



## COMMUNITY DEVELOPMENT

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

### NOTICE OF PUBLIC HEARINGS

HEARING BODY	PLANNING COMMISSION	CITY COUNCIL
HEARING DATE	Monday, August 19, 2019	Wednesday, September 25, 2019
HEARING TIME	5:15 p.m.	7:15 p.m.
HEARING LOCATION	Council Chambers, Albany City Hall, 333 Broadalbin Street SW	
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DATE OF NOTICE:	July 29, 2019	
FILES:	ZC-03-19	
TYPE OF APPLICATION:	Quasi-Judicial Zoning Map Amendment from the RS-6.5 (Residential Single Family) zoning district to the RS-5 (Residential Single Family) zoning district	
REVIEW BODY:	Planning Commission and City Council (Type IV)	
PROPERTY OWNER/APPLICANT:	Mike Shults, Well Built Homes PO Box 41, St. Paul, OR 97137	
APPLICANT REPRESENTATIVES:	Dave Reece, Reece & Associates, Inc. 321 1 <sup>st</sup> Avenue, Suite 3A, Albany, OR 97321	
ADDRESS/LOCATION:	840 Airport Road	
MAP/TAX LOT:	Linn County Assessor's Map No. 11S-03W-09BB Tax Lots 2700 & 2701	
ZONING:	RS-6.5 (Residential Single Family)	
COMPREHENSIVE PLAN DESIGNATION:	Low Density Residential	

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 property where the map amendments are proposed. 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.

We have attached location maps that show the current and proposed property zoning designations. 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->

[cd.cityofalbany.net](http://cd.cityofalbany.net)



[development/planning/all-projects](#) by 5:00 p.m. on Monday, August 12, 2019. 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 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 ORS 227.178

## YOUR COMMENTS

All testimony and evidence must be directed toward the approval standards and criteria 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 raised issue, 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 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.

## REVIEW CRITERIA FOR THIS APPLICATION

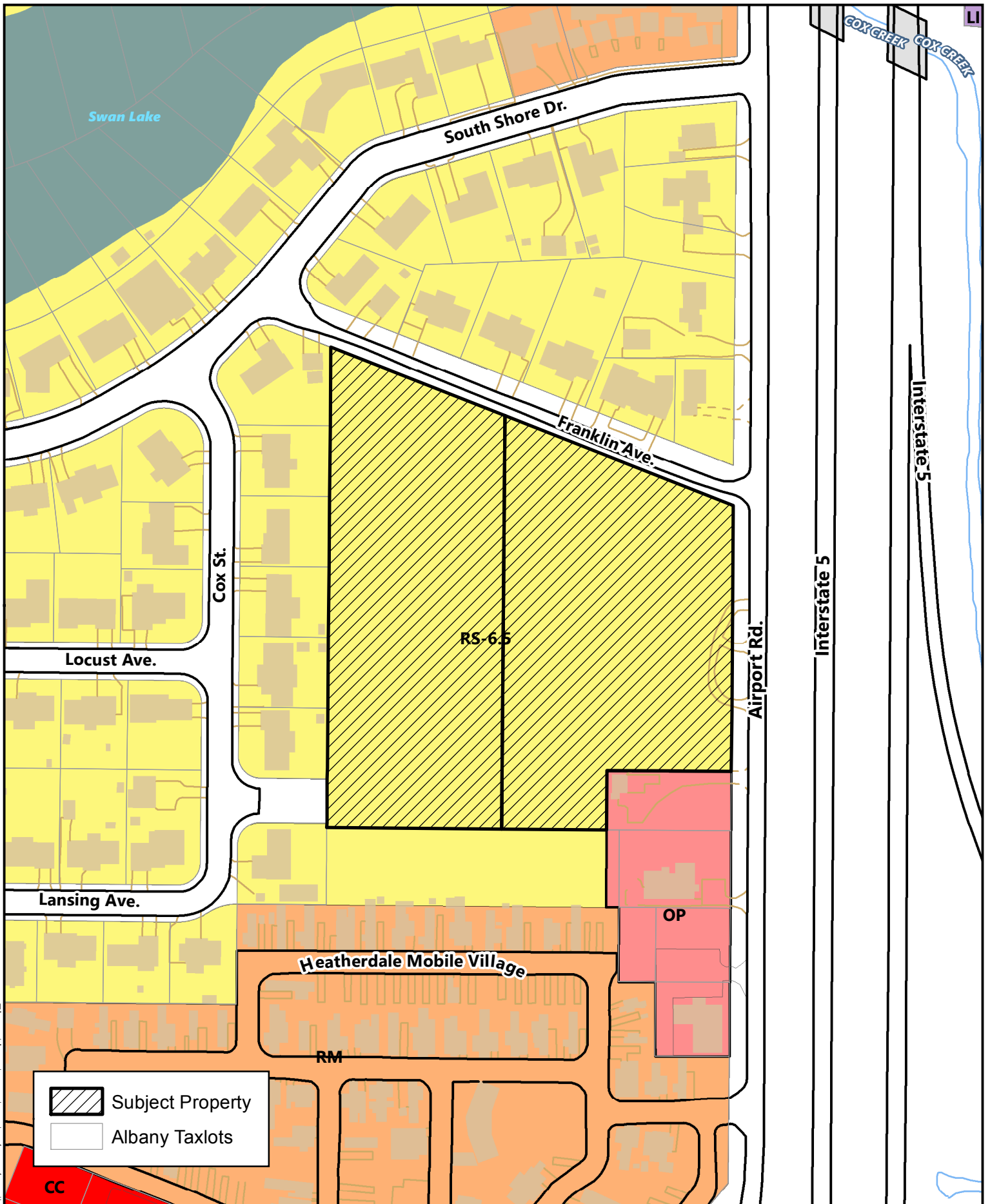
The Albany Development Code contains the following review criteria that must be met for this application to be approved:

### QUASI-JUDICIAL ZONING MAP AMENDMENT (ADC 2.740)

- (1) The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for.
- (2) Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation.

- (3) Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area.
- (4) The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.
- (5) The land use and transportation pattern recommended in any applicable city-contracted or funded land use or transportation plan or study has been followed, unless the applicant demonstrates good cause for the departure from the plan or study.

*Attachments: Location Map*



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Feet

Date: 3/6/2019 Map Source: City of Albany

**840 Airport Road SE**

Location / Zoning Map