



## Community Development

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

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### NOTICE OF PUBLIC HEARINGS

<b><u>HEARING BODY</u></b>	PLANNING COMMISSION	CITY COUNCIL
<b><u>HEARING DATE</u></b>	Monday, December 17, 2018	Wednesday, January 23, 2019
<b><u>HEARING TIME</u></b>	5:15 p.m.	7:15 p.m.
<b><u>HEARING LOCATION</u></b>	Council Chambers, Albany City Hall, 333 Broadalbin Street SW	

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DATE OF NOTICE:	November 26, 2018
FILE:	VC-01-18
TYPE OF APPLICATION:	Street Vacation for a portion of the Walnut Street SW right-of-way. The total area proposed to be vacated is 0.24 acres.
REVIEW BODY:	Planning Commission and City Council (Type IV)
PROPERTY OWNER/APPLICANT:	WSS Properties, LLC; Richard P. Smith, P.O. Box 158, Rickreall, OR 97371
ENGINEER:	Troy L. Plum, PE, TKP Engineering, LLC; P.O. Box 374, Corvallis, OR 97339
ADDRESS/LOCATION:	Unassigned; south end of Walnut Street SW, west of Tax Lot 101, East of Tax Lot 100 and North of Tax Lot 200
MAP/TAX LOT:	None; Adjacent to Linn County Assessor's Map No. 11S-04W-13AA, Tax Lots 100, 101, 200, 1100 and 1401
ZONING:	N/A

The City of Albany has received the application referenced above. We are mailing notice of this public hearing to property owners within 300 feet of the right-of-way proposed to be vacated. We invite your comments, either in writing prior to the day of the public hearing or in person at the hearing. Comments will be taken into account when the Planning Commission and City Council make decisions on these applications.

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 for the Planning Commission hearing will be available at the Planning Division located in City Hall and the City's website at the following link: <http://www.cityofalbany.net/departments/community-development/planning/all-projects> by 5:00 p.m. on Monday, December 10, 2018. Copies will also be provided upon request at a reasonable cost. For more information, please contact **Melissa Anderson, Project Planner**, at 541-704-2319,

([melissa.anderson@cityofalbany.net](mailto:melissa.anderson@cityofalbany.net)). Submit any written comments to the Planning Division, 333 Broadalbin Street SW, 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.

If additional documents or evidence is 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 ORS 227.178

#### YOUR COMMENTS

All testimony and evidence must be directed toward the approval standards for the application listed in this notice. Failure to raise an issue in writing, or in person during the public hearing, 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 and 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 Planning staff. Then the applicant will testify, followed by testimony from other people in support of the application. After the people who are 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 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.

#### APPROVAL STANDARDS FOR THIS REQUEST

Albany Development Code (ADC)

##### STREET VACATION (ADC 2.630)

- (1) The requested vacation is consistent with relevant Comprehensive Plan policies and with any street plan, city transportation, or public facility plan.
- (2) The requested vacation will not have a negative effect on access between public rights-of-way or to existing properties, potential lots, public facilities, or utilities.
- (3) The requested vacation will not have a negative effect on traffic circulation or emergency service protection.
- (4) The portion of the right-of-way that is to be vacated will be brought into compliance with Code requirements, such as landscaping, driveway access, and reconstruction of access for fire safety.
- (5) The public interest, present, and future will be best served by approval of the proposed vacation.

Attachments: Location Map

**EXHIBIT**  
for  
**WALNUT STREET VACATION**

in the  
NW 1/4 OF SECTION 13  
T 11 S, R 4 W, W.M.  
BENTON COUNTY, OREGON

APRIL 12, 2018

**MONUMENT TABLE**

- (A) ...FOUND 1/2" IRON ROD, PER CS 10240
- (B) ...FOUND 3/4" IRON PIPE, PER UNKNOWN ORIGIN
- (C) ...FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP "NORNESS LS 1034", PER CS 19291
- (D) ...FOUND 5/8" IRON ROD WITHOUT CAP, PER CS 19291
- (E) ...FOUND 5/8" IRON ROD WITHOUT CAP, PER CS 19291
- (F) ...FOUND RAILROAD SPIKE, PER CS 19291
- (G) ...FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP "NORNESS LS 1034", PER CS 19291
- (H) ...FOUND LEAD PLUG W/ TACK, PER CS 19291

**LEGEND**

- .... FOUND MONUMENT AS NOTED IN TABLE
- + .... COMPUTED POINT, NOTHING FOUND OR SET
- ( ) ....RECORD DATA FROM CS 10240
- [ ] ....RECORD DATA FROM CS 19291
- { } ....RECORD DATA FROM CS 13994
- .... CATCH BASIN (CB)
- ⊙ .... STORM DRAIN MANHOLE (SDMH)
- ⊠ .... CURB INLET (CI)
- ⊞ .... GAS METER
- ⊠ .... COMMUNICATIONS PEDESTAL
- ⊙ .... POWER POLE
- \* .... LIGHT POLE
- ⊠ .... WATER VALVE
- ⊠ .... FIRE HYDRANT

- SD .... STORM DRAINAGE
- WL .... WATER LINE
- OH .... OVERHEAD UTILITIES
- GAS .... NATURAL GAS LINE
- UGT .... COMMUNICATIONS LINE
- X X .... FENCE
- .... EASEMENT LINE
- .... CONCRETE SURFACE
- .... ASPHALT SURFACE

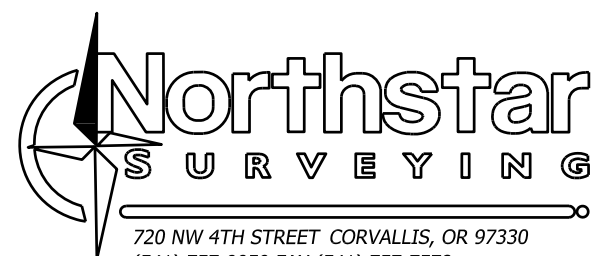
**LINE TABLE**

LINE	BEARING	DISTANCE	RECORD BEARING	RECORD DIST.
L1	N 02°01'36" W	24.99'	(N 02°05'31" W)	(25.00')
L2	N 02°01'36" W	25.00'	(N 02°05'31" W)	(25.00')
L3	S 89°02'27" W	31.50'	(S 88°52'15" W)	(31.50')
L4	N 00°48'00" W	24.81'	(N 00°48'00" W)	(25.00')
L5	N 17°02'05" E	103.13'		
L6	N 00°48'00" W	98.08'		

REGISTERED  
**PROFESSIONAL  
LAND SURVEYOR**

OREGON  
JUNE 10, 2014  
DAVID LEE SCHLOSSER JR.  
72617

RENEWS: 06/30/2018



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