



## COMMUNITY DEVELOPMENT

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

# Notice of Decision

## Site Plan Review

SP-19-19

December 10, 2019

### Application Information

Proposal:	Site Plan Review for construction of a self-serve storage facility, consisting of 305 storage units that total 36,250 square feet of building space and associated site improvements.
Review Body:	Staff (Type I-L review)
Report Prepared By:	Travis North, Project Planner
Property Owner/Applicant:	Ferry Street Storage; PO Box 807, Albany, OR 97321
Engineer/Representative:	Peter Seaders; MSS Engineering; 215 NW 4th Street, Corvallis, OR 97330
Address/Location	440 25th Avenue SW, Albany, OR 97321
Map/Tax Lot:	Linn County Assessor's Map No. 11S03W18B Tax Lot 1018
Zoning:	LI (Light Industrial)

On December 10, 2019, 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. 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, Travis North, at 541-917-7640, or Planning Manager David Martineau at 541-917-7561.

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)]. 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.

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.

*Signature on file*

Community Development Director

**Appeal Deadline: December 31, 2019**

**Approval Expiration Date (if not appealed): December 10, 2022**

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

## Conditions of Approval

- Condition 1 Storm Drainage.** Before the City will issue a building permit, the applicant must construct a public storm drainage main extension in 25th Avenue to provide for discharge of stormwater from the proposed development. Before beginning construction on the proposed public storm drainage main in 25th Avenue, the applicant must obtain a Site Improvement permit through the Public Works Department. Final design details for this public improvement will be reviewed in conjunction with this permit.
- Condition 2 Stormwater Quality Permit.** Before the City will issue a final occupancy permit, the applicant must obtain a Stormwater Quality Permit from the City's Public Works Department and construct stormwater quality facilities for the proposed development.
- Condition 3 Public Utility Easement.** Before the City will issue a final occupancy permit, the applicant must provide the City with a public utility easement over the northern portion of the subject property that extends south to a line 7.5 feet south of the existing public water main. The City will transfer the legal description provided by the applicant into a City form for signatures and recordation.
- Condition 4 Stormwater Facility Agreement.** Before the City will issue a final occupancy permit, the owner shall enter into an agreement with the City for any stormwater facilities located within the proposed water main easement. In the agreement, the City shall be held harmless for any damage or reconstruction necessary to repair the facilities in the event the City needs to exercise its easement rights for maintenance or other purposes.
- Condition 5 Sidewalk.** Prior to issuance of a certificate of occupancy, the applicant shall install a five-foot sidewalk along the frontage of the property.
- Condition 6 ROW Dedication.** Prior to issuance of a building permit, the applicant shall dedicate a public right-of-way along the site's frontage on 25th Avenue to a point at least 0.5 feet behind the proposed back of the sidewalk.
- Condition 7 Curb.** Prior to issuance of a building permit, the applicant shall submit an updated site plan for review that demonstrates curb along the entirety of the outermost travel aisle. These improvements shall be installed prior to issuance of a certificate of occupancy.
- Condition 8 Wheel Bumpers.** Prior to issuance of a certificate of occupancy, wheel bumpers must be installed in accordance with ADC 9.120(6).
- Condition 9 Lighting.** Prior to issuance of a building permit, the applicant shall submit a lighting plan or updated site plan that shows the location of the lighting fixtures and the corresponding lighting type and/or model. Fixtures with backlight control (i.e. full cut-off shield) shall be used around the perimeter of the property to ensure light does not trespass onto adjacent property.
- Condition 10 Rental Agreement.** A copy of the rental contract must be provided to the Planning Division before the buildings are occupied. ADC 4.060, Note 12, prohibits repair of autos, boats, motors, and furniture, and the storage of flammable materials. The rental contracts for the storage facility must specify this prohibition.
- Condition 11 Landscape and Irrigation Plan.** The applicant shall submit a final landscape and irrigation plan to the Community Development Department for review and approval prior to issuance of a building permit. The landscape and irrigation plans shall be consistent with the standards under ADC 9.140(2), 9.150,

and 9.160. The landscape plan shall include a planting schedule that indicates the plant species, size, and quantity of each plant.

**Condition 12 Architectural Element/Feature.** The applicant shall submit elevation plans in accordance with ADC 8.340(2) for review and approval by the Planning Division prior to issuance of a building permit

**Condition 13 Pedestrian Amenities.** Prior to the issuance of a certificate of occupancy, a minimum of three pedestrian amenities shall be installed in accordance with ADC 8.360(2-4).

**Condition 14 Substantial Conformance.** 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.

**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 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 site plan review.
3. An Erosion Prevention and Sediment Control Permit (EPSC) is required to be obtained from Public Works before commencing land disturbing activities affecting an area of 2,000 square feet or greater, cumulatively.

### Building

#### Permits & Plan Review

4. Prior to beginning construction, permit application(s) and plan reviews will need to be completed by the Building Division and other departments. All projects requiring plan review will need to have the plans submitted electronically through ePlans. Information on the ePlans process is available at [cd.Cityofalbany.net](http://cd.Cityofalbany.net) or by contacting the Building Division at [cd.customerservice@cityofalbany.net](mailto:cd.customerservice@cityofalbany.net) for details.

#### Fire Separation & Area

5. The proposed buildings will need to maintain fire separation distance, as requirements of Table 602.

#### Fire Sprinkler & Alarm

6. The proposed S-1 buildings with an occupancy area of more than 2,500 square feet would require the installation of a fire sprinkler system in that building per 903.2.9 #5. Please see ICC interpretation 20-14.

#### Accessibility

7. Where parking is required, the proposed site would need to be provided with accessible parking stalls complying with OSSC 1106 and the associated figures.
8. The proposed site would need to be provided with accessible routes as required in OSSC 1104.
9. Accessible bathrooms would need to be provided as required in 1109.1.
10. The proposed site will need to comply with the accessible storage facilities requirements of 1108.3.

#### Sanitation

11. The proposed site would need to be provided with bathroom facilities in compliance with Chapter 29 for the total occupancy load based on use category.
12. An Erosion Prevention and Sediment Control Permit (EPSC) is required to be obtained from Public Works before commencing land disturbing activities affecting an area of 2,000 square feet or greater, cumulatively.

#### Plan Review for Permits

13. All plans submitted for review for building permits will need to be submitted electronically. Contact the Building Division front counter at [ePlans@cityofalbany.net](mailto:ePlans@cityofalbany.net) for details and instructions prior to submittal.

## 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.

### **12.45.080 Post-construction stormwater quality plan required.**

Applicants for a post-construction stormwater quality permit shall submit as a part of their permit application a post-construction stormwater quality plan. Each plan shall comply with the minimum standards outlined in the engineering standards, construction standards, and the provisions of this chapter. Each post-construction stormwater quality plan shall be reviewed, approved, and stamped by a professional licensed in Oregon as a civil or environmental engineer or landscape architect. (Ord. 5841 § 3, 2014).

### **AMC 12.45.130 Private stormwater facilities operation and maintenance agreements required.**

- (1) Private stormwater facilities operation and maintenance agreements are required for all private post-construction stormwater quality facilities that require a permit under this chapter.
- (2) Private stormwater facilities operations and maintenance agreements shall be recorded at the applicable County Recorder's Office and shall run with the land.
- (3) Redevelopment of a property already operating under a private stormwater facilities operation and maintenance agreement will require execution of a new agreement if the Director determines, in the exercise of reasonable discretion, that the redevelopment is likely to have a material impact upon the operation, maintenance, or effectiveness of the previously approved facilities. (Ord. 5841 § 3, 2014).

## Fire Department

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:

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:
  - a. The distance from the most remote exterior point of the building(s) to the closest available fire hydrant.
  - b. The calculated "fire flow" of the proposed building(s) (See item #7 above)
  - c. The spacing of the existing fire hydrants along the public and private fire apparatus roads serving the property.
  - d. The location of new required public or private fire apparatus access roads located adjacent to the proposed building(s) to be constructed.
4. Gates securing access to the private fire apparatus access roads required for this project shall comply with all of the following criteria (OFC D103.5):
  - a. The minimum gate width shall be 20 feet.
  - b. Gates shall be of the swinging or sliding type.

- c. Construction of gates shall be of materials that allow manual operation by one person.
- d. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
- e. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.
- f. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of a key box containing the key(s) to the lock installed at the gate location.
- g. Locking device specifications shall be submitted for approval by the fire code official.
- h. Electric gate operators, where provided, shall be listed in accordance with UL 325.
- i. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

**If this gate is going to be an automatic opening type, the automatic gate opener shall be capable of being activated by all of the following:**

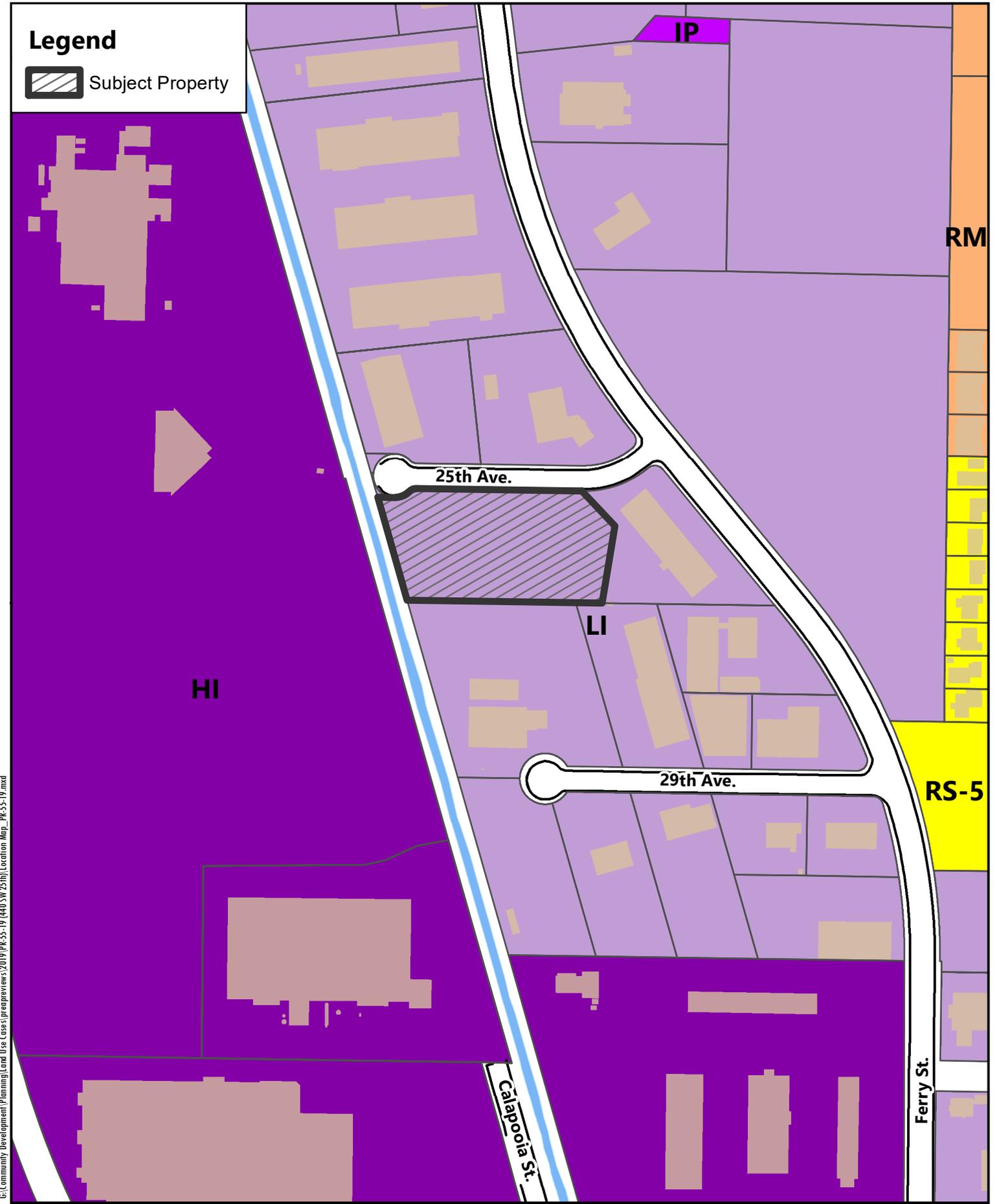
- 1. An approved OPTICOM sensor,**
- 2. A Knox key switch, and;**
- 3. A manual means in the event of power/mechanical failure. This shall include an adjacent pedestrian gate with a Knox-style lock to provide firefighter access.**

### Department of State Lands

1. A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.
2. A Federal permit may be required by The Army Corps of Engineers.

# Legend

 Subject Property



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N  
0250 100150  
Feet

Date: 6/12/2019 Map Source: City of Albany

## 440 25th Ave SW

### Location / Zoning Map

