



COMMUNITY DEVELOPMENT

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

Notice of Decision

Replat to Adjust Common Property Line Between Two Properties

RL-12-18

February 8, 2019

Application Information

Proposal:	Replat to adjust a common property line between Parcel 1 and 3 of Partition Plat 2018-009
Review Body:	Staff (Type I-L review)
Report Prepared by:	Laura LaRoque, Project Planner
Property Owners:	1. Jeffrey and Olga Shannon; 1516 East First Court, Deer Park, WA 99006 2. Adan and Eileen Martinez; 2986 Gibson Hill Road NW, Albany, OR 97321
Surveyor/Representative:	Jason Cota, K & D Engineering Inc.; 276 NW Hickory Street, Albany, OR 97321
Address/Location	2986 Gibson Hill Road NW, Albany, OR 97321
Map/Tax Lot:	Benton County Assessor's Map No.; 10S-04W-35DA Tax Lots 6100 & 6300
Zoning:	Residential Single Family (RS-10) District

On February 8, 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, **Laura LaRoque**, at **541-917-7640**, or David Martineau, Planning Manager, 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: March 1, 2019

Approval Expiration Date (if not appealed): February 8, 2022

cd.cityofalbany.net



Attachments: Location Map, Tentative Plat (1 sheets)

Conditions of Approval

- Condition 1* Prior to final plat approval, the applicant shall include a sunset clause on the final plat that states the 25-foot-wide temporary private access easement across the west portion of Property “A” (2986 Gibson Hill Road) to Gibson Hill Road will terminate upon Property “B” (Tax Lot 6300) gaining access of required width to a future public street or access easement.
- Condition 2* Prior to final plat approval, the applicant shall include a sunset clause on the final plat that states the 25-foot-wide temporary emergency access easement across the west portion of Property “A” (2986 Gibson Hill Road) to Gibson Hill Road will terminate upon Property “B” (Tax Lot 6300) gaining access of required width to another approved emergency vehicle access easement from a future public street or access easement.
- Condition 3* Prior to final plat approval, the applicant must record private utility easements for any private utilities that cross adjacent parcels.

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 Benton County Surveyor also needs to review the plat. These reviews should be done concurrently. Contact the Benton 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.

Building Division

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

No comments are necessary from the Building Division.

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.

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:

****These comments apply to any new residential structures, not the existing ones****

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).
2. 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 location and spacing requirements for fire hydrants are based on four project-specific criteria:

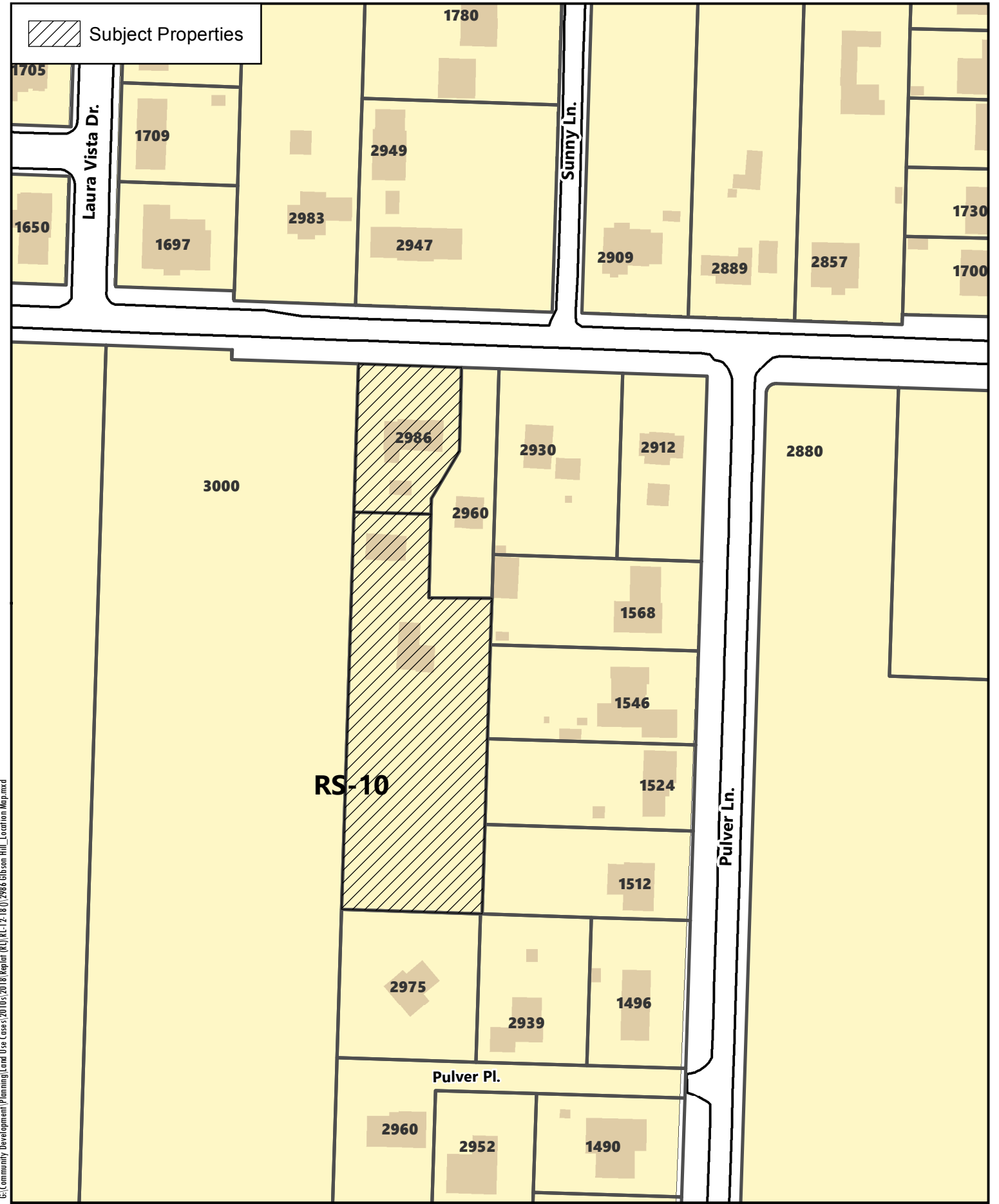
- The distance from the most remote exterior point of the building(s) to the closest available fire hydrant.
- The calculated “fire flow” of the proposed building(s)
- The spacing of the existing fire hydrants along the public and private fire apparatus roads serving the properties.
- The location of new required public or private fire apparatus access roads located adjacent to the proposed building(s) to be constructed.

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).
3. **INADEQUATE FIRE APPROACH & ACCESS TO WATER SUPPLY**

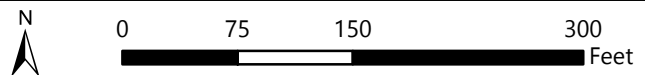
If the Fire Official determines that there is an inadequate fire apparatus access condition or an inadequate fire water supply for one or more parcels of the proposed division, in Lieu of providing adequate fire apparatus access or supply and acting in conformance to the standards set forth in **OAR 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).



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 Subject Properties



Date: 1/7/2019 Map Source: City of Albany

2986 Gibson Hill Road

Location / Zoning Map

FOR
JEFF SHANNON

LOCATED IN
TAX LOT 6100 + 6300, MAP 10435D

IN THE
SE 1/4 SEC. 35 T. 10 S., R. 4 W., W.M.
CITY OF ALBANY, BENTON COUNTY, OREGON

NOVEMBER 6, 2018

ENGINEER/SURVEYOR:

K+D ENGINEERING, INC.
276 NW HICKORY STREET
ALBANY, OREGON 97321
(541) 928-2583

LEGEND:

- ⊙ EXISTING MANHOLE
- ⊕ EXISTING FIRE HYDRANT
- ☼ EXISTING TREE - TYPE/DIAMETER INCHES
- X — EXISTING FENCE
- — — EXISTING STORM DRAIN
- — — EXISTING SEWER MAIN
- — — EXISTING WATER MAIN

PROPERTY "A"

TAX LOT:
TAX LOT 6100 [105-4W-35DA]

SITE ADDRESS:
2986 GIBSON HILL RD. NW
ALBANY, OREGON 97321

ZONING:
RS-10 - RESIDENTIAL SINGLE FAMILY
(5 UNITS PER ACRE)

CURRENT USE:
EXISTING RESIDENCE

PROPERTY "B"

TAX LOT:
TAX LOT 6300 [105-4W-35DA]

SITE ADDRESS:
NO ADDRESS ASSIGNED

ZONING:
RS-10 - RESIDENTIAL SINGLE FAMILY
(5 UNITS PER ACRE)

CURRENT USE:
UN-DEVELOPED

PROPERTY STATISTICS

PROPERTY "A"
EXIST. 14,452 S.F.
+ ADJ. 6,322 S.F.
NEW 20,774 S.F.

PROPERTY "B"
EXIST. 51,755 S.F.
- ADJ. 6,322 S.F.
NEW 45,433 S.F.

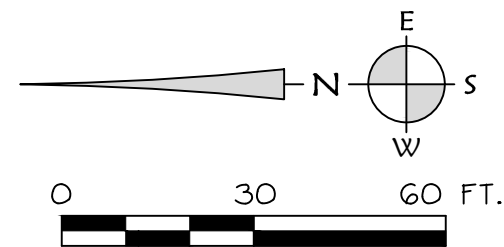
PROPERTY OWNERS:

PROPERTY "A"
TAX LOT 6100 [105-4W-35DA]

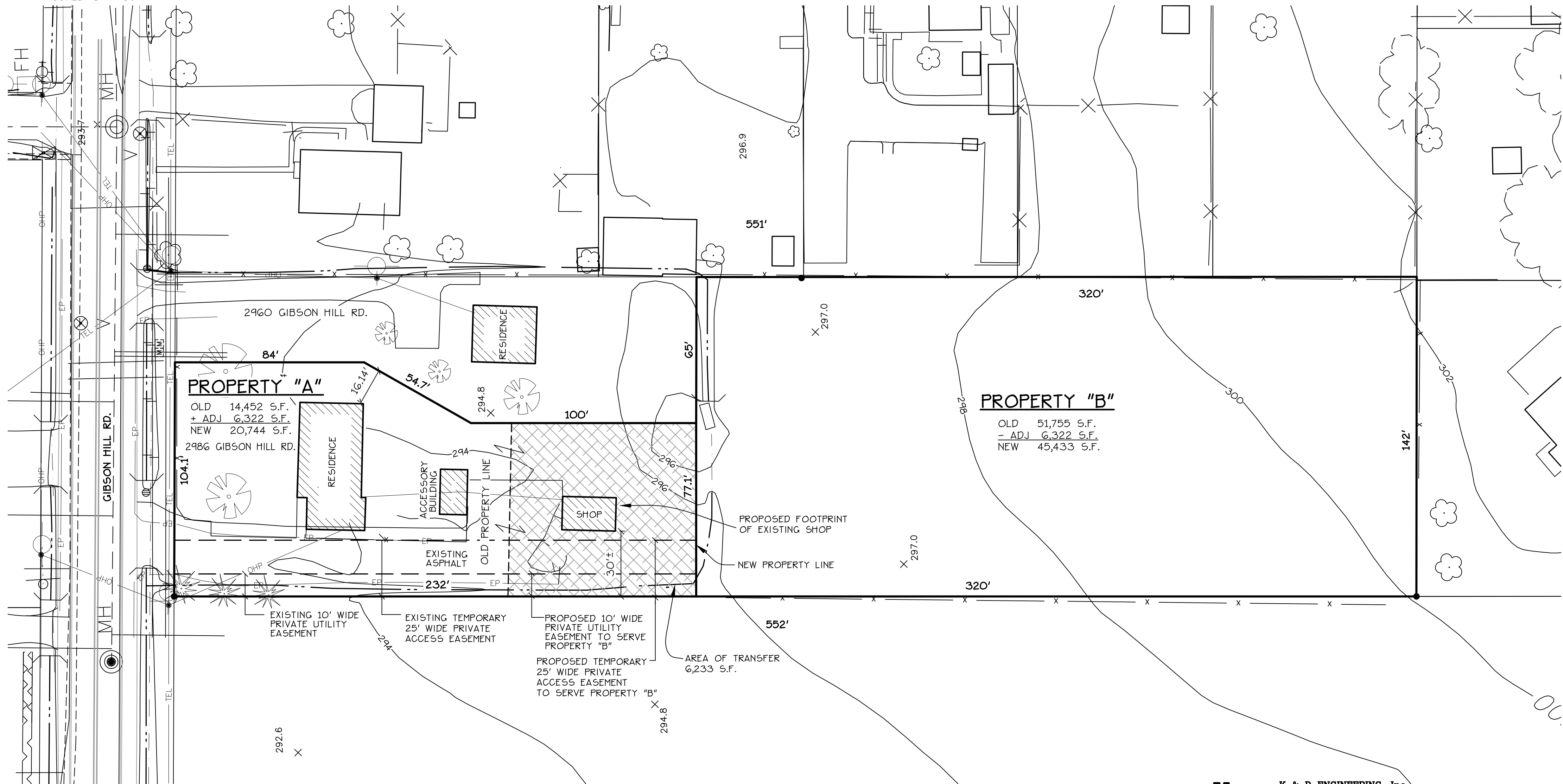
ADAM J. + EILEEN MARTINEZ
2986 GIBSON HILL RD. NW
ALBANY, OREGON 97321

PROPERTY "B"
TAX LOT 6300 [105-4W-35DA]

JEFFREY + OLGA SHANNON
1516 EAST FIRST COURT
DEER PARK, WA. 99006



SCALE: 1" = 30'



PROPERTY "A"
OLD 14,452 S.F.
+ ADJ. 6,322 S.F.
NEW 20,744 S.F.
2986 GIBSON HILL RD.

PROPERTY "B"
OLD 51,755 S.F.
- ADJ. 6,322 S.F.
NEW 45,433 S.F.