



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Building & Planning 541-917-7550

Notice of Decision

Tentative Subdivision Plat

SD-04-24

November 15, 2024

Application Information

Proposal:	Tentative Subdivision Plat for a 10-lot subdivision.
Review Body:	Staff (Type I-L Review)
Property Owner/Applicant:	Kangaroo Properties LLC, C/O Jerry Boehme, PO Box 1009, Albany, OR 97321.
Applicant's Agent:	Brandie Dalton, MultiTech Engineering, 1155 SE 13th Street, Salem, OR 97302.
Address/Location:	2120 Three Lakes Road SE
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-09D; Tax Lot 1109
Zoning:	RS-5 (Residential Single Dwelling Unit District)
Overlay District:	Airport Overlay (Horizontal Surface)

On November 15, 2024, 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, Albany, OR 97321. For more information, please contact **Alyssa Schrems**, project planner, at 541-791-0176 or Current Planning Manager David Martineau at 541-917-7555.

This notice of decision is mailed to the property owner, applicant, and any person who submitted written comments in accordance with ADC 1.220. All persons entitled to notice of the decision may appeal the decision within 10 days in accordance with ADC 1.410. Issues which may provide the basis for an appeal, must be raised in writing with sufficient specificity to enable the applicant and local appeal body to respond to the issue. This decision becomes final when the local appeal period has expired.

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: December 1, 2024

Approval Expiration Date (if not appealed): November 15, 2027

albanyoregon.gov/cd



Conditions of Approval

- Condition 1** Prior to or with recordation of the final plat map the applicant shall dedicate right-of-way along the site's frontage on Three Lakes Road as shown on the tentative plat map. The overall right-of-way width shall be 60 feet.
- Condition 2** Prior to recordation of the final plat map the applicant shall construct, or financially assure the construction of, public street improvements to Three Lakes Road along the frontage of the site. Improvements shall include:
- Curb, gutter, and sidewalk to city standards along the site's frontage on the west side of the road. The new curb shall align with the existing curb to the north and allow for an ultimate curb to curb width of 36 feet.
 - Installation of new pavement to city standards between the new curb and gutter and the existing west edge of pavement.
 - Installation of a stop sign and crosswalk across the new local street connection to Three Lakes Road.
- Condition 3** Prior to recordation of the final plat map the applicant shall construct, or financially assure the construction of, public street improvements to interior public streets within the development. Right-of-way dedication and improvements shall conform to the approved tentative plat map and include:
- Shallows Court shall have a minimum right-of-way width of 54 feet and a curb-to-curb width of 30 feet.
 - Construction of curb, gutter, and sidewalk to city standards. With the approval of the City Engineer sidewalk construction may be deferred to individual lot development for parcels intended for development of single-family homes.
 - The construction of new pavement to city standards.
- Condition 4** Before the City will approve the final subdivision plat, the applicant must construct public sanitary sewer facilities to provide service to each of the proposed lots in the subdivision and provide for future extension to the property to the north.
- Condition 5** Before the City will approve the final subdivision plat, the applicant must construct public water facilities to provide service to each of the proposed lots in the subdivision.
- Condition 6** Before the City approves the final subdivision plat, the applicant must obtain a stormwater quality permit and construct stormwater detention and stormwater quality facilities generally as detailed in the applicant's storm drainage report. However, final design details for these facilities will be reviewed and approved by the City as part of the stormwater quality permit and SI permit
- Condition 7** Before the City approves the final subdivision plat, the applicant shall dedicate a public drainage easement over the open drainage system. The drainage easement shall be measured in width to cover the 100-year floodplain line or 15 feet from the top of recognized bank.
- Condition 8** Before the City approves the final subdivision plat, the applicant must show compliance with fire safety standards prior to final plat approval of the development.
- Condition 9** Prior to, or concurrent with, the recording of the final plat, a declaratory statement containing the anticipated noise levels on each parcel must be filed with the County Clerk's Office.
- Condition 10** Prior to the acceptance of building permits or the commencement of ground disturbing work, the applicant must comply with the requirements of DSL. See attached DSL comments for further information.

NOTE: *All required permits must be obtained through the Public Works Department before beginning work on any of the aforementioned improvements. Final design and construction details will be reviewed as part of*

the required permits. Reference is hereby made to the comments provided by the Public Works Department, Engineering Division.

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 (AMC) 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 ensure compliance with all applicable regulations.

Planning

1. To complete the land division process and create the new parcels:
 - a. Satisfy the conditions of approval and submit a final subdivision 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 plat, they will be returned to the applicant for recording.
 - e. After recording, and before the City will accept a permit application to develop the lots, 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 lot.
2. Land use approval does not constitute building or public works permit approvals.

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.

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).

Prior to the signing of the plat or the issuance of building permits, all required improvements must be constructed, or the improvement assurance must be provided, and all other conditions of approval are met (ADC 12.590-12.610).

Prior to any occupancy, new public utilities and infrastructure must be accepted by the City of Albany (AMC 15.06.180).

Building

The Building Division within Community Development has provided the following comments:

1. 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.
2. 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.
3. **ONE- & TWO-FAMILY STRUCTURE FIRE DEPARTMENT APPROACH** - 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.
4. **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 perm (ex: well log and septic permit). (OPSC 601.2 & 713.1)

Fire

1. Street names will need to be approved prior to final plat. Please submit proposed names for approval.

Shallows is not approved at this time.

2. 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).
3. Residential developments/projects of one- or two-family dwellings where the number of dwellings exceeds 30 shall be provided with at least two means of fire apparatus access. These access points shall be remotely separated by at least ½ the length of the maximum overall diagonal dimension of the property or area served. (OFC Appendix D107.1)

No more than 30 dwellings can be built before the 2nd access will be required, unless all the structures are fire sprinklered.

4. 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)
5. The road surface for all private fire apparatus access roads shall be all weather and capable of supporting an imposed load from fire apparatus of at least 75,000 pounds as verified by a qualified State of Oregon licensed design professional. (OFC 503.2.3 & Appendix D, 102.1). The Designer of Record shall provide written certification to the Fire Department upon completion of all private access road construction.
6. This proposed project is located within a “Protected Area” as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area is currently served by a public water system. The Fire Flow required shall be as specified in Appendix B of the fire code. (OFC 507.3).

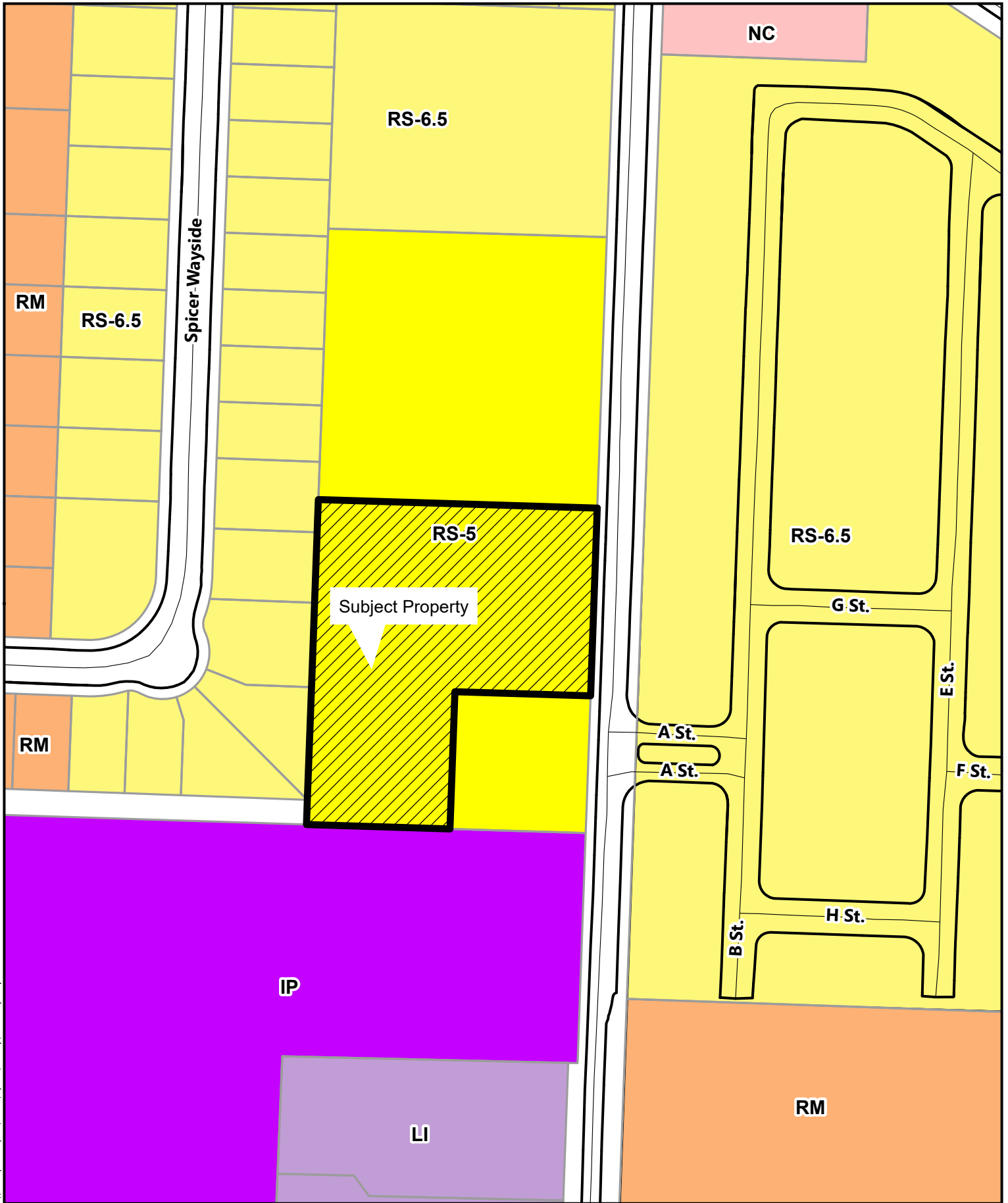
It appears an additional hydrant will be required due to distance to existing hydrants.

7. INADEQUATE FIRE APPROACH & ACCESS TO WATER SUPPLY

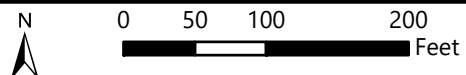
If the Fire Official determines that there is an inadequate fire apparatus access condition or an inadequate fire water supply for one or more parcels of the proposed division, in lieu of providing adequate fire apparatus access or supply and acting in conformance to the standards set forth in OAR 918-480-0125, the Uniform Alternate Construction Standard for One and Two Family Dwellings, the Building Official, will select the following standard to address the inadequacies pertaining to structures built on the affected parcels:

- a. Installation of an NFPA Standard 13D fire suppression system

Attachments: Location Map, Tentative Plat Map, DSL Comments



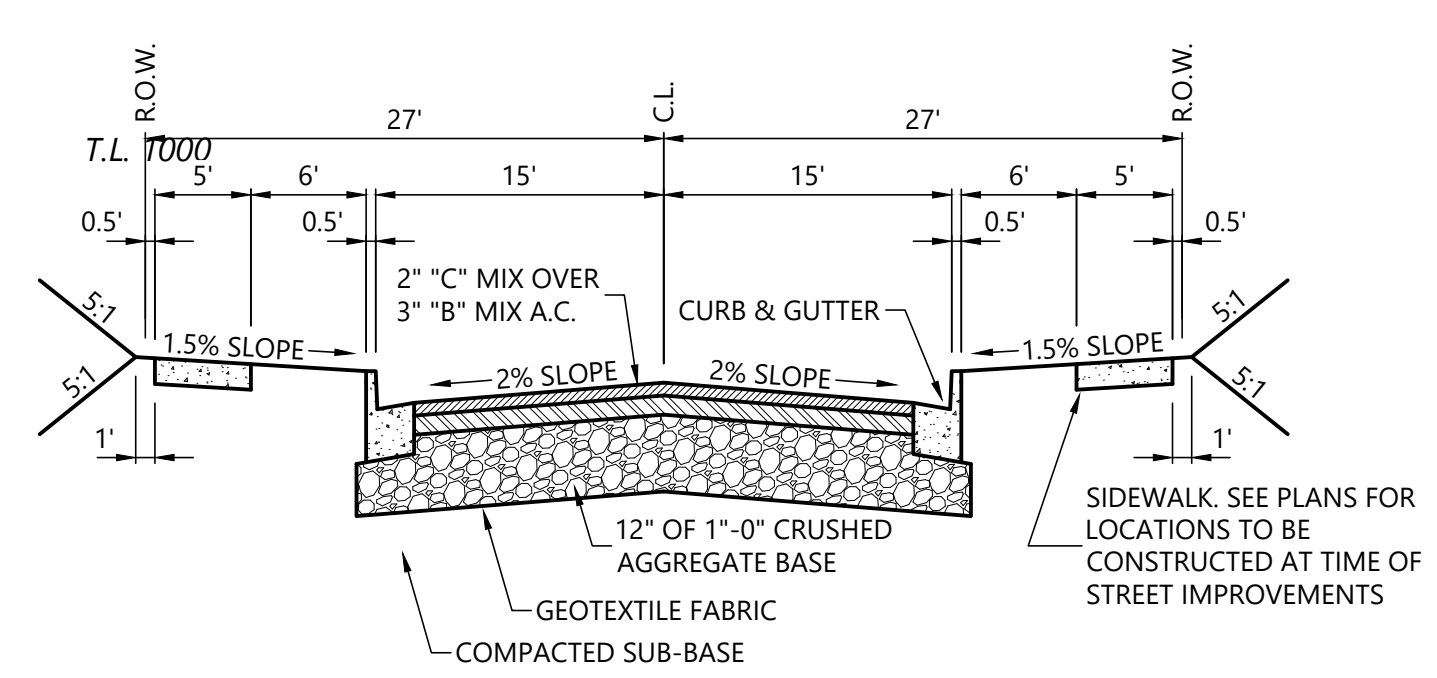
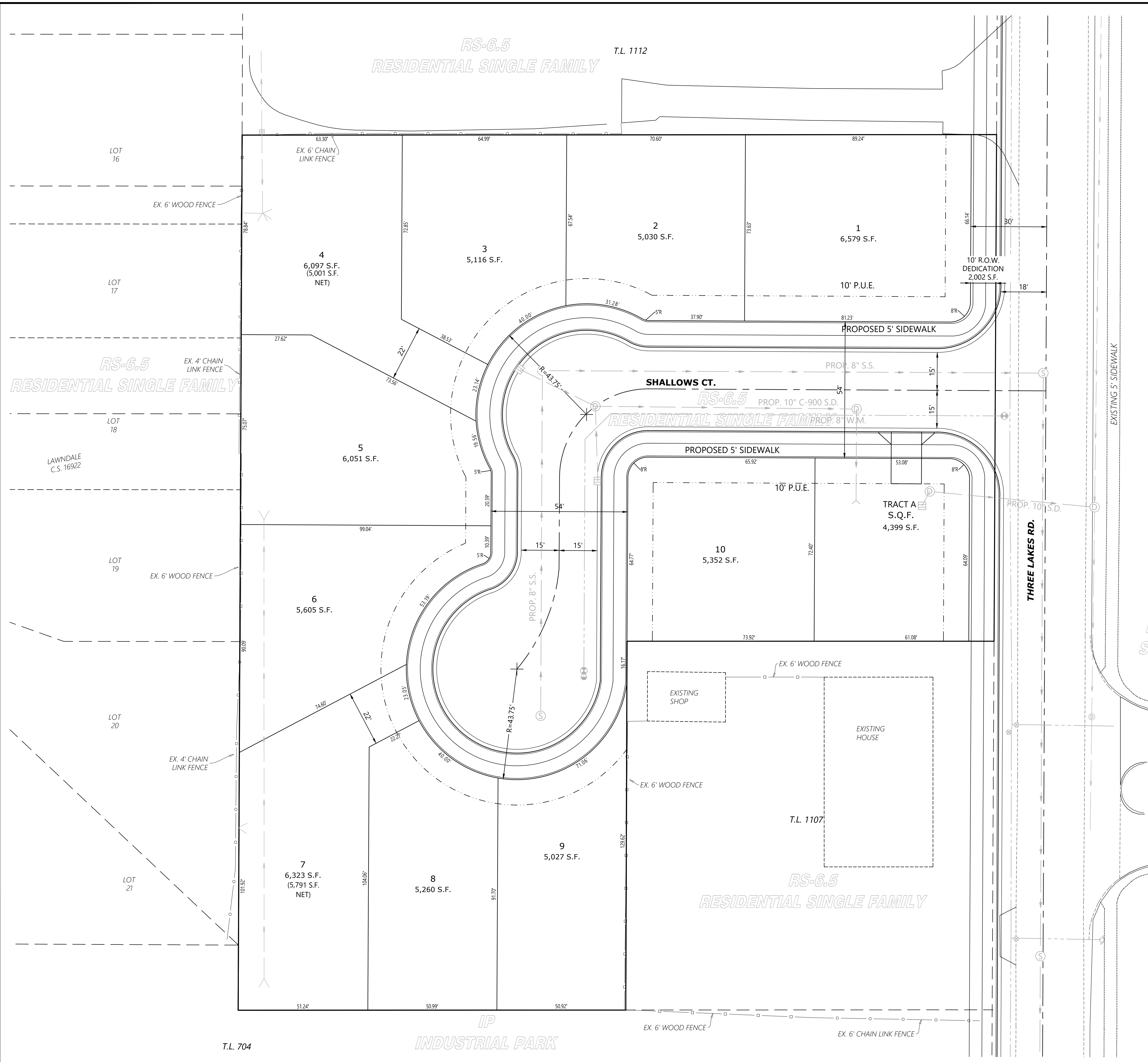
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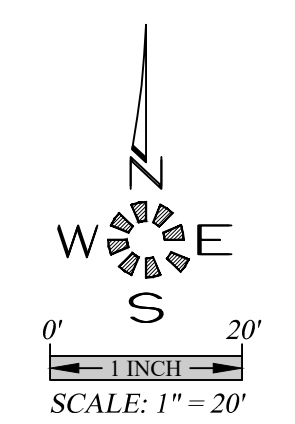
2120 Three Lakes RD SE

Date: 9/16/2024 Map Source: City of Albany

Location Map



**TYPICAL STREET SECTION
SHALLOWS COURT
-NTS-**



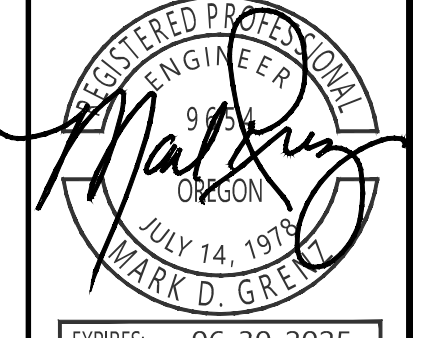
MULTI/TECH
ENGINEERING SERVICES, INC.
1155 13TH ST., S.E. SALEM, OR, 97302
PH: (503) 363-9227 FAX: (503) 364-1260
www.mtengineering.net office@mtengineering.net

TENTATIVE PLAT PLAN

THREE LAKES COURT

NO CHANGES, MODIFICATIONS OR REPRODUCTIONS TO BE MADE TO THESE DRAWINGS WITHOUT WRITTEN AUTHORIZATION FROM THE DESIGN ENGINEER.
DIMENSIONS & NOTES TAKE PRECEDENCE OVER GRAPHICAL REPRESENTATION.

7653P - P3.PLA1-TENT
Design: M.D.G.
Drawn: C.F.G.
Checked: B.M.G.
Issue Date: 10/8/24
Scale: AS SHOWN
As-Built:



EXPIRES 06-30-2025
JOB # 7653



Response Page

Department of State Lands (DSL) WN# *

WN2024-0640

Responsible Jurisdiction

Staff Contact

Alyssa Schrems

Jurisdiction Type

City

Municipality

Albany

Local case file #

SD-04-24

County

Linn

Activity Location

Township	Range	Section	QQ section	Tax Lot(s)
11S	03W	09	D	1109

Street Address

2120 Three Lakes Rd SE

Address Line 2

City

Albany

State / Province / Region

OR

Postal / Zip Code

97322

Country

Linn

Latitude

44.622675

Longitude

-123.056770

Wetland/Waterway/Other Water Features

- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.
- The National Wetlands Inventory shows wetland, waterway or other water features on the property
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

Your Activity

- It appears that the proposed project **may** impact wetlands and **may** require a State permit.

- An onsite inspection by a qualified wetland consultant is recommended prior to site development to determine if the site has wetlands or other waters that may be regulated. The determination or delineation report should be submitted to DSL for review and approval. Approved maps will have a DSL stamp with approval date and expiration date.

Applicable Oregon Removal-Fill Permit Requirement(s)

- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

DSL Review

Wetland Ecologist Comments

This project may impact wetlands. A wetland delineation is recommended.

This is a preliminary jurisdictional determination and is advisory only.

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

- A Federal permit may be required by The Army Corps of Engineers: (503)808-4373

Contact Information

For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county.

Response Date

10/11/2024

Response by:

Chris Stevenson

Response Phone:

503-798-7622