



# 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](http://www.cityofalbany.net)

## NOTICE OF DECISION

DATE OF NOTICE: November 14, 2016  
FILE: SP-17-16  
TYPE OF APPLICATION: Site Plan Review to modify Condition of Approval #5.2 of the Hickory Station Phase III Site Plan Review approval (SP-10-15); the proposed modification eliminates the requirement to plant trees in the front yard setback along Hickory Street.  
REVIEW BODY: Staff (Type I-L)  
PROPERTY OWNER/APPLICANT: Hickory Station LLC; Patty & Gary Davenport;  
PO Box 2744; Albany, OR 97321  
APPLICANT'S REPRESENTATIVE/ENGINEER: Troy L. Plum, PE; TKP Engineering; PO Box 374; Corvallis, OR 97339  
ADDRESS/LOCATION: 560 Hickory Street NW  
MAP/TAX LOT: Benton Co. Assessor's Map No. 11S-04W-01DA; Tax Lot 1600  
ZONING: CC (Community Commercial) District; /FP (Floodplain Overlay)

On November 14, 2016, the City of Albany Community Development Department 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. The supporting documentation relied on by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. For more information, please contact **Shawna Adams, Project Planner**, at 541-791-0176, or Bob Richardson, Planning Manager, at 541-917-7555.

The City's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal not later than 21 days after the Director's notice of decision is mailed [ADC 1.330(5)(a)].

This approval 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.

**LUBA Appeal Deadline:** December 5, 2015  
**Approval Expiration Date (if not appealed):** November 14, 2019

*Signature on file*  
\_\_\_\_\_  
Community Development Director

### Attachments:

- Applicant's Retaining Wall Exhibit and modified Preliminary Landscape Plan detail

**CONDITIONS OF APPROVAL  
FILE SP-17-16**

This approval modifies Condition of Approval #5.2 of Site Plan Review file SP-10-15. The original condition with the text stricken by this approval is shown below.

- 5.2 Prior to issuance of a building permit, a final landscape and irrigation plan prepared by a licensed landscape architect shall be submitted to the Community Development Department subject to review and approval. The plan shall include planting and irrigation details, dimensions, square footage totals, calculations, and notes as necessary to verify that requirements of ADC 9.140, 9.150, and 9.160 are satisfied. A minimum of ~~16 trees at least six feet tall~~ plus either 23 five-gallon or 37 one-gallon shrubs, trees, or accents plants shall be planted in the front yard along Hickory Street. The remaining front yard area shall be landscaped with living ground cover, lawn, or decorative treatment of bark, rock or other attractive ground cover. The final landscape plan shall also demonstrate that the selected trees for the parking areas, at maturity, will provide a canopy cover of at least 20 percent of the parking area in accordance with ADC 8.460.

The original conditions of approval for Site Plan Review SP-10-15-15 continue to apply, except Condition of Approval #5.2 which is modified by this approval. The original conditions with the modified version of Condition of Approval #5.2 are provided below.

- 1.1 Prior to issuance of building permits for the proposed project, the applicant shall construct or financially assure the construction of an 8-inch public water main through the site, generally as shown on the applicant's preliminary utility plan. Public utility easements shall be provided over these facilities as required in the City's Standard Construction Specifications and Design Standards documents.
- 2.1 Section 12.45.030 of the Albany Municipal Code states, "A post-construction stormwater quality permit shall be obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than one acre, including all phases of development."
- 2.2 The applicant is proposing to provide the required on-site storm water quality facilities by constructing a storm water quality pond just east of the coffee kiosk, and a mechanical storm water quality unit near the connection to the public system at the property's south boundary. A Storm Water Quality permit must be obtained by the applicant before this work is begun.
- 4.1 Prior to issuance of a building permit, the applicant shall obtain a permit from the Public Works Department for construction of a new driveway connection to Hickory Street at the location shown on the approved site plan.
- 4.2 Prior to issuance of a certificate of occupancy, a minimum of five bicycle parking spaces shall be installed, at least three of which must be covered, in accordance with the clearance and other standards at ADC 9.120(13). Prior to issuance of building permits, the applicant shall submit to the Planning Division for review and approval, a detailed drawing demonstrating that the clearance requirements of ADC 9.120(13) for fully loaded bicycle racks will be met.
- 5.1 All new exterior lighting fixtures, including pole mounted lights, shall be of a shielded, full cut-off design.
- 5.2 Prior to issuance of a building permit, a final landscape and irrigation plan prepared by a licensed landscape architect shall be submitted to the Community Development Department subject to review and approval. The plan shall include planting and irrigation details, dimensions, square footage totals, calculations, and notes as necessary to verify that requirements of ADC 9.140, 9.150, and 9.160 are satisfied. A minimum of either 23 five-gallon or 37 one-gallon shrubs, trees, or accents plants shall be planted in the front yard along Hickory Street. The remaining front yard area shall be landscaped with living ground cover, lawn, or decorative treatment of bark, rock or other attractive ground cover. The

final landscape plan shall also demonstrate that the selected trees for the parking areas, at maturity, will provide a canopy cover of at least 20 percent of the parking area in accordance with ADC 8.460.

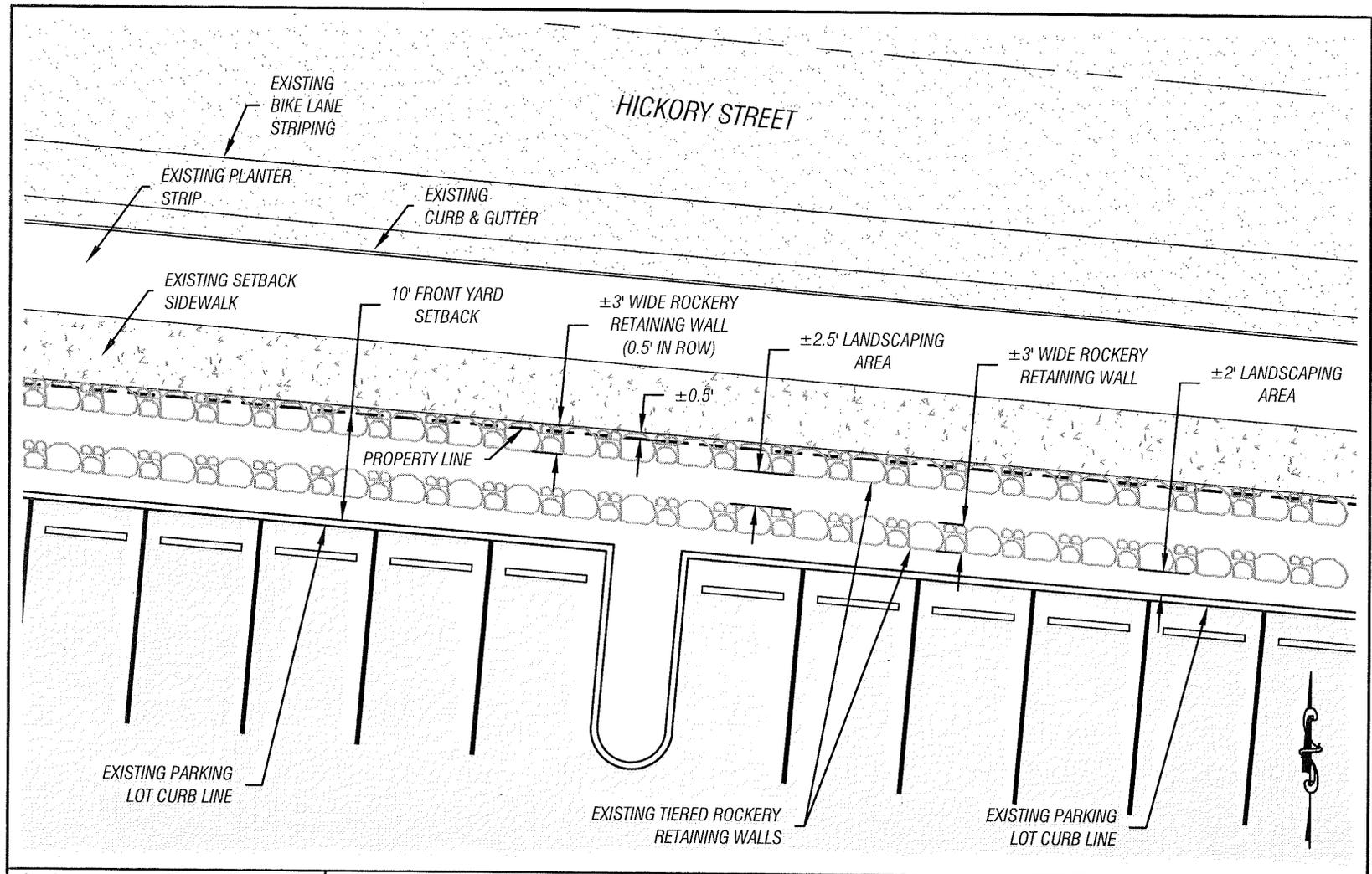
- 5.3 Prior to issuance of a Certificate of Occupancy, the irrigation system and landscaping shall be installed in accordance with the approved landscape plans. If occupancy is requested between December 1 and March 1 and other requirements are met, required landscaping may be installed as set forth in ADC 9.190.
- D1. Before the City approves occupancy for the restaurant/office building, a minimum of two pedestrian amenities shall be installed. A minimum of one pedestrian amenity is required for a coffee kiosk prior to occupancy.
- D2. Sign permits for this development will not be issued until the City has reviewed and approved its master sign and graphics program. All signs shall comply with the master sign program and any changes to the program are subject to City review and approval.

### **INFORMATION FOR THE APPLICANT FILES SP-17-16**

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 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 assure compliance with all applicable regulations.

#### **PLANNING**

1. The use must substantially conform to the site plan that was submitted for review subject to the Conditions of Approval. Planning staff must approve any changes to the plans.
2. Land use approval does not constitute Building or Public Works permit approvals.
3. 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.
4. See staff report for SP-10-15/RL-04-16/FP-06-15 for related Replat and Flood Plain Development Review findings and conditions of approval. Additional information for the applicant is included with the notice of decision for SP-10-15/RL-04-16/FP-06-15.



TKP ENGINEERING  
 P.O. BOX 374  
 Corvallis, OR 97339  
 Phone (541) 760-7205  
 Fax (866) 861-5704

HICKORY STATION PHASE 3

RETAINING WALL  
 EXHIBIT

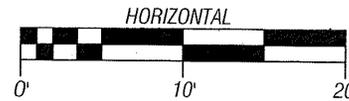
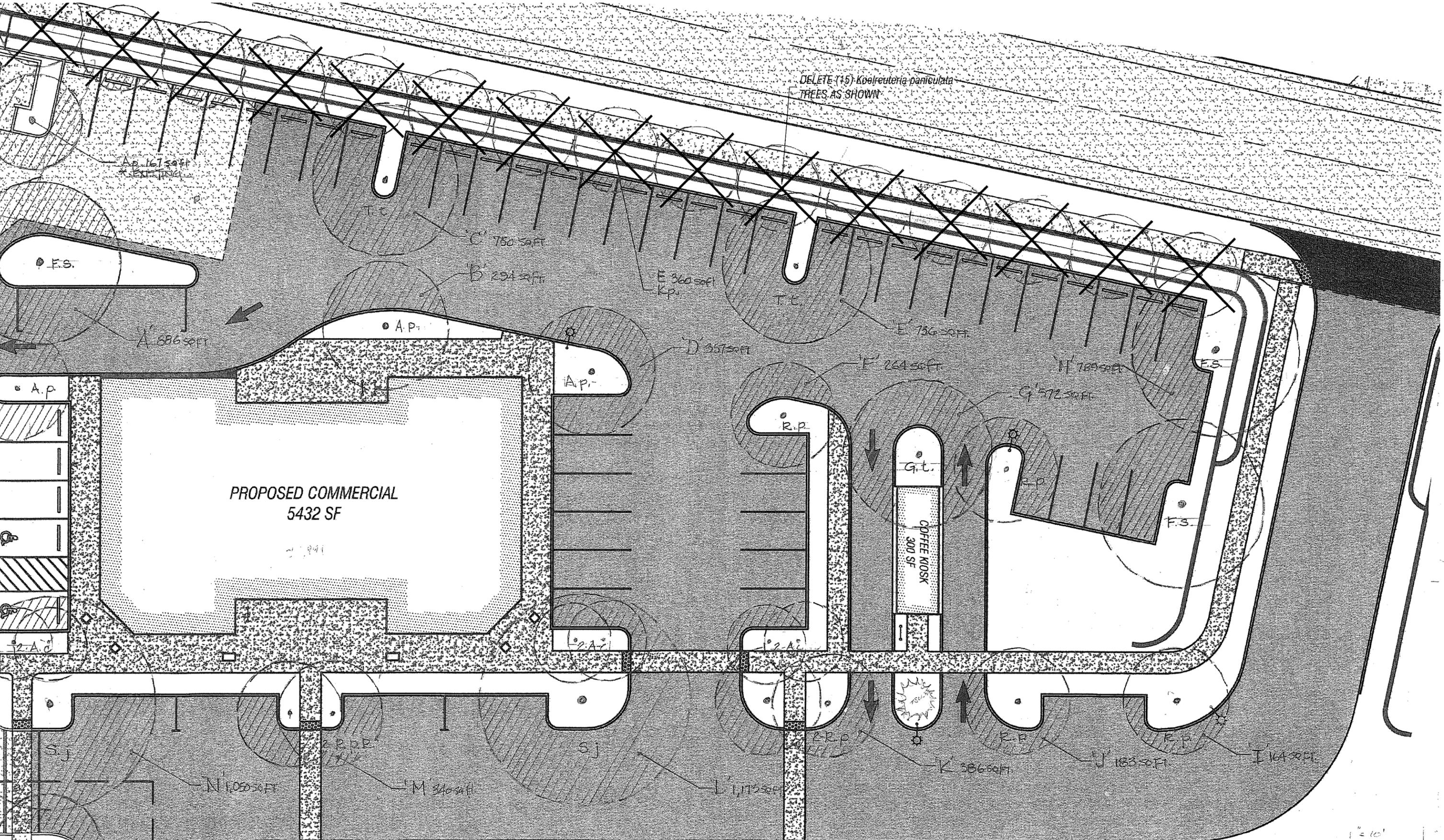


FIGURE 1

DELETE (15) Koolreuteria paniculata TREES AS SHOWN



PROPOSED COMMERCIAL  
5432 SF

COFFEE KIOSK  
300 SF

TREE SHADE STUDY

SYMBOL	NAME	* HF x W
A.C.	ACER CIRCINATUM	20' x 20'
A.P.	ACER PLATINOIDES 'CRIMSON KING'	35' x 30'
E.S.	FAGUS SYLVATICA 'RIVERSII'	50' x 40'
G.T.	GLEDITSIA TRIACANTHOS 'IMPERIAL'	35' x 35'
R.P.	ROBINIA PSEUDOACACIA 'FRESIA'	40' x 25'
R.D.R.	ROBINIA PSEUDOACACIA 'DIDDLE ROPPE'	50' x 30'

\* MATURE TREE HEIGHT & WIDTH SOURCE:  
BLUE HERON FARM 2014/2015 CATALOG  
33180 PLORIA ROAD  
CORYALLIS, OREGON  
TOTAL VANDERBARK VOLUME A - 23 155 SQ FT

PRELIMINARY LANDSCAPE PLAN  
HICKCORY STATION - PHASE 3

