



COMMUNITY DEVELOPMENT

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

Notice of Decision

Site Plan Review for Tree Felling

File: **SP-02-23**

March 27, 2023

Application Information

Proposal:	Site Plan Review for removal of 46 trees.
Review Body:	Staff (Type I-L review)
Property Owner/Applicant:	Creating Housing Coalition, Stacey Bartholomew, President; PO Box 892; Albany, OR 97321
Applicant's Representative:	Dan Watson, K&D Engineering; PO Box 725; Albany, OR 97321
Address/Location:	241 Waverly Drive SE
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-03W-05DD; Tax Lot 400
Zoning District(s):	Residential Medium Density (RM)

On March 27, 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 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 1.410]. 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: April 6, 2023

Approval Expiration Date (if not appealed): March 27, 2026

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

Conditions of Approval

Condition 1 In the event proposed development does not take place, the 46 trees identified for removal on the Existing Conditions and Demolition Plan (Attachment C) shall not be removed without separate approval for tree felling not associated with development, using criteria listed in ADC 9.205(3).

cd.cityofalbany.net



Condition 2 It shall be the applicant's responsibility to ensure the proposed tree removal, including the timing of removal, is in compliance with the Federal Migratory Bird Act.

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 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

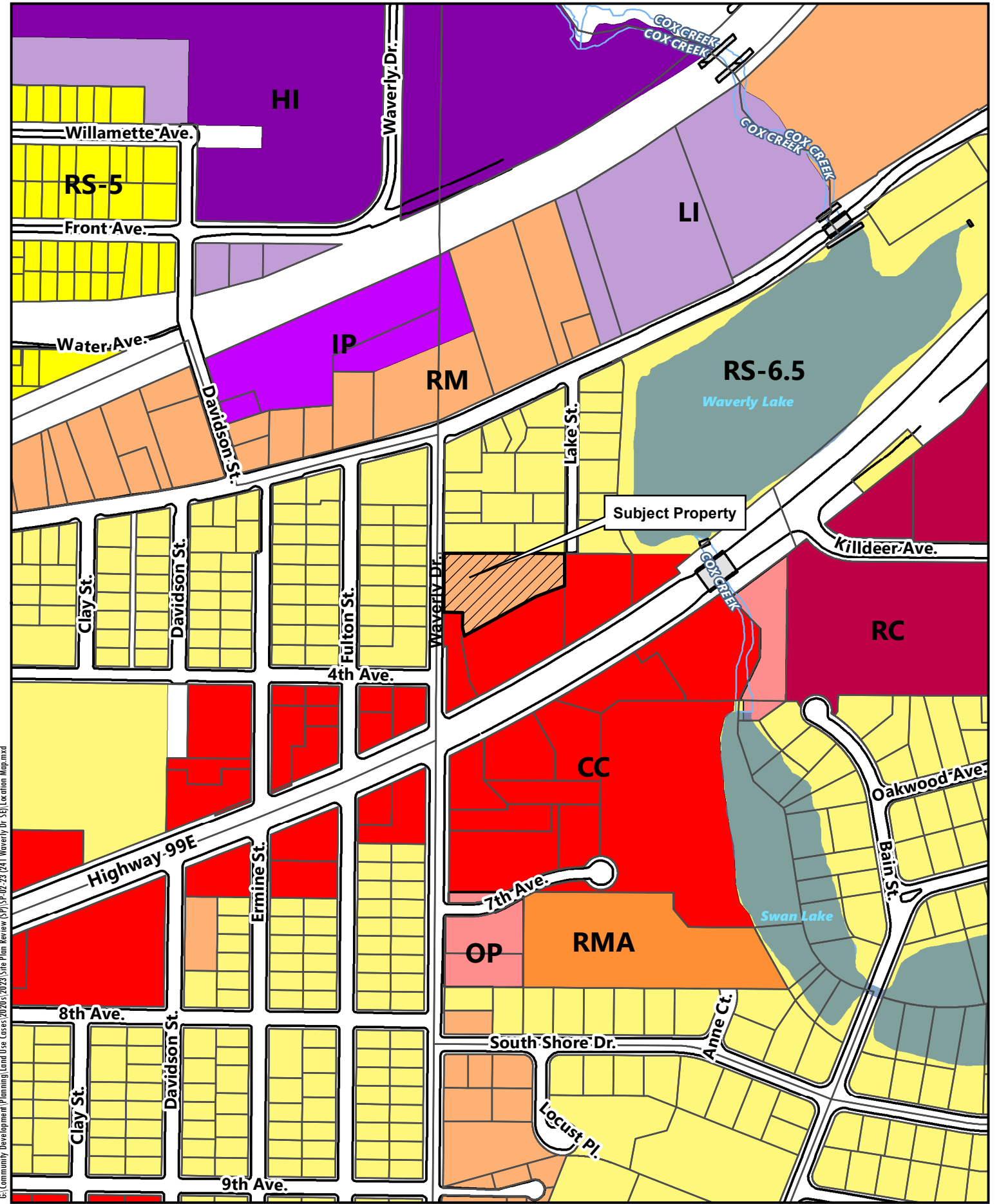
1. Land use Approval does not constitute Building or Public Works permit approvals.

Expiration of Land Use Approvals (ADC 1.310)

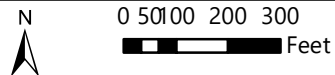
2. All land use approvals, except Type IV approvals, shall expire three years from the date of approval, unless:
 - a. The applicant has installed all of the required public infrastructure related to the development, and the infrastructure has been accepted by the City, or the applicant has provided financial assurance for all required public infrastructure per Section 12.600, or the first phase, if the development was approved for phased construction; or
 - b. If the development did not require public infrastructure, a valid approved building permit exists for new construction or improvements, and work has commenced; or
 - c. Phased Subdivisions or Planned Developments. When an applicant desires to develop and record final subdivision plats covering portions of an approved tentative plat in phases, the City may authorize a time schedule for platting and otherwise developing the various phases not to exceed five years for all phases. Each phase that is platting and developed shall conform to the applicable requirements of this title; or
 - d. An extension has been filed before the expiration date and subsequently granted approval pursuant to Section 1.320.
3. Construction of the development must substantially conform to the approved site plan review.
4. This proposal must be initiated within three years of the date of this letter of approval.

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.



G:\Community Development\Planning\Land Use Cases\2020\2023 Site Plan Review (SP)\SP_02_23 (241 Waverly Dr SE)\Location Map.mxd



Date: 3/24/2023 Map Source: City of Albany

241 Waverly Street SE

Location / Zoning Map

Date: 1/25/2023
 Scale: 1"=10'
 File: dwg\2022\22-68-22-68-cc-cvr-exist.dwg (.Jacob)

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DATE	REVISIONS	BY



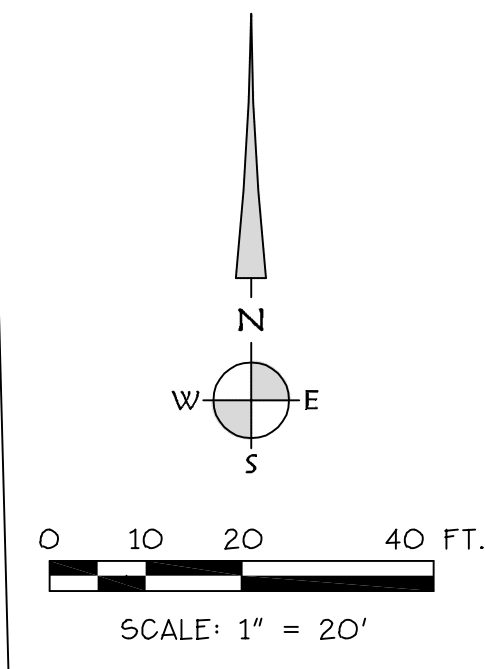
K & D ENGINEERING, INC.
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 (541) 928-2583

HUB CITY VILLAGE
 CITY OF ALBANY, LINN COUNTY, OREGON

**EXISTING CONDITIONS &
 DEMOLITION PLAN**

HORIZ. SCALE: 1" = 20'
 VERT. SCALE: 1" = 20'
 SIGN DATE: _____
 DSGN BY: DKW
 DRWN BY: JLD
 CHCK BY: DKW
 PROJECT No.: 22-b8-A

SHEET No.
C201



TREE TABLE:

	TREE SPECIES	TRUNK DIA.*	DRIP LINE RADIUS	TREE TO BE SAVED
1	PLUM	6"(4)	10'	NO
2	SPRUCE	12"	12'	NO
3	GINKO	12"	12'	NO
4	REDWOOD	36"	25'	NO
5	REDWOOD	36"	25'	NO
6	REDWOOD	36"	25'	NO
7	REDWOOD	36"	25'	NO
8	GINKO	10"	10'	NO
9	CHERRY	18"	24'	NO
10	FILBERT	4"(8)	15'	NO
11	CHERRY	10"(8)	30'	NO
12	SPRUCE	14"	15'	NO
13	APPLE	10"	12'	NO
14	SPRUCE	24"	18'	NO
15	CEDAR CLUSTER	SEE NOTE BELOW		NO
16	TULIP	6"	10'	NO
17	DECIDUOUS**	18"	15'	NO
18	LAUREL	18"	15'	NO
19	MAPLE	24"	20'	NO
20	MAPLE	40"	26'	NO
21	DECIDUOUS**	8"	15'	NO
22	MAPLE	12"(3)	18'	NO
23	MAPLE	8"	12'	NO
24	PINE	30"	20'	NO
25	WALNUT	24"	20'	NO
26	MAPLE	24"	20'	NO
27	MAPLE	24"	20'	NO
28	MAPLE	12"	12'	NO
29	CEDAR	24"	15'	NO
30	CEDAR	18"	16'	NO
31	POPLAR	10"	10'	NO
32	MAPLE	12"(3)	15'	YES
33	DECIDUOUS**	6"	10'	NO
34	DECIDUOUS**	6"	10'	NO
35	DECIDUOUS**	6"	10'	NO
36	DECIDUOUS**	6"	10'	NO
37	DECIDUOUS**	8"	10'	NO
38	DECIDUOUS**	6"	10'	NO
39	CHESTNUT	26"	18'	NO
40	MAPLE	8"	12'	NO
41	MAPLE	14"	12'	NO
42	MAGNOLIA	12"	10'	NO
43	CHERRY	10"	10'	NO
44	CHERRY	8"	15'	NO
45	GINKO	8"(2)	12'	NO
46	HOLLY	6"	6'	NO
46	MAPLE	8"	10'	NO

* TREE DIAMETER AS MEASURED AT BREAST HEIGHT. MULTIPLY TRUNKS IN ().
 ** SPECIES UNKNOWN. NOT OAK.
 CEDAR CLUSTER: (1) 36" DIAMETER TRUNK, (5) 20" DIAMETER TRUNKS, (12) 12" DIAMETER TRUNKS