



COMMUNITY DEVELOPMENT DEPARTMENT

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

Ph: 541-917-7550 Fax: 541-917-7598
www.cityofalbany.net

NOTICE OF DECISION

DATE OF NOTICE: December 4, 2018

FILES: CU-06-18 & RL-07-18

TYPE OF APPLICATION: Tentative Replat and Conditional Use Review (Type III application) for new construction of a 96-unit apartment complex with associated parking and site development

REVIEW BODY: Planning Commission

APPLICANT/PROPERTY OWNER: Walter Weiss Jr., GEH Waverly, LLC; PO Box 2085; Lake Oswego, OR 97035; 503-770-0767; jr@greenelkholdings.com

ARCHITECT: Scott Moore, MacKenzie; 1515 SE Water Ave. #100; Portland, OR 97214; 503-224-9560; smoore@mcknze.com

ADDRESS/LOCATION: Vicinity of 1550 & 1556 Waverly Drive SE; Brighton Way SE

MAP/TAX LOT: Linn County Assessor's Map No. 11S-03W-08D; Tax Lots 600, 700, 701; and Map No. 11S-03W-08DB; Tax Lot 2400

ZONING: Office Professional (OP) and Residential Medium Density (RM) District

On December 3, 2018, the City of Albany Planning Commission granted **APPROVAL WITH CONDITIONS** for the application referenced above. The Planning Commission based its decision upon consideration of applicable standards and review criteria listed in the Albany Development Code and consideration of public testimony. 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, please contact Project Planner David Martineau, at david.martineau@cityofalbany.net, 541-917-7561.

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

Planning Commission Chair

Appeal Deadline: December 14, 2018
Approval Expiration Date (If not appealed): December 3, 2021

Attachments: Conditions of Approval, Information for the Applicant, Location Map, Site Plan

CONDITIONS OF APPROVAL

- 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

- Condition 1 Prior to issuance of a building permit, a final landscape and irrigation plan shall be submitted for review and approval by the Community Development Department. The plan must be consistent with the landscaping standards of ADC 9.140(1), landscape parking lot standards of ADC 9.150, buffering standards of ADC 9.240 and irrigation standards of ADC 9.160.
- Condition 2 Prior to issuance of the final certificate of occupancy, all proposed and required site improvements (e.g. vehicle and bicycle parking, landscaping, refuse screening, 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 3 Prior to occupancy, the applicant shall provide at least 164 parking spaces developed in accordance with standards listed in ADC 9.120, 9.130, and 9.150.
- Condition 4 Prior to occupancy, at least 24 bicycle parking spaces shall be provided, with a minimum of 12 covered, in accordance with ADC Section 9.120(13).

Transportation

- Condition 5 Prior to issuance of an occupancy permit, the applicant shall construct the following street improvements to city standards:
- Construction of a new driveway approach to both Waverly Drive and 16th Avenue at the locations shown on the approved site plan.
 - Removal of the site's existing driveway approaches to Waverly Drive and their replacement with curb, gutter, and sidewalk.
 - Construction of curb and gutter at the west end of the site's frontage on 16th Avenue.
 - Construction of sidewalk along the site's frontage on 16th Avenue.
- Condition 6 The applicant shall install 5 feet of yellow curb on both sides of the site's driveway connections to Davidson Street and 16th Avenue.

Utilities

- Condition 7 Before the City will issue an occupancy permit for the project, the applicant must obtain a Storm Water Quality permit from the Public Works Department and construct storm water detention facilities generally as shown in the submitted storm drainage report.
- NOTE:** For all storm water quality facilities, final design details will be approved in conjunction with the Storm Water Quality permit issued through the Public Works Department.*
- Condition 8 Before the City will issue a Certificate of Occupancy for any of the proposed structures, the applicant must provide to the City a 20-foot wide public utility easement over the existing public sanitary sewer main that runs through the subject property.

Lighting

- Condition 9 The applicant shall submit detail drawings to the Community Development Department for review and approval, which illustrates the type, height, illumination, and location of lighting proposed for the development. The lighting must be directed down, contained on site, and shielded, full cut-off design.

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.

INFORMATION FOR THE APPLICANT

Please read through 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 Albany Development Code (ADC) regulations or administrative policies of the Planning, Public Works, Fire, or Building Departments that you must meet as part of the development process. You must also comply with state, federal, and local law.

PLANNING

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

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.

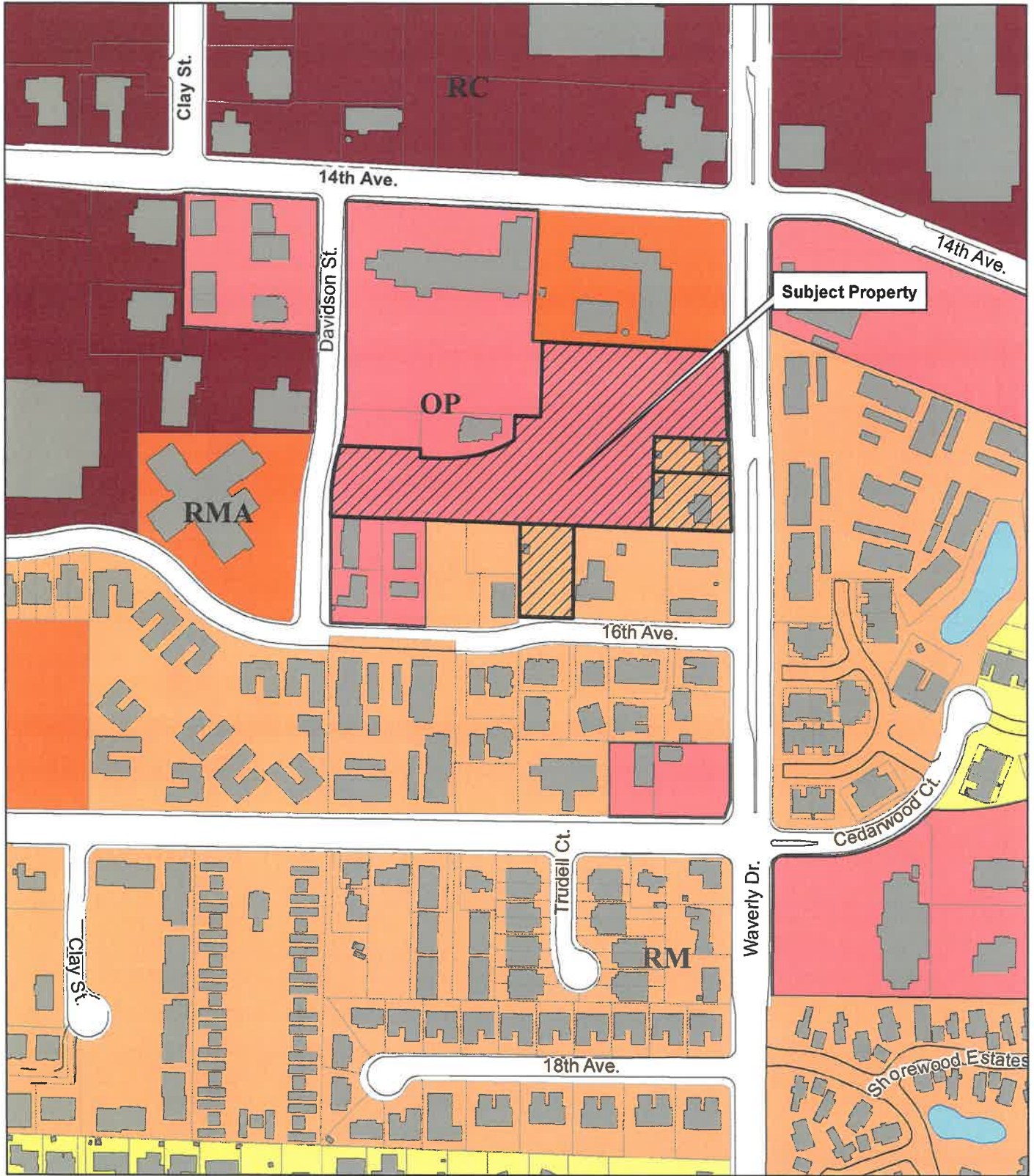
AMC 10.01.080 (2) states that before the City will issue a Building Permit, the applicant must pay to the City the necessary System Development Charges and any other applicable fees for connection to the public sanitary sewer system.

AMC 10.01.120 (1) states that no unauthorized person is allowed to make connection to any public sewer or appurtenance without first obtaining an encroachment permit.

FIRE SERVICES

The fire department has reviewed the above project for conformance to the 2014 Oregon Fire Code (OFC) per your request and has the following comments. For questions, contact Senior Deputy Fire Marshal Lora Ratcliff, at 541-917-7728.

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).
3. The location and spacing requirements for fire hydrants are based on four project-specific criteria:
 - The distance from the most remote exterior point of the building(s) to the closest available fire hydrant.
 - The calculated "fire flow" of the proposed building(s)
 - The spacing of the existing fire hydrants along the public and private fire apparatus roads serving the property.
 - The location of new required public or private fire apparatus access roads located adjacent to the proposed building(s) to be constructed.



Location Map: Vicinity of Waverly Drive and Brighton Way



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July 25, 2018

Planning Division

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



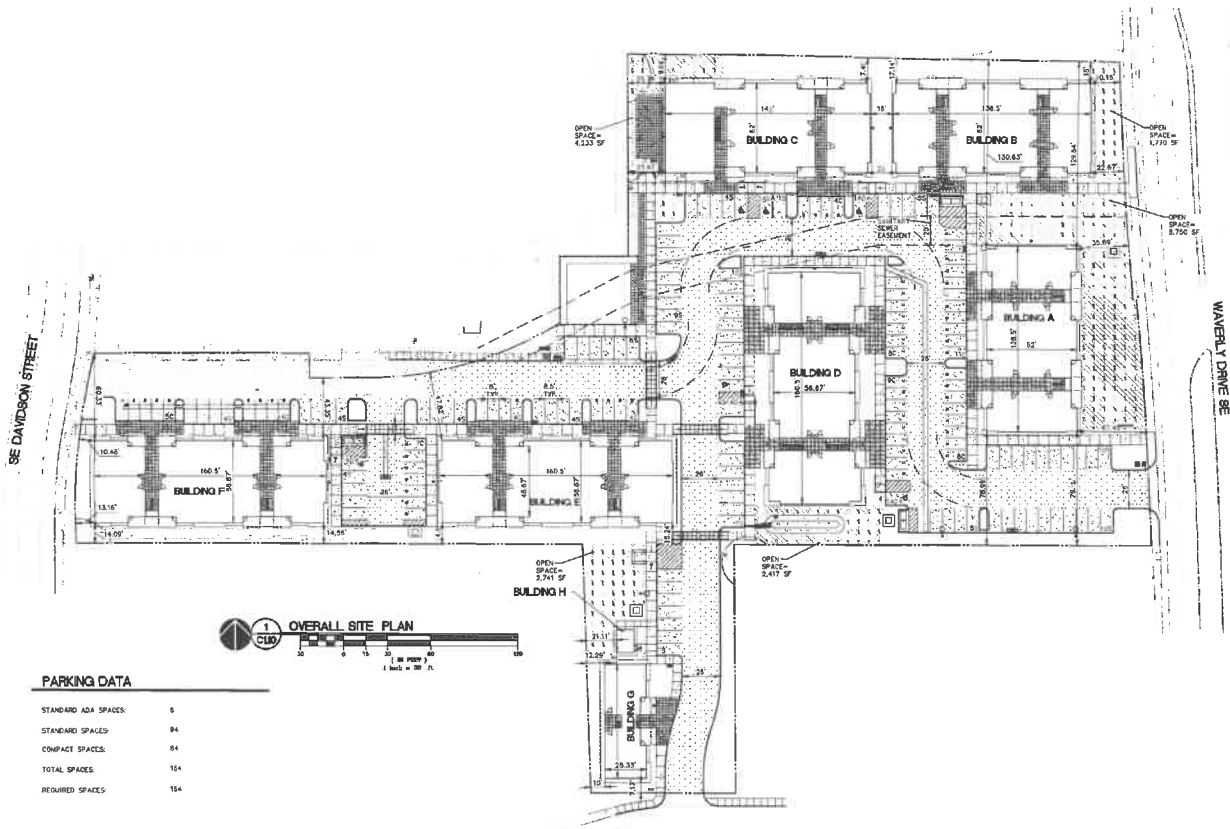
DESIGNED BY:
GEM WARELEY, LLC
CHECKED BY: RLF
DATE: 07.20.18

SHEET TITLE:
OVERALL SITE PLAN

DRAWN BY: CL MAP
CHECKED BY: RLF
DATE: 07.20.18

C1.10

COMPLETENESS RESPONSE - 08.07.18
JOB NO. 2170495.00
"CONDITIONAL USE APPLICATION: 07.20.18"



PARKING DATA

STANDARD ADA SPACES	5
STANDARD SPACES	84
COMPACT SPACES	64
TOTAL SPACES	154
REQUIRED SPACES	154

SITE DATA

	PROPOSED	EXISTING
LANDSCAPE AREA	57,767 SF (1.32 AC) 30.8%	149,157 SF (3.68 AC) 80.52%
SIDEWALK/DRIVE AISLE AREA	77,527 SF (1.76 AC) 41.5%	14,974 SF (0.34 AC) 8.01%
BUILDING AREA	51,823 SF (1.19 AC) 27.7%	2,726 SF (0.06 AC) 1.45%
TOTAL AREA	186,857.0 SF (4.29 AC) 100.0%	186,857.0 SF (4.29 AC) 100.0%
OPEN SPACE	13,911 SF 10.6%	