



COMMUNITY DEVELOPMENT

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

Notice of Decision

Site Plan Review & Tentative Partition

SP-32-19; PA-08-19

April 17, 2020

Application Information

Proposal:	Three lot partition and construction of two attached single-family residence
Review Body:	Staff (Type I-L review)
Report Prepared By:	Tony Mills, Planner I
Property Owner/Applicant:	Richard Hall; 22265 SW Taylors Drive, Tualatin, OR 97062
Representative:	David Dodson; Willamette Valley Planning LLC 545 NW Elizabeth Drive, Corvallis, OR 97330 Jason Kota K&D Engineering Inc. 276 NW Hickory Street, Albany, Oregon 97321
Address/Location	908 Water Avenue NE, Albany, Oregon 97321
Map/Tax Lot:	Linn County Tax Assessor's Map No.: 11S-03W-06DA Tax Lot 200
Zoning:	Waterfront (WF)

On April 17, 2020, 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 (ADC). 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 the project planner, **Tony Mills** at 541-917-7555 or Planning Manager 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 applicant 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 shall expire three years from the date of approval unless 1) the applicant has installed all of the required public infrastructure related to the development and the infrastructure has been accepted by the City, or 2) the applicant has provided financial assurance for all required public infrastructure per ADC Section 12.600, or 3) the development did not require public infrastructure, a valid building permit exists for new construction or improvements, and work has commenced.

Signature on File

Community Development Director

Appeal Deadline: May 8, 2020

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

cd.cityofalbany.net



Attachments: Location Map, Site Plan, Tentative Partition

Conditions of Approval

Condition 1 Before the City will issue building permits, the applicant must dedicate a 10-foot public utility easement along the southernmost boundary of the subject property. This easement may be shown on the partition plat map.

Condition 2 Prior to issuance of building permits, the applicant must provide private utility easements over the areas that will contain future private sewer service lines for Lots 2 and 3.

Condition 3 Before the City will sign the final partition plat, the applicant must dedicate a 10-foot public utility easement along the southernmost boundary of the subject property. This easement may be shown on the partition plat map.

Condition 4 Before the City will sign the final partition plat, the applicant must provide private utility easements over the areas that will contain future private sewer service lines for Lots 2 and 3.

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 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 or 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

Site Plan Review

1. Land use approval does not constitute building or Public Works permit approvals.
2. Construction of the development must substantially conform to the approved Site Plan Review.

Tentative Partition

1. 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 Linn 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)

1. 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.

Building

Permits

1. Obtain building permits prior to any construction.
2. An Erosion Prevention and Sediment Control Permit is required to be obtained from Public Works before commencing land disturbing activities affecting an area of 2,000 square feet or greater, cumulatively.
3. 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.

Plan Review for Permits

4. All plans submitted for review for building permits will need to be submitted electronically. Contact the building division front counter at ePlans@cityofalbany.net for details and instructions prior to submittal.

Public Works - Engineering

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.

It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the city engineer and building official.

Legend

-  908 Water Ave
-  Albany Parcels



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0 65 130 Feet

Date: 1/8/2020 Map Source: City of Albany

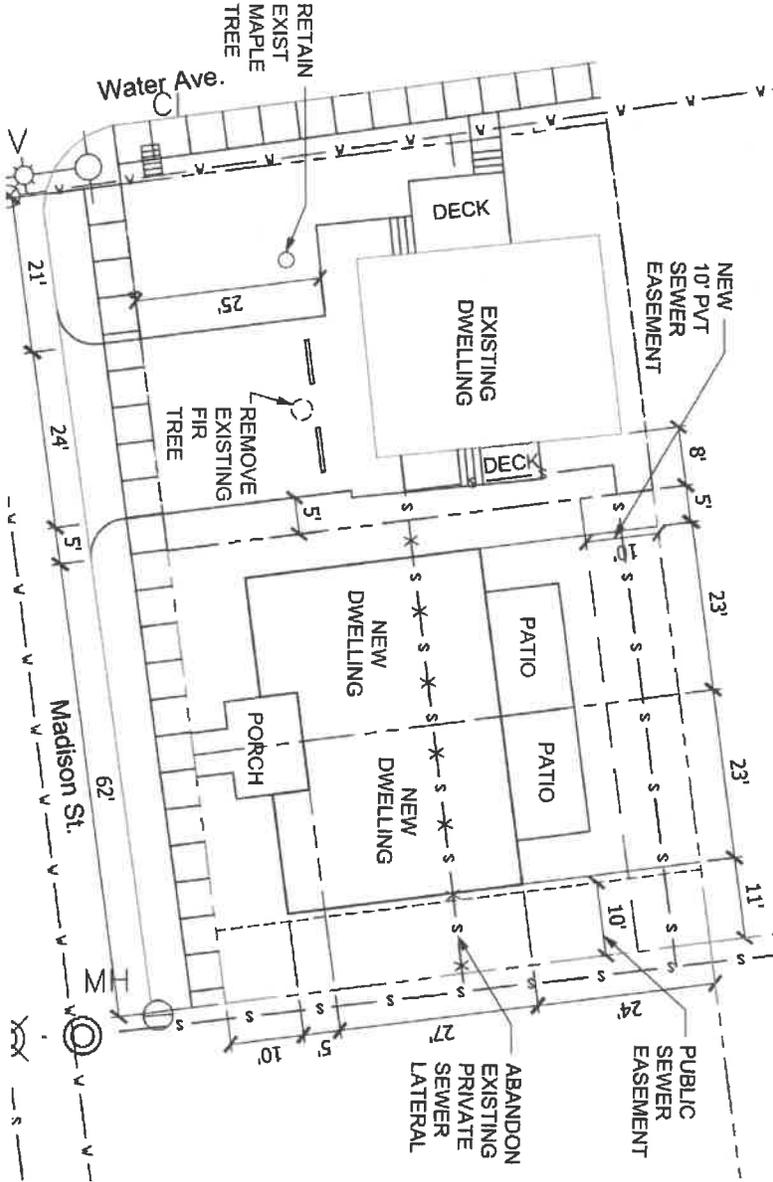
908 Water Ave

Location / Zoning Map

ATTACHMENT E



SCALE: 1" = 20'



WILLAMETTE VALLEY PLANNING, LLC
 545 N.W. ELIZABETH DRIVE
 CORVALLIS, OR 97330
 541-231-6111

Proposed Site Plan Improvements

908 Water Avenue NE
 Map 11S-3W-6DA, Tax Lot 200

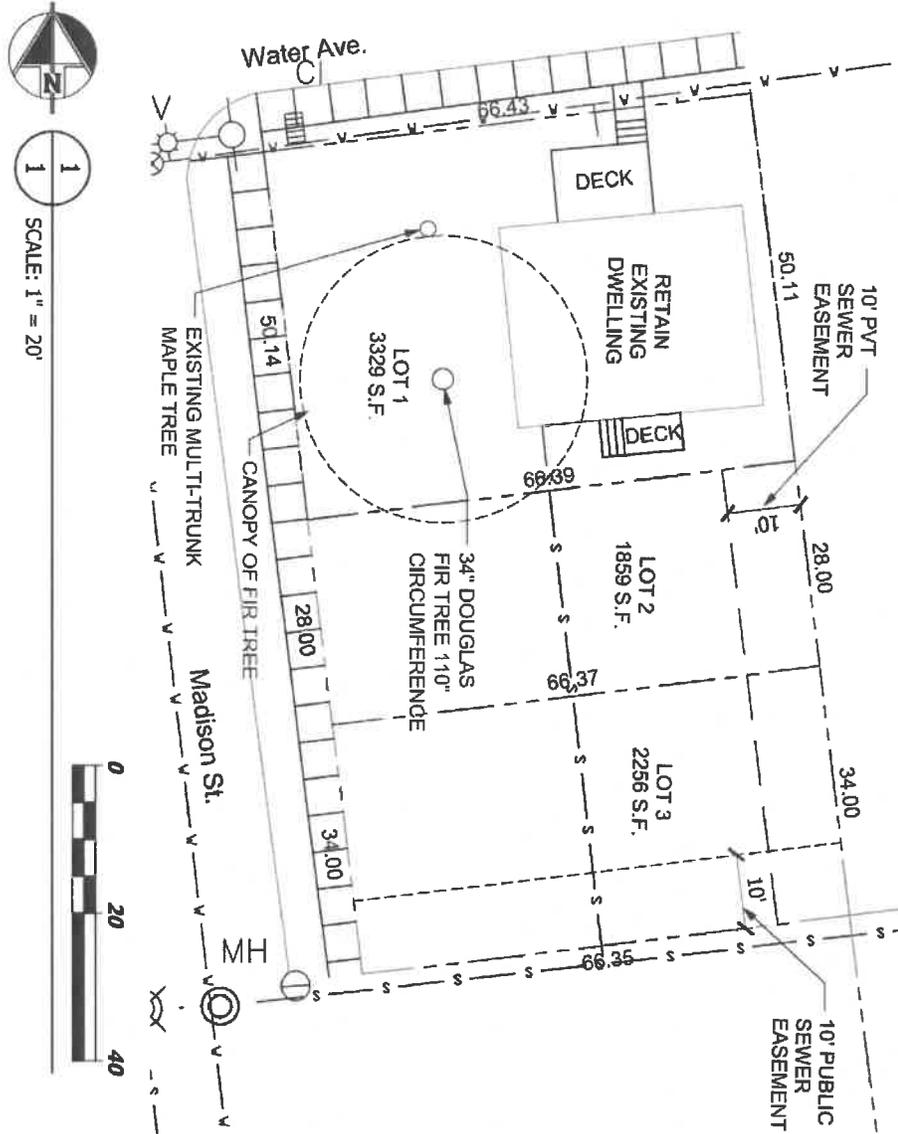
Designed: DD
Drafted: CCB
Checked: DD
Date: November 11, 2015
Revision:

ATTACHMENT D

Owner of 908 Water Avenue NE:
 Richard B. Hall
 22265 SW Taylors Drive
 Tualatin, OR 97062

Land Use Planning Consultant:
 David Dodson, AICP
 Willamette Valley Planning LLC
 545 NW Elizabeth Drive
 Corvallis, OR 97330

Surveyor:
 Jason Cota
 K & D Engineering
 276 Hickory Street NW
 Albany, OR 97321



SCALE: 1" = 20'



WILLAMETTE VALLEY PLANNING, LLC
 545 N.W. ELIZABETH DRIVE
 CORVALLIS, OR 97330
 541-251-6111

Proposed Tentative Subdivision Replat

908 Water Avenue NE
 Map 11S-3W-6DA, Tax Lot 200

Designed: DD
Drafted: GCB
Checked: DD
Date: November 11, 2015
Revised: