Notice of Public Hearing
Modification to Previously Approved
Tentative Subdivision Plat

File: SD-04-20

HEARING INFORMATION

Review Body: Planning Commission
Hearing Date: Monday, November 9, 2020
Hearing Time: 5:15 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 5:15 p.m., join with the GoToMeeting app on your computer, tablet, or smartphone (using your device’s microphone and speakers):
https://www.gotomeet.me/CommunityDevelopmentCityofAlbany/pc

You can use your microphone or dial in using your phone:
Phone: 571-317-3122
Access Code: 498-239-709

APPLICATION INFORMATION

Proposal: Modification of a previously approved Tentative Subdivision Plat. The previous decision granted approval for a 226-Lot Phased Subdivision with Floodplain Review under Planning Files SD-01-14 and FP-01-14. The proposed modification would divide five large lots prior to developing multiple lots within each of these large lots.

File: SD-04-20 (Related Files: SD-01-14 and FP-01-14)

Review Body: Planning Commission (Type III review)

Property Owner/Applicant: Tri-County Investments LLC
17933 NW Evergreen Parkway
Beaverton, OR 97006
Applicant’s Representative: Pioneer Design Group
9020 SW Washington Square Road, Suite 170
Portland, OR 97223

Address/Location 6150 Columbus Street SE
Map/Tax Lot: Linn County Assessor’s Map No. 11S-03W-29; Tax Lot 300
Zoning: Multiple Zones: Residential Single Family (RS-5); Residential Medium Density (RM); Mixed Use Commercial (MUC); Open Space (OS)

The Planning Division has received the application referenced above and has scheduled a public hearing before the Planning Commission. We are mailing notice of this public hearing to participants entitled to notice and 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 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 will be available by 5:00 p.m. on Monday, November 2, 2020, and on the City’s web site at:
http://www.cityofalbany.net/departments/community-development/planning/all-projects.

Should you wish to discuss this case with a planner, please contact Project Planner Melissa Anderson at melissa.anderson@cityofalbany.net or 541-704-2319, 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
We invite your comments, either in writing prior to the day of the public hearing or virtually at the hearing. Your comments will be considered when the Planning Commission makes a decision on this application. All testimony and evidence must be directed toward the approval standards for this 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 Planning 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 Friday, November 6, 2020. To appear 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, November 9, 2020, at 5:15 p.m., and the Planning Commission will open the public hearing. 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. 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 this, 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 Planning 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 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.

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 the decision to the applicant and any other parties entitled to notice. The Planning Commission’s decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal not later than 21 days after the notice of decision is mailed [ADC 1.520(2)].

**Approval Standards for This Request**

**Tentative Plat Review (ADC) 11.180:**

1. The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Section.
2. Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.
3. Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.
4. The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.
5. The location and design allows development to be conveniently served by various public utilities.
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.

Additional review standards for this Site Plan Review application are found in ADC Articles 1, 2, 3, 6, 9, 11 & 12.

**Attachments:**

1. Location Map
2. Site Plan
Location: 6150 Columbus Street SE

City of Albany, OR

Date: 9/17/2020    Map Source: City of Albany

Subject Properties

Ellingson Rd.

Seven Mile Ln.

OAK CREEK

Subject Properties

Albany Taxlots