



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 or Relocation

HI-20-20

September 17, 2020

HEARING INFORMATION

Review Body:	Landmarks Commission (Type III)
Hearing Date:	Wednesday, October 7, 2020
Hearing Time:	6:00 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 6:00 p.m., join with the GoToMeeting app on your computer, tablet, or smartphone (using your device's microphone and speakers):

<https://www.gotomeet.me/CommunityDevelopmentCityofAlbany/landmarks>

You can use your microphone or dial in using your phone.

Call: [1-408-650-3123](tel:1-408-650-3123)

Access code: [368-235-021](tel:368-235-021)

Application Information

Type of Application:	Historic Review of Demolition or Relocation to move the Cumberland Church from a property located at 401 Main Street SE to 520 Pine Street SE.
Review Body:	Landmarks Commission (Type III review)
Property Owner:	City of Albany, P.O. Box 490, Albany, OR 97321
Applicant:	Joel Orton, Cumberland Events Center; P.O. Box 2495, Albany, OR 97321
Address/Location:	401 Main Street SE, Albany, OR 97321 (Property A) & 520 Pine Street SE, Albany, OR 97321 (Property B)
Map/Tax Lot:	Linn County Assessor's Map No(s); 11S-03W-06DD Tax Lot 11300 (Property A) & 11S-03W-08BB Tax Lot 201 (Property B)
Zoning:	Both properties are within the Main Street (MS) Zoning District

cd.cityofalbany.net



The Planning Division has received the application referenced above and has scheduled a public hearing before the Landmarks Commission. We are mailing notice of the application 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, September 30, 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 Tony Mills at tony.mills@cityofalbany.net, 541-917-7555, 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 Landmarks Commission 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 Landmarks Commission 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 Monday, October 5, 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 **Wednesday, October 7, 2020, at 6:00 p.m.** The Landmarks Commission 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, 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 Landmarks Commission 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 Landmarks 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 Landmarks 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 ten days of the date the City mails the notice of decision.

Approval Standards for This Request

Eligibility for Demolition or Relocation (ADC 7.310)

Demolition/Moving permits will be processed in accordance with the following:

1. The building official shall issue a permit for relocation or demolition if any of the following conditions exist:
 - (a) The building or structure is designated non-contributing within an historic district.
 - (b) The building or structure has been damaged in excess of 70 percent of its previous value in a fire, flood, wind, or other act of God, or vandalism.
2. Those requests not meeting building official approval conditions shall be reviewed by the Landmarks Commission. The application shall be submitted at least 35 days in advance of the next regularly scheduled public hearing/meeting of the Landmarks Commission, unless waived by the director when adequate notice can otherwise be achieved.

Review Criteria (ADC 7.330)

The Landmarks Commission 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.

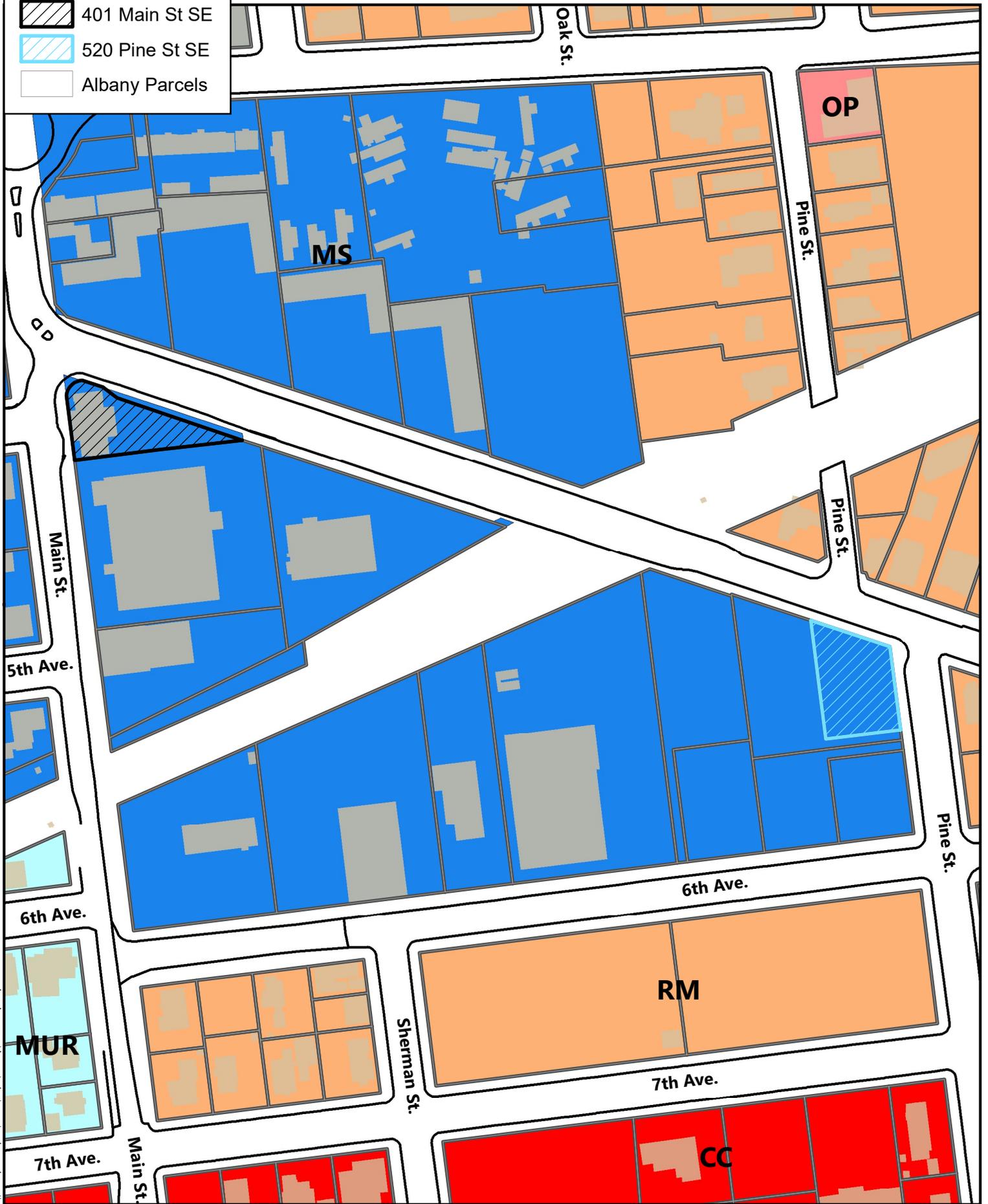
5. If the building or structure is proposed to be moved, moving to a site within the same historic district is preferred to moving it outside the district.

Additional review standards for this application are found in ADC Articles 1, 2, 5, & 7.

Attachments: Location Map, Site Plan, Elevations, Relocation Route

Legend

-  401 Main St SE
-  520 Pine St SE
-  Albany Parcels



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401 Main Street SE & 520 Pine Street SE

Date: 9/15/2020 Map Source: City of Albany

Location / Zoning Map

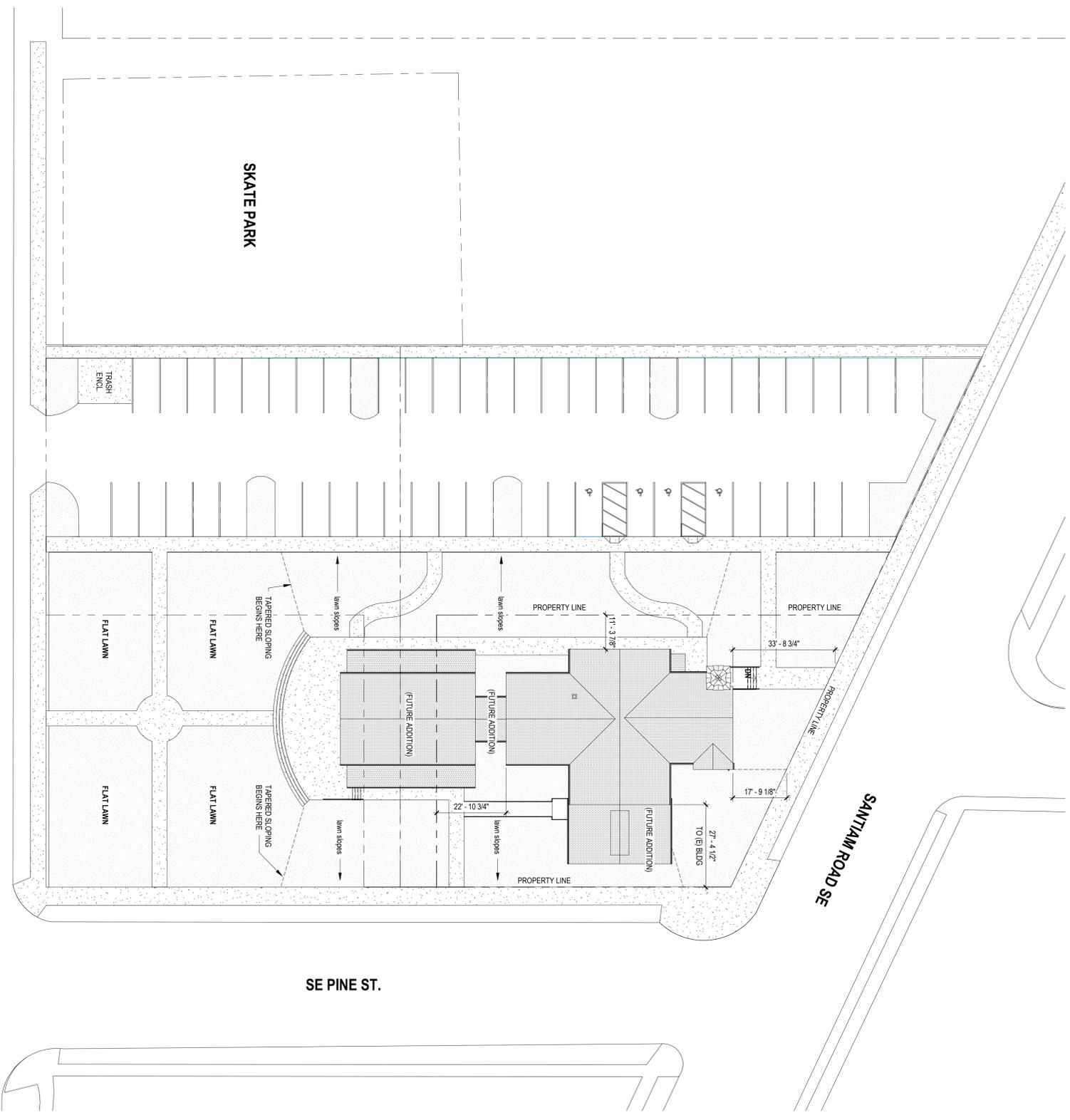
Issue:	SD SET
Date:	APRIL 2020
Revisior:	Date:

LEGEND:

- PROPERTY LINE
- - - SETBACK LINE
- EASEMENT LINE
- ↕ PARKING LOT LIGHTING

KEYNOTE LEGEND

Keynote Description



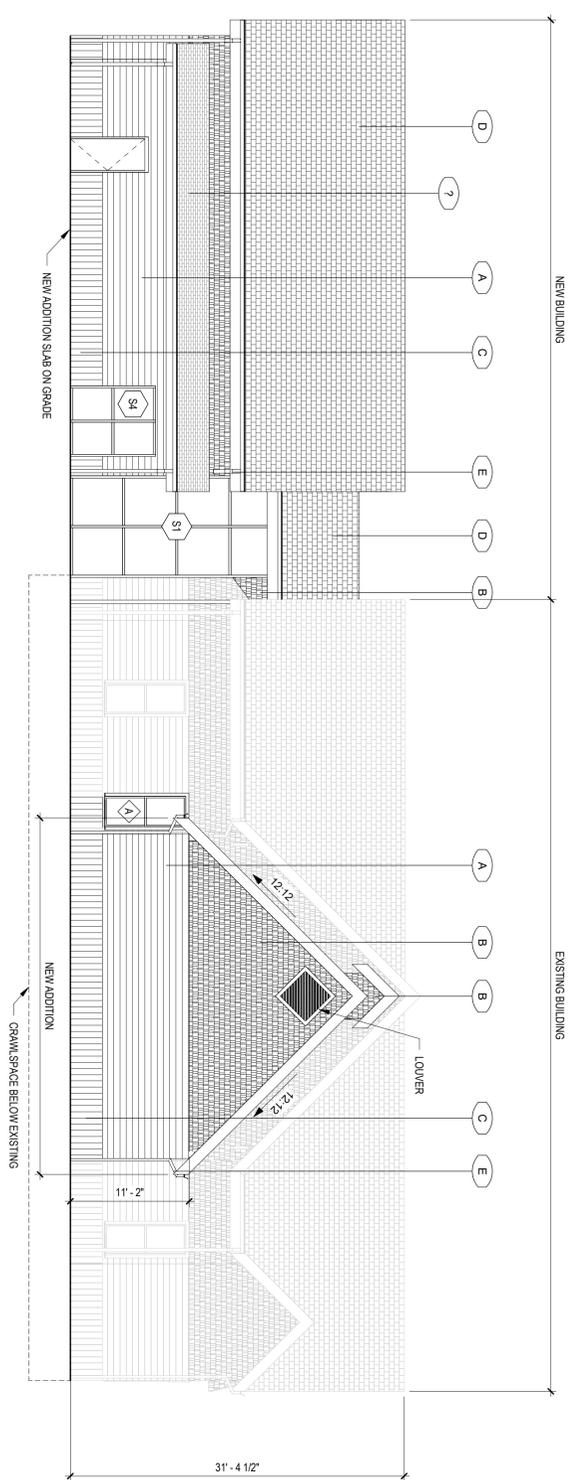
1 SITE PLAN PROJECT NORTH
1" = 20'-0"

Mark	Material	Finish Location	Manufacturer	Patent/Feature	Color
A	HORIZONTAL LAP SIDING	WALL			
B	SHAKE SIDING	WALL			
C	VERTICAL LAP SIDING	WALL			
D	ASPHALT SHINGLES	ROOF			
E	ALUMINUM	DOWNSPOUT			

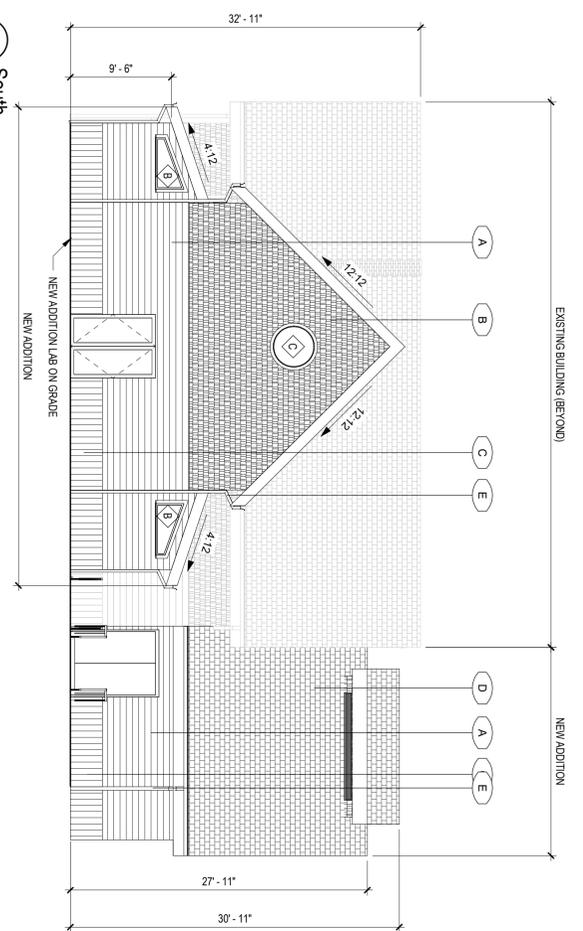
EXTERIOR FINISH KEY

KEYNOTE LEGEND

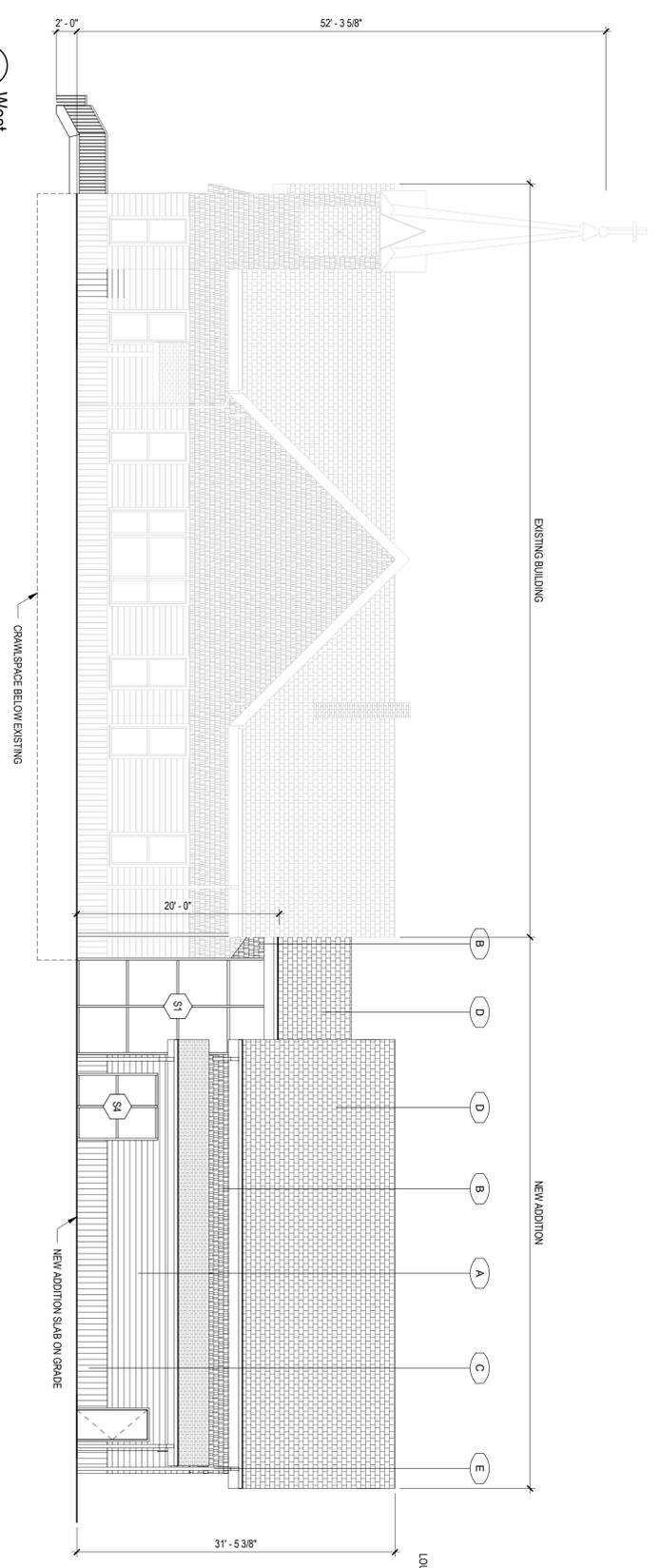
#	Keypoint Description



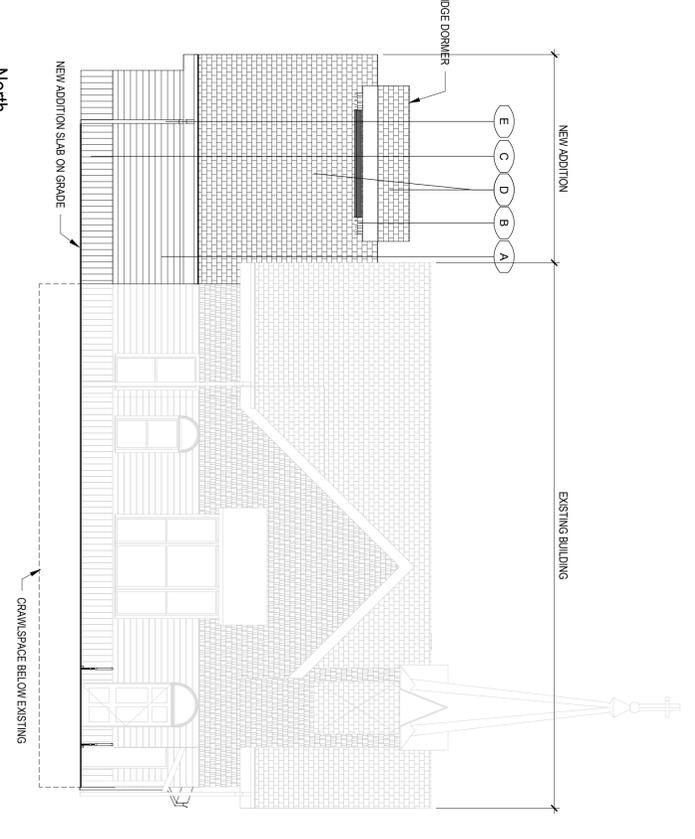
2 East
1/8" = 1'-0"



3 South
1/8" = 1'-0"



4 West
1/8" = 1'-0"



North
1/8" = 1'-0"

Relocation Route

