



PUBLIC WORKS - 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

Historic Review of Demolition

HI-12-18

September 19, 2018

HEARING INFORMATION

Review Body:	City Council
Hearing Date:	Wednesday, October 10, 2018
Hearing Time:	7:15 p.m.
Hearing Location:	Albany City Hall, Council Chambers, 333 Broadalbin Street SW

APPLICATION INFORMATION

Proposal:	Demolition of three historic contributing homes in the Monteith Historic District
Property Owner:	Mark and Tina Siegner, 516 NW Kouns Drive, Albany, OR 97321
Address/Location:	331 SW Calapooia Street, Albany, OR 97321; 533 SW 4 th Avenue, Albany, OR 97321; 525 SW 4 th Avenue, Albany, OR 97321
Map/Tax Lot:	Linn County Tax Assessor's Map No(s): 11S-04W-12AA; Tax Lot 700
Zone District:	Downtown Mixed Use (DMU) District with Historic /HD Overlay

The Landmarks Advisory Commissioner (LAC) reviewed the subject proposal during a duly advertised public hearing on September 5, 2018, and voted to stay the proposed demolition for 365 days. On September 12, 2018, the City Council ordered a de novo review of the LAC decision in accordance with Albany Development Code 1.520(4). We are mailing notice of this public hearing to property owners within 300 feet of the subject site.

A copy of the application, 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 at the Planning Division located in City Hall by 5:00 p.m. on Wednesday, October 3, 2018 and on the City's web site at:

www.cityofalbany.net/cdprojects

Copies will be provided upon request at a reasonable cost. **For more information**, please contact Bob Richardson, Planning Manager, at 541-917-7555, or David Martineau, Planner III, at 541-917-7561. 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.

cd.cityofalbany.net



YOUR COMMENTS

We invite your comments, either in writing prior to the day of the public hearing or in person at the hearing. 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 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 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 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 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 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.

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.

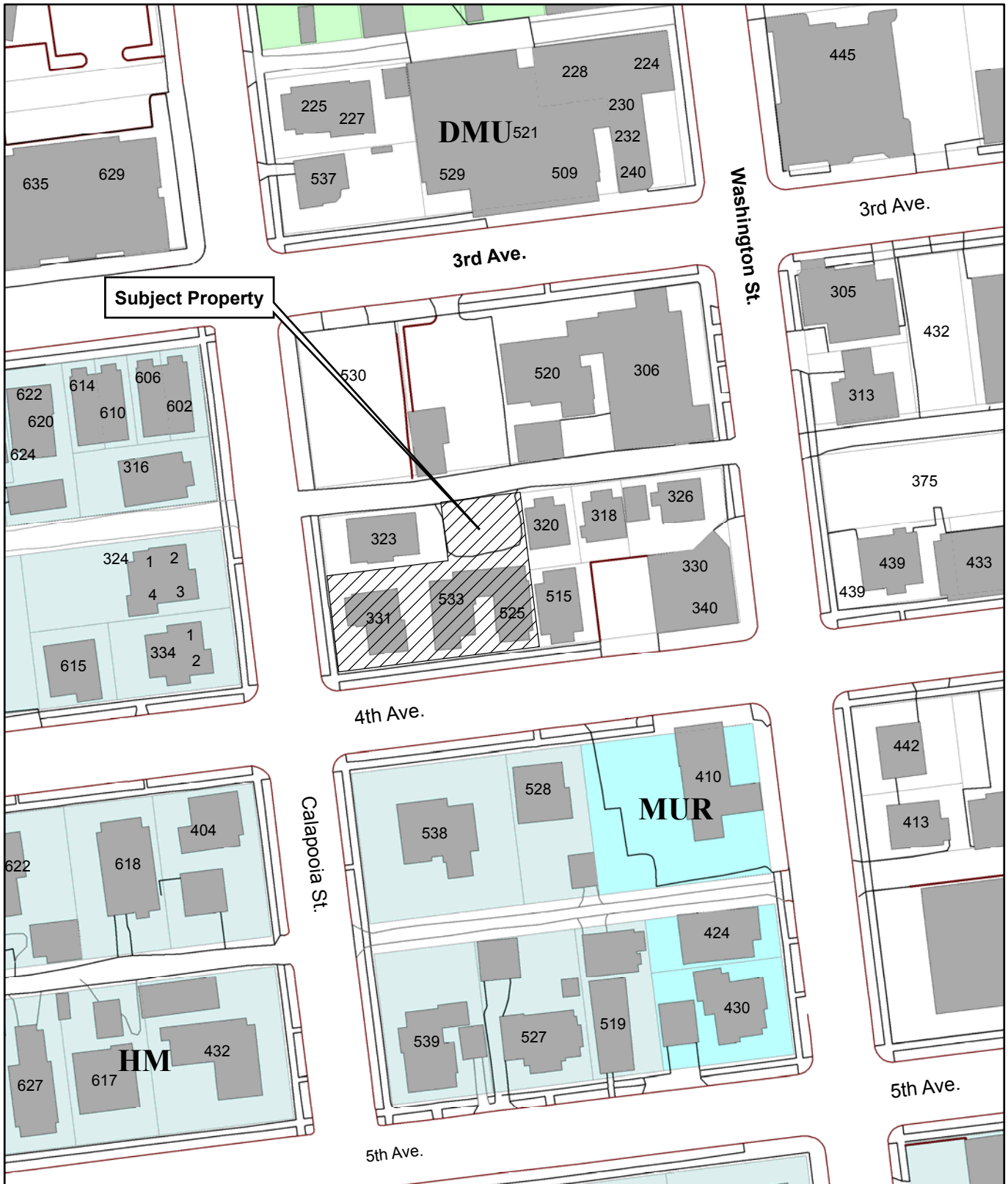
REVIEW CRITERIA FOR THIS APPLICATION

Historic Review of Demolition (ADC 7.330)


The City Council must find that the demolition or relocation request meets the following applicable criteria:

- (1) No prudent or feasible alternative exists, **or**
- (2) The building or structure is deteriorated beyond repair and cannot be economically rehabilitated on the site to provide a reasonable income or residential environment compared to other structures in the general area, **or**
- (3) There is a demonstrated public need for the new use that outweighs any public benefit that might be gained by preserving the subject buildings on the site.
- (4) The proposed development, if any, is compatible with the surrounding area considering such factors as location, use, bulk, landscaping, and exterior design.
- (5) If the building or structure is proposed to be moved, moving to a site within the same historic district is preferred to moving it outside the district.

Attachment: Location Map



**Location Map: 331 Calapooia St. SW; 533 4th Avenue SW;
525 4th Avenue SW, Albany, OR 97321**



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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June 14, 2018

Planning Division

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