



## COMMUNITY DEVELOPMENT

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

# Notice of Decision

## Tentative Replat

RL-10-18

February 19, 2019

### Application Information

Proposal:	Replat of portions of Lots 5 & 6, Block 10 of City of Albany
Review Body:	Staff (Type I-L review)
Property Owner:	Monteith Square, LLC; Matt Bennet; PO Box 99, Albany, OR 97321.
Applicant/Representative:	William G. Ryals; 935 NW Jones Ave., Albany, OR 97321; and David J. Reece; 321 1 <sup>st</sup> Ave E., Ste 3A, Albany, OR 97321
Address/Location	401 2 <sup>nd</sup> Ave. S.W., Albany, OR 97321
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-06CC; Tax Lot 8300
Zoning:	Historic Downtown (HD) District
Existing Land Use:	Vacant Commercial/Retail
Neighborhood:	Central Albany
Surrounding Zoning:	North: Historic Downtown (HD) District East: Historic Downtown (HD) District South: Historic Downtown (HD) District West: Historic Downtown (HD) District
Surrounding Uses:	North: Retail/Office East: Retail South: Retail/Office West: Parking Lot
Prior History:	None

On February 19, 2019, the City of Albany Community Development Director granted **Approval with Conditions** 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 **Travis North**, at 541-791-0176, or David Martineau, Planning Manager, at 541-917-7561.

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



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)]. This approval expires in three years, unless the final plat has been submitted to the City's Planning Division for review and approval.

**Appeal Deadline: March 12, 2019**

**Approval Expiration Date (if not appealed): February 19, 2022**

*Signature on file*

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Community Development Director

## Conditions of Approval

- Condition 1 Before the City will approve the final replat, the applicant shall demonstrate that the common wall meets separation requirements of Table 602 of the Oregon Structural Specialty Code through application for a building permit.
- Condition 2 Before the City will approve the final replat, the applicant must install a new sanitary sewer service for 401 2<sup>nd</sup> Ave SW. An encroachment permit must be obtained through the Public Works Department before beginning this work.

## 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. To complete the replat process:

- a. The final plat must substantially conform with the approved tentative plat. Allow a minimum of five business days for the City's review. (*A final plat application and fee is **NOT** required with this replat to adjust property lines.*)

Note: The Linn County Surveyor also needs to review the plat. These reviews should be done concurrently. Contact the Linn County surveyor's and recorder's offices to learn about their current processes, fees, and possible other expenses.

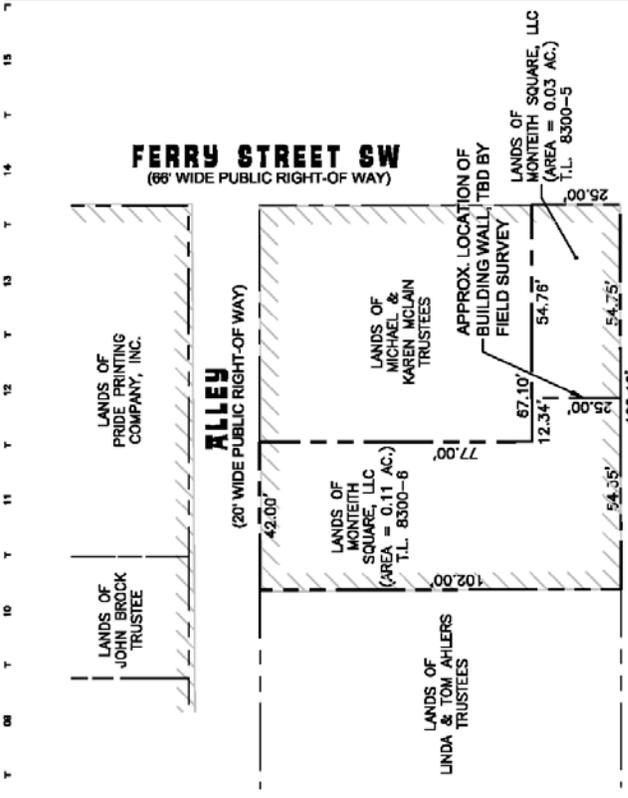
- b. The final plat must be prepared by a registered professional land surveyor per Oregon Revised Statutes (ORS) 92.050 and ORS 209.250. Interim review plats can be on paper.
- c. After the City signs the final plat, the applicant shall submit it to the county surveyor for their signatures and recording.

2. It is recommended that any buildings constructed should be placed to allow the property to be divided in the future in a way that would conform to development standards.

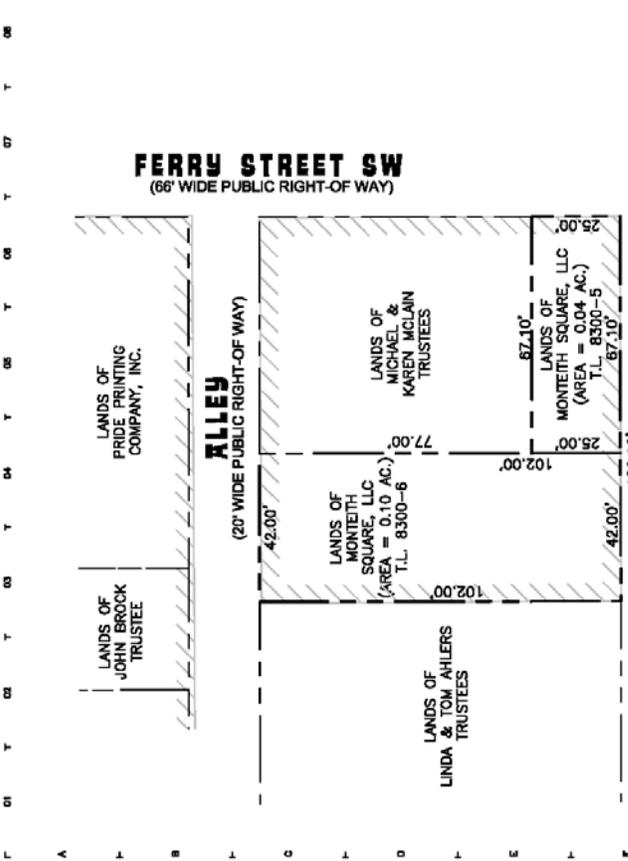
### Engineering

**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.

		REALIGNMENT OF LOT 8300 (PORTIONS 5&6) TENTATIVE REPLAT PLAN MONTEITH PLACE, LLC ALBANY, OREGON	
PLAN REVISIONS NO. DATE BY	R&B PROJECT NO.: WRA1801	DATE: 12-14-18	SHEET NUMBER 1
DESIGNED: K. RICCIARELLI	CHECKED: D. REECE	SCALE: AS INDICATED	REGISTERED PROFESSIONAL ENGINEER NO. 11,746 D. J. REECE
ENGINEER: D. REECE	H. WOOLTON	REGISTERED PROFESSIONAL SURVEYOR NO. 891 D. J. REECE	EXPIRES 12/31/18



**PLAN: AFTER REPLAT**  
 SCALE: 1" = 30'



**PLAN: PRIOR TO REPLAT**  
 SCALE: 1" = 30'

**OWNER/APPLICANT:**  
 MONTEITH SQUARE LLC  
 PO BOX 88  
 ALBANY, OR 97321

**ARCHITECT:**  
 WILLIAM G. RYALS ARCHITECT  
 835 JONES AVE NW  
 ALBANY OREGON 97321  
 TELEPHONE: 541-974-0808  
 E-MAIL: ryals.architect@comcast.net

**CIVIL ENGINEERING:**  
 REECE & ASSOCIATES, INC  
 C/O DAVID J. REECE, PE  
 321 FIRST AVENUE EAST SUITE 3A  
 ALBANY, OR 97321  
 TELEPHONE: 541-926-2423  
 EMAIL: dave@aeengineering.com

**LOCATION & ZONING:**  
 11500W0800C - T.L. 8300 (PORTIONS 5&6)  
 BLOCK 10  
 ALBANY OREGON 97321  
 HD - HISTORIC DOWNTOWN

**SITE DATA:**  
 ALL EXISTING TOPOGRAPHIC, UTILITY  
 AND SITE DATA SHOWN HEREON ARE  
 FROM THE CITY OF ALBANY GIS.

**WATER SYSTEM:**  
 ALL WATER DISTRIBUTION IS BY THE CITY OF ALBANY  
**SANITARY SEWER:**  
 ALL SANITARY SEWER IS BY THE CITY OF ALBANY

**PLAN PURPOSE NOTE:**  
 THE PROPERTY DESCRIPTIONS SHOWN HEREON ARE APPROXIMATE AND AREA FOR CONCEPTUAL PURPOSES ONLY. A FINAL FORMAL BOUNDARY REPLAT AND LEGAL DESCRIPTION SHALL BE PERFORMED BY A LICENSED PROFESSIONAL LAND SURVEYOR.

**FLOOD PLAIN NOTE:**  
 THIS SITE IS LOCATED WITHIN ZONE 'X', OUTSIDE OF THE 0.2% ANNUAL CHANCE FLOOD PLAINS AS DESIGNATED ON THE FLOOD INSURANCE RATE MAP (FIRM) NUMBER 41046C0213H, LAST REVISED DECEMBER 6TH, 2016.