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

Notice of Decision

Floodplain Development Review

FP-05-23 **August 31, 2023**

Application Information

Proposal:	Floodplain Development Review for fill, grading, excavation, and paving in the Special Flood Hazard Area for the construction of a private shared access and a single dwelling unit.
Review Body:	Staff (Type I-L review)
Property Owner/Applicant:	James and Brenda Ruble; P.O. Box 192; Albany, OR 97321
Representative:	K&D Engineering; C/O Dan Watson; P.O. Box 725, Albany, OR 97321
Address/Location:	1525 7th Avenue SW
Map/Tax Lot:	Linn County Assessor's Map No. 11S-04W-12BB; Tax Lots 1100, 1101, and 1102
Zoning:	Open Space (OS), Mixed Use Commercial (MUC) and Single-family Residential (RS-5) with Floodplain (/FP), Riparian Corridor Overlay (/RC), and Significant Wetland Overlay (/SW)

On August 31, 2023, 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. Conditions of Approval are attached to this notice. For more information, please contact **Jennifer Cepello, project planner**, at 541-917-7561 or by email at jennifer.cepello@cityofalbany.net or Current Planning Supervisor David Martineau at 541-917-7555.

This notice of decision is mailed to the property owner, applicant, any person who submitted written comments in accordance with Albany Development Code (ADC) 1.230(3)(d), and all persons and agencies entitled to notice pursuant to ADC 1.230(3)(a). All person entitled to notice of the decision may appeal the decision within 14 days in accordance with ADC 1.410, and that 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.

A person who is mailed written notice of the decision cannot appeal the decision directly to the state Land Use Board of Appeals under ORS 197.830. The decision will not become final until the period for filing a local appeal has expired.

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 within 180 days unless the permitted activity has been substantially begun and thereafter pursued to completion (ADC 6.093).

Signature on file
Community Development Director

Appeal Deadline: 5:00 p.m. on September 14, 2023

Approval Expiration Date (if not appealed): February 28, 2024

Conditions of Approval

Condition 1 At the conclusion of the proposed project, the following documentation shall be submitted to the Community Development Department:

a) As-built drawings with elevations provided; and

b) Letter from the Engineer of Record who is licensed in the state of Oregon, stating the fill was placed in accordance with the signed plans.

Condition 2 The applicant must include a detailed storm drainage plan with building permit submittal. The drainage plan shall show how the roof drainage from the proposed structure will be discharged to a point approved by the Engineering Department.

Condition 3 Prior to the issuance of an Erosion Protection and Soil Control (EPSC) permit, the grading plan shall be submitted for review and approved to ensure building pads have a drainage gradient of two percent toward approved drainage facilities, unless waived by the Building Official or designee.

Condition 3 Development shall occur consistent with the plans and studies submitted by the applicant and shall comply with all applicable state, federal, and local laws.

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 (AMC) or Albany 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. Land use approval does not constitute Building or Public Works permit approvals.
2. An Erosion Prevention and Sediment Control Permit is required by Public Works prior to site development.
3. Construction of the development must substantially conform to the approved plans.

Engineering

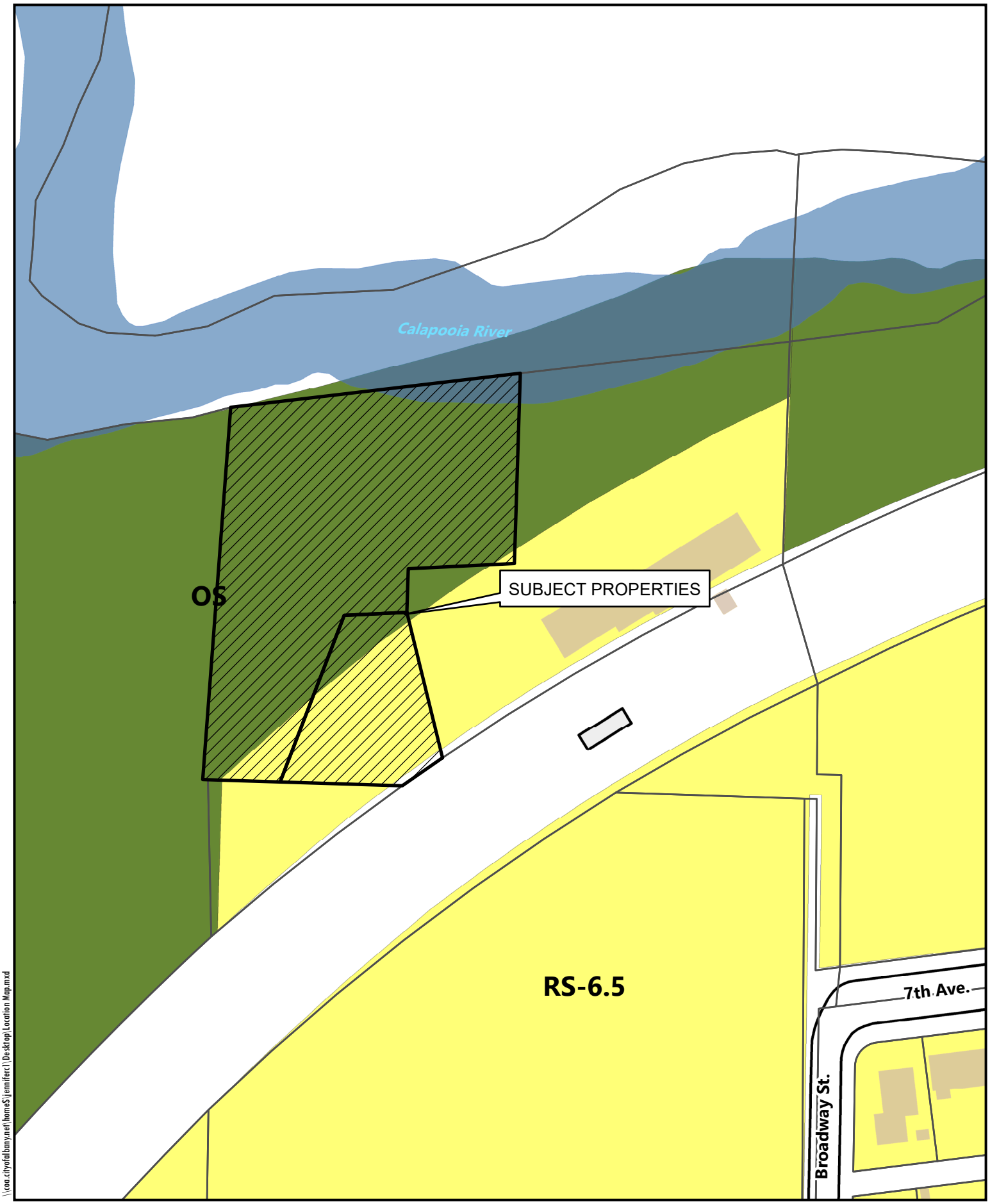
The City of Albany's infrastructure records, drawings, and other documents have been gathered over many decades, using differing standards for quality control, documentation, and verification. All information provided represents the current information we have in a readily available format. While the 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.

BUILDING

1. The proposed project may require permits that will need to be applied for at www.cityofalbany.net/permits. For questions about permitting requirements, please email cd.customerservice@cityofalbany.net.
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. The proposed project is within a mapped floodplain and will need to meet the additional requirements of ORSC R322.

Attachment:

1. Location Map
2. Site Plan



\\coa.cityofalbany.net\home$\jennifercl\Desktop\Location Map.mxd

N

0 50 100 200 Feet

UNASSIGNED

Date: 6/30/2023 Map Source: City of Albany

Location Map

SITE PLAN
FOR
JAMES + BRENDA RUBLE

LOCATED IN
PARCEL 2, PARTITION PLAT 2023-21 IN THE NW 1/4 SEC. 12, T. 11 S., R. 4 W., W.M.
IN THE
CITY OF ALBANY, LINN COUNTY, OREGON

JUNE 23, 2023

LEGEND:

•	SURVEY MONUMENT	—W—	EXIST. WATER LINE
⟨1⟩	CURVE DATA; SEE "CURVE DATA TABLE"	—X—	EXIST. FENCE
⟨A⟩	EASEMENT DATA; SEE "EASEMENTS PER PARTITION PLAT"	—SS—	EXIST. SEWER LINES (20" PE)
FH	EXIST. FIRE HYDRANT	—SS—	EXIST. ABANDONED SEWER LINES (12" AC)
	EXIST. WATER VALVES	—OHP—	EXIST. OVERHEAD POWER
M	EXIST. WATER METER	-----	EXIST. EASEMENT LINE
	EXIST. UTILITY POLE	-----	EXIST. GRAVEL EDGE
	EXIST. DECIDUOUS / CONIFER TREE	—EP—	EXIST. EDGE OF PAVEMENT
MH	EXIST. SEWER MANHOLE	═══	EXIST. CURB
T	EXIST. TELEPHONE PEDESTAL	— — —	FEMA FLOOD PLAIN LINES, AS NOTED
× (197.00)	EXIST. SPOT ELEVATION		

PROPOSED UTILITIES:

—W— PROPOSED WATER LINE
—SS— PROPOSED SEWER LINES

CURVE DATA TABLE:

CURVE	RADIUS	LENGTH	CHORD	DELTA
C1	1959.86'	39.85'	S53°23'52"W 39.85'	01°09'54"

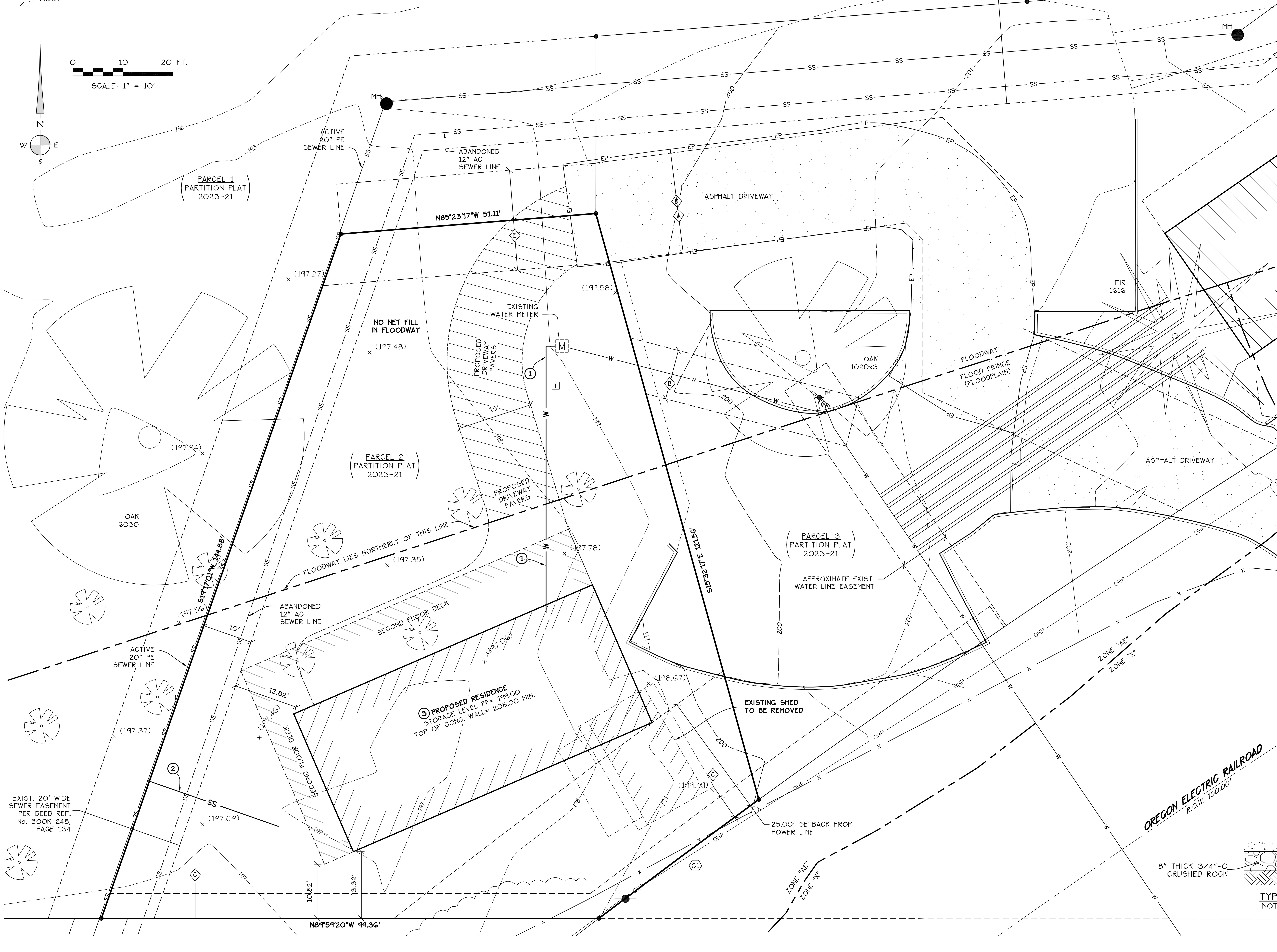
EASEMENTS PER PARTITION PLAT 2023-21:

- ⟨A⟩ A 20.00' WIDE CITY OF ALBANY ACCESS + UTILITY EASEMENT
- ⟨B⟩ A 10.00' WIDE PRIVATE WATER EASEMENT
- ⟨C⟩ A 5.00' WIDE PRIVATE WATER EASEMENT
- ⟨D⟩ A 20.00' WIDE PRIVATE RECIPROCAL ACCESS + UTILITY EASEMENT
- ⟨E⟩ A 20.00' WIDE PRIVATE RECIPROCAL ACCESS + UTILITY EASEMENT

CONSTRUCTION NOTES:

1. CONSTRUCT DOMESTIC WATER LINE
2. CONSTRUCT SANITARY SEWER SERVICE
3. CONSTRUCT SINGLE FAMILY RESIDENCE

SCALE: 1" = 10'



APPLICANT:
JAMES RUBLE
P.O. BOX 192
ALBANY, OR 97321

SURVEYOR:
K+D ENGINEERING, INC.
276 NW HICKORY ST.
ALBANY, OR 97321

NOTE:
DATA SHOWN ON THIS MAP IS BASED ON LINN COUNTY AND CITY OF ALBANY GIS DATABASES, ASSESSOR RECORDS, RECORD DEED INFORMATION AND FIELD SURVEY INFORMATION.

SUBJECT PROPERTY:
PARCEL 2 OF PARTITION PLAT 2023-21

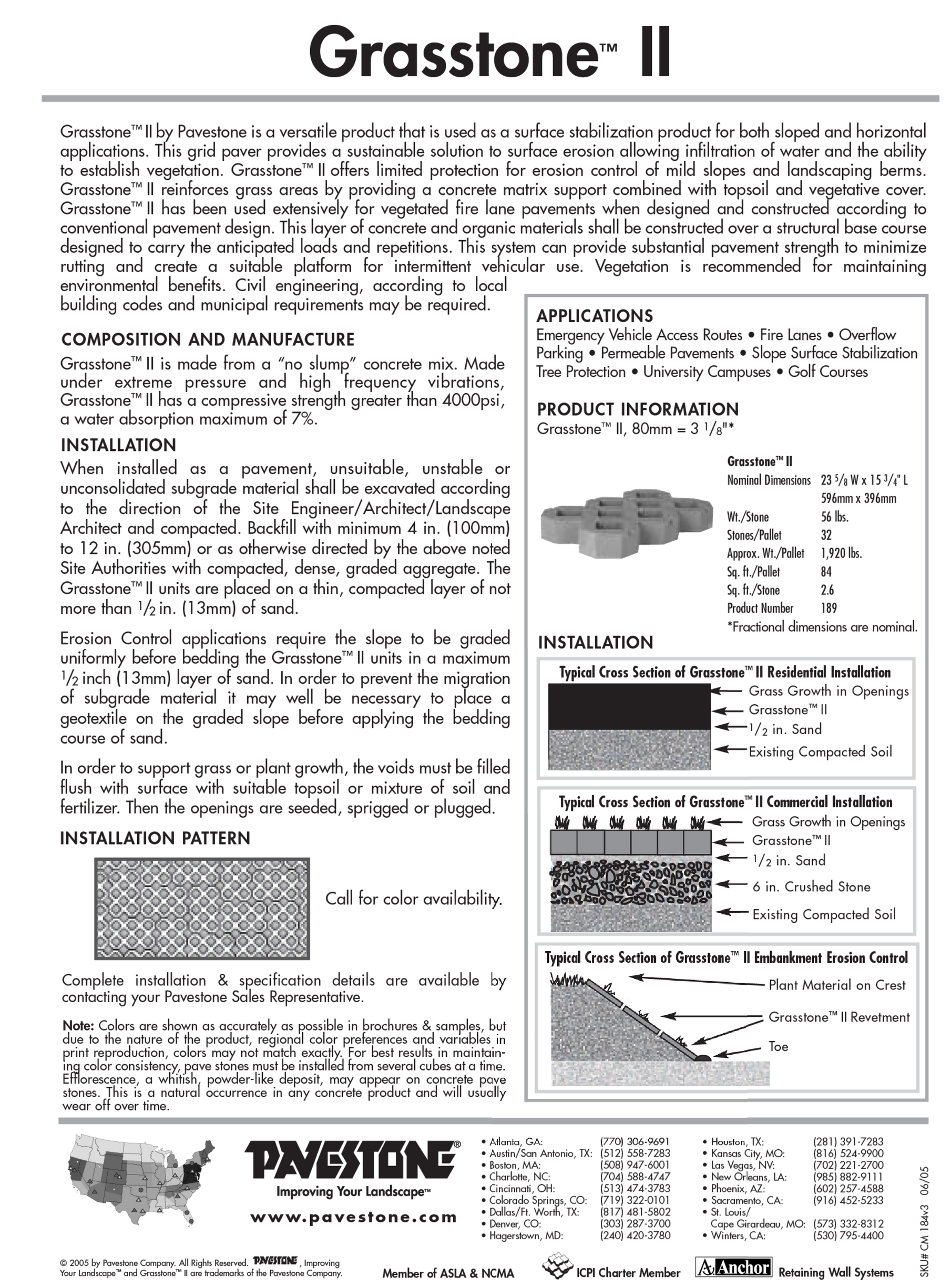
OWNER:
JAMES + BRENDA RUBLE
P.O. BOX 192
ALBANY, OR 97321

ZONING:
THE PROPERTY IS LOCATED IN THE RS 6.5 ZONE.

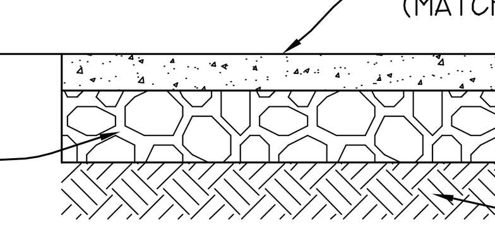
ZONE SETBACKS:	
FRONT	15'
INTERIOR	5' SINGLE STORY
INTERIOR	8' 2 OR MORE STORIES
MAXIMUM HEIGHT	30' MAXIMUM
LOT COVERAGE	60% MAXIMUM

FLOODPLAIN:
SUBJECT PROPERTY IS LOCATED IN A ZONE AE FLOOD HAZARD PER FEMA FIRM MAP 41043C0195H DATED 12-8-2016
BASE FLOOD ELEVATION = 207.0'

EARTHWORK:
FLOODWAY: 36 CUBIC YARDS CUT, 36 CUBIC YARDS FILL
FLOODPLAIN: 140 CUBIC YARDS CUT, 280 CUBIC YARDS FILL
DISTURBED AREA = 4,800 SQUARE FEET



AREA OF WORK IN THE FLOODWAY
974 SQUARE FEET



TYPICAL SECTION
NOT TO SCALE

SITE PLAN

JAMES & BRENDA RUBLE
1525 SW 7TH AVE.
CITY OF ALBANY, LINN COUNTY, OREGON

REVISIONS	DATE	BY

K&D ENGINEERING, INC.
276 N.W. HICKORY ST.
P.O. BOX 725
ALBANY, OREGON 97321
(541) 928-2583

REGISTERED PROFESSIONAL ENGINEER 17,612 OREGON JAN. 17, 1995 DANIEL K. WATSON
RENEWS: 6-30-24

HORZ. SCALE:	1" = 10'
VERT. SCALE:	
SIGN DATE:	6-23-2023
DSGN BY:	JJC
DRWN BY:	GSG
CHCK BY:	DKW
PROJECT No.:	21-146

SHEET No.: 1 OF 1

Date: 6/23/2023 Time: 8:56
Scale: 1=1(PS)
File: dwg\2021\21-146\Site Plan\21-146_site.dwg (George)