



## COMMUNITY DEVELOPMENT

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

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# Notice of Decision

## Site Plan Review

Marion Street Industrial Park

SP-39-18 & RL-09-18

February 25, 2019

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### Application Information

Proposal:	Site Plan Review for new construction of two industrial buildings measuring 25,000 square feet and 11,930 square feet with associated parking, utilities and landscaping, and a Tentative Replat to combine two lots into one lot.
Review Body:	Staff (Type I-L review)
Property Owners:	1) Chris Hanson, Manager, Marion Industrial Park LLC; 1788 Cascade Heights Drive NW, Albany, OR 97321; and 2) Cordell S. Post, Member, Hickory Village LLC; PO Box 1746, Albany, OR 97321
Applicant:	Marion Street Investors LLC, Daniel Ederer, Governor; 601 Union Street, Ste. 3016, Seattle, WA 98101
Engineer:	Troy L. Plum, P.E.; TKP Engineering LLC; PO Box 374, Corvallis, OR 97339
Address/Location	4322 and 4386 Marion Street SE
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-19A; Tax Lots 600 & 700
Zoning:	Light Industrial (LI) District

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On February 25, 2019 the City of Albany Community Development Director **approved** the application described 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 **David Martineau, Project Planner** 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,

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provided they sign a Release and Indemnity Agreement with the City. This approval expires in three years unless the final plat has been submitted to the City's Planning Division for review and approval.

*Signature on file*

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Community Development Director

**Appeal Deadline: March 18, 2019**

**Approval Expiration Date (if not appealed): February 25, 2022**

Attachments: Information for the Applicant

## Conditions of Approval

### General

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.

- Condition 1 **Storm Drainage Facilities.** Before the City will issue building permits for the proposed project, the applicant must install public storm drainage system facilities as part of the required Marion Street improvements. Final design details for these improvements must be approved by the Public Works Department as part of the required Site Improvement permit. The applicant may provide to the City financial assurances for the construction of the public improvements as an alternative means to obtain building permits.
- Condition 2 **Storm Drainage Facilities.** Before the City will issue a Certificate of Occupancy for the proposed development, the required storm drainage detention and stormwater quality facilities must be completed. Final design details for these improvements must be approved by the Public Works Department as part of the required stormwater quality permit.
- Condition 3 **Street Improvements.** Prior to issuance of a building permit the applicant shall construct, or financially assure the construction of, public street improvements along the frontage of the site. The improvements shall include:
- Installation of public sidewalk along the site's frontage on 41<sup>st</sup> Avenue.
  - Construction of curb, gutter, sidewalk, and pavement to match existing along the site's frontage along Marion Street. The new curb shall be aligned within the right of way for an ultimate curb-to-curb width of 34 feet.
- Condition 4 **Driveways.** The applicant shall construct two new 26-foot driveway approaches to the site from Marion Street as shown on the approved site plan.
- Condition 5 **Driveways.** The applicant shall construct a new 20-foot exit-only driveway to the site from 41<sup>st</sup> Avenue. The driveway shall be constructed at the location shown on the site plan. The applicant shall install and maintain a "Do Not Enter" sign for the driveway at 41<sup>st</sup> Avenue.
- Condition 6 **Landscaping.** All landscaping shall be installed in accordance with submitted plans prior to building occupancy by phase. Any revisions to the landscape plans must be reviewed and approved by the Planning Division prior to installation.

- Condition 7     **Irrigation.** All irrigation shall be installed in accordance with submitted plans prior to building occupancy by phase. Any revisions to the irrigation plans must be reviewed and approved by the Planning Division prior to installation.
- Condition 8     **Site Improvements.** Prior to issuance of a certificate of occupancy, all proposed and required site improvements shall be constructed and completed in accordance with approved plans.
- Condition 9     **Exterior Lighting.** All exterior light fixtures shall be of a shielded, full-cut off design.

## 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. To complete the replat process:

- a. The final plat must substantially conform with the approved tentative plat. Allow a minimum of five business days for the City's review. (*A final plat application and fee is **NOT** required with this replat to adjust property lines.*)

Note: The Linn County Surveyor also needs to review the plat. These reviews should be done concurrently. Contact the Linn County surveyor's and recorder's offices to learn about their current processes, fees, and possible other expenses.

- b. The final plat must be prepared by a registered professional land surveyor per Oregon Revised Statutes (ORS) 92.050 and ORS 209.250. Interim review plats can be on paper.
- c. After the City signs the final plat, the applicant shall submit it to the county surveyor for their signatures and recording.

2. It is recommended that any buildings constructed should be placed to allow the property to be divided in the future in a way that would conform to development standards.

### 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 in our records.