



333 Broadalbin Street SW, P.O. Box 490
Albany, OR 97321

Community Development Department

Phone: 541-917-7550 Facsimile: 541-917-7598
www.cityofalbany.net

NOTICE OF TENTATIVE DECISION

DATE OF REPORT: September 13, 2016

FILES: CU-04-16 and RL-01-16

TYPE OF APPLICATION: Conditional Use Review (Type II application) for expansion of an existing church and parking lot, together with a Tentative Replat to combined five existing lots into one lot.

REVIEW BODY: Staff (Type II process)

PROPERTY OWNER/APPLICANT: Kelly Dufour; Evangel Assembly; PO Box 1177; Albany, OR 97321; 541-926-7981; Kelly@oakcreekcc.org

APPLICANT PLANNER: Rich Catlin; Reece & Associates; 321 1st Avenue E, Ste. 3A; Albany, OR 97321; 541-926-2428; rich@r-aengineering.com

CONTRACTOR: Eric Christensen; Fisher Construction; PO Box 326; Albany, OR 97321; 541-967-8048; eric@fisherconstruction.net

ARCHITECT: Don Johnson; DJ Architecture; 2411 Brighton Way, Ste. B; Albany, OR 97322; 541-926-5959; dj@djarchitecture.com

ADDRESS/LOCATION: 2815 and 2911 Pine Street SE, 2800 Geary Street SE

MAP/TAX LOT: Linn County Assessor's Map No. 11S-03W-17CB; Tax Lots 300, 301, 1700, and 1701

ZONING: RS-6.5 (Single-family Residential) District

On September 13, 2016, the City of Albany's Community Development Director granted **TENTATIVE 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. For more information or questions, please contact Project Planner David Martineau, at 541-917-7561, or Planning Manager Bob Richardson at 541-917-7555.

This notice of the tentative decision is mailed to the applicant and any party who provided written comments on the proposal. A public hearing may be requested in writing ten days from notification if a person with standing believes that the conditions of approval do not adequately address the established approval criteria or alleviate adverse impacts on the neighborhood. If no one requests a public hearing within the ten day response period (by 5:00 p.m. on September 19, 2016), the tentative decision automatically becomes final without further notice [ADC 1.350(3)].

This land use decision shall expire three years from the date of approval unless 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 Albany Development Code Section 12.600, or if 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

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Request for Public Hearing Deadline:
Approval Expiration Date (if not appealed):

September 19, 2016
September 7, 2019

APPROVAL CRITERIA FOR THIS DECISION

CONDITIONAL USE (ADC 2.250)

- (1) The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.
- (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 mitigates difference in appearance or scale through such means as setbacks, screening, landscaping or other design features.
- (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.
- (4) Public services for water, sanitary and storm sewer, water management and for fire and police protection are capable of servicing the proposed use.
- (5) The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to: (a) Noise, glare, odor, litter, or hours of operation. (b) Privacy and safety issues.
- (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.

LAND DIVISION (ADC 11.180)

- (1) Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.
- (2) Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.
- (3) The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.
- (4) The location and design allows development to be conveniently served by various public utilities.
- (5) 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.

Attachments: Conditions of Approval, Information for the Applicant, Location Map, Site Plan, Building Elevations, and Tentative Replat

CONDITIONS OF APPROVAL CU-04-16 & RL-01-16

General

- Development shall occur consistent with the plans and narrative submitted by the applicant, or as modified by conditions of approval, and shall comply with all applicable state, federal and local laws.

Compatibility

- 2.1 Prior to issuance of a certificate of occupancy, a minimum of 46 parking spaces shall be provided. The parking area shall include parking for the disabled.
- 2.2 A total of seven bicycle parking spaces are required, four of which must be covered. A revised detail drawing showing the location of the bicycle parking spaces, at least half covered, all meeting required clearance standards, shall be submitted to the Planning Division for review and approval prior to issuance of a building permit. All required bicycle parking must be installed prior to occupancy.
- 2.3 In accordance with ADC 3.390, the refuse disposal area must be screened from view by placement of a sight-obscuring fence, wall, or hedge at least six feet in height. The applicant shall provide the method of screening that will be used on a detail drawing or on a revised site plan prior to building permit issuance and installed prior to occupancy.
- 2.4 Prior to issuance of a building permit, a revised landscape plan showing compliance with front setback, parking lot, and buffer and screening standards will be required for review and approval by the Planning Division. Nine additional one-gallon shrubs or accent plants will be required within the front setback area abutting 28th Avenue: 2 trees at least 6 feet tall, 8 one-gallon shrubs or accent plants, and attractive ground cover will be required along the church's Pine Street frontage; a minimum of five trees at least six feet tall, twenty one-gallon shrubs or accent plants, and attractive ground cover will be required along the parking lot frontage abutting Pine Street.
- 2.5 Prior to issuance of a certificate of occupancy, the applicant shall install landscaping, buffering and screening in the locations and amounts shown on submitted landscape plans. Any changes to approved plans must be reviewed and approved by the Albany Planning Division and be in compliance with ADC landscaping standards. ADC 9.190 allows occupancy of a development prior to the complete installation of all required landscaping and irrigation only if occupancy is requested between December 1 and March 1 and other requirements are met.
- 2.6 The applicant shall submit a landscape irrigation plan to the Planning Division for review and approval prior to installing landscaping, unless a licensed landscape architect or certified nurseryman submits written verification that the proposed plant materials do not require irrigation.
- 2.7 Prior to issuance of a building permit, the applicant shall revise building plans for the new addition to the church in order to meet the required 25-foot front yard setback or receive an approved Adjustment permit to reduce the required front setback to 23.75 feet.

Transportation

- 3.1 Prior to issuance of a building permit, the applicant shall dedicate six feet of right of way along the site's frontage along the west side of Geary Street.
- 3.2 Prior to issuance of an occupancy permit, the applicant shall:
 - Remove the site's two existing driveways to Pine Street.
 - Construct two new driveways to Pine Street at the locations shown on the approved site plan.
 - Complete installation of public sidewalk to city standards along the site's frontages on Pine Street, 28th Avenue, and Geary Street.

Utilities

- 4.1 Before the City will issue building permits for this project, the applicant must construct, or financially secure the installation of a public storm drainage main in Pine Street, generally as shown on the submitted plans. Final design details for this work will be reviewed in conjunction with the required Site Improvement Permit.
- 4.2 Before the City will issue the Certificate of Occupancy for the proposed project, the applicant must obtain a Stormwater Quality permit from the City's Engineering Division, and construct stormwater quality facilities as required in Article 12 of the AMC, and the City's Engineering Standards.
- 4.3 Before the City will issue a Certificate of Occupancy, the existing buildings on the subject property (church and office) shall be connected to the public water system. The buildings may be connected to a single water service (if they lie on the same parcel), or separate water services may be installed for the separate buildings. All connection charges and system development charges must be paid with the water service installation permit(s).

Livability

- 5.1 All exterior light fixtures, including pole lights, shall be of a shielded, full-cut off design.

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 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.

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 assure compliance with all applicable regulations.

PLANNING

1. The use must substantially conform to the site plan that was submitted for review. Planning staff must approve any changes to the plans. If compliance with Building Code or other applicable requirements would alter the design of the proposed development as represented for this land use approval in a manner that would not comply with all applicable standards and conditions, a subsequent land use application will be necessary to consider the altered development proposal and any variations to standards or conditions of approval.
2. Land use approval does not constitute Building or Public Works permit approvals.
3. To complete the replat process:
 - a. The final plat must substantially conform with the approved tentative plat. Allow a minimum of five business days for the City's review. (*A final plat application and fee is **NOT** required with this replat to adjust property lines.*)

Note: The Linn County Surveyor also needs to review the plat. These reviews should be done concurrently. Contact the Linn County surveyor's and recorder's offices to learn about their current processes, fees, and possible other expenses.

- b. The final plat must be prepared by a registered professional land surveyor per Oregon Revised Statutes (ORS) 92.050 and ORS 209.250. Interim review plats can be on paper.
- c. After the City signs the final plat, the applicant shall submit it to the county surveyor for their signatures and recording.

ENGINEERING

AMC 15.30.010 Application of connection charges.

A connection charge shall be due and payable when any person, corporation, or legal entity, connects to or accesses the City's sanitary sewers, water distribution facilities, storm drains, and/or improved streets, 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, water distribution facility, storm drain, and/or improved street has not been paid by the property owner or predecessor thereof. The City Council shall by separate resolution establish, and may from time to time amend, a methodology which shall be used to determine the criteria by which a determination will be made concerning the application of any particular connection charge to any particular property within the City. (Ord. 5565 § 4, 2003).

AMC 15.30.020 Timing and procedures for determination of connection charge.

If the sanitary sewer, water distribution facility, storm drain, and/or improved street is to be utilized pursuant to any activity involving a land division, the amount of the applicable connection charge shall be paid, in full, prior to the signing of the final plat. In all other cases, the connection charge shall be assessed and paid, in full, prior to the issuance of any building permit or encroachment permit authorizing construction on real property which will utilize or connect to any of the City facilities in AMC [15.30.010](#). (Ord. 5565 § 4, 2003).

It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. Private drainage systems crossing multiple lots will require reciprocal use and maintenance easements and must be shown on the final plat. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the City of Albany's Engineering Division.

General Engineering Processes.

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.

All public utilities must be installed in accordance with the City's Standard Construction Specifications. If being constructed under a private contract, the developer must obtain a Permit for Private Construction of Public Improvements through the City's Engineering Division. Final design details will be reviewed in conjunction with this permit.

IMPORTANT NOTE: Because the properties that make up the development site have never been connected to the City water system, connection charges will be due prior to building permit or water service installation permit issuance. These charges are based on the property's frontages along Pine Street, 28th Avenue, and Geary Street.

BUILDING DIVISION

PERMITS

1. Obtain Building Permits prior to any remodel, construction, or parking lot restriping.
2. Obtain a Change of Occupancy Permit to convert the house to office space.
3. Obtain Parking Lot Permit to add additional parking space.

CODES

4. The current building codes are:
 - a. The 2014 Oregon Structural Specialty Code (OSSC) based on the 2012 International Building Code (IBC)
 - b. The 2014 Oregon Energy Efficiency Specialty Code (OEESC),
 - c. The 2014 Oregon Mechanical Specialty Code (OMSC) based on the 2012 International Mechanical Code (IMC) and 2012 International Fuel Gas Code
 - d. The 2014 Oregon Plumbing Specialty Code (OPSC) based on the 2011 OPSC.
 - e. The 2014 Oregon Fire Code (OFC) based on the 2012 International Fire Code (IFC)
 - f. The 2014 National Electrical Code (NEC) with Oregon amendments.
 - g. 2013 NFPA 13 for fire sprinklers
 - h. 2013 NFPA 72 for fire alarms.
 - i. Oregon Revised Statutes (ORS)

CHANGE OF OCCUPANCY

5. The original occupancy of the building was Group B3 allowing up to 299 occupants in the sanctuary. This is comparable to current Code A-3 occupancy.
6. In 2009 there was an application to change the use of the building to E occupancy allowing the use by a school. This change was never completed so the actual occupancy of the building is still classified as A-3 allowing use as an assembly and associated B occupancies for classrooms.

ALLOWABLE AREA

7. Provide an allowable area analysis and calculations using **OSSC Table 503 and Building Area modifications allowed by Equations 5-1, 5-2, 5-3, and Section 506** for sprinklers. Use measurable distances on all open yards over 20' in width, any actual fire walls, fire sprinklers, and the number of stories.

TYPE OF CONSTRUCTION

8. The original building construction was Type V 1-hour.

EXITING

9. Provide the number and spacing of exits as per **OSSC Table 1004.1.2 and OSSC 1015.2.1**.

ENERGY

10. Any new or remodeled construction shall meet the requirements of the **OEESC**, for exterior envelope, lighting and mechanical and ventilation systems.

VENTILATION

11. Buildings shall be provided with either natural ventilation per **OSSC 1203.4** or mechanical ventilation per **OMSC Chapter 4**. Using **OMSC** and the **OEESC**, provide ventilation calculations to determine outside air requirements as per **OMSC 403** and **Equations 4-1 through 4-8**. COMcheck forms will be required.

ACCESSIBILITY

12. **OSSC 1103.2.16 Errata October 16, 2014** accordance with **ORS 447.210(1)** requires all churches that have more than one floor level and more than 4,000 square feet in ground area or more than one floor level and more than 20 feet in height, measured from the top surface of the lowest flooring to the highest interior overhead finish of the building to be accessible to and usable by persons with physical disabilities.
13. **OSSC 3411.7** and **ORS 447.241** require that in any project for addition, remodel, or change of use, an amount equal to 25% of the cost of the project be spent towards removing any barriers to the disabled. This begins with accessible parking serving accessible entrances, routes to the affected areas, doors, restrooms, alarms, storage, etc.

- Accessible parking must be designed, striped, and signed as per **OSSC 1106.1 through 1106.7** and **Figures 2 through 10**. See handout provided for details. A restripe permit is required for striping new parking or restriping existing parking.

OCCUPANT LOAD

14. The occupant load is determined several ways. Use **OSSC Table 1004.1.2** and dividing assembly net area by 7 for concentrated loads such as chairs only-not fixed-in-place, divide net area by 5 for standing room only, and by 15 for areas with tables and chairs. If pews without dividing arms are used, use one person for each 18" of pew length. Classrooms would most likely use the tables and chairs number, office use would divide gross area by 100, and storage area would divide gross area by 300.

FIRE SPRINKLERS

15. Currently, **OSSC 903.2.1.3** requires fire sprinklers when the A-3 fire area exceeds 12,000 square feet or has an occupant load of 300 or more or on a floor level other than the level of exit discharge. If the sanctuary is enlarged to create space for 300 or more occupants, fire sprinklers would be required throughout the A-3 fire area.

FIRE ALARMS

16. A manual fire alarm system is required when the occupant load is 300 or more. **OSSC 907.2.1**

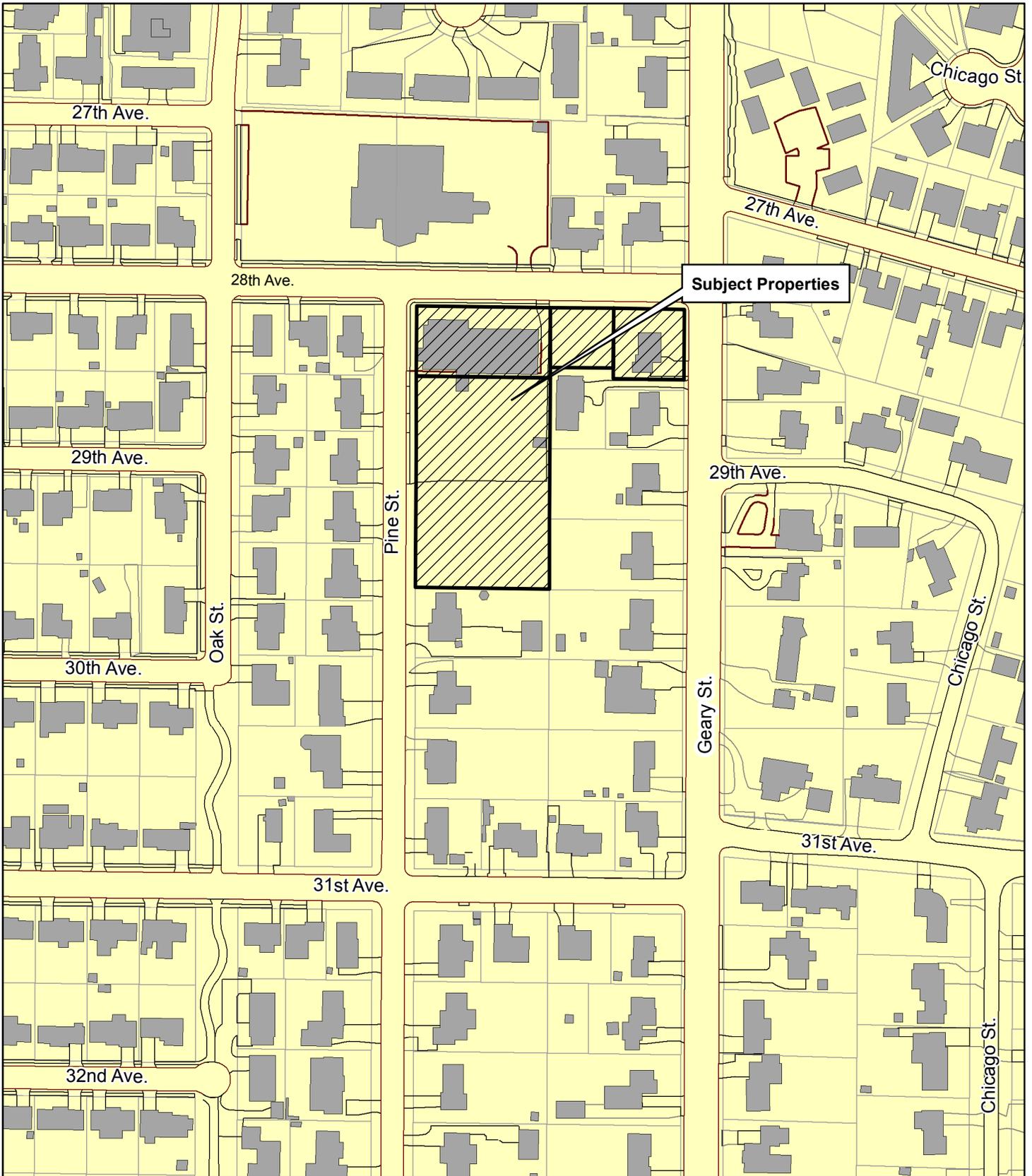
RESTROOMS

17. **RESTROOMS:** Per **OSSC Table 2902.1** and the number of occupants determined by the occupant load above. 1/2 is considered male and 1/2 female. If over 15 total occupants, restrooms for both male and female persons are required. See handout provided for details.

ACCESSIBILITY TO THE DISABLED-

18. All commercial sites, buildings, structures, facilities, elements and spaces, temporary or permanent are to be accessible to persons with physical disabilities. Both would be required to be accessible to the disabled. **OSSC 1103.1**
19. **OSSC 1109.2 Exception #3** states that where multiple single-user toilet rooms or bathing rooms are clustered at a single location, at least 50% but not less than one room for each use at each cluster is required to be accessible.
20. Where drinking fountains are provided, no fewer than two are required. One for a standup person and one for people who use wheelchairs. A Single unit meeting all of the requirements is also allowed. (**OSSC 1109.5**) Refer to **ICC 602** for specific details.
21. Where fixed or built-in storage elements such as cabinets, coat hooks, shelves, medicine cabinets, lockers, closets and drawers are provided in required accessible spaces, at least 5% but not less than one of each type shall be accessible. **OSSC 1109.9**

Building Division comments are provided by: Gary Stutzman Building Official 541-917-7626.



Location Map: 2815 Pine Street SE



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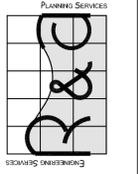
June 6, 2016

Planning Division

City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917- 7550

REFER TO THE SHEET C5.0 FOR LANDSCAPING.

Reece & Associates, Inc.
321 First Avenue East, Suite 3A
Albany, Oregon 97321
Phone: 541-926-2428
Fax: 541-926-2456



REGISTERED PROFESSIONAL
ENGINEER
11,749
OREGON
JULY 16, 1992
DAVID J. REECE
EXP. 12/31/16

EVANGEL ASSEMBLY
SITE IMPROVEMENT PLAN
FISHER CONSTRUCTION SERVICES, INC.
2815 SE PINE STREET, ALBANY, OREGON

REV.	DATE	BY
1	07-20-16	AKV
2	08-04-16	AKV

PROJECT NO.
FCS1501
DATE 05-10-2016
DESIGNED M. RICCIPELLI
ENGINEER D. REECE
CHECKED A. VASQUEZ
SCALE AS INDICATED
WARNING: IF THIS GRAPHIC BAR DOES NOT MEASURE ONE INCH (1") THEN THE DRAWING IS NOT TO SCALE!
SHEET NUMBER

C2.0

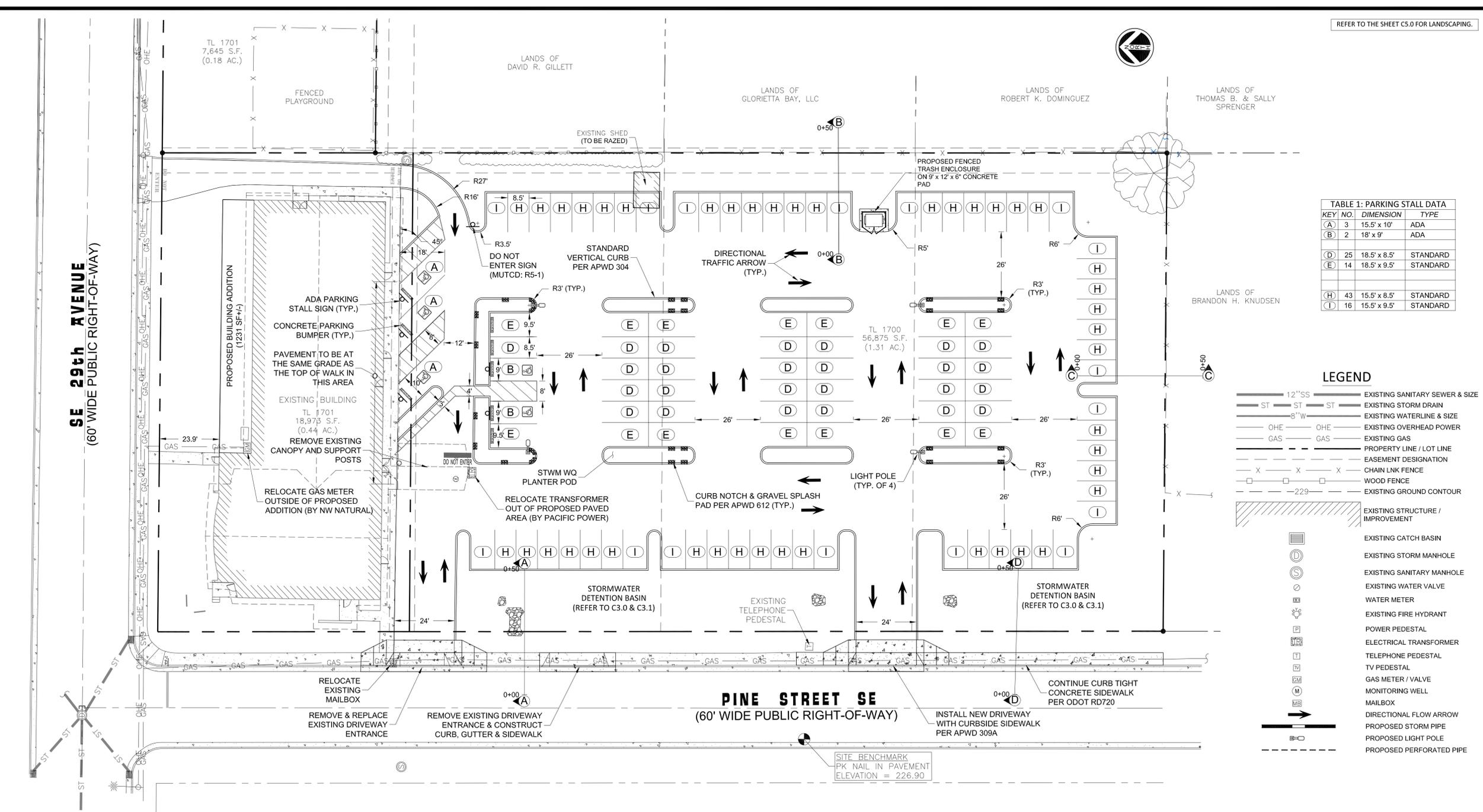


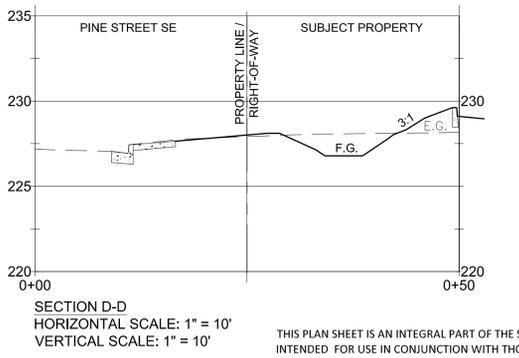
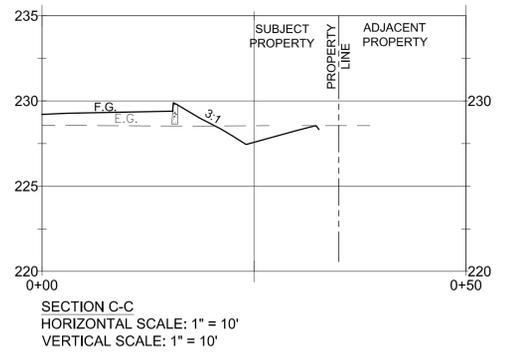
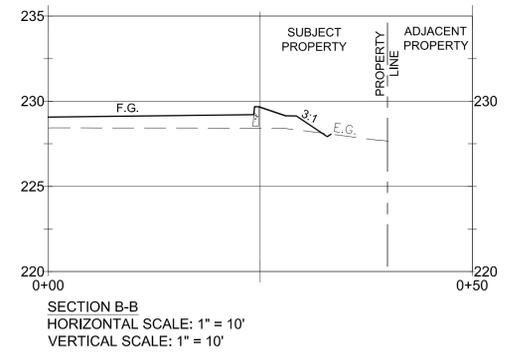
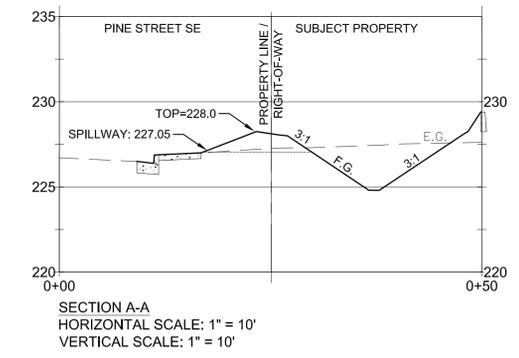
TABLE 1: PARKING STALL DATA

KEY	NO.	DIMENSION	TYPE
A	3	15.5' x 10'	ADA
B	2	18' x 9'	ADA
D	25	18.5' x 8.5'	STANDARD
E	14	18.5' x 9.5'	STANDARD
H	43	15.5' x 8.5'	STANDARD
I	16	15.5' x 9.5'	STANDARD

LEGEND

12"SS	EXISTING SANITARY SEWER & SIZE
ST	EXISTING STORM DRAIN
6"W	EXISTING WATERLINE & SIZE
OHE	EXISTING OVERHEAD POWER
GAS	EXISTING GAS
- - -	PROPERTY LINE / LOT LINE
X	EASEMENT DESIGNATION
—	CHAIN LINK FENCE
—	WOOD FENCE
- - -	EXISTING GROUND CONTOUR
[Hatched]	EXISTING STRUCTURE / IMPROVEMENT
[Circle]	EXISTING CATCH BASIN
[Circle]	EXISTING STORM MANHOLE
[Circle]	EXISTING SANITARY MANHOLE
[Circle]	EXISTING WATER VALVE
[Circle]	WATER METER
[Circle]	EXISTING FIRE HYDRANT
[Circle]	POWER PEDESTAL
[Circle]	ELECTRICAL TRANSFORMER
[Circle]	TELEPHONE PEDESTAL
[Circle]	TV PEDESTAL
[Circle]	GAS METER / VALVE
[Circle]	MONITORING WELL
[Circle]	MAILBOX
[Arrow]	DIRECTIONAL FLOW ARROW
[Line]	PROPOSED STORM PIPE
[Line]	PROPOSED LIGHT POLE
[Line]	PROPOSED PERFORATED PIPE

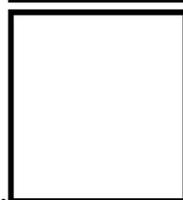
SITE PLAN
SCALE: 1" = 30'



THIS PLAN SHEET IS AN INTEGRAL PART OF THE SHEETS LISTED ON C0.0 AND IS INTENDED FOR USE IN CONJUNCTION WITH THOSE LISTED THEREON. THIS SHEET IS TO BE USED FOR SITE IMPROVEMENT PURPOSES ONLY. REFER TO THE SHEET INDEX ON C0.0 FOR THE LOCATION OF OTHER DETAILS AND SITE IMPROVEMENTS.



REVISION	
NO.	DATE/DESCRIPTION



PRELIMINARY

12/31/2015

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ARCHITECTURE

COMMERCIAL · HOSPITALITY · RESIDENTIAL · INTERIORS

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Tel: (541) 926-5659
Dj@DJArchitecture.com
www.djarchitecture.com

OAK CREEK CHRISTIAN CHURCH

2815 Pine St SE, Albany, OR 97322

DATE	03/18/16
JOB NO.	15019
JOB NAME	PINE ST.
PROJNO	
X100	

3D

SCALE

Tentative Replat

Consolidation of Lots 3, 4, 5 and 6, First Addition to Rodgers Acres
and a Portion of Lot 3, Rodgers Acres into One Lot

