



## COMMUNITY DEVELOPMENT

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

# Notice of Decision

## Appeal of a Tentative Subdivision Plat

**SD-01-24**

**June 20, 2024**

### Application Information

Proposal:	Appeal of a staff decision regarding an application for a tentative Subdivision Plat for a nine-lot subdivision.
Review Body:	Planning Commission (Appeal of a Type I-L Review)
Appellant/Applicant:	Audrey Eldridge; 1705 NW Ravenwood Drive, Albany, OR 97321
Address/Location:	2949 Gibson Hill Road NW
Map/Tax Lot:	Benton County Assessor's Map No. 10S-04W-35AD; Tax Lot 400
Zoning:	RS-10 (Residential Single Dwelling Unit District)
Overlay District:	N/A

On June 17, 2024, the Albany Planning Commission **AFFIRMED** the Community Development Director's decision for the application referenced above. The original project approval continues to be valid, and the project is subject to the original conditions of approval and timelines, as presented in the original Notice of Decision for the Tentative Subdivision Plat, under planning file SD-01-24, issued on May 10, 2024.

The Planning Commission 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 **Liz Olmstead, Project Planner**, at 541-917-7640, or David Martineau, Planning Manager, at 541-917-7561.

This notice of decision is mailed to the property owner, appellant, applicant for planning file SD-01-24, and any person who provided testimony at the hearing or in writing prior to the comment deadline. All persons entitled to notice of the decision may appeal the decision to the City Council within 10 days. 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.

*Signature on file*

Planning Commission Chair

**City Council Appeal Deadline: July 1, 2024**

**Approval Expiration Date of Original Notice of Decision (if not appealed): May 10, 2027**

[albanyoregon.gov](http://albanyoregon.gov)





## 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-01-24

May 10, 2024

### Application Information

Proposal:	Tentative Subdivision Plat for a nine-lot subdivision.
Review Body:	Staff (Type I-L Review)
Property Owner/Applicant:	Scott Lepman, Glorietta Bay LLC; 100 Ferry Street NW, Albany, OR 97321
Applicant's Agent:	Laura LaRoque, Udell Engineering & Land Surveying, LLC, 63 E. Ash Street, Lebanon, OR 97355
Address/Location:	2949 Gibson Hill Road NW
Map/Tax Lot:	Benton County Assessor's Map No. 10S-04W-35AD; Tax Lot 400
Zoning:	RS-10 (Residential Single Dwelling Unit District)
Overlay District:	N/A

On May 10, 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 **Liz Olmstead**, project planner, at 541-917-7640 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: May 20, 2024**

**Approval Expiration Date (if not appealed): May 10, 2027**

[albanyoregon.gov](http://albanyoregon.gov)



## Conditions of Approval

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- Condition 1** The final plat map shall include a statement that Lots 1 through 7 will only be developed with townhomes or combined with an adjacent lot resulting in a lot area of at least 10,000 square feet to allow for additional use types.
- Condition 2** Prior to recording the final plat, the existing accessory structure on Lot 9 will must either have an issued demolition permit, an issued building permit to change the structure from an accessory structure under the Oregon Residential Specialty Code to a U-Occupancy under the Oregon Structural Specialty Code, or record a deed restriction that the structure shall only be utilized as an accessory structure to one of the existing dwelling units on the project site.
- Condition 3** Prior to recording the final plat map, the applicant shall construct or financially assure the construction of partial width street improvements along the site's frontage on NW Sunny Lane. Improvements shall be consistent with the approved site plan and consist of:
- A curb, gutter, and sidewalk along the west side of the street. The curb alignment shall reflect an ultimate curb to curb width of 30 feet centered within a 54-foot right of way.
  - The construction of the driveway approaches as shown on the approved site plan.
  - The construction of pavement to meet city standards with a width of 24 feet as measured from the west face of curb.
- Condition 4** Prior to recording the final plan map, the applicant shall construct or financially assure the construction of a public sidewalk along the site's frontage on NW Gibson Hill Road.
- Condition 5** Prior to or with recording the final plat map, the applicant shall dedicate:
- Twelve feet of public street right of way along the site's frontage on NW Sunny Lane.
  - A 12-foot public utility and pedestrian easement along the site's frontage on NW Gibson Hill Road.
- Condition 6** A "No Parking" sign shall be installed in the landscape strip on NW Sunny Lane between lots 4 and 5, and 20 feet of yellow curb shall be installed on the west side of NW Sunny Lane from the edge of the curb return at NW Gibson Hill Road north.
- Condition 7** Before the City approves the final subdivision plat, the applicant must construct public storm drainage improvements in NW Sunny Lane from NW Dover Avenue to collect runoff from the proposed development. Alternatively, the applicant may provide financial assurances for this work, in a form acceptable to the City Attorney.
- Condition 8** Before the City approves the final subdivision plat, the applicant must construct stormwater detention facilities that comply with the City's Engineering Standards. Alternatively, the applicant may provide financial assurances for this work, in a form acceptable to the City Attorney.
- Condition 9** Before the City approves the final subdivision plat, the applicant must construct sanitary sewer laterals to serve each lot of the subdivision. Alternatively, the applicant may provide financial assurances for this work, in a form acceptable to the City Attorney.
- Condition 10** Before the City approves 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 11** Prior to the approval of the Final Plat, the applicant must show compliance with the requirements from the Albany Fire Department (Attachment D).

**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

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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 Benton 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 Benton 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.

The property owner/developer may provide an improvement assurance that guarantees the required public improvements will be made. The improvement assurance must be in accordance with the requirements of ADC 12.590-12.610. The City will sign the final plat when the improvements are made, or when the improvement assurance is provided, and all other conditions of approval are met.

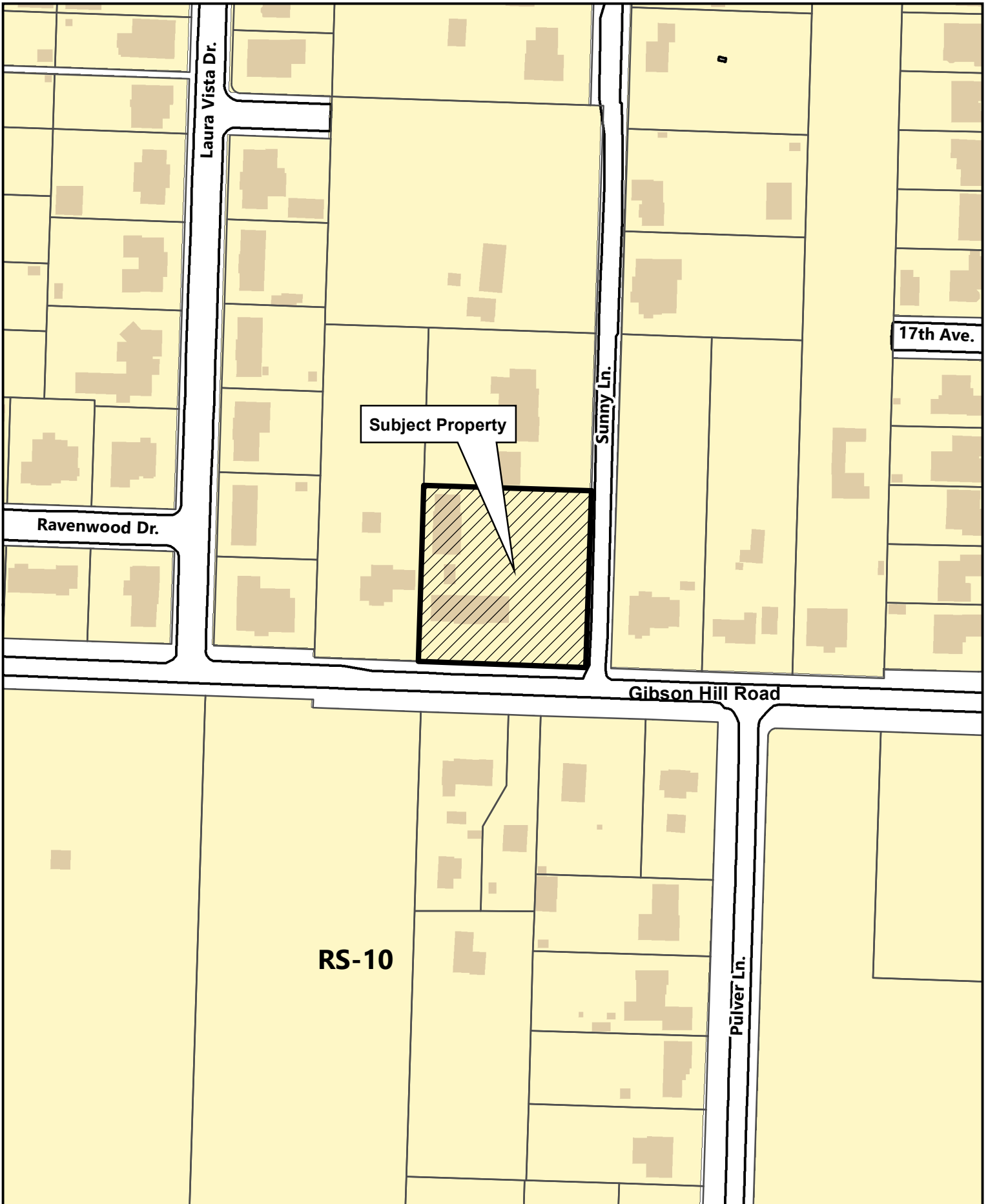
### Building

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

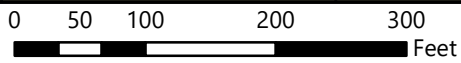
1. The proposed project may require permits that will need to be applied for at [www.albanyoregon.gov/permits](http://www.albanyoregon.gov/permits). For questions about permitting requirements, please email [cd.customerservice@albanyoregon.gov](mailto:cd.customerservice@albanyoregon.gov).

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)

Attachments: Location Map, Tentative Plat Map



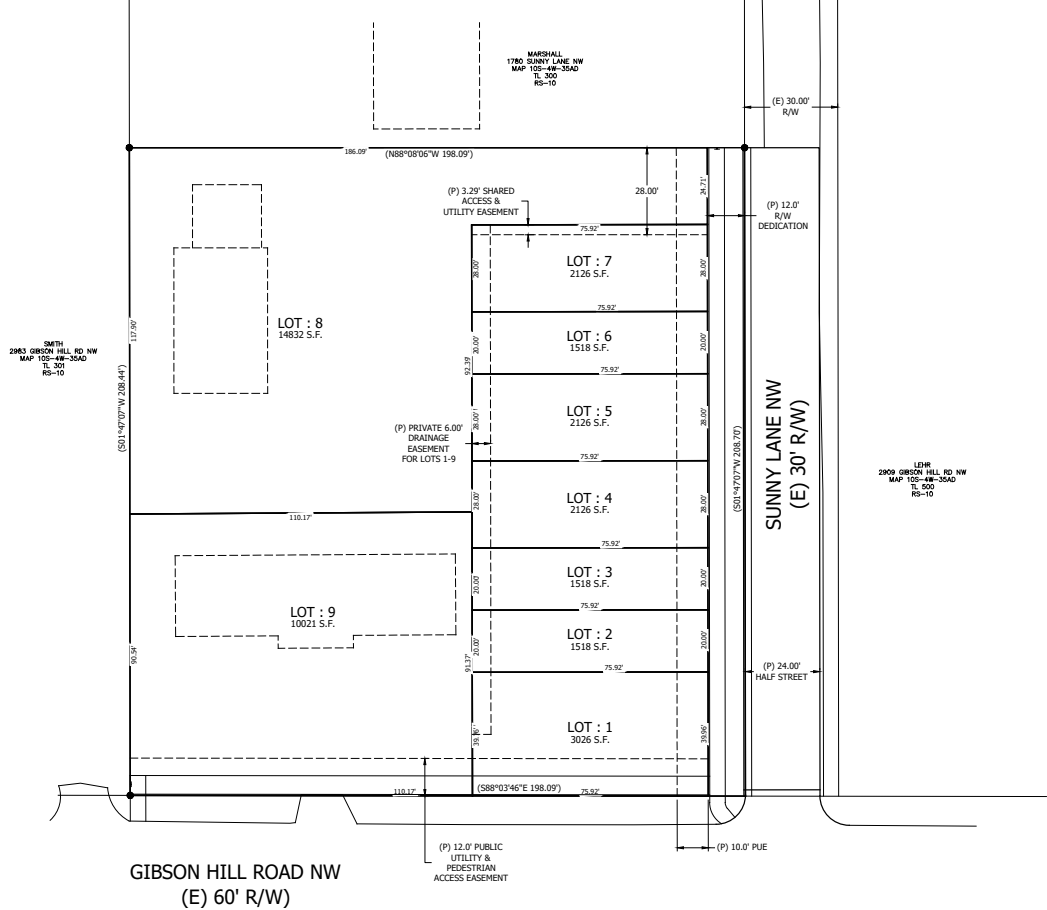
\\cc.cityofalbany.net\homes\lzo\Desktop\Location Map.mxd



**2949 Gibson Hill Road**

Date: 2/16/2024 Map Source: City of Albany

Location / Zoning Map



**PROJECT AREA SUMMARY**  
 GROSS LAND AREA: 0.95± ACRES  
 RIGHT-OF-WAY DEDICATION: 0.05 ± ACRES  
 NET LAND AREA: 0.89 ± ACRES

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

**CLIENT:**  
 GLOBETA BAY, LLC  
 10000 W. LITTLE LANE  
 ALBANY, OREGON 97321  
 (541) 928-9390

**UDELL ENGINEERING AND LAND SURVEYING, LLC**  
 63 EAST ASH ST.  
 LEBANON, OREGON 97355  
 (541) 451-5125 PH.  
 (541) 451-1566 FAX

**TENTATIVE PLAT**  
 TENTATIVE SUBDIVISION  
 SUNNY LANE TOWNHOMES  
 MAP 105-AW-3540  
 TAX LOT 400  
 ALBANY, OREGON

DATE: APRIL 9, 2024  
 PROJECT: 23131 LEPANA SUNNY LANE  
 DRAWN BY: [Signature]  
 REV. 1/14  
 CHECKED BY: [Signature]  
 REV.

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

PLAN REVISIONS	DATE
VARIANCE REMOVED AND LAYOUT UPDATED	APRIL 9, 2024

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