Albany Development Code section 12.100 and are expected to operate in a safe and efficient manor.

Sincerely,

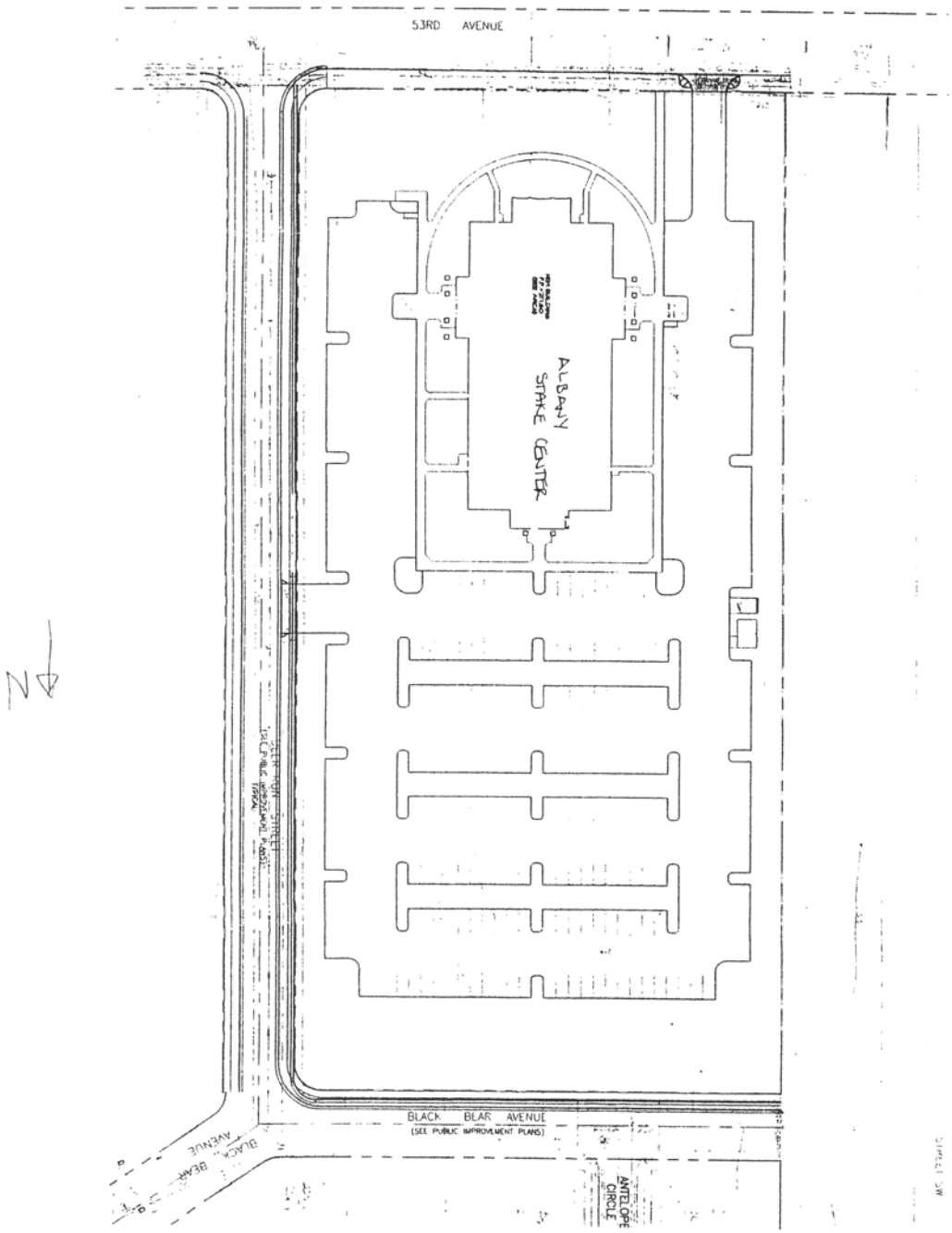
Brent Ahrend, P.E.
Traffic Engineer

BTA/mpd

Enclosures



c: Terry Bradshaw – The Church of Jesus Christ of Latter-day Saints
Mark Cottle – Newton, Cottle, and Westenhaver


53RD AVENUE
ALBANY
STATE CENTER
BLACK BEAR AVENUE
(SEE PUBLIC IMPROVEMENT PLANS)
ANTELOPE CIRCLE
N

LDS Stake Center and Meetinghouse Trip Generation Summary					
Day	Time Period	Trips/ksf		Trips/ Members	Trips/ Attendees
		Stake Center	Meetinghouse	Both	Both
Weekday	Daily	17.4	17.87	0.301	0.624
	AM Peak Hour Adjacent Street	0.62	0.76	0.017	0.028
	PM Peak Hour Adjacent Street	1.32	0.54	0.025	0.041
Sunday	Daily	39.24	51.63	0.736	1.551
	Peak Hour Adjacent Street	5.50	10.67	0.162	0.291

Cepello, Jennifer

From: Dee Wendler [redacted]
Sent: Friday, March 6, 2026 6:23 PM
To: Cepello, Jennifer
Cc: Chad Hays
Subject: Fw: Subject: 108 Unit Housing Development at 53rd & Pacific Blvd application SP-15-25, NR-03-25, RL-08-25

Follow Up Flag: Follow up
Flag Status: Flagged

[**WARNING!** This email came from outside our organization. Do **NOT** click unknown attachments or links in email.]

Greetings Jennifer,

We would like to submit the following email to be presented for both the March 16, 2026 Planning Commission hearing and also to the City Council when they are deliberating and making a decision on application SP-15-25, NR-03-25, RL-08-25.

Please respond confirming receipt of this email.

Thank you,

Dee Wendler & Charles Hays
[redacted]

Greetings,

We are submitting an email in opposition to the proposed housing development by Schneider Homes Inc. at the southwest corner of 53rd street and Pacific Boulevard in Albany, Oregon. The developer is proposing 108 apartment units with 156 adjacent parking spaces. The sole entry into the complex will be off 53rd street. The proposed layout shows 7 separate 3 story apartment buildings as well as a clubhouse and adjacent parking. We have several concerns with the proposed project:

1. *Egress for the Spring Meadow and Brookfield Subdivisions*. Over 450 homes are located in these subdivisions. There is one route for ingress and egress: 53rd street. The City is proposing adding an additional 108 units. This does not provide for adequate egress from the neighborhood in the event of an emergency evacuation due to flood or fire.
2. *Increase in traffic congestion and negative impact on bicycle and pedestrian safety*. The City has not completed a traffic study of the area since 2010. *That was 16 years ago*. Traffic on Pacific Boulevard (Highway 99E) has *significantly* increased since 2010 due to the rise in population. Adding these units so close to the intersection of 53rd & Highway 99E will significantly impact people's ability to get into and out of the Spring Meadow & Brookfield subdivisions. This is further impacted by the single proposed left turn from 53rd to enter the new apartment complex.
3. *Zoning at the proposed site is MUC - Mixed-Use Commercial District*. The definition of this zoning states, in part:
    a. "The MUC zoning district is intended primarily to provide a mix of convenience commercial, personal services, offices and ***medium*** density residential uses. The district would typically be anchored by a grocery store and may include a mix of smaller retailers, offices, live-work units, and residences."
4. A few points related to this:

    a. We haven't seen ANY mention of other mixed uses being added — only housing. No grocery stores, no offices, no personal services. If a grocery store did want to go in, where would they go, and where would be the entrance & exit for the traffic access? 53rd Street again? At this point, the ONLY land that will be left for any development of needed retail to support a population of over 550 would be the South Pacific property.

b. The housing that is proposed does NOT appear to be medium density - rather it is seven 3 story buildings of housing, 108 units total, plus a clubhouse, and 156 parking spaces. This increases housing served by 53rd street by 50%, just for residential alone - and that doesn't count any increased traffic for future retail to retain the "mixed use" designation.

c. In reading the City's Notice of Filing, the development will be in an area with overlay districts for "Riparian Corridor, Significant Wetlands, and Floodplain". How is the wetland designation being mitigated? Is the City allowed to override the Wetlands designation, given the abundant amount of birds, wildlife and the protected species of turtle found in the adjacent wetlands?

d. The developer has applied for an encroachment into the "riparian corridor" of Oak Creek, which runs along the south side of the property. Has the City confirmed that the Division of State Lands has given them permission for this? If so, who approved it, and when?

5. *Lack of transparency and communication by the City*. We are very disappointed in the City's lack of proactive communication and transparency regarding this proposed housing. It took a reporter's story to bring this matter to light - and if the reporter hadn't, the apartments would likely have been passed by City Council before anyone in the adjacent 450 home neighborhood off 53rd street knew anything about it. If the City wants people to support development (and they should, since we do need it given growth), then they should strive for transparency and proactive communication and allow residents to have input on the planning process - not try to notify the minimum number of people required and pass it before anyone is aware and can bring up potential issues.

Thank you,

Denise I. Wendler
Charles C. Hays
3871 Moose Run Drive SW
Albany, OR 97321
[redacted]

_____

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Support for the Appeal to the Approval of the Development at 53rd and Pacific in Albany

I have been a resident of the Bridgefield development for 20 years. The back of my house faces 53rd Avenue.

I am extremely concerned about the proposed apartment development at the corner of 53rd and Pacific. Development at that intersection is extremely challenging and hazardous. Examples are:

1. **Limited Egress a Potential Hazard.** There is only one entrance to and from the Bridgefield complex. Construction of the apartments with the associated vehicles will impact movement. If there was (heaven forbid) an event at the apartments requiring emergency vehicles, it could affect residents entering or leaving Bridgefield.
2. **Speeding Traffic**. Cars travelling up and down 53rd do not always follow the speed limit. I frequently hear speeders and accelerating vehicles from my home. This could cause accidents as residents and visitors to the apartments enter or leave the site.
3. **Hazardous to Pedestrians and Bicyclists**. People walk, run, bike, and walk their dogs along the entire length of 53rd. Students walk to and from school. Vehicles entering and exiting the new development could endanger the pedestrians and bicyclists.
4. **Traffic Congestion Hazards**. Vehicles entering 53rd from Elk Run particularly occasionally pull in front of traffic going either way requiring oncoming vehicles to slow down. This is an artery and trucks and other commercial vehicles use it. This intersection is the closest to the new development and slowdowns would be a hazard or delay for people entering and leaving the proposed complex as the oncoming traffic.
5. **Future Traffic Congestion Hazards**. When the former South Pacific Auto location is re-occupied, the corner of Pacific/53rd will have traffic entering the intersection and crossing the westbound lane into the left and right turn lanes onto Pacific. If there is an entrance to the apartment complex anywhere close to that location, there is a major risk of accidents.
6. **Negative Effect on Wetlands and Ecosystem**. The wetlands and floodplain to the west of the proposed development are essential to protecting the Bridgefield complex and surrounding neighborhoods from flooding. How will the developers channel runoff from a paved apartment complex without damaging a fragile and important ecosystem?
7. **City/County Conflicts**. I believe 53rd is the County/City boundary. If there are issues between my neighborhood and the proposed complex, will we have to deal with inter-jurisdiction issues?

8. **Effect on Neighborhood Businesses**. How will traffic entering and leaving the new development affect the patrons of the bowling alley? They already have to potentially cross two lanes of traffic to proceed towards downtown Albany.
9. **Parking Congestion and Hazards**. What is the developer's parking commitment for the complex?

   With a location close to colleges, many students will be drawn to the complex. One-bedroom apartments could have a minimum of two cars belonging to residents and two-bedroom apartments could have four or more. Not including visitors. I have seen up to seven cars parked outside rental units in the Brookfield subdivision.

   Are the developers prepared to provide at least 300-400 parking spaces for the complex? There is no parking available the length of 53rd. Any parking along there would create a dangerous hazard. Without an option, residents will park in the residential complex down the street, increasing an already vehicle-crowded situation. Or optionally, park illegally in the now-vacant Pacific Auto Sales location or at the bowling alley, creating friction between neighbors.

I must stress that this is not a “Not In My Backyard” reaction. I am merely concerned about the impact on vehicular traffic, parking, pedestrians, and the wetlands.

Thank you.

Sincerely,

Dana Jensen
1982 Antelope Ct. SW.
Albany

Cepello, Jennifer

From: LINER Duane J <Duane.J.LINER@odot.oregon.gov>
Sent: Tuesday, March 10, 2026 2:21 PM
To: Cepello, Jennifer
Cc: CHILDRESS Arielle; rogernyquist@yahoo.com; KNECHT Casey
Subject: RE: djl 2/9/26 RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

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Jennifer,

Thank you for your email.

Mr. Roger Nyquist contacted me and asked for copies of correspondence between ODOT and the City. I forwarded to him my 12/5/24 email with pre-application meeting and TIA related comments. I am also cc'ing him on this email.

I would like to re-state the following previous comments with some clarification and add a comment (previous comments from 2/9/26 in italics, new in bold):

- **The development with proposed access to the highway through tax lot 1400 would require an Application Form for State Highway Approach to be submitted based on OAR 734-051-3020 Change of Use of a Private Connection criteria being met.** *Our requirement for Change of Use criteria being met is based on what the highway approach for the bowling alley development was permitted by ODOT for compared to the additional proposed development using the existing approach (in this case trip generation volumes)*
- *If and when an approach application is received by ODOT, I would look for it to include confirmation/documentation of the easement*
- *IF an emergency/fire vehicle only connection between the properties is proposed, if would not trigger requirement for a highway approach application (as change of use volume criteria would then not be met)*
- **IF the development will not take access using the bowling alley and a revised traffic study is submitted, ODOT would be willing to review it with the City being the lead agency.**

Thank you

- duane

Duane James Liner, P.E.
Development Review Coordinator
ODOT - Region 2
541-757-4140

From: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Sent: Friday, March 6, 2026 10:50 AM
To: LINER Duane J <Duane.J.LINER@odot.oregon.gov>
Cc: CHILDRESS Arielle <Arielle.CHILDRESS@odot.oregon.gov>; SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Subject: RE: djl 2/9/26 RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

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Hello Duane,

This land use application has been appealed and will be going to a public hearing. Does ODOT have any additional comments or conditions for the proposed development?

Thank you!

From: LINER Duane J <Duane.J.LINER@odot.oregon.gov>
Sent: Monday, February 9, 2026 2:01 PM
To: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Cc: CHILDRESS Arielle <Arielle.CHILDRESS@odot.oregon.gov>; SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Subject: djl 2/9/26 RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

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Jennifer,

Sorry for my failure to send comments back by 12/10/25. I received confirmation back on 12/9/25 from ODOT's Traffic Analysis Engineer that the TIA comments had been addressed but then I neglected send my comment about the approach.

I would ask, and thank you, to include the comment as "Information for Applicant" as a part of the Notice of Decision (for a proposal which includes this proposed development using the bowling alley access without restriction)

I did just this afternoon speak with bowling alley owner and he indicated the neighboring property/developer did not have easement rights. A couple FYIs for you on this:

- Our requirement for Change of Use criteria being met is based on what the highway approach for the bowling alley development was permitted by ODOT for compared to the additional proposed development using the existing approach (in this case trip generation volumes)
- If and when an approach application is received by ODOT, I would look for it to include confirmation/documentation of the easement
- IF an emergency/fire vehicle only connection between the properties is proposed, if would not trigger requirement for a highway approach application (as change of use volume criteria would then not be met)

Thank you

- duane

Duane James Liner, P.E.
Development Review Coordinator
ODOT - Region 2
541-757-4140

From: SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Sent: Monday, February 2, 2026 9:54 AM
To: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Cc: LINER Duane J <Duane.J.LINER@odot.oregon.gov>; MOREY Brian T <Brian.T.MOREY@odot.oregon.gov>; CHILDRESS Arielle <Arielle.CHILDRESS@odot.oregon.gov>
Subject: RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

Jennifer,

Good question! I looked at the "Linn-Benton Bowling Center" TIA from May 2004 that evaluated the 99E access and made recommendations about full buildout conditions. There are two items of note:

1. "The ODOT right-turn lane warrants were evaluated for the Highway 99E/site access intersection during the morning and everting peak hour for the year 2005 and year 2009 background plus site trips conditions. The southbound right-turn lane is not warranted under the year 2005 background plus site trips conditions but is met for the year 2009 background plus site trips conditions. Therefore, upon expansion of the site a southbound right-turn lane should be constructed."
2. "The proposed site access does not conform to ODOT's Access Management Spacing Standards and would require a Deviation from the standards. However, there are no alternative accesses available currently. When alternative access becomes available, the highway access could be restricted to a right-in, right-out access."

I am not sure if either of those measures are required, but I would expect a new access application to re-evaluate the potential modifications documented in the Bowling Alley TIA now that an alternate access is becoming available.

Thanks,
Brion Scott, PE
Development Review
ODOT - Region 2 - Area 3
885 Airport Road SE, Building P Salem, OR 97301
(503) 871-1411
Brion.Scott@odot.oregon.gov

From: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Sent: Monday, February 2, 2026 8:30 AM
To: SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Subject: RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

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Hello Brion,

I cannot make the comment a condition of approval at this point, but I do have an "Information for Applicant" as a part of the Notice of Decision and I can add this comment there 😊.

A quick follow up question, the access easement was recorded in the early 2000's when the bowling alley was developed and they had completed the Comprehensive Plan and Zone Map amendments, which included a TPR/TIA. At that time, the driveway (easement) was to act as a "private road" for the bowling alley and for future development upon the site that is currently under review. Since the proposed use (in application materials for the comp plan and zone amendments) was in that application that was approved will they still be required to complete the "Change of Use of a Private Connection"?

Thanks!

Jennifer Cepello
Planner III/Floodplain Manager
541-917-7561
Community Development
City of Albany, Oregon
333 Broadalbin St SW, Albany, Oregon 97321
www.albanyoregon.gov

From: SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Sent: Friday, January 30, 2026 2:30 PM
To: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Cc: LINER Duane J <Duane.J.LINER@odot.oregon.gov>; MOREY Brian T <Brian.T.MOREY@odot.oregon.gov>
Subject: RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

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Jennifer,

Thanks for clarifying; the Project Review date you gave me let me find what I needed. Back in 2024 during the initial pre-app phase Duane had given the following direction regarding access:

"*Access is proposed to the site at two locations on 53rd Avenue SW, and by using the existing Lakeshore Lanes approach location along OR99E by way of a proposed access easement. The City of Albany is the permitting jurisdiction for access to 53rd Avenue SW and ODOT is the permitting jurisdiction for access to OR99E. Based on the current proposal and submittals, an Application Form for State Highway Approach would be needed for the proposed site access using the existing OR99E Lakeshore Lanes approach. This is based on OAR 734-051-3020 Change of Use of a Private Connection criteria being met.*"

So, I guess my only remaining question is if the applicant will be advised to contact ODOT for an access permit, if necessary, or if these earlier comments are no longer applicable because they were not included in a response to the "Project Review" last month.

Thanks,
Brion Scott, PE
Development Review
ODOT - Region 2 - Area 3
885 Airport Road SE, Building P Salem, OR 97301
(503) 871-1411
Brion.Scott@odot.oregon.gov

From: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Sent: Thursday, January 29, 2026 4:44 PM
To: SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Subject: RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

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Hello Brion,

The City of Albany submits a "Project Review" to affected agencies and other city department when we receive an application for land use. All land use applications are sent to the odotr2planmgr@odot.gov that we have on file. The Project Review allows agencies a period of time (approx. 2 weeks) to submit comments upon the proposed development. We use the provided comments to address any issues before the application is deemed complete and sent out to public notice.

The Project Review for this land use case was sent out on December 1, 2025, with a comments/concerns to be received by December 10, 2025. I had not received any comments from ODOT on this project during the "project review". It has not been our practice to send out the "Notice of Filing" to affected agencies since they get the "project review" which has all of the application materials, including a TIA that was completed for the development.

Let me know if you have further questions.

Jennifer Cepello
Planner III/Floodplain Manager
541-917-7561
Community Development
City of Albany, Oregon
333 Broadalbin St SW, Albany, Oregon 97321
www.albanyoregon.gov

From: SCOTT Brion <Brion.SCOTT@odot.oregon.gov>
Sent: Thursday, January 29, 2026 8:19 AM
To: Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>
Cc: LINER Duane J <Duane.J.LINER@odot.oregon.gov>
Subject: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

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Good morning, Jennifer,

I am filling in for Duane while he is on vacation and was asked to look at the attached Notice of Filing because of the proposed cross access to OR 99E through the Lakeshore Lanes parking lot. What I am hoping you might be able to clarify is if this notice was sent to ODOT for comment, because I was unable to find it at our primary email address for land use notices (odotr2planmgr@odot.oregon.gov). If we did receive this notice of filing, did you receive comment from ODOT?

Thank you,
Brion Scott, PE
Development Review
ODOT - Region 2 - Area 3
885 Airport Road SE, Building P Salem, OR 97301
(503) 871-1411
Brion.Scott@odot.oregon.gov

_____
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William Gordon Ryals
Architecture and Planning
935 Jones Ave. NW
Albany, Oregon 97321
541-974-0908

Monday, March 9, 2026

Roger Nyquest
Lakeshore Lanes
5432 Pacific Blvd. SW
Albany, Oregon. 97321

Dear Roger,

Thank you for requesting my opinion of Planning Decision SP-15-25, RL-08-25, & NR-03-25. As your architect I remember quite well the planning, design and construction of your bowling facility and the discussions with city staff and neighbors that occurred at the time. Even though this is now 20+ years on, I have substantial records and recall clearly the important issues and discussions of the day. Having read the current planning decision I have come to the conclusion that you have no choice but to appeal. There are many potential conflicts and issues created by this development that are not mentioned or discussed in detail in this decision.

To be clear, I am not strictly opposed to or supportive of the proposed development. The problem lies in the lack of information regarding possible conflicts and mitigation of these issues. It feels like the approach was: if we don't find anything wrong, we don't have to deal with it. This puts you at risk. If these conflicts are not recognized and mitigated now as conditions of approval it will certainly come back to haunt you later.

After 50 years of practice, and hundreds of large scale projects under my belt, I have gained a good understanding for what is normally expected and required when large developments are proposed for existing neighborhoods. Especially when such developments differ significantly from the existing neighborhood and it uses.

Responsibility

When a new development might reasonably create conflicts with existing uses, these conflicts must be identified and accommodations made to mitigate or limit any such conflict. This is not negotiable. A new development can not plop down in an existing neighborhood and expect the neighbors to pay the price for conflicts that might arise.

No Public Process

A thorough discussion of challenges unique to this development, and possible mitigations is missing from the decision. In addition, there were no neighborhood meetings or attempts to confer with adjacent property owners over such possible conflicts. The staff decision to avoid a public hearing is noteworthy. The project is clearly large enough, and in variance with the original intent of the zone enough, to indicate some public process or at the very least neighborhood outreach to inform and gain input from those directly impacted by the proposed development. This is basic stuff.

Appeals and Role of the Planning Commission

While staff has done a creditable job of reviewing this application in regards to the basic code requirements, it has done little to identify the special circumstances and conflicts that make this application unique. This is understandable. Unique circumstances do not often fit within the tidy language of the code. Such challenges require nuance, judgment and a clear understanding of the issues to arrive at good decisions. If difficult decisions did not have to be made, there would be no need for a Planning Commission.

In the real world, difficult decisions are the norm and mistakes often occur when conflicts are not anticipated and decisions are made in a less than open process. This is especially important when the safety and wellbeing of the community is at stake. This is a heavy responsibility. And while there are no perfect solutions, public comment and open discussion is critical to insure that all parties are heard, all possible conflicts or impacts are recognized, and decisions are made with the best information available.

Summary

Planning Decision SP-15-25, RL-08-25, & NR-03-25 is lacking in several important ways. Traffic Impacts, cross party agreements, sound and disturbance ordinances, connectivity to local and regional systems are left out or covered in such cursory ways as to be unhelpful. I would advise you to appeal this decision to the Planning Commission as soon as possible so that you and the local community have a reasonable opportunity to raise any and all specific concerns to this proposed development. This is the only way that suitable and site specific accommodations can be proposed to the applicant to assure that their new development, if constructed, will fit comfortably into the existing neighborhood and be a long term net positive for the community and developer as well.

I look forward to assisting as you as this process moves forward. A clear and detailed analysis of possible conflicts and reasonable solutions will need to be offered to insure the best possible outcome for you and the community into the future.

Thank you for requesting my input,



William Ryals, Architect

Davis Wright Tremaine LLP

Suite 700
560 SW Tenth Ave
Portland, OR 97205

Elaine Albrich
[redacted]

March 10, 2026

VIA EMAIL (David.Martineau@albanyoregon.gov)

Planning Commission
c/o David Martineau
City of Albany
333 Broadalbin St SW,
Albany, Oregon 97321

Re: Appeal of Schneider Homes, Inc. Notice of Decision
SP-15-25, RL-08-25 & NR-03-25

Dear Chair Miller, Vice-Chair Larson, and Fellow Members of the Commission:

This office represents Nyquist Ventures, LLC ("Nyquist"), the owner and operator of Lakeshore Lanes, a local, family-owned bowling alley serving Albany and the surrounding communicates for over 50 years. Lakeshore Lanes is located at 5432 Pacific Boulevard, Albany, on property adjacent to the proposed multi-family development that is the subject of this appeal. See Attachment 1 (Property Location).

Summary of Nyquist Appeal Issues

The Director Decision erroneously approves the 108-unit multi-dwelling development without requiring Schneider Homes, Inc. ("Applicant") to provide substantial evidence to meet applicable local criteria from the Albany Development Code ("ADC").

Relevant to this appeal, the Director Decision finds that the proposed development meets applicable ADC criteria because, in part, it would have two points of access, with 70 percent of the traffic routing through 53rd Avenue and 30 percent of traffic routing across the Nyquist property from Highway 99. **The problem is that Nyquist and Lakeshore Lanes have not, and will not, grant access for the multi-family development to use its existing driveway as a second access point for daily trips.**

Background

The Lakeshore Lane property is comprised of five (5) parcels, all with shared access off Highway 99. There are reciprocal access easements across all the parcels owned by Nyquist, as shown on the enclosed plats. See Attachment 2 (Nyquist Plats). As evidenced by the plat, these reciprocal easements do not benefit Applicant's adjacent property. Further, the existing ODOT

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access permit for Highway 99 is specific to the Lakeshore Lanes property (and use) only. See Attachment 3 (Nyquist ODOT Permit). The City approved the partitions for the Lakeshore Lane property in 2005 (File LA-11-04, PA-16-04, PA-17-04). The final plat was approved by the City and recorded with only reciprocal easements benefitting the Nyquist parcels, as evidenced in Attachment 2.

Nyquist Request of the Planning Commission

For the reasons discussed further below, the findings and conditions in the Director Decision are not supported by substantial evidence in the record, and **the Planning Commission must overturn the Director Decision and deny the proposed development**.

In the alternative, the Planning Commission may require Applicant to submit into the record (1) a revised site plan eliminating access off Highway 99 across the Nyquist property, and (2) an updated traffic report demonstrating that 100 percent of trips may be accommodated by access off 53rd Avenue ("Revised Project"). If the Planning Commission finds that the Revised Project meets the applicable ADC criteria, particularly ADC Article 12, then the Planning Commission can modify the Director Decision accordingly, making it clear in the modified decision that access across the Nyquist property for the Revised Project is not authorized or required.

Reasons for Nyquist Request

The findings of compliance under the ADC need to be based on substantial evidence in the record. The Director Decision improperly adopts findings of compliance in reliance on Applicant having, or being able to obtain, access rights from Nyquist for access across the Lakeshore Lane property for Highway 99. Throughout the findings in the Director Decision, the City references "existing shared access" across the Nyquist property from Highway 99. These findings are based on incorrect assumptions from prior land use proceedings and outdated transportation studies.

We maintain that the following findings are flawed and offer pathways for the Planning Commission to address resolve appeal issues:

ADC 11.180, Criterion 1 – *The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this section.*

- Finding 1.15 needs to be revised to delete references to access from Highway 99 (Pacific Boulevard). See highlighted language on page 5 of Attachment 4 (Staff Report).

ACD 2.450, Criterion 6 – *The application complies with all applicable On-Site Development and Environmental Standards of Article 9.*

- Finding 6.20 needs to be revised. Criterion 6 and ADC 9.100(9) regarding connectivity to adjacent parking lots is not met because Applicant cannot rely on connectivity to Lakeshore Lanes parking areas; the site plan shows a driveway connection that is not lawful. See highlighted language on page 16 of Attachment 4 (Staff Report). ADC 9.100(9) provides that "*this requirement **may be waived** by the Director when it is deemed impractical or inappropriate due to the nature of the adjacent uses.*" The Planning Commission may waive application of ADC 9.100(9) and revise the Director Decision to not require connectivity between Applicant's development and the Nyquist property and Lakeshore Lanes.

- Finding 6.37 needs to be revised. Criteria 6 and ADC 9.133(3) regarding connectivity between sites is not met because Applicant cannot rely on connectivity to the Nyquist property; the site plan shows direct connection and reciprocal access to the Nyquist property that is not lawful. See highlighted language on page 19 of Attachment 4 (Staff Report). ADC 9.133(3) is a connectivity standard intended to comply with Transportation Planning Rule (OAR 660-012) per the purpose statement of ADC 9.133. ADC 9.133(3) says that "*new development **may be required** to provide street or driveway stubs and reciprocal access easements to, and for, adjacent properties.*" The Planning Commission may apply ADC 9.133(3) to simply require a driveway stub from Applicant's development to adjacent properties and leave it at that without requiring reciprocal easements. There is no need for the Director Decision to impose that requirement, on either Applicant's or Nyquist's properties per the plain language of the ADC.

ACD 2.450, Criterion 8 – *The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.*

- Finding 8.5 needs to be revised because it improperly relies on an assumption that 30 percent of the trips may be routed through "shared access via Lakeshore Lanes' driveway." See highlighted language on page 24 of Attachment 4 (Staff Report). The Planning Commission must require new evidence from the Applicant to demonstrate that when 100 percent of trips are routed through 53rd Avenue, the City's mobility standards and queuing storage are still met.

- Findings 8.6 and 8.8 rely on a traffic study that has inaccurate assumptions – there is no "existing shared Lakeshore Lanes Access at Pacific Blvd." See highlighted language on page 25 and 26 of Attachment 4 (Staff Report). The Planning

Commission must require new evidence from the Applicant to demonstrate that when 100 percent of trips are routed through 53rd Avenue, the City's mobility standards and queuing storage are still met.

- Finding 8.7 relies on findings from a prior traffic study and relies on findings from a prior land use application. See highlighted language on page 25 of Attachment 4 (Staff Report). The Planning Commission must require new evidence from the Applicant to demonstrate that when 100 percent of trips are routed through 53rd Avenue, the City's mobility standards and queuing storage are still met.

- Findings 8.10 and 8.11 rely on findings from a prior traffic study that is not applicable to this application. See highlighted language on pages 26 and 27 of Attachment 4 (Staff Report). Planning Commission must require new evidence from the Applicant to demonstrate that when 100 percent of trips are routed through 53rd Avenue, the City's mobility standards and queuing storage are still met.

- Finding 8.11 must be revised to delete the language requiring "an easement [will be] over all driveways and connect to Lakeshore Lanes' shared accessway." See highlighted language on page 27 of Attachment 4 (Staff Report). There is no shared accessway across Lakeshore Lanes' property.

- Condition 16 requires Applicant to construct all shared vehicle, pedestrian and bicycle connections to adjacent properties within Village Center. See highlighted language on page 28 of Attachment 4 (Staff Report). **The Planning Commission must make clear that Applicant is not authorized to make any improvements to the Nyquist property and that no shared access exists across the Nyquist Property from Highway 99 for the benefit of Applicant's property.**

Community Development Post-Decision Letter and Conversations

The Community Development Department issued Nyquist a letter following the issuance of the Director Decision, dated February 20, 2026. See Attachment 5 (Post-Decision Letter). The letter served as confirmation and acknowledgement that the Director Decision was not to impose any condition of approval that require changes or actions outside the property boundaries contained in the application, saying that the site plan shows "for reference purposes only" access across the Nyquist property. It goes further to say that such access is a "future scenario" if Applicant were to obtain legal access. While appreciated, **this letter offers no comfort nor does it explain the contradictory findings throughout the Director Decision that conclude there already exists a shared accessway across the Nyquist property for the benefit of Applicant's proposed development, as evidenced by the highlighted findings above**.

Subsequent conversations with City staff indicate that staff interpret the findings and conditions in the Director Decision to only require reciprocal easements on Applicant's property for the benefit of adjacent properties, including the Nyquist property. Our client has no interest in having access across Applicant's property. Further, the record repeatedly illustrates that City approved Applicant's proposed development relying on the fact it would have two access points, one being across the Nyquist property from Highway 99 across via what the staff repeatedly label as "shared access" across Lakeshore Lanes. **This is why we maintain that this appeal is necessary and are seeking relief before the Planning Commission.**

Closing

We appreciate the Planning Commission's consideration of these concerns and respectfully request that the Director Decision be overturned and the application denied. Thank you for your consideration, and we look forward to the opportunity to testify before you on Monday, March 16, 2026.

Very Truly Yours,

Davis Wright Tremaine LLP

[redacted]

Elaine Albrich

cc: Roger Nyquist
Sean Kidd, City of Albany Counsel

Attachment 1
(Property Location)

ATTACHMENT 1 - PROPERTY LOCATION



Attachment 2
(Nyquist Plats)

C.S. 24557

PARTITION PLAT No. 2007-39

FOR

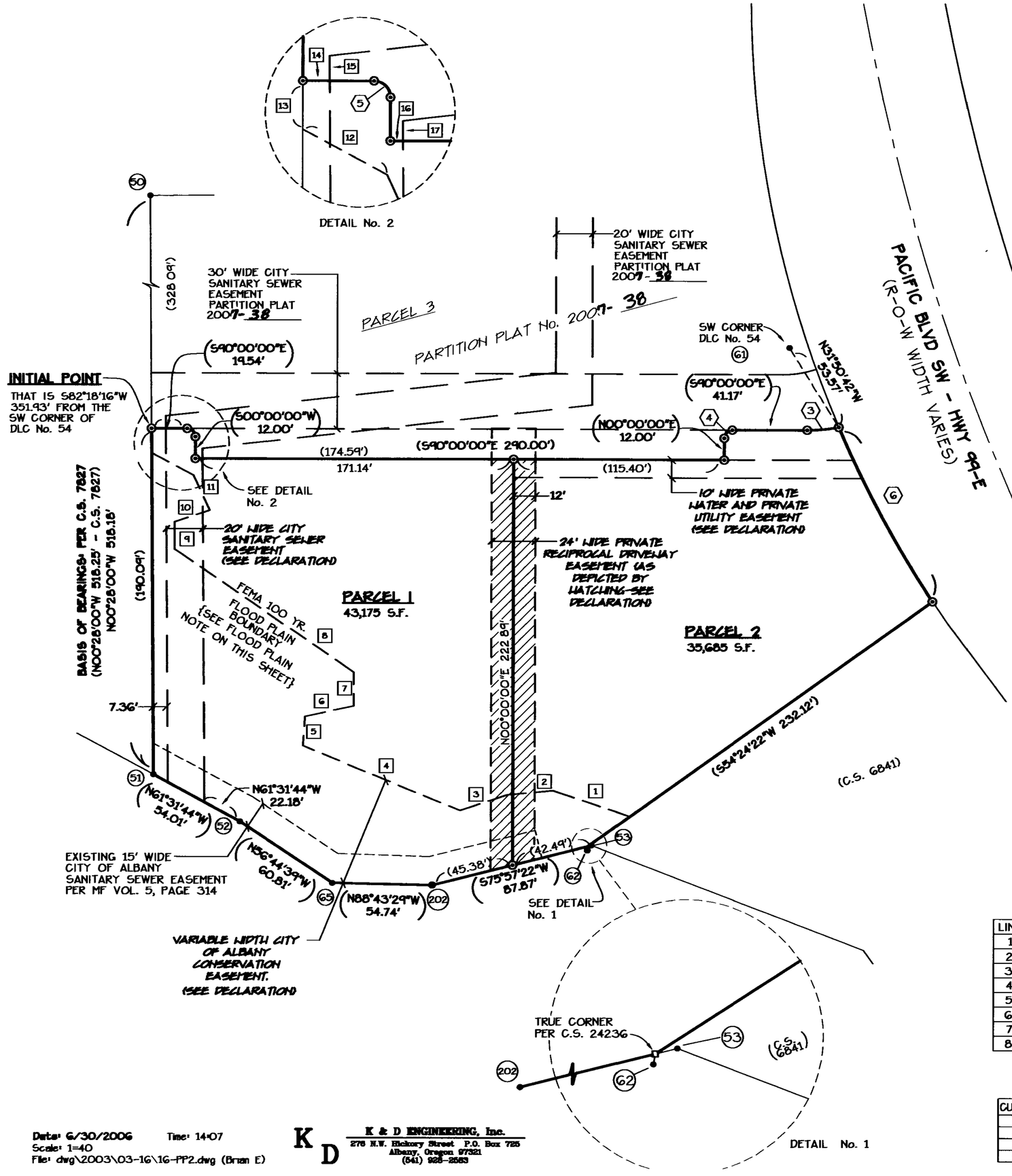
NYQUIST VENTURES, LLC., AN OREGON LIMITED LIABILITY COMPANY

LOCATED IN THE

SE 1/4 SEC. 24, T. 11 S., R. 4 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON

JUNE 28, 2006

SOUTHERLY PARTITION
CITY CASE FILE No. PA-16-04



0 20 40 80 FT.

SCALE: 1" = 40'

LEGEND

- ⊙ FD. 5/8" x 30" IR. W/YPC STAMPED "K+D ENGR. LS 58561" PER C.S. 24326.
- • FD. MONUMENT AS NOTED SEE "FOUND MONUMENT LIST"
- (1) CURVE DATA; SEE "CURVE DATA TABLE"
- [1] COURSE DATA; SEE "LINE DATA TABLE"
- (1) MONUMENT REFERENCE; SEE "FOUND MONUMENT LIST"
- FD. FOUND
- I.P. IRON PIPE (DIAMETERS ARE INSIDE MEASURE)
- I.R. IRON ROD
- YPC YELLOW PLASTIC CAP
- ( ) RECORD DATA PER BOUNDARY SURVEY FILED AS C.S. 24326, EXCEPT AS NOTED. SAME AS MEASURED.
- C.S. COUNTY SURVEY

FLOOD PLAIN NOTES:

1) A PORTION OF PARCEL 1 AND 2 ARE WITHIN THE 100-YEAR FLOODPLAIN MOST CURRENTLY ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. DEVELOPMENT WITHIN THIS AREA IS RESTRICTED PENDING CITY OF ALBANY APPROVAL. SEE DECLARATION OF CONSERVATION EASEMENT ON SHEET 2.
2) (THE 100-YEAR BFE (BASE FLOOD ELEVATION) WAS DETERMINED FROM FIRM MAP FOR CITY OF ALBANY, OREGON; LINN AND BENTON COUNTIES, COMMUNITY PANEL 4101370005F, MAP REVISED JULY 7, 1999.
3) THE 100-YEAR BFE VARIES BETWEEN 212.0' AND 213.0'. THE 100-YEAR BFE LOCATION IS SUBJECT TO CHANGE IF FIRM MAP IS AMENDED.
4) THE FLOOD INCUMBERANCE ON THE PARCELS WITHIN ZONE "AE" WILL NOT BE REMOVED UNTIL A FINAL LETTER OF MAP REVISION HAS BEEN ISSUED BY FEMA.

FOUND MONUMENT LIST:

(50) FD. 1/2" I.R. PER C.S. 4381; FLUSH W/GROUND; 0.3' EAST OF FENCE THAT RUNS N-S, AND 0.7' NORTH OF FENCE THAT RUNS E-W. HELD.

(51) FD. 1/2" I.R. PER C.S. 7827; FLUSH W/GROUND; 0.2' SOUTH OF FENCE CORNER; FENCE RUNS N-S. HELD.

(52) FD. 3/4" I.R. PER C.S. 7827; 0.2' BELOW GROUND SURFACE; 3.0' NORTH OF FENCE THAT RUNS E-W. HELD.

(53) FD. 1/2" I.R. PER C.S. 6736. THAT IS S75°57'22"W 2.14' FROM TRUE CORNER.

(61) FD 5/8" I.R. W/3-1/4" ALUM CAP PER C.S. 24326

(62) FD. 1/2" I.R. Ⓒ 0.2' BELOW GROUND SURFACE. THAT IS S02°16'25"W 2.01 FROM TRUE CORNER.

(65) FD 3/4" I.R. PER C.S. 7827; 0.1' BELOW GROUND SURFACE. HELD.

(202) FD. 1/2" I.R. PER C.S. 6736. HELD.

LINE DATA TABLE

LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
1	44.58'	N71°34'38"W	9	14.86'	N00°00'00"E
2	24.70'	S84°48'33"W	10	20.29'	N71°34'38"E
3	27.68'	S71°34'38"W	11	21.02'	N24°47'27"W
4	93.21'	N67°40'45"E	12	26.20'	N61°51'24"W
5	16.26'	N04°05'19"E	13	13.40'	N00°28'00"W
6	27.29'	N77°44'37"E	14	7.95	N90°00'00"W
7	18.54'	N00°00'00"E	15	6.95	N00°00'00"E
8	119.42'	N55°37'51"W	16	3.91	N90°00'00"W
			17	(5.60	N00°00'00"E)

CURVE DATA TABLE:

CURVE	RADIUS	LENGTH	CHORD	DELTA
3	(93.50'	17.41'	N84°39'53"E 17.39'	10°40'15")
4	(4.50'	7.07'	N45°00'00"E 6.36'	90°00'00")
5	(4.50'	7.07'	S45°00'00"E 6.36'	90°00'00")
6	603.00'	108.77'	S28°20'56"E 108.63'	10°20'07"

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON JULY 9, 2002 JOE J. COTA 58561LS
EXPIRES: 12/31/07

I HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.

JOE J. COTA L.S. 58561

Date: 6/30/2006 Time: 14:07
Scale: 1=40
File: dwg\2003\03-16\16-PP2.dwg (Brian E)

K & D ENGINEERING, Inc.
276 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 926-2565

C.S. 24557

PARTITION PLAT No. 2007-39

FOR

NYQUIST VENTURES, LLC.,
AN OREGON LIMITED LIABILITY COMPANY

LOCATED IN THE

SE 1/4 SEC. 24, T. 11 S., R. 4 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON

JUNE 28, 2006

SOUTHERLY PARTITION
CITY CASE FILE No. PA-16-04

NARRATIVE:

PURPOSE:

THE PURPOSE OF THIS SURVEY AND PLAT IS TO COMPLETE AN APPROVED PARTITION BY THE CITY OF ALBANY PLANNING DEPARTMENT CASE FILE No. PA-16-04.

BOUNDARY DETERMINATION:

THE BOUNDARY OF THIS PARTITION IS BASED UPON HOLDING FOUND MONUMENTS PER COUNTY SURVEY NUMBER 24326.

SURVEYOR'S CERTIFICATE:

I, JOE J. COTA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HAVE CORRECTLY SURVEYED AND HAVE FOUND PROPER MONUMENTS OF THE LANDS AS REPRESENTED, AND HAVE FOUND A PROPER MONUMENT TO INDICATE THE INITIAL POINT, AND HAVE ACCURATELY DESCRIBED THE TRACT OF LAND UPON WHICH THE PARCELS ARE LAID OUT AS FOLLOWS:

* THAT IS S82°18'16" W 351.93 FEET FROM THE SW CORNER OF DLC NO. 54

BEGINNING AT THE INITIAL POINT, A 5/8 INCH ROD;* THENCE SOUTH 90°00'00" EAST 19.54 FEET TO A 5/8 INCH ROD; THENCE ALONG THE ARC OF A 4.50 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 45°00'00" EAST 6.36 FEET) A DISTANCE OF 7.07 FEET TO A 5/8 INCH ROD; THENCE SOUTH 00°00'00" WEST 12.00 FEET TO A 5/8 INCH ROD; THENCE SOUTH 90°00'00" WEST 290.00 FEET TO A 5/8 INCH ROD; THENCE NORTH 00°00'00" EAST 12.00 TO A 5/8 INCH ROD; THENCE ALONG THE ARC OF A 4.50 RADIUS CURVE TO THE RIGHT (CHORD BEARS NORTH 45°00'00" EAST 6.36 FEET) A DISTANCE OF 7.07 FEET TO A 5/8 INCH ROD; THENCE SOUTH 90°00'00" EAST 41.17 FEET TO A 5/8 INCH ROD; THECNE ALONG THE ARC OF A 93.50 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS NORTH 84°39'53" EAST 17.39 FEET) A DISTANCE OF 17.41 FEET TO A 5/8" ROD; THENCE ALONG THE ARC OF A 603.00 FOOT RADIUS CURVE THE THE LEFT (CHORD BEARS SOUTH 28°20'56" EAST 108.63 FEET) A DISTANCE OF 108.77 FEET TO A 5/8" ROD; THENCE SOUTH 54°24'22" WEST 232.12 FEET; THENCE SOUTH 75°57'22" WEST 87.87 FEET TO A 1/2 ROD; THENCE NORTH 88°43'29" WEST 54.74 FEET TO A 3/4 INCH ROD; THENCE NORTH 56°44'39" WEST 60.81 FEET TO A 3/4 INCH ROD; THENCE NORTH 61°31'44" WEST 54.01 FEET TO A 1/2 INCH ROD; THENCE NORTH 00°28'00" WEST 190.09 FEET TO THE POINT OF BEGINNING CONTAINING 78,860 SQUARE FEET OF LAND, MORE OF LESS.

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 9, 2002
JOE J. COTA
58561LS
EXPIRES: 12/31/07

I HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.

JOE J. COTA L.S. 58561

PRIVATE EASEMENT STATEMENT:

THE PRIVATE EASEMENTS BEING CREATED BY THIS PLAT ARE FOR THE PURPOSES AND BENEFITS AS EXPRESSED IN THE DECLARATION SHOWN HEREON AND/OR MARKED ON THE ATTACHED MAP. THESE PRIVATE EASEMENTS SHALL RUN WITH THE LOT UPON WHICH THEY ARE LOCATED. THE OWNER OF THE LOT BENEFITING FROM THE PRIVATE EASEMENTS SHOWN HEREON SHALL MAINTAIN ALL IMPROVEMENTS ASSOCIATED WITH SAID EASEMENTS PROVIDED THAT ANY DISTURBANCE CREATED BY SAID MAINTENANCE SHALL BE CORRECTED AND THE LAND RESTORED AS NEAR AS PRACTICABLE TO ITS CONDITION PRIOR TO SAID MAINTENANCE. THE MAINTENANCE OF DRIVES AND EASEMENT AREAS OF THE PRIVATE RECIPROCAL ACCESS EASEMENTS SHOWN ON THE MAP IS TO BE SHARED EQUALLY BETWEEN THE OWNERS OF THE LOTS WHO SHARE THE EASEMENT.

TITLE REPORT / EASEMENT NOTES:

A TITLE REPORT WAS PROVIDED BY TICOR TITLE, REPORT No. 2006-06672, DATED MARCH 15, 2006.

THE FOLLOWING EASEMENT MAY AFFECT THE PLATTED PROPERTY BUT CANNOT BE LOCATED BY DESCRIPTION:

1) POWER POLE AND ANCHOR EASEMENT IN FAVOR OF MOUNTAIN STATES POWER COMPANY RECORDED IN BOOK 132, PAGE 96.
2) TRANSMISSION LINE POLE AND ANCHOR EASEMENT IN FAVOR OF MOUNTAIN STATES POWER COMPANY RECORDED IN BOOK 140, PAGE 195.
3) UNDERGROUND COMMUNICATION FACILITIES EASEMENT IN FAVOR OF PACIFIC NORTH WEST BELL TELEPHONE COMPANY RECORDED IN MF VOLUME 27, PAGE 184.
4) 10 FOOT WIDE POWER EASEMENT IN FAVOR OF PACIFIC COPRA RECORDED IN MF VOLUME 1757, PAGE 756.

A PRIVATE PRESSURE LINE AND DRAINFIELD EASEMENT RECORDED IN MF VOLUME 500, PAGE 754 HAS BEEN REMOVED AND RELEASED PER QUIT CLAIM DEED-RELEASE OF EASEMENT RECORDED IN DOCUMENT No. 2006-12300 ON 05/24/2006.

AN ODOT SLOPE EASEMENT RECORDED IN MF VOL. 404, PAGE 189 DOES NOT AFFECT THE SUBJECT PLATTED PROPERTY.

DECLARATION:

KNOW ALL MEN BY THESE PRESENTS THAT NYQUIST VENTURES, LLC, AN OREGON LIMITED LIABILITY COMPANY IS THE OWNER OF THE LANDS SHOWN ON THE ATTACHED PLAT AND HAS CAUSED THE PARTITION PLAT TO BE PREPARED AND THE PROPERTY TO BE PARTITIONED INTO PARCELS AS SHOWN ON SAID PLAT IN ACCORDANCE WITH CHAPTER 92 OF THE OREGON REVISED STATUTES.

A) THE FOLLOWING PRIVATE EASEMENTS ARE BEING CREATED BY THIS DECLARATION AND SHALL BE SUBJECT TO THE TERMS OF THE PRIVATE EASEMENT STATEMENT SHOWN HEREON.

1) A 24' WIDE PRIVATE RECIPROCAL DRIVEWAY EASEMENT ALONG THE EAST LINE OF PARCEL No. 1 AND THE WEST LINE OF PARCEL No. 2, AS SHOWN ON THE MAP.

2) A 10' WIDE PRIVATE WATER AND PRIVATE UTILITY EASEMENT ALONG THE NORTH LINE OF PARCEL No. 2, AS SHOWN ON THE MAP.

B) THE FOLLOWING CITY OF ALBANY EASEMENTS ARE BEING CONVEYED TO THE CITY OF ALBANY FOR THE PURPOSES STATED:

1) A 20' WIDE CITY SANITARY SEWER EASEMENT THAT RUNS THROUGH THE WESTERN HALF OF PARCEL No. 1.

2) A VARIABLE WIDTH CITY OF ALBANY CONSERVATION EASEMENT OVER A PORTION OF PARCEL 1 AND PARCEL 2, THAT IS WITHIN THE 100-YEAR FLOODPLAIN. NO DEVELOPMENT CAN OCCUR IN THIS EASEMENT UNLESS APPROVED BY THE CITY. THIS EASEMENT SHALL INCLUDE THE RIGHT OF INGRESS AND EGRESS BY THE CITY IN ANY MANNER NECESSARY FOR THE PURPOSE OF MAINTAINING THE EASEMENT FOR STORM DRAINAGE AND FLOOD CAPACITY PURPOSES.

NYQUIST VENTURES, AN OREGON LIMITED LIABILITY COMPANY

BY: Roger Nyquist 6/28/2006
ROGER D. NYQUIST MEMBER DATE

ACKNOWLEDGMENT:

STATE OF OREGON)
COUNTY OF Linn) SS

THIS IS TO CERTIFY THAT ON THIS 28th DAY OF June, 2006, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED THE WITHIN NAMED ROGER NYQUIST, WHO BEING DULY SWORN, DID SAY THAT HE IS THE IDENTICAL PERSON NAMED IN THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED SAID INSTRUMENT TO BE HER VOLUNTARY ACT AND DEED.

BY: Lori Stutzman
NOTARY PUBLIC FOR OREGON (SIGNATURE)

BY: Lori Stutzman
NOTARY PUBLIC FOR OREGON (PRINTED)

MY COMMISSION EXPIRES: February, 8, 2008

MY COMMISSION No.: 377172

AFFIDAVIT OF CONSENT:

1.) THE AFFIDAVIT OF CONSENT FOR TRUST DEED RECORDED IN MF VOLUME 1719, PAGE 296 OF LINN COUNTY OF OREGON DEED RECORDS AND MODIFIED IN MF VOLUME 1778, PAGE 321, AND RE-RECORDED IN DOCUMENT No. 2006-01345 HAS BEEN RECORDED IN DOCUMENT NUMBER 2007-12263

2.) THE AFFIDAVIT OF CONSENT FOR TRUST DEED RECORDED IN DOCUMENT No. 2006-12468 OF LINN COUNTY OF OREGON DEED RECORDS AND MODIFIED IN DOCUMENT No. 2006-12701 HAS BEEN RECORDED IN DOCUMENT NUMBER 2007-12264

APPROVALS:

BY: Jeff Blaine FOR DIANE TANIGUCHI-DENNIS 6-30-06
PUBLIC WORKS DIRECTOR, CITY OF ALBANY DATE

BY: Janet Morris FOR Helen Burns-Sharp 6-28-06
COMMUNITY DEVELOPMENT DIRECTOR, CITY OF ALBANY DATE

BY: Charles W. Gibbs 5-21-07
LINN COUNTY SURVEYOR DATE

ASSESSOR'S STATEMENT:

TAXES ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN PAID AS OF THE 21ST DAY OF NOVEMBER, 2006.

BY: Mark Noakes
LINN COUNTY ASSESSOR/TAX COLLECTOR

RECORDER'S STATEMENT

STATE OF OREGON)
COUNTY OF LINN) SS

I HEREBY CERTIFY THAT THE PARTITION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY RECORD BOOK OF PARTITION PLATS AS PLAT No. 2007-39 ON THIS 21ST DAY OF MAY 2007, AT 10:57 O'CLOCK AM, TARGET SHEET RECORDED IN DOCUMENT NUMBER 2007-12265.

STEVE DRUCKENMILLER BY: Susan M. Dahlen DEPUTY
LINN COUNTY CLERK

Date: 6/28/2006 Time: 7:30
Scale: 1=40
File: dwg\2003\03-16\16-PP2.dwg (Brian E)

K D K & D ENGINEERING, Inc.
278 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2583

C.S. 24556

PARTITION PLAT No. 2007-38

FOR

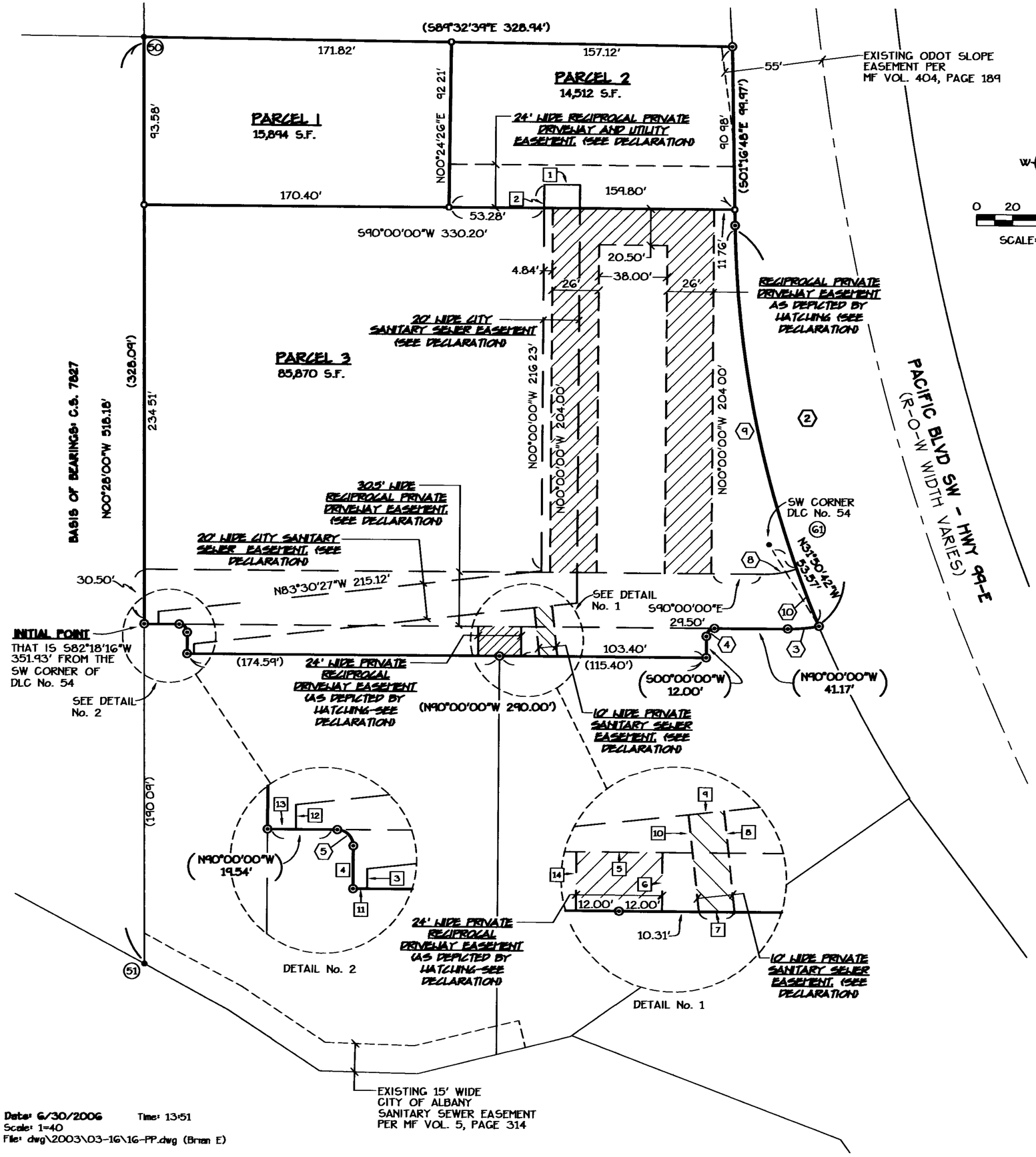
NYQUIST VENTURES, LLC., AN OREGON LIMITED LIABILITY COMPANY

LOCATED IN THE

SE 1/4 SEC. 24, T. 11 S., R. 4 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON

JUNE 28, 2006

NORTHERLY PARTITION
CITY CASE No. PA-17-04



LEGEND

- o SET 5/8" x 30" I.R. W/YPC STAMPED "K+D ENGR LS 58561"
- ◎ FD. 5/8" x 30" IR. W/YPC STAMPED "K+D ENGR. LS 58561" PER C.S. 24326
- • FD. MONUMENT AS NOTED SEE "FOUND MONUMENT LIST"
- (1) CURVE DATA; SEE "CURVE DATA TABLE"
- [1] COURSE DATA; SEE "LINE DATA TABLE"
- (1) MONUMENT REFERENCE; SEE "FOUND MONUMENT LIST"
- (A) RECORD REFERENCE; SEE "REFERENCE LIST"
- FD. FOUND
- I.P. IRON PIPE (DIAMETERS ARE INSIDE MEASURE)
- I.R. IRON ROD
- YPC YELLOW PLASTIC CAP
- ( ) RECORD DATA PER BOUNDARY SURVEY FILED AS C.S. 24326; SAME AS MEASURED.
- C.S. COUNTY SURVEY

CURVE DATA TABLE

CURVE	RADIUS	LENGTH	CHORD	DELTA
2	(603.00	230.49'	S12°13'50"E 229.09'	21°54'04")
3	(93.50'	17.41'	S84°39'53"W 17.39'	10°40'15")
4	(4.50'	7.07'	S45°00'00"W 6.36'	90°00'00")
5	(4.50'	7.07'	N45°00'00"W 6.36'	90°00'00")
8	57.00'	18.72'	S80°35'27"W 18.64'	18°49'06"
9	603.00'	196.16'	S10°35'58"E 195.30'	18°38'20"
10	603.00'	34.33'	S21°33'00"E 34.33'	03°15'45"

LINE DATA TABLE

LINE	LENGTH	BEARING
1	20.00	N90°00'00"W
2	13.00	S00°00'00"E
3	(5.60	N00°00'00"E)
4	12.00	N00°00'00"E
5	24.00	N90°00'00"E
6	16.50	N00°00'00"E
7	10.06	N90°00'00"W
8	28.52	N06°29'33"W
9	10.00	N83°30'27"E
10	27.38	S06°29'33"E
11	3.91	N90°00'00"W
12	6.95	N00°00'00"E
13	7.95	N90°00'00"W
14	16.50	N00°00'00"E

REFERENCE LIST:

(A) C.S. 4381

(D) C.S. 7827

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 8, 2005
JOE J. COTA
58561LS
EXPIRES: 12/31/07

I HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.

JOE J. COTA L.S. 58561

FOUND MONUMENT LIST

(50) FD. 1/2" I.R. (A) FLUSH W/GROUND, 0.3' EAST OF FENCE THAT RUNS N-S, AND 0.7' NORTH OF FENCE THAT RUNS E-W. HELD.

(51) FD. 1/2" I.R. (D) FLUSH W/GROUND, 0.2' SOUTH OF FENCE CORNER, FENCE RUNS N-E-W. HELD.

(61) SW CORNER DLC No. 54. FD. 5/8" I.R. WITH 3-1/4" ALUM CAP RESET PER C.S. 24326.

Date: 6/30/2006 Time: 13:51
Scale: 1=40
File: dwg\2003\03-16\16-PP.dwg (Brian E)

K D K & D ENGINEERING, Inc.
276 N.W Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 926-2583

C.S. 24556

PARTITION PLAT No. 2007-38

FOR

NYQUIST VENTURES, LLC.,
AN OREGON LIMITED LIABILITY COMPANY

LOCATED IN THE

SE 1/4 SEC. 24, T. 11 S., R. 4 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON

JUNE 28, 2006

NORTHERLY PARTITION
CITY CASE No. PA-17-04

NARRATIVE:

PURPOSE:

THE PURPOSE OF THIS SURVEY AND PLAT IS TO COMPLETE AN APPROVED PARTITION BY THE CITY OF ALBANY PLANNING DEPARTMENT CASE No. PA-17-04.

BOUNDARY DETERMINATION:

THE BOUNDARY OF THIS PARTITION IS BASED UPON HOLDING FOUND MONUMENTS PER COUNTY SURVEY NUMBER 24926.

SURVEYOR'S CERTIFICATE:

I, JOE J. COTA, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HAVE CORRECTLY SURVEYED THE LANDS AS REPRESENTED AND HAVE FOUND A PROPER MONUMENT TO INDICATE THE INITIAL POINT AND HAVE ACCURATELY DESCRIBED THE TRACT OF LAND UPON WHICH THE PARCELS ARE LAID OUT AS FOLLOWS:

* THAT IS S82°18'16" W 351.93 FEET FROM THE SW CORNER OF DLC NO 54

BEGINNING AT THE INITIAL POINT, A 5/8 INCH ROD*; THENCE NORTH 00°28'00" WEST 328.09 FEET TO A 1/2 IRON ROD; THENCE SOUTH 89°32'39" EAST 328.94 FEET TO A 5/8 INCH ROD; THENCE SOUTH 01°16'48" EAST 99.97 FEET TO A 5/8 INCH ROD; THENCE ALONG THE ARC OF A 603.00 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 12°13'50" EAST 229.09 FEET) A DISTANCE OF 230.49 FEET TO A 5/8 INCH ROD; THENCE ALONG THE ARC OF A 93.50 FOOT RADIUS CURVE TO THE RIGHT (CHORD BEARS SOUTH 84°39'53" WEST 17.39 FEET) A DISTANCE OF 17.41 FEET TO A 5/8 INCH ROD; THENCE NORTH 90°00'00" WEST 41.17 FEET TO A 5/8 INCH ROD; THENCE ALONG THE ARC OF A 4.50 FOOT RADIUS CURVE TO THE LEFT (CHORD BEARS SOUTH 45°00'00" WEST 6.36 FEET) A DISTANCE OF 7.07 FEET TO A 5/8 INCH ROD; THENCE SOUTH 00°00'00" WEST 12.00 FEET TO A 5/8 INCH ROD; THENCE NORTH 90°00'00" WEST 290.00 FEET TO A 5/8 INCH ROD; THENCE NORTH 00°00'00" EAST 12.00 FEET TO A 5/8 INCH ROD; THENCE ALONG THE ARC OF A 4.50 FOOT RADIUS CURVE THE THE LEFT (CHORD BEARS NORTH 45°00'00" WEST 6.36 FEET) A DISTANCE OF 7.07 FEET TO A 5/8 INCH ROD; THENCE NORTH 90°00'00" WEST 19.54 FEET TO THE POINT OF BEGINNING. CONTAINING 116,276 SQUARE FEET OF LAND, MORE OR LESS.

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
JULY 9, 2002
JOE J. COTA
58561LS
EXPIRES: 12/31/07

I HEREBY CERTIFY THAT THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.

JOE J. COTA L.S. 58561

PRIVATE EASEMENT STATEMENT:

THE PRIVATE EASEMENTS BEING CREATED BY THIS PLAT ARE FOR THE PURPOSES AND BENEFITS AS EXPRESSED IN THE DECLARATION SHOWN HEREON AND/OR MARKED ON THE ATTACHED MAP. THESE PRIVATE EASEMENTS SHALL RUN WITH THE LOT UPON WHICH THEY ARE LOCATED. THE OWNER OF THE LOT BENEFITING FROM THE PRIVATE EASEMENTS SHOWN HEREON SHALL MAINTAIN ALL IMPROVEMENTS ASSOCIATED WITH SAID EASEMENTS PROVIDED THAT ANY DISTURBANCE CREATED BY SAID MAINTENANCE SHALL BE CORRECTED AND THE LAND RESTORED AS NEAR AS PRACTICABLE TO ITS CONDITION PRIOR TO SAID MAINTENANCE. THE MAINTENANCE OF DRIVES AND EASEMENT AREAS OF THE PRIVATE RECIPROCAL ACCESS EASEMENTS SHOWN ON THE MAP IS TO BE SHARED EQUALLY BETWEEN THE OWNERS OF THE LOTS WHO SHARE THE EASEMENT.

TITLE REPORT / EASEMENT NOTES:

A TITLE REPORT WAS PROVIDED BY TICOR TITLE, REPORT No. 200606672, DATED MARCH 15, 2006.

THE FOLLOWING EASEMENT MAY AFFECT THE PLATTED PROPERTY BUT CANNOT BE LOCATED BY DESCRIPTION:

1) POWER POLE AND ANCHOR EASEMENT IN FAVOR OF MOUNTAIN STATES POWER COMPANY RECORDED IN BOOK 132, PAGE 96.
2) TRANSMISSION LINE POLE AND ANCHOR EASEMENT IN FAVOR OF MOUNTAIN STATES POWER COMPANY RECORDED IN BOOK 140, PAGE 195.
3) UNDERGROUND COMMUNICATION FACILITIES EASEMENT IN FAVOR OF PACIFIC NORTH WEST BELL TELEPHONE COMPANY RECORDED IN MF VOLUME 27, PAGE 184.
4) 10 FOOT WIDE POWER EASEMENT IN FAVOR OF PACIFIC COPRA RECORDED IN MF VOLUME 1757, PAGE 756.

A PRIVATE PRESSURE LINE AND DRAINFIELD EASEMENT RECORDED IN MF VOLUME 500, PAGE 754 HAS BEEN REMOVED AND RELEASED PER QUIT CLAIM DEED-RELEASE OF EASEMENT RECORDED IN DOCUMENT No. 2006-12300 ON 05/24/2006.

DECLARATION:

KNOW ALL MEN BY THESE PRESENTS THAT NYQUIST VENTURES, LLC, AN OREGON LIMITED LIABILITY COMPANY IS THE OWNER OF THE LANDS SHOWN ON THE ATTACHED PLAT AND HAS CAUSED THE PARTITION PLAT TO BE PREPARED AND THE PROPERTY TO BE PARTITIONED INTO PARCELS AS SHOWN ON SAID PLAT IN ACCORDANCE WITH CHAPTER 92 OF THE OREGON REVISED STATUTES.

A) THE FOLLOWING PRIVATE EASEMENTS ARE BEING CREATED BY THIS DECLARATION AND SHALL BE SUBJECT TO THE TERMS OF THE PRIVATE EASEMENT STATEMENT SHOWN HEREON.

1) A 24' WIDE RECIPRICAL PRIVATE DRIVEWAY AND UTILITY EASEMENT ALONG THE SOUTH AND WEST LINES OF PARCEL No. 2, AS SHOWN ON THE MAP.

2) A 24' WIDE RECIPROCAL PRIVATE DRIVEWAY EASEMENT THAT RUNS TROUGH THE SOUTH SIDE OF PARCEL 3 AS SHOWN ON THE MAP. THIS EASEMENT IS SUBJECT TO THE TERMS OF THE "PRIVATE EASEMENT STATEMENT" AS SHOWN ON THIS SHEET.

3) A 30.5' WIDE RECIPROCAL PRIVATE DRIVEWAY EASEMENT THAT RUNS ALONG THE SOUTH SIDE OF PARCEL 3 AS SHOWN ON THE MAP. THIS EASEMENT IS SUBJECT TO THE TERMS OF THE "PRIVATE EASEMENT STATEMENT" AS SHOWN ON THIS SHEET.

4) A 10' WIDE PRIVATE SANITARY SEWER EASEMENT ON THE SOUTH LINE OF PARCEL No. 3, AS SHOWN ON THE MAP.

5) A VARIABLE WIDTH RECIPROCAL PRIVATE DRIVEWAY EASEMENT LOCATED WITHIN PARCEL 3 AS SHOWN ON THE MAP

B) THE FOLLOWING CITY OF ALBANY EASEMENT ARE BEING CONVEYED TO THE CITY OF ALBANY FOR THE PURPOSES STATED:

1) A 20' WIDE CITY SANITARY SEWER EASEMENT THAT RUNS THROUGH PARCEL No. 3 AND INTO PARCEL No. 2

NYQUIST VENTURES, LLC, AN OREGON LIMITED LIABILITY COMPANY

BY: Roger Nyquist 6/28/2006
ROGER D. NYQUIST, MEMBER DATE

ACKNOWLEDGMENT:

STATE OF OREGON)
COUNTY OF Linn) SS

THIS IS TO CERTIFY THAT ON THIS 28th DAY OF June, 2006, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PERSONALLY APPEARED THE WITHIN NAMED ROGER NYQUIST, WHO BEING DULY SWORN, DID SAY THAT HE IS THE IDENTICAL PERSON NAMED IN THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED SAID INSTRUMENT TO BE HER VOLUNTARY ACT AND DEED.

BY: Lori Stutzman
NOTARY PUBLIC FOR OREGON (SIGNATURE)

BY: Lori Stutzman
NOTARY PUBLIC FOR OREGON (PRINTED)

MY COMMISSION EXPIRES: February 8, 2008

MY COMMISSION No.: 377172

AFFIDAVIT OF CONSENT:

1.) THE AFFIDAVIT OF CONSENT FOR TRUST DEED RECORDED IN MF VOLUME 1719, PAGE 296 OF LINN COUNTY OF OREGON DEED RECORDS AND MODIFIED IN MF VOLUME 1778, PAGE 321, AND RE-RECORDED IN DOCUMENT No. 2006-01345 HAS BEEN RECORDED IN DOCUMENT NUMBER 2007-12260

2.) THE AFFIDAVIT OF CONSENT FOR TRUST DEED RECORDED IN DOCUMENT No. 2006-12468 OF LINN COUNTY OF OREGON DEED RECORDS AND MODIFIED IN DOCUMENT No. 2006-12701 HAS BEEN RECORDED IN DOCUMENT NUMBER 2007-12261

APPROVALS:

BY: Jeff Blaine FOR DIANE TANIGUCHI-DENNIS 6-30-06
PUBLIC WORKS DIRECTOR, CITY OF ALBANY DATE

BY: Janet Morris FOR Helen Burns Sharp 6-28-06
COMMUNITY DEVELOPMENT DIRECTOR, CITY OF ALBANY DATE

BY: Charles W. Gibbs 5-21-07
LINN COUNTY SURVEYOR DATE

ASSESSOR'S STATEMENT:

TAXES ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN PAID AS OF THE 21ST DAY OF NOVEMBER, 2006.

BY: Mark Nonkes
LINN COUNTY ASSESSOR/TAX COLLECTOR

RECORDER'S STATEMENT

STATE OF OREGON)
COUNTY OF LINN) SS

I HEREBY CERTIFY THAT THE PARTITION PLAT WAS RECEIVED AND DULY RECORDED BY ME IN THE LINN COUNTY RECORD BOOK OF PARTITION PLATS AS PLAT No. 2007-38 ON THIS 21ST DAY OF MAY 2007, AT 10:57 O'CLOCK AM TARGET SHEET RECORDED IN DOCUMENT NUMBER 2007-12262.

STEVE DRUCKENMILLER BY: Jean M. Wilson DEPUTY
LINN COUNTY CLERK

Date: 6/28/2006 Time: 7:16
Scale: 1=40
File: dwg\2003\03-16\16-PP.dwg (Brian E)

K D K & D ENGINEERING, Inc.
278 N.W. Hickory Street P.O. Box 725
Albany, Oregon 97321
(541) 928-2563

Attachment 3
(Nyquist ODOT Permit)

Oregon
Theodore R. Kulongoski., Governor

Department of Transportation
ODOT District 04
3700 SW Philomath Blvd
Corvallis, OR 97333
(541) 757-4211
Fax: (541) 757-4290
eugene.e.walton@odot.state.or.us

November 16, 2005

Dan Watson
K & D Engineering
P.O. Box 725
276 NW Hickory Street
Albany, OR 97321

Subject: **Notification of Satisfactory Construction and Transmittal of *Permit to Operate, Maintain and Use a State Highway Approach***
Highway Number 058, (Albany-Junction City),
at Mile Point 5.02
Application Number 3040

Your approach has been satisfactorily constructed. ODOT can now issue the ***Permit to Operate, Maintain, and Use a State Highway Approach***.

Upon notice from you, ODOT has inspected the completed approach and has determined that the approach was constructed in a satisfactory manner. Thus, a *Permit to Operate, Maintain, and Use an Approach* can be issued, and is enclosed.

NOTE: The approach(es) can now be legally used.

The effective period of the *Permit to Operate Maintain and Use an Approach* is set forth in OAR 734-051-0300, as follows:

734-051-0300
Effective Period of Permit to Operate, Maintain and Use an Approach

(1) Except as otherwise provided in the Special Provisions, a Permit to Operate, Maintain and Use an Approach shall be in effect for an indefinite period of time from the date of issue of the Permit to Operate, Maintain and Use an Approach, unless:

(a) Sooner revoked by mutual consent, or by the Region Manager for failure of the applicant to abide by the terms and conditions of the Permit to Operate, Maintain, and Use an Approach;

(b) There is a change in use of the approach, as set forth in OAR 734-051-0110;

(c) There is a significant increase in the volume of traffic using the approach, a change in the character of the traffic using the approach, or a change in the highway facility such that the approach can no longer be operated without undue conflict with other traffic, as set forth in OAR 734-051-0380;

(d) The highway facility is significantly improved to meet classification of the highway and the highway segment designation objectives, highway mobility standards, spacing standards and safety criteria that are inconsistent with the approach; or

(e) By other operation of law.

(2) The Permit to Operate, Maintain and Use an Approach, the privileges stated therein and the obligations of the applicant thereby shall be binding upon the successors and assigns of the applicant, including successors in interest to the property being served by the approach.

(3) The operation, maintenance, and use of an approach is subject to the control of the legislature over the state highway system. The Permit to Operate, Maintain, and Use an Approach shall not be deemed or construed to be beyond the power or authority of the legislature to control the state highway system. The applicant in accepting the Permit to Operate, Maintain, and Use an Approach acknowledges that the rights and privileges may be changed or relinquished by legislative action.

If you have any questions regarding the operation, maintenance or use of your approach(es), please contact me at (541) 757-4211. I welcome the opportunity to assist you.

[redacted]
Gene Walton, Permit Specialist
ODOT District 04, Maintenance Office

Attachments (*Permit(s) to Operate, Maintain and Use a State Highway Approach*)

Oregon Department of Transportation

PERMIT NO: 52257

PERMIT TO OPERATE, MAINTAIN AND USE A STATE HIGHWAY APPROACH

Application Id: 3040 Highway Number: 058 MilePoint: 5.02 Reason for Request: New approach

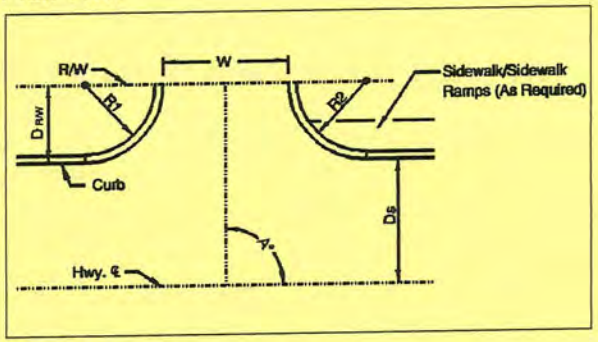
Applicant Information

Name: Dan Watson
Company: K & D Engineering
Address: P.O. Box 725
276 NW Hickory Street
Albany OR 97321
Phone: (541) 928-2583 FAX: (541) 967-3458
eMail:

Property Information

Address: 5408 & 5480 SW Pacific Blvd.
Albany OR 97321
County: Linn
Highway: Albany-Junction City Route: ORE99E
MilePoint: 5.02 Engineering Station: 579+11 Side of Hwy: R Natl Forest?: N
Landmarks: between 53rd Street and Morse Avenue, west side

Plan View



Effective Period

A permit to operate, maintain and use an approach shall be in effect for an indefinite period of time unless:

(a) revoked by mutual consent;

(b) Revoked for failure to abide by the terms and conditions;

(c) A change of use occurs as set forth in OAR 734-051-0045;

(d) Safety or operational problems exist as set forth in OAR 734-051-0275;

(e) The highway facility is significantly improved to meet classification of the highway, highway mobility standards standards and safety criteria that are inconsistent with the approach or;

(f) By other operation of law.

Failure of the applicant to comply with any of the terms and conditions of the permit shall be sufficient cause for ca the permit and may result in removal of the facility by the Oregon Department of Transportation.

The Permit is issued subject to the provisions of Oregon Administrative Rules 734-051-0045 through 734-051-0355, w reference made a part of this permit; and which are in effect at any particular time in the duration of the permit.

Specification

Width (W): 36.00ft			Angle (A): 90
Radius 1 (R1): 20.00ft			Radius 2 (R2): 20.00ft
Paving Lmt (P1): 76.00ft			Paving Lmt (P2): 20.00ft
Surf (Ds): 37.00ft	Ditch (Dd): .00ft		R/W (Drw): 8.00ft
Culvert: None		Diam:	Len:
Sub Base Crse: 37.5mm - 0 Aggregate Base (1 1/2" - 0'			Thickness: 12.00in
Base Crse: 19mm - 0 Aggregate Base (3/4" - 0)			Thickness: 4.00in
Level Crse: Light Duty Class 'C' Asphalt Concrete			Thickness: 2.00in
Wear Crse: Light Duty Class 'C' Asphalt Concrete			Thickness: 2.00in

Maintenance of Approach

Prior to performing any maintenance work on the approach, which will interfere with or interrupt traffic upon or along the highway, the applicant shall obtain approval and necessary permits from the District Office. In all cases where traffic signals have been required, signal maintenance will be performed by the Oregon Department of Transportation or as assigned by a Cooperative Cost Agreement.

Property Owner Information

Name: Roger Nyquist
Company: Lakeshore Lanes
Address: 682 Airport Road SE
Albany OR 97322
Phone: (541) 926-4631 FAX: ( ) -
eMail:

Tax Lot Information

Township	Range	Section	Tax Lot
11S	4W	24DA	1300
11S	4W	24	602
11S	4W	24	603
11S	4W	24	604
11S	4W	24	606

This permit is not valid until signed by a duly authorized representative of the Oregon Department of Transportation.

[redacted]

Date 11-16-05

PERMIT NO: 52257

PERMIT FOR ENCROACHMENT, CONSTRUCTION ON OR USE OF STATE HIGHWAY

Oregon Department of Transportation

Application Id: 3040 **Highway Number: 058** **MilePoint 5.02**

PROVISIONS

Reason for Request: New approach

Applicant: Dan Watson **Company: K & D Engineering**

140.301 Construction Plans are approved in general only. The District Manager or representative may require field changes. When revisions are made in the field, as-constructed drawings must be submitted to the District.

150.101 The permit and all specifications, details, typical drawings and standard drawings attached to the permit shall take precedence over all plans, drawings and specifications produced by the Architect or Engineer representing the Applicant or Contractor.

150.102 The following ODOT documents or subsequent revisions there to, where applicable and not otherwise superseded by the permit language herein, shall be incorporated for use in this permit: Standard Specifications For Highway Constructions (1996), Supplemental Standard Specifications for Highway Construction (1998), Highway Design Manual (1993), and relevant Metric Standard Drawings. ODOT shall have authority over the acceptance of all materials and workmanship performed under this permit as stated in section 00150.00 of the Standard Specifications For Highway Constructions (1996).

150.151 "Applicant shall be responsible for locating and preserving all existing survey monumentation within the work area in accordance with ORS 209.150 and/or 209.155. If a monument or its accessories are inadvertently or otherwise disturbed or destroyed, applicant shall be responsible for all costs and coordination associated with its reestablishment by a professional licensed surveyor."

150.201 Within 48 hours before beginning permit work and again after completing permit work, the Applicant (or agent) shall notify the District permitting representative.

150.411 Applicant (or agent) shall have on the job site, at all times, a copy of the permit and all attachments. The permit shall be readily available for inspection.

150.501 The permitted work is located within the Oregon Utility Notification Center (OUNC) area. The OUNC is a utilities notification system to notify owners of utilities about excavation work performed in the vicinity of their facilities. The utilities notification system telephone number is 1-800-332-2344.

150.702 Do not park on state right-of-way unless permitted by the District Manager. Comply with 0RS 810.230, 810.160.

150.703 Remove all dirt and debris from the highway at the end of each work shift or more frequently if a hazard to the traveling public exists or as directed by the District Manager.

160.801 All areas of excavation shall be returned to "pre-construction" condition or better. Repair natural drainage so no water stands or collects in excavated areas, when practical. Slopes shall be trimmed to blend with the adjacent terrain. Replace the vegetative cover to blend with the adjacent natural growth,

170.303 Applicant shall be responsible and liable for (1) investigating presence/absence of any legally protected or regulated environmental resource(s) in the action area; (2) determining any and all restrictions or requirements that relate to the proposed actions, and complying with such, including bur not limited to those relating to hazardous material(s), water quality constraints, wetlands, archeological or historic resources(s) state and federal threatened or endangered species, etc; (3) complying with all federal, state, and local laws, and obtaining all required and necessary permits and approvals.

If the applicant impacts a legally protected/regulated resource, applicant/permittee shall be responsible for all costs associated with such impact, including, but not limited to all costs of mitigation and rehabilitation, and shall indemnify, and hold harmless ODOT for such impacts and be responsible and liable to ODOT for any costs or claims that ODOT may have.

200.021 The work area during construction or maintenance performed under the permit provisions shall be protected in accordance with the current Manual on Uniform Traffic Control Devices for Streets and Highways, US Department of Transportation, and the Oregon Department of Transportation supplements thereto. Flaggers must have certification and must carry proof indicating their completion of an approved workzone traffic control course. All traffic control devices shall be maintained according to the ATTSSA Quality Standards for Work Zone Traffic Control Devices handbook.

330.001 All rock shall be produced from an ODOT Certified material source.

330.421 Only earth or rock shall be used as fill material. The site shall be shaped to maintain existing drainage, contoured, trimmed and seeded with native grasses in a manner satisfactory to the District Manager.

PERMIT NO: 52257

PERMIT FOR ENCROACHMENT, CONSTRUCTION ON OR USE OF STATE HIGHWAY

Oregon Department of Transportation

Application Id: 3040 **Highway Number: 058** **MilePoint 5.02**

PROVISIONS

Reason for Request: New approach

Applicant: Dan Watson **Company: K & D Engineering**

330.701 Areas of disturbed cut and fill slopes shall be restored to a condition suitable to the District Manager or representative.
- Trim and finish all roadbeds, ditches, and other excavations and embankments to the lines, grades and cross sections established.
- Clean up any debris and foreign matter of all kinds on the entire right-of-way area.
- Finish the subgrade to within +/- 0.02m and free of ruts, depressions and irregularities.
- Remove all litter, debris and obstructions.

445.413 It is the responsibility of the applicant to ensure that an acceptable pavement design is established that matches up with the existing state pavement and subgrade to accommodate future anticipated traffic vehicle loads

759.001 This work consists of furnishing, placing, and finishing portland cement concrete (concrete) curbs, islands, traffic separators, driveways, walks, monolithic curb and sidewalks, miscellaneous surfaces, and stairs with metal handrail according to these specifications and in close conformity to the lines, grades, and dimensions shown or established. These items in this section will be collectively referred to as "structures". Refer to Miscellaneous Portland Cement Concrete Structures §00759.00.

1.000 No advertising is allowed within ODOT right of way.

2.000 This is a joint-use access for all lots listed on the "Property Tab" including the neighbor's lots #602 and 606. Applicant shall provide a recorded easement to tax lots 602 and 606 to allow for future use of this approach. A copy of the recorded easement must be supplied to ODOT prior to issuance of the final "Use" permit.

3.000 Existing accesses at stations 578+37 and 579+11 shall be removed in their entirety and no longer used. The abandoned accesses shall be replaced with full-height curb & sidewalk to match that of the surrounding area.

4.000 For removal of the existing curb & sidewalk, ODOT allows saw-cutting at the face of curb.

Attachment 4
(Staff Report)

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

Staff Report

Site Plan Review for New Construction, Replat, and Natural Resource Impact Review

SP-15-25, RL-08-25, & NR-03-25 February 18, 2026

Summary

The proposal is a concurrent Site Plan Review application for the construction of a 108-unit multi-dwelling development; a Natural Resource Impact Review for encroachments into the Riparian Corridor Overlay; and a Replat application to consolidate three lots into one unit of land.

The site is composed of three separate properties located at 1190 53rd Avenue SW, 1122 53rd Avenue SW, and 5310 Pacific Boulevard. The three lots together are 8.29-acres and are split zoned Mixed-Use Commercial (MUC) and Open Space (OS). A location and zone map are included as Attachment A.

The following criteria are addressed in this report: Site Plan Review criteria contained in Albany Development Code (ADC) 2.450; Natural Resource Impact Review criteria contained in ADC 6.310; and Tentative Plat Review criteria contained in ADC 11.180. These criteria must be satisfied to grant approval for these applications.

As presented in this report, the proposed development application satisfies all applicable review criteria; therefore, this land use application APPROVED with CONDITIONS.

Application Information

Type of Application:	Concurrent Site Plan Review application for the construction of a 108-unit multi-dwelling development; a Natural Resource Impact Review for encroachments into the Riparian Corridor Overlay; and a Replat application to consolidate three lots into one unit of land
Review Body:	Staff (Type I-L Review)
Staff Report Prepared By:	Jennifer Cepello, project planner
Property Owner/Applicant:	Schneider Homes Inc.; 650 Southcenter Blvd, Ste. 1, Tukwila, WA 98188
Applicant's Architect:	Roger Newell AIA; 1102 19th Avenue E., Seattle, WA 98112
Address/Location:	1190 53rd Avenue SW; 1122 53rd Avenue SW; and 5310 Pacific Boulevard
Map/Tax Lot:	Linn County Assessor's Map No. 11S-04W-24 Tax Lot 00606; 11S-04W-24DA Tax Lots 01200, and 01300
Zoning:	Mixed Use Commercial (MUC) and Open Space (OS)
Comprehensive Plan:	Village Center & Open Space

Overlay Districts:	Floodplain (/FP); Riparian Corridor (/RC); Significant Wetlands (/SW)
Total Land Area:	8.29 acres
Existing Land Use:	Undeveloped; Telecommunications Tower
Neighborhood:	South Albany
Surrounding Zoning:	North: Community Commercial (CC) / Residential Medium Density (RM) East: Mixed Use Commercial (MUC) South: Residential (R-6.5) West: Residential (R-6.5)
Surrounding Uses:	North: Commercial East: Undeveloped (currently farmed) South: Low Density Residential West: City owned park/open space

Notice Information

A notice of filing was mailed to property owners located within 1,000 feet of the subject property on December 19, 2025. Property owners were given 14 days to respond to the notice. At the time the comment period ended on January 2, 2026. Fifty-one comments were received on the proposed land use action. Comments received during the Public Notice period can be found under Attachment I.

COMMENTS: Public comments received during the public noticing period expressed concerns on the additional traffic upon 53rd Avenue SW, the construction and limitation of 53rd Avenue SW, impacts to wetlands upon the subject property, flooding in the area, drainage runoff, public notice requirements, criminal activity, and property values.

STAFF RESPONSE:

Traffic: Comments received expressed concerns about the additional traffic expected with the construction of a 108-unit apartment complex. Findings addressing traffic impacts to 53rd Avenue are addressed under Site Plan Review criterion 8 in this staff report.

Construction and Limitations of 53rd Avenue SW: Comments received express concerns on the use of 53rd Avenue as the primary access for the proposed development and the impacts upon 53rd Avenue SW as it is the only access out of the existing neighborhood for hundreds of homes. Comments questioned the capacity of 53rd Avenue in the case of a mass evacuation where individuals were to leave their homes. Fifty-third Avenue is classified as a minor arterial right-of-way. A Local Improvement District (LID) was formed to improve 53rd Avenue. Fifty-third Avenue was designed so that both east and west bound lanes act as separate emergency accesses. This provides two emergency access routes to serve all development west of Oak Creek. Additional findings addressing the capacity of 53rd Avenue and the impacts of the proposed development are located within criterion 8 under the Site Plan Review in this staff report.

Wetlands: The subject property contains multiple natural resource overlays including Open Space zoning, a tributary to Oak Creek, Significant Wetlands, Riparian Corridor, and the Special Flood Hazard Area. Findings addressing impacts to natural resources are addressed under Tentative Plat criterion 3 and under the Natural Resource Impact Review criterion and standards in this staff report.

Drainage: Concerns were raised regarding potential stormwater runoff from the proposed development into the wetlands and the floodplain on the western portion of the subject property.

The application submitted a stormwater report which demonstrates that post development run off will be collected and treated in a private storm infrastructure system. The City's stormwater requires all post storm runoff to match pre-development runoff. Findings further addressing stormwater are located in Site Plan Review criterion 7 and 9 of this staff report.

Flooding: Comments were submitted expressing concerns of the existing flooding potential of Oak Creek and its tributaries. The subject property contains portions within the Special Flood Hazard Area, but all development is located outside of the Special Flood Hazard Area, also known as the 100-year floodplain.

Public Notice Requirements: ADC 1.220(3)(a) states that written notice of the land use application must be sent to all property owners and designated representatives of City Council recognized neighborhood associations within a minimum notice area as specified for the land use review type.

Criminal Activity: The subject properties are served by the Albany Police Department. Criminal activity is not a decision criterion for approval of land development applications.

Property Values: Concerns were expressed about the effect of apartment development upon the property values of the surrounding neighborhoods. Property values are not a decision criterion and are not addressed within this staff report.

Analysis of Development Code Criteria

Sections 2.450, 11.180, and 6.310, 6.400 and 6.410 of the ADC include the following review criteria, which must be met for this application to be approved. Development code criteria are written in bold followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Tentative Plat Review Criteria (ADC 11.180)

Criterion 1

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

Findings of Fact

1.1 The applicant proposes to consolidate three parcels into one single unit of land. The subject properties are identified on Linn County Assessor Map No. 11S-04W-24 Tax Lot 00606 and 11S-04W-24DA Tax lots 01200 and 01300 and have been assigned the addresses of 1190 53rd Avenue SW, 1122 53rd Avenue SW, and 5310 Pacific Boulevard SW (Attachment A).

1.2 Two of the properties, 1122 53rd Avenue and 5310 Pacific Boulevard SW, have an underlying zoning district of Mixed-Use Commercial (MUC). The property at 1190 53rd Avenue is split-zoned Mixed-Use Commercial (MUC) and Open Space (OS).

1.3 The Open Space zoning district is intended for the continuation and preservation of existing agricultural uses, park and recreation areas, wildlife habitats, wetlands, natural areas, flood conveyance, and uses that do not involve the construction of structures other than minor accessory facilities required to conduct the principal use.

1.4 The OS zoning district does not have a minimum lot size, or minimum/maximum widths or depths. The proposed development does not encroach into the OS zoning district.

1.5 The Mixed-Use Commercial zoning district is intended primarily to provide a mix of convenience commercial, personal services, offices, and medium density residential uses. The district would typically be anchored by a grocery store and may include a mix of smaller retailers, offices, live-work units, and residences. The MUC district is easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent

neighborhoods. Uses in the MUC zone will serve area residents and should not draw from the region.

1.6 Lot size in the MUC zone depends on the proposed use. The applicant has applied for a concurrent review of a replat, site plan review for the construction of a 108-unit multi-dwelling development, and a natural resource impact review for proposed encroachment into the Riparian Corridor overlay. Based upon Table 5.090-1 the MUC zoning district does not have a minimum lot size nor a minimum lot width or depth for multi-dwelling development

1.7 According to ADC Table 5.090-1, the minimum front setback standard is five feet and a maximum front setback of 25 feet. The MUC does not have a minimum side or rear setback.

1.8 Land divisions must conform to the lot and block standards found in ADC 11.090 and other applicable provisions of the Code. Standards relevant to this proposed partition are addressed below.

1.9 ADC 11.090(1) states lots must be arranged such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all proposed lots in compliance with the requirements of the Code. The applicant is seeking to consolidate three separate parcels into one 8.29- acre unit of land. There are no foreseeable difficulties in securing building permits to build on the proposed parcel, provided applicable development standards are followed.

1.10 According to ADC 11.090(2), when lots are more than double the minimum area designated by the zoning district, those lots must be arranged to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat. The proposed replat does not create a lot that is more than double the minimum area in the MUC and OS zoning districts. This standard is met.

1.11 ADC 11.090(3) states double frontage lots shall be avoided except when necessary to provide separation of residential developments from streets of collector or arterial street status or to overcome specific disadvantages of topography and/or orientation. Tax Lot 1300 is currently a double frontage lot. The replat will consolidate three lots into one 8.29-acre unit of land with double frontage to 53rd Avenue and Pacific Boulevard. The applicant is not creating a new double frontage lot with the replat but will continue to contain a double lot. This standard is met.

1.12 ADC 11.090(4) states side yards of lots shall run at right angles to the street the property faces. The proposed property line will result in side yards that will run at right angles to the street frontage. This standard is met.

1.13 ADC 11.090(5) lists dimensional requirements when street blocks are created as part of the land division. The proposed replat does not create any new streets or blocks. This standard is not applicable.

1.14 ADC 11.090(6) states off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible. All three lots have frontage onto 53rd Avenue SW, a public right-of-way. Tax lot 01300 has additional frontage onto Pacific Boulevard, a public right-of-way managed by the Oregon Department of Transportation (ODOT). The proposed replat will not alter the existing access to the public rights-of-way. This standard is met.

1.15 ADC 11.090(7) provides recommendations for the minimum distance between arterial street intersections. No new streets or intersections are proposed; therefore, this standard

is not applicable. Findings addressing the proposed access upon 53rd Avenue and Pacific Boulevard, both arterial streets, are located under Site Plan Review criterion 8 and are incorporated herein by reference.

1.16 ADC 11.090(8) regards developments located on a cul-de-sac lot. The subject properties are not a part of a cul-de-sac, and the applicants do not propose creating a cul-de-sac as a part of the future development. This standard is not applicable.

1.17 ADC 11.090(9) pertains to flag lots. The subject properties each have independent access to the public right-of-way that is not via an existing flag lot. The proposed replat will consolidate the three properties into one 8.29-acre unit of land and will not create a new flag lot. This standard is met.

1.18 ADC 11.090(10) regards street intersections and minimum curb radius. No street intersections are created or impacted by the proposed replat; therefore, this standard is not applicable.

Conclusions

1.1 The proposal meets the standards of the underlying zoning districts.

1.2 The proposed replat does not propose to create new blocks, intersections, or cul-de-sacs.

1.3 The proposal meets the underlying development and lot and block standards of the MUC and OS zoning districts.

1.4 This criterion is satisfied without conditions.

Criterion 2

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

Findings of Fact

2.1 The applicant proposes to consolidate three parcels into one 8.29-acre unit of land. There is no remainder of property to consider.

Conclusion

2.1 The above criterion is satisfied, as there is no remainer property to consider.

Criterion 3

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

Findings of Fact

3.1 This review criterion has been interpreted by the city council to require only that adjoining land either has access or be provided with access, to public streets.

3.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic.

3.3 ADC 12.110 states new streets may be required to be located where the City Engineer determines additional access is needed to relieve, or avoid, access deficiencies on adjacent or nearby properties.

3.4 The subject properties and all adjoining lots have access to public streets. No new streets are proposed by this application.

Conclusions

3.1 All the adjoining land has, and will continue to have, access to public streets.

3.2 This criterion is met without conditions.

Criterion 4

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

Findings of Fact

4.1 ADC 12.060 requires public streets adjoining new development to be improved to City standards. The applicant has submitted for concurrent review a Replat to consolidate three parcels into one, 8.29-acre unit of land, a Site Plan Review for the construction of a 108-unit multi-dwelling development, and a Natural Resource Impact Review for encroachments into the Riparian Corridor overlay. The proposed development does not include the creation of new public streets.

4.2 Findings addressing site circulation and public right-of-way connections are located within the staff report under Site Plan Review criteria 6 and 8. Those findings are incorporated herein by reference.

4.3 No new or interior streets are proposed with the replat.

Conclusions

4.1 No new development or new interior streets are proposed with the replat.

4.2 This criterion is satisfied without conditions.

Criterion 5

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

Findings of Fact

Sanitary Sewer

5.1 City utility maps show an 8-inch public sanitary sewer main in 53rd Avenue. The subject properties are not connected to City sewer.

5.2 Additional findings addressing sanitary sewer are in Criterion 7 under the Site Plan Review and are incorporated herein by reference.

Water

5.3 City utility maps show a 12-inch public water main in 53rd Avenue. The subject properties are not connected to City water.

5.4 Additional findings addressing public water for this development are located in Criterion 7 under the Site Plan Review and are incorporated herein by reference.

Storm Drainage

5.5 City utility maps show a 12-inch, 15-inch, and 18-inch public storm drainage mains in 53rd Avenue. The public right-of-way, 53rd Avenue, is constructed to City standards with curb and gutter.

5.6 Additional finding addressing storm water for this development are located in Criterion 7 and 9 of the Site Plan Review and are incorporated herein by reference.

Conclusions

5.1 The proposed replat will not negatively affect public utilities.

5.2 Additional findings addressing the proposed development upon the consolidated parcel are addressed later in this staff report and are incorporated herein by reference.

Criterion 6

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

Findings of Fact

6.1 Article 4: Airport Approach District. Figure 4.410-1 of the ADC shows the subject property is not located within the Airport Approach District.

6.2 Article 6 Floodplain Overlay District: Comprehensive Plan Plate 5: Based on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM# 41043C0526G, dated September 29, 2010) portions of the subject property are located within a Special Flood Hazard Area (SFHA), otherwise known as the 100-year floodplain. The proposed development will not encroach into the SFHA.

6.3 Article 6 Hillside Development Overlay District: According to Chapter 11, Plate 7 of the Comprehensive Plan, the subject property contains slopes that are protected within the Hillside Development District. The proposed development does not encroach into the area of steep slopes.

6.4 Article 6 Significant Wetlands Overlay District: Portions of the subject property are within the Significant Wetlands Overlay District. The proposed development has completed a wetland delineation upon the subject properties. Findings addressing the wetland delineation are located under the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference.

6.5 Article 6 Riparian Corridor Overlay District: Portions of the subject property are within the Riparian Corridor. The proposed site improvements will include three separate encroachments into the Riparian Corridor Overlay district. Permanent alterations within the Riparian Corridor Overlay district require a Natural Resource Impact Review and mitigation. Findings addressing the proposed encroachments and required on-site mitigation are located under the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference.

6.6 Article 6 Habitat Assessment Overlay District: The subject property is not located within a Habitat Assessment Overlay District.

6.7 Historic and Archaeological Resources. According to Chapter 11, Plate 9 of the Comprehensive Plan, shows the property is not located in a historic district. The subject property is bordered by a tributary to Oak Creek to the west and south, which has a high likelihood of containing archaeological resources. The proposed development is located approximately 120 feet from the top of bank of the Oak Creek tributary. Notice of the proposed development was submitted to the Oregon Department of Parks and Recreation, Oregon Heritage/State Historic Preservation Office and to the Confederated Tribes of the Grand Ronde Community of Oregon for review and comments. It is a requirement within the City of Albany's Comprehensive Plan that an Inadvertent Discovery Plan (IDP) be in place and if archaeological and/or cultural resources are discovered the Grand Ronde Community of Oregon be contacted. As a condition of approval, prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.

Conclusions

6.1 The proposed development is not located within the Airport Approach district as described in Article 4.

6.2 According to the FEMA Flood Insurance Rate Map, portions of the subject property are located within the Special Flood Hazard Area (SFHA). The proposed development is not located within the SFHA upon the property.

6.3 Portions of the subject property are located within the Hillside Development Overlay District described in Article 6. The proposed development is not located within the Hillside Development Overlay upon the property.

6.4 Portions of the subject property contain inventoried jurisdictional wetlands, Significant Wetlands, and the Riparian Corridor. Findings addressing impacts and encroachments are found in the Natural Resource Impact Review portion of this staff report and incorporated herein by reference.

6.5 The subject property is not located within a Historic District but is located within the vicinity of archaeological resources. As a condition of approval, the property owner shall establish an Inadvertent Discovery Plan if any archaeological resources are discovered.

Condition

Condition 1: Prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.

Site Plan Review Criteria (2.450)

Criterion 1

The application is complete in accordance with the applicable requirements.

Findings of Fact and Conclusions

1.1 In accordance with ADC 1.170, the application was deemed complete as of November 26, 2025.

1.2 This criterion is met without conditions.

Criterion 2

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

Findings of Fact

2.1 Zoning. The project site includes three parcels which are under concurrent review to be consolidated into one unit of land. Two of the subject properties, 1122 53rd Avenue and 5310 Pacific Boulevard, are located within the Mix Use Commercial (MUC) zoning district. The third property, 1190 53rd Avenue, is split-zoned Mix Use Commercial (MUC) and Open Space (OS). After the consolidation the subject property will consist of 8.29 acres, 3.75 acres zoned MUC and the remaining 4.54 acres zoned OS. The development, as proposed, will be located entirely within the MUC zoning district.

2.2 The applicant is proposing to construct a 108-unit apartment style multi-dwelling development. The development will consist of seven apartment buildings, an office/clubhouse building, two covered bicycle storage facilities, a children's play area, active and passive outdoor open spaces, parking and other associated site improvements.

2.3 Lot Size, Dimensional Requirements, and Lot Coverage. Table 5.090-1 within the ADC contains the development standards for the MUC zoning district. The chart below details the minimum and maximum development standards for the RM zoning district in comparison to the proposed development.

		Development Standard	Proposal
Lot Size	Minimum	None	8.29 acres
Lot Width	Minimum	None	No change
Lot Depth	Minimum	None	No change
Setbacks (Minimum)	Front (North) Interior (East) Interior (West) Rear (South	5 feet None None None	15.5 feet 10 feet ~245 feet ~257 feet
Setbacks (Maximum)	Front	25 feet (residential)	15.5 feet
Open Space	Minimum	250 square feet of useable area*	
Landscaped Area (within required setbacks)		100%	100%
Height	Maximum	85 feet	36 feet
Lot Coverage	Maximum	80%	68%**

** Development must meet the open space requirements of ADC 8.220; **Proposed development will have a lot coverage of 68% of the MUC zoning district (30% of the entire property)*

2.4 Landscaping, Buffering, and Screening. See finding under Criterion 6 below pertaining to Article 9. Landscaping, buffering, and screening standards are incorporated herein by reference.

2.5 Screening of Refuse Containers. See finding under Criterion 6 below pertaining to Article 9. Screening of refuse container standards are incorporated herein by reference.

2.6 Supplemental Village Center and Climate Friendly Area. The subject property has a comprehensive plan map designation of Village Center and is located within a Secondary Climate Friendly Area. Multi-unit development within a secondary Climate Friendly Area has a minimum density of 12 units per net acre. The proposed development has approximately 3.75 acres of developable land outside of protected natural resources. The applicant proposes to create 108 units which exceeds the minimum density.

2.7 The supplemental residential design standards in Village Centers and Climate Friendly Areas are intended to promote the design of an urban environment that is built to human scale and to foster a mixed-use character for village centers with an emphasis on a high-quality pedestrian environment, high-quality and attractive building materials, and architectural details that reduce exterior building mass. These supplemental design standards are addressed below under Criterion 4 and 5 in this staff report and are incorporated herein by reference.

Conclusions

2.1 The proposal meets all applicable development standards.

2.2 This review criterion is met without conditions.

Criterion 3

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

Findings of Fact

3.1 Article 4 Airport Approach district. According to Figure 4.410-1 of the ADC, the subject property is not located within the Albany Airport Approach district.

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

3.3 Article 6: Floodplains. *Comprehensive Plan Plate 5: Floodplains*. The effective FEMA Flood Insurance Rate Map (FIRM), Community Panel No. 41043C0526G, dated September 29, 2010, indicates portions of the subject property are located within the Special Flood Hazard Area (SFHA), (aka 100-year floodplain). The area of the proposed development is located within an unshaded Zone X, areas determined to be outside the 500-year flood level and is not subject to the additional requirements of floodplain development.

3.4 Article 6: Wetlands. *Comprehensive Plan Plate 6: Wetland Sites*. The subject property contains jurisdictional wetlands as well as areas inventoried as Significant Wetlands and the Riparian Corridor. Prior to application submittal the applicant had a wetland study conducted upon the subject property to delineate the extent of the wetlands upon the subject property. The wetland study found the upland boundary of the wetland to be located further east upon the property than indicated upon the city's maps. District boundary corrections and refinements are allowed pursuant to ADC 6.430. The Riparian Corridor overlay district was estimated by measuring the edge of the water/wetland, which was based upon aerial photography. A district boundary refinement is an alteration made, based on professional analysis, to refine the boundary of the Significant Natural Resource Overlay Districts. When a DSL-approved wetland delineation or determination results in a change to the boundary of the significant wetland adjacent to the Riparian Corridor, the Riparian Corridor Overlay boundary will be adjusted accordingly.

3.5 The provided site plan reflects a wetland study upon the property and incorporated the location of the delineated wetlands and the amended reach of the Riparian Corridor Overlay Wetlands upon the subject property. As a part of the application package the applicant has applied for a Natural Resource Impact Review and an associated Mitigation Plan for proposed encroachments into the recently corrected Riparian Corridor Overlay District. Findings addressing permanent impacts and encroachments into the Riparian Corridor Overlay district are addressed under the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference. The proposed development does not propose any development including grading within the Significant Wetland Overlay District.

3.6 Article 6: Topography. *Comprehensive Plan, Plate 7: Slopes*. Portions of the subject property are identified as containing steep slopes. The proposed development is not located within the areas identified as containing steep slopes.

3.7 Article 7: Historic and Archaeological Resources. *Comprehensive Plan, Plate 9: Historic Districts,* shows the property is not located in a historic district. The subject property is bordered by Oak Creek to the west and south, which has a high likelihood of containing archaeological resources. Findings addressing Article 7 compliance are found under Criterion 6 of the Replat portion of this staff report and are incorporated herein by reference.

Conclusions

3.1 The proposed development is not located within the Airport Approach district as described in Article 4.

3.2 According to the FEMA Flood Insurance Rate Map, portions of the subject property are

located within the Special Flood Hazard Area (SFHA). The proposed development is not located within the SFHA upon the property.

3.3 Portions of the subject property are located within the Hillside Development Overlay District described in Article 6. The proposed development is not located within the Hillside Development Overlay upon the property.

3.4 Portions of the subject property contain inventoried jurisdictional wetlands, Significant Wetlands, and the Riparian Corridor. Findings addressing impacts and encroachments are found in the Natural Resource Impact Review portion of this staff report and incorporated herein by reference.

3.5 The subject property is not located within a Historic District but is located within the vicinity of archaeological resources. Findings and a condition of approval are addressed under criterion 6 of the Replat review in this staff report and are incorporated herein by reference.

Criterion 4

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

Findings of Fact and Conclusion

4.1 Applicability. The applicant proposes to construct a 108-unit apartment complex with associated site improvements. The Design Standards under ADC 8.200-8.305 "Multiple-Dwelling Unit Development" apply to this development.

4.2 Relationship to Historic Overlay Districts. As previously stated, the subject property is not located within a historic district and does not contain a historic resource. Accordingly, this standard is not applicable.

4.3 Recreation and Open Space Areas. ADC 8.220 states that the purpose of the open space aeras is to ensure that new multiple dwelling unit developments provide spaces for recreation and relaxation that are adequately sized, located, and functional. The standards also intend to ensure that a development project's open space is an integral part of the overall development design, not merely leftover space. Table 8.220-1 within the ADC contains the recreation and Open Space Requirements by Zoning District. The chart below details the recreation and Open Space standards for the MUC zoning district.

	Required
Common Open Space	250 square feet of useable area*
Children's Play Areas	Not Required
Private Open Space	Not Required

4.4 Common Open Space in All Zoning Districts. ADC 8.220(1) requires the dedication and construction of any multi-use paths upon the subject property if they are identified in the Parks Master Plan, the Transportation System Plan, and adopted area plan, or any other plan adopted by the City of Albany. There is no master plan identified multi-use paths upon the subject properties. This standard is not applicable.

4.5 Private Open Space. ADC 8.220(4) is not required for developments within the MUC zoning district. The applicant proposes to provide private open space for the majority of the dwelling units. The standards of ADC 8.220(4) only apply to required private open space, therefore the provided open space is not subject to the dimensional requirements of ADC 8.220(4). This standard is not applicable.

4.6 Setbacks and Building Orientation. The purpose of ADC 8.240 is to create and maintain street frontages that are attractive, create an environment that is conductive to walking, and provide natural surveillance of public spaces. Building orientation standards promote building and site design that contribute positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries, and yards to public streets. Development site with frontage on a collector or arterial public street has an option to either meet the Street Orientation Option or the Enhanced Landscaping Option in Table 8.240-1.

4.7 Street Orientation Option ADC 8.240(3)(a). Sites with 100 feet or more of frontage on a public street, at least 50 percent of the site width must be occupied by a building(s) placed no farther than 20 feet from the front lot line. The primary entrance(s) of at least 50 percent of the ground floor units of residential building(s) located within 25 feet of a public street must face the street. Ground floor entries to individual units must provide a covered front porch, or a front entry that is recessed a minimum of two feet behind the front building façade. No off-street parking or circulation may be located between the front of the building and the street.

4.8 The subject property's frontage, not including significant natural resources and other similar non-buildable areas, is approximately 613 feet. The proposed development will locate four apartment buildings, totaling 316 feet (52%), along the site's 53rd Avenue frontage. The four apartment buildings are located 15.5 feet from the front property line. Three of the four apartment buildings have ground floor units with a main entrance oriented to 53rd Avenue and are provided with a covered front porch. The site has been designed with the parking and travel aisles located to the side and rear of the apartment buildings. There are no parking or travel aisles between the apartment buildings and 53rd Avenue. This standard is met.

4.9 Façade design, articulation, and windows. ADC 8.225 contains the requirements for façade design, articulation, and windows. The standards apply to any façade that faces toward a front lot line and must include at least two architectural features as listed in ADC 8.225(2). Three apartment buildings are oriented with the main facade facing north (front property line). This regulated faced will include eaves with an overhand greater than 12 inches, offsets of two feet that extend for at least four feet, and balconies with a minimum depth of three feet. This standard is met.

The application materials included glazing calculations (Attachment D) for each of the apartment buildings abutting a public right-of-way. Building 1 will have a total of 31.2 percent transparency along the regulated façade. Buildings 2 and 3 will each have a total of 35.2 percent transparency along the regulated façade. All transparent material must have a minimum visible transmittance of 0.4; be located in any part of the building except garages and parking areas; and face toward or within 45 degrees of the front lot line. Based upon the submitted materials this standard is met.

4.10 Pedestrian Connections. To ensure that pedestrian circulation systems are designed to provide clear, identifiable, safe, and convenient connections within a development and to adjacent uses and public street/sidewalks. Each development shall contain an internal pedestrian circulation system that makes connections between structures, parking areas, common open space aeras, and public rights-of-way.

The submitted site plan (Attachment B) indicates that the apartment facility will provide paved pedestrian connections to parking areas, community spaces, to surrounding development, and connections to the 53rd Avenue and Pacific Boulevard right-of-way. Additional findings concerning pedestrian connections are addressed in Criterion 6 and are incorporated herein by reference.

4.11 Parking Location. Parking must be located within 100 feet of the building entrance. Based upon the submitted site plan, there are provided parking areas located within 100 feet of the building entrances. This standard is met.

4.12 Supplemental Residential Design Standards in Climate Centers and Climate Friendly Areas. Residential development within the Village Center Comprehensive Plan designation and within the Climate Friendly Area overlay districts are subject to the additional design standards in ADC 8.485. The provisions of these additional standards are intended to promote the design of an urban environment that is built to human scale and to foster a mixed-use character for village centers.

4.13 The subject property is zoned MUC with a Village Center Comprehensive Plan designation and is located within the Climate Friendly Area overlay district. Based upon these facts, 50 percent of the building's street-facing and front facades must be surfaced with wood, brick, stucco, stone, masonry, cement or fiber cement, or synthetic versions of these materials. The roof line must provide at least one of the following elements: parapets, cornices, gables, dormers, varied roof heights, or top-level balconies. All exterior HVAC equipment must be screened from street-level view. The application materials indicate the street facing facades will be sided with MCU mutual materials to replicate stone, and cementitious panels (Hardie Plank) replicating wood panels. The structures will provide top-level balconies and varied roof heights, and no mechanical equipment will be visible at street-level view. These standards are met.

Conclusions

4.1 As proposed, all applicable design standards in Article 8 are met.

Criterion 5

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

Findings of Fact and Conclusion

5.1 Article 10 pertains to manufactured homes, manufactured home parks, RV parks, and temporary uses. The applicant does not propose to develop the site with a manufactured home, manufactured home park, RV park, or any temporary uses.

5.2 This standard is not applicable.

Criterion 6

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

Findings of Fact

6.1 Bicycle Parking. ADC Table 9.030-1 requires the following:

Proposed Use	Required	Total Dwelling Units	Calculation	Total
Multiple Dwelling Unit Development	0.5 spaces per dwelling unit	108	108*0.5=	**54** spaces

The applicant proposes to construct two bike shelters, one with 30 stalls and the other with 24 stalls. This standard is met.

6.2 Bicycle Parking Standards. ADC 9.030(4) contains the minimum standards for required bicycle parking spaces.

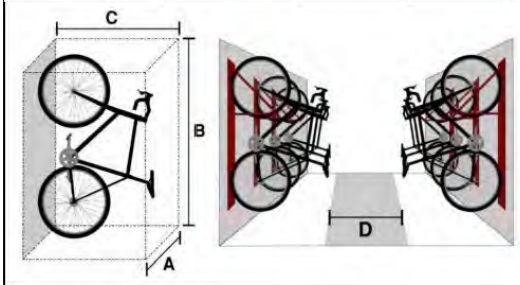
6.3 Access and Lighting. ADC 9.030(4)(a) requires that bicycle parking areas have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and barriers, such as curbs or stairs. Bicycle parking areas must be well lit.

6.4 Sheltered. ADC 9.030(4)(d) requires all bicycle parking spaces for new multi-dwelling unit development to be sheltered. Spaces must be protected from precipitation by a roof overhang or a separate roof at least seven feet tall.

6.5 Space and Access Dimensions: Bicycle parking spaces and access dimensions must comply with the standards in Table 9.030-2 (above), 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.

6.6 Bicycle Racks. Each bicycle parking space must have a parking rack securely fastened to the ground except for vertically tipped spaces. Bicycle parking racks must support each bicycle at a minimum of two points. The racks must be durable and difficult to cut material and must not restrict the length, dight, or width of bikes.

Vertical Spaces					
Standard	2 ft.	6 ft.	4 ft.	5 ft.	N/A
Side-by-side (2)	1.5 ft.				



Limitations and Qualifications

Space Type	Space Width A	Space Length B	Space Height C	Access Aisle Width D	Clearance Between Rack & Wall E

(1) For horizontal spaces, the bike rack shall be centered along the long edge of the bicycle parking space.

(2) Applies where bike racks are located side-by-side. For vertical spaces, the alternative 1.5 ft. space width requires a minimum vertical stagger of 8 inches between each space.

6.7 The applicant proposes to construct two bicycle shelters, one to the north of the development site and one further south along the eastern property line. The northern bicycle shelter is located between Pacific Boulevard (OR99E), and apartment building #1. The site plan indicates a striped pedestrian and bicycle path connecting Building #1, across the secondary eastern driveway to 53rd Avenue and through a parking area, to the bicycle parking structure. The site plan also depicts a durable surfaced connection from the bicycle parking structure to Pacific Boulevard. This bicycle structure will contain 16 vertical stalls, and 8 cargo sized horizontal stalls, for a total of 24 bicycle stalls. The southern bicycle shelter is accessible via durable surfaced sidewalk that connects to the surrounding apartment buildings. This bicycle storage does not have direct access to a public right-of-way since it is located internally to the proposed development. This bicycle shelter will contain 24 vertical bicycle stalls, and 6 cargo sized horizontal stalls. All vertical stalls are proposed at 2 feet wide by 4 feet long with a height of 6 feet and an aisle width of 5 feet. The cargo stalls are proposed at 3 feet wide by 8 feet long with a roof height of 7 feet. The submitted materials did not provide construction details of the location of lighting within the bicycle shelters or the location of curb cuts to ensure there are no access barriers between the parking/travel aisles and the bicycle shelters. As a condition of approval, the applicant

shall submit lighting details and the location of the curb cuts at access points to the bicycle shelters prior to the issuance of building permits.

6.8 Maximum Parking. ADC Table 9.020-1 allows the following:

Proposed Use	Maximum Permitted	Total Units	Calculation	Additional 30 Percent Calculation	Maximum Allowed
Multi-Dwelling Unit: Studio and 1-bedroom units	1 space per unit, plus 1 visitor space every 4 units	66	66*1=66 66/4=16.5 66+16.5=82.5	82.5*1.30=107.25	
Multi-Dwelling Unit: 2-bedroom units	1.5 spaces per unit, plus 1 visitor space every 4 units	42	42*1.5=63 63/4=15.75 63+15.75=78.75	78.75*1.30=102.38	**209**

The site plan shows a total of 143 parking spaces, which is less than the maximum allowed parking for the development. This standard is met.

6.9 Carpool/Vanpool Spaces. Parking is not required for residential development. This standard is not applicable.

6.10 Accessible Space: Off-street parking is not required, but when provided ADC 9.040 requires parking spaces compliant with the Americans with Disabilities Act (ADA) to be provided in accordance with ORS 477.233. The amount and location of required ADA spaces are reviewed at the time of building permits.

6.11 Electrical Vehicle Charging Capacity. Off-street parking is not required, but when provided no less than 40 percent of all vehicle parking spaces serving newly constructed residential buildings to be served by electrical service capacity for a level 2 electric vehicle charging station (ADC 9.050). The applicant's site plan shows a total of 143 parking spaces, five of which are reserved for ADA. The applicant did not provide details on which parking stalls will be served by the required electrical vehicle charging stations. As a condition of approval, prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.

6.12 Parking Area Improvement Standards: All public or private parking areas must be improved to the standards found in ADC 9.100. When the total parking area for development sites exceeds 10,890 square feet, parking area improvements must comply with the additional standards in ADC 9.130.

6.13 The applicant proposes to provide 143 off-street parking spaces with a total parking area of more than 10,890 square feet. The applicant's site plan (Attachment B) shows the proposed parking lot is designed with one main driveway and multiple two-way travel aisles connecting to the main driveway. Provided parking is located along the driveways and within two separated parking clusters. All proposed parking areas will be paved and individual parking stalls striped. Each parking stall provides a wheel bumper to prevent vehicles encroaching upon provided pedestrian facilities, landscaping areas, and property lines.

6.14 Surfacing. ADC 9.100(3) requires parking, including travel aisles and access shall have a durable, dust-free surface. The submitted site plan shows the entirety of the parking lot will be surfaced with a durable, dust-free surface. This standard is met.

6.15 Drainage. ADC 9.100(4) requires all parking lots to provide a drainage system to dispose of stormwater runoff. Findings regarding the proposed stormwater system are found below under Criterion Seven and incorporated here by reference.

6.16 Perimeter Curb. ADC 9.100(5) requires perimeter curbing around all parking areas. The applicant's site plan indicates perimeter curbing will be provided around all parking areas and pedestrian paths bordering parking areas and driveways. This standard is met.

6.17 Wheel Bumper. ADC 9.100(6) requires wheel bumpers to be used when parking stalls abut a sidewalk, alleyway, street, or property line. Wheel bumpers must be installed in parking spaces facing the building unless the adjacent sidewalk is at least seven feet six inches wide to accommodate vehicle encroachment. The submitted site plan depicts the use of wheel bumpers for all parking stalls along sidewalks. This standard is met.

6.18 Turnaround. ADC 9.100(7) requires groups of more than two parking spaces to be located and served by an aisle or turnaround so that their use will require no backing movements or other maneuvering in a street right-of-way other than an alley. The proposed parking area has been designed to ensure no backing movement or other maneuvering in a street right-of-way will be required. This standard is met.

6.19 Striping. ADC 9.100(8) requires all provided off-street parking stalls to be permanently and clearly striped. When motorcycle parking, compact, or ADA parking spaces are provided, they must be designated within the stall. The applicant's site plan indicates the parking lot will be striped and accessible pavement markings to be provided for all designated ADA spaces. This standard is met.

6.20 Connecting to Adjacent Parking Areas. ADC 9.100(9) requires parking lots to connect to adjacent existing or future parking areas. This requirement for connections to adjacent parking areas can be waived when it is deemed impractical or inappropriate due to the nature of the adjoining uses. The subject properties abut four properties to the east and one property to the west. The properties to the east are located within the MUC zoning district and are partially developed with an entertainment center and mini-golf course. The site plan shows a driveway connecting the proposed development to the existing developed driveway to the east. The remaining properties to the east are undeveloped. The site plan shows a parking lot abutting the undeveloped sites with travel aisles that could be connected when the properties are developed. The singular property to the west is located within the R-6.5 zoning district and is separated from the proposed development by the OS zone and protected natural features. A connection to the western property would be both impractical and inappropriate. Additional findings and conditions of approval addressing site connectivity are located under criterion 8 of the Site Plan Review and are incorporated herein by reference.

6.21 Parking Lot Landscaping. ADC 9.100(10) requires parking lots over 1,000 square feet (contiguous) to conform with the parking lot landscaping standards found in ADC 9.150. A more detailed finding is provided further below.

6.22 Compact Car Parking. ADC 9.100(11) allows up to 40 percent of the required parking stalls to be compact. The applicant proposes to provide 55 compact stalls; this would make up 38.5 percent of all provided parking. This standard is met.

6.23 Accessible Parking. ADC 9.040 and 9.100(12) requires accessible parking be provided in conformance with the Oregon Structural Specialty Code. As indicated in the proposed site plan, the applicant has provided accessible parking and an accessible route to the building. Conformance with the Oregon Structural Specialty Code will be assessed at the time of building permit application.

6.24 Lighting. ADC 9.100(13) requires all provided lighting to be arranged to reflect light away from any abutting or adjacent properties. All outdoor lighting shall provide glare shields as required to ensure light intrusion does not occur on adjacent properties or within the public right-of-way. The application materials provided site lighting details including the locations of all sconces, path lighting, post lighting, and accent lighting. As a condition of approval, all lighting must be arranged to reflect light away from abutting or adjacent properties prior to the issuance of final occupancy.

6.25 Pedestrian Access. ADC 9.100(14) requires walkways and accessways to be provided for all new off-street parking lots and additions to connect sidewalks adjacent to new development to the entrances of new buildings. The site plan indicates that a durable surfaced walkway will be provided from each new building to the provided off-street parking and connections to the public right-of-way. This standard is met.

6.26 Off-Street Parking Lot Design. ADC 9.120 states that all off-street parking lots over 1,000 square feet (contiguous) must be designed in accordance with City standards for stalls and aisles set forth in Table 9.120-1. The proposed development will include 143 off-street parking spaces. Provided off-street parking will be located along the site's driveway and within two separate parking areas. The driveway, which provides the main circulation through the site, has a width of 26 feet and will support two-way traffic through the development. The parking area, including driveways and drive aisles, will exceed 10,890 square feet and will be subject to the standards in ADC 9.130 in addition to the standards in 9.120. Findings addressing the standards in ADC 9.130 are located elsewhere in this staff report and are incorporated herein by reference.

6.27 Driveways. ADC 9.120 (3) requires interior driveways to meet specific standards, unless the driveway is lined with angled or perpendicular parking stalls. The applicant proposes to provide parking stalls perpendicular to the interior driveways; therefore, the standards of 9.120(3) are not applicable.

6.28 Minimum Driveway and Drive Aisle Widths. ADC 9.120(4) a minimum of a 24-foot-wide driveway for two-way traffic and emergency vehicles. One-way driveways and one-way emergency vehicle access must be at least 20 feet wide. Drive aisles dimensions must comply with the standards in Table 9.120-1. The site plan shows 26-foot-wide driveway and drive aisles throughout the site. This standard is met.

6.29 Parking Lot Design. ADC 9.120(5) and 9.120 (6) "Compact Spaces" requires parking stalls and aisles to comply with Table 9.120-1. The site plan shows a total of 143 off-street parking stalls. Of the 143 parking spaces, 55 are to be compact stalls and the remaining 88 spaces will be standard sized. All provided parking will be at a 90-degree angle and are served by a 26-foot-wide travel aisle. The following are the dimensions of provided parking stalls: standard parking spaces are approximately 8.5 feet wide with a depth of 18.5; compact spaces are 8 feet wide and depth of 16 feet. Parking stalls fronting a sidewalk, street, or property line will be equipped with a wheel bumper to be located no closer than 3 feet from the curb. This standard is met.

6.30 Accessible Spaces. According to ADC 9.120, accessible spaces shall be a minimum of nine feet wide and 17 feet long and designed in accordance with the Oregon Structural Specialty Code (OSSC). An adjacent aisle must be provided that is at least eight feet wide and 17 feet long for a van-accessible space, and 6 feet wide for a standard accessible space. The dimensions for ADA spaces are reviewed for compliance at the time of building permit review.

6.31 Stall Width. ADC 9.120(8) requires long term sparking spaces to be at least 8.5 feet wide. Parking stalls for grocery stores or adjacent to planter islands to be at least 9.5 feet wide. The proposed development does not offer long-term parking spaces and is not part of a grocery development. The spaces next to the planter bays will be at least 9.5 feet wide. This standard is met.

6.32 Surface Parking Areas. ADC 9.130 requires parking areas of more than 0.25 acres (10,890 square feet) to comply with standards to minimize visual impact of surface parking and improve environmental and climate impacts. The required standards for parking areas greater than 10,890 square feet consisting on complying with one of the following options: the installation of solar panels with a generation capacity of at least a 0.5 kilowatt per new parking space; public buildings, as defined in ORS 270c.527, meeting the requirements with OAR 330-135-00100; or the planting and maintaining of a tree canopy that is at least 40 percent of all parking surface areas.

The proposed parking area will exceed 10,890 square feet and must meet one of the standard options under ADC 9.130.

6.33 The applicant proposes to meet this requirement by providing tree canopy that will cover at least 40 percent of all parking surface areas within 15 years of planting. The applicant provided a landscaping plan (Attachment E) which includes a list of trees to be planted and the canopy calculations. Per the landscaping plan the total proposed surface parking area is 54,213 square feet, which would require a minimum tree canopy of 21,685 square feet. Based upon the landscaping plan the applicant proposes to have a canopy area of 21,685 square feet (40 percent) over the surface parking area. This standard is met.

6.34 Walkways. ADC 9.130(5) requires that parking lots be designed to separate pedestrians from vehicles and include protected pedestrian walkways from parking areas to building entrances. Walkways must be protected by landscaping, curbs, or parking bumpers. Walkways may cross a vehicle aisle if distinguished by a color, texture, or elevation different from the parking and driving areas. Walkways must not share a vehicle aisle. The proposed parking lot design shows a two-way vehicle aisles between the parking spaces provided and the entrances of the apartment buildings. The applicant's site plan (Attachment B) shows that walkways are protected by curbs and parking bumpers and the pedestrian crossing of the drive aisle demarcated by striping. As a condition of approval, the applicant must demarcate the pedestrian crossing by a different color, texture or elevation from the parking and driving areas prior to the issuance of any occupancy.

6.35 Parking Lots with More than 75 Spaces. ADC 9.130(6) contains additional standards for parking lots with more than 75 parking spaces. The proposed development will not create a single parking lot with more than 75 parking spaces. This standard is not applicable.

6.36 Street Bicycle and Pedestrian Connectivity. The standards of ADC 9.133 are intended to promote efficient circulation between properties, convenient pedestrian and bicycle access to nearby streets, adjacent uses, and transit stops, and improve safety for both drivers and pedestrians. These standards apply to all zoning districts except HD, DMU, CB and WF. The subject property is located within the MUC zoning district; therefore, the standards of ADC 9.133 apply and are addressed below.

6.37 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. The subject property has a Comprehensive Plan Map designation of Village Center and is located within a secondary Climate Friendly Area overlay, both of which have additional

requirements for interconnectivity between properties. The submitted site plan shows a direct connection to the developed property to the east, Lakeshore Lanes. The site plan also provides travel aisles that terminate at the property line to the undeveloped lots north of Lakeshore Lanes. Additional findings and conditions of approval addressing the requirements for reciprocal access and parking easements for this development are addressed under criterion 9 within this staff report and are incorporated herein by reference.

6.38 Pedestrian and bicycle connections. ADC 9.133(4) requires pedestrian and bicycle connections to be provided via a direct route between the building's main entrance and the nearest sidewalk or the roadway where there is no sidewalk. The site plan shows direct five-and-half-foot-wide pedestrian walkway connections throughout the proposed development connecting to the public right-of-way and the abutting commercial uses. The site plan did not delineate direct bicycle paths through the site to adjoining right-of-way or adjacent properties and uses.

6.39 The subject property is located within a secondary Climate Friendly Area overlay and is subject to the standards of ADC Article 14. The Lot and Block standards of ADC 14.040(4)(a) has a maximum block length of 500 feet. Where block lengths exceed 350 feet a public through block accessway must be provided to facilitate a safe and convenient pedestrian and bicycle connectivity. Due to the existing site conditions, and the fact that the proposed development is not creating new lots or blocks, the proposed development meets the exceptions as defined in ADC 14.040(4)(d)i, 14.040(4)(d)iii, and 14.040(4)(d)vii. Additionally, the site constraints also include access constraints to the public right-of-way. The City Engineer finds the standards found within ADC 8.280, and here in ADC 9.133(4) together with the exemption under ADC 14.040, the site will not be required to provide a public access way for pedestrian and bicycle connectivity. The development will be required to provide direct and convenient bicycle and pedestrian access through the site per ADC 14.040(4) "*When approving an exception, the City Engineer may require pedestrian and/or bicycle connectivity through the development when warranted*." As a condition of approval, an updated site plan delineating a direct and convenient pedestrian and bicycle access through the site to adjacent properties and uses must be approved by the Public Works Engineering and Planning Department prior to the issuance of building permits.

6.40 Major Transit Stops. ADC 9.133(5) contains additional site improvements for sites at major transit stops. A major transit stop is not located at the site. This standard is not applicable.

6.41 Pedestrian and bicycle connections standard. All pedestrian and bicycle accessways must be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide. The submitted site plans demonstrates all pedestrian and bicycle connections will be at least five feet wide and constructed of concrete. This standard is met.

6.42 Landscaping Required –Residential. ADC 9.140(1) requires all 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. The subject property is located within the MUC zoning district which has front setback of 5 feet. The subject property abuts two arterial rights-of-way, 53rd Avenue and Pacific Boulevard (OR99E) and is subject to the buffering standards for multi-dwelling unit development abutting an arterial right-of-way. The application materials included a detailed landscaping plan, which exceeds the minimum landscaping requirements for residential development. This standard is met.

6.43 Planter Bays. ADC 9.150(1) states parking areas shall be divided into bays of not more than 12 parking stalls, and the end of each parking bay shall be a curbed planter at least 6 feet

wide, excluding the curb. The submitted site plan shows planter bays at least six feet in width at the end of each parking bay. The submitted landscaping plan provided planter bay details and generally meet the standard of ADC 9.150(1). There are three parking areas that appear to be missing planter bays, the parking area between the existing communications tower and the bike shelter, the parking area to the north of building #7, and a parking aisle to the east of building #1. As a condition of approval, prior to the issuance of building permits, an updated landscaping plan meeting the requirements of ADC 9.150 for all parking areas must be submitted and approved.

6.44 Entryway Landscaping. ADC 9.150(2) requires both sides of the parking lot entrance to be bordered by a minimum five-foot-wide landscape planter strip meeting the same landscaping provision as planter bays. The proposed development will consist to two parking lot entrances onto 53rd Avenue. Based upon the submitted landscaping plan (Attachment E) both entrances will have landscaped planters that are at least five feet wide.

6.45 Parking Space Buffers. ADC 9.150(3) requires parking areas to be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping. As shown on the applicant's site plan, the proposed buildings are separated from parking areas by a five-and-half foot-wide pedestrian walkway. This standard is met.

6.46 Stormwater Collection System. ADC 9.150(4) requires vegetated post-construction stormwater quality facilities to be considered as the initial stormwater collection system. This standard is addressed in Criterion 7 and 9 within this staff report and is incorporated herein by reference.

6.47 Landscaping Protection. ADC 9.150(5) requires all landscaped areas adjacent to graveled areas to be protected. The proposed development does not include any gravel areas. This standard is not applicable.

6.47 Irrigation of Required Landscaping. ADC 9.165 requires all required landscaped areas to be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman provides documentation that the plants do not require irrigation. The applicant proposes installing an automatic irrigation system for all landscape areas. As a condition of approval, an irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.

6.48 Tree Protection. ADC 9.202 through 9.206 contain the tree protection standards that apply to any proposed development. The applicant does not propose to remove 5 or more trees from the subject properties. This standard is met.

6.49 Buffering and Screening. Table 9.210-1, ADC 9.240 requires a 10-foot-wide landscape buffer when a development abuts an arterial street. The subject site abuts 53rd Avenue, a minor arterial, to the north and Pacific Boulevard, a principal arterial, to the east. The north property line adjacent to an arterial street, for the reach of this project, is approximately 661 feet which requires 6,610 square feet of landscaped buffer area. The eastern property line adjacent to Pacific Boulevard is approximately 116 feet, requiring 1,160 square feet of landscaping area. The following landscaping is required along 53rd Avenue: At least one row of either 10-foot-tall deciduous trees spaced not more than 30 feet apart or 5-foot-tall evergreen trees spaced not more than 15 feet apart; 35, 5-gallon shrubs or 60, 1-gallon shrubs; and the remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, or evergreen shrubs). The following landscaping is required along Pacific Boulevard: least one row of either 10-foot-tall deciduous trees spaced not more than 30 feet apart or 5-foot-tall evergreen trees spaced not more than 15 feet apart; six, 5-gallon shrubs or 12, 10-gallon

shrubs; and the remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, or evergreen shrubs).

6.50 The submitted landscaping plan detailed the location of trees and shrubs proposed to meet the buffering standards along 53rd Avenue and Pacific Boulevard. As a condition of approval, all required buffering landscaping must be installed prior to the issuance of final occupancy.

6.51 Screening of Refuse Containers. ADC 9.255 requires any refuse container or disposal area that would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area must be screened from view by a sight-obscuring fence, wall or hedge at least 6 feet tall. The location of the refuse containers will not be visible from a public right-of-way but will be visible from the on-site residential parking areas. The submittal included elevations for the screening of the refuse containers. This standard is met.

6.52 Environmental Standards. ADC 9.435, 9.440 - 9.500 includes environmental standards related to neighborhood compatibility, noise, visible emissions, vibrations, odors, glare, heat, insects, rodents, and hazardous waste. The applicant states that there will be no unusual noise, vibration, odors, degraded water quality, or glare caused by the development and residential use.

Conclusions

6.1 The proposal conforms with the applicable site development standards, as conditioned.

Conditions

Condition 2 **Bicycle Parking Shelter.** Prior to the issuance of building permits, the applicant must provide the lighting details within each of the bicycle shelters and the location of all curb cuts providing access to the bicycle parking areas.

Condition 3 **Electrical Vehicle Charging**. Prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.

Condition 4 **Lighting Details.** Prior to any issuance of occupancy, all exterior lighting must be arranged to reflect light away from abutting or adjacent properties.

Condition 5 **Walkways.** Prior to the issuance of any occupancy the applicant must demarcate the pedestrian crossing within the travel aisle by a different color, texture or elevation from the parking and driving areas.

Condition 6 **Pedestrian and Bicycle Connectivity.** Prior to the issuance of building permits, the developer shall provide to Public Works and the Planning Department a site circulation plan with a direct and convenient pedestrian and bicycle access through the site to adjacent properties, uses, and public right-of-way.

Condition 7 **Buffering Standards**. Prior to any occupancy, all required buffering landscaping must be installed.

Condition 8 **Landscaping.** Prior to the issuance of final occupancy, all landscaping must be installed or financially insured under ADC 9.190(1)

Condition 9 **Irrigation of Required Landscaping**. An irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.

Criterion 7

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

Findings of Fact

Sanitary Sewer

7.1 City utility maps show an 8-inch public sanitary sewer main in 53rd Avenue. The subject properties are not connected to City sewer.

7.2 The objectives contained in ADC 10.01.010(1) are to facilitate the orderly development and extension of the wastewater collection and treatment system, and to allow the use of fees and charges to recover the costs of construction, operation, maintenance, and administration of the wastewater collection and treatment system. ADC 12.470 requires all new development to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line. ADC 12.490 requires that sewer collection mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion.

7.3 AMC 10.01.080(2) states that before the City will issue a Building Permit, the applicant must pay to the City and necessary System Development Charges and any other applicable fees for connection to the public sanitary sewer system.

7.4 The applicant's preliminary utility plan indicates the project will connect to existing sanitary sewer main with a new lateral. An Encroachment Permit from the City of Albany's Public Works Engineering Division is required for any work in the public right-of-way and connecting to public sanitary sewer. New sewer lateral(s) must comply with the City's Engineering Standards.

Water

7.5 City utility maps show a 12-inch public water main in 53rd Avenue. The subject properties are not connected to City water.

7.6 ADC 12.410 requires all new developments to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main. ADC 12.430 requires that water distribution mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion.

7.7 The applicant's preliminary utility plan shows installation of new water service and fire line. The applicant proposed a new water service to serve the proposed development. The developer must obtain a Water Meter Permit through the City of Albany's Engineering Division for a new water service with meter. The developer must obtain a Permit for Private Construction of Public Improvements through the City of Albany's Engineering Division for the installation of a fire line.

Storm Drainage

7.8 City utility maps show 12-inch, 15-inch, and 18-inch public storm drainage mains in 53rd Avenue. Fifty-third Avenue is constructed to City standards with curb and gutter.

7.9 It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage

systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the City of Albany's Engineering Division.

7.10 ADC 12.530 state that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer.

7.11 The applicant provided a preliminary drainage plan and storm report for the project. The applicant's preliminary site improvement plans show constructing a private piped system on site to convey the building's runoff and site runoff through an underground detention pipe and the vegetated water quality swale that discharges to an existing onsite stormwater system.

7.12 AMC 12.01.090 the Public Works Director may require best management practices (BMPs) for any activity, operation, or facility which may cause or contribute to the introduction of pollutants to rights-of-way, wetlands, drainage ways, the municipal stormwater system, receiving waters, and/or areas that include or contribute directly to the Waters of the State. Where BMP requirements are promulgated by the Director, the owner or operator of such activity, operation, or facility shall provide, at their own expense, reasonable protection from the discharge of pollutants, as described above, through the use of these structural and/or nonstructural BMPs. An erosion prevention and sediment control (EPSC) permit shall be obtained for land-disturbing activities affecting an area of 2,000 square feet or greater, cumulatively (AMC 12.40.030).

Conclusions

7.1 Public utilities (water, sanitary sewer and storm) are available to serve the proposed development.

7.2 The applicant must obtain an Encroachment Permit through the City's Public Works Department for the proposed sewer lateral.

7.3 The applicant must obtain a Water Meter permit from the City's Public Works Department for a new water service with meter.

7.4 The applicant must obtain a Permit for Private Construction of Public Improvements Permit from the Publics Works Department prior to connecting to the public water system for the proposed fire line.

7.5 The applicant's preliminary drainage plans show the installation of onsite detention for flood control and discharges to the public storm drainage system. The applicant must obtain an Encroachment Permit through the City's Public Works Department for the proposed storm drainage lateral.

7.6 The applicant shall install Best Management Practices prior to any ground disturbing activities under Public Work's Erosion Prevention and Sediment Control Permit.

Conditions

Condition 10 Prior to connecting to the public sanitary sewer for a new sanitary sewer service an Encroachment Permit must be obtained from the Public Works Department.

Condition 11 Prior to connecting to the public water main for proposed fire line, the applicant must obtain a Site Improvement permit from Public Works Department.

Condition 12 Prior to connecting to the public storm drainage system for a new storm service an Encroachment Permit must be obtained from the Public Works Department.

Condition 13 Prior to any ground disturbing activities, the applicant must obtain an Erosion Prevention and Sediment Control Permit for Public Works Department and install Best Management Practices.

Criterion 8

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

Findings of Fact

8.1 The proposed development includes a replat to consolidate three parcels into an 8.29-acre unit of land; a Site Plan Review for the construction of 108-unit apartment complex. The subject properties are located at 1190 53rd Avenue, 1122 53rd Avenue, and 5310 Pacific Boulevard.

8.2 The subject property takes access off 53rd Avenue and Pacific Boulevard (Highway 99E). The applicant proposes two new accesses off of 53rd Avenue to serve the site. The eastern access must be a restricted right-in and right-out only access. The existing accesses off of 53rd Avenue the Pacific Boulevard are to be removed.

8.3 Fifty-third Avenue is classified as a major collector street and is fully improved to city standards along the site's frontage. Existing improvements include: a vehicle travel lane in each direction, two-way center turn lane, on street bike lanes, and sidewalk along the subject property frontage.

8.4 The applicant submitted a Traffic Impact Analysis (TIA) with the application. The study was performed by Clemow Associates LLC and is dated September 24, 2025. The development is projected to generate approximately 768 vehicle trips per day, of which 67 would occur during the peak PM traffic hour.

8.5 The Clemow Associates LLC TIA analyzed the operation of the street system at build-out of the development at year 2026, and at year 2031 (build-out + 5 years) meeting ODOT standards. ODOT intersection performance standards are: a volume to capacity (v/c) ratio of 0.95 for the worst-case movement at two-way, stop-controlled intersections and driveway approaches to a public street. The study performed a queuing analysis to evaluate storage adequacy. The traffic distribution was analyzed with 70 percent of trips generated using 53rd Avenue and 30 percent of trips using a shared access via Lakeshore Lane's driveway. Based upon these assumptions, the submitted TIA demonstrates the site development meets all mobility standards and there is adequate queuing storage.

8.6 The traffic study evaluated the performance of the following intersections:

- Fifty-third Avenue at Willetta Street. This intersection is controlled by a stop sign on Willetta Street as a "tee-intersection". The site proposes a new access point at this intersection, west access. At year 2026 the intersection was projected to operate at LOS A, V/C of 0.01 during both the AM and PM peak traffic hours. At year 2031 projected to operate at LOS A, V/C of 0.02 during the AM and PM peak traffic hours. The intersection will meet City of Albany operational standards and can accommodate the development with no mitigation. Queuing analysis showed a TIA recommendation that the center turn lane be used for westbound left-turn movements into the site. The recommendation provided is 75 feet of storage for the site.

- September 24, 2025 TIA divided trips to the development with 70 percent utilizing the 53rd Avenue access and the remaining 30 percent accessing Highway 99E

- Pacific Blvd. at 53rd Ave. This intersection is controlled by a traffic signal. At year 2026 projected to operate at LOS A, V/C of 0.46 during the AM and V/C of 0.49 during the PM peak traffic hours. At year 2031 projected to operate at LOS A, V/C of 0.51 during the AM and V/C of 0.54 during the PM peak traffic hours. The intersection will meet ODOT operational standards and can accommodate the development with no mitigation. Queuing analysis performed on this intersection did not show an increase in queuing length at this intersection at 2026 or 2031 build-out.

- Existing shared Lakeshore Lanes Access at Pacific Blvd. This was evaluated for separate turn lane analysis and queuing analysis. At year 2026 it was projected to operate at LOS A, V/C of 0.01 during the AM and V/C of 0.10 during the PM peak traffic hours. At year 2031 it was projected to operate at LOS A, V/C of 0.07 during the AM and V/C of 0.13 during the PM peak traffic hours. The intersection will meet ODOT operational standards and can accommodate the development with no mitigation. Queuing analysis did not show an increase in queuing length at this intersection at year 2026 or 2031 build-out.

- New access to 53rd Avenue, east access. This was evaluated for separate turn lane analysis and queuing analysis. This site access is located approximately 95 feet from Pacific Blvd and 53rd Avenue intersection The TIA shows due to the proximity to this intersection and the eastbound left-turn queues, that left-turn movements into the site should be restricted for safe and efficient operations.

8.7 The subject property was part of a Comprehensive Plan Map Amendment and Zone change (CP-01-04 et al). The previous land use had a Traffic Impact Study performed by Lancaster Engineering that evaluated the "Village Center" properties owned by the Schneiders, Martins, and Nyquist. The Village Center overlay was intended to create a fully interconnected neighborhood of mixed uses (commercial, office, recreation, residential units). All the properties within the "Village Center" overlay proposed this designation and were applicants for the proposed amendments. The land use review of the Comprehensive Plan Map Amendment and Zone Amendments included seven separate properties, four owned by Schneider Homes; two owned by Nyquist Ventures, LLC; and one owned by the Martin family. All properties included in the combined applications, CP-01-04 et al, were evaluated together in a traffic impact study with 70 percent of trips generated going to 53rd Avenue and 30 percent going to Highway 99E (Pacific Boulevard). This distribution was used for the increase in generated vehicle trips from the development potential of the site based upon a "worse-case" scenario as an impact under a transportation planning rule (TPR) analysis OAR-660-12-060(1). The evaluated site included an internal connection between 53rd Avenue and Highway 99E. The TPR analysis showed that the trips generated were split between the two approaches and reducing the impacts on 53rd Avenue and Highway 99E intersection. The TPR analysis shows, as analyzed with the trip distribution, that the increase in trips did not cause the need for mitigation. Findings from the staff report for CP-01-04 reference this shared common interior circulation pattern that results in shared access to Highway 99E and 53rd Avenue (see directly below).

1.18 In addition to the review criteria above, Oregon Administrative Rule (OAR) 660-12-060(1) states that ***"Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility."***

The site is located on the southwest corner of Highway 99E and 53rd Avenue, and has frontage on both roads. Highway 99E is classified as a principal arterial street and is under the jurisdiction of ODOT. The street is improved to City standards and includes: curb, gutter, and sidewalk; two travel lanes in each direction; a two-way center left-turn lane; and bike lanes. The speed limit is 50 MPH. 53rd Avenue is classified as a major collector street.

53rd Avenue is in the process of being improved to City standards with a Local Improvement District (LID). Improvement will include: curb, gutter and sidewalk; a travel lane in each direction; bike lanes; and installation of a traffic signal at the intersection of Highway 99E and 53rd Avenue. Tax lots 602, 603 and 604 are not within the LID boundary. When the 53rd Avenue LID was formed, the parcels involved in this zone change were zoned for single-family residential development. The assessment methodology developed with the LID was based upon the assumption that future development of these parcels would be single-family development.

The applicant submitted a traffic study with the application. The study was performed by Lancaster Engineering and is dated June, 2004. ODOT and City staff have reviewed the study. The study assumed the site would be developed with uses permitted under the requested zone designation, and that those uses would have a shared common interior circulation pattern that resulted in shared access to both Highway 99E and 53rd Avenue. Anticipated uses included: a 16-lane bowling alley, 33,560 square feet of retail space, 11,160 square feet of office space, a 4,500-square-foot restaurant, and 18 apartment units. Trip generation estimates were then calculated for the proposed uses and the public street system was analyzed at year 2019 to determine capacity and the extent of any needed improvements.

8.8 Part of the June 2004 traffic study included the Lakeshore Lanes Bowling Alley and the shared access at Highway 99E. The Site Plan Review, SP-14-04, for the development of the Lakeshore Lanes Bowling Alley provided a Traffic Impact Analysis by Lancaster Engineering which built upon the CP-01-04 traffic impact study as a basis for the report as Phase 1 of the overall Village Center site development. Both traffic reports have references to internal road connections to serve all the properties within the Village Center designation.

8.9 Findings from the Site Plan Review, SP-14-04, staff report acknowledges the creation of "private street" and is referenced throughout project as the "village center main street"(below).

1.16 The project proposes a driveway connection to Highway 99E located about 310 feet south of 53rd Avenue. Eventually this access will loop around to a future connection to 53rd Avenue through adjoining property across from Willetta Street. The resulting private street would serve as the sole access to property within the village center, including the applicant's property. In this staff report, the private street is referred to as the village center main street.

8.10 The Traffic Impact Analysis submitted under SP-14-04, noted the overall site development met the warrants for a right-turn on Highway 99E to access the site, but ODOT issued a permit for access without the need for the right-turn lane. At the time of writing the SP-14-04 staff report ODOT had submitted comments conditionally approving the driveway approach to Highway 99E with a possibility of access becoming restricted to a right-in/right-out in the future (see below).

1.19 ODOT has reviewed the development and conditionally approved a request for a driveway approach to Highway 99E. The approach may be restricted to a right-in/out if a safety issue occurs in the future, or if a connection to 53rd Avenue is made.

8.11 Previous land use cases and traffic studies were approved with a common shared accessway between Highway 99E and 53rd Avenue. SP-14-04 Condition 6.1 required shared reciprocal access and parking easement for all properties in the Village Center to promote efficient circulation between uses and to promote connectivity and dispersal of traffic. The proposed development will need to provide a reciprocal access and parking

easement for the benefit of all properties within the Village Center to promote connectivity and dispersal of traffic. The required easement will be located over all driveways and connect to Lakeshore Lanes' shared accessway and provide connection to vacant properties identified upon the Linn County Tax Assessment Map as 11S04W24DA01401 and 11S04W24DA01402.

8.12 During the public notice period comments were submitted from the abutting property owner expressing concern of additional traffic being directed through the Lakeshore Lane's existing driveway to OR99E. As mentioned in the findings above, the interconnected nature of the uses within a Village Center designation was not an unintended consequence, as some of the comments received on this development seem it imply, it was the goal.

8.13 Albany's Transportation System Plan (TSP) does not identify any level of service or congestion issues adjacent to the proposed development.

Conclusions

8.1 The development's frontage on 53rd Avenue is improved to city standards.

8.2 The project will construct a 108-unit multi-family apartment complex.

8.3 The development will create new accesses to 53rd Avenue. The design and location of the driveways comply with the standards contained in ADC 12.100. The east driveway shall be restricted to right-in and right-out movements. Existing access to the site along 53rd Avenue and Pacific Boulevard will be removed and replaced with standard curb, gutter and sidewalk.

8.4 The applicant submitted a traffic impact study with the application. The development is projected to generate approximately 768 vehicle trips per day, of which 67 would occur during the peak PM traffic hour. All studied intersections and driveways were found to meet ODOT and City of Albany performance standards at buildout of the development. The TIA recommended that the center turn lane be used for westbound left-turn movements into the site.

8.5 The development is consistent with previous traffic studies for new trip impacts to adjacent streets. The proposed development is to maintain the internal connection between adjacent uses and properties to disperse traffic between 53rd Avenue and Highway 99E with 30 percent of the trips generated going to the access on Highway 99E and 70 percent going to the 53rd Avenue access. ODOT may require a new access agreement for Highway 99E for further development of the Village Center. The applicant shall coordinate with ODOT for any work or modifications for access onto Highway 99E.

8.6 The development will need to provide a reciprocal access and parking easement for the benefit of all properties within the Village Center.

8.7 Albany's Transportation System Plan does not identify any level of service or congestion issues adjacent to the proposed development.

Condition

Condition 14 Prior to the issuance of any occupancy, the applicant shall construct a new driveway approach to 53rd Avenue at the size and location shown on the approved site plan. The existing driveways along 53rd Avenue and upon Pacific Boulevard must be removed. All work shall be constructed to City Standards under a Public Works encroachment permit. The applicant shall restrict left turn movements leaving the

site including the following:

- Right-in/Right-out restriction at eastern 53rd Avenue access. This access shall have a "pork-chop" style restriction meeting City of Albany standards.
- Western 53rd Avenue access shall include median transition restriping of center-turn lane to be a left-turn pocket of approximately 75 feet as shown on the approved site plan.
- Remove and replace driveways not being used with standard curb and gutter. Work in Highway 99E/Pacific Boulevard will require an ODOT permit.

Condition 15 Prior to final plat, the developer shall provide a reciprocal access and parking easement for the benefit of all properties within the Village Center.

Condition 16 Prior to any occupancy the developer shall construct all shared vehicle, pedestrian, and bicycle connections to adjacent properties within the Village Center.

Criterion 9

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

Findings of Fact and Conclusion

9.1 AMC 12.45.030 requires that a post-construction stormwater quality permit is obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than 5,000 square feet or more of impervious surface area, including all phases of the development. (Ord. 6012 § 2, 2023; Ord. 5841 § 3, 2014).

9.2 The proposed development will create or replace more than 5,000 square feet of impervious surface. The applicant provided a preliminary drainage plan and storm report for the project. The applicant's preliminary site improvement plan shows constructing a private piped system on site to convey the building's runoff and site runoff through vegetated water quality swale discharging to an existing onsite stormwater system.

Conclusions

9.1 The applicant must provide stormwater quality and detention facilities for the proposed development as generally shown on the preliminary utility plans.

Condition

Condition 17 Prior to issuance of any building permits, the applicant must apply for stormwater quality permit through the City's Public Works Department. Prior to final occupancy the applicant must construct stormwater quality and detention facilities that comply with the City's Engineering Standards.

Criterion 10

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

Findings of Fact and Conclusion

10.1 The subject properties were approved for a concurrent Comprehensive Plan Map Amendment and Zone Map Amendment under land use case numbers CP-01-04 & ZC-01-04. The proposal changed the Comprehensive Plan from Urban Residential Reserve (URR) to Village Center (VC) and amend the zoning map to increase the Open Space zone to include the entirety of the floodplain as well as possible wetlands and re-zone the remaining land as Mixed Use Commercial (MUC).

10.2 This criterion is met.

Criterion 11

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

Findings of Fact and Conclusion

11.1 The existing development (communication tower) is not considered nonconforming. This criterion is not applicable.

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

Criterion 1

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

Findings of Fact

1.1 The subject property is split zoned Mixed-Use Commercial (MUC) and Open Space (OS). The proposal is to develop a 108-unit multi-dwelling upon the MUC zoned portion of the subject property. Multi-dwelling development is an allowed use within the MUC zoning district. The proposed development does not include any encroachments into the OS overlay zone.

1.2 This criterion is met without conditions.

Criterion 2

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

Findings of Fact

2.1 The subject property consists of 8.49 acres and contains approximately 4.9 acres within a natural resource overlay district such as the Special Flood Hazard Area, Significant Wetlands along a tributary of Oak Creek, and an associated Riparian Corridor which extends 50 feet from the upland edge of the Significant Wetlands. Prior to submitting the applications for development of the site, the property owner had a Wetland study conducted in order to delineate the upland extent of the wetlands upon the property (Attachment G). The wetland study found the edge of the wetland extended further upland than indicated upon the City's significant natural resources maps.

2.2 ADC 6.430 "District Boundary Corrections and Refinements" states the boundaries for Significant Natural overlay districts are approximate. District boundary corrections/refinements is an alteration made, based on professional analyses, to refine the boundary line of the Significant Natural Resource overlay districts. In the case of adjustments to the Riparian Corridor, when an approved wetland delineation or determination results in a change to the boundary of the significant wetland adjacent to the riparian corridor, the Riparian Corridor overlay boundary will be adjusted accordingly.

2.3 The boundary correction and refinement of both the Significant Wetlands and the associated Riparian Corridor reduced the amount of development land upon the already constrained property. The applicant adjusted the locations of proposed buildings and the location of other site improvements to limit the total square footage of encroachments into the Riparian Corridor. The applicant's proposal will encroach into the refined Riparian Corridor at three locations, a portion of Building 4, a portion of Building 5, and a portion of provided parking next to Building 5. All encroachments are less than 25 feet into the Riparian Corridor and total 2,703 square feet.

2.4 This criterion is met without conditions.

Criterion 3

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

Findings of Fact

3.1 The subject property consists of 8.49 acres and contains approximately 4.9 acres within a natural resource overlay such as the Special Flood Hazard Area, Significant Wetlands along a tributary of Oak Creek, and an associated Riparian Corridor which extends 50-feet from the upland edge of the Significant Wetlands. Prior to submitting applications for development of the site the property owner had a Wetland study conducted in order to delineate the upland extent of the wetlands upon the property (Attachment G). The wetland study found the edge of the wetland extended further upland than indicated upon the City's significant natural resources maps.

3.2 As previously mentioned, the applicant had completed a wetland delineation which found the upland edge of the significant wetlands were more expansive than upon the City's mapped inventory. The district boundary corrections and refinements provisions of ADC 6.430 amended the location of the Riparian Corridor to extend 50 feet from the delineated significant wetland boundary. The development, as proposed, will contain three encroachments into the amended Riparian Corridor overlay; none of which will encroach further than 25 feet and come to a total of 2,703 square feet of impervious area. The proposed development will not encroach into the delineated Significant Wetlands or the Special Flood Hazard Areas upon the subject property.

3.2 When a request is made to develop or impact the Riparian Corridor overlay district area per ADC 6.310(B)(2)(b), a mitigation plan is required for enhancement of the remaining area per ADC 6.410.

3.3 The mitigation plan must document the location of the impact, the existing conditions of the resource prior to impact, presence of invasive species, the location of the proposed mitigation area, a detailed planting plan of the proposed mitigation area with species and density, and a narrative describing how the resource will be replaced, and how debris and invasive species will be removed.

3.4 The applicant's consultant, Zion Natural Resources Consulting, characterized existing conditions as a forested riparian area with the drainage and wetland areas dominated by Fraxinus latifolia and Carex obnupta. The upland areas, development site, as "remnant pasture containing non-native grasses and forbs long with patches of Himalayan blackberry". The consultant concluded the impact areas are considered Degraded Quality as defined in Table 6.410-1 for Riparian Corridor Overlays.

3.5 Staff agrees with the applicant that the impact areas upon the site are consistent with the "Degraded" classification found in Table 6.410-1 of the ADC. The submitted mitigation plan includes mitigation strategies to enhance the mitigation site within the riparian buffer area to "Marginal Quality." The mitigation plan also provided recommendations for the removal and control of invasive non-native grasses, weeds, and blackberries from the site (Attachment F).

3.6 The property owner subject to an approved mitigation plan must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120

percent of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

3.7 A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. The City may arrange an on-site inspection to verify information contained in the report. If the survival rate for tree and shrub species is below 80 percent, a replanting strategy shall be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Community Development Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80 percent, the bond will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80 percent, the bond will be forfeited.

3.8 This criterion can be met through conditions of approval.

Conditions

Condition 18 The applicant or property owner must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

Condition 19 A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation.

Criterion 4

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

Findings of Fact

4.1 The application submittal included Riparian Corridor Local Mitigation Plan for the Loren at Brookside Project report prepared by Zion Natural Resources Consulting dated November 2025.

4.2 The provided mitigation plan documents the impacts of the proposed encroachments into the Riparian Corridor. The report notes a total of three encroachments are proposed as part of the development plan which comes to a total of 2,703 square feet of encroachment areas.

4.3 The submitted report details the existing condition of the site as a forested riparian area along the tributary to Oak Creek. The drainage and wetland area is dominated by Oregon

Ash (*Fraxinus latifolia)* and slough sedge (*Carex obnupta*) with the uplands consisting of a mosaic of non-native grasses and forbs along with patches of Himalayan blackberry (*Rubus armeniacus*). The riparian corridor expands 50 feet upland of the edge of the delineated wetland boundary and is part of the uplands conditions. Based upon the site survey of the property the consultant concluded the impact areas are of Degraded Quality as defined in Table 6.410-1 for Riparian Corridor Overlays.

4.4 The submitted mitigation report noted that using the undisturbed vegetation upon the site is limited based on the concern of the Emerald ash borer primarily hosts on all species of ash. Based upon this limitation and the presence of invasive species, the mitigation plan proposes to reintroduce the Willamette Valley Ponderosa Pine, which was once a dominant species throughout the Willamette Valley, and bitter cherry. The proposed herbaceous layer is to be a native grass seed mix.

4.5 ADC 6.310(2)(b) allows disturbance or development within the Riparian Corridor overlay district under specific circumstances. ADC 6.310(2)(b)(ii) requires the applicant to demonstrate that equal or better protection will be ensured though riparian corridor restoration and enhancement within the remaining overlay district area. The local mitigation standards require on-site enhancement where the Riparian Corridor overlay district is impacted (ADC 6.400(2)(a)). The applicant has requested to utilize the standards under ADC 6.400(2)(b) where mitigation will occur upon the site and as close to the impact area as reasonably feasible, taking into consideration the existing natural and human-made features of the site.

4.6 Guidance from the Oregon Department of State Lands and the U.S. Army Corps of Engineers recommends placing mitigation sites in areas that are removed from potential future human disturbances and that provide access to irrigation. Based upon these facts the applicant proposes on-site mitigation in the southeast corner of the site, south of Building #6. This location is within a degraded portion of the riparian corridor, the same Significant Resource overlay district, in the same drainage system.

4.7 Based upon the submitted mitigation plan the mitigation site consists of a 1:1 ratio of 2,703 square feet of mitigation area to compensate for the 2,703 square feet of encroachment areas. The preliminary landscape plan indicates the planning of four Willamette Valley Ponderosa Pines and three bitter cherry trees and 2,703 square feet of river refuge seed grass mix

4.8 This criterion is met with the following condition.

Condition

Condition 20 Tree replacements must have a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed.

Criterion 5

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

Findings of Fact

5.1 Staff routed the proposed development to the Oregon Department of State Lands (DSL). DSL submitted a response to the proposed development requesting the referenced wetland delineation be submitted to DSL for concurrence. Received comments indicated a federal permit may be required by the Army Corps of Engineers (Attachment H).

5.2 As a condition of approval, the applicant must obtain a DSL concurrence of the performed wetland delineation prior to the issuance of any development permits.

5.3 This criterion can be met with the following condition.

Condition

Condition 21 Prior to the issuance of a development permit, the submitted wetland delineation must receive concurrence from the Oregon Department of State Lands.

Criterion 6

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

Findings of Fact

6.1 Findings addressing ADC 6.310(B)(2)(b), Permanent Alteration Within the Riparian Corridor are addressed below and incorporated herein by reference.

6.2 This criterion is met without conditions.

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

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

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

Criterion (i)

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

Findings of Fact

i.1 According to the applicant's consultant, the resource adjacent to the Oak Creek tributary is classified as "degraded," using the quality levels for riparian corridors in Table 6.410-1. Degraded Quality is defined as having "less vegetation and canopy coverage than Marginal Quality, and/or greater than 10 percent coverage of any non-native species." Marginal Quality is defined as having a "combination of native trees, shrubs, and groundcover are at least 80 percent of the overlay area, and there will be 25 percent-50 percent tree canopy coverage at maturity."

i.2 Mitigation requirements for a resource that is considered "degraded" is as follows: "Enhance to at least Marginal Quality with an approved plan (mature overlay area coverage will be estimated); A smaller ratio of 1.0 (impact area) to 0.5 (mitigation area) may be allowed for restoration to Good Quality."

Conclusions

i.1 The riparian corridor where impacts are proposed are classified as degraded quality.

i.2 The resource must be restored to marginal quality with an approved mitigation plan.

i.3 A condition of approval will require the removal of invasive Himalayan blackberry and nonnative grasses and forbs using the method described by the consultant.

Conditions

Condition 22 Nonnative grasses and forbs will be removed with a broad-spectrum herbicide such as Roundup (glyphosate) applied at labeled rates in late spring and thereafter as required to prepare the site for seeding.

Condition 23 The invasive Himalayan blackberry must be removed from the mitigation planting area.

Criterion (ii)

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

Findings of Fact

ii.1 The mitigation plan will consist of installing native plant materials as indicated on the Mitigation Plan (Attachment F). By installing these plants in their proposed quantities, the natural resource area would be improved to a marginal quality riparian corridor area after successful completion of the Mitigation Plan. The selected plant species are native to western Oregon.

ii.2 Ground cover will consist of an herbaceous stratum “River Refuge Seed” grass mix which is composed of native riparian grasses.

ii.3 The findings, conclusions and conditions provided under Criterion 3 above are hereby incorporated by reference.

Conclusion

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

Criterion (iii)

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

Findings of Fact

iii.1 The proposed development will contain three separate permanent encroachments into the Riparian Corridor overlay district. The three encroachments, together, come to a total of 2,703 square feet, and do not encroach more than 25 feet into the amended Riparian Corridor overlay district.

iii.2 The riparian buffer will only be improved with a landscape mitigation plan that will restore the riparian corridor from “degraded” to “marginal” quality if the plan is followed.

Conclusion

iii.1 This criterion is met without conditions.

Natural Resource Mitigation Standards (ADC 6.400)

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

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

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

(1) When Mitigation is Required: Mitigation will be required under the following circumstances:

(a) Removal of one or more native trees greater than 25 inches in circumference, which requires replacement per section (2)(c).

(b) Disturbance of more than 2,000 square feet of vegetated surface area. This level of impact will require a mitigation plan per 6.410.

(c) When a request is made to develop or impact the Riparian Corridor overlay district area per 6.310(B)(2)(b), a mitigation plan will be required for enhancement of the remaining area per 6.410.

Findings of Fact

1.1 The proposed development consists of a 108-unit multi-dwelling development and associated site improvements. Due to the existing configuration of the subject property and the location of natural resources the proposed development will include encroachments into the Riparian Corridor overlay district. As proposed, the development includes a total of three encroachments totaling 2,703 square feet of impact. A mitigation plan is required for enhancement of the remaining area per ADC 6.410.

1.2 The applicant submitted a mitigation plan for enhancing a mitigation area within the Riparian Corridor area located on the subject property (Attachment F).

Conclusion

1.1 This standard is met without conditions.

(2) Local Mitigation Standards:

(a) On-site enhancement is required when the 50-foot area of the Riparian Corridor overlay district is impacted per 6.310(B)(2)(b), unless the activity is otherwise exempted per this section of the Code.

(b) For other mitigation options, on-site mitigation shall occur within the relevant Significant Resource overlay district as close to the impact area as reasonably feasible, taking into consideration the existing natural and human-made features of the site.

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

(i) Within the impacted Significant Resource overlay district in the same drainage system; or

(ii) Outside the impacted Significant Resource overlay district, but within 100 feet of a Significant Resource overlay district in the same drainage system; or

(iii) Outside the same drainage system, but within a Significant Resource overlay district.

(c) Tree replacement requires planting a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed. The replanted tree shall be of a species that will eventually equal or exceed the removed tree in size if appropriate for the new location.

(d) Mitigation for impacts shall require a mitigation area ratio of 1:1; however, if the quality of the resource is enhanced or restored per 6.410(5) the ratio may be lowered with Director approval.

(e) Planting densities and species composition shall be consistent with native wetland and riparian area plant communities currently or historically found in the drainage basin. Use of a reference site as guidance for developing a revegetation plan is recommended.

(f) Any mitigation requirements resulting from a proposed land division, shall require a mitigation plan concurrent with the land division process.

Findings of Fact

2.1 Onsite enhancement is being proposed due to the impacts of three separate encroachments, totaling 2,703 square feet into the Riparian Corridor on the subject property. The proposed encroachments do not encroach more than 25 feet into the Riparian Corridor and will not impact the Significant Wetlands or the Special Flood Hazard Areas upon the subject property.

2.2 Findings addressing this standard are located within Criterion 4 of the Natural Resource Impact Review and are incorporated herein by reference.

Conclusion

2.1 Findings addressing this standard are located within Criterion 4 of the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference.

2.2 This standard is met through conditions of approval addressed within this staff report and incorporated herein by reference.

Natural Resource Mitigation Standards (ADC 6.410)

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

(1) The mitigation plan shall document the location of the impact, the existing conditions of the resource prior to impact, presence of invasive species, the location of the proposed mitigation area, a detailed planting plan of the proposed mitigation area with species and density, and a narrative describing how the resource will be replaced, and how debris and invasive species will be removed.

(2) The mitigation plan shall comply with all applicable State and Federal regulations, in addition to the City's standards. The City may approve a development but shall not issue a building permit until all required State and Federal permit approvals have been granted and copies of those approvals have been submitted to the City.

(3) The applicant or property owner of a development subject to an approved mitigation plan shall provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance shall be in place before the issuance of development permits to ensure the success of mitigation improvements and the survival of the plants. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented per (4) below. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy. When the City of Albany, or another unit of government, is the applicant, it must adhere to the standards in this section, but an assurance is not required.

(4) A report on the survival and health of planted vegetation, and the status of invasive species, shall be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. The City may arrange an on-site inspection to verify information contained in the report. If the survival rate for tree and shrub species is below 80 percent, a replanting strategy shall be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80 percent, the bond described in (3) will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80 percent, the bond will be forfeited.

(5) Table 6.410-1 below summarizes the quality levels, mitigation requirements and expected condition of the significant wetlands and riparian corridor areas after successful completion of the mitigation plan; ODFW will solely determine the requirements for mitigation of significant wildlife habitat.

Findings of Fact

1.1 Onsite enhancement is being proposed due to the impacts of three separate encroachments, totaling 2,703 square feet into the Riparian Corridor on the subject property. The proposed encroachments do not encroach more than 25 feet into the Riparian Corridor and will not impact the Significant Wetlands or the Special Flood Hazard Areas upon the subject property. As such, the project requires a Natural Resource Impact Review and compliance with mitigation standards in accordance with ADC 6.400 and 6.410.

1.2 The condition of the buffer along the east side of the subject property is characterized as “degraded,” using the quality levels for riparian corridors in Table 6.410-1 of the Albany Development Code.

1.3 Findings addressing assurances of completion are located within Criterion 3 and 4 of the Natural Resource Impact Review portions of this staff report and are hereby incorporated by reference.

1.4 Conditions of approval listed above and are hereby incorporated by reference.

Conclusion

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

1.2 This criterion is met through conditions of approval listed above and are hereby incorporated by reference.

Overall Conclusion

As proposed and conditioned, the application for a Replat, Site Plan Review, and Natural Resource Impact Review satisfies all applicable review criteria as outlined in this report.

Conditions of Approval

Condition 1 **Archeological Discovery.** Prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.

Condition 2 **Bicycle Parking.** Prior to the issuance of building permits, the applicant must provide lighting details within each of the bicycle shelters and the location of all curb cuts providing access to the bicycle parking areas.

Condition 3 **Electrical Vehicle Charging**. Prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.

Condition 4 **Lighting Details**. Prior to any issuance of occupancy, all exterior lighting must be arranged to reflect light away from abutting or adjacent properties.

Condition 5 **Walkways.** Prior to the issuance of any occupancy the applicant must demarcate the pedestrian crossing within the travel aisle by a different color, texture or elevation from the parking and driving areas.

Condition 6 **Pedestrian and Bicycle Connectivity**. Prior to the issuance of building permits, the developer shall provide to Public Works and the Planning Department a site circulation plan with a direct and convenient pedestrian and bicycle access through the site to adjacent properties, uses, and public right-of-way.

Condition 7 **Buffering Standards.** Prior to the issuance of any occupancy, all required buffering landscaping must be installed.

Condition 8 **Landscaping.** Prior to the issuance of final occupancy, all landscaping must be installed or financially insured under ADC 9.190(1)

Condition 9 **Irrigation of Required Landscaping**. An irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.

Condition 10 **Sanitary Sewer.** Prior to connecting to the public sanitary sewer for a new sanitary sewer service an Encroachment Permit must be obtained from the Public Works Department.

Condition 11 **Public Water.** Prior to connecting to the public water main for proposed fire line, the applicant must obtain a Site Improvement permit from Public Works Department

Condition 12 **Encroachment Permit.** Prior to connecting to the public storm drainage system for a new storm service an Encroachment Permit must be obtained from the Public Works Department.

Condition 13 **Erosion Control.** Prior to any ground disturbing activities, the applicant must obtain an Erosion Prevention and Sediment Control Permit for Public Works Department and install Best Management Practices**.**

Condition 14 **Transportation.** Prior to the issuance of any occupancy, the applicant shall construct a new driveway approach to 53rd Avenue at the size and location shown on the approved site plan. The existing driveways along 53rd Avenue and upon Pacific Boulevard must be removed. All work shall be constructed to City Standards under a Public Works encroachment permit. The applicant shall restrict left turn movements leaving the site including the following:

- Right-in/Right-out restriction at eastern 53rd Avenue access. This access shall have a "pork-chop" style restriction meeting City of Albany standards.
- Western 53rd Avenue access shall include median transition restriping of center-turn lane to be a left-turn pocket of approximately 75 feet as shown on the approved site plan.
- Remove and replace driveways not being used with standard curb and gutter. Work in Pacific Boulevard will require an ODOT permit.

Condition 15 **Transportation.** Prior to final plat, the developer shall provide a reciprocal access and parking easement for the benefit of all properties within the Village Center.

Condition 16 **Transportation.** Prior to any occupancy the developer shall construct all shared vehicle, pedestrian, and bicycle connections to adjacent properties within the Village Center.

Condition 17 **Stormwater.** Prior to issuance of any building permits, the applicant must apply for stormwater quality permit through the City's Public Works Department. Prior to final occupancy the applicant must construct stormwater quality and detention facilities that comply with the City's Engineering Standards

Condition 18 **Natural Resources Mitigation.** The applicant or property owner must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

Condition 19 **Natural Resources Mitigation.** A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation.

Condition 20 **Natural Resources Mitigation.** Tree replacements must have a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed.

Condition 21 **Natural Resources Mitigation.** Prior to the issuance of a development permit, the submitted wetland delineation must receive concurrence from the Oregon Department of State Lands.

Condition 22 **Natural Resources Mitigation.** Nonnative grasses and forbs will be removed with a broad-spectrum herbicide such as Roundup (glyphosate) applied at labeled rates in late spring and thereafter as required to prepare the site for seeding.

Condition 23 **Natural Resources Mitigation.** The invasive Himalayan blackberry must be removed from the mitigation planting area.

Attachments

A. Location Map
B. Site Plan
C. Applicant's Narrative
D. Building Elevations
E. Landscaping Plan
F. Mitigation Plan
G. Wetland Delineation
H. Comments from Affected Agencies
I. Submitted Comments

Acronyms

ADA	Americans with Disabilities Act
ADC	Albany Development Code
ADT	Average Daily Trip
AMC	Albany Municipal Code
CP	Comprehensive Plan Amendment file designation
DSL	Oregon Department of State Lands
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
ITE	Institute of Transportation Engineers
MUC	Mixed-Use Commercial
ODOT	Oregon Department of Transportation
OS	Open Space
R-6.5	Residential Low Density
RC	Riparian Corridor
SP	Site Plan Review file designation
SW	Significant Wetlands
TIA	Traffic Impact Analysis
TSP	Transportation Systems Plan

Attachment 5
(Post-Decision Letter)

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

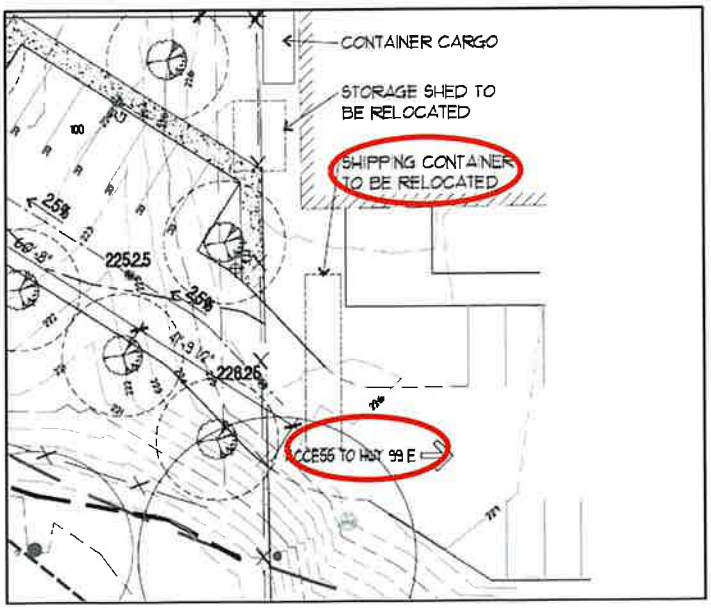
February 20, 2026

Roger Nyquist
Nyquist Ventures LLC
2896 Firwood Pl. SE
Albany, OR 97321

Dear Mr. Nyquist,

Regarding Decision for Site Plan Review, Replat, and Natural Resource Impact Review
City of Albany Planning Files SP-15-25, RL-08-25, & NR-03-25
Address: 1122 53rd Avenue SW, 1190 53rd Avenue SW, 5310 Pacific Boulevard SW
Linn County Assessor's Map No. 11S-04W-24DA; Tax Lots 1200, 1300, & 606

This letter serves as confirmation and acknowledgment that the Notice of Decision for the proposed development on the properties included in above land use decision that was issued on February 19, 2026, herein referenced as the "Schneider Development", does not impose any conditions of approval that require changes or actions outside of the property boundaries contained in the application. (Not withstanding any required improvements in adjacent the rights of way of the City of Albany or Oregon Department of Transportation) Specifically, the Notice of Decision issued for the Schneider Development contains a copy of the approved site plan which contains two call outs; one referring to an existing shipping container wholly located on property owned by Nyquist Ventures, LLC, and another note indicating access to HWY 99E. For clarity an image is shown below.



These call outs are shown for reference purposes only and refer to a potential future scenario in which access from the Schneider Development would obtain legal access through Nyquist Ventures, LLC property, to HWY 99E. If this were to occur, based on that particular scenario, the existing shipping container would need to be relocated and a legal easement from Nyquist Ventures, LLC would need to be granted. Neither of these two items are required at this time.

In summary, the mere presence of these two notes shall not be construed/interpreted, implied or otherwise, as a condition of approval of the Schneider Development, nor does it place any requirement, condition, or grant of permission to the Schneider Development that would impact or result in any action on the adjacent Nyquist Ventures, LLC at this time, by way of the Notice of Decision referenced above.

I hope this helps provide clarity on this topic and for continued clarity in the future, a copy of this letter will be included in the case file for this land use decision. If you have any questions or concerns, please do not hesitate to contact me by phone at 541-917-7674 or by email at matthew.ruettgers@albanyoregon.gov.

Sincerely,

[redacted]

Matthew Ruettgers
Community Development Director

Davis Wright Tremaine LLP

Suite 700
560 SW Tenth Ave
Portland, OR 97205

Elaine Albrich
[redacted]

March 13, 2026

VIA EMAIL (David.Martineau@albanyoregon.gov)

Planning Commission
c/o David Martineau
City of Albany
333 Broadalbin St SW,
Albany, Oregon 97321

Re: Appeal of Schneider Homes, Inc. Notice of Decision
SP-15-25, RL-08-25 & NR-03-25

Dear Chair Miller, Vice-Chair Larson, and Fellow Members of the Commission:

On behalf of Nyquist Ventures, LLC ("Nyquist"), we hereby submit the enclosed Traffic Evaluation to be added to the record prior to the hearing scheduled on March 16, 2026.

Very Truly Yours,

Davis Wright Tremaine LLP

[redacted]

Elaine Albrich

cc: Roger Nyquist
Sean Kidd, City of Albany Counsel
Jenna Bogert, DKS

4929-1937-8071v.1 0126739-000001

TRAFFIC EVALUATION

DATE: March 13th, 2026

TO: Roger Nyquist | Nyquist Ventures, Inc.

FROM: Jenna Bogert, PE (OR, WA) | DKS Associates

SUBJECT: Traffic Evaluation of Albany Multifamily Housing Development P26564-000

INTRODUCTION

This memorandum evaluates the transportation impacts to the Lakeshore Lanes property due to the proposed 108-unit multifamily housing development (The Loren at Brookside) on the adjacent property. The site plan for the proposed multifamily housing development shows two access points onto 53rd Drive (one full access and one right-in/right-out only access) as well as a direct connection to the Lakeshore Lanes parking lot (see figure below).

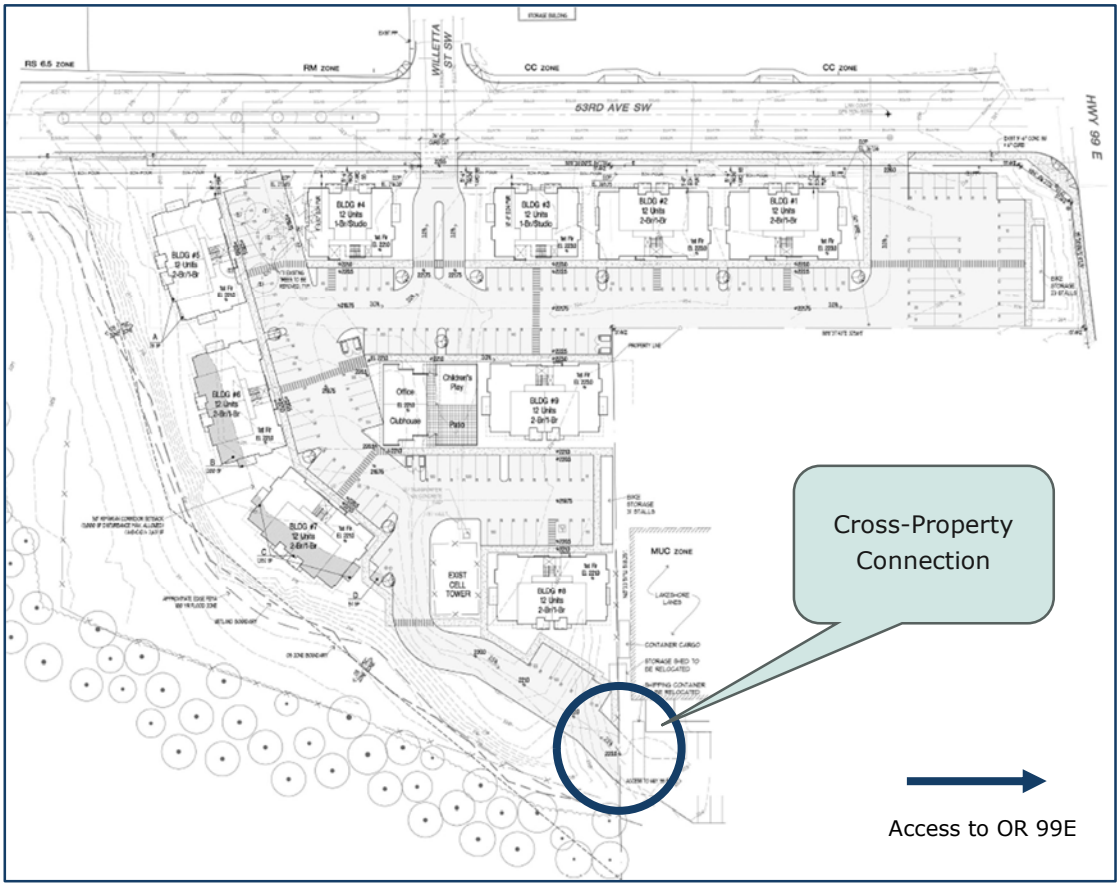


FIGURE 1: PROPOSED DEVELOPMENT SITE PLAN

The cross-property connection would allow vehicles from the multifamily development or existing traffic on 53rd Avenue to directly access OR99E through the Lakeshore Lanes property. This presents safety concerns for patrons of Lakeshore Lanes, many of which are children, and could

create a cut-through route on the property, adding even more vehicle traffic through the Lakeshore Lanes property. This memorandum provides an evaluation of traffic impacts resulting from the direct connection between the two properties and describes the potential safety impacts.

TRAFFIC EVALUATION

ADEQUATE OPERATIONS WITHOUT CROSS-PROPERTY ACCESS

The submitted Transportation Impact Analysis (TIA)[1] for the 108-unit housing development assumed 30% of site-generated traffic would use the direct connection between the Lakeshore Lanes property to access the site (17 AM peak hour trips and 20 PM peak hour trips). The TIA showed that the two site accesses on SW 53rd Avenue and the signalized intersection of OR 99E and 53rd will meet the operating standards under 2026 and 2031 post-development conditions.

Using the data from the TIA, DKS re-analyzed the vehicle operations at those same study intersections, but without the direct connection between the two properties. This would mean that all vehicle trips would have to access the housing development via the two site driveways on 53rd Avenue and the traffic signal at OR99E. The re-analysis results confirm that all study intersections will still meet the applicable operating standards even if the direct connection between the properties is not constructed. **The provision of the cross-property connection provides no benefit to the transportation system and is not needed to adequately serve current or future forecasted traffic demands.**

SAFETY IMPACTS

Lakeshore Lanes has a mini-golf course, bowling lanes, arcade, and full menu food service. The site hosts thousands of birthday parties, school events, Special Olympic events, and senior bowling events throughout the year. Buses transporting people with disabilities, children, and seniors typically use the southern parking lot to load/unload for these events. Because the mini-golf course and the bowling alley/arcade building are located on opposite sides of the southern parking lot aisle, there is constant foot traffic across the parking lot aisle daily.

The cross-property connection would increase traffic through this parking lot and create a significant safety issue for vulnerable pedestrians (children, seniors, people with disabilities). The south parking lot at Lakeshore Lanes is not intended to accommodate through traffic. The wide parking lot aisle would encourage higher vehicle speeds, and the lack of sidewalks and crosswalks would make pedestrians vulnerable to the higher volume of unpredictable traffic through the area.

[1] Albany Apartments Transportation Impact Analysis, Clemow Associates, September 24, 2025.

CUT-THROUGH TRAFFIC

Another impact to the Lakeshore Lanes property resulting from a cross-property connection is the potential for cut-through traffic. Existing traffic traveling east on 53rd Avenue towards OR 99E, especially in the AM peak hour, would be able to avoid queues and delays at the traffic signal at OR99E by cutting-through the apartment site and Lakeshore Lanes. **The presence of an alternate route to OR 99E could encourage drivers to cut-through the two properties; this could create a hazard for drivers backing out of parking stalls, generate additional traffic noise, and result in vehicle speeding or other risky driver behaviors for both sites.**

ACCESS LIMITED TO LOWER CLASSIFICATION STREET DESIRED

Per the City's code (section 12.100), properties with frontage on more than one street may be restricted to access on the street of a lower classification. This is strongly encouraged to promote safety by reducing the number of conflicts between site-generated traffic and through traffic on higher-speed, higher volumes roads (e.g., OR 99E). Lower classification streets are typically lower-speed and lower volume (e.g., 53rd Avenue), creating a safer environment for vehicles to enter and exit driveways. Limiting the proposed multifamily site accesses to 53rd Avenue preserves the function of the surrounding street system and promotes efficiency.

SUMMARY

The following text summarizes the key points of this memorandum.

- The provision of the cross-property connection provides no benefit to the transportation system and is not needed to adequately serve current or future forecasted traffic demands.
- The cross-property connection would increase traffic through this parking lot and create a significant safety issue for vulnerable pedestrians (children, seniors, people with disabilities). The south parking lot is used as a loading area for buses for large events and is the location of constant foot traffic to and from the mini-golf course. The wide parking lot aisle would encourage higher vehicle speeds, and the lack of sidewalks and crosswalks would make pedestrians vulnerable to the higher volume of unpredictable traffic through the area.
- The cross-property connection could result in cut-through traffic that would impact the ease and safety of parking, generate additional traffic noise, and encourage higher speeds or other risky driver behaviors for both the housing development and Lakeshore Lanes.
- Limiting the site driveways to the proposed multifamily site to 53rd Avenue preserves the function of the surrounding street system, creates a safer environment for vehicles leaving/entering the site, and promotes efficiency.

clemow
associates LLC

March 16, 2026

City of Albany Planning Commission
c/o David Martineau
333 SW Broadalbin Street
Albany, Oregon 97321

Sent via email to: David.Martineau@albanyoregon.gov

Re: **Appeal of Schneider Homes, Inc. Notice of Decision SP-15-25, RL-08-25 & NR-03-25 – Albany, Oregon**
Technical Letter #1 – Response to Appeal Comments

Albany File Numbers SP-15-25, RL-08-25 and NR-03-25
C&A Project Number 20220802.00

Dear Chair Miller, Vice-Chair Larson, and Fellow Members of the Commission,

This technical letter responds to the March 13, 2026, Traffic Evaluation of the Albany Multifamily Housing Development prepared by DKS Associates. It is consistent with and is based on the materials contained in the September 24, 2025, Albany Apartments Schneider Homes Transportation Impact Analysis (2025 TIA) prepared by Clemow & Associates. The following items are specifically addressed in this letter:

1. Access and Circulation Considerations
2. Operations Without Cross-Property Access
3. Summary

1. ACCESS AND CIRCULATION CONSIDERATIONS

During the process of defining the scope of work for the applicant's 2025 TIA, the applicant initially proposed having only development access to 53rd Avenue SW to the north. However, at City direction, the applicant was required to assume motor vehicle and pedestrian connections to the existing Lakeshore Lanes site to provide access to OR 99E. Subsequently, the applicant's site plan and supporting transportation analysis were prepared to account for these connections.

Referring to the applicant's site plan, the OR 99E access connects to the apartment parking areas and provides a circuitous connection to 53rd Avenue SW. As such, it is unrealistic to assume that there will be vehicle cut-through traffic from motorists attempting to avoid any delays associated with traveling through the OR 99E/53rd Avenue SW intersection.

As identified in the *Operations Analysis* section of the 2025 TIA, the OR 99E/53rd Avenue SW intersection is anticipated to operate well within the Agency mobility standards in all scenarios. More specifically, the standard is a volume-to-capacity (v/c) ratio of 0.85, and in the 2031 Post-Development scenarios, the intersection is anticipated to operate at a v/c of 0.51 during the AM peak hour and 0.54 during the PM peak hour. As such, motorists will not experience excessive delays.

Further, the OR 99E/53rd Avenue SW intersection approach movements that could potentially cut through the development are limited to the northbound left-turn and eastbound right-turn movements. Referring to the detailed Synchro operations analyses contained in Appendix E of the 2025 TIA, these movements have low delays. More specifically, the northbound left-turn movement peak-hour delays are less than 25 seconds, and the eastbound right-turn movement delays are less than 18 seconds.

Notwithstanding that the potential for cut-through traffic is low, to further discourage this behavior, the applicant could install traffic-calming devices, such as speed humps or raised crosswalks, within the proposed development to force drivers to slow down.

2. OPERATIONS WITHOUT CROSS-PROPERTY ACCESS

While these analysis materials are not contained in the 2025 TIA or the DKS Traffic Evaluation, it is correctly identified that the OR 99E/53rd Avenue SW intersection, and the development accesses to 53rd Avenue SW, will operate within the agency mobility standard (a v/c $\leq$ 0.85) in all scenarios without the development access to OR 99E.

As such, a cross-property connection is not needed to adequately serve current or future traffic demands.

3. SUMMARY

The materials presented in this technical letter are consistent with and support the applicant's 2025 TIA.

With the provision of the cross-property connection, the potential for cut-through traffic is low. To further discourage this potential behavior, the applicant could install traffic-calming devices, such as speed humps or raised crosswalks, within the proposed development to force drivers to slow down.

Additionally, operations analysis finds that a cross-property connection is not needed to adequately serve current or future traffic demands.

Sincerely,

[redacted]

Christopher M. Clemow, PE, PTOE
Transportation Engineer



c: Zach Schneider, Schneider Family Homes

Cepello, Jennifer

From: Linda Howe [redacted]
Sent: Monday, March 16, 2026 11:22 AM
To: Cepello, Jennifer
Subject: Notice of Pubic Hearing, Planninng Commision, March 16, 2026

Follow Up Flag: Follow up
Flag Status: Flagged

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My name is Linda A. Howe, 1553 Salmon Run SW, Albany, Oregon 97321

I am deeply concerned about 208 apartments being planned to be built on a site that will impact an already busy one-way in and one-way out to access 457 homes located in the Spring Meadow Homeowners Association as well as 130 homes in Brookfield HOA and additional homes not located in any HOA. If ever there was an accident that blocked access to the road in (which is more likely with 208, minimal, additional people using the road), there would be no way in or out for emergency vehicles, i.e. Ambulances, Fire Trucks, etc. I have had to be taken to the hospital many times on an emergency basis and if it hadn't been available, there would have been a different outcome.

PLEASE GIVE THIS ISSUE PROPER ATTENTION IN FURTHER DISCUSSIONS AND DECISIONS.

Respectfully,
Linda A Howe

_____
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Cepello, Jennifer

From: Jason Marquardt [redacted]
Sent: Monday, March 16, 2026 11:54 AM
To: Cepello, Jennifer
Subject: Comments on Public Hearing of Appeal of Community Director's Decision Regarding A 108-unit Multi-dwelling Development

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Hello,

I previously sent an email regarding my concerns about the proposed 108-unit apartment and would like to share my comments on the public hearing for the appeals people made about the apartment complex. Firstly, I seriously hope the city plans a thorough study of how this proposed complex will affect traffic turning onto Pacific Hwy from 53rd Street and turning onto 53rd Street from Pacific Hwy, especially with potential new businesses coming in on the other side of the proposed apartment complex. As a community with only one way in and out, it would be devastating if emergency response vehicles got blocked by traffic at the intersection of 53rd and Pacific Hwy. Please consider the issues concerning the life and property safety of all the residents in our neighborhood. We would rather avoid the serious situation than try to deal with it after it happens.

Additionally, I am concerned about the impact that this huge influx of residents will have on the surrounding wetlands and the Oak Grove trail area. An increase in population of this size right next to the trail will undoubtedly lead to a fundamental change in the trail's feel, and it may also lead to potential environmental damage.

Another consideration is what additional police resources will need to be allocated to the surrounding neighborhoods, as this apartment complex will almost certainly lead to more people wandering into these neighborhoods and looking for trouble. I do not mean to malign people who live in apartments, as I myself lived in apartments for much of my life, and certainly most of the people who do live in apartments are decent, law-abiding people. However, any influx of people into a neighborhood, whether it be in the form of new houses or apartments, will inevitably lead to an influx of threat actors in the area, and police resources will need to be allocated appropriately to account for this.

I hope that the planning commission takes all of this into account when deciding whether to approve these appeals, as this has the potential to completely change the character of the neighborhood my family has cherished over the past eight years. Thank you for considering my concerns about this.

Jason Marquardt
2145 Cougar Ave. SW
Albany, OR 97321
[redacted]

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Martin, Kaitlin

From: Kevin Kreitman [redacted]
Sent: Monday, March 16, 2026 11:50 AM
To: CD AA
Subject: Public Hearing: SP-15-25, RL-08-25, & NR-03-25, Type III-Quasi-Judicial Process

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Albany Planning Commission

The current property owner of the proposed development (Schnieder Homes Inc.) does not currently pocess legal access through the property on which Lake Shore Lanes is located (map and tax lot number 11S04W24-DA-01400). The notice of decision dated February 19, 2026, shows an open access way shown through Lake Shore Lanes property which by itself is bad idea. Such action would likely place additional trips and create potential traffic conflicts and impacts at this driveway location on Pacific Blvd., which was likely not previously considered at the time of Lake Shore Lanes land use approval.

Given the developer lacks the legal access for the development as approved, I request that the Planning Commission approve the appeal of the Site Plan Approval dated February 19, 2026, until such time as the developer produces a new site plan taking into account the lack of access through property that they do not pocess the legal access to or through.

Thank you for your consideration.

Kevin L Kreitman
4105 SW Moose Run Dr.
Albany, Oregon

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Cepello, Jennifer

From: Chris Spellings [redacted]
Sent: Monday, March 23, 2026 3:30 PM
To: Cepello, Jennifer
Subject: Apartments Plan on 53rd Ave. SW

Follow Up Flag: Follow up
Flag Status: Flagged

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Jennifer,
It has come to my attention that there are a large number of apartments planned at the entrance to my neighborhood (on SW 53rd Ave.). I feel that this is incompatible with the neighborhood as it has existed for over 20 years. I have listed the reasons below for your considerations and review.

1. T**raffic in the area is already heavy** leaving for work and school in the morning hours. I often have to wait through multiple signals to head into town. How does the city plan to address this? 53rd Avenue is only one lane going in and one lane leaving the neighborhood. There is no room to widen the street to add additional lanes. The planned exits from the apartment complex will conflict with current turn lanes and cause even more congestion. This is also an extreme risk should the neighborhood need to evacuate in case of flooding, wildfire, etc.
I**sn't it true that a church development was denied when the neighborhood was being built due to the amount of traffic it would generate on 53rd? What happened to that study? Why are the same concerns no longer valid today?**

2. As I understand it, there will be over 100 apartment units and a similar amount of parking spaces provided. It would be reasonable to expect that most occupants would have a car, since bus service is not very convenient. I would assume that each studio unit would have at least one car, with the larger units (one or two bedrooms) likely to have two or more. (Couples, roommates)
It seems likely that the spots would be filled and cars from the complex would overflow into the community. **Since 53rd is too narrow to allow parking, where will this "overflow" end up?** At the neighborhood park? On Willetta? In the Bowling Alley parking?" In the vacant S. Pacific Auto lots?

3. **Who will make sure that the wetlands are preserved as building begins?** I lived in Albany in 1996 when Oak Creek flooded across Pacific Blvd for several days just north of 53rd. In the 20 years i have lived in the neighborhood, there has not been significant flooding. If the pathway of Oak Creek is disrupted, hundreds of homes could be in danger of flooding. What about the wildlife residing there? Adding hundreds of residents into that small space seems incompatible with preserving the natural area.

4. **Is it even safe to build apartments close to the cell tower?** I have read that there is no long term data on this. It may be a concern, especially for children. Has this even been a consideration? It appears that the units will be quite close to the tower, which is a somewhat recent addition to the property.

5. **Where will the children living in these units go to school?** Is there room for them? Staff? Transportation?

6. **Albany is already struggling with overloaded essential services**. Where will these people shop? Where will they receive medical treatment/hospitalization? Are there enough police and fire staff to serve hundreds more people in our area? What about water, sewer and electrical services? More cars on our crumbling roads and none of these people will be paying taxes to support these services, as they will be renting.

7. Where is the "Village" we were promised when we purchased our home in 2024? We were told that the City's plan was for services such as shopping, restaurants, fuel stations, etc. just across Pacific. Surprise! Planners allowed the land to be sold off to housing developers and pushed all shopping and services into the center of town. Adding more trips across town daily makes no sense!

I urge the Planning Commission to reconsider their current plans and work with Schneider Homes to present a plan more compatible with the existing neighborhood. The plan as it stands will do nothing but diminish the livability of our neighborhood and trash our property values!

Thank you, in advance, for your consideration,
Christina Spellings
4995 Deer Run Dr SW
Albany, OR 97321

_____

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Law Office of Mike Reeder
Oregon Land Use Law

March 16, 2026

Via Email and Hand Delivered
jennifer.cepello@albanyoregon.gov

Albany Planning Commission
c/o Jennifer Cepello
Albany City Hall
333 Broadalbin St. SW
Albany, Oregon 97321

Re: Schneider Homes Inc. Application Nos: SP-15-25/RL-08-25/NR-03-25
Applicant's Planning Commission Appeal Hearing Letter

Dear Planning Commissioners:

I represent Schneider Homes Inc., the applicant for the 108-unit apartment project (the "Applicant"), in application city file numbers SP-15-25/RL-08-25/NR-03-25 (the "Application"). The Applicant is a small, multiple generational, family-owned company that was incorporated in 1976. The Applicant has built single-family, townhome, condominium and apartment homes in the Pacific Northwest for 50 years. The 3.25-acre property subject to the Application is identified as Map No. 11S-04W-24DA, Tax Lots 1200 & 1300 and Map No. 11S-04W-24, Tax Lot 606 (the "Subject Property"). The Applicant has owned the Subject Property since the early 2000s.

The Planning Director correctly approved the Application (the "PD Approval"). The PD Approval was appealed by Roger Nyquist, Bill Gsell and Amanda Fee. The gravamen of the Nyquist appeal, as expressed in Mr. Nyquist's attorney's letter dated March 10, 2026, is this – Mr. Nyquist refuses to grant access through its property to Highway 99E.

This letter is the Applicant's Planning Commission hearing memorandum in support of the PD Approval. Notwithstanding the appeals the PD Approval should

be affirmed and the appeals rejected.

I. Summary of Applicant's Argument

Mr. Nyquist, through his attorney, admits that he has not provided a reciprocal easement to the Subject Property across the Lakeshores Lane property. This admission, while potentially problematic for Mr. Nyquist, is irrelevant to the merits of the appeal. The Application shows conformance with the approval criteria by showing a connection to the Lakeshores Lane property at the location where Mr. Nyquist **is required to provide access**. Mr. Nyquist is required to provide a reciprocal easement to benefit the Subject Property pursuant to the previous land use decisions that permitted Mr. Nyquist to develop his property with Lakeshores Lanes (i.e. the "Bowling Center" as described in the land use approval discussed below).

Additionionally, even if no access is granted across the Lakeshores Lanes property to Highway 99E, the City cannot compel the Applicant to provide secondary access to Highway 99E. The Needed Housing Statute (ORS 197A.400) requires the City to only apply clear and objective standards, conditions and procedures regulating the development of housing. In addition, it requires that the standard, conditions and procedures may not have the effect, either in themselves, or cumulatively, of discouraging needed housing through unreasonable cost or delay.

II. Past Land Use Decisions Require Mr. Nyquist to Provide a Reciprocal Access Easement to Benefit the Subject Property.

In August 2004, the City Council approved, with conditions, site plan review for a bowling center and parking lot for the owner, Roger Nyquist, File Number SP-14-04. The August 26, 2004 Notice of Decision included conditions of approval on page 5 under the heading of "Commercial Design Standards" as follows:

> ***"The village center main street shall be developed like a public street with sidewalks, crosswalks, landscape strips, and street trees. It is recommended that the design of the village center main street comply with City construction standards for public streets."*** (Condition 6.1, Second Bullet, emphasis added).

> ***"Allow for extension of the village center main street, travel aisles, and pedestrian corridors to future development. Submit copies of recorded reciprocal access and parking easements for all properties in the village center to promote efficient circulation between uses and properties, and to promote connectivity and dispersal of traffic."*** (Condition 6.1, Fifth Bullet, emphasis added).

These conditions of approval were justified by the July 14, 2004 staff report, the minutes of the July 28, 2004 and August 25, 2004 City Council meetings, and the August 18, 2004 Revised staff report to the City Council.

A. August 18, 2004 Revised Staff Report to City Council (SP-14-04)

This revised staff report was provided to the City Council in response to the July 28, 2004 City Council deliberations, which, among other things, required Mr. Nyquist to modify his site plan for the bowling center to "...provide a main street, [and] apply the 10-foot village center maximum setback to the main street..."[1] The Village Center includes Mr. Nyquist's property and the property subject to this Application.[2] Finding 1.16 on page 4 of the Revised Staff Report for SP-14-04 states:

> ***"The project [the bowling center] proposes a driveway connection to Highway 99E located about 310 feet south of 53rd Avenue. Eventually this access will loop around to a future connection to 53rd Avenue through adjoining property across from Willetta Street. The resulting private street would serve as the sole access to the property within the village center, including the applicant's property. In this staff report, the private street is referred to as the village center main street."***

[1] Revised Staff Report for SP-14-04, dated August 18, 2004, page 2.

[2] See Revised Staff Report, Finding 7.1, page 13 ("The proposed bowling center is the first phase of development in an eight-acre village center. Therefore, the provisions for sites larger than three acres apply.") (Emphasis added). See also page 16 of the July 14, 2004 Staff Report, showing the acreage of each tax lot subject to the 14.41-acre plan amendment/zone change application.

Finding 3.2, "Design", page 7, states in relevant part:

> ***"...Access to the site will occur at one driveway to Pacific Boulevard. Eventually the driveway will extend west and north to 53rd Avenue, creating a 'main street' through this village center..."***

Finding 3.3, "Operating Characteristics", page 7, states as follows:

> ***"...In the future, as property to the north and west develops, the village center main street will extend to 53rd Avenue..."***

Finding 4.1, page 8, states in relevant part:

> ***"...Initially the driveway would serve as the access to the bowling center. As the remainder of the village center develops, the driveway would be the eastern terminus of a main street, a private street that connects Pacific Boulevard and 53rd Avenue..."***

Finding 4.2, page 8, states:

> ***"ODOT reviewed the development and conditionally approved a request for a driveway approach to Highway 99E. The approach may be restricted to a right-in/right out if a safety issue occurs in the future, or if a connection to 53rd Avenue is made."*** (Emphasis added).

Clearly, the Site Plan Review approval envisioned a private "main street" that would serve all of the property subject to the Plan Amendment Zone Change for Mixed Use zoning, including the Subject Property.

Conclusion 4.1, page 9, states:

> ***"The applicant proposes construction of a 36-foot-wide driveway approach to Highway 99E. The approach would be located about 310 feet south of 53rd Avenue. This driveway is***

> ***the eastern terminus of a future main street for the village center. It is important to design the driveway to serve the short-term access needs of the bowling center as well as the long-term access needs of the village center."***

The property subject to this Application was meant to benefit from the requirement that Mr. Nyquist provide access to the entire 8-acre Village Center via the driveway labeled "Main Street" as provided in Finding 7.2, page 13:

> ***"The proposed village center main street will be developed like a public street with pedestrian access, landscape strips, and street trees."***

The Revised Staff Report findings of fact and conclusion under the Albany Development Code provision 8.350 Street Connectivity and Internal Circulation make it clear that the City Council approved the Site Plan for the bowling center within the greater context of the future development of the entire Mixed Use/Village Center approval – that included the future development of the Schneider Homes Inc. property to the north and west. The Revised Staff Report describes the "main street" "village center" concept on page 14 (Finding 8.1, Conclusion 8.4 and Finding 9.2). The City Council approved the Site Plan for the bowling center (SP-14-04) "consistent with a conceptual plan to develop the 8.68-acre MUC area" called the "Village Center". See Conclusion 9.1.[3]

The Bowling Center Site Plan approval relied on the so-called "driveway" that connects to Highway 99E as being designed and constructed as a "village center main street". In order to meet the criteria of ADC 8.415, Buildings Along Public Streets, which is required to meet the City's Commercial Design Standards in Village Centers (see ADC 8.405-8.475) the Revised Staff Report makes it clear that the City Council approved the Site Plan for the bowling center by substituting a public street for the private drive designed and constructed as a private "village center main street". The Village Center Main Street, although still private, would look and function like a public street and be shared by the owners and users of the entire

[3] Conclusion 9.1 states in its entirety as follows: "This plan is consistent with a conceptual plan to develop the 8.68-acre MUC area. A condition of approval will reinforce this standard for the future as adjoining property develops." Page 15 (Emphasis added). That adjoining property was and is owned by the Applicant.

Village Center, not just the Nyquist property.[4]

Finally, on page 22, the Revised Staff Report thirteen "CONDITIONS OF DEVELOPMEMT", 1.1 are, as far as I can tell, identical to the thirteen "Commercial Design Standards" found on pages 5-6 of the August 26, 2004 Notice of Decision for SP-14-04 referenced above. Mr. Nyquist seeks to impermissibly collaterally attack his prior approval. This is error. If Mr. Nyquist objected to the condition of approval his remedy was to appeal that condition of approval over twenty years ago. He failed to do so and may not now claim that the condition is not effective here. My client has satisfied the criterion for approval based on the 2005 Site Plan Review Approval.

B. "Maddy Property" Comprehensive Plan Amendment and Zone Change Application Written Narrative, March 31, 2004

The conditions of approval imposed in the Nyquist Site Plan Review (SP-14-04) approval were consistent with the "Maddy Property" Comprehensive Plan Amendment and Zone Change Application written narrative, dated March 31, 2004. Both the Bowling Center and the Subject Property were included in the Maddy Property application, which included 14.41 acres. A significant part of the Maddy Property was the 8-acre or so "Village Center" that was intended to "address the neighborhood shopping needs for South Albany residents."[5] See the attached "Figure 7" of the Maddy Property application (Exhibit 1) which clearly shows the entirety of the Village Center concept – the concept that includes both the Nyquist property and the Applicant's Subject Property.

The Maddy Property application also provided for the allowance of medium density residential development: "The Medium Density designation allows for single-family development, condominiums, townhouses, and apartments, while the Village Center would allow for the development of condominiums, townhouses, and live/work units." (Page 13). The written narrative findings of fact

[4] See Findings of Fact 14.1 and 14.2 (page 17) and Conclusions 14.1 (page 17) and 14.2 (page 18). See also Finding of Fact 21.1 ("Consistent with other findings in this staff report, the village center main street functions as a public street. The requirement to screen the parking lot from the main street is a condition of development." (page 21).

[5] *Maddy Property Application Narrative*, March 31, 2004, page 5.

(page 19) showed consistency with the comprehensive plan policies for existing and anticipated transportation facilities as follows:

> ***"...Private access easements will provide improved connectivity between parcels south of 53rd Avenue and west of Pacific Boulevard. These private connections will also improve the functionality of the intersection at 53rd Avenue and Pacific Boulevard...Conclusion: Pacific Boulevard and 53rd Avenue are currently capable of adequately accommodating the uses that are permitted under the proposed zoning designations."***

Both the Maddy Property Plan Amendment and Zone Change approval and the Nyquist Bowling Center Site Plan Review approval demonstrate that the Nyquist property was required to provide a private connection to the Subject Property to Highway 99E (Pacific Boulevard).

C. Tentative Partition Plat and Property Line Adjustments (LA-11-04, PA-16-04, PA-17-04), March 24, 2005 Notice of Decision

In March 2005 the City Community Development Director approved with conditions three administrative decisions, LA-11-04, PA-16-04, PA-17-04. These conditions of approval are exceptionally clear – Mr. Nyquist was required to provide easements for a reciprocal shared access between Tax Lots 602, 603, 604, 606, 1200, and 1300. See the attached Exhibit 2 to this letter. Tax Lots 606, 1200 and 1300 are owned by the Applicant and are the Subject Property to the Application.

The fact that Mr. Nyquist has yet to, in fact, provide the easements for shared access is not justification for denial of the Application, but is perhaps justification for enforcement action against Mr. Nyquist for failure to satisfy the conditions of approval. It is also clear, from a copy of the attached Exhibit 3, the "Approved Tentative Partition Plat - File PA-16-04", produced by Mr. Nyquist's engineering firm, that he understood his obligation to provide a reciprocal driveway easement to Tax Lot 606 (the Applicant's property). See Note 4, Exhibit 3.

/ / /

III. State Law Prohibits the Denial of the Needed Housing Application based on Lack of Direct Access to Highway 99E.

Assuming, only for sake of argument, that Mr. Nyquist is not required to provide Main Street Access for the Subject Property and the Application, the City is required to approved the Application showing access to 53rd Avenue pursuant to the Needed Housing Statute, ORS 197A.400(1) (formerly ORS 197.307), which reads in relevant part:

> ***"(a)...A local government may adopt and apply only clear and objective standards, conditions and procedures regulating: (A) The development of housing;...***
>
> ***...(b) The standards, conditions and procedures...(B) May not have the effect, either in themselves or cumulatively, of discouraging needed housing through unreasonable cost or delay..."***

Both statutory restrictions, (a) applying only clear and objective standards, and (b) not applying standards that discourage needed housing, apply in this case and override local code provisions.

Generally, standards for approval of housing are clear and objective within the meaning of ORS 197.307(6) [now ORS 197A.400(1)] if the local government demonstrates that they do not impose "subjective, value-laden analyses that are designed to balance or mitigate impacts of the development." *Rogue Valley Association of Realtors v. City of Ashland*, 35 Or LUBA 139, 158 (1998), *aff'd,* 158 Or App 1 (1999). Provisions generally granting a city discretion to impose conditions "if it is deemed necessary to mitigate any potential negative impact caused by the development" violate the "clear and objective" requirement in ORS 197.307(6). *Rogue Valley Association of Realtors v. City of Ashland,* 35 Or LUBA 139, 159 (1998), *aff'd,* 158 Or App 1 (1999) (internal quotation omitted); *Home Builders Association of Lane County v. City of Eugene*, 41 Or LUBA 370, 388-389 (2002) (quoting *Rogue Valley*).

A criterion of approval that leaves the access and circulation standards up to the sole discretion of City staff, is inherently not clear and objective and cannot be

a basis for denial of the Application, which is an application for housing (specifically "needed housing").

IV. Conclusion.

For the reasons described above, the appeals should be denied, the PD Approval should be affirmed, and the Application should be approved. The fact that Mr. Nyquist does not believe he has an obligation to provide a reciprocal access easement along the Village Center Main Street as proscribed by past, final, unappealed land use decisions is not justification for denial of the Application.

Respectfully submitted,

/s/Micheal M. Reeder

Micheal M. Reeder
Schneider Homes Inc.

Attachments: Exhibits 1-3

EXHIBIT 1

Maddy Property Comprehensive Plan and Zone Change
Written Narrative Figure 7 (March 24, 2004)

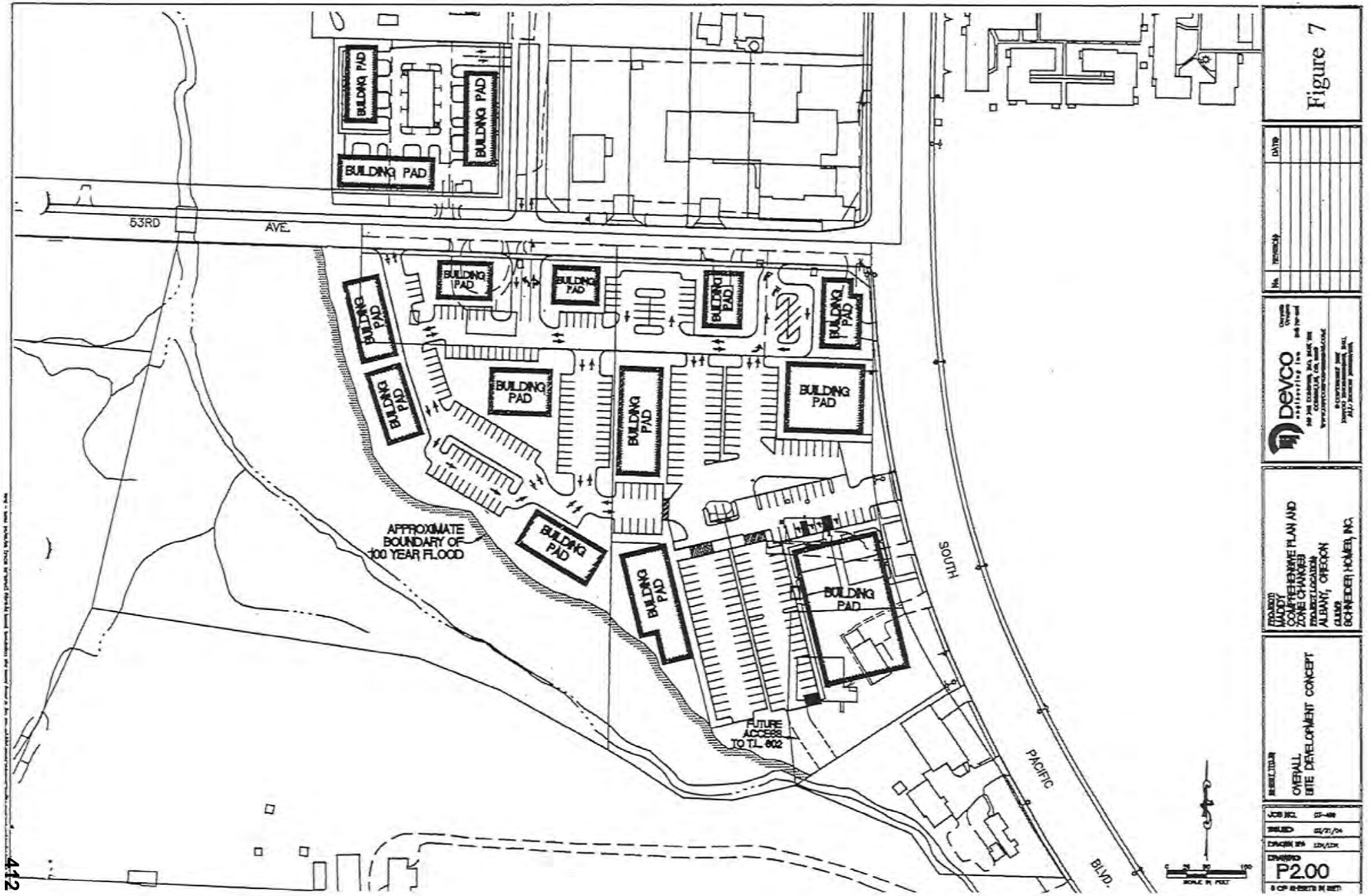


EXHIBIT 2

COMMUNITY DEVELOPMENT DEPARTMENT
333 Broadalbin Street SW, P.O. Box 490, Albany OR 97321 Ph: (541) 917-7550 Fax: (541) 917-7598

NOTICE OF DECISION

DATE OF NOTICE:	March 24, 2005
FILES:	LA-11-04, PA-16-04, PA-17-04
TYPE OF APPLICATIONS:	LA-11-04: Property Line Adjustment that will transfer 58,850 square feet of land from Tax Lot 604 (Property "A") to Tax Lot 603 (Property "B"); and will transfer 5,820 square feet from Tax Lot 603 (Property "B") to Tax Lot 604 (Property "A"). PA-16-04: Partition Tentative Plat that will divide 1.92 acres of land into two parcels. Parcel 1 will be 50,338 square feet and Parcel 2 will be 33,299 square feet. (This is Tax Lot 603, "Property B," after reconfiguration by the property line adjustment, File LA-11-04.) Portions of each parcel are in the floodplain, but a restrictive easement over this area will be granted to the City to ensure it will not be developed. PA-17-04: Partition Tentative Plat that will divide 2.59 acres of land into three parcels. Parcel 1 will be 20,497 square feet, Parcel 2 will be 15,240 square feet, and Parcel 3 will be 77,127 square feet. (This property is Tax Lot 604, "Property A," after reconfiguration by the property line adjustment, File LA-11-04).
REVIEW BODY:	Planning Staff
PROPERTY OWNER/ APPLICANT:	Roger Nyquist; 3034 North Shore Drive SE; Albany, OR 97321
APPLICANT'S REP:	Jason Cota; K&D Engineering, Inc.; PO Box 725; Albany, OR 97321
ADDRESSES/LOCATIONS:	Tax Lot 603: 5480 Pacific Boulevard SW Tax Lot 604: 5408 Pacific Boulevard SW
MAP/TAX LOT:	Linn County Assessor's Map No. 11S-4W-24; Tax Lots 603 and 604
ZONING:	MUC (Mixed Use Commercial) and OS (Open Space)

On March 24, 2005, the City of Albany Community Development Director granted APPROVAL WITH CONDITIONS of the tentative partition plat and property line adjustment applications referenced above.

The City based its decisions on conformance with the applicable review criteria listed in the Albany Development Code. The staff report is enclosed with this notice. This report contains the background facts that led to the resulting conditions of approval for the applications. The supporting documentation relied upon by the City in making these decisions is available for review at City Hall, 333 Broadalbin Street SW. If you wish to talk to a planner about this project, please call planners Janet Morris or Don Donovan at (541) 917-7550.

The City's approval is valid for three years from the date of the notice. It will expire after that date unless final plats or final survey map, as appropriate, has been submitted to the City of Albany for

CONDITIONS OF APPROVAL
Files: LA-11-04; PA-16-04 and PA17-04
(Please refer to the staff report for background information.)

PROPERTY LINE ADJUSTMENT – LA-11-04 – Tax Lots 603 and 604

Compliance with adopted transporation, public facilities or neighborhood plans

3.1 Before the City will approve the final survey map for the property line adjustment, the applicant must provide direct access to the public sewer system to "Property A" across "Property B" either by an easement or construction of an extension of the public sanitary sewer main.

Compliance with previous land use actions

4.1 The final property line adjustment survey map must provide easements for a reciprocal shared access between Tax Lots 602, 603, 604, 606, 1200 and 1300. The location of the shared driveway on Pacific Boulevard SW will be determined by ODOT.

TENTATIVE PARTITION PLAT – PA-16-04 – Tax Lot 603

Adjoining Land

2.1 The final partition plat must provide for reciprocal shared access between Tax Lot 603 and Tax Lots 602, 604, 606, 1200 and 1300. The location of the shared driveway on Pacific Boulevard SW will be determined by ODOT and an access permit must be obtained from them before it is constructed.

Transportation Facilities

3.1 Before the City will sign the final partition plat, the applicant must provide for reciprocal shared access between Parcels 1 and 2 created out of Tax Lot 603 and for surrounding Tax Lots 602, 604, 606, 1200 and 1300 either by separate documents or on the final partition plat. The location of the shared access to Pacific Boulevard SW will be determined by ODOT and an access permit must be obtained from them before it is constructed.

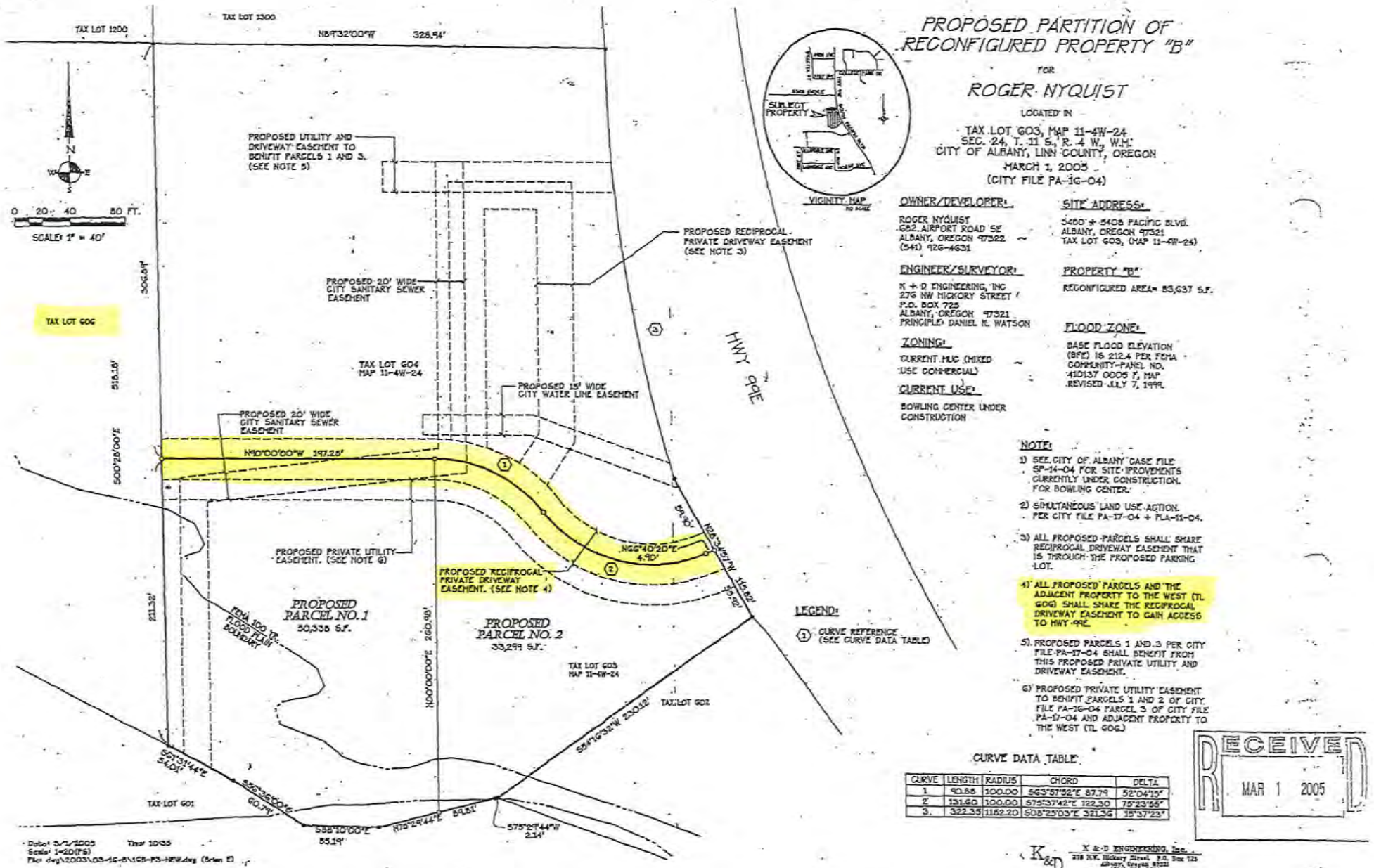
Public Utilities

4.1 Before the City will approve the final partition plat, the applicant must construct an 8-inch public sanitary sewer main that will provide direct access to the public sanitary sewer system for Parcel 2. The applicant has proposed a main extension along the west and north boundaries of Parcel 1, to the northwest corner of Parcel 2. While this configuration appears to be generally acceptable, final design details must be approved by the City of Albany Engineering Division as part of the Permit for Private Construction of Public Improvements.

4.2 Before the City will approve the final partition plat, the applicant must construct an 8-inch public water main extension that will provide direct access to the public water system for Parcel 1. The applicant has proposed a main extension from the existing main in Pacific Boulevard SW to a point near the northeast corner of Parcel 1. While this configuration appears to be generally acceptable, final design details must be approved by the City of Albany Engineering Division as part of the Permit for Private Construction of Public Improvements.

EXHIBIT 3

COPY OF APPROVED TENTATIVE PARTITION PLAT - FILE PA-16-04
(To Be Modified As Appropriate Based upon Conditions of Approval)



PROPOSED PARTITION OF RECONFIGURED PROPERTY "B"

FOR

ROGER NYQUIST

LOCATED IN

TAX LOT 603, MAP 11-4W-24
SEC. 24, T. 11 S., R. 4 W., W.M.
CITY OF ALBANY, LINN COUNTY, OREGON
MARCH 1, 2005
(CITY FILE PA-16-04)

OWNER/DEVELOPER:
ROGER NYQUIST
682 AIRPORT ROAD SE
ALBANY, OREGON 97322
(541) 926-4631

ENGINEER/SURVEYOR:
K + D ENGINEERING, INC
276 NW HICKORY STREET
P.O. BOX 725
ALBANY, OREGON 97321
PRINCIPLE: DANIEL K. WATSON

ZONING:
CURRENT: MUC (MIXED USE COMMERCIAL)

CURRENT USE:
BOWLING CENTER UNDER CONSTRUCTION

SITE ADDRESS:
5460 & 5408 PACIFIC BLVD.
ALBANY, OREGON 97321
TAX LOT 603, (MAP 11-4W-24)

PROPERTY "B"
RECONFIGURED AREA= 83,637 S.F.

FLOOD ZONE:
BASE FLOOD ELEVATION (BFE) IS 212.4 PER FEMA COMMUNITY-PANEL NO. 410137 0005 F, MAP REVISED JULY 7, 1999.

NOTE:

1) SEE CITY OF ALBANY CASE FILE SP-14-04 FOR SITE IMPROVEMENTS CURRENTLY UNDER CONSTRUCTION FOR BOWLING CENTER.
2) SIMULTANEOUS LAND USE ACTION PER CITY FILE PA-17-04 + PLA-11-04.
3) ALL PROPOSED PARCELS SHALL SHARE RECIPROCAL DRIVEWAY EASEMENT THAT IS THROUGH THE PROPOSED PARKING LOT.
4) ALL PROPOSED PARCELS AND THE ADJACENT PROPERTY TO THE WEST (TL 606) SHALL SHARE THE RECIPROCAL DRIVEWAY EASEMENT TO GAIN ACCESS TO HWY 99E.
5) PROPOSED PARCELS 1 AND 3 PER CITY FILE PA-17-04 SHALL BENEFIT FROM THIS PROPOSED PRIVATE UTILITY AND DRIVEWAY EASEMENT.
6) PROPOSED PRIVATE UTILITY EASEMENT TO BENIFIT PARCELS 1 AND 2 OF CITY FILE PA-16-04 PARCEL 3 OF CITY FILE PA-17-04 AND ADJACENT PROPERTY TO THE WEST (TL 606)

LEGEND:
③ CURVE REFERENCE (SEE CURVE DATA TABLE)

CURVE DATA TABLE

CURVE	LENGTH	RADIUS	CHORD	DELTA
1	90.88	100.00	S63°57'52"E 87.79	52°04'15"
2	131.60	100.00	S75°37'42"E 122.30	75°23'55"
3	322.35	1162.20	S08°25'03"E 321.36	15°53'23"

RECEIVED
MAR 1 2005

K&D K & D ENGINEERING, Inc.
276 NW. Hickory Street, P.O. Box 725
Albany, Oregon 97321
(541) 926-4631

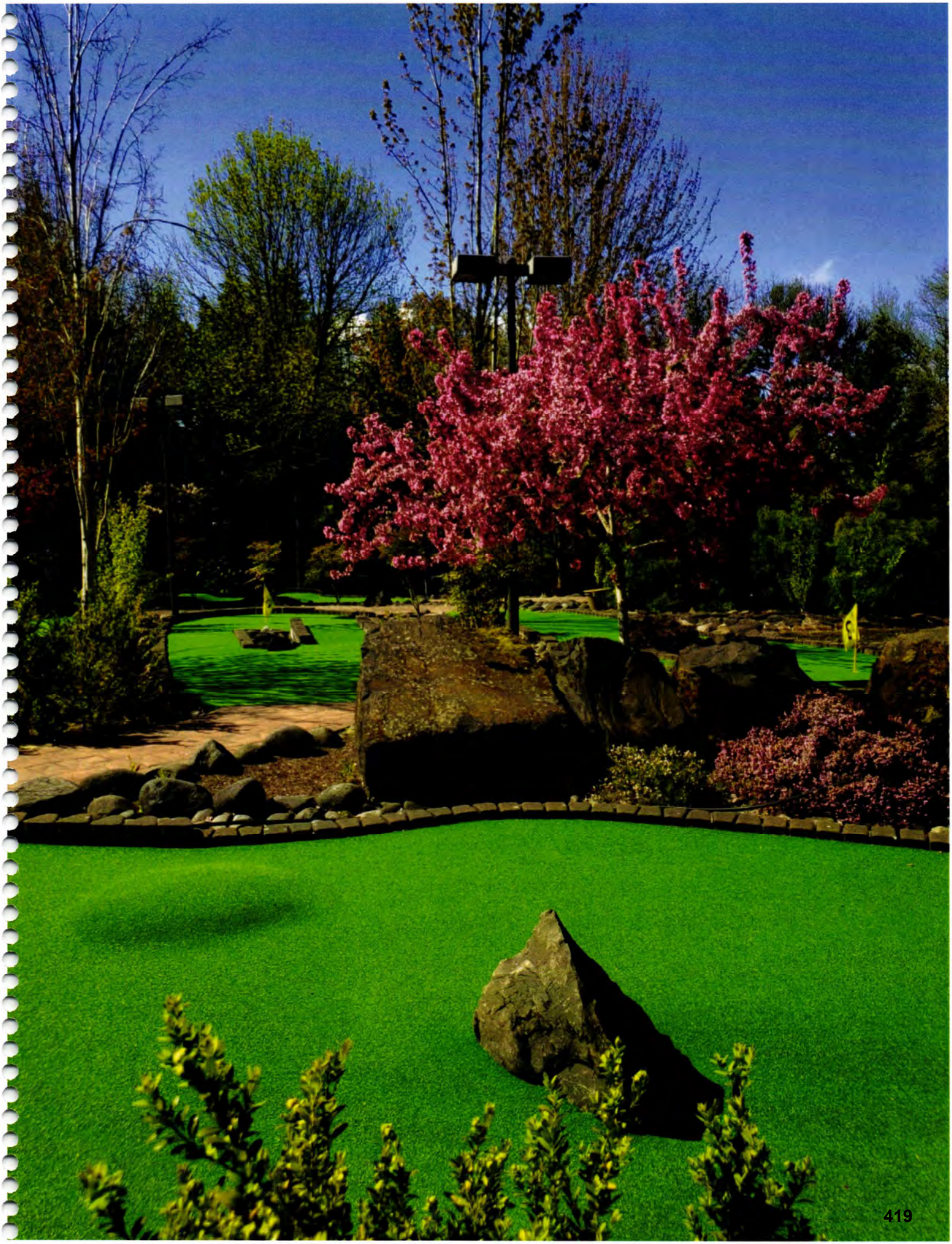
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File: dwg\2003\03-15-B\1CB-P3-NEW.dwg (Brian E)

***END ***

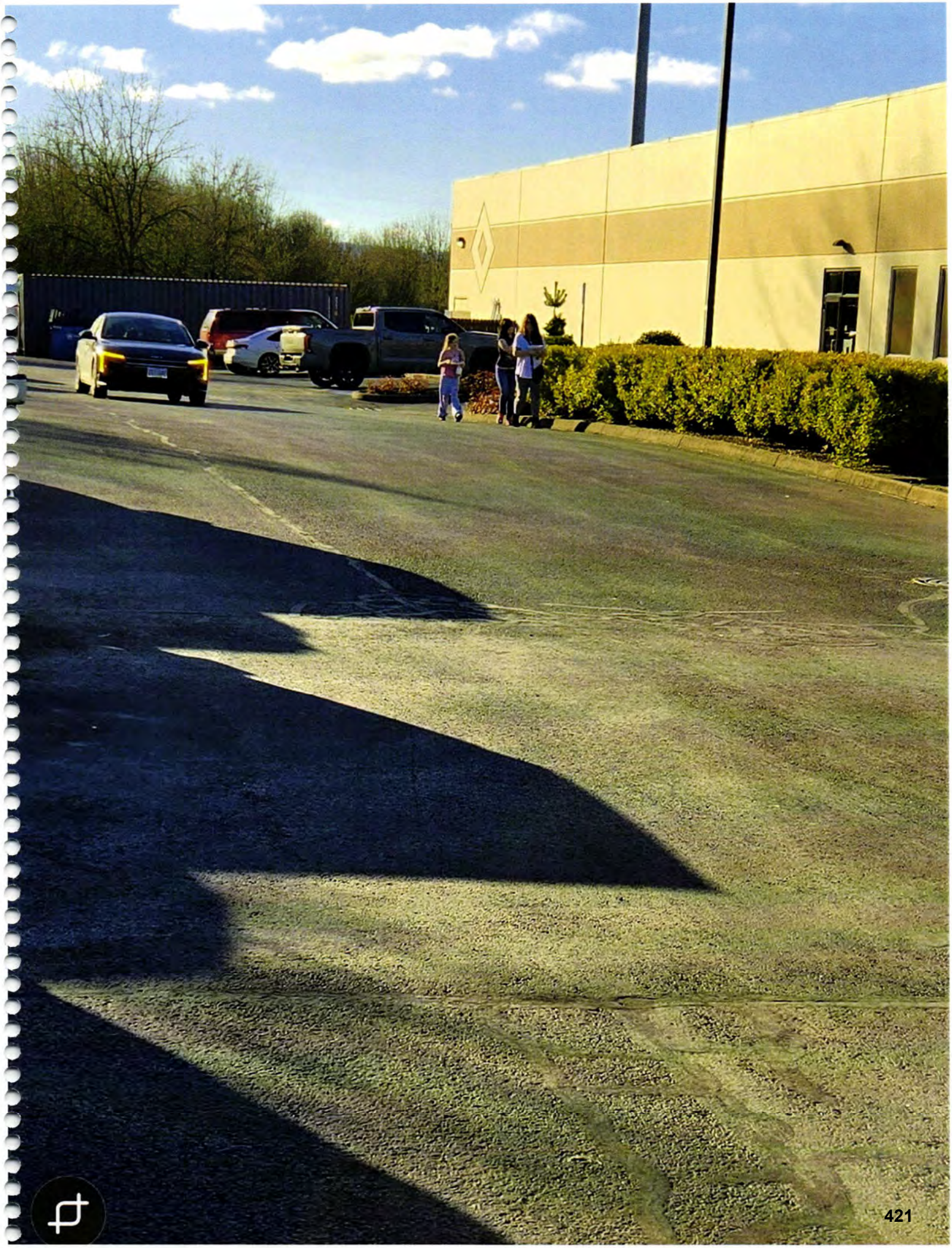
APPLICANT'S MARCH 16, 2026 LETTER

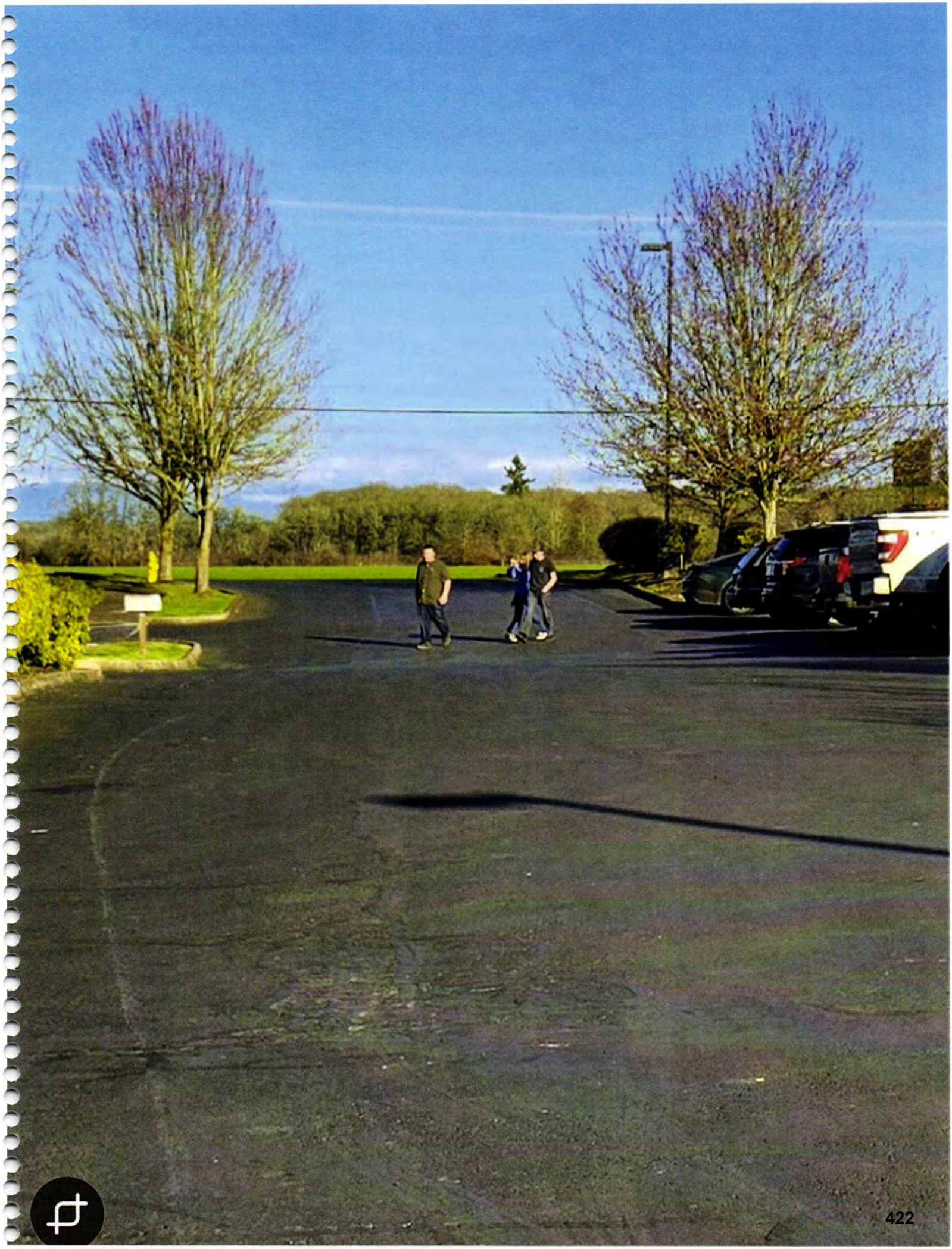
ALBANY PLANNING COMMISSION

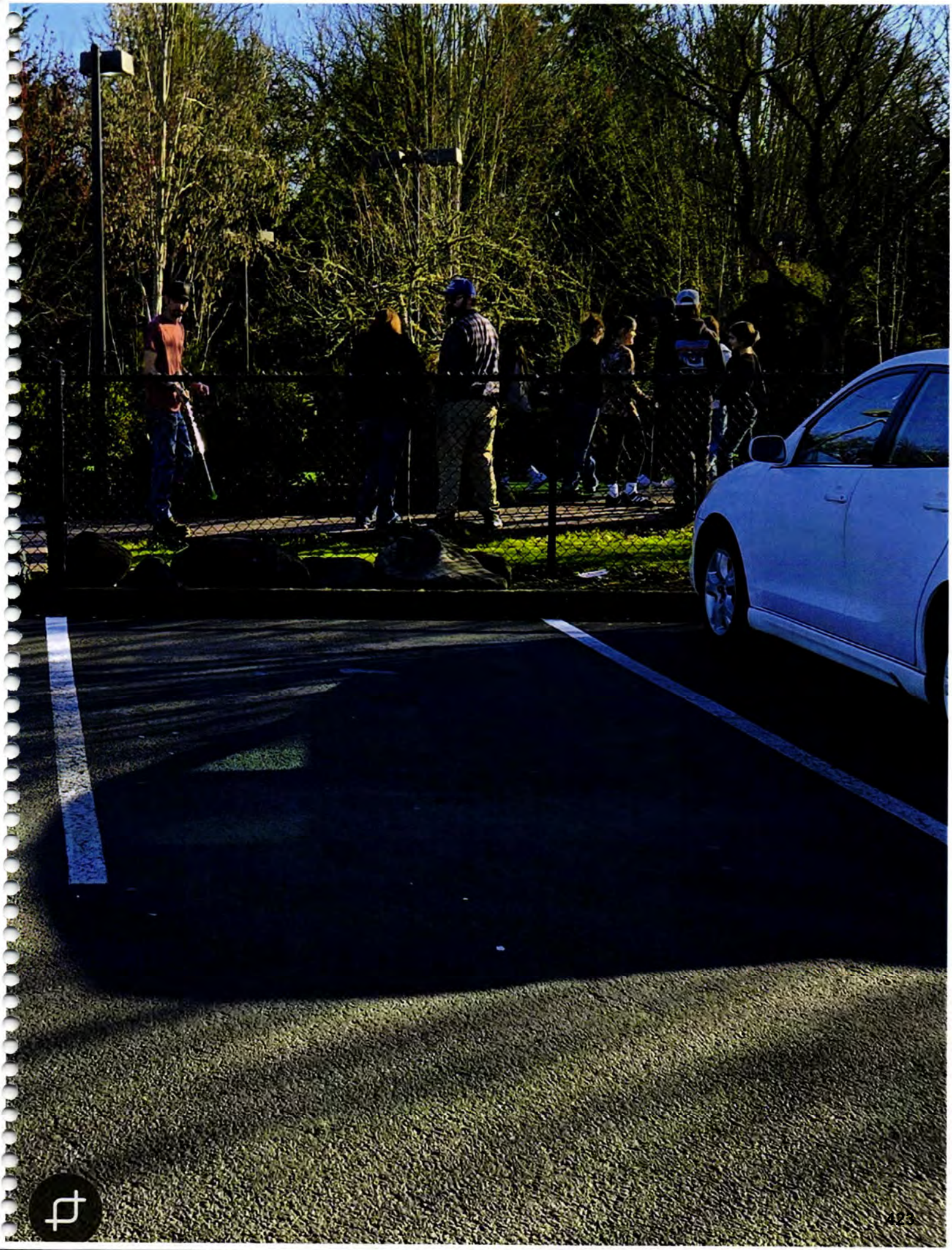
APPEAL OF PLANNING DIRECTOR APPROVAL OF: SP-15-25/RL-08-25/NR-03-25




FX4








EDWARD C. ALLWORTH
OREGON VETERANS HOME
LEBANON ★ THE PLACE WHERE HONOR LIVES
600 NORTH 5TH STREET | LEBANON, OREGON 97355 | 541 497 7265




KEYSTONE


COLORADO
BUFFALOES

Schneider Homes Inc application

From: roger nyquist [redacted])

To: David.martineau@cityofalbany.net

Date: Wednesday, December 24, 2025 at 09:03 AM PST

Mr. Martineau:

I write to you today to express my concerns about the Schneider Homes Inc application to build 109 apartments just west of Pacific Blvd on the south side of 53rd Street. As an adjacent property owner operating a successful small business at the current location for the last 20 years I have concerns in at least three areas.

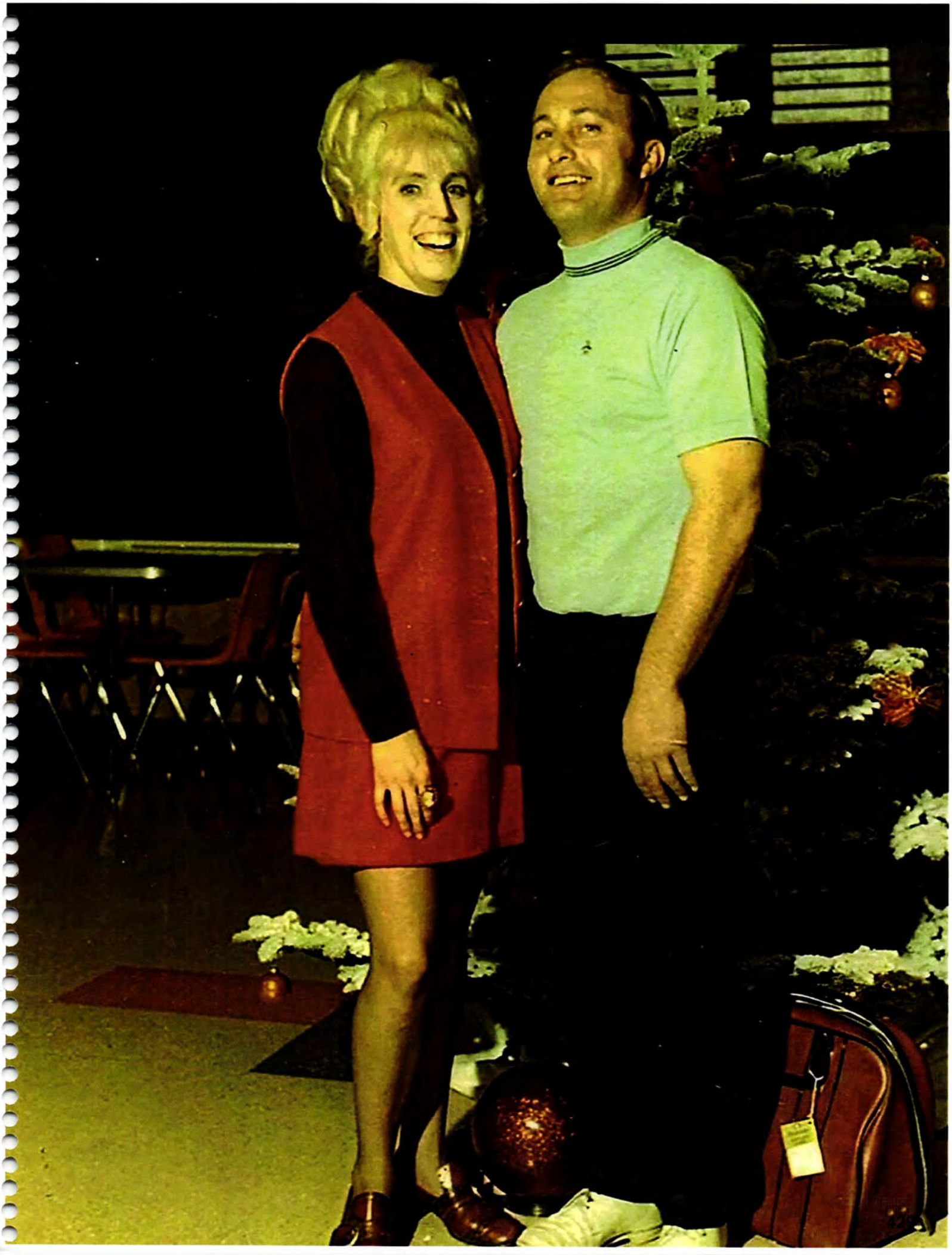
The first is the plan to access our parking lot between the south side of the bowling center and our miniature golf course to route apartment resident traffic to Pacific Blvd. Our patrons generally come from the bowling center and walk to the miniature golf course to play and then go back to the bowling center to return the equipment. During the summer months we average 2000 patrons a month and I would estimate between 20% and 30% of those customers are under the age of 12. Routing outside traffic through that area of the parking lot creates an unthinkable risk. It is an unacceptable risk.

My second area of concern is parking for the apartment residents and their guests. I am interested in learning more from the applicant as to what the details are of what they envision in that regard.

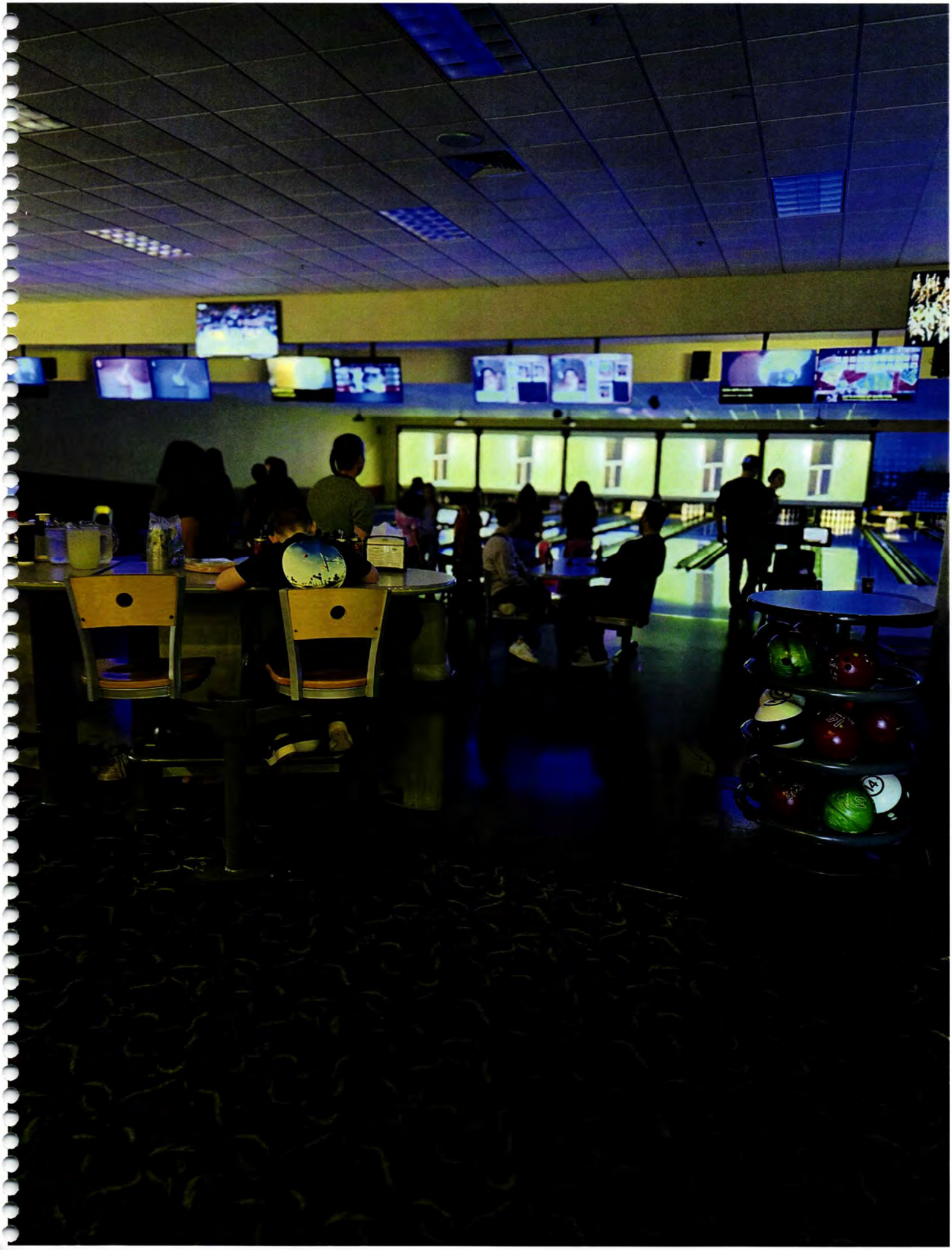
I am also concerned about potential conflicts with noise that are inherent with putting such a large project next to a bowling center. I would be willing to pay 50% of the costs of a sound study so if the project goes forward it is done in a way that helps to minimize the potential conflicts.

I received the notice for the proposed project on December 19th. Many of the experts I would rely on to analyze this project are not available during the holiday break. I would like to make additional comments on the proposed project and ask that you keep the record open to comment through Wednesday February 4th at 5:00pm.

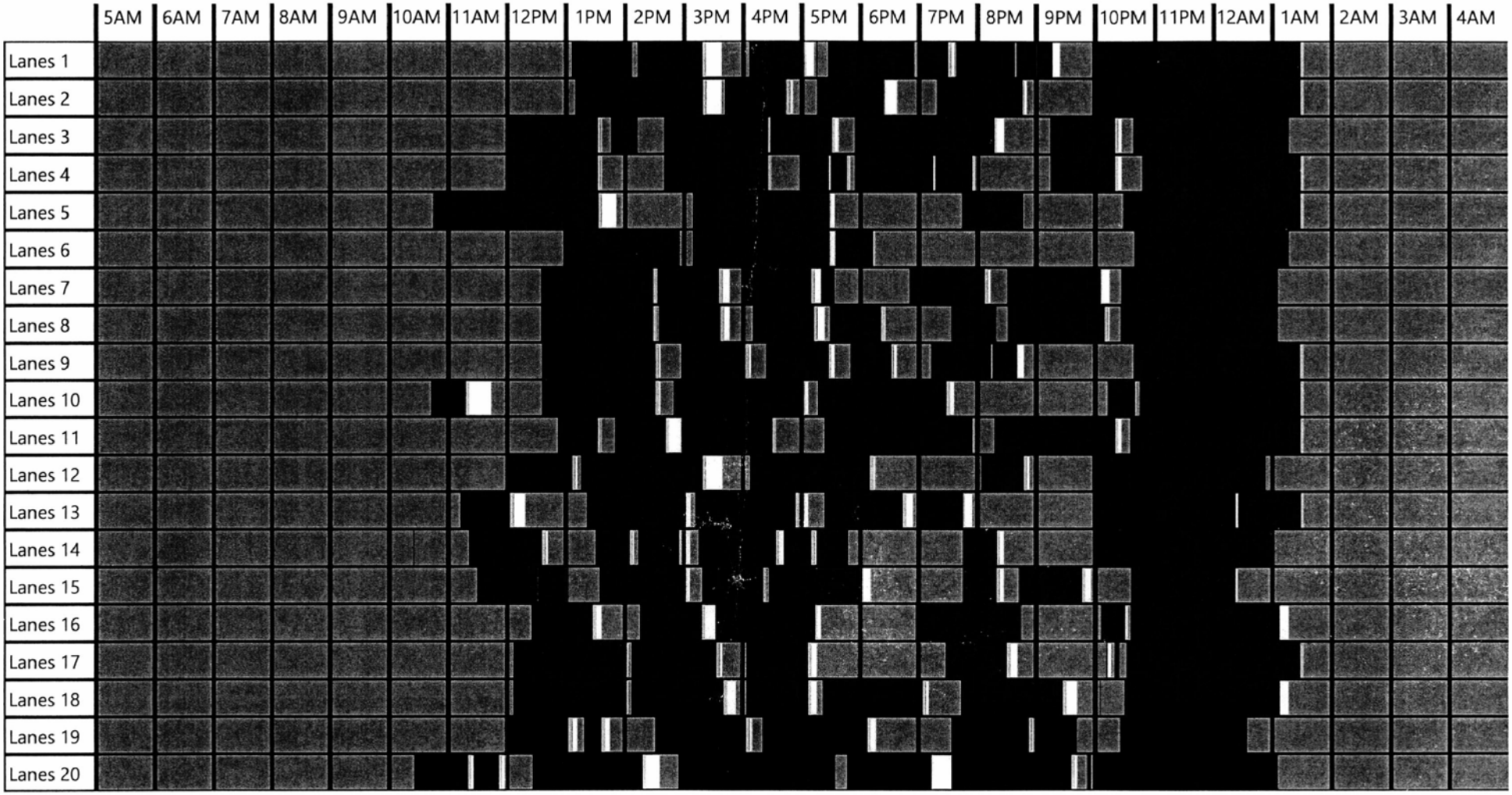
I would be interested in meeting with the applicants of this project to learn more about what they plan and to go over my concerns to see if those can be resolved, if they are so inclined.




OAKWOOD
Apartments Built 1971
45'
180'
NORTH SHORE
Apartments Built 1969
AIRPORT
I5
3126
3140
3132
3133
3121
3120
3206
682
3222



Lane Utilization



CITY OF ALBANY, OREGON
albanyoregon.gov

MEMO

TO: Albany Planning Commission

FROM: Aaron Hiemstra, Assistant City Engineer

DATE: March 24, 2026, for the March 30, 2026, Planning Commission Meeting

SUBJECT: Response to Transportation Technical Letters

Background/Discussion:

There were two Technical Letters submitted to the city during the March 16, 2026, Planning Commission Public Hearing regarding land use cases SP15-25, RL-08-25, and NR-03-25.

The Technical Letter submitted by the applicant's engineer, Christopher Clemow, references the November 5, 2024, Traffic Impact Analysis (TIA) that was submitted with the application materials. This Technical Letter concluded that the 53rd and Highway 99E intersection has the capacity for all the generated trips to go to 53rd Avenue and determined the intersection will remain within operational mobility standards at full build out. The Oregon Department of Transportation (ODOT) provided comments that an updated TIA was not required for the change in trip distribution and increased trips to the 53rd Avenue/Highway 99E intersection. An updated queuing analysis was not provided with the Technical Letter. The applicant already proposes a left turn pocket for westbound traffic to enter the development. The proposed site plan already provides movement restrictions to eastern driveway access, and the western access is located as far west as feasibly possible. These driveway locations do not restrict the existing queuing lengths for eastbound traffic.

Both letters reference cut-through and safety of on-site circulation upon the property directly to the east owned by Nyquist Ventures LLC. Clemow's analysis found cut-through movements would be limited due to northbound left-turn and eastbound right-turn movements. The Clemow letter references that these turning movements would have low delays. Staff agree with this assessment due to site observations showing low queues for right-turn movements at the 53rd and Highway 99E intersection. The proposed site also has traffic-calming elements included in the design with meandering alignment, adjacent parking stalls to the driveway and a driveway width of 26 feet. The letter references the potential for additional traffic-calming devices could be installed to further discourage cut-through traffic, but none were proposed at time of application submittal. There are no accessible pedestrian routes connecting Lakeshore Lanes to the mini-golf course across their driveway. This leaves pedestrians walking through landscaped areas and parking stalls to get to the mini-golf entrance. The applicant and Lakeshore Lanes may coordinate to have traffic-calming devices provided such as raised pedestrian walkways and speed humps. The City cannot require Traffic calming measures upon Nyquist Ventures' property as a part of this land use review.

If there is no existing easement on Lakeshore Lakes property benefiting the Schneider property, the City would support a modified condition for a road barricade to be installed between the properties to block access until an easement is obtained.