



COMMUNITY DEVELOPMENT

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

Notice of Decision

Site Plan Review-Temporary Plant Sales

SP-10-24

April 2, 2024

Application Information

Proposal:	Site Plan Review for a temporary plant sale operation in an 1,800-square-foot greenhouse structure, placed on the south side of the Heritage Mall.
Review Body:	Staff (Type I-L review)
Report Prepared By:	David Martineau, Project Planner
Landlord:	Cynthia and Ken Silva; Grocery Outlet; 1950 14th Avenue SE; Albany, OR 97322
Applicant:	Paul Orson 560 Harvest Lane, Roseburg OR 97471
Address/Location:	1950 14th Avenue SE (Grocery Outlet Parking Lot)
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-08CA-00104
Zoning:	Regional Commercial District (RC)

On April 1, 2024, 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 **David Martineau**, project planner, at 541-917-7555.

The City's decision may be appealed to the Albany Planning Commission if a person with standing files a completed notice of intent to appeal and the associated filing fee no later than 10 days from the date the City mails the notice of decision [ADC 1.220(7)]. 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

albanyoregon.gov



Appeal Deadline: April 16, 2024

Approval Expiration Date (if not appealed): April 2, 2027

Attachments: Location Map, Site Plan

Conditions of Approval

- Condition 1 Site Plan Review approval for temporary plant sales on the subject property shall not exceed 120 days per calendar year.
- Condition 2 Site Plan Review approval for temporary plant sales at this location shall be valid until **December 31, 2026**, provided an annual license renewal fee of \$100 is paid to the City upon a finding that there have been no changes in site usage or operations.
- Condition 3 The chain link fence surrounding the proposed use shall not exceed six feet tall and shall be removed at the termination of the plant sales use.
- Condition 4 Outside storage of refuse is not allowed unless it is screened from view by placement of a site-obscuring fence, wall, or hedge at least six feet tall. Any material used to screen outdoor storage shall be removed at the termination of the plant sales use.

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 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 Site Plan Review.

Building

Permits

1. 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.
2. 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.

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 2022 Oregon Fire Code (OFC) per your request and has the following comments.

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

1. A tent permit from the Albany Fire Department is required for tents greater than 400 sq. ft. in area if not open on all sides, and greater than 700 sq. ft. in area if open on all sides.

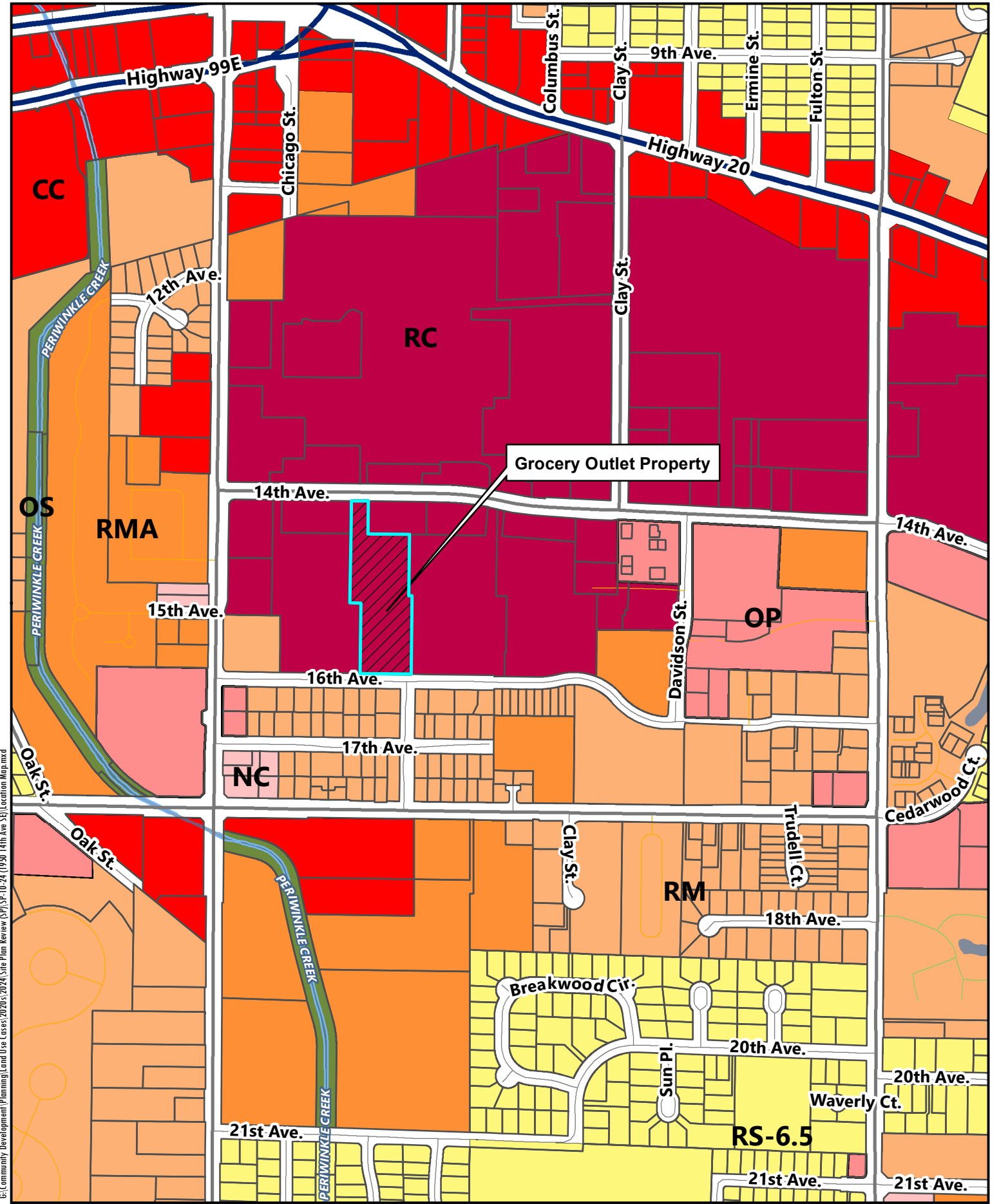
[Microsoft Word - Tent Permit-rev.docx \(albanyoregon.gov\)](#)

2. 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)

Lora Ratcliff

Lora.ratcliff@albanyoregon.gov

541-917-7728



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Feet

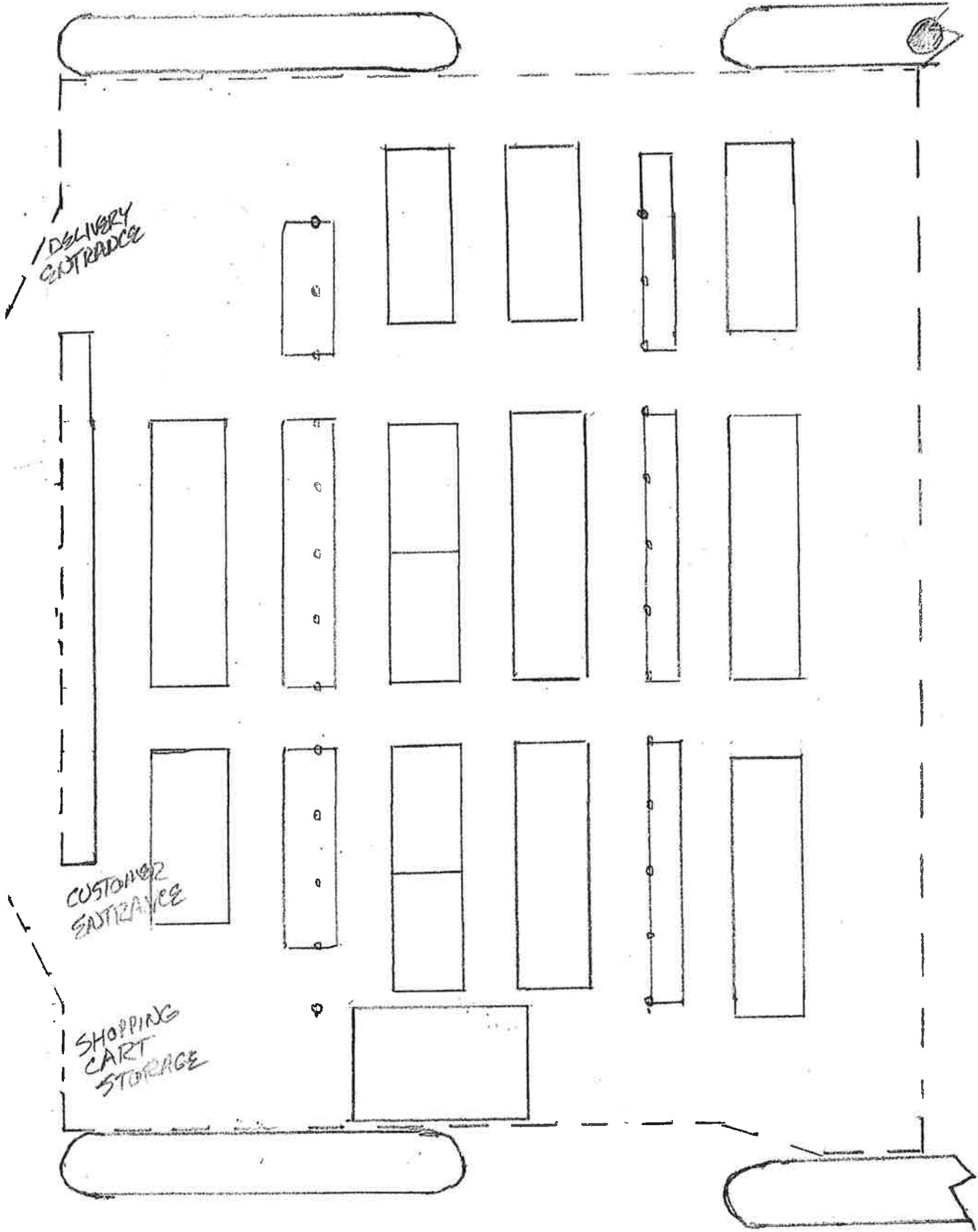
Date: 3/11/2024 Map Source: City of Albany

1950 14th Ave. SE

Location / Zoning Map



PLANT WAREHOUSE
MAP 5



DELIVERY ENTRANCE

CUSTOMER ENTRANCE

SHOPPING CART STORAGE

N
↑
1CM = 5'