



COMMUNITY DEVELOPMENT DEPARTMENT

333 Broadalbin Street SW, P.O. Box 490
Albany, OR 97321

Phone: 541-917-7550 Fax: 541-917-7598
www.cityofalbany.net

NOTICE OF PUBLIC HEARING

<u>HEARING BODY</u>	PLANNING COMMISSION	CITY COUNCIL
<u>HEARING DATE</u>	Monday, July 16, 2018	Wednesday, August 8, 2018
<u>HEARING TIME</u>	5:15 p.m.	7:15 p.m.
<u>HEARING LOCATION</u>	Council Chambers, Albany City Hall, 333 Broadalbin Street SW	

GENERAL INFORMATION

DATE OF NOTICE:	June 22, 2018
FILES:	AN-02-18 & ZC-02-18
TYPE OF APPLICATION:	Annexation of a 76.33-acre parcel with concurrent zoning designation (Type IV-L and IV-Q) from UGA/UGM-20 and EFU to RS-6.5 and OS to accommodate future development and natural resource protection
REVIEW BODIES:	Planning Commission and City Council
PROPERTY OWNER/APPLICANT:	Mennonite Home of Albany; Dave Detweiler, Facilities Director; 5353 Columbus Street SE; Albany, OR 97322
APPLICANT REPRESENTATIVE:	Dan Watson, K&D Engineering; 276 NW Hickory Street; Albany, OR 97321
PROPERTY LOCATION:	No Address Assigned
MAP/TAX LOT:	Linn County Assessor's Map No. 11S-03W-21; Tax Lot 502
ZONING:	UGA/UGM-20; EFU
CP DESIGNATION:	Urban Residential Reserve; Open Space

The Planning Division has received Annexation and Zoning Map Amendment (zone change) applications referenced above and has scheduled a Public Hearing before the Planning Commission and City Council. We are mailing notice of this public hearing to property owners within 300 feet of the property where the annexation and zoning map amendment is proposed. We invite your comments, either in writing prior to the day of the public hearings, or in person at the hearings. Comments will be considered when the Planning Commission forms its recommendation and the City Council makes a decision on these applications.

We have attached a map that shows the location of the property. All documents and evidence submitted by or on behalf of the applicant, and applicable criteria, are available for inspection at no cost at the Albany Community Development Department, Planning Division. The Staff Report will be available by 5:00 p.m. on July 9, 2018. A copy will be available at the City's website at the following link: <http://www.cityofalbany.net/departments/community-development/planning-projects>, or at the Planning Division located in City Hall. All of this information is available for inspection at no cost, and copies will be provided upon request at a reasonable cost. For more information, please contact Project Planner David Martineau at 541-917-7561, or Planning Manager Bob Richardson at 541-917-7555. Submit any written

comments to the Planning Division, P.O. Box 490, Albany OR 97321. Any person who submits written comments or testifies at a public hearing will receive a copy of the Notice of Decision.

If additional documents or evidence are provided by any party, the City may allow a continuance, or leave the record open, to allow the parties a reasonable opportunity to respond.

YOUR COMMENTS

All testimony and evidence must be directed toward the approval standards for the application listed in this notice. Failure to raise an issue by letter, or in person, before the close of the record or the final evidentiary hearing, or failure to provide statements or evidence with sufficient detail to allow the Planning Commission and City Council an adequate opportunity to respond to each issue raised, precludes an appeal based on that issue.

PUBLIC HEARING PROCEDURE

The Public Hearing will begin with a declaration of any *ex parte* contacts (contacts which occurred outside of the public hearing) or any conflict of interest by the decision-makers. This will be followed by the staff report from the Planning staff. Then the applicant will testify, followed by testimony by other people in support of the application. After the people who are in favor of the application are finished, testimony from opponents will begin. This will be followed by testimony from people who neither favor nor oppose the application. The applicant will then be given the opportunity for rebuttal. The decision-makers are free to ask questions of any person who has testified, or of staff, at any point during the hearing.

If the hearing is continued or the record is left open, the chairperson will announce the date, time, and place for resumption of the hearing, and/or what limitations exist on further testimony or submittal of written materials. If the hearing and record are closed, the decision-makers will begin deliberations and/or will announce the time, date, and place when the decision will be made.

APPROVAL STANDARDS FOR THIS REQUEST

The Albany Development Code contains the following review criteria that must be met for this application to be approved:

ANNEXATION (ADC 2.090)

- A. **Eligibility Criteria.** The City Council shall determine that property is eligible for annexation based on the following criteria:
 - 1. The property is contiguous to the existing city limits.
 - 2. The property is located within the Albany Urban Growth Boundary as established by the Albany Comprehensive Plan.

- B. **Infrastructure Criteria.** The City shall determine that it is timely to annex property based on the following criteria:
 - (a) An adequate level of urban services and infrastructure is available or will be made available in a timely manner.
 - (b) As used in this section:
 - i. “Adequate level” means conforms to adopted plans and ordinances.
 - ii. “Urban services” means police, fire, and other City-provided services.
 - iii. “Infrastructure” means sanitary sewer, water, storm drainage, and streets.

- iv. “Be made available in a timely manner” means that improvements needed for an adequate level of urban services and infrastructure will be provided at the time and place needed to serve the anticipated development. Improvements may be secured by a development agreement, annexation agreement, or other funding mechanism that will place the primary economic burden on the territory proposed for annexation and not on the City of Albany generally.

C. Planning Criteria. The City shall determine that adequate planning has occurred based on the following criterion:

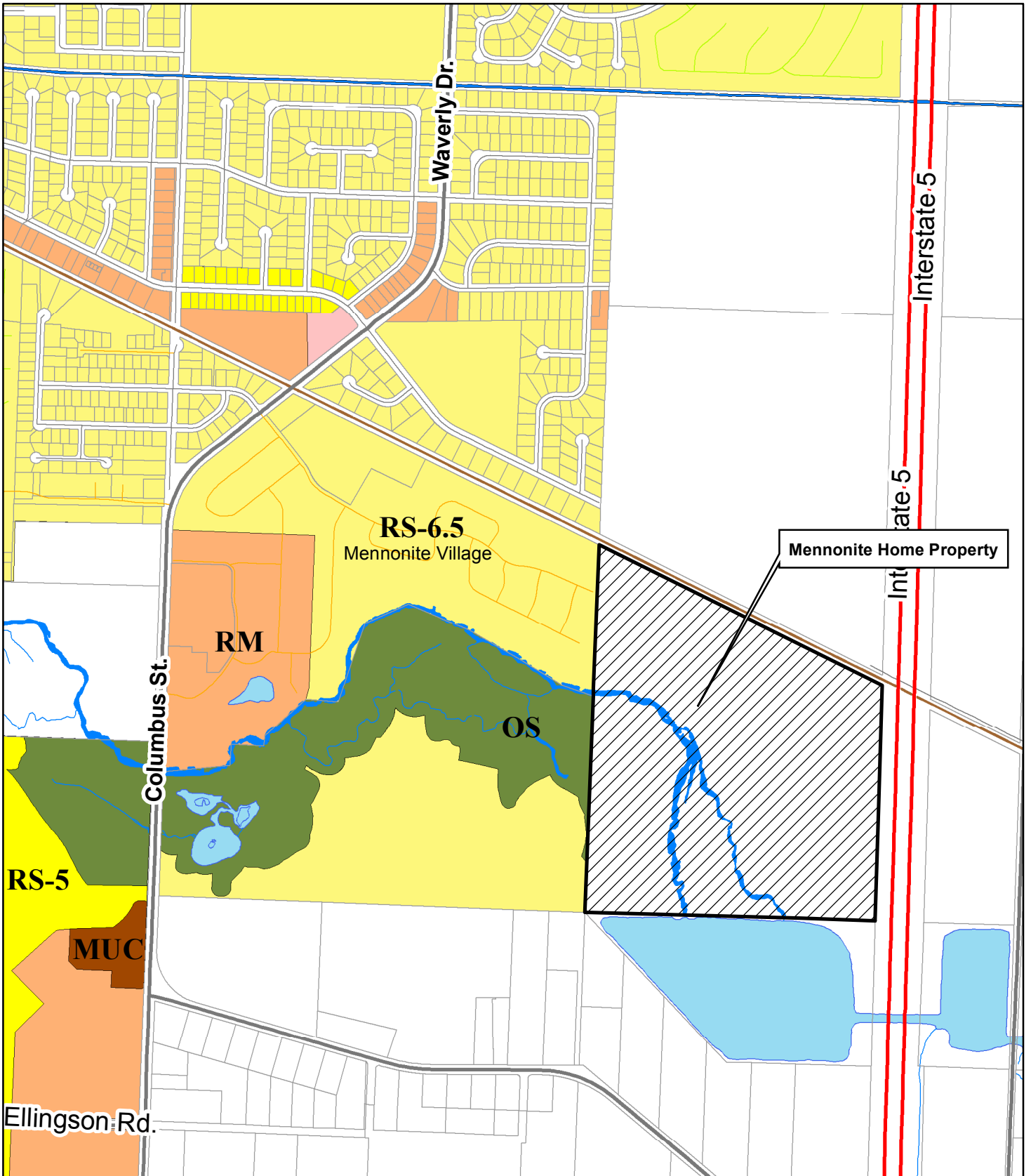
Sufficient planning and engineering data have been provided, and necessary studies and reviews have been completed such that there are no significant unresolved issues regarding appropriate Comprehensive Plan and implementing ordinances. Examples of needed studies may include public infrastructure plans, buildable lands inventories, area refinement plans, or any task in an approved work program for Periodic Review.

D. Reasonableness. The City Council shall determine that the proposed annexation is reasonable.

QUASI-JUDICIAL ZONING MAP AMENDMENT (ADC 2.740)

- (1) The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for.
- (2) Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation.
- (3) Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area.
- (4) The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.
- (5) The land use and transportation patter recommended in any applicable City-contracted or funded land use or transportation plan or study has been followed, unless the applicant demonstrates good cause for the departure from the plan or study.

Attachments: Location Map, Site Plan



Location Map: Unaddressed; East of Mennonite Village

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 of the data provided represents current information in a readily available format. While the data provided is generally believed to be accurate, occasionally it proves to be incorrect; thus its accuracy is not warranted. Prior to making any property purchases or other investments based in full or in part upon the material provided, it is specifically advised that you independently field verify the

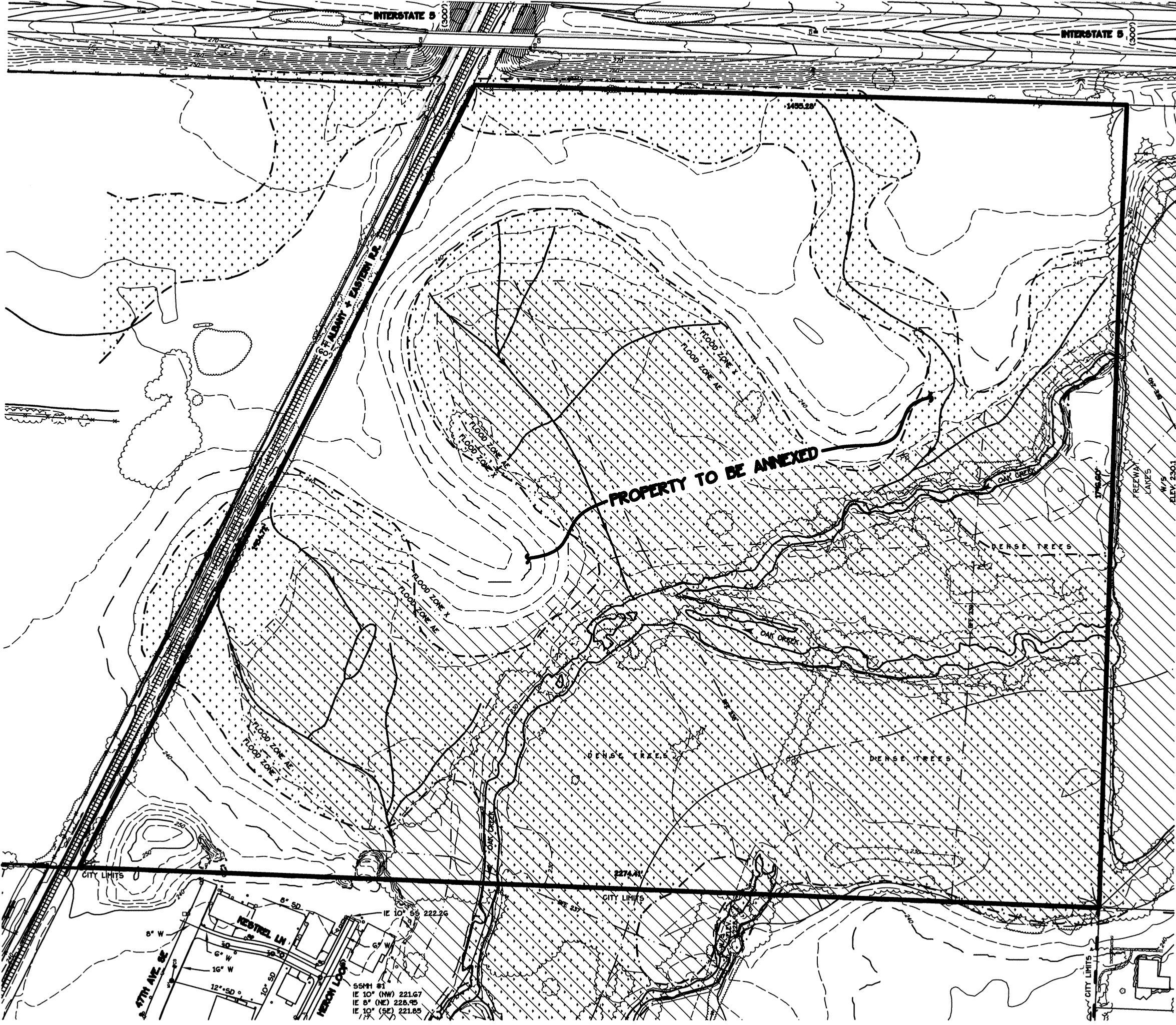
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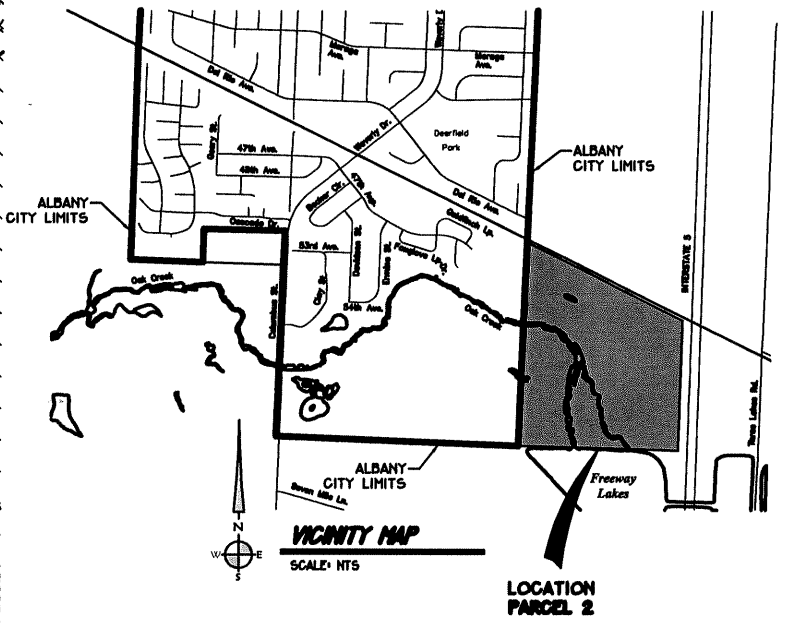
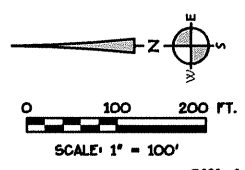
January 12, 2018

Planning Division

City of Albany - 333 Broadalbin St. SW, Albany, Oregon 97321 (541) 917- 7550



ANNEXATION MAP
 OF
PARCEL 2
 FOR
Mennonite Home of Albany Inc.
 LOCATED IN THE
SW 1/4 OF SECTION 21, T. 11 S., R. 03 W., W.M.
 IN THE
LINN COUNTY, OREGON
 NOVEMBER 17, 2016



LEGEND:

- CB CATCH BASIN
 - CI CURB INLET
 - FH FIRE HYDRANT
 - IE INVERT ELEVATION
 - HH MANHOLE
 - SD STORM DRAIN
 - SS SANITARY SEWER
 - W WATER LINE
-
- ▨ CURB INLET / CATCH BASIN
 - CITY LIMITS LINE
 - X— FENCE
 - ⊕ FIRE HYDRANT
 - ⊙ MANHOLE
 - ⊗ STREET TREE
 - ⊕ VEGETATION
 - HEDGE
 - SIGN
 - ⊙ POWER POLE
 - ⊕ UTILITY POLE WITH LIGHT
 - ⊙ LIGHT POLE

OWNER / DEVELOPER:

MENNONITE HOME OF ALBANY INC.
 5353 COLLINGRUS STREET SE
 ALBANY OREGON 97322

ENGINEER / SURVEYOR:

K+D ENGINEERING INC.
 276 HICKORY STREET NW
 ALBANY OREGON 97321

PROPERTY INFORMATION:

TAX LOT 00502, MAP 115-03W-121
 SITE ADDRESS:
 NONE ESTABLISHED
 GROSS AREA:
 76.33 ACRES±
 ZONE (LINN CO.):
 UGH/EFU - URBAN GROWTH MANAGEMENT /
 EXCLUSIVE FARM USE
 FLOOD ZONE:
 PROPERTY IS LOCATED IN FLOOD ZONE "AE"
 PER FEMA PANEL 41043C0527G DATED
 SEPTEMBER 24, 2010 AND 41043C0524G
 DATED SEPTEMBER 24, 2010

TOPOGRAPHY:

TOPOGRAPHIC FEATURES ARE BASED ON LINN COUNTY AND CITY OF ALBANY GIS DATABASE AND MAPS.

LOCAL WETLANDS INVENTORY
 PER CITY OF ALBANY GIS

K+D K & D ENGINEERING, Inc.
 276 N.W. Hickory Street, P.O. Box 720
 Albany, Oregon 97321
 (541) 522-9222

Date: 4/5/2017 Time: 8:15
 Scale: 1"=100'(FS)
 File: dsg\2016\16-156\16-156-mr.dwg (George)