



COMMUNITY DEVELOPMENT

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

Notice of Public Hearing

Conditional Use & Site Plan Review

CU-03-20 & SP-13-20

July 14, 2020

HEARING INFORMATION

Review Body:	Planning Commission (Type III)
Hearing Date:	Monday, August 3, 2020
Hearing Time:	5:15 p.m.
Hearing Location:	<p>Due to Governor Brown's Executive Orders limiting public gatherings during the COVID-19 pandemic, this meeting is accessible to the public via phone and video connection.</p> <p>At 5:15 p.m., join with the GoToMeeting app on your computer, tablet, or smartphone (using your device's microphone and speakers):</p> <p>https://www.gotomeet.me/CommunityDevelopmentCityofAlbany/pc</p> <p>If you wish to dial in using your phone:</p> <p>Call 1-571-317-3122 and when prompted enter access code 498-239-709</p>

APPLICATION INFORMATION

Proposal:	Conditional Use to remodel interior of existing building, add outdoor play area, and change use from counseling center to an early learning center. Site Plan Review for tree felling to remove 23 trees.
Property Owner:	Jim Merryman, Merryman Living Trust 4714 Springhill Drive, Albany, OR 97321
Applicant:	Christina M. Larson, Varitone Architecture P.O. Box 3420, Albany, OR 97321
Representative:	Fred Patterson, YMCA 3201 SW Pacific Blvd., Albany, OR 97321
Address/Location:	1054 29 th Avenue SW
Map/Tax Lot:	Linn County Assessor's Map No.; 11S-04W-13AC Tax Lot 409
Zoning:	OP (Office Professional) zoning district



The Planning Division has received the applications referenced above and has scheduled a public hearing before the Planning Commission. We are mailing notice of the application to property owners within 300 feet of the proposed development.

A copy of the applications, all documents, and evidence submitted by or on behalf of the applicant, and applicable criteria, are available for inspection by appointment only at the Albany Community Development Department, Planning Division. Copies can be provided by mail upon request at a reasonable cost or electronically at no charge. The staff report for the hearing is available by 5:00 p.m. on Monday, July 27, 2020, on the City's website at:

www.cityofalbany.net/cdprojects

For more information, please contact **Travis North**, project planner, at travis.north@cityofalbany.net, 541-917-7640, or Planning Manager David Martineau at 541-917-7561.

YOUR COMMENTS

All testimony and evidence must be directed toward the approval standards and criteria for the applications listed in this notice. We invite your comments, either in writing before the days of the public hearings or orally during the virtual hearings. Submit any written comments to the City of Albany Planning Division; PO 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.

VIRTUAL PUBLIC HEARING PROCEDURE

Due to Governor Brown's Executive Orders limiting public gatherings during the COVID-19 pandemic, this meeting is accessible to the public via phone and video connection.

Written comments will be received by City staff until 5:00 p.m. on Friday, July 31, 2020. To testify virtually during a public hearing, register by emailing cdaa@cityofalbany.net before 3:00 p.m. on the day of the meeting with your name and if you are speaking for, against, or neutral on the project. During public testimony, the chair will call upon those who have registered to speak first, followed by any others.

The public hearing will occur on Monday, August 3, 2020, at 5:15 p.m. The respective hearing body will open the public hearing. The public hearing will begin with a declaration of any bias, *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. This will be followed by calling upon those who registered to speak in support of the application. After those in favor of the application are finished, testimony from those who registered to speak in opposition will begin. This will be followed by testimony from people who neither favor nor oppose the application. Following, a calling upon anyone else who wishes to testify either in support, opposition, or neutral will be made. The applicant will then be able to respond to the public comments. The decision-makers are free to ask questions of any person who has testified, or of staff, at any point during the hearing. Once all comments are recorded as part of the meeting, and the applicant responds, the hearing body will close the public hearing and deliberate on the application.

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. Any continuance or extension of the record requested by an applicant shall result in a corresponding extension of the 120-day time limitations of Oregon Revised Statute (ORS) 227.178.

If the hearing is continued or the record is left open, the chair 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.

If you have a disability that requires accommodation, please notify the Human Resources Department in advance by calling 541-917-7500.

APPEALS

Within five days of the Planning Commission's final decision on this application, the Community Development Director will provide written notice of decision to the applicant and any other parties entitled to notice.

A decision of the Planning Commission may be appealed to the City Council if a person with standing files a Notice of Appeal and associated filing fee with the City within 10 days of the date the City mails the notice of decision.

APPROVAL STANDARDS FOR THIS APPLICATION

Conditional Use (ADC 2.250)

- 1) The proposed use is consistent with the intended character of the base zone and the operating characteristics of the neighborhood.
- 2) The proposed use will be compatible with existing or anticipated uses in terms of size, building scale and style, intensity, setbacks, and landscaping, or the proposal mitigates difference in appearance or scale through such means as setbacks, screening, landscaping, or other design features.
- 3) The transportation system can support the proposed use in addition to the existing uses in the area. Evaluation factors include street capacity and level of service, on-street parking impacts, access requirements, neighborhood impacts, and pedestrian safety.
- 4) Public services for water, sanitary and storm sewer, water management, and for fire and police protection are capable of servicing the proposed use.
- 5) The proposal will not have significant adverse impacts on the livability of nearby residentially zoned lands due to (a) noise, glare, odor, litter, or hours of operation or (b) privacy and safety issues.
- 6) Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Site Plan Review (ADC 9.208(2))

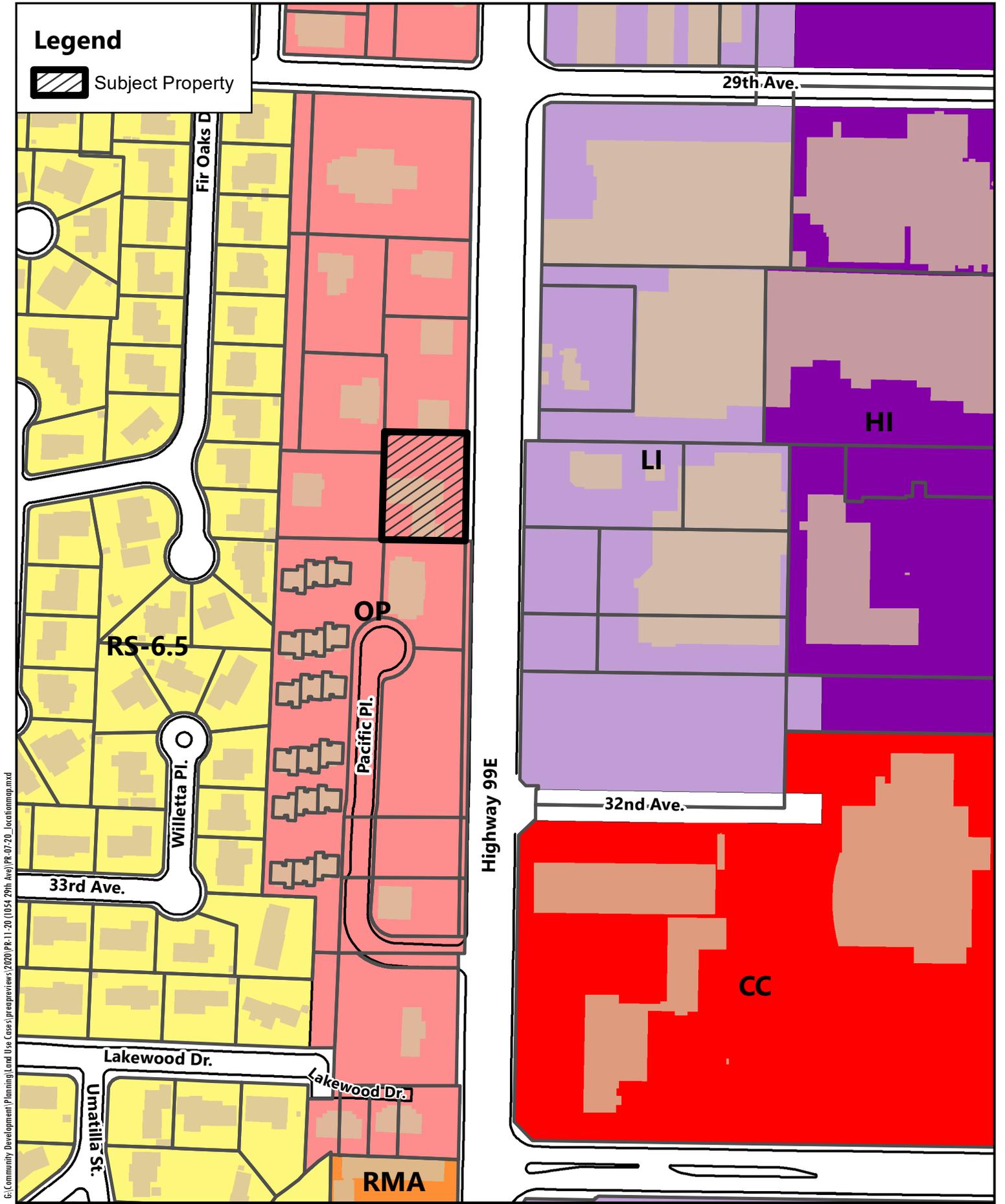
- a) It is necessary to fell trees in order to construct proposed improvements in accordance with an approved site plan review or conditional use review, or to otherwise utilize the applicant's property in a manner consistent with its zoning, this Code, applicable plans adopted by the City Council, or a logging permit issued by the Oregon Department of Forestry.
- b) The proposed felling is consistent with State standards and City ordinances, and does not negatively impact the environmental quality of the area, including but not limited to: the protection of nearby trees and windbreaks; wildlife; erosion; soil retention and stability; volume of surface runoff and water quality of streams; scenic quality, and geological sites.
- c) The uniqueness, size, maturity, structure, and historic value of the trees have been considered and all other options for tree preservation have been exhausted. The Director may require that trees determined to be unique in species, size, maturity, structure, or historic values are preserved.
- d) Tree felling in Significant Natural Resource Overlay Districts meets the applicable requirements in Article 6.

Additional review standards for this application are found in ADC Articles 1, 2, 4, 6, 8, 9, & 12.

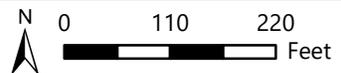
Attachments: Location Map, Daycare Site Plan, Tree Removal Map

Legend

 Subject Property



G:\Community Development\Planning\Land Use Cases\prepreviews\2020\Pr-11-20 (1054 29th Ave)\PR-07-20_locationmap.mxd



Date: 1/28/2020 Map Source: City of Albany

1054 29th Ave SW

Location / Zoning Map



Contractor
TBD

Tenant:
ALBANY YMCA
3201 SW PACIFIC BLVD
ALBANY, OR 97321
FRED PATTERSON

TENANT IMPROVEMENT
ALBANY YMCA
LEARNING CENTER
1054 SW 29TH AVE ALBANY, OR 97321

Issue: COND. USE PERMIT
Date: 06/09/2020

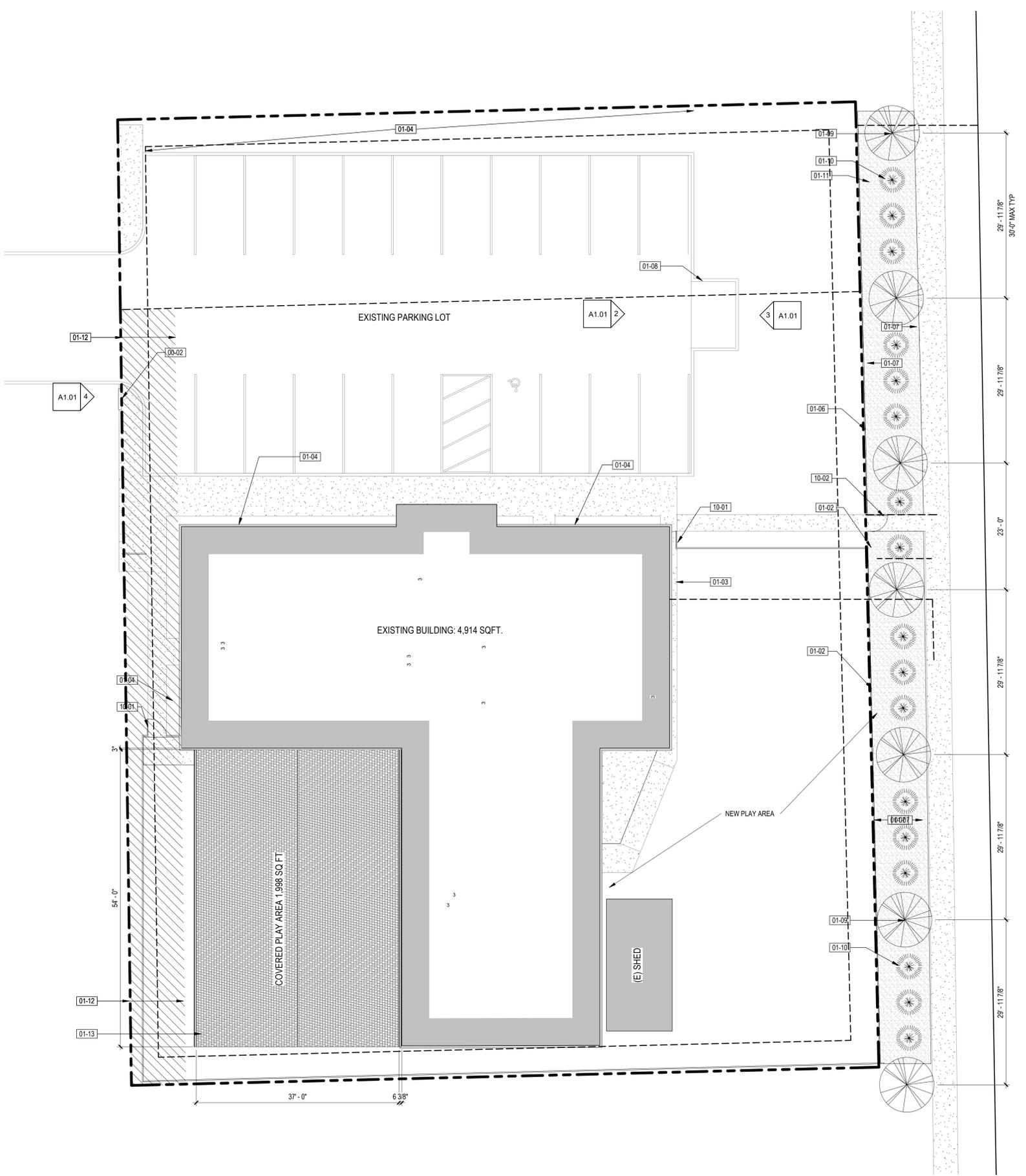
Revision: _____ Date: _____

SITE PLAN

A1.01

KEYNOTE LEGEND	
#	Keynote Description
00-02	EXISTING SIGN BASE TO REMAIN. UPPER SIGN TO BE REPLACED WITH EQUAL SIZED SIGN FOR YMCA
01-02	NEW PLAYGROUND FENCE TO BE CONSTRUCTED OF 6'-0" CHAIN LINK WITH SITE OBSCURING SLATS.
01-03	EXISTING GAS METER LOCATION
01-04	EXISTING LANDSCAPING
01-06	NEW FENCE TO MATCH PLAYGROUND FENCE TO BE PLACED ALONG PROPERTY LINE
01-07	PROPOSED LANDSCAPED AREA
01-08	EXISTING TRASH ENCLOSURE TO REMAIN
01-09	ONE OF 6 MINIMUM DECIDUOUS TREES (7) PROVIDED
01-10	ONE OF 14 MINIMUM ONE GALLON SHRUBS (17) PROVIDED
01-11	BARK DUST TO FILL IN BETWEEN PLANTS
01-12	WATERLINE EASEMENT 10'-0" FROM PROPERTY LINE /
01-13	NEW PLAY AREA COVER IS NOT TO ENCR OACH OVER WATER LINE EASEMENT
10-01	GATE WITH EGRESS HARDWARE
10-02	PUBLIC GATE

- LEGEND:**
- PROPERTY LINE
 - - - SETBACK LINE
 - EASEMENT LINE
 - ⦿ PARKING LOT LIGHTING
 - ⊙ 1 GALLON SHRUBS
 - ⊗ DECIDUOUS TREE
 - CHAIN LINK FENCE WITH PRIVACY SLATS
 - ⌒ FENCE GATE



2 (E) TRASH ENCLOSURE FRONT
3" = 1'-0"



3 (E) TRASH ENCLOSURE STREET
3/8" = 1'-0"



4 SIGNAGE
3/8" = 1'-0"

1 SITE PLAN_PROJECT NORTH
1" = 10'-0"



Contractor
TBD

Tenant:
ALBANY YMCA
3201 SW PACIFIC BLVD
ALBANY, OR 97321
FRED PATTERSON

TENANT IMPROVEMENT
ALBANY YMCA
LEARNING CENTER
1054 SW 29TH AVE ALBANY, OR 97321

Issue: COND. USE PERMIT
Date: 06/09/2020

Revision:	Date:

TREE FELLING

TF-1

EXISTING ADDRESS 1054 29TH AVE SW
ALBANY OREGON 97321

MAP # 11S04W13AC00409

OWNER: MERRYMAN LIVING TRUST
4714 SPRINGHILL DR NW
ALBANY OR 97321
ALL LOTS ARE PART OF OP

ZONING

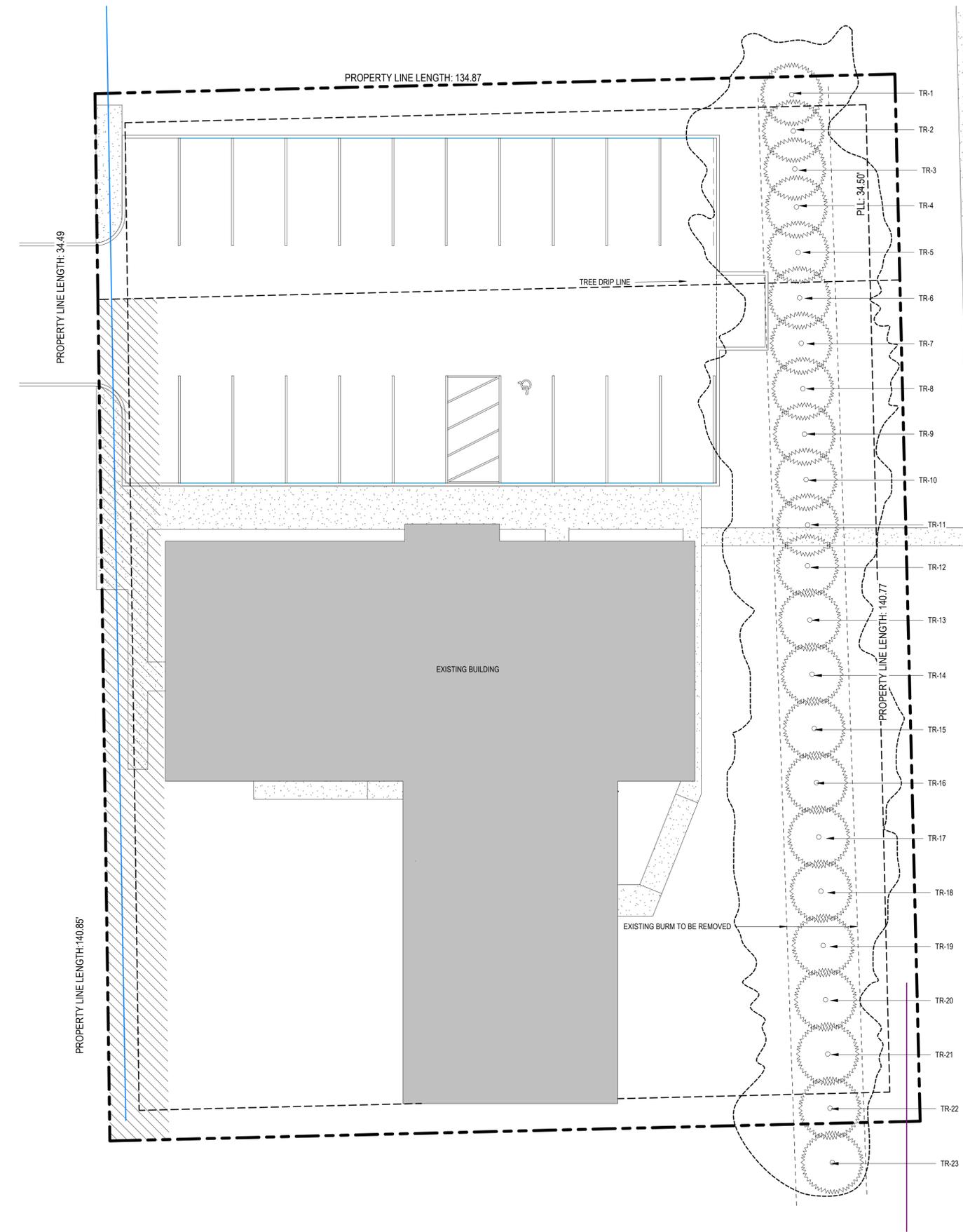
LOT SIZE: 55 ACR

LEGEND:

- PROPERTY LINE
- - - SETBACK LINE
- EASEMENT LINE
- Ⓛ PARKING LOT LIGHTING
- NOTE: LOCATIONS OF UTILITIES PROVIDED BY ALBANY INFOHUB
- X" WATER LINE
- X" SEWER LINE
- X" PRIVATE SEWER LINE
- X" STORM WATER DRAIN

TREE IDENTIFICATION

TREE NUMBER	TREE SPECIES	TRUNK CIRCUMFERENCE	CANOPY (SQ.FT.)	STATUS	RETAIN/REMOVE
TR-1	PINE	25 1/8"	-	DEAD	REMOVE
TR-2	PINE	40 13/16"	135	GOOD	REMOVE
TR-3	DOUGLAS FIR	44"	142.5	GOOD	REMOVE
TR-4	DOUGLAS FIR	40 13/16"	142.5	GOOD	REMOVE
TR-5	DOUGLAS FIR	40 13/16"	142.5	GOOD	REMOVE
TR-6	DOUGLAS FIR	59 11/16"	142.5	GOOD	REMOVE
TR-7	DOUGLAS FIR	59 11/16"	142.5	GOOD	REMOVE
TR-8	DOUGLAS FIR	40 13/16"	142.5	GOOD	REMOVE
TR-9	DOUGLAS FIR	44"	142.5	GOOD	REMOVE
TR-10	DOUGLAS FIR	47 1/8"	142.5	GOOD	REMOVE
TR-11	DOUGLAS FIR	40 13/16"	142.5	GOOD	REMOVE
TR-12	DOUGLAS FIR	34 9/16"	152	GOOD	REMOVE
TR-13	DOUGLAS FIR	31 3/8"	152	GOOD	REMOVE
TR-14	DOUGLAS FIR	44"	152	GOOD	REMOVE
TR-15	DOUGLAS FIR	40 13/16"	152	GOOD	REMOVE
TR-16	DOUGLAS FIR	47 1/8"	152	GOOD	REMOVE
TR-17	DOUGLAS FIR	44"	152	GOOD	REMOVE
TR-18	DOUGLAS FIR	34 9/16"	152	GOOD	REMOVE
TR-19	DOUGLAS FIR	40 13/16"	152	GOOD	REMOVE
TR-20	DOUGLAS FIR	47 1/8"	152	GOOD	REMOVE
TR-21	DOUGLAS FIR	22"	-	DEAD	REMOVE
TR-22	DOUGLAS FIR	44"	152	GOOD	REMOVE
TR-23	DOUGLAS FIR	37 9/26"	152	GOOD	REMOVE



TREE FELLING PLAN
1
1" = 10'-0"