



COMMUNITY DEVELOPMENT

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

Notice of Filing

Partition

PA-01-22 and FP-01-22

April 5, 2022

The City of Albany Planning Division has received the following APPLICATION. The deadline for submission of written comments is 5:00 p.m. on **April 19, 2022**.

Application Information

Proposal:	The application is for Tentative Partition Plat dividing the lot into three parcels, creating two additional lots, concurrent with Floodplain Development Review for a land division in the floodplain. New lots will share existing access to Seventh Avenue SW.
Review Body:	Staff (Type I-L Review)
Property Owner/Applicant:	James and Brenda Ruble, PO Box 192, Albany, OR 97321
Applicant's Engineer:	Dan Watson, PO Box 725, Albany, OR 97321
Address/Location:	1525 Seventh Avenue SW, Albany, OR 97321
Map/Tax Lot:	Linn County Assessor: 11S-04W-12; Tax Lot 1000
Zoning:	Open Space/RS 6.5
Comprehensive Plan:	Open Space/Residential - Medium Density
Overlay Districts:	Special Flood Hazard Area, Riparian Corridor Overlay, Significant Wetlands Overlay, National Wetlands Inventory
Total Land Area:	3.67 Acres

The City of Albany has received the partition application referenced above. We are mailing notice of the application to property owners within 300 feet of the proposed development. We invite your written comments to be considered when staff decides on these applications. Your comments must relate to the approval standards listed below. The deadline for submission of written comments is 5:00 p.m. on **April 19, 2022**, 14 days from the date the City mails the notice of filing. Any person submitting written comments will receive a copy of the notice of decision.

We have attached a location map, site plan, and elevation drawings. All application materials are available for review in person at the Planning Division, and copies can be obtained for a minimal charge. Should you wish to discuss this case with a planner, please contact **David Martineau, project planner**, at 541-917-7555. Submit any written comments to the Planning Division; PO Box 490, Albany, OR 97321 or by email to david.martineau@cityofalbany.net. Any person submitting written comments will receive a copy of the notice of decision of the application.



Approval Standards for This Request

Tentative Plat Review Criteria (ADC) 11.180:

Approval of a tentative subdivision or partition plat, including for Planned Development, will be granted if the review body finds that the applicant has met all of the following criteria which apply to the development:

- (1) The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Article.
- (2) Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.
- (3) Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.
- (4) The Public Works Director has determined that transportation improvements are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.
- (5) The Public Works Director has determined that public facilities and utilities are available to serve the proposed subdivision or partition in accordance with Article 12 or will be made available at the time of development.
- (6) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Floodplain Development Review (ADC) 6.110:

Site Improvement, Land Division and Manufactured Home Park Standards. Site improvements, land divisions, and manufactured home parks in the Special Flood Hazard Area (100-year floodplain) shall be reviewed by the Planning Division as a part of the land use review process. An application to develop property that has floodplain on it, but where no development is proposed in that floodplain will be processed as otherwise required in this Code. In the case of a land division, “no actual development” means the floodplain area has been excluded from the land division. This can be done by setting the property aside for some other purpose than later development (for example, as a public drainage right-of-way).

In addition to the general review criteria for site improvements, land divisions and manufactured home parks, applications that propose actual development within the Special Flood Hazard Area shall also be subject to the following standards:

- (1) All proposed new development and land divisions shall be consistent with the need to minimize flood damage and ensure that building sites will be reasonably safe from flooding.
- (2) All new development and land division proposals shall have utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (3) On-site waste disposal systems shall be located and constructed to avoid functional impairment, or contamination from them, during flooding.
- (4) All development proposals shall have adequate drainage provided to reduce exposure to flood damage.
- (5) Any lot created for development purposes must have adequate area created outside of the floodway to maintain a buildable site area meeting the minimum requirements of this Article.
- (6) Any new public or private street providing access to a residential development shall have a roadway crown elevation not lower than one foot below the 100-year flood elevation.
- (7) All development proposals shall show the location of the 100-year flood contour line followed by the date the flood elevation was established. When elevation data is not available, either through the Flood Insurance Study or from another authoritative source, and the development is four or more acres or results in four or more lots or structures, the elevation shall be determined and certified by a registered engineer. In addition, a statement located on or attached to the recorded map or plat shall read as follows: “Development of property within the Special Flood Hazard Area as most currently established

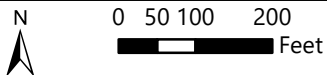
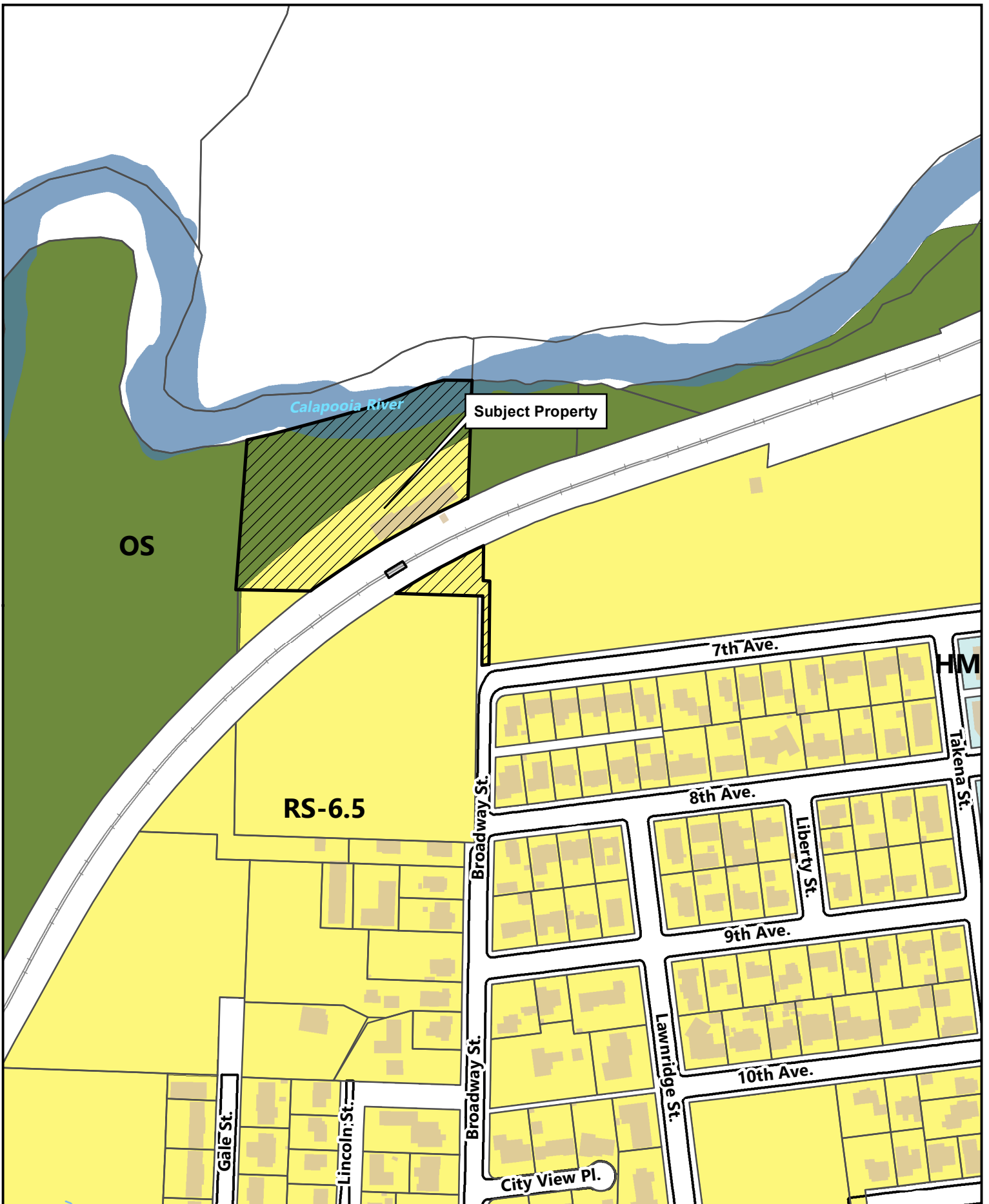
by the Federal Emergency Management Agency or City of Albany may be restricted and subject to special regulations by the City.”

- (8) In addition to the general review criteria applicable to manufactured home parks in Article 10, applications that propose actual development within a Special Flood Hazard Area shall include an evacuation plan indicating alternate vehicular access and escape routes.

Additional review standards for this Land Use Review application are found in ADC Articles 1, 2, 3, 6, 9, 11 & 12.

Attachments: Location Map, Applicant’s Partition Plan

G:\Community Development\Planning\Land Use Cases\2020s\2022\Petitions (PA)\PA-01-22 & P-01-22 (1525 7th Ave SW)\Location Map.mxd



Date: 1/28/2022 Map Source: City of Albany

1525 7th Avenue SW

Location / Zoning Map

TENTATIVE PARTITION PLAT
FOR
JAMES + BRENDA RUBLE
LOCATED IN
TAX LOT 1000, MAP 115-4W-12
NW 1/4 SEC. 12, T. 11 S., R. 4 W., W.M.
IN THE
CITY OF ALBANY, LINN COUNTY, OREGON

DECEMBER 23, 2021

APPLICANT:

JAMES RUBLE
P.O. BOX 192
ALBANY, OR 97321

SURVEYOR:

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

NOTE:

DATA SHOWN ON THIS MAP IS BASED ON LINN COUNTY AND CITY OF ALBANY GIS DATABASES, ASSESSOR RECORDS, RECORD DEED INFORMATION AND RECORD SURVEY INFORMATION.

SUBJECT PROPERTY:

TAX LOT 1000 (MAP 115-4W-12)
1525 7TH AVENUE SW
ALBANY, OR 97322

OWNER:
JAMES + BRENDA RUBLE
P.O. BOX 192
ALBANY, OR 97321

PARENT PARCEL

AREA: 3.67 ACRES

PARCEL 1

AREA: 13,198 SF

PARCEL 2

AREA: 54,512 SF

PARCEL 3

AREA: 81,856 SF

FLOODPLAIN:

SUBJECT PROPERTY IS LOCATED IN A ZONE AE FLOOD HAZARD PER FEMA FIRM MAP 41043CO195H DATED 12-8-2016
BASE FLOOD ELEVATION = 207.0'










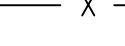

ZONING:

THE PROPERTY IS LOCATED IN THE RS 6.5 ZONE.
NORTH = OS OPEN SPACE
EAST = RS 6.5
SOUTH = RS 6.5
WEST = OS OPEN SPACE

NOTES:

① SEWER AND WATER SERVICE TO BE INSTALLED DURING CONSTRUCTION ACTIVITIES ON PARCELS 1 + 2, AND IS NOT REQUIRED FOR FINAL PLAT APPROVAL.

LEGEND:

-  EXIST. FIRE HYDRANT
-  EXIST. WATER VALVES
-  EXIST. WATER METER
-  EXIST. UTILITY POLE
-  DECIDUOUS / CONIFER TREE
-  EXIST. SEWER MANHOLE
-  TELEPHONE PEDESTAL
-  EXIST. WATER LINE
-  EXIST. FENCE
-  EXIST. SEWER LINES
-  EXIST. OVERHEAD POWER

