



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Community Development 541-917-7550

Notice of Decision

Middle Housing Land Division (Tentative Partition Plat)

PA-04-24

May 8, 2024

Application Information

Proposal:	Middle Housing Land Division to divide a 16,412 square foot parcel into four lots.
Review Body:	Staff (Review Type N/A)
Staff Report Prepared By:	Liz Olmstead, project planner
Property Owner/Applicant:	Scott Lepman; Glorietta Bay, LLC; 100 Ferry Street NW, Albany OR 97321
Address/Location:	1955 Water Avenue NE
Map/Tax Lot:	Linn County Assessor: 11S-03W-05CA Tax Lot 10600
Zoning:	RS-5 (Residential Single-Dwelling Unit)

On April 29, 2024, 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) with an effective date of December 29, 2023. The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW, Albany, OR 97321. For more information, please contact Liz Olmstead, project planner, at 541-917-7640 or Current Planning Manager, David Martineau at 541-917-7555.

The City's decision may be appealed to an appointed referee if a person with standing files a completed notice of intent to appeal and the associated filing fee no later than 14 days from the date the City mails the notice of decision [ADC 11.620(9)]. 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's Designee

Appeal Deadline: May 22, 2024

Approval Expiration Date (if not appealed): May 8, 2027

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

The issuance of this decision 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 ensure compliance with all applicable regulations.

Conditions of Approval

- Condition 1** Prior to approval of the final subdivision plat, the applicant must construct public storm drainage improvements from Front Avenue NE to the southern boundary line of the subject property in Chicago Street NE. In addition, the applicant must construct stormwater detention facilities that comply with the City's Engineering Standards.
- Condition 2** Prior to approval of the final subdivision plat, the applicant must dedicate the portion of the 20-foot public sanitary sewer easement located on the subject property to the City.
- Condition 3** Prior to approval of the final subdivision plat, the applicant must obtain a water meter permit for installation of water services to serve each lot of the subdivision.
- Condition 4** Before the City will sign the final plat or issue a building permit for construction on the property, the applicant must pay connection charges for the existing public water mains along the property's northern boundary of the Chicago Street NE frontage.
- Condition 5** Prior to recording the final plat, a 36-inch-wide emergency access easement benefiting lots 2 and 3 shall be provided on the adjacent lot(s) to provide emergency egress for sleeping rooms to comply with the Oregon Residential Specialty Code.
- Condition 6** Prior to recording the final plat, the applicant shall provide a Petition for Improvement – Waiver of Remonstrance for participation in an assessment district for the improvement of Chicago Street NE.
- Condition 7** Further division of the resulting child lots is prohibited.
- Condition 8** The following notation must appear on the final plat:
- The approval was given under ORS Chapter 92.
 - The type of middle housing approved on the subject site and noting that this middle housing type shall not be altered by the middle housing land division.
 - Accessory dwelling units are not permitted on child lots resulting from a middle housing land division.
- Condition 9** Any improvements associated with review criteria in ADC 11.610 must be provided.
- Condition 10** The tentative approval of a middle housing land division is void if and only if a final middle housing land division plat is not approved within three years of the tentative approval.

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 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. 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 (if applicable) 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.
3. The property will need to be re-addressed at the time of building permit. Please reach out to cd.customerservice@albanyoregon.gov for a re-addressing form.

PUBLIC WORKS – ENGINEERING

3. 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.
4. An erosion prevention and sediment control (EPSC) permit shall be obtained for land-disturbing activities affecting an area of 2,000 square feet or greater, cumulatively (AMC 12.40.030).

BUILDING

5. The proposed project may require permits that will need to be applied for at: www.albanyoregon.gov/permits. For questions about permitting requirements, please email cd.customerservice@albanyoregon.gov.
6. The proposed design has not been reviewed for code compliance with the Oregon Building Code and the design will need to meet the applicable Oregon Building Code requirement in effect at time of application.
7. ONE- & TWO-DWELLING STRUCTURE FIRE DEPARTMENT APPROACH & 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 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 you 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
8. SANITARY SYSTEM- Each lot will need to be provided with a connection to an approved sewer (OPSC 721.0) and water system (OPSC 601.2). Where a well or septic system is needed, approvals from such governing entities shall be provided prior to issuance of the building permit (ex: well log and septic permit). (OPSC 601.2 & 713.1)

FIRE

9. 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).

If this project utilizes an access easement which doubles as an Emergency Vehicle Access, before the City will approve issuance of a building permit for this parcel, the applicant must provide the Building Official with evidence that the following will occur before construction materials are brought on to the site (OFC 503):

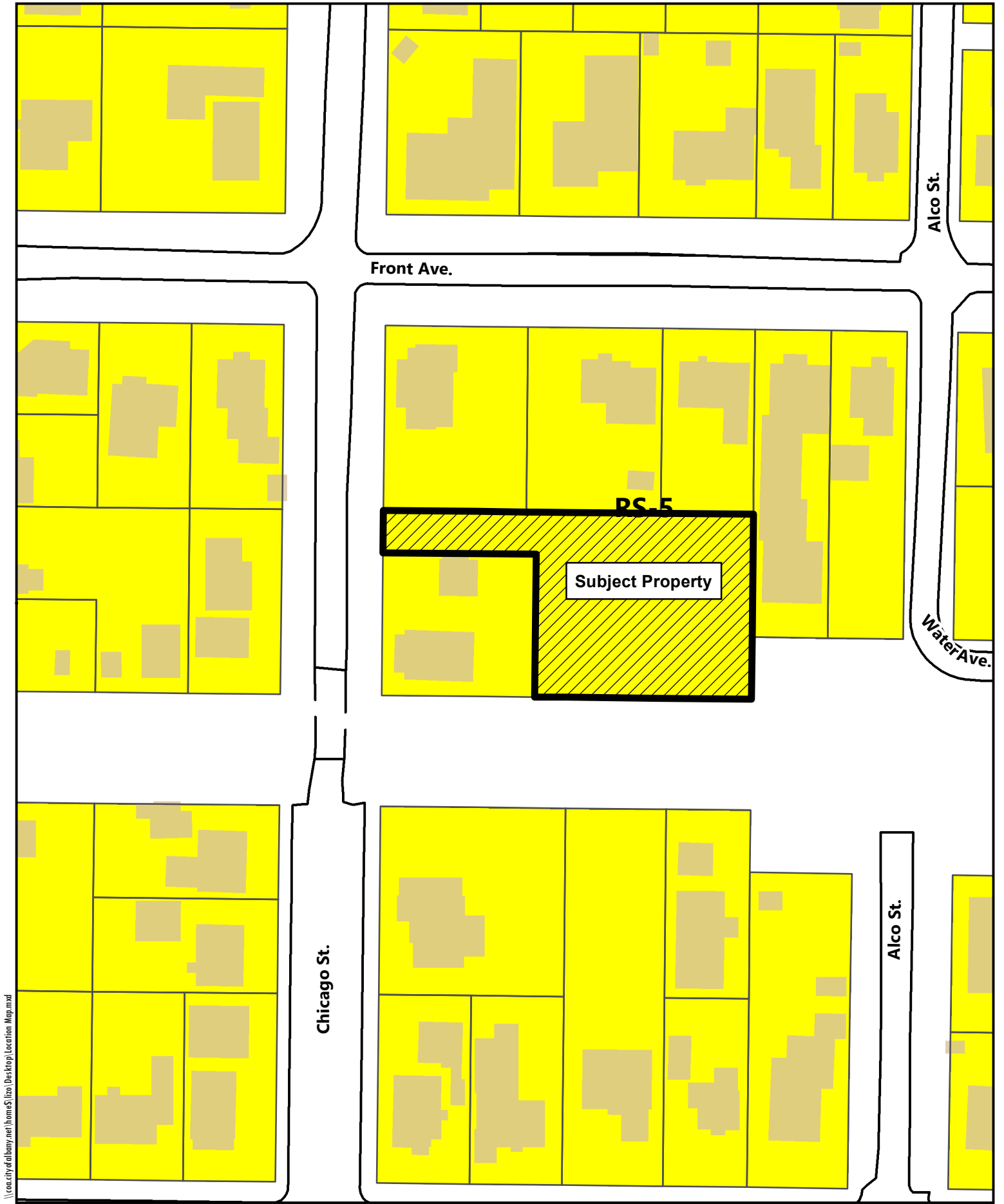
An Emergency Vehicle Access Easement recorded on the affected parcels identifying that said easement shall be maintained by the owners and for purposes of ingress and egress to provide, without limitation, fire protection, ambulances, and rescue services and other lawful governmental or private emergency services to the premises, owners, occupants, and invitees thereof and said easement shall made part of any submittal.

Regardless of shared access easement, a “no-parking” restriction must be placed over the private access road and any additional areas on the property the Fire Marshal determines must be restricted for fire access. Signage will be required.

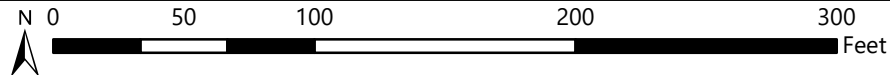
10. This proposed project is located within a “Protected Area” as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area will be required to be served by a public water system. The Fire Flow required shall be as specified in Appendix B of the fire code. (OFC 507.3)

Each public fire hydrant shall be capable of supplying a minimum of 1,500 gpm at a minimum of 20 psi as a single point flow.

A hydrant will be required due to distance to the structure. The one proposed is acceptable.



\\cityofalbany.net\homes\lzo\Desktop\Location Map.mxd

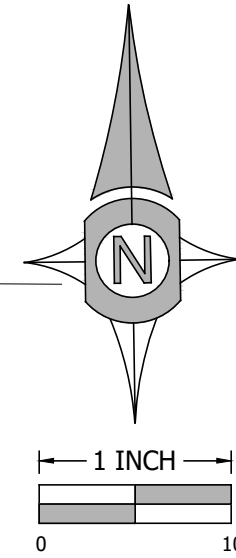
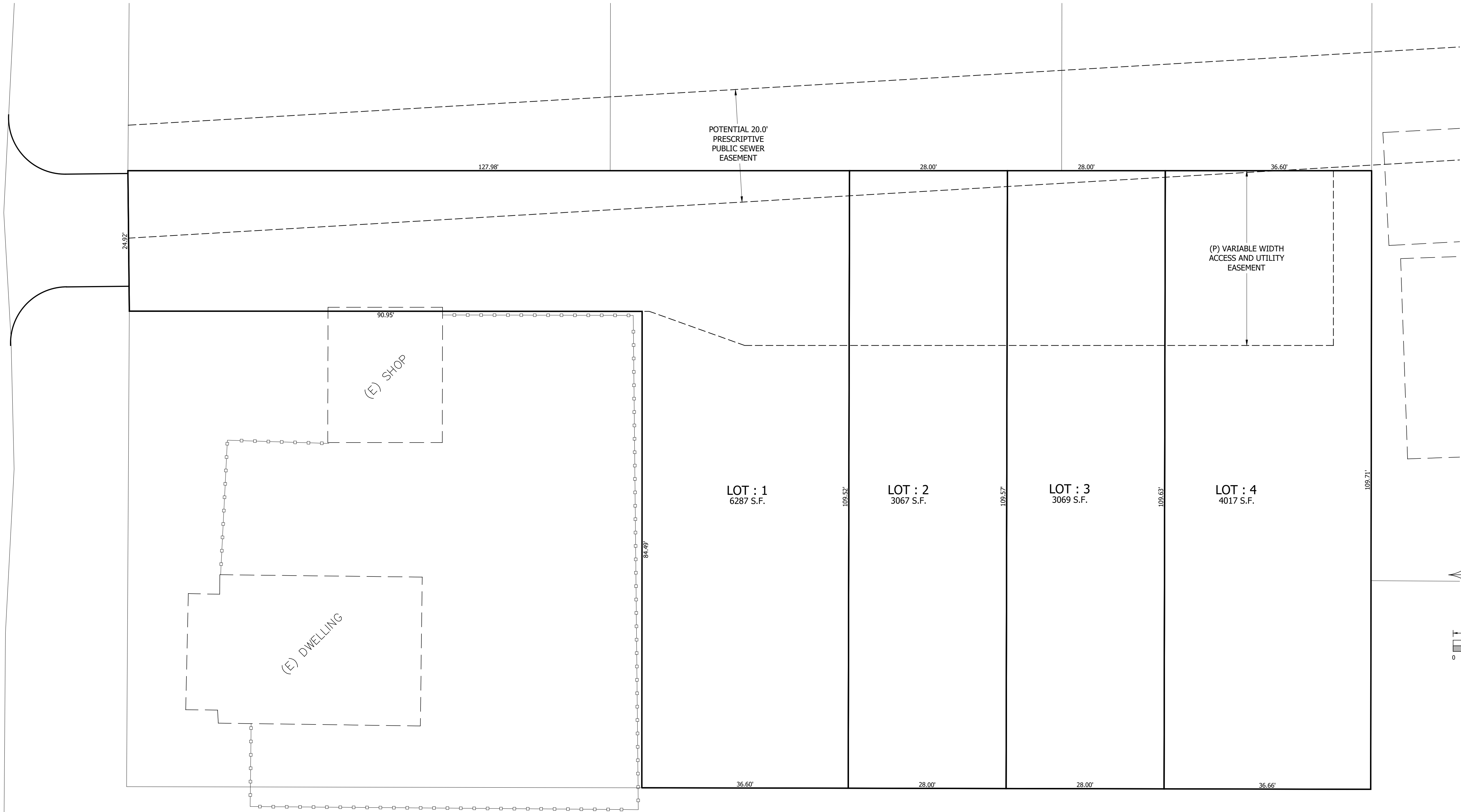


1955 Water Ave NE

Date: 2/28/2024 Map Source: City of Albany

Location / Zoning Map

CHICAGO STREET



PROJECT AREA SUMMARY
 GROSS LAND AREA: 0.38± ACRES
 NET LAND AREA: 0.38± ACRES

DESIGN TEAM
CIVIL ENGINEER
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125
SURVEYOR
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125
LAND USE PLANNER
 UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 E. ASH STREET
 LEBANON, OREGON 97355
 (541) 451-5125

PLAN REVISIONS	DATE

THIS PLAN SET IS FOR
 PLANNING PURPOSES ONLY.
 NOT TO BE USED FOR
 CONSTRUCTION.

Sheet **C1.1**
 SCALE: SEE BARSCALE

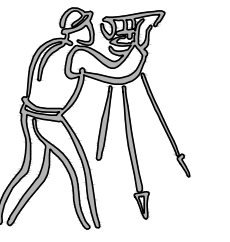
TENTATIVE PLAT
SITE PLAN REVIEW
 MAP 115-3W-05CA
 TAX LOT 10600
ALBANY, OREGON

DATE: FEBRUARY 27, 2024
 PROJECT: 24-027 LEPMAN CHICAGO STREET
 DRAWN BY: MUM, MDI
 CHECKED BY: BSU

UDELL ENGINEERING AND LAND SURVEYING, LLC
 63 EAST ASH ST.
 LEBANON, OREGON 97355
 (541) 451-5125 PH.
 (541) 451-1366 FAX

CLIENT:
 GLORIETTA BAY, LLC
 100 FERRY STREET NW
 ALBANY, OREGON 97321
 (541) 928-9390





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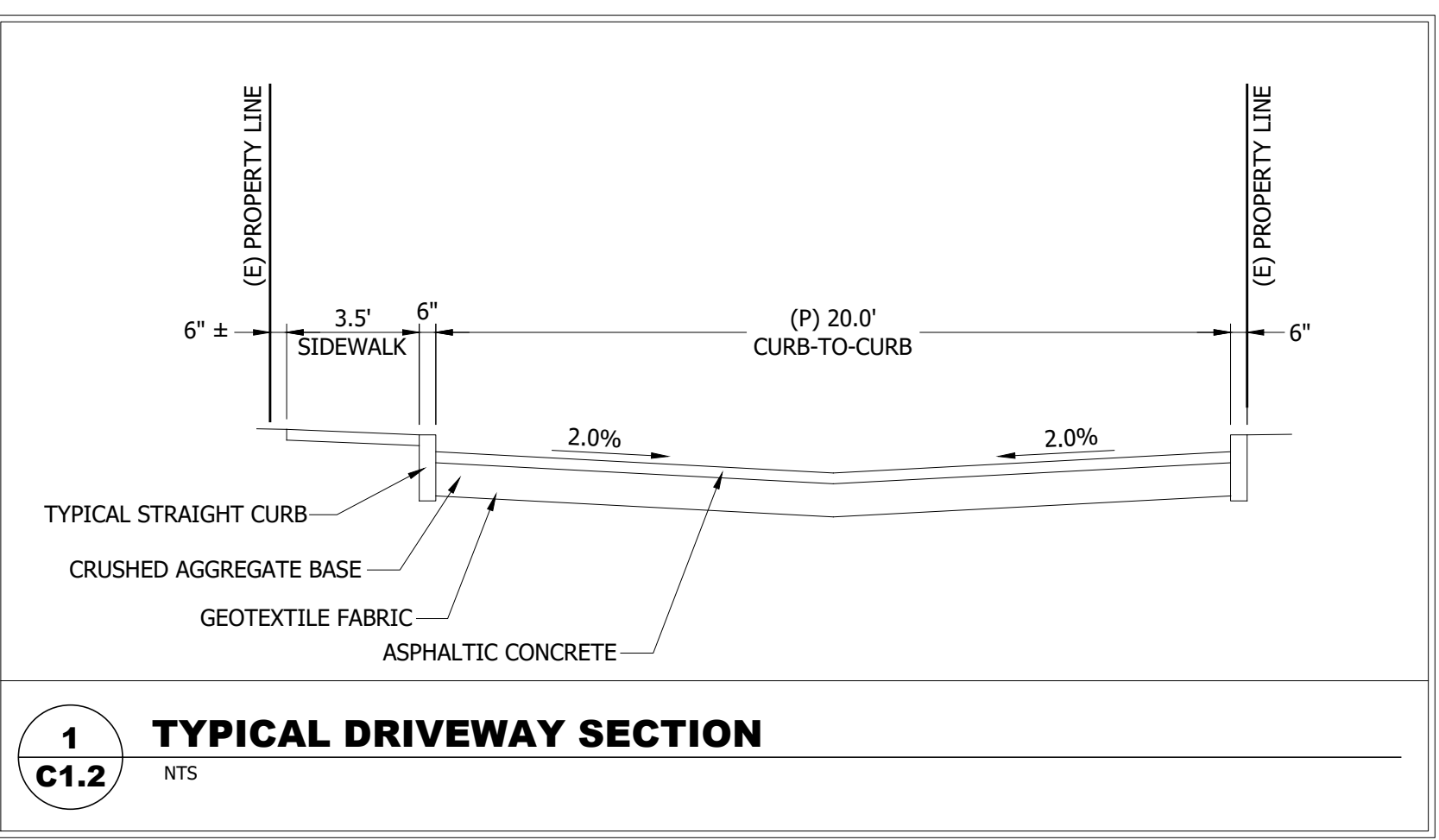
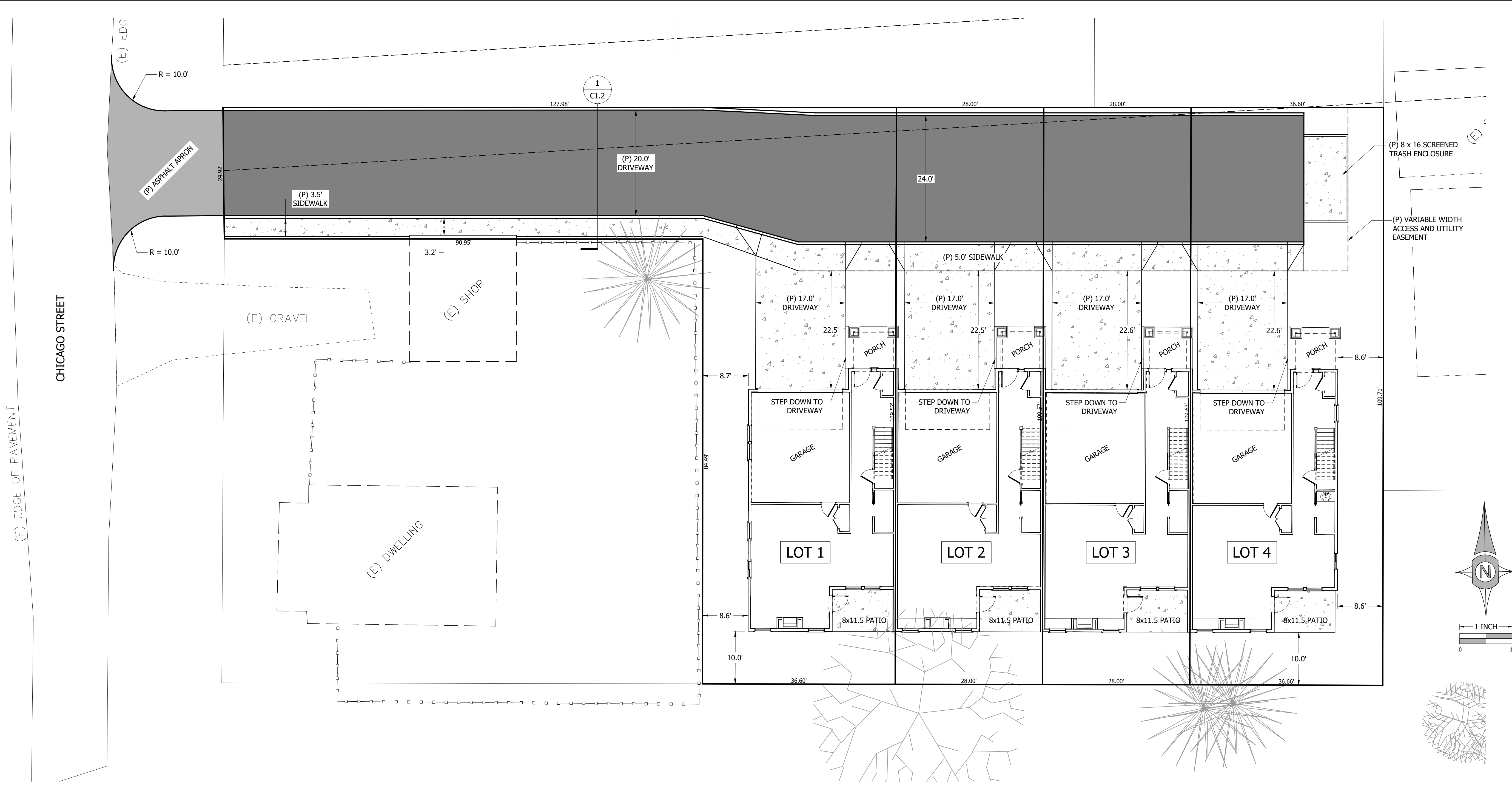
PRELIMINARY CIVIL SITE PLAN
 SITE PLAN REVIEW
 MAP 115-3W-05CA
 TAX LOT 10600
 ALBANY, OREGON

DATE: FEBRUARY 27, 2024
 PROJECT: 24-027 LEPMAN CHICAGO STREET
 DRAWN BY: MUM, MDJ
 CHECKED BY: [Signature]
 183V

THIS PLAN SET IS FOR
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PLAN REVISIONS	DATE

Sheet **C1.2**
 SCALE: SEE BARSCALE



1
C1.2