



COMMUNITY DEVELOPMENT DEPARTMENT

333 Broadalbin Street SW, P.O. Box 490
Albany, OR 97321

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www.cityofalbany.net

NOTICE OF PUBLIC HEARINGS

<u>HEARING BODY</u>	PLANNING COMMISSION	CITY COUNCIL
<u>HEARING DATE</u>	Monday, January 29, 2018	Wednesday, February 14, 2018
<u>HEARING TIME</u>	5:15 p.m.	7:15 p.m.
<u>HEARING LOCATION</u>	Council Chambers, Albany City Hall, 333 Broadalbin Street SW	

GENERAL INFORMATION

DATE OF NOTICE:	January 12, 2018
FILES:	VC-03-17
TYPE OF APPLICATIONS:	Street Vacation for a portion of 9th Avenue SE from Jackson Street to the centerline of Railroad Street, also vacating the east half of Railroad Street north of 9th Avenue SE to the railroad tracks.
REVIEW BODIES:	Planning Commission and City Council (Type IV)
PROPERTY OWNER:	City of Albany, 333 Broadalbin Street SE, Albany, OR 97321
APPLICANT:	Gordon Steffensmeier, on behalf of the City of Albany; 333 Broadalbin Street SE, Albany, OR 97321
ADDRESS/LOCATION:	Unassigned; west of Jackson Street; north of 400 9th Avenue SE and 950 Jackson Street SE; south and west of 411 9th Avenue SE; south of 810 Jackson Street SE
MAP/TAX LOT:	None; Adjacent to Linn County Assessor's Map No. 11S-03W-07BD Tax Lot 401 and 11S-03W-07BA Tax Lot 12501 and 12402
ZONING:	Light Industrial (LI)

The Planning Division has received the street vacation application referenced above and has scheduled Public Hearings before the Planning Commission and City Council. 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, January 22, 2018. The staff report for the City Council hearing will be available at the aforementioned locations by 5:00 p.m. on Wednesday, February 7, 2018. Copies will also be provided upon request at a reasonable cost. For more information, please contact Gordon Steffensmeier, Public Works Division, at 541-917-7647, gordon.steffensmeier@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, Access Easement Retained, Utility Easement Retained, Vacated Areas Transferred