



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-22-19

December 27, 2019

Application Information

Proposal:	Removal of 1,400 square foot existing office building and construction of a new 4,800 square foot office building and associated parking lot improvements.
Review Body:	Staff (Type I-L review)
Report Prepared By:	Travis North, Planner II
Property Owner:	Rhodaback Family Trust; P.O. Box 444, Albany, OR 97321
Applicant:	NW Custom Construction, Inc.; P.O. Box 3049, Albany, OR 97321
Representative:	Brian Estes, K&D Engineering; P.O. Box 725, Albany, OR 97321
Address/Location	100 41st Avenue SE
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-19A; Tax Lot 1600
Zoning:	Light Industrial (LI) District

On December 27, 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 (ADC). The supporting documentation relied upon by the City in making this decision is available for review at Albany City Hall, 333 Broadalbin Street SW. For more information, please contact the project planner, **Travis North**, at 541-791-0176 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 ADC 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

cd.cityofalbany.net



Appeal Deadline: January 17, 2020

Approval Expiration Date (if not appealed): December 27, 2022

Attachments: Location Map, Site Plan

Conditions of Approval

- Condition 1 **Storm Drainage Facilities.** 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. The final design of the required stormwater quality facilities must adhere to the City's engineering standards.
- Condition 2 **Sidewalk.** Prior to issuance of the final certificate of occupancy, the applicant shall construct a five-foot sidewalk along the frontage of the site.
- Condition 3 **ROW Dedication.** Prior to issuance of the final certificate of occupancy, the applicant shall dedicate right-of-way at the northeast corner of the site for the cul-de-sac bulb on 41st Avenue as shown on the tentative site plan. The right-of-way radius shall be 60 feet.
- Condition 4 **Bicycle Parking.** Prior to issuance of a building permit, the applicant shall submit details of the bicycle parking rack and overhead canopy to the Community Development Department for review and approval. The bicycle parking area shall meet the requirements of ADC 9.120(13)(e)-(h).
- Condition 5 **Encroachment Permit.** Prior to issuance of an occupancy permit, the applicant shall obtain an encroachment permit from the Public Works Department and reconstruct the site's driveway approach to 41st Avenue as shown on the approved site plan.
- Condition 6 **Landscaping.** 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(2), landscape parking lot standards of ADC 9.150, and irrigation standards of ADC 9.160.
- Condition 7 **Site Improvements.** Prior to issuance of the final certificate of occupancy, all proposed and required site improvements (e.g. parking, bicycle shelters, landscaping, etc.), shall be constructed and completed in accordance with the approved plans. Landscaping may be financially secured through a completion guarantee, per ADC 9.190.

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 Albany Municipal Code (AMC) or 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.
3. Refuse containers were not proposed as part of this application. Any refuse containers provided in the future must be screened in accordance with ADC 4.300.

Building

Permits

4. Obtain building permits prior to any construction.
5. An erosion prevention and sediment control permit 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

6. All plans submitted for review for building permits will need to be submitted electronically. Contact the Building Division front counter at ePlans@cityofalbany.net for details and instructions prior to submittal.

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.

Fire

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).
 - 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.

Legend

 Albany Taxlots selection

Log Pond

HI

Marion St.

HI

41st Ave.

OS

RS-6.5

OAK CREEK

OAK CREEK

OAK CREEK



100 41st Ave SE

Date: 4/11/2019 Map Source: City of Albany

Location / Zoning Map

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