



COMMUNITY DEVELOPMENT

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

Revised Notice of Public Hearing

Historic Review of New Construction

HI-04-20

June 3, 2020

HEARING INFORMATION

Review Body:	City Council (Type III)
Hearing Date:	Wednesday, June 24, 2020
Hearing Time:	7:15 p.m.
Hearing Location:	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.

At 7:15 p.m., join with the GoToMeeting app on your computer, tablet, or smartphone (using your device's microphone and speakers):

<https://www.gotomeet.me/cityofalbany/ccm>

If you wish to dial in using your phone:

Call toll free: 1-646-749-3129 (**long distance charges may apply**)

and when prompted enter access code: 491-970-829

Application Information

Type of Application:	Historic Review of New Construction of two three-story mixed-use buildings within the Monteith National Register Historic Overlay District
Review Body:	City Council (Type III review)
Property Owner/Applicant:	Mark and Tina Siegner; 516 Kouns Drive NW, Albany, OR 97321
Architect/Representative:	William Ryals; 935 Jones Avenue NW, Albany, OR 97321
Address/Location:	525 & 533 4th Avenue SW; 331 Calapooia Street SW
Map/Tax Lot:	Linn County Assessor's Map No.; 11S-04W-12AA; Tax Lot 700
Zoning:	Downtown Mixed Use (DMU) Zone District; Monteith National Register Historic Overlay District

The Landmarks Commission (LC) reviewed the subject proposal during duly advertised public hearings on May 6, and May 19, 2020, and voted to deny the application. On May 29, 2020, a notice of appeal was

cd.cityofalbany.net



submitted by the applicant. We are mailing notice of this public hearing to property owners within 300 feet of the proposed development.

A copy of the application, 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 Wednesday, June 17, 2020, on the City's website at:

www.cityofalbany.net/cdprojects

Should you wish to discuss this case with a planner, please contact Project Planner Laura LaRoque at laura.laroque@cityofalbany.net, 541-917-7640, or Planning Manager David Martineau at 541-917-7561. Submit any written comments to the 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.

YOUR COMMENTS

Your comments will be considered when the City Council makes a decision on this application. All testimony and evidence must be directed toward the approval standards for the applications listed in this notice. Failure to raise an issue by letter or verbally 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 issue raised precludes an appeal based on that issue.

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 Tuesday, June 23, 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 mayor will call upon those who have registered to speak first, followed by any others.

The public hearing will occur on Wednesday, June 24, 2020, at 7:15 p.m., the City Council 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. Following this, written comments received from the public will then be entered into the record. 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, in 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 City Council 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 mayor 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 City Council'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 City Council may be appealed by persons with standing to the Land Use Board of Appeals (LUBA) by filing a notice of intent to appeal to LUBA not later than 21 days after the decision becomes final.

Approval Standards for This Request

New Construction Review Criteria (ADC 7.270(1))

Within the Monteith and Hackleman Districts:

- (1) The development maintains any unifying development patterns such as sidewalk and street tree location, setbacks, building coverage, and orientation to the street.
- (2) The structure is of similar size and scale of surrounding buildings, and as much as possible reflects the craftsmanship of those buildings.
- (3) Building materials are reflective of and complementary to existing buildings within the district.

Additional review standards for this application are found in ADC Articles 1, 5, 7, 8, 9, 11, 12, and 13.

Attachments: Location Map, Site Plan (Sheet A0.1), Elevations (Sheets A3.0 & A3.1)