



## PUBLIC WORKS - 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-31-18

November 9, 2018

### Application Information

Proposal:	Site Plan Review for a Change of Use from a Restaurant to a Community Service Use, named CHANCE (Community Helping Addicts Negotiate Change Effectively)
Review Body:	Staff (Type I-L review)
Report Prepared By:	Melissa Anderson, Senior Planner
Property Owner:	Stark Group, LLC; 3621 NW Yeon, Portland, OR 97210
Applicant:	Jeff Blackford; 238 3 <sup>rd</sup> Avenue SE, Albany, OR 97321
Address/Location	231 Lyon Street SE
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-03W-06CD; Tax Lot 1900
Zoning District:	Historic Downtown (HD)

On November 7, 2018, 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. For more information, please contact **Melissa Anderson, Project Planner**, at 541-704-2319, or David Martineau, Planning Manager, 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 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.

*Signature on file*

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Community Development Director

**Appeal Deadline: November 30, 2018**

**Approval Expiration Date (if not appealed): November 9, 2021**

## Conditions of Approval

Condition 1 If a new refuse container area is located outside in the future, it must be located outside of the public way, on private property, and screened from view in accordance with ADC 5.370.

**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.**

Attachments: Information for the Applicant, Location/Zoning Map, Building Interior Layout

## 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. If the applicant wishes to establish new bicycle parking on the sidewalk in the future, they need to coordinate with the Albany Public Works Engineering Department prior to installation of any new bike racks.
2. Land use approval does not constitute Building or Public Works permit approvals.
3. Construction of the development must substantially conform to the approved site plan review.

### Engineering

**General Engineering Processes:** 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.

### Building Division

The proposed change of use will be required to comply with the current addition of the Oregon Structural Specialty Code, adopted by the State of Oregon at the time of application for building permits, for the proposed occupancy and use.



## Location / Zoning Map: 231 Lyon Street SE



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0 25 50 100 150 200 Feet

Date: August 28, 2018

Planning Division

City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917- 7550

Lyon Street

Sidewalk

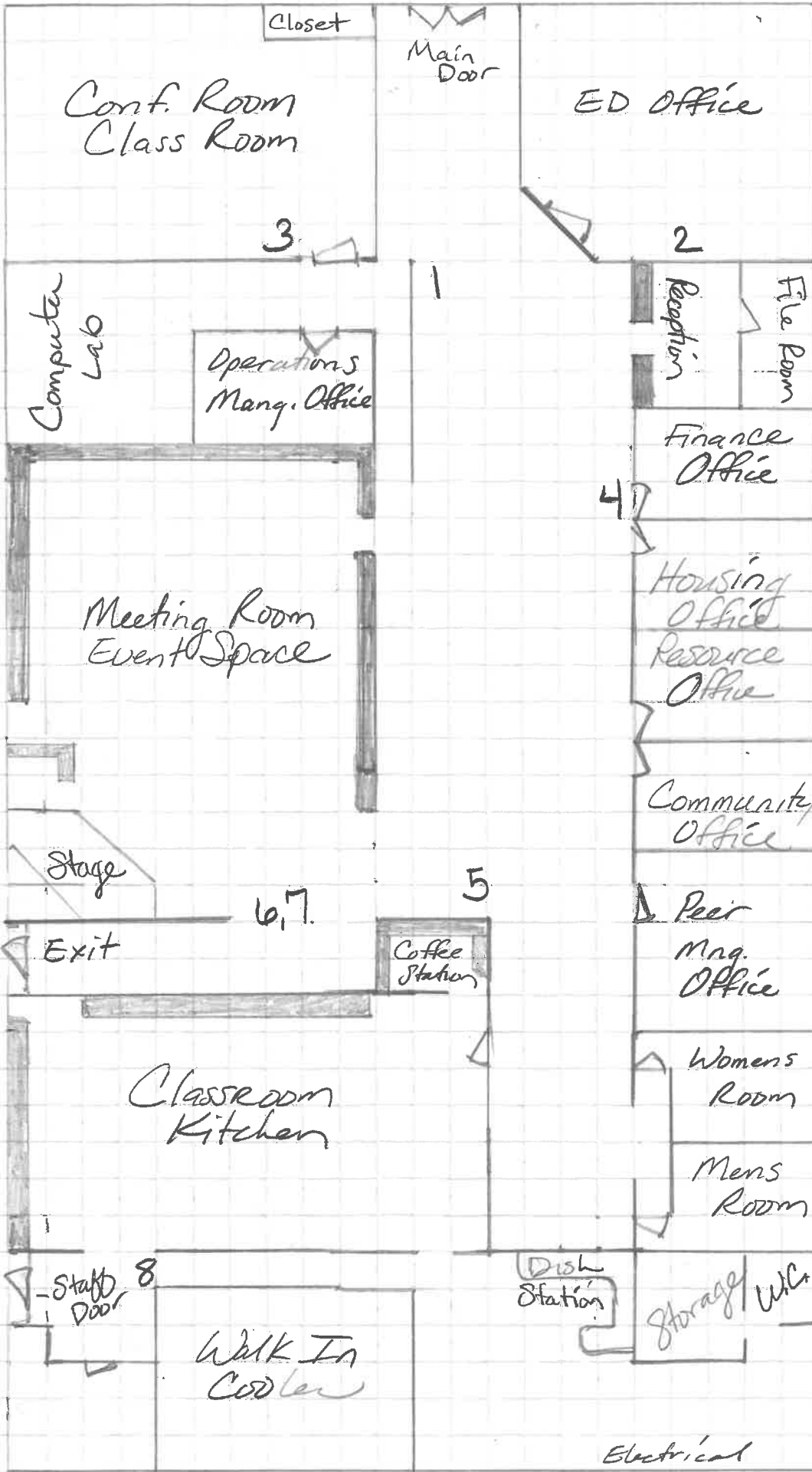
231 Lyon Street  
Albany, OR  
97321

CHANCE



3rd Ave

Sidewalk



Electrical

Aug 10, 2018