



COMMUNITY DEVELOPMENT

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

Staff Report

Conditional Use Review

CU-02-24

December 31, 2024

Application Information

| | |
|---------------------------|--|
| Review Body: | Hearing Board (Type III review) |
| Staff Report Prepared By: | Alyssa Schrems, project planner |
| Property Owner/Applicant: | Angela Kelly & Sarah Soric |
| Representative: | Christina Larson, Varitone Architecture, 231 2nd Avenue SW, Albany, OR 97321 |
| Address/Location: | 506 Ferry Street SW, Albany, OR 97321 |
| Map/Tax Lot: | Linn County Assessor's Map No: 11S-03W-07BB Tax Lot 07500 |
| Zoning: | Hackleman Monteith (HM) District |
| Overlays: | Monteith National Register Historic District |
| Total Land Area | 7,035 square feet |
| Existing Land Use: | Single Unit Dwelling |
| Neighborhood: | Central Albany |
| Surrounding Zoning: | North: Historic Downtown (HD) & Downtown Mixed Use (DMU) zones East: DMU Zone, Office Professional (OP) zone South: Hackleman Monteith (HM) zone West: HM zone |
| Surrounding Uses: | North: Church & Institutional Uses East: Church & Government Offices South: Single Unit & Single Room Occupancy Units West: Single Unit & Single Room Occupancy Units |
| Prior History: | None |

Summary

The proposal is for Conditional Use approval to use the existing structure on the property as an outpatient treatment center, which is classified as Community Service.

The Conditional Use review criteria contained in ADC 2.250 are addressed in this report for the proposed development. The criteria must be satisfied to grant approval for this application.

In summary, the proposed development application satisfies applicable review criteria; therefore, the staff recommendation is APPROVAL with CONDITIONS.

Notice Information

A notice of Public Hearing was mailed to property owners located within 300 feet of the subject property on December 20, 2024. The Notice of Public Hearing was posted on the subject property on December 27, 2024. No written testimony has been received as of the date of this report.

Appeals

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

Analysis of Development Code Criteria – Conditional Use

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

Criterion 1

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

Findings of Fact

- 1.1 Proposed use. The applicant proposes to convert the existing structure on the property into an outpatient treatment center, which is classified as a Community Service. No exterior changes are proposed at this time, however exterior changes are subject to regulations in Article 7 of the ADC and any proposed changes would need to comply with these regulations.
- 1.2 Intended character of the base zones. The subject property is located within the Hackleman Monteith (HM) zoning district. The purpose of the Hackleman Monteith zone is “primarily to preserve the existing residential character of the Hackleman and Monteith National Register Districts. Conversion of single-dwelling unit residential structures to non-residential or multiple-dwelling unit residential uses is not allowed”.

Due to changes enacted by the state legislature, the purpose statement has been deemed to no longer be compliant with state law and is subject to a Code Text Amendment (CP-02-24) that is currently under review. The newly proposed purpose statement reads as follows: “The HM district is intended primarily to preserve the historic character of the existing residential resources in the Hackleman and Monteith National Register Historic Districts. Low-density residential infill that is compatible with the historic character of the district is permitted.”
- 1.3 Operating Characteristics of the Neighborhood. Directly to the north of the subject property is the First Christian Church, which hosts addiction-related support groups, Al-ANON (support group for persons impacted by another person's alcoholism) and NA (Narcotics Anonymous) meetings. Directly to the south of the subject property (530 Ferry Street SW) is an Adult Care Home (specific type unknown). Further to the south on the same block is an Oxford Home (532 Ferry Street SW), which is a national system of homes for individuals in recovery from a substance use disorder. Directly to the east is the United Presbyterian Church, which provides childcare and other related community services. On the northwest corner of the block, there is a small business center (507 Washington Street SW). This business center has a law office and a financial advisor's office as tenants.
- 1.4 Conditional uses. The proposed treatment center is classified as “Community Service” in ADC 22.190 and is allowed in the HM zoning district with conditional use approval. According to ADC 2.230, “Certain uses are conditional uses instead of being allowed outright, although they may have beneficial effects and serve important public interests. The proposed use is subject to the conditional use regulations because they may have significant adverse effects on the environment, overburden public

services, change the desired character of an area, or create major nuisances. A review of the proposed use is necessary due to the potential individual or cumulative impacts they may have on the surrounding area or neighborhood. The conditional use process provides an opportunity to allow the use when there are minimal impacts, to allow the use but impose conditions to address identified concerns, or to deny the use if the concerns cannot be resolved.” The conditional use process provides an opportunity to review projects for potential impacts and impose conditions to address any identified concerns.

Conclusions

- 1.1 The proposed development is allowed with Conditional Use Type III review approval in the HM zoning district per ADC 3.050.
- 1.2 The proposal does not appear to have an impact on the operating characteristics of the neighborhood because the primary use of the property will be consistent with the surrounding uses.
- 1.3 As proposed, the use is consistent with the intended character of the base zones and the operating characteristics of the neighborhood.
- 1.4 This criterion is met without conditions.

Criterion 2

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

Findings of Fact

- 2.1 Definition of compatible. “Compatible” does not mean “the same.” *Merriam Webster’s Collegiate Dictionary*, Eleventh Edition, defines “compatible” as “(1) capable of existing together in harmony.”
- 2.2 Proposed Use. The proposal is to convert an existing structure in the HM district into a treatment center. No exterior alterations are currently proposed.
- 2.3 Existing and Anticipated Uses. The subject site is currently developed with a structure that is approximately 3,442 square feet in size. The surrounding area is developed with existing structures, with the exception of a parking lot to the east which serves the United Presbyterian Church. New development is not anticipated in this area due to existing development.
- 2.4 Building Size, Scale, Setbacks and Style. The applicant does not propose any exterior alterations to the structure. Furthermore, the structure is inventoried as a Historic Contributing resource in the Monteith National Register District, which limits changes that the applicant can make to the exterior of the structure.
- 2.5 Intensity and Lot Coverage of the Proposed Development. The applicant does not propose any new structures with the application; therefore, Lot Coverage will not be changed with this proposal. In regard to intensity, the applicant states that the proposed use will have five private rooms for one-on-one counselors, who are expected to see up to six clients per day. Group therapy sessions will have up to twelve clients with a single staff member. Two to four employees will work outside the office with clients, including care coaches and peer support. Overall, it is anticipated that the maximum number of people in the building at any one time will not exceed 30.
- 2.6 Landscaping. The existing landscaping consists of a residential-style lawn, trees, and shrubs. No changes are planned to the existing landscaping and regular maintenance of existing conditions is planned.

Conclusions

- 2.1 Based on the observations above, the proposed development will be compatible with existing or anticipated uses in terms of size, intensity, setbacks, and landscaping.

Criterion 3

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

Findings of Fact

- 3.1 The subject property is located at 506 Ferry Street SW. The project will change the use of the existing building from a single-dwelling home to a drug and alcohol treatment facility.
- 3.2 Both 5th Avenue and Ferry Street are classified as local streets and both are improved to city standards along the frontage of the development site. Improvements include curb and gutter, sidewalk, vehicle travel lanes in each direction, and on-street parking along both sides of the street.
- 3.3 The site currently has a driveway off Ferry Street. The applicant does not propose any changes to site access.
- 3.4 The applicant did not submit a trip generation estimate or Traffic Impact Analysis (TIA) with the application. Albany's threshold for submittal of a trip generation estimate is 50 peak hour trips. Developments that generate 100 or more peak hour trips are required to submit a TIA.
- 3.5 Staff has provided an estimated site trip generation based on the Institute of Transportation Engineers (ITE) trip generations rates. Trip generation for the proposed use was estimated by using ITE trip rates for category 210 "Single-Family Detached Housing" and category 712 "Small Office Building". The proposed use was estimated to generate nine (9) trips during the peak PM traffic hour.
 - ITE 210- 0.94 peak PM traffic hour per dwelling
 - ITE 712- 4,170 square foot building, 7.2 PM traffic hour.
- 3.6 Albany's Transportation System Plan does not identify any congestion or capacity issues occurring along the frontage of the site.

Conclusions

- 3.1 The site's street frontages along 5th Avenue and Ferry Street are improved to city standards.
- 3.2 Access to the site will be provided by the existing driveway off Ferry Street.
- 3.3 Based on ITE trip generation rates, the proposed development will generate 7.2 trips during peak PM traffic hour.
- 3.4 The development is not projected to generate sufficient trips to require submittal of a trip generation estimate or TIA. Albany's TSP does not identify any congestion or capacity issues occurring adjacent to the site.
- 3.5 The public street system can accommodate the proposed development.

Criterion 4

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

Findings of Fact

Sanitary Sewer

- 4.1 City utility maps show an 18-inch public sanitary sewer main in Ferry Street. The subject property is currently connected to the public sewer system.
- 4.2 Albany Municipal Code (AMC) 10.01.080 (2) states that before the City will issue a Building Permit, the applicant must pay to the City the necessary System Development Charges (SDCs) and any other applicable fees for connection to the public sanitary sewer system.
- 4.3 There are no anticipated impacts to the public sanitary sewer system with this development.

Water

- 4.4 City utility maps show an 8-inch public water main in 5th Avenue and an 8-inch public water main in Ferry Street. The existing development on the property is currently connected to the public water system.
- 4.5 There are no anticipated impacts to the public water system with this development.

Storm Drainage

- 4.6 City utility maps show a 12-inch public storm drainage main in 5th Avenue.
- 4.7 The proposed development is a change of use of an existing building and does not propose any redevelopment of the site.
- 4.8 There are no anticipated impacts to the public storm drainage system.

Fire Department

- 4.9 The Fire Department states that there are no concerns with the proposed use and the necessary level of service.

Conclusions

- 4.1 The existing development on the site is currently served by public sanitary sewer, water, and storm drainage.

Criterion 5

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

Findings of Fact

- 5.1 The properties located to the south and west are zoned Hackleman Monteith (HM), which is defined as a residential zone. Properties to the north and east are zoned Downtown Mixed Use (DMU) and Historic Downtown (HD), which are defined as mixed-use zones.
- 5.2 Noise. Noise associated with the use is anticipated to be minimal as there will be no music, movement or other modes of treatment that can produce loud noises.
- 5.3 Glare. No architectural changes or additions are proposed. If new exterior lights are installed, shielding will be required to maintain compatibility with surrounding uses.
- 5.4 Odors. The applicant does not propose any uses that would create odors from the property.
- 5.5 Litter. Litter will be controlled by employees on the site. Existing garbage services are provided by Republic Services.
- 5.6 Hours of operation. Expected hours of operation are 8:00 a.m. to 7:00 p.m., Monday through Saturday. The applicant states these will coincide with operating hours for various businesses within a five-block radius.
- 5.7 Privacy/Safety. The proposed activities will take place inside the building and will not be visible to neighbors. Employees and clients of the treatment center are of similar composition to those already served by businesses and services in the immediate area.

Conclusion

- 5.1 The impacts due to glare, litter, noise, odors, hours of operation, and safety are not expected to affect the surrounding uses.
- 5.2 The proposal will not have significant adverse impacts on the livability of nearby properties.
- 5.3 This criterion is met without conditions.

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 6 Significant Natural Vegetation and Wildlife Habitat: *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat*, does not show any inventoried features on the subject property.
- 6.2 Article 6: Floodplains: *Comprehensive Plan Plate 5: Floodplains*, shows no Floodway or 100-year floodplains on the subject property. FEMA/FIRM Community Panel No. 41043C0213H, dated December 5, 2016, shows that the subject property is outside the 100-year floodplain.
- 6.3 Article 6: Wetlands: *Comprehensive Plan Plate 6: Wetland Sites*, shows no inventoried wetlands on the subject property.
- 6.4 Article 6: Topography: *Comprehensive Plan, Plate 7: Slopes*, does not show any steep slopes on this property.
- 6.5 Article 7: Historic and Archaeological Resources: *Comprehensive Plan, Plate 9: Historic Districts*, shows the property is located in the Monteith National Register District. The structure is further inventoried as a Historic Contributing structure, which indicates that it still retains its historic integrity. At this time the applicant does not propose any exterior alterations but does note that an accessibility ramp may be required in the future. Any exterior alterations must comply with regulations contained in Article 7.

Conclusions

- 6.1 The proposed development complies with all policies regarding the Special Purpose Districts. No additional reviews are currently required based on the scope of work.
- 6.2 This criterion is met with a condition of approval notifying the owner of the potential of historic review

Conditions

Condition 1 Historic Review. Exterior changes to the structure may require further review. Please contact the Historic Planner at 541-791-0176 prior to undertaking any exterior work to confirm if a review is required.

Overall Conclusion

As proposed and conditioned, the application for a Conditional Use Review satisfies all applicable review criteria as outlined in this report.

Conditions of Approval

Condition 1 Historic Review. Exterior changes to the structure may require further review. Please contact the Historic Planner at 541-791-0176 prior to undertaking any exterior work to confirm if a review is required.

Options for the Hearings Board

The hearings board has three options with respect to the proposed conditional use:

- Option 1: Approve the request as proposed and conditioned; or
- Option 2: Approve the request with amendments; or
- Option 3: Deny the request.

Staff Recommendation

Based on the analysis provided in this report, staff recommends the hearings board choose Option 1 and approve the proposal with conditions of approval.

If the hearings board follows this recommendation, the following motion is suggested:

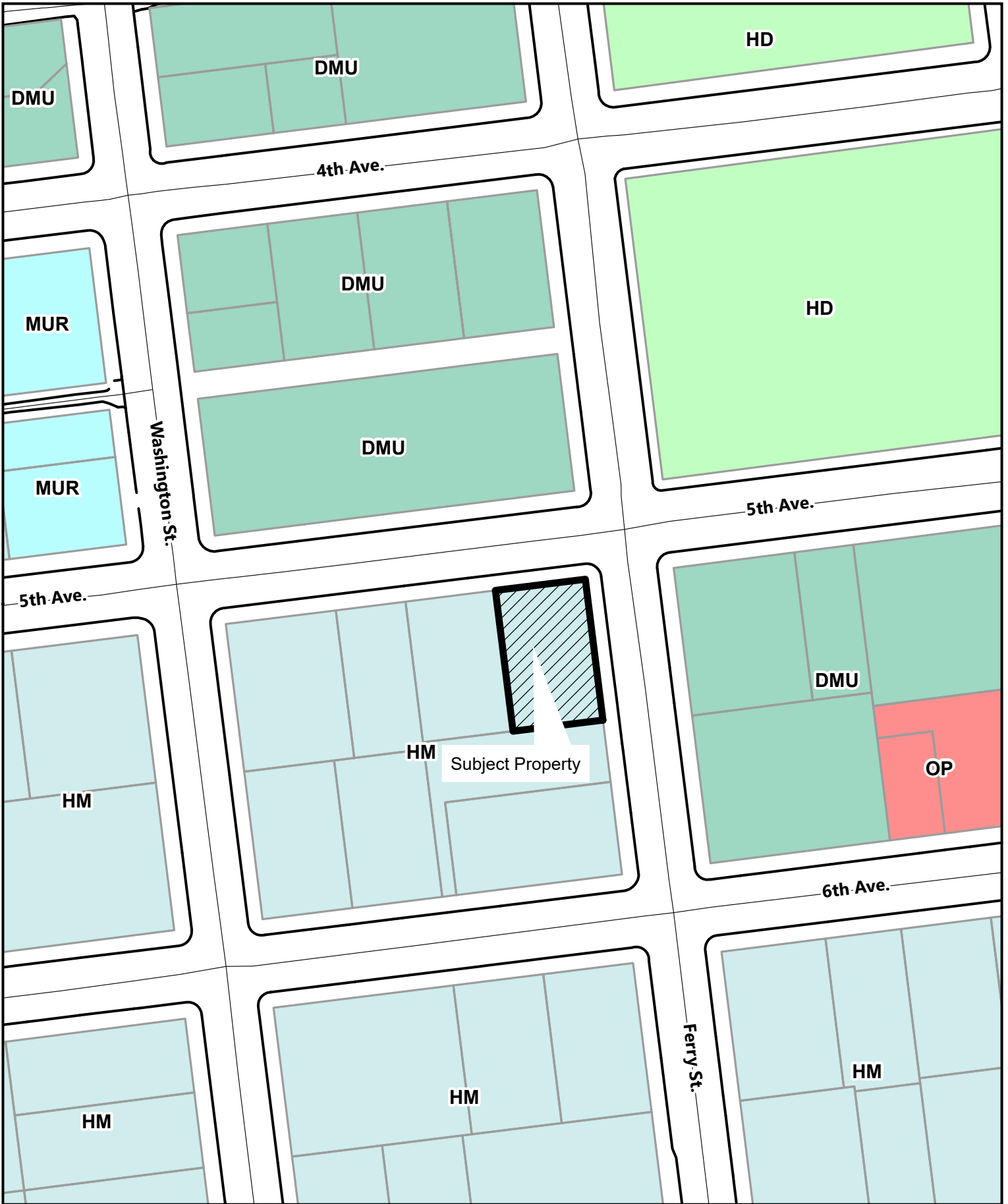
I move to approve the proposed Conditional Use Review as conditioned under planning file CU-02-24. This motion is based on the findings and conclusions in the December 31, 2024, staff report and the findings in support of the application made by the hearings board during deliberations on this matter.

Attachments

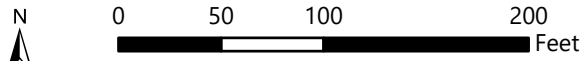
- A. Location Map
- B. Site Plan
- C. Applicant's Submittal

Acronyms

| | |
|------|---------------------------------------|
| ADC | Albany Development Code |
| AMC | Albany Municipal Code |
| CP | Comprehensive Plan Amendment |
| CU | Conditional Use (Review) |
| DMU | Downtown Mixed Use Zone |
| FEMA | Federal Emergency Management Agency |
| FIRM | Floodplain Insurance Rate Map |
| HD | Historic Downtown Zone |
| HM | Hackleman Monteith Zone |
| ITE | Institute of Transportation Engineers |
| TSP | Transportation Systems Plan |



\\con.cityofalbany.net\homes\analysis\Desktop\Notice Map_Template.mxd



Date: 10/30/2024 Map Source: City of Albany

506 Ferry St SW

Location Map



VARITONE
ARCHITECTURE
231 2nd Avenue SW
Albany, Oregon 97321
Ph: 541.497.2954

PREPARED FOR CONDITIONAL USE APPLICATION
NOT FOR PERMITTING, BIDDING, OR CONSTRUCTION

RECOVERY FIRST
506 FERRY ST SW, ALBANY, OR 97321

Issue: CONDITIONAL USE
Date: 10/10/2024

Revision: Date:

SITE PLAN

LU0.10

LOT INFORMATION

EXISTING ADDRESS 506 FERRY ST SW, ALBANY, OR 97321
 MAP # 11S03W07BB07500
 OWNER: SORIC SARAH J & KELLY ANGELA DIANE
 RECOVERY FIRST LLC
 615 IDYLWOOD DRIVE SE, SALEM OR 97302
 AKELLY@DYANMCSR.HUSH.COM
 PH: 503-289-0899

ZONING: HACKLEMAN MONTEITH - (HM)
 HISTORIC DISTRICT: MONTEITH

LOT COVERAGE

GROSS SITE 7,035 SF
 BUILDING AREA 1ST FLOOR: 1,414 SF
 SECOND FLOOR: 1,260 SF (BUILDING FOOTPRINT)
 ATTIC: 768 SF
 BASEMENT: 728 SF
TOTAL: 4,170 SF

EXISTING PAVING 665 SF
 TOTAL COVERAGE 5,090 SF

**NOTE: THESE CALCULATIONS ARE NOT BASED ON A LICENSED SURVEY. AREAS PROVIDED ARE BASED ON ARCHITECT'S FIELD VERIFICATION AND PUBLICALLY AVAILABLE INFORMATION SUCH AS TAX MAPS.

BICYCLE PARKING REQUIREMENTS
 REQUIREMENT - 5 PER 1000 GROSS SQUARE FEET
 2 BICYCLE PARKING SPACES PROVIDED

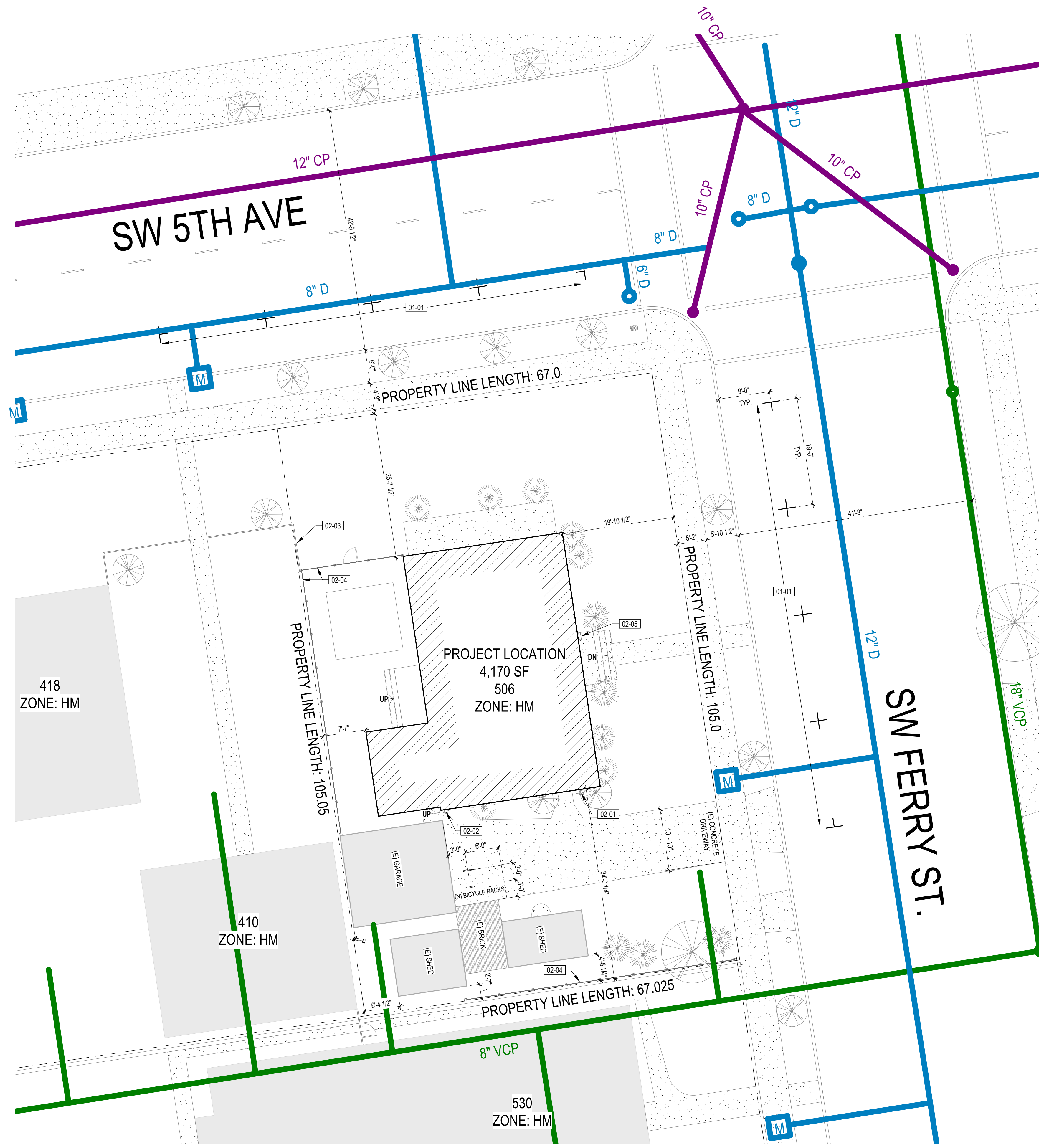
UTILITIES
 ALL UTILITIES ARE EXISTING TO REMAIN

LEGEND:

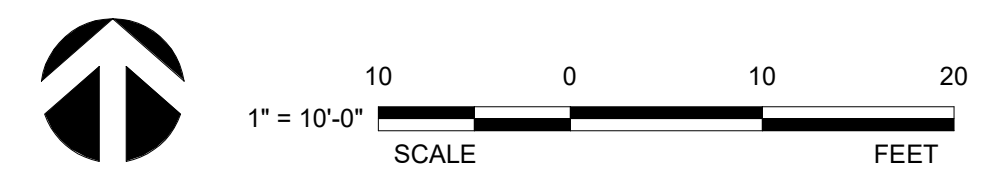
- PROPERTY LINE
- SETBACK LINE
- EASEMENT LINE
- XX" XXX MATERIAL OF PIPE
DI OF PIPE IN INCHES
SANITARY SEWER
- XX" XXX MATERIAL OF PIPE
DI OF PIPE IN INCHES
STORM SEWER
- XX" XXX MATERIAL OF PIPE
DI OF PIPE IN INCHES
WATER MAIN

KEYNOTE LEGEND

| # | Keynote Description |
|-------|-------------------------------|
| 01-01 | STREET PARKING |
| 02-01 | (E) GAS METER LOCATION |
| 02-02 | (E) ELECTRICAL METER LOCATION |
| 02-03 | (E) WOOD FENCE |
| 02-04 | (E) PLASTIC FENCE |
| 02-05 | (E) MAILBOX |



01 SITE PLAN
1" = 10'-0"





PREPARED FOR CONDITIONAL USE APPLICATION
NOT FOR PERMITTING, BIDDING, OR CONSTRUCTION

RECOVERY FIRST

506 FERRY ST SW, ALBANY, OR 97321

| | |
|-----------|-----------------|
| Issue: | CONDITIONAL USE |
| Date: | 10/10/2024 |
| Revision: | |
| Date: | |

FLOOR PLAN

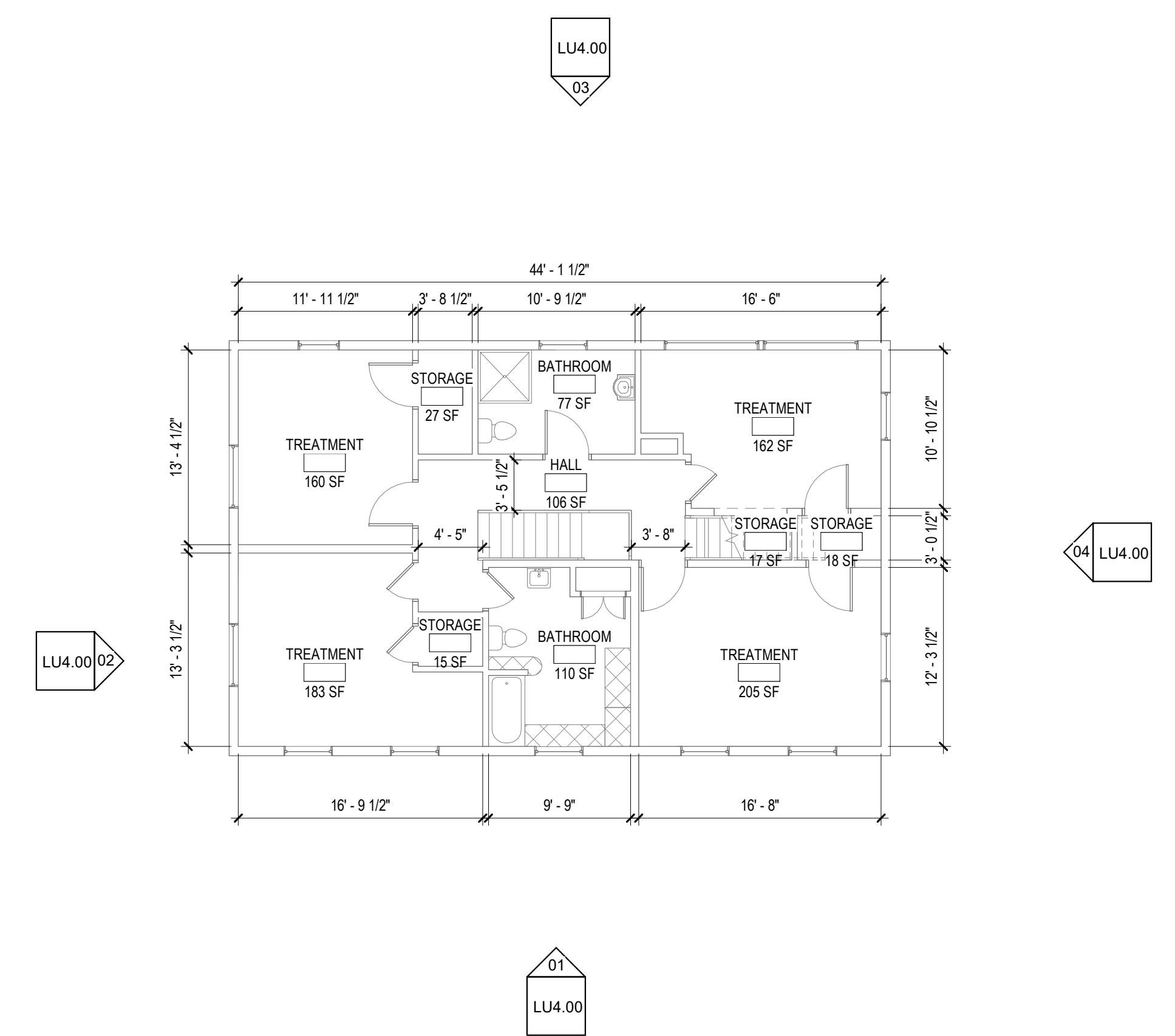
LU1.00

GENERAL FLOOR PLAN NOTES:

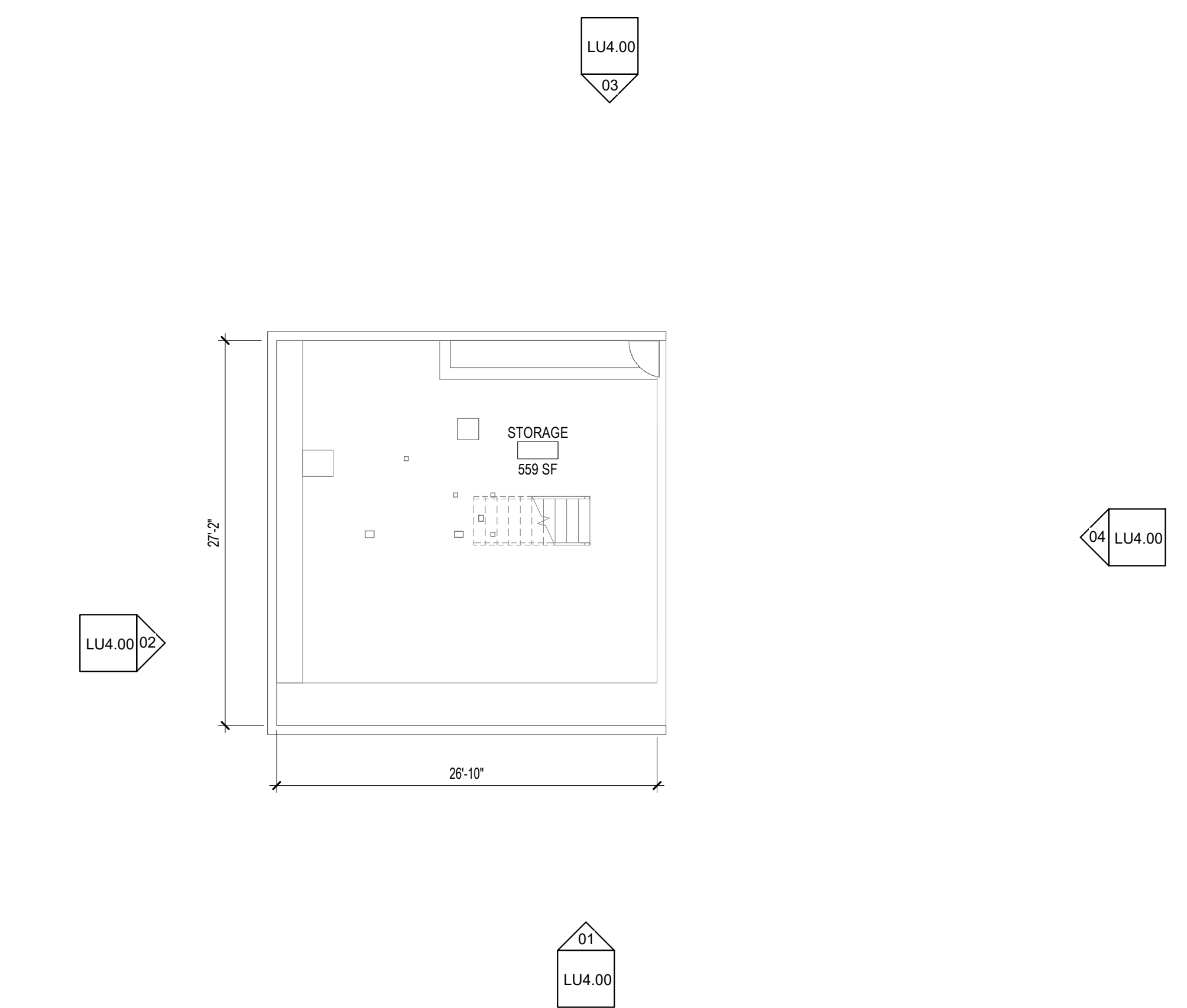
- DIMENSIONS ARE BASED ON WOOD FRAMED CONSTRUCTION. ALL INTERIOR WALL DIMENSIONS ARE TO THE CENTER OF STUD U.O.N. DIMENSIONS AT EXTERIOR WALLS ARE TO THE EXTERIOR FACE OF STUD U.O.N.

LEGEND:

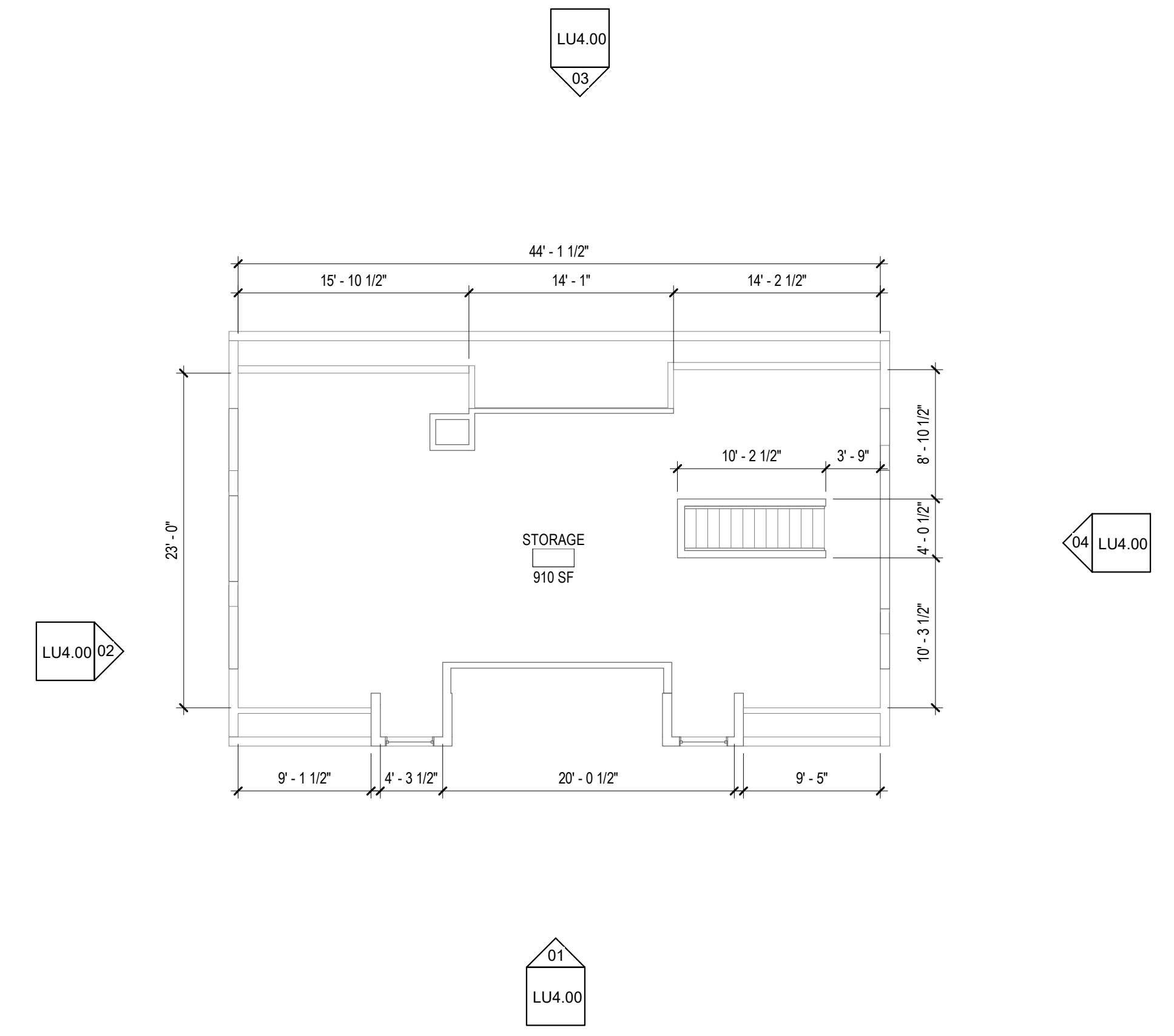
- NEW DOOR
- NEW WALL
- EXISTING DOOR
- EXISTING WALL
- EXISTING TOILET
- EXISTING CASEWORK
- EXISTING WALL HUNG SINK
- EXISTING PEDIestal SINK
- EXISTING DOUBLE SINK
- EXISTING SINK
- EXISTING TUB
- EXISTING SHOWER



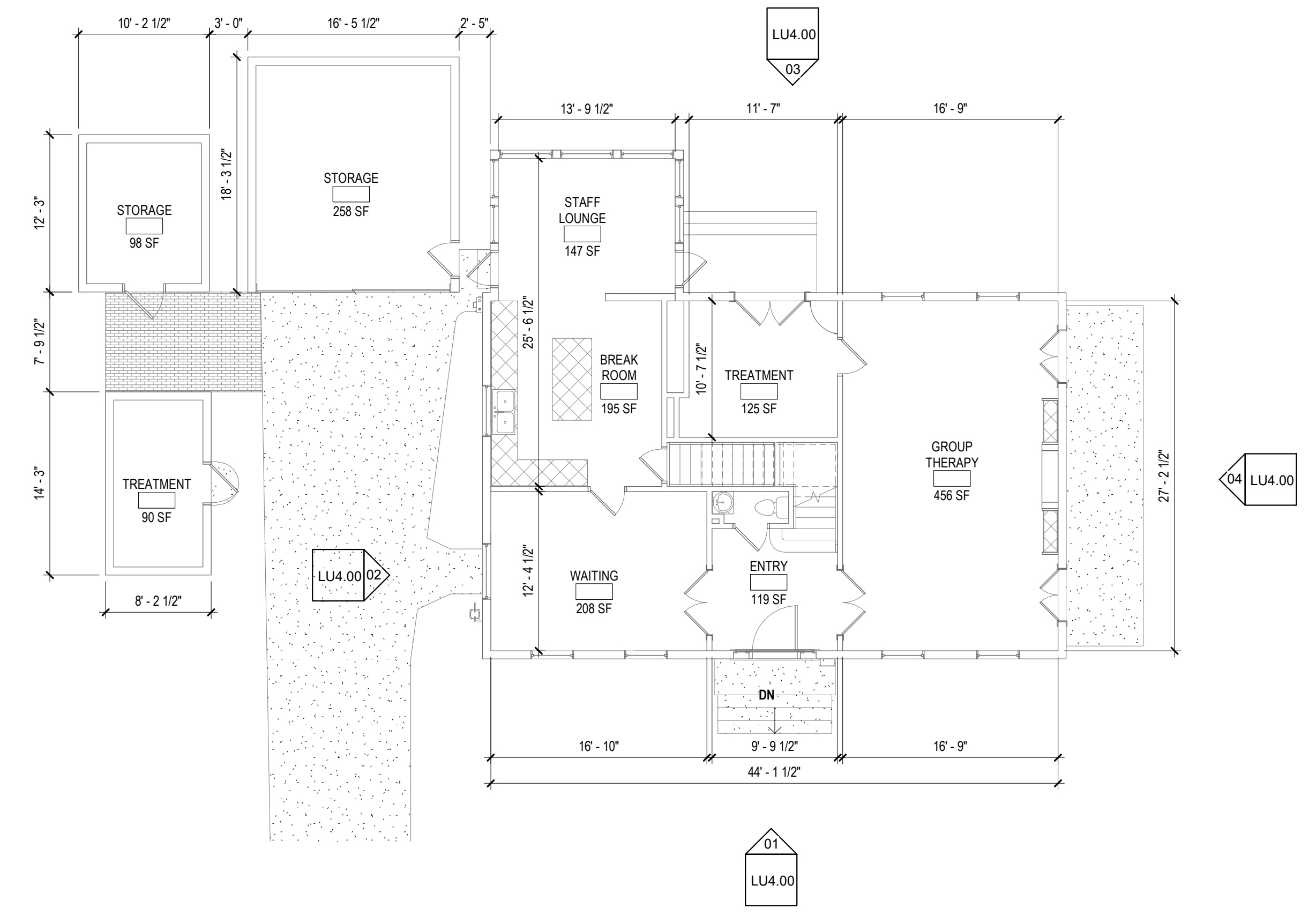
03 SECOND FLOOR PLAN
1/8" = 1'-0"



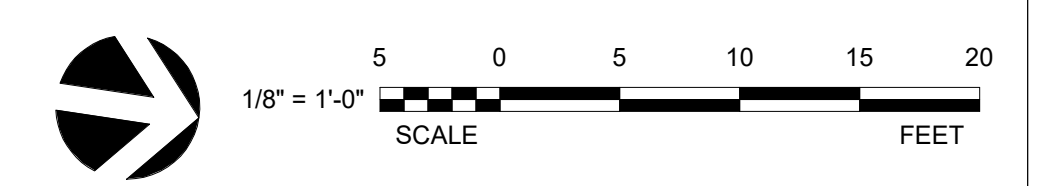
01 BASEMENT FLOOR
1/8" = 1'-0"



04 ATTIC FLOOR PLAN
1/8" = 1'-0"



02 FIRST FLOOR PLAN
1/8" = 1'-0"





PREPARED FOR CONDITIONAL USE APPLICATION
NOT FOR PERMITTING, BIDDING, OR CONSTRUCTION

RECOVERY FIRST
506 FERRY ST SW, ALBANY, OR 97321

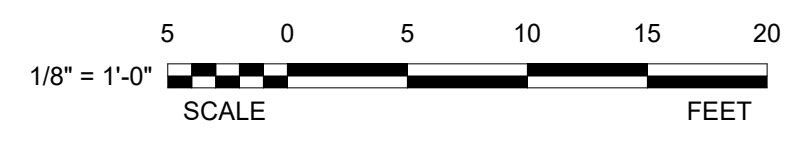
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|-----------|-----------------|
| Issue: | CONDITIONAL USE |
| Date: | 10/10/2024 |
| Revision: | Date: |
| | |
| | |

EXTERIOR ELEVATIONS

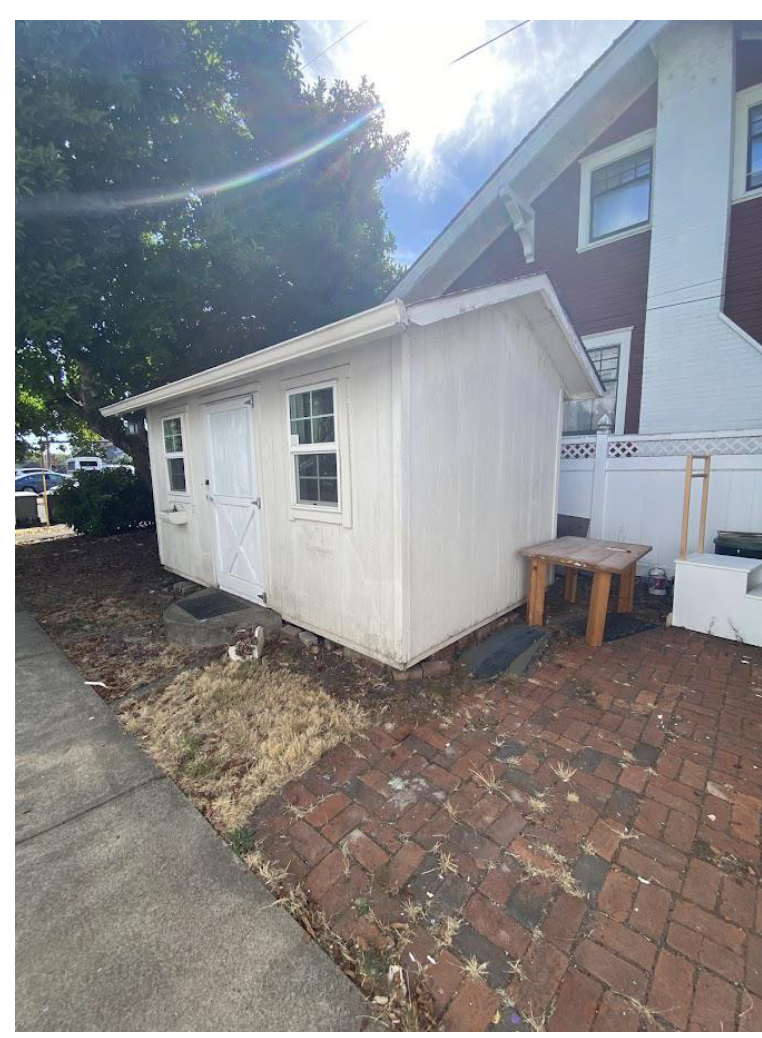
LU4.00

| EXTERIOR FINISH SCHEDULE | | | |
|--------------------------|----------|------------------|-------|
| ID | LOCATION | FINISH | COLOR |
| A | WALL | LAP SIDING | BEIGE |
| B | WALL | TRIM BOARD | BEIGE |
| C | ROOF | ASPHALT SHINGLES | GRAY |

| KEYNOTE LEGEND | |
|----------------|---------------------|
| # | Keynote Description |
| | |



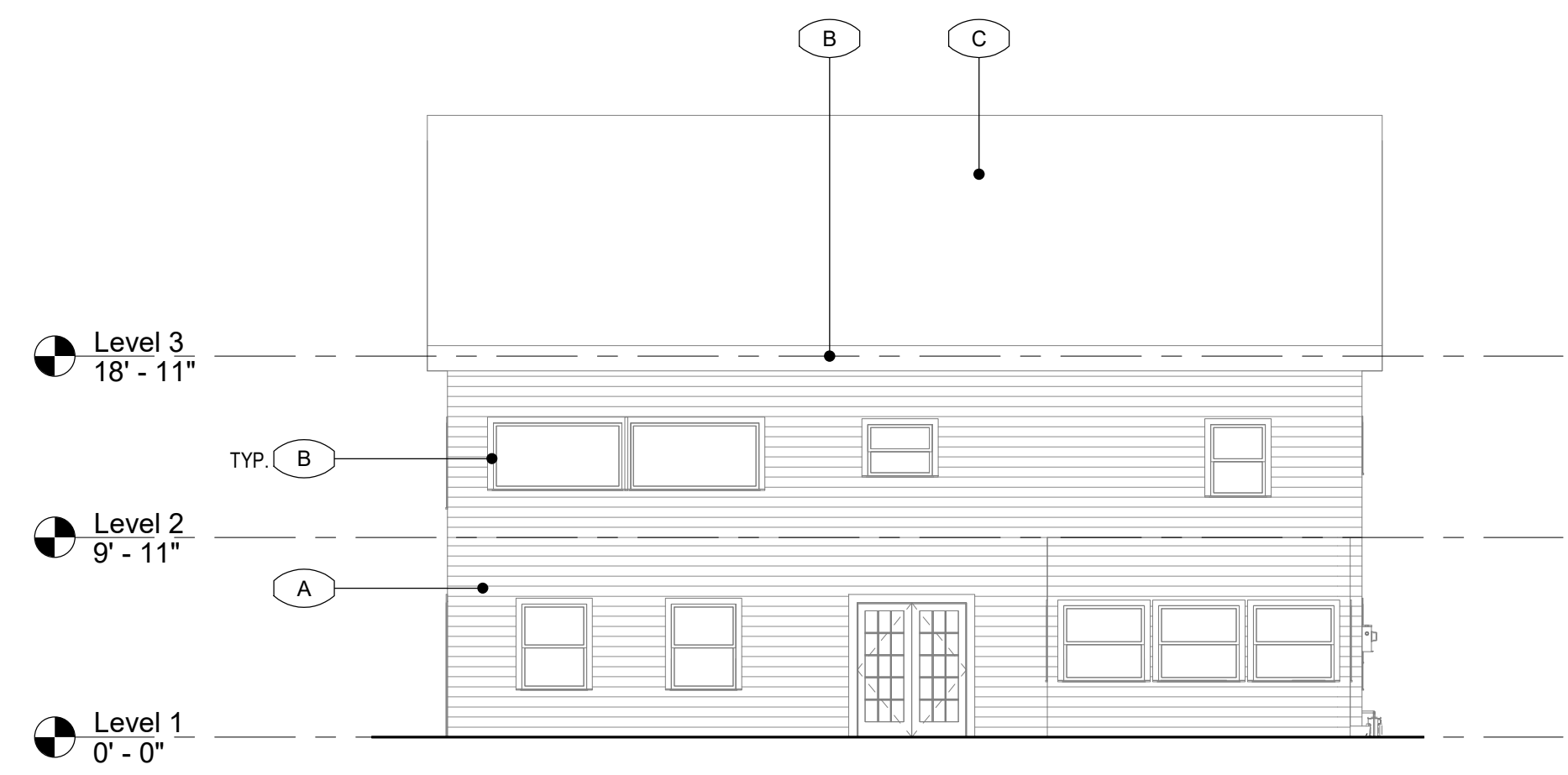
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1/8" = 1'-0"



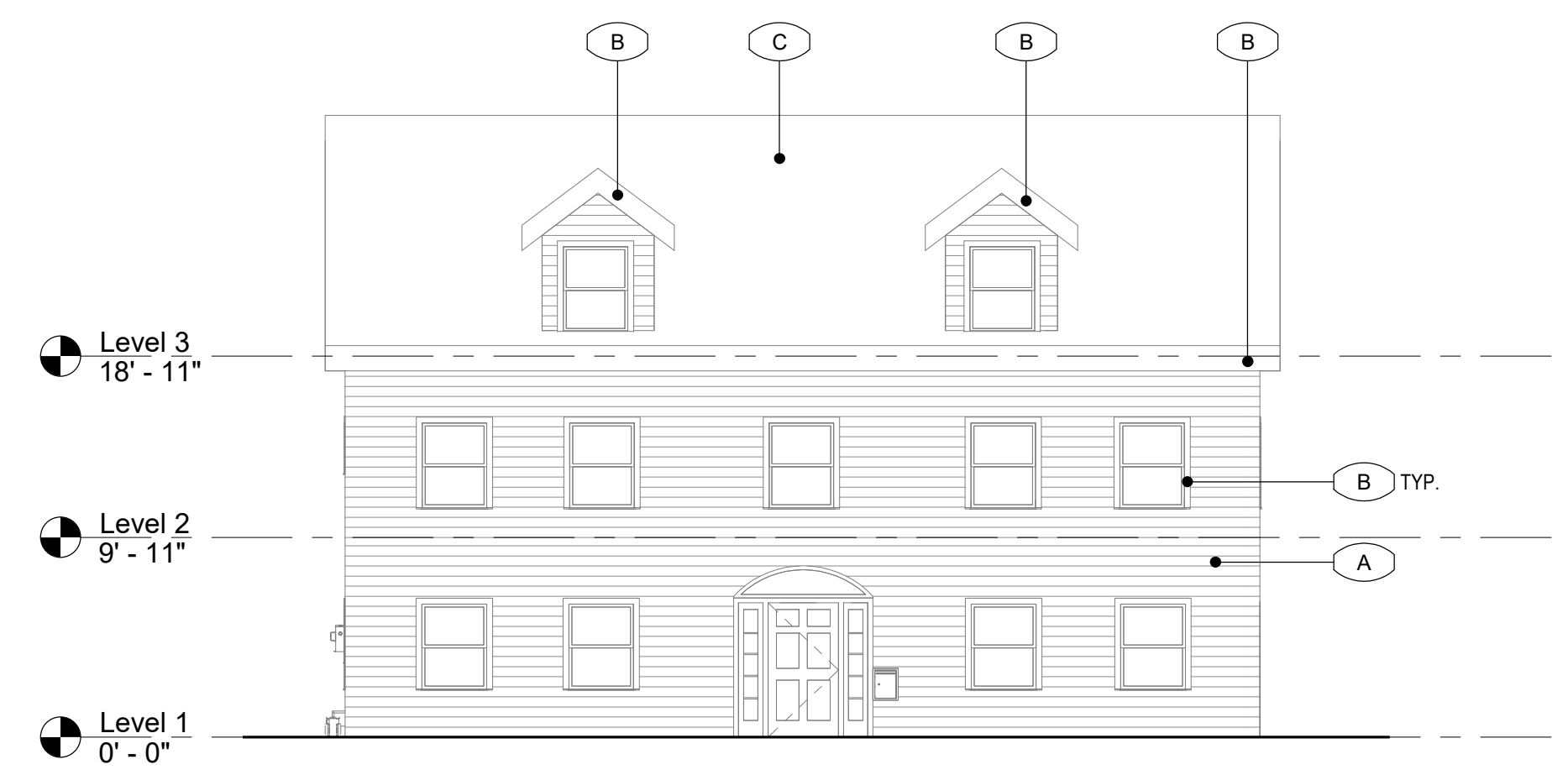
06 TREATMENT
3/16" = 1'-0"



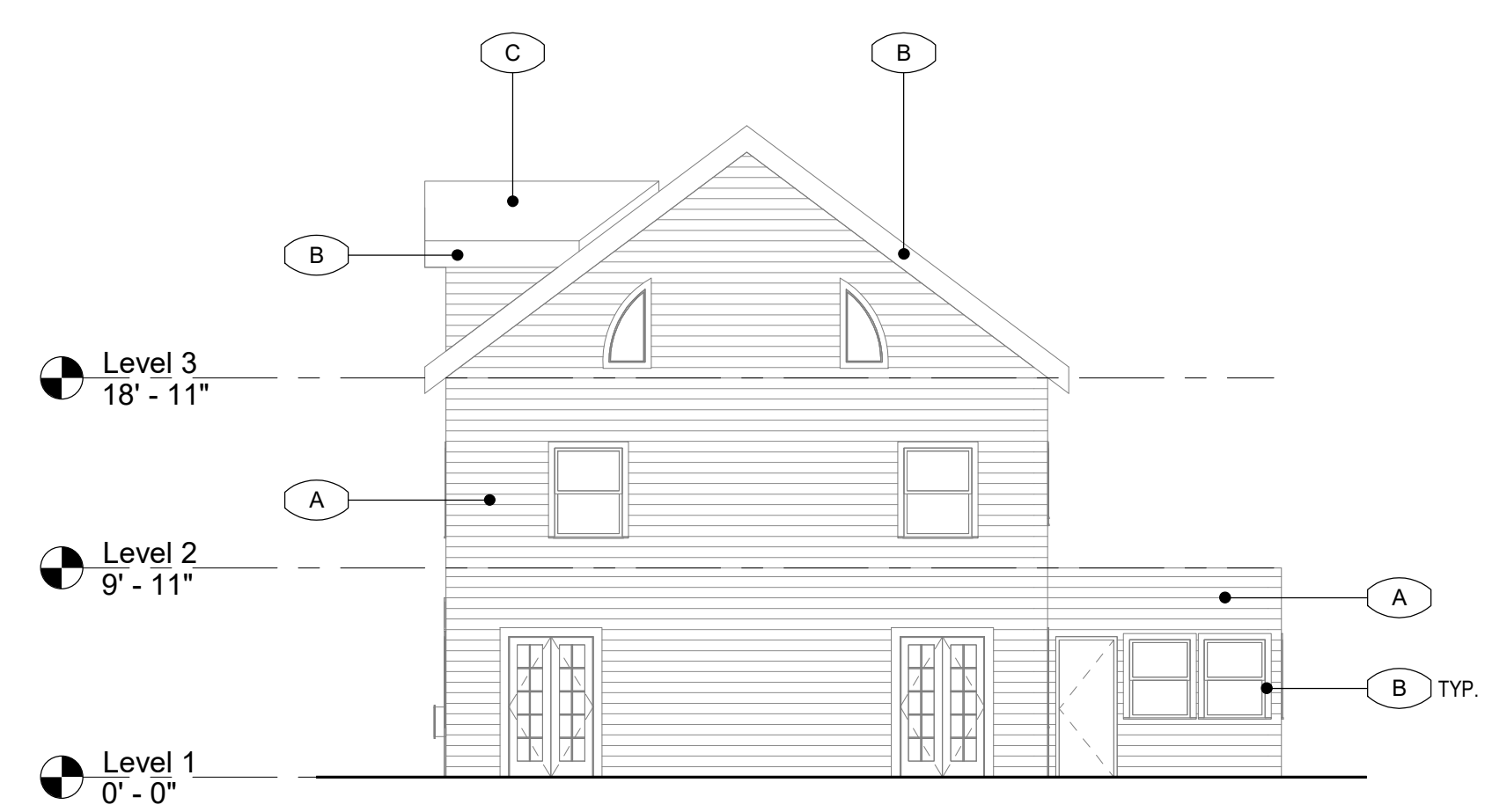
07 GARAGE
1/8" = 1'-0"



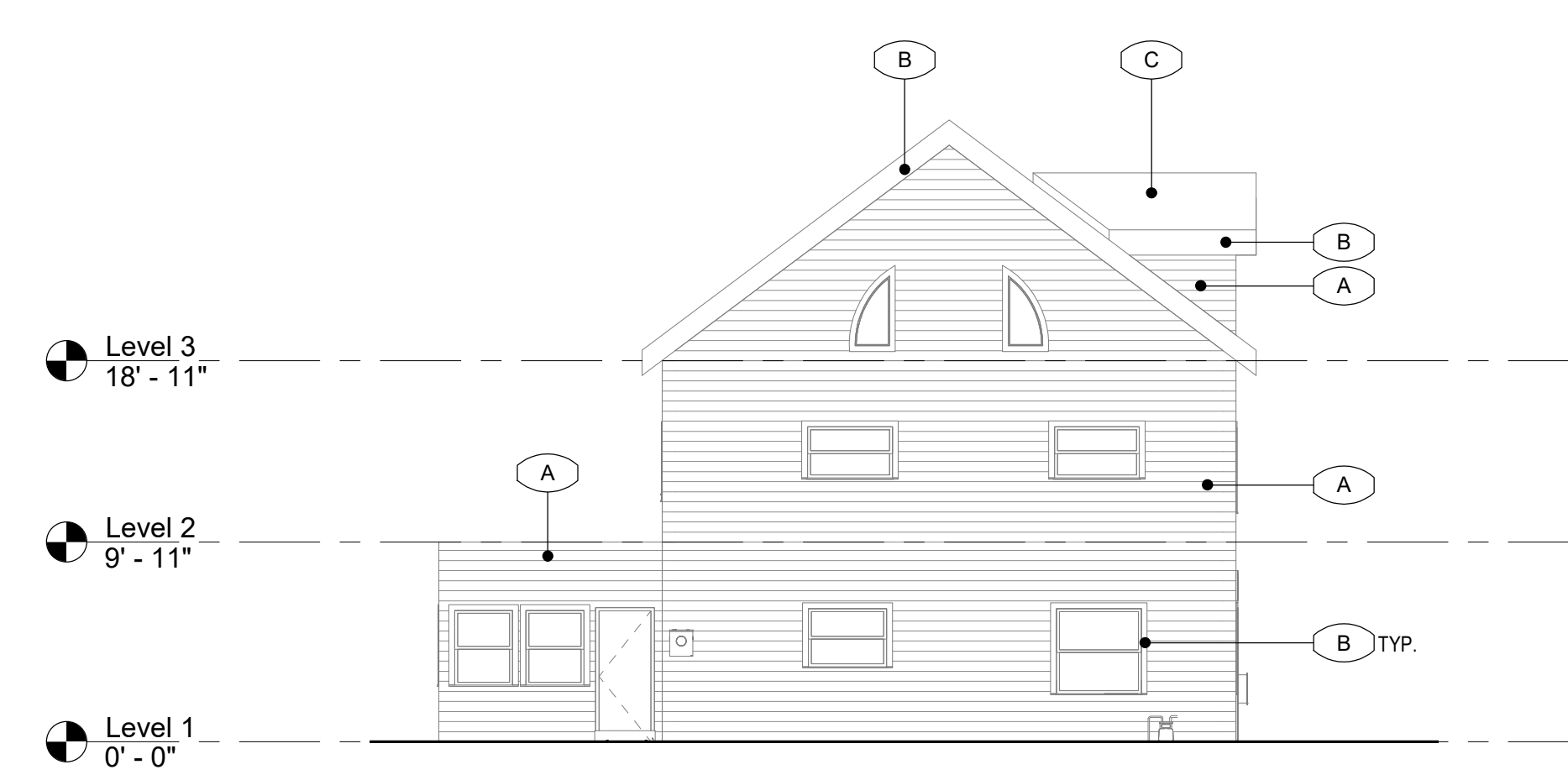
03 EAST ELEVATION
1/8" = 1'-0"



01 WEST ELEVATION
1/8" = 1'-0"



04 EAST ELEVATION 1
1/8" = 1'-0"



02 NORTH ELEVATION
1/8" = 1'-0"



GENERAL INFORMATION
PLANNING APPLICATION | CONDITIONAL USE TYPE II
REVIEW CRITERIA AND DEVELOPMENT STANDARDS RESPONSES

DATE OF APPLICATION: 10/12/204
FILE: APP-0075-24 (pre-application meeting)
TYPE OF APPLICATION: Conditional Use review to use historic residential building as an outpatient treatment center (community service use category per 3.050-1) in the historic Hackleman-Monteith District.

REVIEW BODY: Planning Commission
PROPERTY OWNER: Angela Kelly and Sarah Soric
APPLICANT: Angela Kelly and Sarah Soric
 615 Idylwood Drive SE
 Salem OR 97302
 E: akelly@dynamicsr.hush.com
 E: ssoric@dynamicsr.hush.com
 C: 503-269-0899

APPLICANT REP: Christina Larson, AIA
 Varitone Architecture, LLC
 231 SW 2nd Ave.
 Albany, OR 97321
 p. 541.497.2954 Ext. 101
 c. 541.224.2210
 christina@varitonearchitecture.com

ADDRESS/LOCATION: 506 SW Ferry Street
 Albany, OR 97321

MAP/TAX LOT: 11S03W07-BB-07500
ZONING: Hackleman-Monteith District (HM)
EXISTING LAND USE: Single-family residential
HISTORIC STATUS: Historic Contributing
NEIGHBORHOOD: Monteith Historic
SURROUNDING ZONING: North: HD (Historic Downtown)
 South: PB (Pacific Boulevard)
 East: LE (Lyon/Ellsworth)
 West: ES (Elm Street) and RS-6.5 (Residential Single Family)

Background Information

Angela Kelly and Sarah Soric are the clinical supervisors and owners of Recovery First, LLC, an addiction rehabilitation center. In early 2024, they purchased the single-family residential building on 506 Ferry Street SW to serve as the primary place of business for the center. Their intention is to use the building as an outpatient center, with one-on-one treatment and group therapy.

The area around the building is diverse in terms of use and building types. See criteria 1. No exterior construction is planned for this building (i.e., no new development). However, an accessible route may be provided for the building's transition from residential to commercial use. This could include work such as improvements to the sidewalk and adding an accessible ramp at the back or side of the house. The decision on whether this work will take place depends on the total construction cost for the interior of the building, if any, that would be needed to change the building from residential to commercial B occupancy. If work on the interior is necessary, then 25% of the project cost affecting the primary function area would need to be allocated for accessibility upgrades as per Oregon Revised Statute (ORS) 447.241. Any of this work would require review by the City's Landmarks Commission to ensure that the proposed work is consistent with the historical nature of the building and surrounding area.

Review Criteria

The Albany Development Code includes the following review criteria, which must be met for this application to be approved. The code criteria are written in **bold italics** and are followed by findings and conclusions.

CRITERIA 1. The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.

Findings of Fact

- 1.1 See the findings about other operating characteristics of the treatment center (such as noise, glare, odor, litter, and hours of operation) under Review Criterion (5).
- 1.2 The property is zoned HM (Hackleman-Monteith District). Per ADC 4.020(7), "The HM district is intended primarily to preserve the existing residential character of the Hackleman and Monteith National Register Historic Districts."
- 1.3 The building is a historic contributing building.
- 1.4 No changes are planned to the building's exterior historic architecture. In the future, there is potential for creating an accessible route from the public way to a point of entry to the building. Should that occur, such work would be subject to Landmarks Commission review to ensure it is consistent with the residential character of the existing building.
- 1.5 ADC 4.050 includes a Schedule of Permitted Uses. The schedule lists uses and whether they are allowed in a particular zoning district. Community services may be permitted for conditional use in HM zoning districts. ADC 22 has a broad definition of community services, detailing that such uses provide local service to people of the community, with those services and employees provided on an on-going basis on site. Community services, per correspondence with the City Planner (Alyssa Schrems, email dated 07/02), drug and alcohol centers are included in the City's definition of community centers
- 1.6 The following uses are within the immediate area of the proposed outpatient treatment center:
 - a) First Christian Church, directly across the street, hosts addiction-related support groups AL-ANON (support group for persons impacted by another person's alcoholism) and NA (Narcotics Anonymous).
 - b) Within the same block (532 SW Ferry Street), there is an existing Oxford House, a nationally recognized system of homes for individuals in recovery from a substance use disorder.
 - c) Dynamic Self Recovery (1010 SW 11th Ave), a mental health outpatient clinic offering therapy for addictions, trauma, anxiety, and mood disorders is .7 miles away.

- d) Linn County plans to open a Crisis Recovery Center (CRC) on at 1050 SW 7th (.2 miles away). A CRC provides immediate resources for individuals undergoing crises related to mental health and substance abuse.
- 1.7 This property is in a residential neighborhood bordering the Historic Downtown district. Within a two-block radius of walking distance, the following uses occur.
 - a) Three churches with various community services.
 - b) A childcare center.
 - c) Linn County Circuit Court.
 - d) Mixed commercial use centers.
 - e) Dining establishments.
 - f) Single family homes.
 - g) Subdivided apartment homes.

Conclusions

- 1.1 Based on the findings above and the findings under Review Criterion (3) and (5) below, the proposed outpatient treatment center will be consistent with the intended character of the base zone and the operating characteristics of the neighborhood.

CRITERIA 2. The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping or the proposal calls for mitigation of differences in appearance or scale through such means as setbacks, screening, landscaping or other design features.

2 Findings of Fact

- 2.1 Size, building scale, and style: No building size, scale, or style changes are proposed; the existing building's architectural style and historical nature are to be left as-is. In the future, there is potential for creating an accessible route from the public way to a point of entry to the building. Should that occur, such work would be subject to Landmarks Commission review.
- 2.2 Intensity. The Development Code does not define "intensity" in the definitions section (Article 22). Without an ADC definition, we look to the dictionary definition for guidance. Webster's Collegiate Dictionary, Tenth Edition, defines intensity as an extreme degree of strength, force, energy, or feeling. As an indicator of intensity, these findings outline existing and proposed occupants of the building and use:
 - h) The proposed project has five private rooms for one-on-one counselors, who are expected to see up to six clients per day.
 - i) Group therapy sessions will have up to twelve clients with a single staff member.
 - j) Two to four employees will work outside the office with clients, including the care coaches and peer support.
 - k) It is anticipated that the maximum number of people if the building will not exceed 30.
 - l) See review criteria (1) for uses and functions within the immediate area.
- 2.3 Landscaping. The existing landscaping consists of a residential-style lawn, trees, and shrubs typical of the neighboring houses. No changes are planned to the existing landscaping, and regular maintenance of existing conditions is planned.

Conclusions

The proposed use is compatible with the existing or anticipated uses in terms of size, building, scale, and style, as none of the said factors are changing. Setbacks are existing and unchanged. The intensity of the proposed use is similar to that of neighboring churches and other businesses. No mitigation of differences is required.

CRITERIA 3. The transportation system can support the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts and pedestrian safety.

Findings of Fact

- 3.1 See criteria (2) for findings related to the intensity of use and the conclusion that there is no change in intensity of use.
- 3.2 The clinic will have 6-10 employees with cars, two of whom take their appointments in the community and, therefore, spend most of their time outside the clinic.
- 3.3 The property has one existing driveway on Ferry Street that can accommodate a single car.
- 3.4 Two bicycle parking spots will be provided in the existing driveway.
- 3.5 The Downtown Albany Association oversees a free downtown parking lot on Water Avenue for area employees, an 8–10-minute walk.
- 3.6 Sarah Soric owns Dynamic Self Recovery. See review criteria (1). This neighboring mental health center provides insight into the transportation habits of potential Recovery First clients and is served by the same public transportation system. Most Dynamic Self Recovery patients use public transportation or other means of drop-off transport. A small percentage (less than 15%) drive themselves to appointments.
- 3.7 A public parking lot is available on Ferry and Third for clients with vehicles.
- 3.8 Ferry and Fifth Street both have on-street parking.
- 3.9 Public transportation services are available in the vicinity. Albany Transit provides public bus service along 4th Street, and the nearest bust stop is on 4th and Ellsworth, a five minute walk away (.3 miles).

Conclusions

The transportation system has adequate capacity to accommodate the vehicle and pedestrian traffic generated by the outpatient center.

CRITERIA 4. Public services for water, sanitary and storm sewer, water management and for fire and police protection are capable of servicing the proposed use.

Findings of Fact

- 4.1 Sanitary Sewer and Water. The proposed project does not plan to install new plumbing fixtures, and none are required due to changes in occupant load.
- 4.2 Fire. The Albany Fire Department serves this neighborhood and surrounding areas.
- 4.3 Police. The Albany Police Department will serve this neighborhood. See the discussion about privacy and safety concerns under Review Criterion (5) below.

Conclusions

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

CRITERIA 5. The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to: (a) Noise, glare, odor, litter, and hours of operation; (b) Privacy and safety issues.

Findings of Fact

- 5.1 Noise. The proposed project is consistent with the diverse uses in the immediate area. See review criteria (1). Talk therapy is used for group counseling; no music, movement, or other modes of treatment that can produce loud noises are planned.
- 5.2 Glare. No architectural changes or additions are proposed.
- 5.3 Odors. The proposed use is not associated with any activities, such as commercial cooking, that could directly impact odors.

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- 5.4 Litter. The proposed project can adequately be served by the same garbage service that served the property as a single-family home.
 - 5.5 Hours of operation. Expected hours of operations are 8am to 7pm, Monday through Saturday, and coincide with operating hours for various businesses within a 5 block radius.
 - 5.6 Privacy Issues: All proposed activities will take place inside the building and will not be visible to neighbors.
 - 5.7 Safety issues. Employees and clients of treatment center are of similar composition as those already served by businesses and services in the immediate area. See review criteria (1).

Conclusions

- 5.1 The proposal will not significantly impact the livability of nearby residentially zoned lands.

CRITERIA 6. Any special features of the site (Such as topography, floodplain, wetlands, vegetation, historic sites, etc.) have been adequately considered and utilized.

Findings of Fact

- 6.1 Topography. There are no proposed changes to topography.
- 6.2 Floodplain. The City of Albany's Floodplain (100 Year) Web Mapping Application does not show this property in a floodplain.
- 6.3 Wetlands. The City of Albany's Natural Resources Web Mapping Application does not show any wetlands on the property. The City does not have a Local Wetlands Inventory that includes this property. The National Wetlands Inventory map does not show any wetlands on this property.
- 6.4 Vegetation. There are no proposed changes to vegetation.
- 6.5 Historic sites. This building is in a historic district and is considered a historic contributing building on the City's Inventory of Historic Properties.

Conclusions

- 6.1 This provision is not currently applicable. Any future changes to the property visible from the public would be subject to review by the City's Landmarks Commission.