



## 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

Coffee Stand

SP-21-19

August 20, 2019

### Application Information

Proposal:	Site Plan Review for construction of a single-sided coffee drive-through with separate walk/bike-up window on partially developed site.
Review Body:	Staff (Type I-L review)
Report Prepared By:	Laura LaRoque, Project Planner
Applicant:	Jay Reab; Blueberry Junction, LLC; 1120 NW Dixon Street, Corvallis, OR 97330
Property Owner:	Dennis Ropp; Waverly Land Management; 4055 SE Spicer Drive, Albany, OR 97321
Representative:	Greg Goins, WinCo Foods, LLC; 650 N. Armstrong Place, Boise, ID 83704
Address/Location	3100 Pacific Boulevard SE, Albany, OR 97321
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-04CB Tax Lot 107
Zoning:	Regional Commercial (RC)

On August 20, 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 **Laura LaRoque, Project Planner**, at 541-917-7640, or David Martineau, Planning Manager, at 541-7561.

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: September 11, 2019**

**Approval Expiration Date (if not appealed): August 20, 2022**

Attachments: Location Map, Site Overview Plan, Information for the Application

### Conditions of Approval

- Condition 1 Bicycle Parking.** Prior to issuance of a certificate of occupancy, a total of two bicycle parking spaces shall be installed, with at least one sheltered, in conformance with the requirements at ADC 9.120(13).
- Condition 2 Final Landscape and Irrigation Plan.** 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, landscape parking lot standards of ADC 9.150, and irrigation standards of ADC 9.160. Prior to issuance of a certificate of occupancy, all proposed and required landscaping and irrigation, shall be completed in accordance with approved plans or guaranteed in accordance with ADC 9.190.
- Condition 3 Exterior Lighting.** Prior to issuance of a certificate of occupancy, all exterior lighting fixtures, including pole mounted lights, shall be of a shielded, full cut-off design.
- Condition 4 Refuse Container Screening.** Prior to issuance of a certificate of occupancy, all required screening for refuse containers or disposal areas shall be installed in accordance with ADC 4.300.

**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 (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. 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.

### 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.
4. Before a building permit will be issued, the applicant must pay to the City the required System Development Charges and other applicable fees or charges for connection to public utility systems.
5. No unauthorized person is allowed to make connection to any public sewer or appurtenance without first obtaining the appropriate permits through the City's Public Works Department.

### Building Division

#### PERMITS

6. Obtain Building Permits for each building prior to any construction or remodel. Separate permits are required for underground fire lines, fire sprinklers, fire alarms, electrical work, parking lots, and exterior signs.
7. Building Permits will not be issued on property within the wetlands unless approvals have been provided by the wetlands regulating authority.

#### PLAN REVIEW FOR PERMITS

8. All plans submitted for review for building permits will need to be submitted electronically. Contact the Building Division front counter for details and instructions prior to submittal.

Subject Property

RM

LI

RS-6.5

Waverly Lake

Airport Rd.

Interstate-5

Highway 99E

RC

Killdeer Ave.



0 150 300 600 Feet

Date: 7/17/2019 Map Source: City of Albany

3100 Pacific Blvd. SE

Location / Zoning Map

G:\Community Development\Planning\Land Use Cases\2010s\2019\Regular (RU)\RU-01-19\2409 SE Pacific) - See SP-03-19\Location Map.mxd

