



## COMMUNITY DEVELOPMENT

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

# Notice of Decision

## Tentative Replat

RL-03-23

July 21, 2023

### Application Information

Proposal:	Adjust an existing platted lot line between two properties
Review Body:	Planning Staff (Type I-L Review)
Applicant/Property Owner:	Gary Hodgson, Hodgie Construction, LLC; 4730 San Felicia Avenue SE; Albany, OR 97322
Address/Location:	467 Denver Street SE, Albany, OR 97321
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-05CC Tax Lot 12900
Zoning:	Residential Medium Density (RM) District

On July 21, 2023, the City of Albany Community Development Director granted **APPROVAL** of the application described above.

The City based its decision upon consideration of applicable standards and 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 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 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 expires in three years unless the final plat has been submitted to the City's Planning Division for review and approval.

*Signature on file*

Community Development Director

**Appeal Deadline: August 1, 2023**

**Approval Expiration Date (if not appealed): July 21, 2026**

Attachments: Information for the Applicant, Location Map, Tentative Replat

*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.*

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



## Information for the Applicant

Please read through 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, Public Works, Fire, or Building Departments that you must meet as part of the development process. You must also comply with state, federal, and local law.

### PLANNING

1. Land use approval does not constitute Building or Public Works permit approvals.
2. **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.

### Expiration of Land Use Approvals (ADC 1.310)

3. All land use approvals, except Type IV approvals, shall expire three years from the date of approval, unless:
  - a. 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 Section 12.600, or the first phase, if the development was approved for phased construction; or
  - b. If the development did not require public infrastructure, a valid approved building permit exists for new construction or improvements, and work has commenced; or
  - c. Phased Subdivisions or Planned Developments. When an applicant desires to develop and record final subdivision plats covering portions of an approved tentative plat in phases, the City may authorize a time schedule for platting and otherwise developing the various phases not to exceed five years for all phases. Each phase that is platted and developed shall conform to the applicable requirements of this title; or
  - d. An extension has been filed before the expiration date and subsequently granted approval pursuant to Section 1.320.

### BUILDING

4. The proposed project may require permits that will need to be applied for at [www.cityofalbany.net/permits](http://www.cityofalbany.net/permits). For questions about permitting requirements, please email [cd.customerservice@cityofalbany.net](mailto:cd.customerservice@cityofalbany.net).
5. 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 requirements in effect at the time of application.
6. ONE- & TWO-FAMILY STRUCTURE FIRE DEPARTMENT APPROACH & WATER SUPPLY – Should the fire official determine that an inadequate fire apparatus approach and/or inadequate access to water supply condition existing for one or more parcels of the proposed replat, the building official shall require the installation of an NFPA Standard 13D fire suppression system to address the

inadequacies pertaining to structures built on affected parcel(s) in lieu of you having to provide adequate fire apparatus approach (turn-around) and water supply (hydrant). This is in conformance to the standards set forth in OAR 918-480-0125, the Uniform Alternate Construction Standard for One and Two-Family Dwellings.

7. SANITARY SYSTEM- Each lot will need to be provided with a connection to an approved sewer (OPSC 721.0) and water system (OPSC 601.2). Where a well or septic system is needed, approvals from such governing entities shall be provided prior to issuance of the building permit (ex: well log and septic permit). (OPSC 601.2 & 713.1)

## FIRE

8. 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.

**The following comments apply to any new residential structures, not the existing ones.**

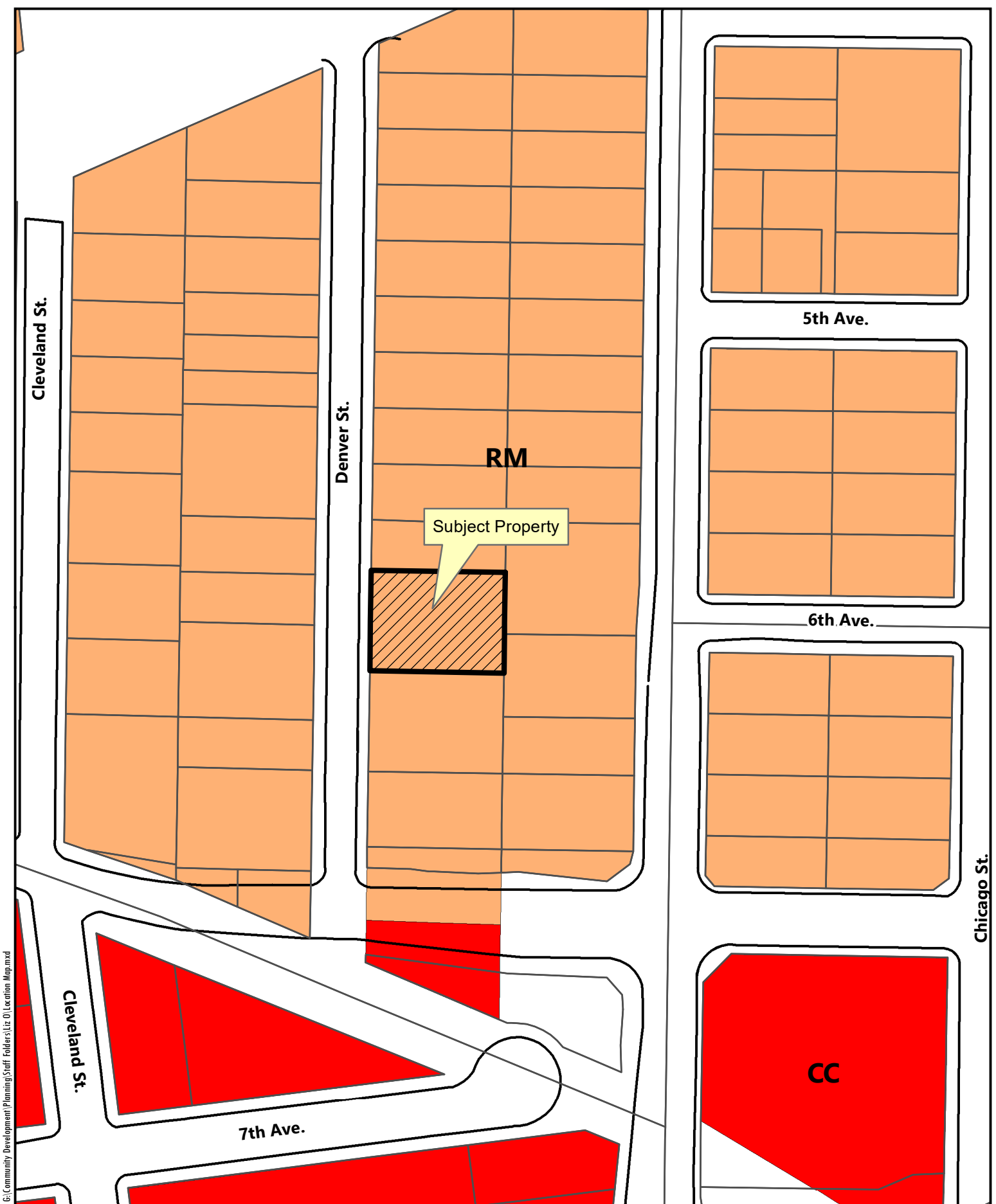
- a. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the new created lot as measured by an approved route of travel around the exterior of the structure with dead-end lengths not exceeding 150 feet long unless an approved turnaround is provided. (OFC 503.1.1, OFC 503.2.5 and OFC, Appendix D 103.4).
- b. 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 for shall be as specified in Appendix B of the fire code. (OFC 507.3)
- c. INADEQUATE FIRE APPROACH & ACCESS TO WATER SUPPLY

If the Fire Official determines that there is an inadequate fire apparatus access condition or an inadequate fire water supply for one or more parcels of the proposed division, in Lieu of providing adequate fire apparatus access or supply and acting in conformance to the standards set forth in **OAR 918-480-0125**, the Uniform Alternate Construction Standard for One and Two Family Dwellings, the Building Official, will select the following standard to address the inadequacies pertaining to structures built on the affected parcels:

- i. Installation of an NFPA Standard 13D fire suppression system.

## PUBLIC WORKS – ENGINEERING

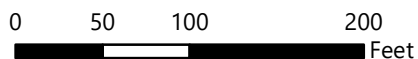
9. The City of Albany’s infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While 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.



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Date: 6/15/2023 Map Source: City of Albany



**467 Denver Street SE**

**Location Map**

TENTATIVE REPLAT  
 FOR  
**HODGIE CONSTRUCTION LLC**  
 LOCATED IN  
 TAX LOT 12900, MAP 115-3W-05CC,  
 LOTS 29 + 30, BLOCK 11 OF BRYANT'S ADDITION  
 TO ALBANY  
 467 DENVER STREET  
 SW 1/4 SEC. 5, T. 11 S., R. 3 W., W.M.  
 IN THE  
 CITY OF ALBANY, LINN COUNTY, OREGON  
 JUNE 1, 2023

**APPLICANT:** GARY HODGSON  
 4730 SAN FELICIA AVE SE  
 ALBANY, OR 97322

**SURVEYOR:** K+D ENGINEERING, INC.  
 276 NW HICKORY ST.  
 ALBANY, OR 97321

**SUBJECT PROPERTIES**

**PROPERTY 1**  
 TAX LOT 12900 (MAP 115-03W-05CC)  
 467 DENVER STREET  
 ALBANY, OR 97321  
 ZONE: RM - RESIDENTIAL MEDIUM DENSITY

**OWNER:**  
 HODGIE CONSTRUCTION LLC  
 4730 SAN FELICIA AVE SE  
 ALBANY, OR 97322

**ADJUSTMENT STATS:**

**PROPERTY 1**  
 ORIGINAL AREA: 5,403 SF  
 ADJUSTMENT: -453 SF  
 NEW AREA: 4,950 SF

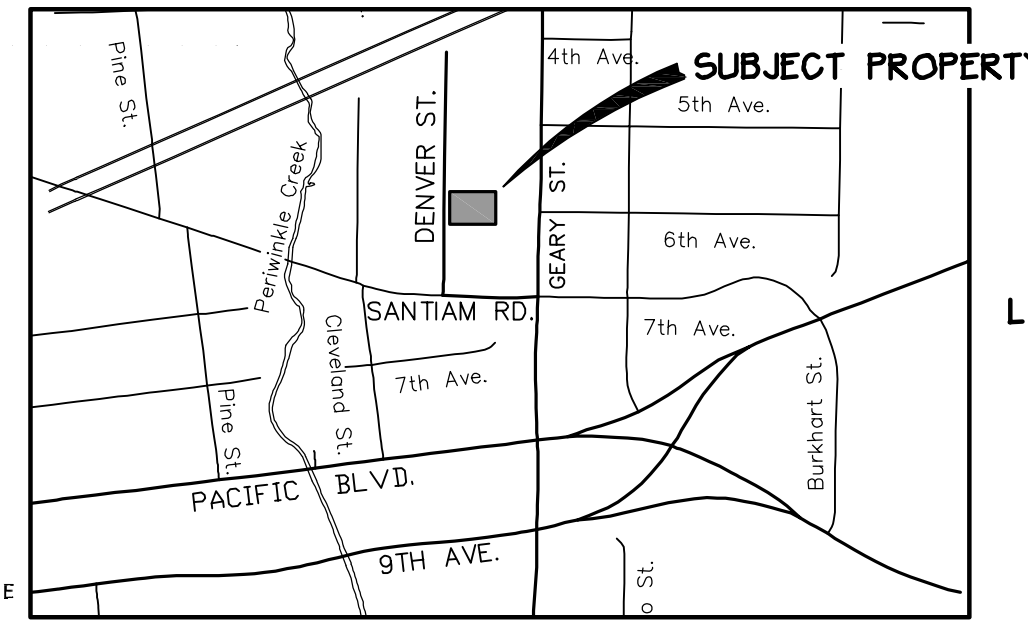
**PROPERTY 2**  
 ORIGINAL AREA: 5,403 SF  
 ADJUSTMENT: +453 SF  
 NEW AREA: 5,856 SF

**LEGEND:**

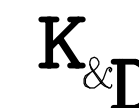
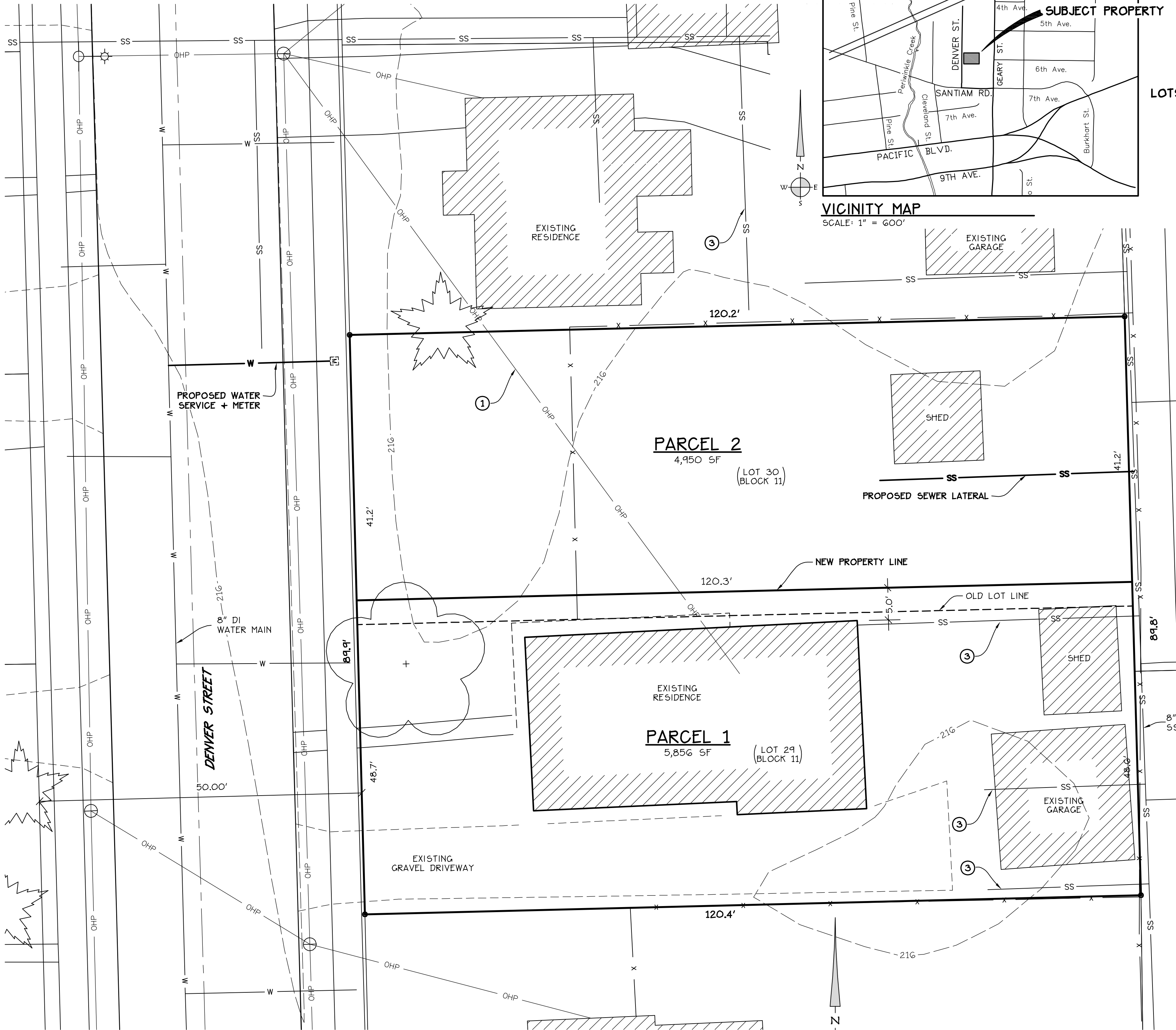
- SURVEY MONUMENT
- ⊙ EXIST. UTILITY POLE
- ⊙ EXIST. UTILITY/LIGHT POLE
- ⊙ FIR TREE / DECIDUOUS TREE
- - - EXIST. GRAVEL DRIVEWAYS
- X - EXIST. FENCE
- OHP - EXIST. OVERHEAD POWER
- SS - EXIST. SEWER LINES
- W - EXISTING WATER MAINS
- - - EXIST. UTILITY EASEMENT LINE
- - - OLD LOT LINE TO BE REMOVED

**NOTES:**

- ① OVERHEAD POWER SERVICE TO BE RELOCATED
- ② DATA SHOWN ON THIS MAP IS FROM THE CITY OF ALBANY GIS DATABASE, AERIAL PHOTOGRAPHS, ASSESSOR RECORDS, RECORD DEED INFORMATION AND SURVEY INFORMATION.
- ③ GIS LOCATION OF EXISTING SANITARY SEWER LATERAL.



**VICINITY MAP**  
 SCALE: 1" = 600'



**K & D ENGINEERING, Inc.**  
 276 N.W. Hickory Street P.O. Box 725  
 Albany, Oregon 97321  
 (541) 928-2583