



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Community Development 541-917-7550

Notice of Decision

Conditional Use Review

CU-05-22

November 23, 2022

Application Information

Type of Application:	Conditional Use Review to establish an adult daycare within an 12,500 square foot existing building.
Property Owner:	Willamette Valley Rehab Center 1853 Airway Road, Lebanon, OR 97355
Applicant:	Nick Wallace 3095 River Road N, Salem, OR 97303
Address/Location:	2995 Ferry Street SW, Albany, OR 97322
Map/Tax Lot:	Linn County Assessor's Map. 11S-03W-18BD; Tax Lot 421
Zoning:	Light Industrial (LI) Zoning District

On November 17, 2022, the City of Albany Hearings Board granted **APPROVAL WITH CONDITIONS** of the application referenced above. The Hearings Board 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 Jennifer Cepello, project planner, at 541-917-7561 or Current Planning Manager David Martineau at 541-917-7555.

The City's decision may be appealed to the City Council if a person with standing files a completed notice to appeal application and the associated filing fee no later than 10 days from the date the City mails the notice of decision.

Signature on file

Hearings Board Chair

Appeal Deadline: December 3, 2022

Approval Expiration Date (if not appealed): November 21, 2025

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

Conditions of Approval

Condition 1 Site Improvements. Prior to occupancy of the proposed building, all proposed and required site improvements shall be constructed and completed in accordance with approved plans.

Condition 2 Parking. Prior to the issuance of the Certificate of Occupancy, the applicant shall remove five parking stalls along the northern side of the subject property, as indicated upon the submitted parking lot site plan.

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 Albany Development Code 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.

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 (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 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 conditional use review.

Engineering

3. 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

The Building division has reviewed the proposal for conformance to applicable Codes and has the following comments:

4. The proposed project will require permits that will need to be applied for at www.cityofalbany.net/permits. The proposed design has not been reviewed for code compliance and the design will need to meet the applicable Oregon Building Code requirement in effect at time of application.