



## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

### NOTICE OF PUBLIC HEARINGS

HEARING BODY	PLANNING COMMISSION	CITY COUNCIL
HEARING DATE	Monday, April 15, 2019	Wednesday, May 8, 2019
HEARING TIME	5:15 p.m.	7:15 p.m.
HEARING LOCATION	Council Chambers, Albany City Hall, 333 Broadalbin Street SW	

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DATE OF NOTICE:	March 25, 2019
FILES:	CP-01-19 and ZC-01-19
TYPE OF APPLICATION:	Quasi-Judicial Comprehensive Plan Map Amendment from Light Commercial to General Commercial, and Zoning Map Amendment from Neighborhood Commercial (NC) to Community Commercial (CC)
REVIEW BODY:	Planning Commission and City Council (Type IV)
PROPERTY OWNER/APPLICANT:	B & E3, LLC; Lyon Associates; 101 Ocean Avenue, Suite D601; Santa Monica, CA 90402
APPLICANT REPRESENTATIVES:	Mark Shipman, Attorney; and Nathan Riemersma, Attorney; Saalfeld Griggs PC; 250 Church Street SE, Suite 200; Salem, OR 97301
ADDRESS/LOCATION:	2000 Queen Avenue SE
MAP/TAX LOT:	Linn County Assessor's Map No. 11S-03W-08CD; Tax Lot 211
ZONING:	Neighborhood Commercial (NC) District
PLAN DESIGNATION:	Commercial - Light

The City of Albany has received the application referenced above. We are mailing notice of this public hearing to property owners within 300 feet of the property where the map amendments are proposed. We invite your comments, either in writing prior to the day of the public hearing or in person at the hearing. Comments will be taken into account when the Planning Commission and City Council make decisions on these applications.

We have attached location maps that show the current and proposed property zoning designations. 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 for the Planning Commission hearing will be available at the Planning Division located in City Hall and the City's website at the following link: <http://www.cityofalbany.net/departments/community->

[cd.cityofalbany.net](http://cd.cityofalbany.net)



[development/planning/all-projects](#) by 5:00 p.m. on Monday, April 8, 2019. Copies will also be provided upon request at a reasonable cost. For more information, please contact **David Martineau, Project Planner**, at 541-917-7561, ([david.martineau@cityofalbany.net](mailto:david.martineau@cityofalbany.net)). Submit any written comments to the Planning Division, 333 Broadalbin Street SW, 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 is provided by any party, the City may allow a continuance, or leave the record open, to allow the parties a reasonable opportunity to respond. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the 120-day time limitations of ORS 227.178

## YOUR COMMENTS

All testimony and evidence must be directed toward the approval standards and criteria 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 City Council an adequate opportunity to respond to each raised issue, precludes an appeal based on that issue.

## PUBLIC HEARING PROCEDURE

The public hearing will begin with a declaration of any *ex parte* contacts (contacts that 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 from other people in support of the application. After those 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 the 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.

The location of the meeting/hearing is accessible to the disabled. If you need special accommodations to attend or participate, please notify the Human Resources Department in advance by calling 541-917-7500.

## REVIEW CRITERIA FOR THIS APPLICATION

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

### QUASI-JUDICIAL COMPREHENSIVE PLAN MAP AMENDMENT [ADC 2.220(3)]

- (3) The requested designation for a quasi-judicial map amendment meets all of the following tests:
  - (a) The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be more supportive of the Comprehensive Plan as a whole than the old designation.
  - (b) The requested designation is consistent with any relevant area plans adopted by the City Council.

- (c) The requested designation is consistent with the Comprehensive Plan Map pattern.
- (d) The requested designation is consistent with the Statewide Planning Goals.

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 pattern 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.

The following staff-identified Comprehensive Plan goals and policies are relevant to the Zoning Map amendment.

Statewide Planning Goal 9: Economy-Albany's Economy (Chapter 3)

Goal 1: Diversify the economic base in the Albany area and strengthen the area's role as a regional economic center.

Goal 2: Provide a supportive environment for the development and expansion of desired businesses.

Goal 3: Promote Albany's positive economic, social, and cultural image throughout the state and region and, where appropriate, at the national and international levels.

Statewide Planning Goal 9: Economy-Public Infrastructure (Chapter 3)

Goal 1: Ensure that new industrial and commercial development is located in areas that can be adequately served by public infrastructure.

Statewide Planning Goal 12: Transportation (Chapter 5)

Goal 1: Provide an efficient transportation system that provides for the local and regional movement of people and goods.

Goal 2: Provide a safe transportation system.

Statewide Planning Goal 14: Urbanization (Chapter 8)

Goal 1: Achieve stable land use growth which results in a desirable and efficient land use pattern.

Policy 9: Encourage the use of already serviced vacant and underdeveloped land through adaptive reuse of older areas of the community and the development and/or partitioning of lots which can meet minimum lot size requirements.

Policy 10: The size and type of future regional and community commercial sites shall be commensurate with the area to be served and located so as to be easily accessible by the service area. Approvals of additional regional and community commercial sites may be predicated upon studies requested by the City which assess public need, impacts upon competing commercial areas, traffic impacts, and impacts upon other public services.

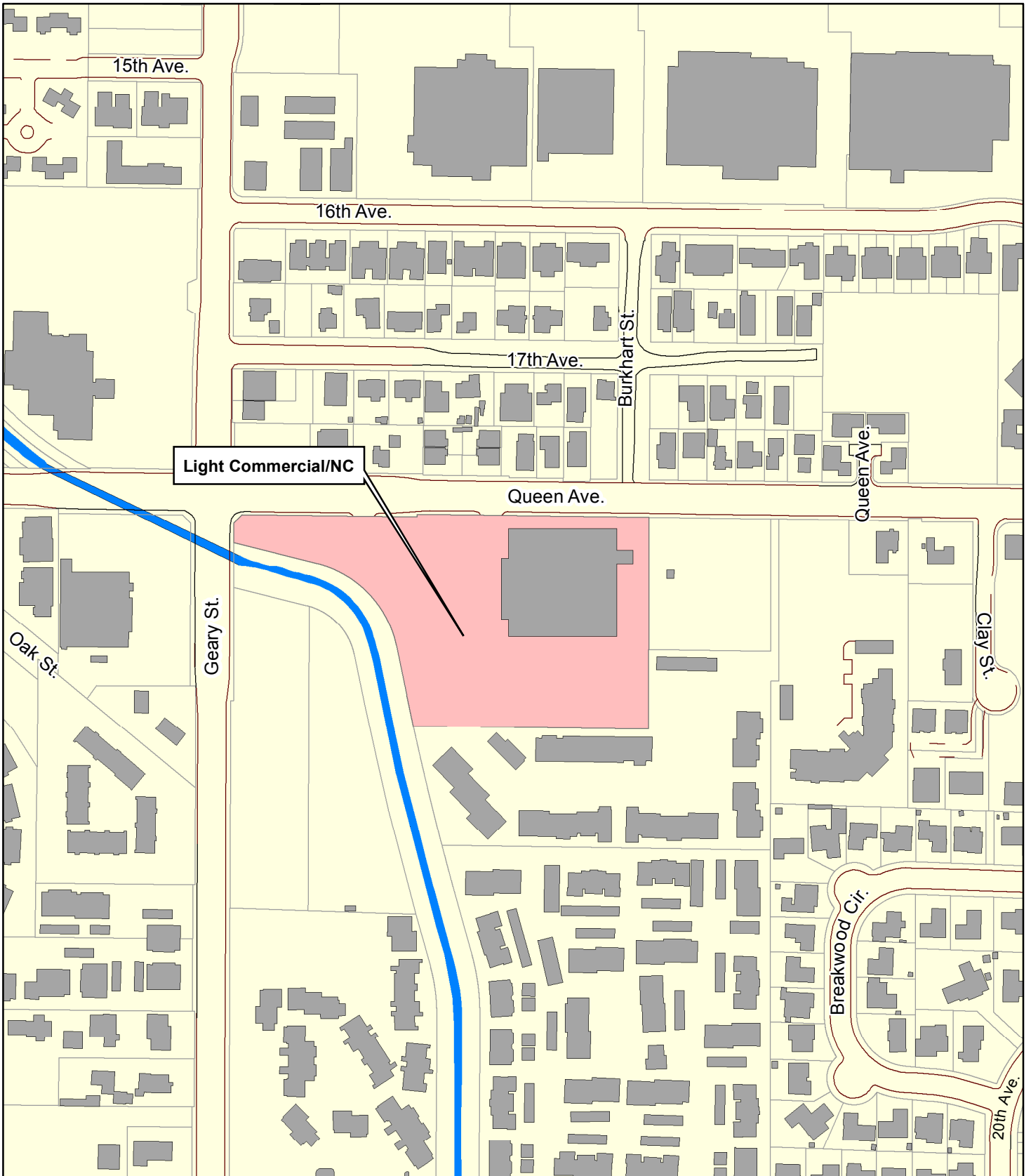
Policy 15: Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.

Statewide Planning Goal 2: Land Use Planning (Chapter 9)


LIGHT COMMERCIAL: Provides for limited commercial activities that include office professional and neighborhood commercial uses. This designation is used to provide a buffer between residential and more intensive uses, (such as between the Community Commercial District and the surrounding residential areas) and also to provide neighborhood commercial areas in close proximity to residential areas.

GENERAL COMMERCIAL: Identifies areas from community services to regional commercial establishments, suitable for a wide range of retail sales and service establishments. Aside from recognition of existing commercial corridors, new commercial areas will develop under design guidelines to avoid the continuance of “strip commercial” development in order to more efficiently serve the shopping needs of the community and region.

Attachments: Current Comprehensive Plan/Zoning Map; Proposed Comprehensive Plan/Zoning Map


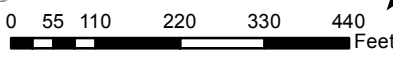


**Current Comprehensive Plan and Zoning Designation: 2000 Queen Avenue SE**



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

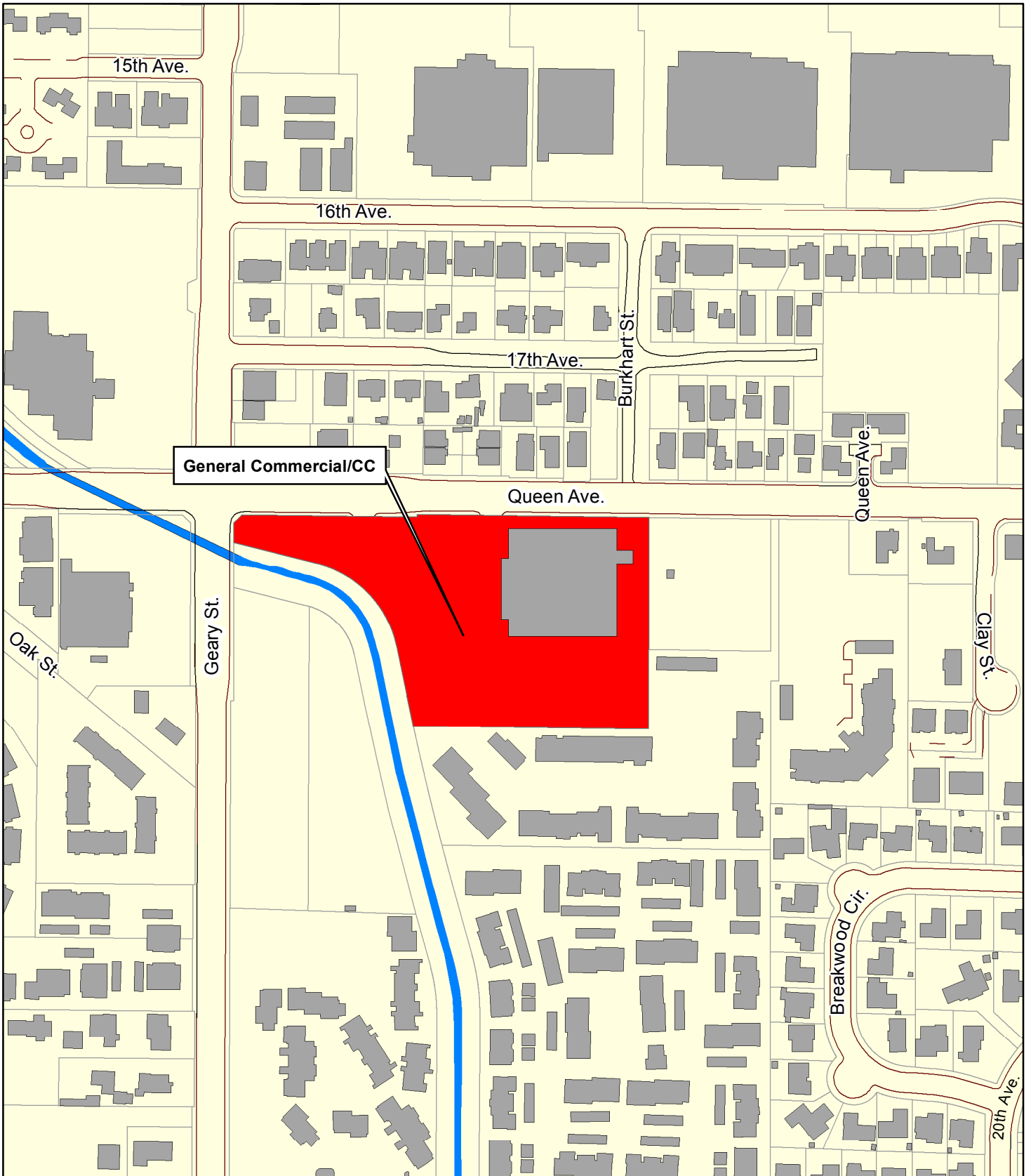
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January 11, 2019

Planning Division

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



**Proposed Comprehensive Plan and Zoning Designation: 2000 Queen Avenue SE**



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