



CITY OF ALBANY
PLANNING COMMISSION

MINUTES

Monday, July 13, 2020

Virtual Meeting

Approved: August 3, 2020

CALL TO ORDER

5:18 p.m.

Vice-Chair Dala Rouse called the meeting to order at 5:18 p.m.

ROLL CALL

Commissioners Present

Dala Rouse, JoAnn Miller, Diane Hunsaker, Ann Ketter, Ralph Menweg, Cordell Post, Therese Waterhous

Commissioners Absent

Kenny Larson (resigned), Larry Tomlin, (excused)

Staff Present

David Martineau, Planning Manager; Laura LaRoque, Planner III; Anne Catlin, Planner III; Rob Emmons, Assistant City Engineer; Shelley Shultz, Contracting Assistant.

APPROVAL OF MINUTES

5:18 p.m.

Commissioner Post motioned to approve the minutes from the March 16, 2020 Planning Commission Meeting. Commissioner Menweg seconded. A vote was taken and the motion to approve passed 7 - 0.

Business from the Public

5:20 p.m.

None.

Public Hearings - Type IV Legislative Review Process

5:21 p.m.

Land Use File CP-03-20

CP-03-20, Proposed text amendments of Appendices VI Public Facility Plans: Albany and Millersburg Water System Facility Plan and Albany Transportation Facility Plan of the Albany Comprehensive Plan to be amended in accordance to OAR 660-011-0045.

Vice-Chair Rouse opened the public hearing at 5:21 p.m.

Declarations by the Commission

5:21 p.m.

None

Staff Report

5:23 p.m.

Planner III Laura LaRoque presented staff report and pointed out the revised staff report was sent out today, in response to comments received from the Department of Land Conservation and Development (DLCD); these comments were specific to an Oregon Administrative Rule (OAR) that provides a review and adoption process for facility plans. Rather than follow our original proposal to amend solely by resolution, we will be following the process that is provided in OAR 660-011-0045. Assistant City Engineer Rob Emmons explained the purpose of the amendments and provided an overview of the proposed amendments.

Questions from the Commission

5:29 p.m.

Rouse asked if the City of Millersburg was included in noticing. Emmons stated that we have an intergovernmental agreement with Millersburg and said we do coordinate with Millersburg on funding for Capital Improvement Projects (CIP). LaRoque clarified that we did notify Millersburg, and they are given an opportunity to respond. We also notify Linn County and other pertinent agencies. Hunsaker wanted to confirm that we are just updating the Comprehensive Plan to bring into alignment with OAR. LaRoque confirmed, adding that it also brings clarity to the plan.

Applicant Testimony

5:32 p.m.

None

Public Testimony

5:32 p.m.

LaRoque said no one has responded by the 3:00 deadline to testify but said we could take testimony from the audience at this time. Scott Lepman, 100 Ferry St. NW, Albany, OR, asked for clarification on multi-unit properties and sewer laterals. Martineau said these amendments do not apply to individual projects like this. Emmons stated they are Capital Improvement Projects to apply city-wide, not development projects. Lepman asked if this would be addressed in the future. LaRoque said they are not proposing changes at this time, but staff can look into his specific development concern.

Procedural Questions

5:36 p.m.

None.

Vice-Chair Rouse closed the public hearing at 5:37 p.m.

Discussion

5:37 p.m.

None.

Motion

5:37 p.m.

Commissioner Post moved that the Planning Commission recommend that the City Council approve the proposed Comprehensive Plan amendments under planning file CP-03-20. This motion is based on the findings and conclusions in the July 13, 2020, staff report, and the findings in support of the application made by the Planning Commission during deliberations on this matter. Commissioner Miller seconded. A vote was taken, motion passed 7 – 0.

Land Use File CP-01-20 / DC-01-20

Comprehensive Plan Amendment regarding the title of the Landmarks Commission; Albany Development Code Amendment (IV-Legislative) regarding historic review of demolitions and title of the Landmarks Commission.

Vice-Chair Rouse opened the public hearing at 5:39 p.m.

Declarations by the Commission

5:40 p.m.

None

Staff Report

5:41 p.m.

Laura LaRoque, planner III, noted the removal of land use case CP-02-20 from tonight's agenda; it will be presented to the Planning Commission on September 28, 2020.

LaRoque presented the staff report for CP-01-20/DC-01-20 and gave overview of the review criteria and the history of this review. At this time there is a conflict in the language between the Albany Municipal Code (AMC) and the Albany Development Code (ADC) – the AMC describes the Landmarks Commission (LC) as an “advisory” role, while the ADC describes them as a “decision-maker”. Through Council review and amendment, the AMC was revised, giving the LC decision-making authority, as they have been operating for several years. The intention of this amendment is to make the ADC language match, removing the term “advisory” from the title of the Landmarks Commission.

The remaining ADC amendments are due to a change in the OAR. In 2018, ORS-660-023-0200 became effective, adding clear, distinctive steps in terms of surveying and designating historic resources, and also set forth a “shall protect” administrative order that relates specifically to demolitions. This requires that local governments must amend their development codes to protect historic resources.

Questions from the Commission

5:49 p.m.

None.

Applicant Testimony

5:34 p.m.

None.

Public Testimony

5:50 p.m.

No one signed up in advance to speak, so Vice-Chair Rouse asked if anyone in the audience wished to speak. Chet Houser, Montieth Historical Society, 35296 Riverside Drive, Albany, OR, 97321, asked what impact the removal of “advisory” will have on the Landmarks Commission. LaRoque said it is just a removal of the term “advisory”; two ordinances were already passed in 2019 that address the issue, ordinance 5928 and ordinance 5931, amending the AMC. Dala asked if the Landmarks Commission has the final say on a decision unless it is appealed; LaRoque said that for most types of reviews, this is the case. Council also approved a change in the LC commissioner appointment process back in 2019.

Procedural Questions

5:54 p.m.

None.

Vice-Chair Rouse closed the public hearing at 5:54 p.m.

Discussion

5:41 p.m.

None.

Motion

5:43 p.m.

Commissioner Post moved that the Planning Commission recommend that the City Council approve the proposed Comprehensive Plan and Development Code text amendments under planning files CP-01-20 and DC-01-20. This motion is based on the findings and conclusions in the July 6, 2020 staff report, and the findings in support of the application made by the Planning Commission during deliberations on this matter. Commissioner Hunsaker seconded. A vote was taken, motion passed 7 – 0. Vice-Chair Rouse declared that the Albany City Council will hold a public hearing for this case on Wednesday, August 26, 2020.

BUSINESS FROM THE COMMISSION

5:55 p.m.

None.

NEXT MEETING DATE

5:56 p.m.

At this time, there are meetings scheduled for July 27, 2020, August 3, 2020, and August 17, 2020, with the possibility of an additional meeting on August 31, 2020. Martineau reminded the commission to be sure they received the ADC packet that was emailed from City Manager Peter Troedsson last week. He also shared that virtual meetings will continue for the immediate future.

ADJOURNMENT

6:00 p.m.

Hearing no further business, Vice-Chair Rouse adjourned the meeting at 6:00 p.m.

Respectfully submitted,

Signature on File

Shelley Shultz
Contracting Assistant

Reviewed by,

Signature on File

David Martineau
Planning Manager