



## COMMUNITY DEVELOPMENT

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

# Notice of Decision

## Site Plan Review

SP-08-23

June 26, 2023

### Application Information

|                           |  |
|---------------------------|--|
| Proposal:                 | Site Plan Review for construction of a 6-unit multi-dwelling unit development with associated site and parking lot improvements. |
| Review Body:              | Staff (Type I-L review)  |
| Property Owner/Applicant: | Sly Toran; 12309 Miller Road, Gervais, OR 97026  |
| Representative:           | Muli-Tech; C/O Brandie Dalton; 1155 SE 13th Street, Salem, OR, 97302   |
| Address/Location:         | Unassigned; 1st Avenue, Albany, OR 97321   |
| Map/Tax Lot:              | Linn County Assessor's Map No. 11S-03W-06DC; Tax Lots 5600 & 5700  |
| Zoning:                   | Mixed Use Residential (MUR)  |
| Existing Land Use:        | Vacant   |

On June 11, 2023, the City of Albany Community Development Director granted **APPROVAL WITH CONDITIONS** of the application referenced above.

The City based its decision on the project's conformance with the review criteria listed in the Albany Development Code (ADC). The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. Conditions of approval are attached to this notice. For more information, please contact the project planner, **Jennifer Cepello** at 541-917-7561 or Current Planning Manager David Martineau at 541-917-7555.

The City's decision may be appealed to the Planning Commission if a person with standing files a Notice of Intent to Appeal not later than 10 days after the Director's notice of decision is mailed [ADC 1.330(5)(a)]. 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.

*Signature on file*

Community Development Director

**Appeal Deadline: July 6, 2023**

**Approval Expiration Date (if not appealed): June 26, 2025**

Attachments: Information for the Applicant, Location Map, Site Plan

## Conditions of Approval

- Condition 1 Site Improvements.** Before the City will issue a final certificate of occupancy for the proposed structure(s), all proposed and site improvements identified to the site plan (e.g., driveways, landscaping, lighting, etc.) shall be constructed and completed in accordance with approved plans. Landscaping may be financially secured through a completion guarantee, per ADC 9.190.
- Condition 2 Screening of Refuse Containers.** Before the City will issue a final certificate of occupancy for the proposed structure(s), the applicant must provide screening of the refuse containers in compliance with ADC 3.390.
- Condition 3 Bicycle Parking.** Before the City will issue any certificate of occupancy for the proposed structure(s), the applicant shall provide evidence that required bicycle parking meets the standards of ADC 9.120(13) by installing secured parking racks for each space and installing shelter for three spaces (one-half of the required bicycle parking).
- Condition 4 Parking.** A separate parking lot permit must be obtained for the proposed development, detailing the conformance to ADC 9.120 and 9.130. Before the City will issue a final certificate of occupancy for the proposed structures, the parking lot shall be installed and approved.
- Condition 5 Landscaping and Irrigation System.** Before the City will issue any certificate of occupancy for the proposed structure(s), the applicant shall provide a landscape plan and either an irrigation plan or a letter from a qualified landscape professional stating irrigation is not required per ADC 9.160.
- Condition 6 Lighting.** Before the City will issue an electrical permit for the proposed development, the applicant shall provide a lighting plan, detailing the compliance with ADC 9.120(14).
- Condition 7 Public Works.** An encroachment permit from the Public Works Department is required before work is started on storm lateral construction.
- Condition 8 Public Works.** Before any work is done on or around a public water main for the installation of fire protection, the applicant must obtain a Site Improvement Permit from the Public Works Department.
- Condition 9 Transportation.** Prior to issuance of any certificate of occupancy for the structure(s), the applicant shall construct a new driveway approach to 1st Avenue at the size and location shown on the approved 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.**

## Information for the Applicant

Please read 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 Development Code regulations or administrative policies of the Planning, Engineering, Fire, or Building Departments that you must meet as part of the development process. You must comply with state, federal, and local law. 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.

## Planning

1. Land use approval does not constitute Building or Public Works permit approvals.

2. Construction of the development must substantially conform to the approved Site Plan Review.
3. The property line adjustment shall occur in substantial conformance to the plans submitted for review. **The Planning Division must approve any changes to the approved plan.**
4. Conveyance of the property must be executed by deed. The applicant shall cause a deed to be prepared by a title company or an attorney. A legal description shall be prepared for the reconfigured property and for the land being conveyed. The deed shall contain the names of the parties, legal description of the land, references to original recorded documents, and signatures of all parties with proper acknowledgment.
5. In order to convey (transfer) the property, the deed with the legal description must be recorded with the Linn County Recorder and Surveyor (ADC 11.140). **Prior to recording**, all of the documents shall be reviewed and approved by the City of Albany, Community Development Division. (For the City review, the deeds do not need signatures.)
6. When the legal documents are recorded, that portion being removed from one tax lot must be consolidated with the other. Consolidation is done by the Linn County Tax Assessor. Before the county tax assessor's office can approve a consolidation, the applicants must present evidence to it that the following are met:
7. The ownership interest must be exactly the same on each parcel involved (i.e., one cannot be contract purchaser on one parcel and deed holder of the other).
8. Taxes must be paid in full; no taxes can be owed on the parcels involved.
9. A tax lot under a mortgage **will not** be combined with a tax lot that is not covered by a mortgage, unless approved by the mortgage holder.
10. Contact the Linn County Assessor's office for additional information or assistance with the consolidation.
11. Prior to issuance of any building permits on the properties covered by this application, the applicant must return a copy of the recorded deed to the Planning Division.
12. This proposal must be initiated within three years of the date of this letter of approval.

## Building

1. The proposed project will require permits that will need to be applied for at [www.cityofalbany.net/permits](http://www.cityofalbany.net/permits). For questions about permitting requirements, please email [cd.customerservice@cityofalbany.net](mailto:cd.customerservice@cityofalbany.net).
2. 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.
3. The accessible parking will need to be located closer to the streetside, and the accessible route to the building in order to comply with Section 1106.7 of the Oregon Structural Specialty Code's requirement for the accessible parking to be located "on the shortest practical route".

## Engineering

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 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.
2. No unauthorized person is allowed to make connection to any public sewer or appurtenance without first obtaining the appropriate permits through the City's Public Works Department.

3. The development shall comply with all applicable codes and ordinances, including AMC 12.10.010.

## Fire

1. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the property as measured by an *approved* route of travel around the exterior of the structure. (OFC 503.1.1)
2. 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)
3. Location of any Fire Department Connections (FDCs) that may 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 a distance equal to at least 1<sup>1/2</sup> times the height of the building, when possible, 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). (OFC 903.3.7 and Albany Fire Department requirements)

**An additional hydrant will be required to be placed within 40 feet of the FDC.**

Water Ave.

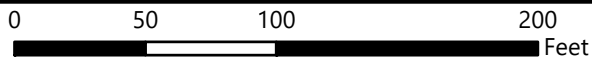
WF

Subject Properties

MUR

Jefferson St.

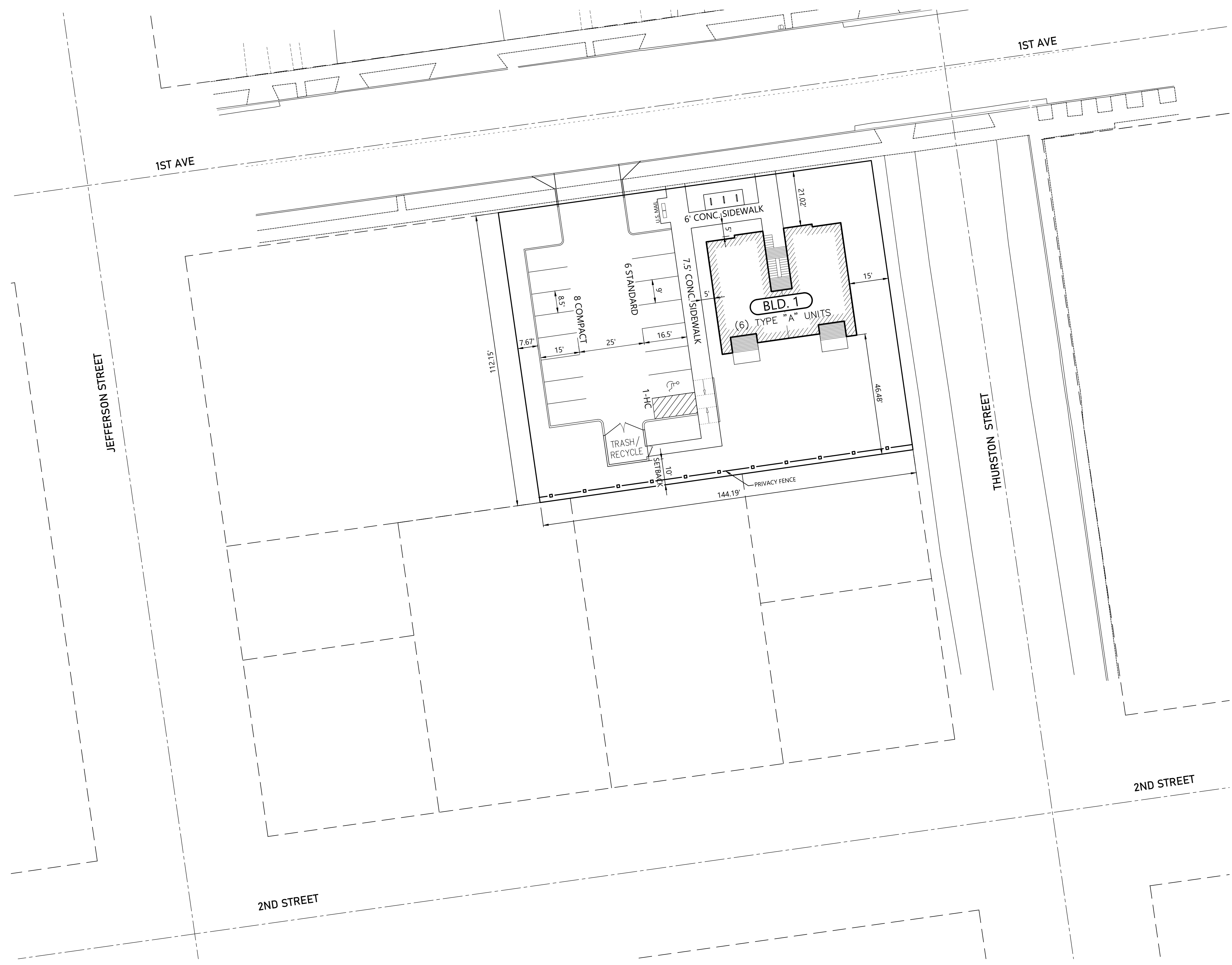
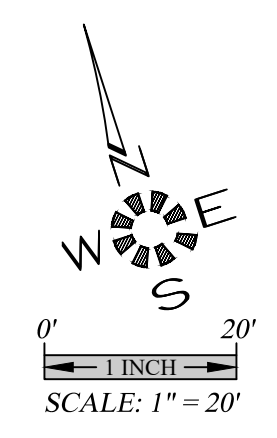
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Unaddressed

Date: 4/3/2023 Map Source: City of Albany

Location Map



★ THE INDICATED LOWER FLOOR UNITS IN BUILDINGS ARE TO BE TYPE A UNITS IN ACCORDANCE WITH THE 2014 OSSC SEC. 1107.6.2.1.1 (NOTED ON FLOOR PLANS). ALL OTHER LOWER FLOOR UNITS TO BE TYPE B UNITS IN ACCORDANCE WITH THE 2014 OSSC SEC. 1107.6.2.1.2

- ⊙ - POLE LIGHT MAXIMUM 14' TALL
- ★ - POST LIGHT MAXIMUM 5' TALL
- ▣ - WALL PACK MOUNTED ON BUILDING
- ▨ - LOCATION OF ELECTRICAL SEPARATION WALL
- ① - MAXIMUM 1:12 SLOPE ON SIDEWALK END RAMPS
- ||| - 6 BICYCLE SPACES.

**ADA HANDICAP ACCESSIBILITY NOTES:**

1. ALL ON-SITE WALKWAYS, PEDESTRIAN CONNECTIONS TO THE PUBLIC SIDEWALK AND ROUTES TO BUILDING ENTRANCES ARE ACCESSIBLE WITH RUNNING SLOPES LESS THAN 5% AND CROSS SLOPE LESS THAN 2% MAX. LANDINGS AT BOTTOM OF STAIRS AND EXT. FACE OF ENTRANCE DOORS SHALL HAVE A SLOPE IN THE DIRECTION OF TRAVEL NOT TO EXCEED 2%.
2. HANDICAP PARKING STALLS AND ACCESS AISLES ARE TO HAVE SLOPES IN ANY DIRECTION OF LESS THAN 2% MAX. GRAPHIC MARKINGS & SIGNAGE FOR HANDICAP AND VAN ACCESSIBLE STALLS WILL BE PER OSSC 2010 CHPTR. 11 AND ORS. REQUIREMENTS.
3. HANDICAP ACCESSIBLE CURB RAMPS SHALL HAVE A RUNNING SLOPE NOT TO EXCEED 1:12 MAX. AND A CROSS SLOPE NOT TO EXCEED 1%.
4. THE COMMUNITY BUILDING & ON-SITE LAUNDRY FACILITIES WILL BE FULLY HANDICAP ACCESSIBLE IN ACCORDANCE WITH ANSI A117.1 AND CHAPTER 11 OF THE 2010 OSSC.
5. 2% OF THE LIVING UNITS OR (3) UNITS WILL BE TYPE 'A' HANDICAP ACCESSIBLE. THESE INCLUDE A 1, 2 AND 3 BEDROOM UNIT AS INDICATED ON THIS SITE PLAN. THE BALANCE OF THE GROUND FLOOR LIVING UNITS WILL BE TYPE 'B' ADAPTABLE UNITS IN ACCORDANCE WITH ANSI A117.1.

**6 TOTAL APARTMENT UNITS**  
**6 TYPE "A" 2-Bd, 2-Ba (963 S.F.) UNITS**

**15 TOTAL PARKING STALLS**  
**6 STANDARD STALLS**  
**8 COMPACT STALLS**  
**1 HANDICAP STALLS**

**6 BICYCLE SPACES IN 1 RACKS (REQUIRED)**  
**1 TRASH / RECYCLE**  
**1 U.S. MAIL BOX AREA**

**SITE PLAN**

**1st AVENUE APARTMENTS**

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER. DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7443b SDR3 SITE  
 Design: M.D.G.  
 Drawn: A.R.B.  
 Checked: B.M.G.  
 Date: JAN. 2023  
 Scale: AS SHOWN



JOB # 7443

**SDR3**

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