



COMMUNITY DEVELOPMENT

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

Notice of Decision

Land Division (Tentative Partition Plat)

PA-06-19

February 17, 2020

Application Information

Proposal:	Request for a three-lot partition
Review Body:	Staff (Type I-L)
Property Owner/ Applicant:	Sharon Banks, Haywood Banks; 24919 Gap Road, Brownsville, OR 97327
Address/Location	319 Charlotte Street NE
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-03A; Tax Lot 3600
Zoning:	RS-6.5-Residential Single Family

On February 17, 2020 the City of Albany Community Development Director granted **APPROVAL WITH CONDITIONS** 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 Albany City Hall, 333 Broadalbin Street SW. For more information, please contact **Tony Mills**, project planner, at 541-917-7640 or David Martineau, planning manager, at 541-917-7555.

The City's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal not later than 21 days after the Director's notice of decision is mailed [ADC 1.330(5)(a)]. 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: March 9, 2020

Approval Expiration Date (if not appealed): February 17, 2023

Attachments: Information for the Applicant, Location Map, Tentative Partition Plat

cd.cityofalbany.net



Conditions of Approval

The application for a Tentative Partition Plat Review satisfies all applicable review criteria with adherence to the following conditions of approval:

TRANSPORTATION

- Condition 1** Prior to recordation of the partition plat, the property owner shall provide a Petition for Improvement – Waiver of Remonstrance for participation in an assessment district for the improvement of Charlotte Street.
- Condition 2** The driveway must be paved for the entire length that is shared by parcels 1, 2, and 3. The driveway must be at least 20 feet wide. The driveway must be paved before the City signs the final partition plat.

PUBLIC UTILITIES

- Condition 3** Before the City will approve the final partition plat, the property owner must sign a Petition for Improvements/Waiver of Remonstrance for the future construction of public water and storm drainage improvements in Charlotte Street.

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.

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 land division process and create the new parcels:**
 - a. **Satisfy the conditions of approval and submit a final partition plat to the City planning division for review and approval. The final plat must be accompanied by a completed final plat application and final plat review fee.** A paper draft copy of the plat may be submitted with the application. The final plat application is available on the City's website.

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 plats, they 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:
- (i) Return one copy of the recorded final plat to the Albany Planning Division; **and**
 - (ii) Provide the building division with a copy of Linn County's Tax Assessor paperwork that assigns the new map and tax lot identification numbers to each new parcel.

Expiration of Land Use Approvals (ADC 1.080)

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 1.083.

PUBLIC WORKS – ENGINEERING

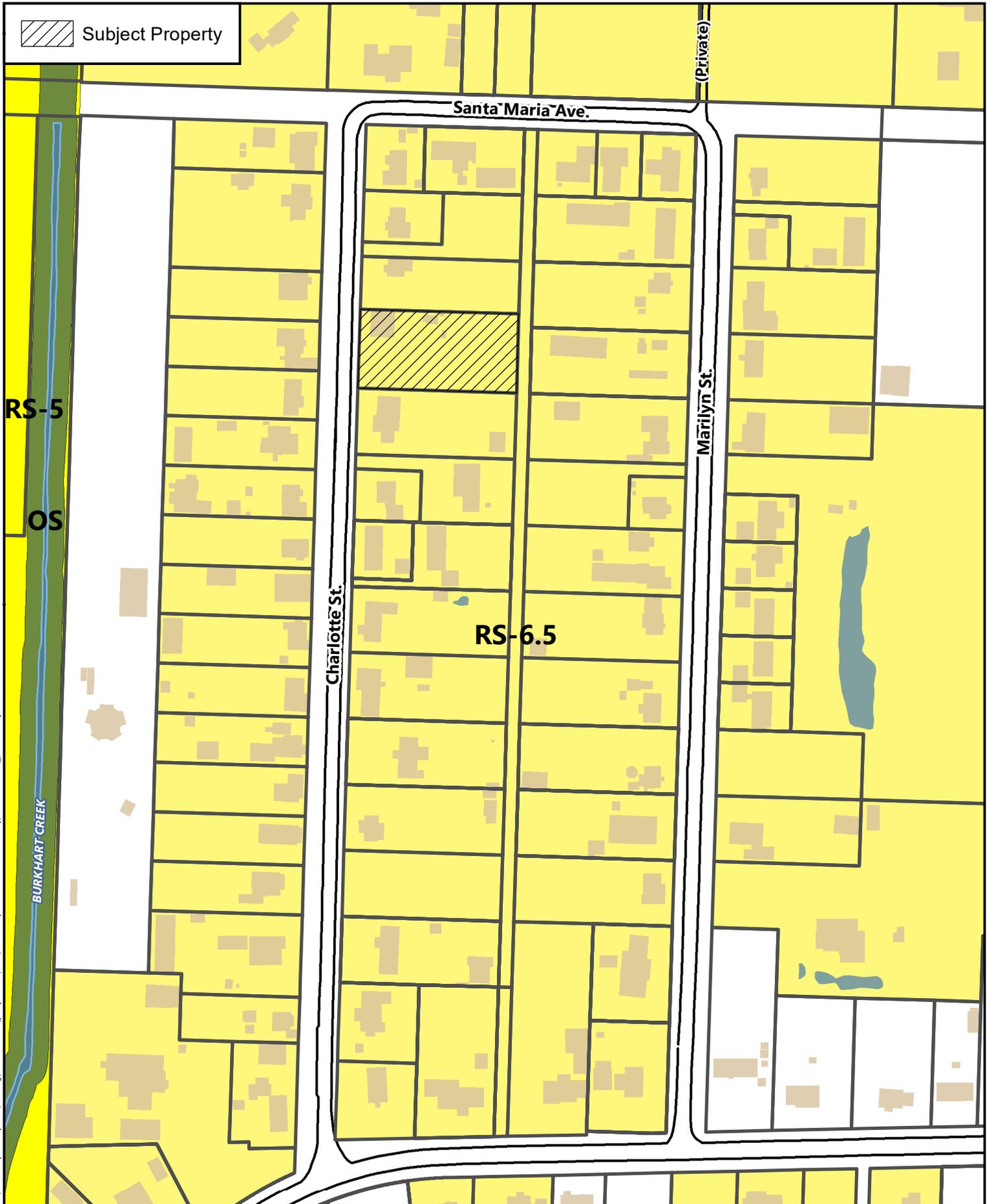
4. The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While 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. AMC 10.01.080 (2) states that before the City will issue a Building Permit, the applicant must pay to the City the necessary system development charges, and any other applicable fees for connection to the public sanitary sewer system.
6. AMC 10.01.120 (1) states that no unauthorized person is allowed to make connection to any public sewer or appurtenance without first obtaining an encroachment permit.

BUILDING

7. 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 partition, 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.

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 Subject Property



G:\Community Development\Planning\Land Use Cases\preapprove\2018 PR-102-18 (140 Charlotte Subdivide Lot) 140 Charlotte St. Location Map.mxd



0 100 200 400 Feet

Date: 8/5/2019 Map Source: City of Albany

319 Charlotte Street NE

Location / Zoning Map

TENTATIVE PARTITION FLAT
FOR
SHARON BANKS

LOCATED AT
319 CHARLOTTE STREET NE IN THE
NE 1/4 SEC. 3, T. 11 S., R. 03 W., W.M.
IN THE
CITY OF ALBANY, LINN COUNTY, OREGON

OCTOBER 3, 2019

OWNER / APPLICANT:
SHARON BANKS
24919 GAP RD.
BROWNSVILLE, OR 97327

ENGINEER:
K & D ENGINEERING, INC.
276 HICKORY ST. NW
ALBANY, OR 97321
541-928-2583

SITE DATA:
TAX LOT 3600
MAP 115-3W-3A
TOTAL AREA = 28,800 SF

SITE ADDRESS:
319 CHARLOTTE STREET NE
ALBANY, OR 97322

CURRENT USE:
TAX LOT 3600: EXISTING RESIDENCE

TOTAL NUMBER OF LOTS:
1. TAX LOT WILL BE RECONFIGURED
INTO 3 TAX LOTS

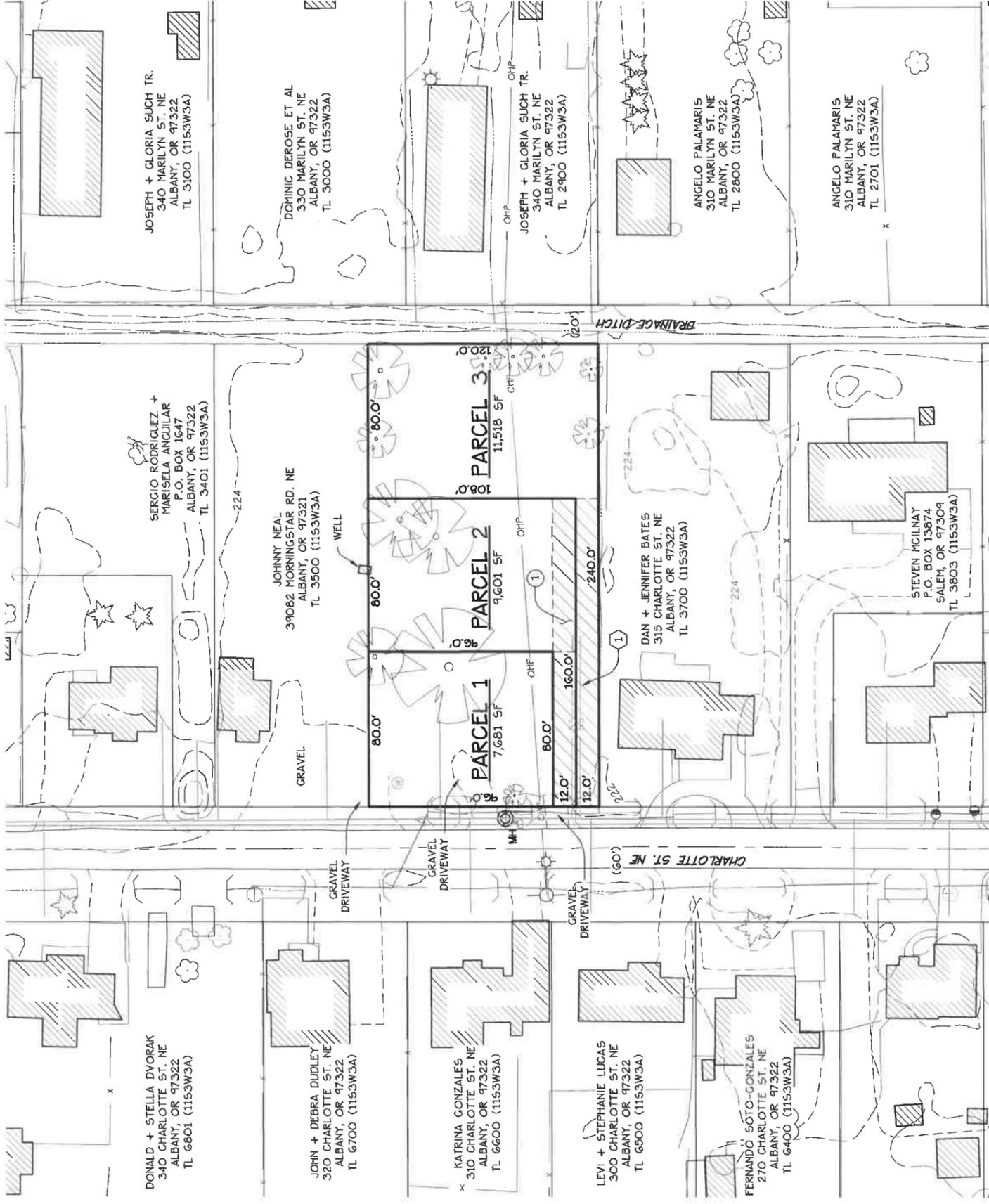
SITE ZONING:
RS-6.5 - RESIDENTIAL SINGLE FAMILY
SURROUNDING PROPERTIES ARE ZONED RS-6.5

COMPREHENSIVE PLAN ZONING:
RESIDENTIAL - LOW DENSITY

FLOOD ZONE:
SUBJECT PROPERTY IS LOCATED OUTSIDE OF
THE 100 YEAR FLOOD ZONES PER FEMA FIRM MAP
41043C0218G DATED SEPTEMBER 29, 2010

TOPOGRAPHY DATA:
THE SUBJECT PROPERTY IS ESSENTIALLY FLAT.
TOPOGRAPHY AND EXISTING UTILITIES ARE BASED ON CITY
OF ALBANY GIS DATA.

- LEGEND:**
- (E) EXISTING
 - ⊙ EXISTING UTILITY POLE
 - ⊕ EXISTING VALVE
 - ⊕ FH EXISTING FIRE HYDRANT
 - ⊕ CB EXISTING CATCH BASIN
 - ⊕ CI EXISTING CURB INLET
 - ⊕ MH EXISTING MAN HOLE
 - ⊕ EXISTING LIGHT POLE
 - X EXISTING FENCE
 - OHP EXISTING OVERHEAD POWER LINES
 - EXISTING SEWER LINES
 - EXISTING STORM DRAIN LINES
 - ⊕ EXISTING DECIDUOUS TREES
 - ⊕ EXISTING EVERGREEN TREES
 - ⊕ EXISTING WATER WELLS
 - PROPOSED SEWER LATERALS



- NOTES:**
- ① PROPOSED NEW 4" SEWER LATERALS
- EASEMENTS:**
- ① 24.00' WIDE RECIPROCAL DRIVEWAY AND UTILITY EASEMENT LOCATED OVER PARCELS 2+3 TO BENEFIT PARCELS 1, 2 AND 3

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

Date: 10/9/2019 Time: 14:42
Scale: 1"=40'
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