



PUBLIC WORKS - 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-08-18

October 23, 2018

Application Information

Proposal:	Tentative Partition Plat to create three residential lots
Review Body:	Staff (Type I-L review)
Property Owner:	Bill Boyd, Willow Brook Estates LLC 4922 East 3 rd Street; Long Beach, CA 90814
Representative:	Mike Lovemark, Mike Lovemark Construction PO Box 291; Albany, OR 97321
Address/Location	2002 Lyon Street SW
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-07CD; Tax Lot 3500
Zoning:	Residential Medium Density (RM) District

On October 23, 2018, the City of Albany Community Development Director granted **Approval** 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. The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. For more information, please contact Project Planner, **David Martineau**, at **541-917-7561**.

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: November 13, 2018

Approval Expiration Date (if not appealed): October 23, 2021

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Attachments: Information for the Applicant

Conditions of Approval

General

Development shall occur consistent with the plans and narrative submitted by the applicant, or as modified by conditions of approval and shall comply with all applicable state, federal and local laws.

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 Municipal Code (AMC) or Development Code (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 assure compliance with all applicable regulations.

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 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 (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.

Engineering

General Engineering Processes: 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.

Building Division

Building Division Comments have been provided by Johnathan Balkema. For questions, please contact Johnathan at 541-791-0199.

Fire Services

Fire Department Comments have been provided by Lora Ratcliff, Senior Deputy Fire Marshall. For questions, please call 541-917-7728 or email lora.ratcliff@cityofalbany.net.



LAND USE APPLICATION COMMENTS

BUILDING DIVISION

COMMUNITY DEVELOPMENT DEPARTMENT

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

Date: August 14, 2018

File: PA-0008-18

Address: 2002 Lyon St SW

Applicant: Willow Brooks Estates, LLC

Project: Division of land to create three (3) parcels

Comments by: Johnathan Balkema, Building Official Manager

Email: Johnathan.Balkema@CityofAlbany.net Phone: 541-791-0199

DESIGN ASSUMPTIONS

Seismic Category: D1

Frost Depth: 12-inches below grade

Ultimate Wind Speed: 120 MPH or 130 MPH

Exposure: B

PERMITS & PLAN REVIEW

Prior to beginning construction, permit application(s) and plan reviews will need to be completed by the Building Division and other departments. All project requiring plan review will need to have the plans submitted electronically through ePlans. Information on the ePlans process is available at cd.cityofalbany.net or by contacting the Building Division at ePlans@cityofalbany.net for details.

Plan Requirements:

- All residential structure and covers not meeting the prescriptive requirement of the ORSC are required to have all construction documents and engineering calculations to be prepared and signed by an Oregon registered design professional. (R301.1.2)
- All new residential homes will require a geotechnical report from a soil engineer that shows the soil conditions will support the proposed structures. (R401.3)
- Parcels containing residential structures must be served by its own sewer, water, and other utilities. Easements or covenants that run with the land must be provided between the parcels where utility lines cross property lines, for vehicle parking and access, and to allow Fire Department access.
- As you proceed, please ensure that the project is designed under the code that will be in effect at application.

SITE SPECIFIC COMMENTS:

Note: The following comments are based on the information provided and are intended to capture issues that could impact your project and to provide relevant code sections, specific to your project. While we attempt to raise issues that may impact your project, please review your project with your design team for code compliance prior to submitting your project. If additional information is needed, please contact the referenced commenter for clarification or questions.

INADEQUATE FIRE APPROACH & ACCESS TO WATER SUPPLY

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

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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.

FIRE SEPARATION

The provided layout shows elements adjacent or over proposed property lines. At time of application for building permits, the location and placement of structures will need to comply with Table 302.1. Structures are generally not permitted to cross property lines.



TO: David Martineau, Planner
FROM: Lora Ratcliff, Senior Deputy Fire Marshal
DATE: August 13, 2018
SUBJECT: PA-0008-18 – 2002 Lyon St SW - Divide Property Into Three - Fire Department Comments

The fire department has reviewed the above project for conformance to the 2014 Oregon Fire Code (OFC) per your request and has the following comments:

1. 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).

This is only a concern if the back portion of Parcel C is developed.

2. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4)

This is only a concern if the back portion of Parcel C is developed.

3. This proposed project is located within a "Protected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area will be required to be 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)

The requirements for fire hydrants for this proposed project will be based on the following requirements:

- a. Fire hydrant location: All portions of buildings constructed or moved into the City shall be located within 400 feet (600 feet for residential and fire sprinkler-protected buildings) of a fire hydrant located on a fire apparatus access road using an approved route of travel. (OFC 508.5.1)
- b. Required fire hydrant spacing will be based upon your required fire flows as determined by OFC Appendix C105.1 and Table C105.1. Please note that dead end roads require a reduced spacing.
- c. Existing fire hydrant spacing. In addition, OFC Section C105.10; requires the placement of additional hydrants along all of your required fire access roads that are adjacent to any proposed building (and any future additions) and circulating through your private property with spacing requirements per Appendix C 105.1. (See *2012 ICC Commentary*, Appendix C-1, Section C103.1).

This is only a concern if the back portion of Parcel C is developed.

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4. 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 one or more of the following standard(s) to address the inadequacies pertaining to structures built on the affected parcels. The first choice is to have the buildings on the lots affected, protected by a NFPA 13D fire suppression system.

- a. Installation of an NFPA Standard 13D fire suppression system;
- b. Installation of a partial NFPA Standard 13D fire suppression system;
- c. Installation of additional layers of 5/8 inch, Type-X gypsum wallboard;
- d. Installation of fire-resistive compartmentalization of dwellings to limit the spread of fire by use of fire-resistant building elements, components or assemblies. Fire resistance ratings shall be determined in accordance with the Oregon Structural Specialty Code;
- e. Installation of fire-resistive exterior wall covering and roofing components; or
- f. Provide fire separation containment in accordance with the default standards as set forth in the Wildland-Urban Interface rules adopted by the Oregon Department of Forestry (See OAR 629-044-1060).

LAR/lar

Lora Ratcliff
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