



## 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 and Natural Resource Impact Review

SP-25-21 and NR-01-21

October 18, 2021

### Application Information

Proposal:	Site Plan Review to construct two-family attached dwellings (duplex) with associated parking improvements. A Natural Resource Impact Review is also required for underground extension of utilities through the Riparian Corridor overlay district.
Review Body:	Staff (Type I-L Review)
Property Owner/Applicant:	Sona Athwal; 6732 Seven Mile Lane, Albany, OR 97322
Representative:	Laura Laroque, Udell Engineering and Land Surveying 63 E Ash Street, Lebanon, OR 97355
Address/Location:	6122 Pacific Boulevard SW, Albany, OR 97321
Map/Tax Lot:	Linn County Assessor's Map No: 11S-04W-25AA; Tax Lot 02201
Zoning:	NC – Neighborhood Commercial
Overlay:	Riparian Corridor Overlay District

On October 18, 2021, 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, Albany, OR 97321. For more information, please contact **Nikki Cross**, project planner, at 541-791-0176.

This notice of decision is mailed to the property owner, applicant, any person who submitted written comments in accordance with ADC 1.220. All persons entitled to notice of the decision may appeal the decision within 10 days in accordance with ADC 1.410, and that issues, which may provide the basis for an appeal, must be raised in writing with sufficient specificity to enable the applicant and local appeal body to respond to the issue. The decision will not become final until the period for filing a local appeal has expired. 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

**Appeal Deadline: October 28, 2021**

**Approval Expiration Date (if not appealed): October 18, 2024**

[cd.cityofalbany.net](http://cd.cityofalbany.net)



## Conditions of Approval

- Condition 1 Site Improvements.** Before the City will issue a final occupancy permit for the proposed development, all proposed and site improvements identified to the site plan (e.g., driveways, landscaping, lighting, etc.), shall be constructed and completed in accordance with approved plans. Landscaping may be financially secured through a completion guarantee, per ADC 9.190.
- Condition 2 Buffering.** Before the City will issue a final occupancy permit for the proposed development, the applicant shall provide a site plan demonstrating buffering is provided along the length of the property line of the abutting commercial use to the south of the subject property. A 10-foot buffer shall be provided along the developed portion of the abutting commercial use. The undeveloped portion of the abutting commercial use shall be provided a five-foot buffer until meeting the vegetated 50-foot Riparian Corridor of Oak Creek, which is already considered a buffer, or the applicant shall apply for and obtain an Adjustment to the buffering standards per ADC 2.060 through 2.080.
- Condition 3 Structures must be located outside of buffer.** Before the City will issue a final occupancy permit for the proposed development, the applicant shall provide a site plan showing no structures are located within the required buffer, or the applicant shall apply for and obtain an Adjustment to the buffering standards.
- Condition 4 Irrigation System.** Before the City will issue a final occupancy permit for the proposed development, the applicant shall provide either an irrigation plan or a letter from a qualified landscape professional stating that irrigation is not required per ADC 9.160.
- Condition 5 Public Works.** Before the City will issue a building permit or encroachment permit for development on the subject property, the applicant must pay the required connection charges for the existing public sanitary sewer and water facilities adjacent to the subject property
- Condition 6 Impacts during construction.** Before the City will issue a building permit for the proposed boring project, the applicant shall provide a site plan showing the proposed location of on-site construction staging and equipment storage to ensure there are no impacts to the Riparian Corridor and to ensure no mitigation is necessary.

## 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 and Natural Resource Impact Review.

### Building

#### Permits

3. Building permits are required for the work proposed within this land use case and will be reviewed for compliance with the applicable Oregon Building Code under those required application(s).

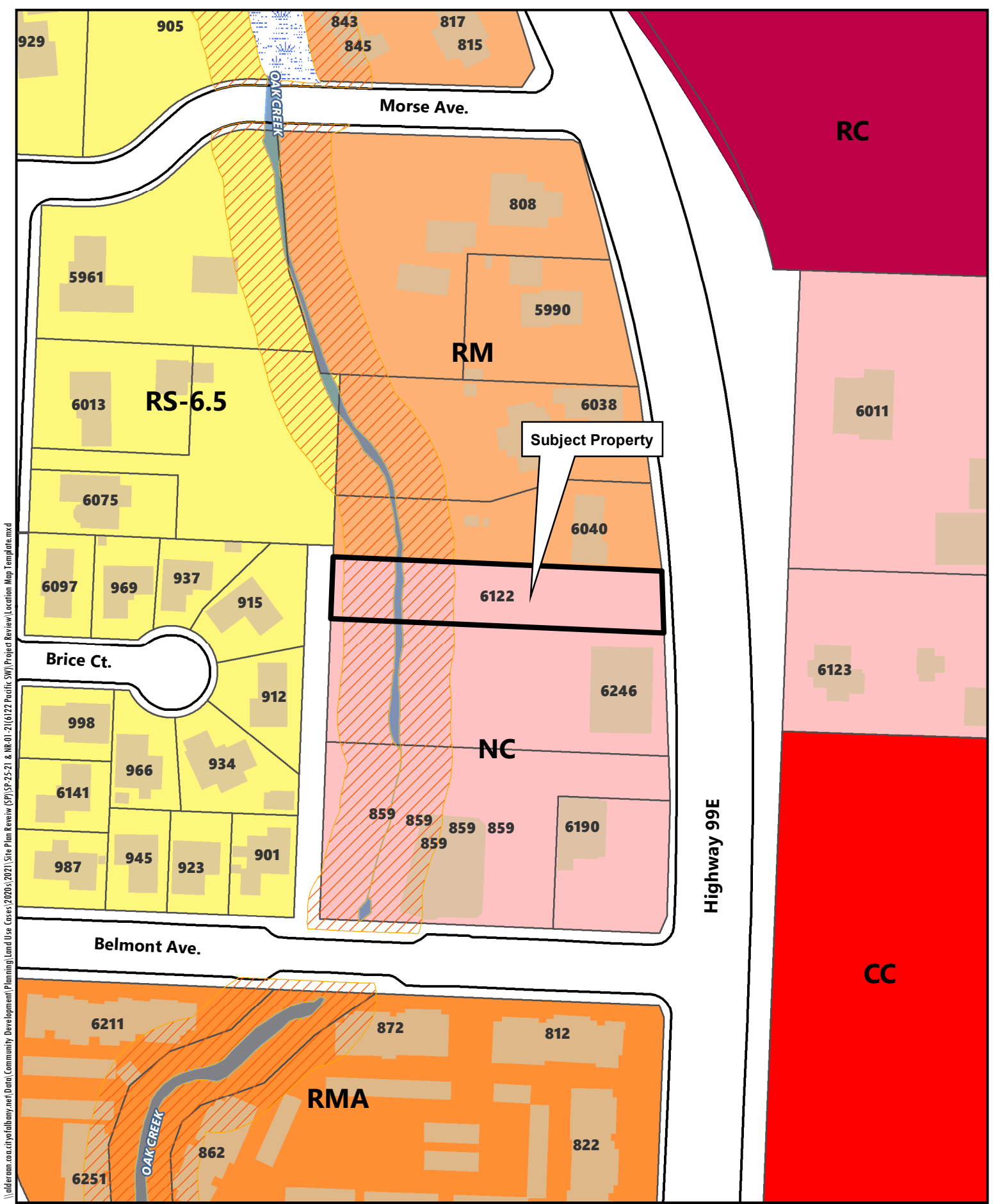
### Public Works - Engineering

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.

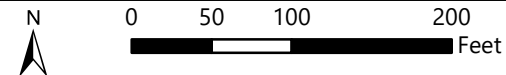
### Fire

The fire department has reviewed the above project for conformance to the 2019 Oregon Fire Code and has no comments.

Attachments: Location Map, Site Plan



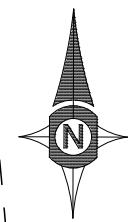
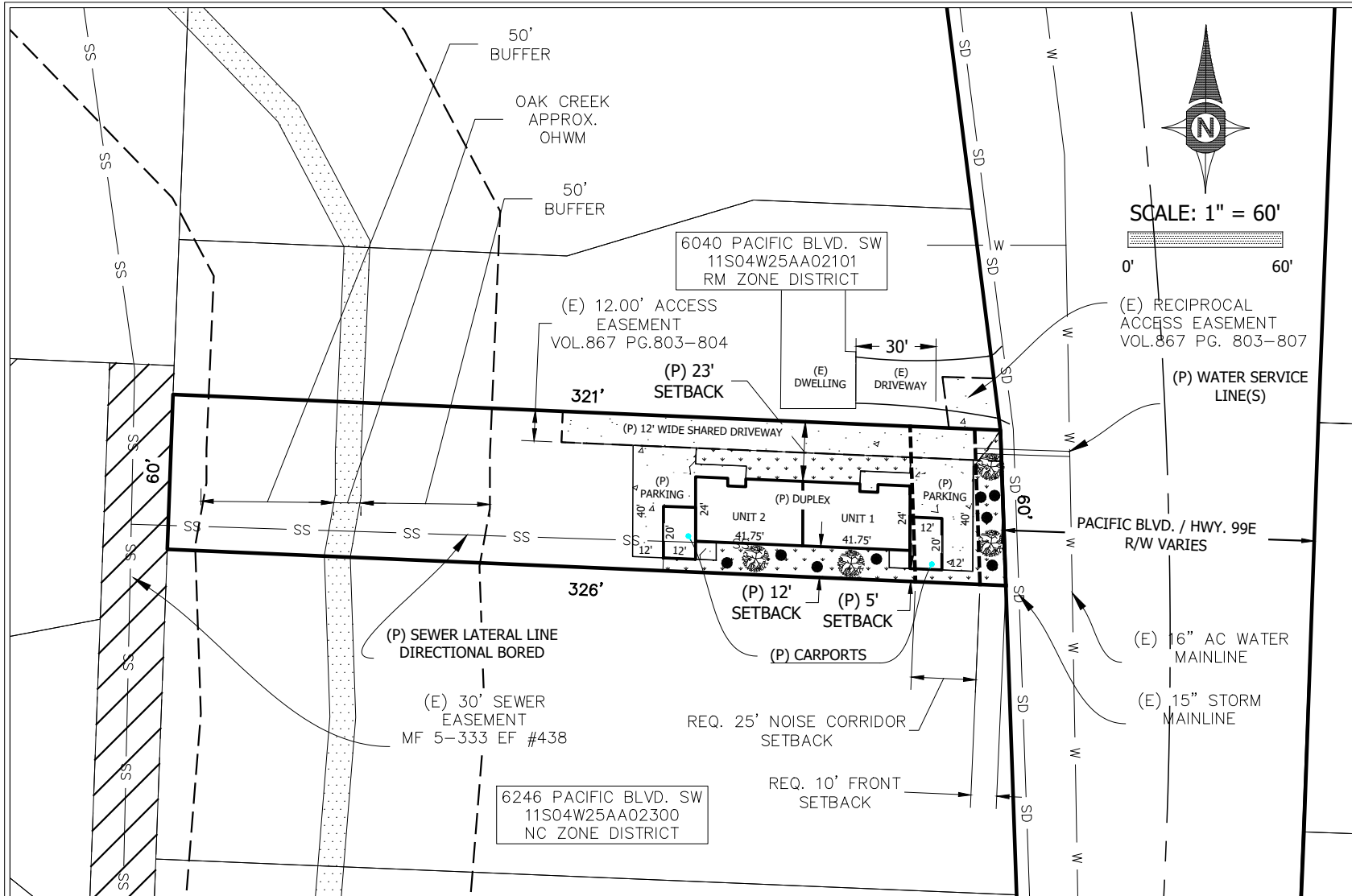
\\alderman.coc.nyohibany.net\Data\Community\_Development\Planning\Land Use\_Cases\2020\2021\Site\_Plan\_Review\SP\SP-25-21\_&NR-01\_2\16\22 Pacific SW\Project\_Review\Location\_Map\_Template.mxd



Date: 8/27/2021 Map Source: City of Albany

**6122 Pacific Blvd SW**

Location / Zoning Map



SCALE: 1" = 60'



**UDELL ENGINEERING AND LAND SURVEYING, LLC**  
63 EAST ASH ST.  
LEBANON, OREGON, 97355  
541-451-5125

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**SITE PLAN**

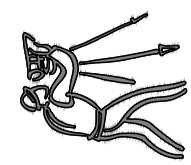
**SONA ATHWAL**

**6122 PACIFIC BLVD. / HWY. 99E**

**ALBANY, OREGON**

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Date: 08/17/21  
Project: 21-183 ATHWAL PACIFIC BLVD. SPR  
Drawn by: LLL  
Checked by: BSV



PROPERTY INFORMATION

LEGEND

(E)	EXISTING
(P)	PROPOSED
APPROX	APPROXIMATE
PL	PROPERTY LINE
R/W	RIGHT OF WAY
AC	ACRES
TL	TAX LOT

ZONE:	NEIGHBORHOOD COMMERCIAL (NC)
LAND USE:	UNIMPROVED
OWNER:	SONA ATHWAL
ADDRESS:	6122 PACIFIC BLVD. SW / HWY. 99E
ASSESSORS MAPS:	11S04W25AA
TAX LOT:	2201
AREA:	0.44 AC

NOTE: BUILDING FOOTPRINTS AND UTILITIES DRAWN BY SUPERIMPOSING AN AERIAL PHOTO. LOCATIONS ARE APPROXIMATE.

SHEET 01  
of 01

SCALE: AS NOTED