



COMMUNITY DEVELOPMENT

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

June 16, 2020

William Rasmussen
111 SW Fifth Avenue
Suite 3400
Portland, OR 97204

Dear Mr. Rasmussen:

City of Albany Planning File No. LA-04-20
Application for Property Line Adjustment
Linn County Assessor's Map No. 11S-03W-7CD; Tax Lots 1103, 1105, 1106
Address: 140 & 150 Queen Ave SW

City staff has received your request for a property line adjustment affecting the subject properties and evaluated it against the review criteria for property line adjustments under Albany Development Code (ADC) 11.120. An analysis of this criteria is provided below.

Property Line Adjustment Review Criteria (ADC 11.120)

The Director will approve, approve with conditions, or deny the request for a property line adjustment based on the following criteria:

Criterion 1

The property line adjustment does not create a new lot or a land-locked parcel.

Findings of Fact

- 1.1 The subject properties are located on approximately 15.49 acres as shown on Linn County Tax Map 11S-03W-7CD; Tax Lots 1103, 1105, and 1106 (Attachment A). As shown on the applicant's tentative property line adjustment, the proposal is to consolidate the three parcels into one parcel by removing the interior property lines of the three parcels. As such, no new lot will be created.
- 1.2 The resulting parcel has access to and frontage along Queen Avenue. Abutting properties have access to a public street. The proposed lot line adjustment does not alter the abutting properties access to a public street.

Conclusions

- 1.1 The proposed property line adjustment will not create a new lot or result in a landlocked parcel.
- 1.2 The existing access to Parcels A, B, and C is via a shared access and utility easement. The proposal results in a single lot fronting Queen Avenue, negating the need for any additional access easements.
- 1.3 This criterion is met without conditions.

Criterion 2

The adjusted properties are not reduced below the minimum dimensions of the zoning district and do not otherwise violate standards of this Code, or the adopted building codes.

Findings of Fact

- 2.1 The subject properties are zoned Light Industrial (LI). The LI zoning district is intended primarily for a wide range of manufacturing, warehousing, processing, assembling, wholesaling, specialty contractors, and related establishments. The LI zoning district does not have a minimum lot size, lot width, or lot depth.
- 2.2 The LI district has a minimum front setback of 15 feet. There is no interior setback requirement when the abutting property is nonresidential. When LI property abuts residentially zoned property, an interior setback of 40 feet is required. The proposal is to remove interior property lines. No changes are proposed to the exterior property boundary; therefore, the existing front and interior setbacks are not impacted by this proposal. Likewise, the proposal will not otherwise violate standards in the ADC or adopted building codes. This criterion is met.

Conclusions

- 2.1 The LI zoning district does not have minimum lot size, width, or depth.
- 2.2 No adjustments are proposed to the exterior lot line that would impact front or interior setbacks.
- 2.3 This criterion is met without conditions.

Criterion 3

The adjusted properties are in compliance with any adopted transportation, public facilities, or neighborhood plan.

Findings of Fact

Sanitary Sewer

- 3.1 City utility maps show a 12-inch public water main in Queen Avenue and a 12-inch main in the private street that provides domestic and fire suppression service to the subject property. Existing public utility easements cover the portions of the public water system that lie within the private property. The proposed lot line adjustment will not impact the water main, the existing service, or the public water utility easements.

Water

- 3.2 City utility maps show a 12-inch public water main in Queen Avenue that serves the subject property. The proposed lot line adjustment will not impact the water main or the existing service.

Stormwater Drainage

- 3.3 City utility maps show a 24-inch stormwater main in Queen Avenue along the property's frontage. Additionally, a 54-inch and a 60-inch stormwater main extends from Queen Avenue and through the

subject property in the same location of the sewer main. The proposed property line adjustment does not adversely impact these easements or the City's sewer lines that run through the property.

Stormwater Quality

3.4 No development is proposed in conjunction with the property line adjustment. Therefore, stormwater quality requirements are not applicable to this application.

Transportation

3.5 Albany's Transportation System Plan identifies Queen Avenue as a minor arterial. The road is constructed to City standards and does not have any identified level of service or congestion issues adjacent to the site.

3.6 The proposed property line adjustment will not alter the right-of-way or alignment of Queen Avenue, make any changes in access or on-site circulation, or increase the intensity of uses on the site.

Conclusions

3.1 The proposed property line adjustment does affect the availability of public water, sanitary sewer, or stormwater infrastructure to the site or surrounding properties.

3.2 The proposal does not alter existing access to Queen Avenue, will not change on site circulation, and will not result in an increased intensity of uses on the site.

3.3 This criterion is met without conditions.

Criterion 4

The adjusted properties comply with any previous requirements or conditions imposed by a review body.

Findings of Fact and Conclusions

4.1 Site plan review (file SP-14-16) to construct a new driveway connection from Ferry Street to the ATI facility was approved September 14, 2016. The application was limited to improvements on the two parcels directly south of the subject parcels for this lot line adjustment but under the same ownership.

4.2 There are no known previous conditions or requirements imposed by a review body that remain to be met.

Overall Conclusion

As proposed, the application for property line adjustment satisfies all applicable review criteria as outlined in this report.

Sincerely,

Signature on File

David Martineau
Planning Manager

TN:js

Enclosures

c: Building Division; Johnathan Balkema (via email)
GIS; Dave Jacobus (via email)
Public Works Engineering; Mike Leopard (via email)
Public Works Engineering; Gordon Steffensmeier (via email)
Public Works Transportation; Ron Irish (via email)

Fire Services; Lora Ratcliff (via email)
Linn County Surveyor's Office (via email)
Linn County Assessor (via email)
Linn County Environmental Services (via email)
File: LA-04-20

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 property line adjustment process:**
 - a. The property line adjustment shall occur in substantial conformance to the plans submitted for review. The Planning Division must approve any changes to the approved plan.
 - b. In all cases, the adjusted property line created by the relocation of the common boundary between tax lots shall be surveyed and documented in accordance with Oregon Revised Statute (ORS), subsection 92.060(3). The map of the survey shall be prepared for recording to comply with ORS 209.250.
 - c. Conveyance of the property must be executed by deed. The applicants shall cause a deed to be prepared by a title company or an attorney. A legal description shall be prepared for the reconfigured property and for the land being conveyed. The deed shall contain the names of the parties, legal description of the land, references to original recorded documents, and signatures of all parties with proper acknowledgment.
 - d. To convey (transfer) the property, the deed with the legal description must be recorded with the Linn County Recorder and Surveyor (ADC 11.140). Prior to recording, all the documents shall be reviewed and approved by the City of Albany, Community Development Division. (For City review, deeds do not need signatures.)
 - e. When the legal documents are recorded, that portion being removed from one tax lot must be consolidated with the other. Consolidation is done by the Linn County Tax Assessor. Before the county tax assessor's office can approve a consolidation, the applicants must present evidence to it that the following are met:
 - i. The ownership interest must be exactly the same on each parcel involved (i.e., one cannot be contract purchaser on one parcel and deed holder of the other).
 - ii. Taxes must be paid in full; no taxes can be owed on the parcels involved.
 - iii. A tax lot under a mortgage will not be combined with a tax lot that is not covered by a mortgage, unless approved by the mortgage holder.
 - f. Prior to issuance of any building permits on the properties covered by this application, the applicants must return a copy of the recorded deed to the Albany Planning Division.
 - g. This proposal must be initiated within three years of the date of this letter of approval.

BUILDING

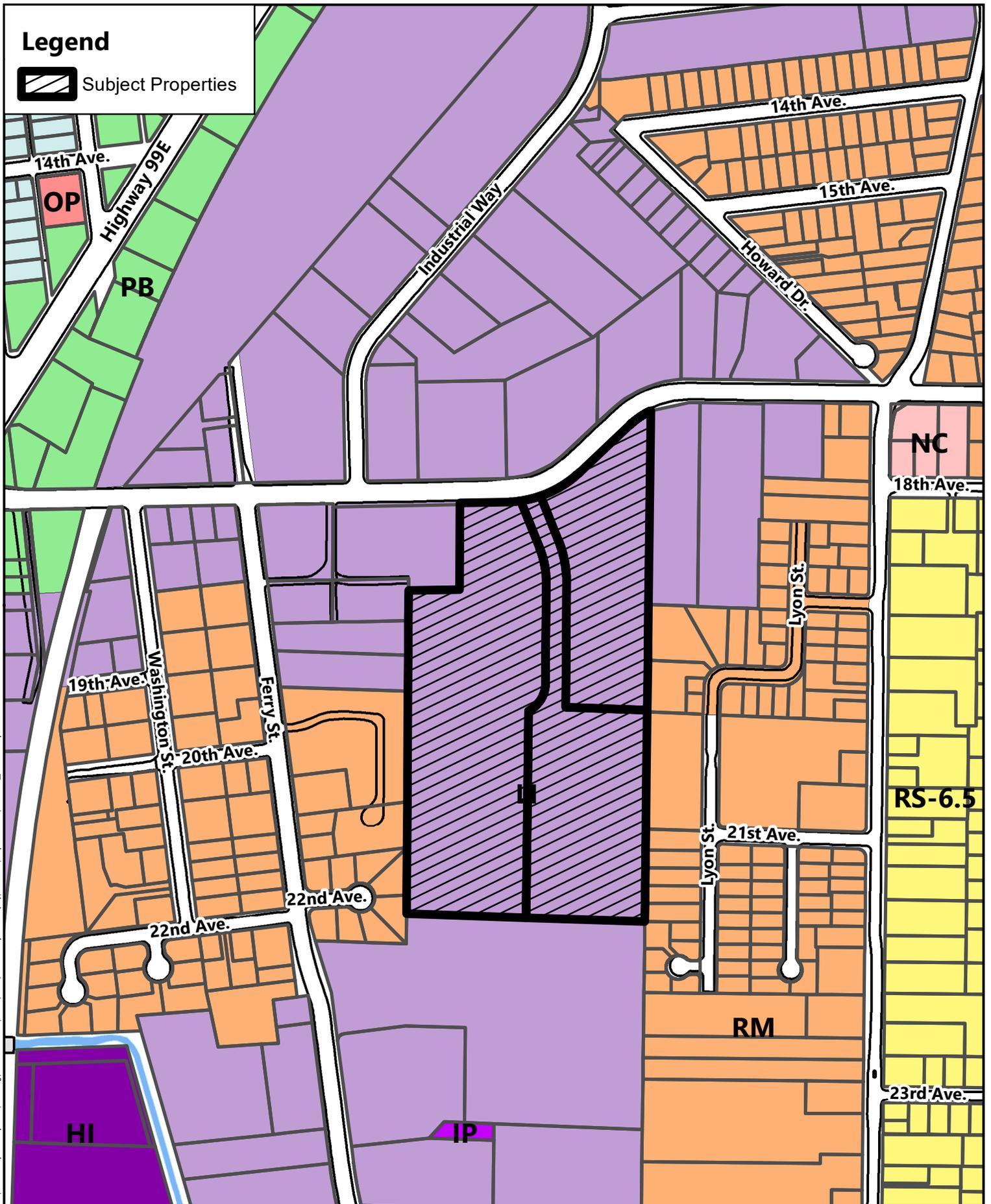
3. Should the fire official determine that an inadequate fire apparatus approach and/or inadequate access to water supply condition exists for one or more parcels of your proposed property line adjustment, the

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 your 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.

4. Plumbing permits shall be required for all private plumbing needed to fulfill the aforementioned conditions. (AMC 18.06.010)

Legend

 Subject Properties



G:\Community Development\Planning\Land Use Cases\2020\2020 Lot Line Adjustment (LA)\LA-04-20\Project Review\PB-36-20_locationmap.mxd



Date: 5/27/2020 Map Source: City of Albany

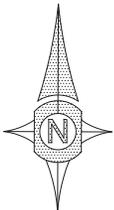
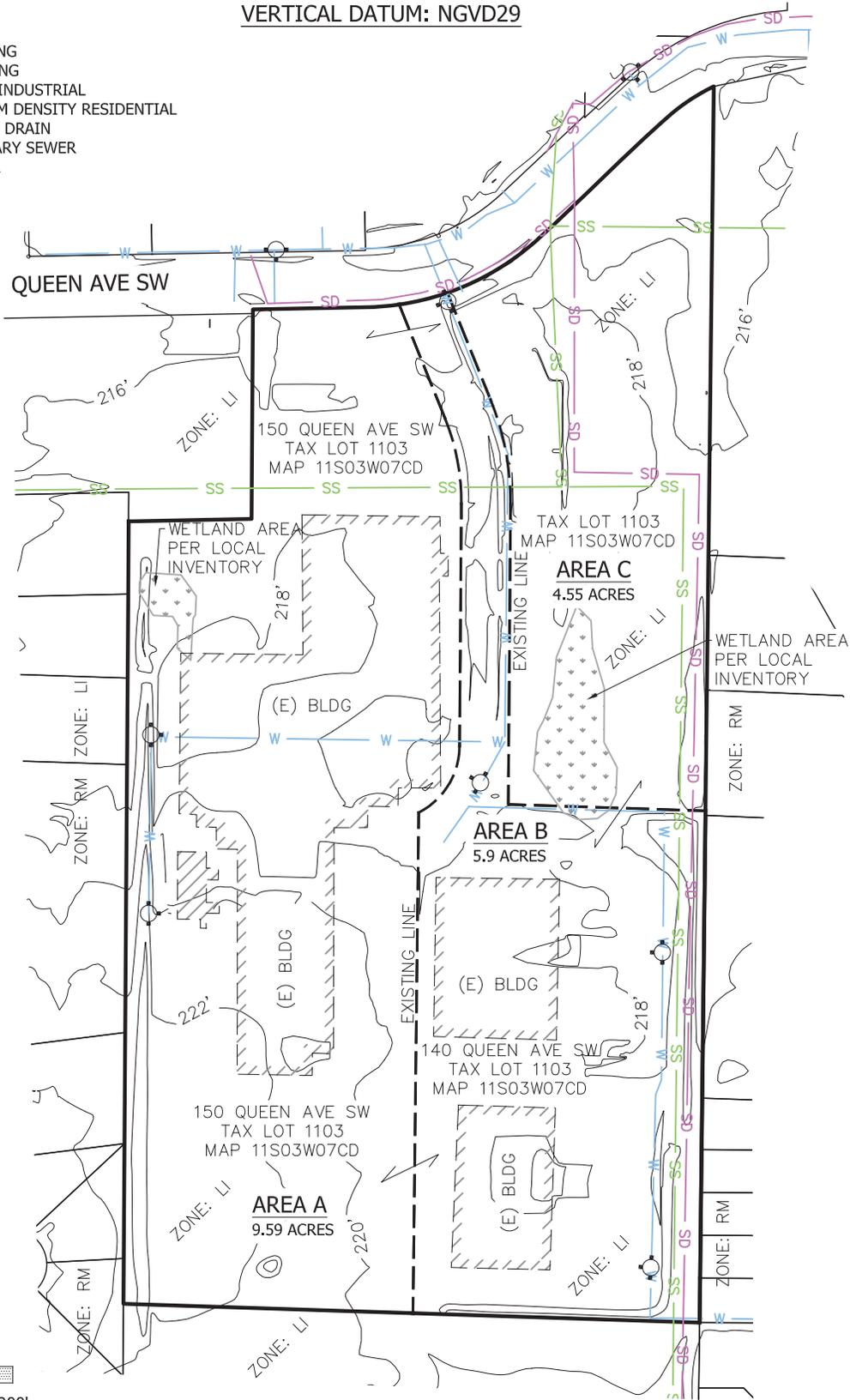
140 & 150 Queen Ave SW

Location / Zoning Map

LEGEND

- (E) EXISTING
- BLDG BUILDING
- LI LIGHT INDUSTRIAL
- RM MEDIUM DENSITY RESIDENTIAL
- SD STORM DRAIN
- SS SANITARY SEWER
- W WATER

VERTICAL DATUM: NGVD29



SCALE:



SHEET 1
of 3

SCALE: AS NOTED



Date 4/28/2020
Project 20-113 MILLER NASH
Drawn by KWL

TENTATIVE PROPERTY LINE ADJUSTMENT

OVERALL SITE

140 & 150 QUEEN AVE SW

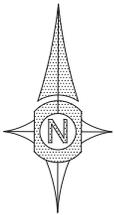
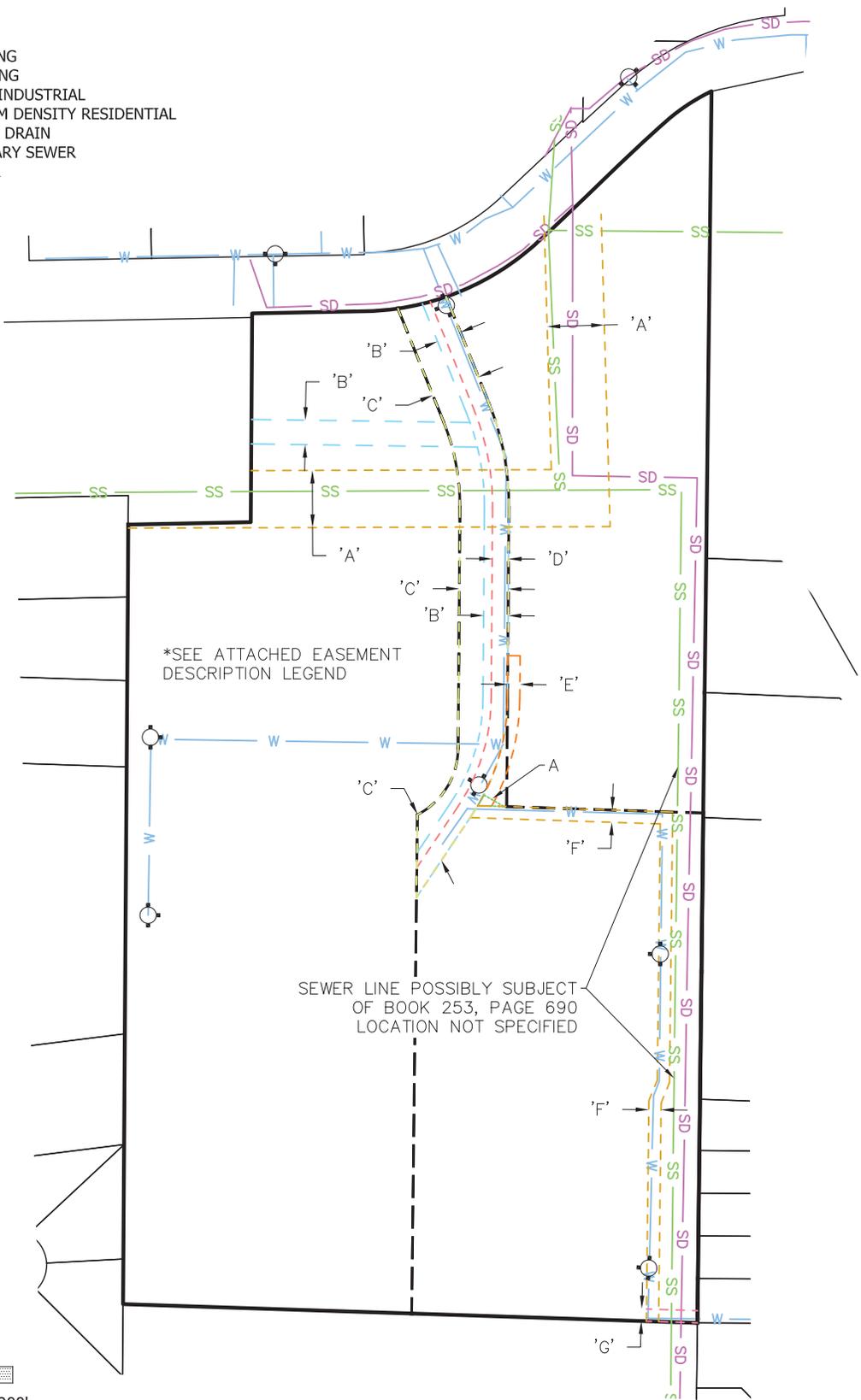
ALBANY, OREGON

UDELL ENGINEERING AND LAND SURVEYING, LLC

63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

LEGEND

- (E) EXISTING
- BLDG BUILDING
- LI LIGHT INDUSTRIAL
- RM MEDIUM DENSITY RESIDENTIAL
- SD STORM DRAIN
- SS SANITARY SEWER
- W WATER



SCALE:



SHEET 2
of 3
SCALE: AS NOTED



Date 4/28/2020
Project 20-113 MILLER NASH
Drawn by KWL

**TENTATIVE PROPERTY LINE ADJUSTMENT
EASEMENT LOCATIONS
140 & 150 QUEEN AVE SW
ALBANY, OREGON**

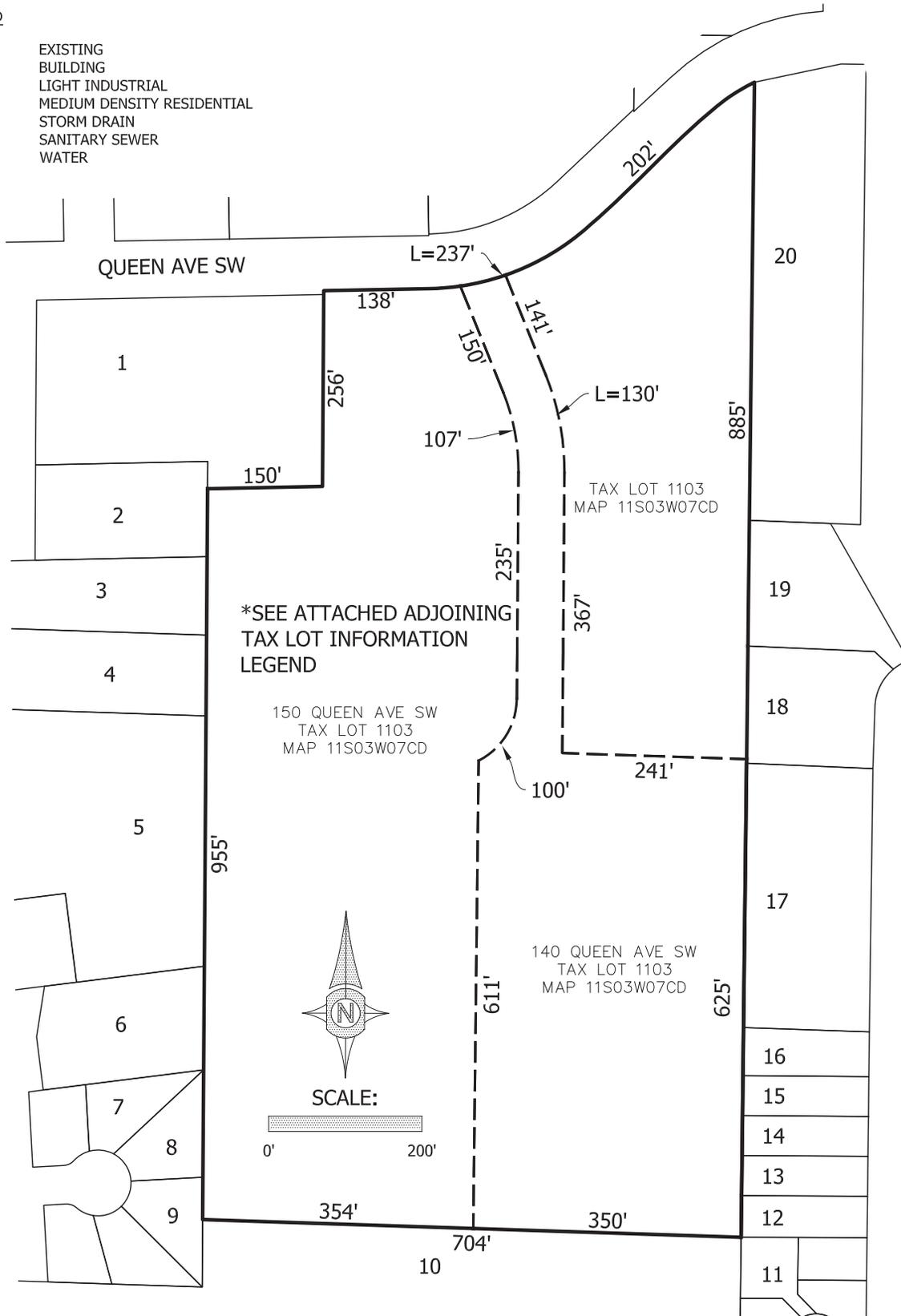
**UDELL ENGINEERING
AND
LAND SURVEYING, LLC**
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

EASMENT DESCRIPTION LEGEND

- A. City of Albany sewer line easement recorded May 6, 1957, Book 254, Page 208
- B. Pacific Power and Light Company electric transmission line easement recorded December 11, 1981, Book 303, Page 312
- C. Easement agreement recorded December 11, 1981, Book 303, Page 322;
Access and utility easement recorded December 11, 1981, Book 303, Page 328
- D. Pacific Power and Light Company water mainline easement recorded December 11, 1981, Book 303, Page 309
- E. Pacific Power and Light Company underground electrical distribution line easement recorded October 8, 1987, Book 455, Page 410
- F. City of Albany public utility easement recorded May 23, 1996, Book 804, Page 802
- G. City of Albany water line easement recorded September 23, 1997, Book 894, Page 765

LEGEND

- (E) EXISTING BUILDING
- LI LIGHT INDUSTRIAL
- RM MEDIUM DENSITY RESIDENTIAL
- SD STORM DRAIN
- SS SANITARY SEWER
- W WATER



SHEET 3
of 3
SCALE: AS NOTED



Date 4/28/2020
Project 20-113 MILLER NASH
Drawn by KWL

TENTATIVE PROPERTY LINE ADJUSTMENT
ADJOINING TAX LOTS
140 & 150 QUEEN AVE SW
ALBANY, OREGON

UDELL ENGINEERING AND LAND SURVEYING, LLC
63 EAST ASH ST.
LEBANON, OREGON, 97355
541-451-5125

ADJOINING TAX LOT INFORMATION LEGEND

1. Lakowske, tax lot 1101, map 11s03w07cd
2. Lakowske, tax lot 1100, map 11s03w07cc
3. Albany Yards LLC, tax lot, 5600, map 11s03w07cc
4. Keller Development Co, tax lot 5700, map 11s03w07cc
5. Ruble, tax lot 5800, map 11s03w07cc
6. Ruble, tax lot 5802, map 11s03w07cc
7. Pipinich, tax lot 5905, map 11s03w07cc
8. Gallagher, tax lot 5906, map 11s03w07cc
9. Zhou, tax lot 5907, map 11s03w07cc
10. Pacific Cast Technologies Inc, tax lot 1102, map 11s03w18ba
11. Jantzen, tax lot 4200, map 11s03w18ba
12. Robert F Halter Trust, tax lot 4500, map 11s03w18ba
13. Wise, tax lot 4600, map 11s03w18ba
14. Luke, tax lot 4700, map 11s03w18ba
15. Lee, tax lot 4800, map 11s03w18ba
16. Hissong, tax lot 4900, map 11s03w18ba
17. Albany Family Housing, tax lot 901, map 11s03w07cd
18. Willowbrook Estates, tax lot 3500, map 11s03w07cd
19. Ortega, tax lot 3400, map 11s03w07cd
20. 252 Queen LLC, tax lot 106, map 11s03w07cd