



## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

# Notice of Decision

## Conditional Use Expansion Review

CU-03-21

January 14, 2022

### Application Information

Proposal:	Conditional Use Review to add one two-classroom modular building at North Albany Elementary School. The proposed modular building is 28 feet x 64 feet.
Review Body:	Community Development Director (Type II Review)
Property Owner:	Greater Albany Public Schools, 718 Seventh Avenue SW, Albany, OR 97321.
Applicant:	Trace Ward (GLAS Architects, LLC) 115 W. Eighth, Suite 285, Eugene, OR 97401
Address/Location:	815 East Thornton Lake Drive NW, Albany, OR 97321
Map/Tax Lot:	Benton County Assessor's Map: 10S-04W-36DD Tax Lot(s): 700 and 800
Lot Size:	7.72 Acres
Comprehensive Plan Map:	Public and Semi-Public
Zoning:	RS-10 (Residential Single Family)
Overlay:	FEMA 100-Year Floodplain
Existing Land Use:	Elementary School

### Decision

On January 14, 2022, the City of Albany Community Development Director granted **Approval with Conditions** of the application referenced above.

*signature on file*

Community Development Director

**Appeal Deadline: January 24, 2022**

**Approval Expiration Date (if not appealed): January 14, 2025**

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, Albany, OR 97321. For more information, please contact **Nikki Cross**, project planner, at 541-791-0176, or Planning Supervisor David Martineau, at 541-917-7555.

This notice of decision is mailed to the property owner, applicant, and any person who submitted written comments in accordance with ADC 1.220. All persons entitled to notice of the decision may appeal the decision within 10 days in accordance with ADC 1.410. Issues, which may provide the basis for an appeal, must be raised in writing with sufficient specificity to enable the applicant and local appeal body to respond to the issue.

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This decision becomes final when the local appeal period has expired. This approval shall expire three years from the date of approval 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) if the development did not require public infrastructure, a valid building permit exists for new construction or improvements, and work has commenced.

## Conditions of Approval

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- Condition 1 Site Improvements.** Before the City will issue a final occupancy permit for the proposed development, 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 Exterior Lighting.** All exterior lighting fixtures, including pole mounted lights, shall be of a shielded, full cut-off design per ADC 8.390. Prior to issuance of a building permit, the applicant shall provide a detail of the lighting fixtures so staff can confirm the meet the shielding requirement.
- Condition 3 Irrigation System.** Before the City will issue a final occupancy permit for the proposed development, the applicant shall provide either an irrigation plan or a letter from a qualified landscape professional stating that irrigation is not required per ADC 9.160.
- Condition 4 Transportation Dedication.** Prior to issuance of a building permit, the applicant shall dedicate seven feet of public street right-of-way along the site's frontage on East Thornton Lake Drive NW. The new north edge of the right-of-way shall be 27 feet north of the centerline of the current right-of-way.
- Condition 5 Transportation Improvement.** Prior to issuance of a building permit, the applicant shall provide a Petition for Improvement/Waiver of Remonstrance for construction of public street improvements to East Thornton Lake Drive NW.

## Information for the Applicant

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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 ADC 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. Land use approval does not constitute building or public works permit approvals.
2. Construction of the development must substantially conform to the approved Conditional Use Expansion.

### Building

3. Building permits are required for the work proposed within this land use case and will be reviewed for compliance with the applicable Oregon Building Code under those required application(s).

### Public Works - Engineering

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.

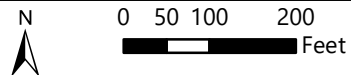
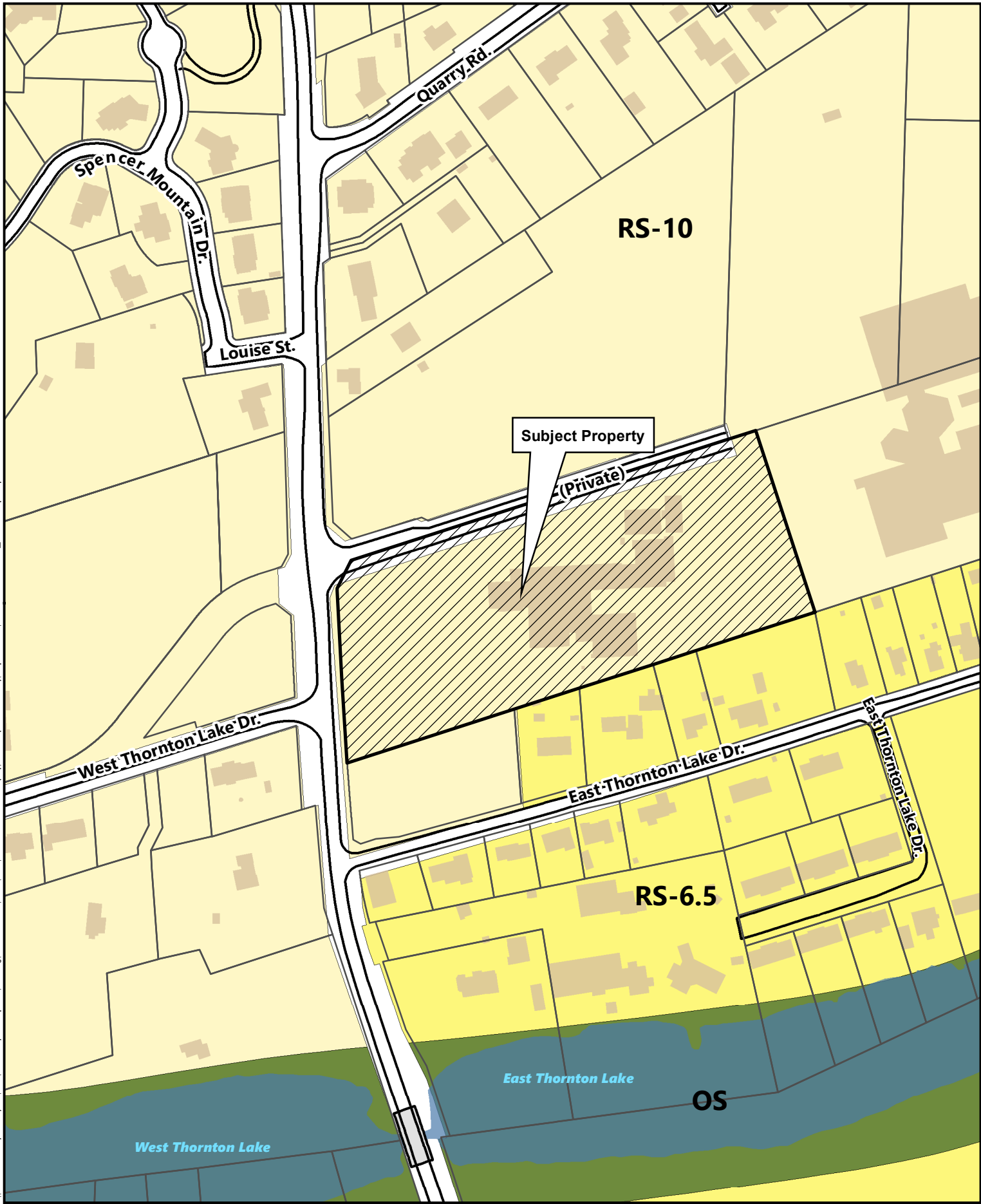
## Fire

The fire department has reviewed the above project for conformance to the 2019 Oregon Fire Code (OFC) per your request and has the following comments.

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 for shall be as specified in Appendix B of the fire code. (OFC 507.3)

Attachments: Location Map

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# 815 East Thornton Lake Drive NW

Date: 9/23/2021 Map Source: City of Albany

Location / Zoning Map