



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Community Development 541-917-7550

Notice of Decision

Conditional Use Review, Site Plan Review, Major Variance, and Tentative Replat

CU-01-24, SP-23-24, VR-09-24, RL-05-24

January 14, 2025

Application Information

Type of Application:	Conditional Use Review for the construction of an 8,000 square foot building containing a fitness facility and warehouse, Site Plan review approval for 15 self-storage containers, an office with an attached dwelling unit, and 32 recreational vehicle parking spaces; a Major Variance to allow off-street parking between the proposed fitness facility and the front property line; and a replat to consolidate two lots into one.
Property Owner/Applicant:	Sona Athwal & Jaswant Sranna 2515 Geary Street SE, Albany, OR 97322
Representative:	Laura LaRoque, Udell Engineering & Land Surveying, 63 E Ash Street, Lebanon, OR 97355
Address/Location:	137 41st Avenue SE, Albany, OR 97322
Map/Tax Lot:	Linn County Assessor's Map No: 11S-03W-19A Tax Lots 1000 & 1100
Zoning:	Light Industrial (LI) Zoning District

On January 9, 2025, the City of Albany Hearings Board granted **APPROVAL WITH CONDITIONS** of the application referenced above. The Hearings Board 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. Conditions of approval are attached to this notice. For more information, please contact Liz Olmstead, project planner, at 541-917-7640 or Current Planning Manager David Martineau at 541-917-7555.

The City's decision may be appealed to the City Council if a person with standing files a completed notice to appeal application and the associated filing fee no later than 10 days from the date the City mails the notice of decision.

Signature on file

Hearings Board Chair

Appeal Deadline: January 24, 2025

Approval Expiration Date (if not appealed): January 14, 2028

Attachments: Information for the Applicant, Location Map, Site Plan

Condition of Approval

- Condition 1 Site Improvements.** Prior to occupancy of the proposed buildings, all proposed and required site improvements shall be constructed and completed in accordance with approved plans.
- Condition 2 Special Conditions.** Prior to submittal of any building permits, the property owner must provide acknowledgement in writing that industrial uses have a right to operate from the new use complaining about externalities typical of industrial uses. The signature on the acknowledgement must be notarized.
- Condition 3 Bicycle Parking.** Before the City will issue any certificate of occupancy for the proposed structure(s), the applicant shall provide evidence that required bicycle parking meets the standards of ADC 9.030(4)(g) by installing secured parking racks for each space.
- Condition 4 Parking.** A separate parking lot permit must be obtained for the proposed development, detailing the conformance to ADC 9.120 and 9.130. Before the City will issue any certificate of occupancy for the proposed structures, the parking lot shall be installed and approved.
- Condition 5 Electric Vehicle Charging Capacity.** Before the City will issue any certificate of occupancy for the proposed structure(s), the applicant must provide evidence that the required electric vehicle charging capacity spaces meets the standards of ADC 9.050.
- Condition 6 Landscaping and Irrigation System.** Before the City will issue any certificate of occupancy for the proposed structure(s), the applicant shall install landscaping in conformance with ADC 9.210 – 9.250, planter bays in conformance with ADC 9.150(1), and either an irrigation plan or a letter from a qualified landscape professional stating irrigation is not required per ADC 9.160.
- Condition 7 Public Utilities.** Before the applicant can make a new sewer and storm service connections to the public sewer and storm systems, an Encroachment Permit must be obtained from the City of Albany’s Engineering Division.
- Condition 8 Public Utilities.** Before the City will issue any occupancy permit for the proposed project, the applicant must obtain a Stormwater Quality Permit from the City of Albany's Engineering Division and construct stormwater detention and stormwater quality facilities that comply with the City’s Engineering Standards with post-development release rates that meet predevelopment release rates or approved by the City Engineer.
- Condition 9 Public Utilities.** Before the City will issue any occupancy permit for the proposed project, the applicant must obtain a Site Improvement permit from Public Works Department for connecting to the public water main for proposed fire hydrant.
- Condition 10 Transportation.** Prior to final occupancy, the applicant shall install public sidewalk to city standards along the frontage of the site on 41st Avenue.
- Condition 11 Transportation.** Prior to final occupancy, the application shall remove the existing driveway to the site and replace with standard full height curb and gutter. Install a new driveway approach at the location shown on the approved tentative plat map.

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) if the development did not require public infrastructure, a valid building permit exists for new construction or improvements and work has commenced.

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 ensure 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 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 ensure 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 conditional use review and site plan review.
3. **To complete the replat process:**
 - a. **Submit a final partition plat to the City Planning Division for review and approval.**

Note: The Linn County Surveyor also needs to review the final plat. These reviews should be done concurrently. Contact the County Surveyor's Office to learn about their current processes, fees, and possible other expenses (property taxes must be current, for example).
 - b. The survey and final plat must be prepared by a registered professional land surveyor (Oregon Revised Statutes).
 - c. If applicable, pay or segregate any existing City liens on the property, and pay or finance any other fees due as a result of the land division. Contact the Finance Department at 541-917-7533 to make these arrangements.
 - d. After the City signs the final plat, it will be returned to the applicant for recording.
 - e. **After recording, and before the City will accept a permit application** to develop either parcel, the property owner must return one copy of the recorded final plat to the Albany Planning Division.

Engineering

4. 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.
5. An erosion prevention and sediment control (EPSC) permit shall be obtained for land-disturbing activities affecting an area of 2,000 square feet or greater, cumulatively (AMC 12.40.030)

Building

The Building division has reviewed the proposal for conformance to applicable Codes and has the following comments.

6. The proposed project may require permits that will need to be applied for at www.albanyoregon.gov/permits. For questions about permitting requirements, please email cd.customerservice@albanyoregon.gov.
7. The proposed design has not been reviewed for code compliance with the Oregon Building Code and the design will need to meet the applicable Oregon Building Code requirement in effect at the time of application.

Fire

The fire department has reviewed the above project for conformance to the 2022 Oregon Fire Code (OFC) per your request and has the following comments.

**** NOTE: Addition of a private fire line will result in a quarterly Fire Line Fee***

****Land Use permit will include a \$125 Fire Plans Review fee****

8. 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)
9. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4)
10. 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 shall be as specified in Appendix B of the fire code. (OFC 507.3)

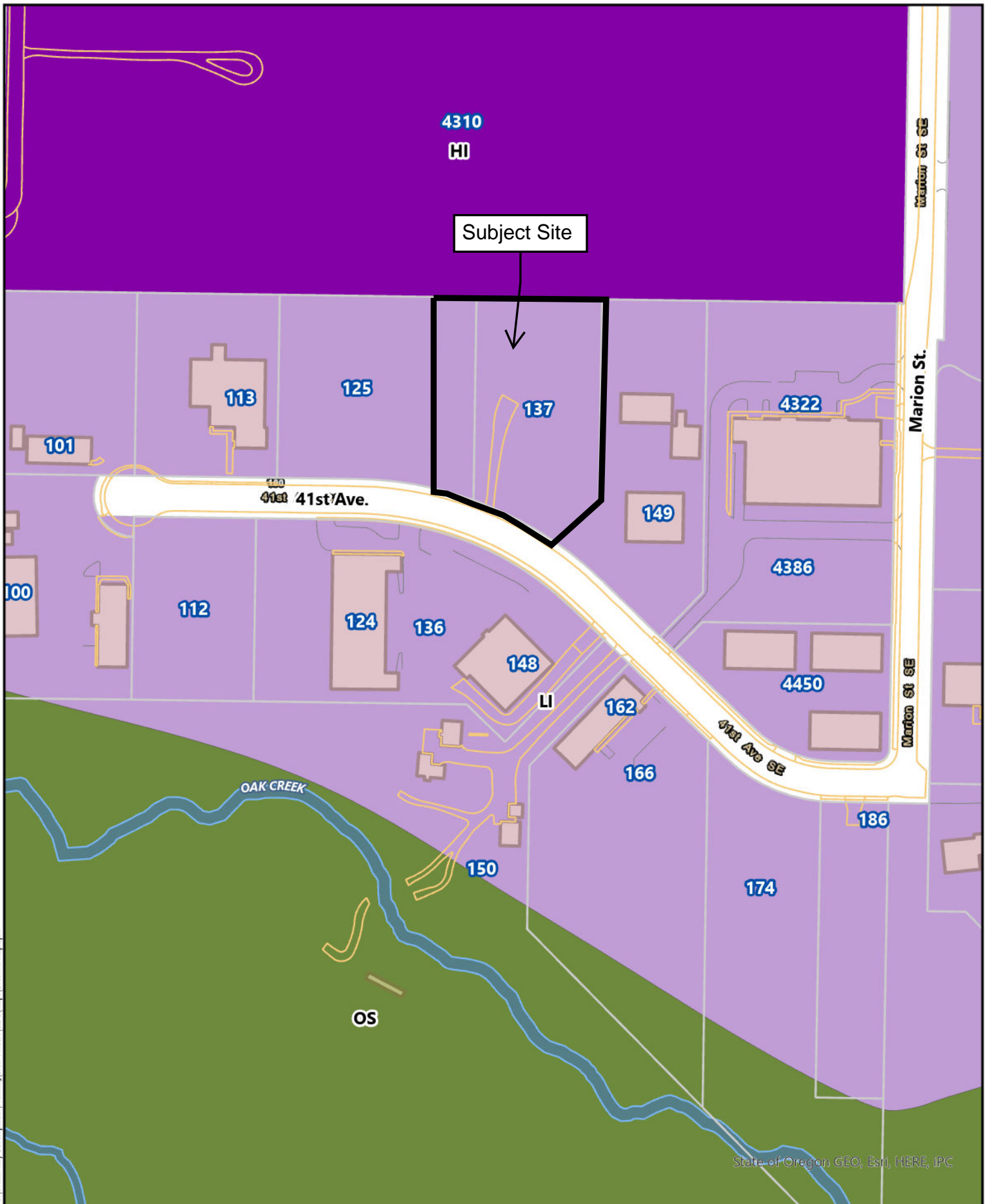
The fire flow demand could not be estimated from the submitted material. Future plans shall indicate the fire flow demand. Additional hydrants than are shown on the Land Use documents may be required.

11. IF FIRE SPRINKLERED: Location of any Fire Department Connections (FDCs) that may serve any fire sprinkler system(s) protecting your buildings shall be installed at a location approved by the Albany Fire Department and shall be provided with approved STORZ fitting. The FDC shall be located a distance equal to at least 1½ times the height of the building, when possible, near the site entrance as not to obstruct subsequent arriving fire apparatus, and within 40 feet of a fire hydrant (public fire hydrants whenever possible). (OFC 903.3.7 and Albany Fire Department requirements)
12. Gates securing access to the private fire apparatus access roads required for this project shall comply with all of the following criteria (OFC D103.5):
 - a. The minimum gate width shall be 20 feet.
 - b. Gates shall be of the swinging or sliding type.
 - c. Construction of gates shall be of materials that allow manual operation by one person.
 - d. Gate components shall be always maintained in an operative condition and replaced or repaired when defective.
 - e. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official.

- f. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of a key box containing the key(s) to the lock is installed at the gate location.
- g. Locking device specifications shall be submitted for approval by the fire code official.
- h. Electric gate operators, where provided, shall be listed in accordance with UL 325.
- i. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F 2200.

The site plan reviewed for this meeting did not clearly indicate that a security fence and road access gate you going to be provided; however, the fire department anticipates that this will be a design feature of this project. If this gate is going to be an automatic opening type, the automatic gate opener shall be capable of being activated by all the following:

- 1. An approved OPTICOM sensor,**
- 2. A Knox key switch, and;**
- 3. A manual means in the event of power/mechanical failure. This shall include an adjacent pedestrian gate with a Knox-style lock to provide firefighter access.**



G:\Community Development\Planning\Staff Folders\Ltr O\Maps\Location Map.aprx

State of Oregon GEO, Esri, HERE, IPC

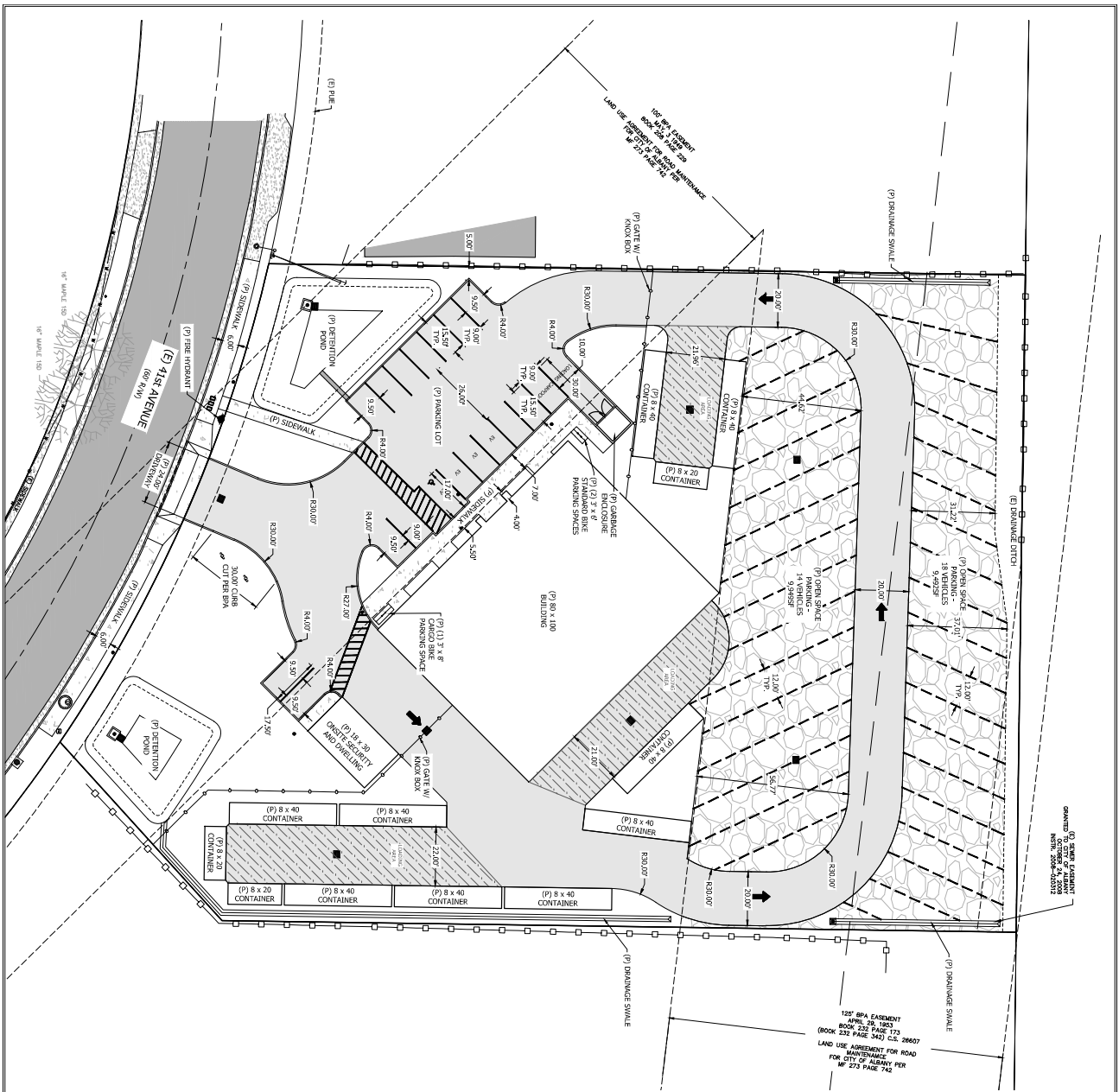


N
0 50 100 200
Feet

Date: 12/18/2024 Map Source:

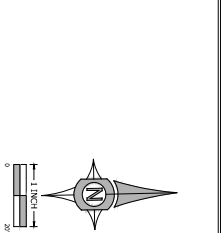
137 41st Ave SE

Location Map



VEHICLE PARKING SUMMARY

TYPE	MAX. ALLOWED PARKING PROVIDED	STANDARD	NUMBERS FOR CALC.
GVN	4	1 SPACE PER 300 SF	4000SF
STORAGE	3	1 PER 100 UNITS BY MINIMUM OF 3	12 UNITS
WAREHOUSE	78	1 PER 2 EMPLOYEES PLUS 1 PER 3000 SF OF PATRON SERVING AREA	23,448 SF
OPEN STORAGE	N/A	ADA COMPLIANT	ESTIMATED 2 EMPLOYEES 1 FOR EVERY 25 SPACES
TOTAL	18		



REVISIONS	DATE

Scale: SEE BMSHALE
 Sheet **C1.2**

THIS MAP WAS PREPARED FOR PLANNING PURPOSES ONLY

DATE: NOVEMBER 4, 2024
 PROJECT: 24-080 ATHWAL 41st AVE
 DRAWN BY: JLM
 CHECKED BY: RW

**PRELIMINARY CIVIL SITE PLAN
 SITE PLAN REVIEW
 MAP 11S-3W-19A
 LOTS 1000 & 1100
 ALBANY, OR**

UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON 97355
 (541) 451-5125 PH.
 (541) 451-1366 FAX

CLIENT:
 RANDY ATHWAL
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 ALBANY, OR 97311
 (530) 682-2100

