



## COMMUNITY DEVELOPMENT

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

# Notice of Public Hearing

## Tentative Subdivision Plat

SD-02-23

November 27, 2023

### HEARING INFORMATION

|                   |   |
|-------------------|---|
| Review Body:      | Planning Commission   |
| Hearing Date:     | <b>Monday, December 18, 2023</b>  |
| Hearing Time:     | 5:15 p.m.   |
| Hearing Location: | Council Chambers, Albany City Hall, 333 Broadalbin Street SW  |
|                   | <u>Virtual:</u> At 5:15 p.m., join the meeting using the link below:  |
|                   | <a href="https://council.cityofalbany.net/groups/hrb/zoom">https://council.cityofalbany.net/groups/hrb/zoom</a> |
|                   | <u>Phone:</u> +1 (253) 215-8782; Meeting ID: 872-7129-3237; Passcode: 902546                                    |

### APPLICATION INFORMATION

|                             |  |
|-----------------------------|--|
| Proposal:                   | Meadowlark, a Tentative Subdivision application to develop a 176-lot Cluster Subdivision in five phases.   |
| Review Body:                | Planning Commission (Type III review)  |
| Property Owner:             | Loren Gerig and LuAnn Brenneman<br>3795 Lochner Road SE, Albany, OR 97322  |
| Applicant:                  | Brian Thoreson, Hayden Homes<br>2464 Glacier Place, Suite 110, Redmond, OR 97756   |
| Applicant's Representative: | Scott Morris, A&O Engineering, LLC<br>380 Q Street Suite 200, Springfield, OR 97477  |
| Address/Location:           | Unassigned; property is located on the east side Lochner Road, south of vacant agricultural land and railroad tracks, west of residential properties addressed along Magnolia Way, and north of Oak Creek. |
| Map/Tax Lot:                | Linn County Assessor's Map No. 11S-03W-20; Tax Lot 606   |
| Zoning:                     | RS-6.5 (Residential Single-Dwelling District)  |

The Planning Division of the Albany Community Development Department 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 property owners within 1,000 feet of the subject site.

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



A copy of the application, all documents, and evidence submitted by or on behalf of the applicant, and applicable criteria are available for inspection 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, December 11, 2023, and on the City's website at:

<https://www.cityofalbany.net/cd/projectreview>

Should you wish to discuss this case with a planner, please contact Jennifer Cepello, project planner, at [jennifer.cepello@cityofalbany.gov](mailto:jennifer.cepello@cityofalbany.gov) or 541-917-7561. Please 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 (HOW TO TESTIFY):

We invite your comments, either in writing prior to the day of the public hearing or at the hearing. Your comments will be considered when the Planning Commission make 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.

Persons wanting to provide testimony for the Planning Commission public hearing may choose one of the following options:

1. Email written comments to [jennifer.cepello@cityofalbany.gov](mailto:jennifer.cepello@cityofalbany.gov) **before noon the day of the meeting** and include your name and subject of the public hearing, or mail comments to Albany Planning Division; PO Box 490, Albany, OR 97321; or
2. To testify virtually during the public hearing, register before **noon on the day of the meeting** by emailing [cdaa@cityofalbany.gov](mailto:cdaa@cityofalbany.gov), with your name, address, phone number, and if you are speaking for, against, or neutral on the proposal. The chair will call upon those who registered.
3. Appear in person at the meeting and register to speak using the sign-up sheet.

**Written comments will be included with respective meeting agenda packet if received by Jennifer Cepello at [jennifer.cepello@cityofalbany.gov](mailto:jennifer.cepello@cityofalbany.gov) on or before the following date:**

- 1) **December 8, 2023, for the December 18, 2023, Planning Commission meeting.**

Any person who submits written comments or testifies at a public hearing will receive a copy of the Notice of Decision.

This meeting is accessible to the public via video connection. The location for in-person attendance is accessible to people with disabilities. If you have a disability that requires accommodation, please notify City staff at least 48 hours in advance of the meeting at 541-917-7550, or email [cdaa@cityofalbany.gov](mailto:cdaa@cityofalbany.gov).

## PUBLIC HEARING PROCEDURE

The public hearing will occur on Monday, December 18, 2023, at 5:15 p.m. The hearing body 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 hearing body 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.

## 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 city council, not later than ten days after the notice of decision is mailed. The council decision (on appeal if necessary) 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 council notice of decision is mailed [ADC 1.520(2)].

## Approval Standards for This Request

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

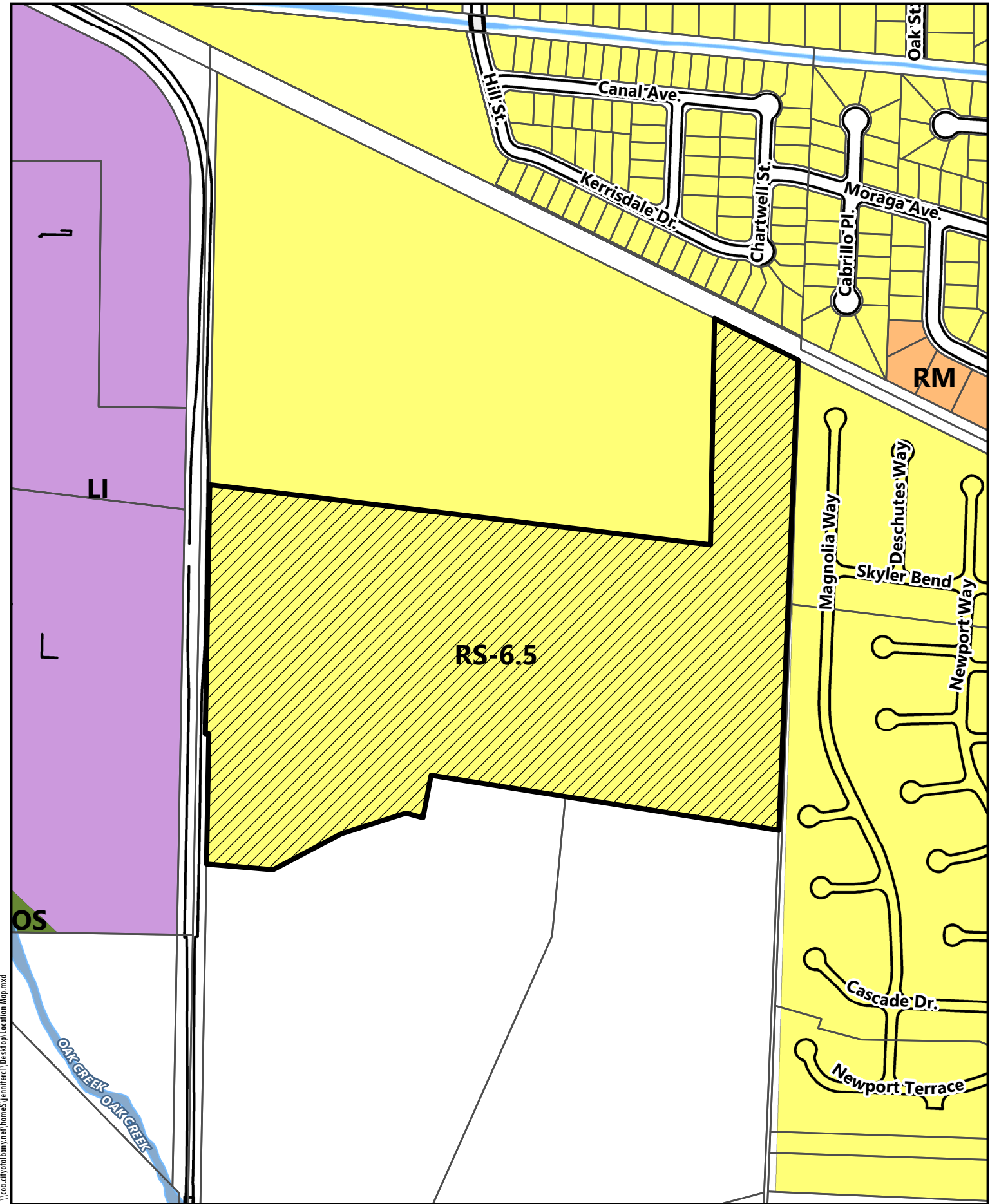
- (1) The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this Section.
- (2) Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.
- (3) Adjoining land can be developed 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 allow 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.

### **Cluster Subdivision Review (ADC 11.440)**

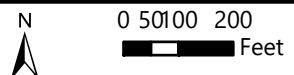
- (1) The proposed development meets all of the requirements for cluster development.
- (2) The proposed development preserves or restores natural or other special features as identified and prioritized in ADC 460.

Additional review standards for this application are found in ADC Articles 1, 2, 3, 6, 9, 11 & 12 of the Albany Development Code.

**Attachment:** Location Map, Tentative Subdivision Plan



\\con.cityofalbany.net\home\$\jennifac\{Desktop\Location Map.mxd



Date: 9/25/2023 Map Source: City of Albany

# Unassigned; Lochner Road

Location Map

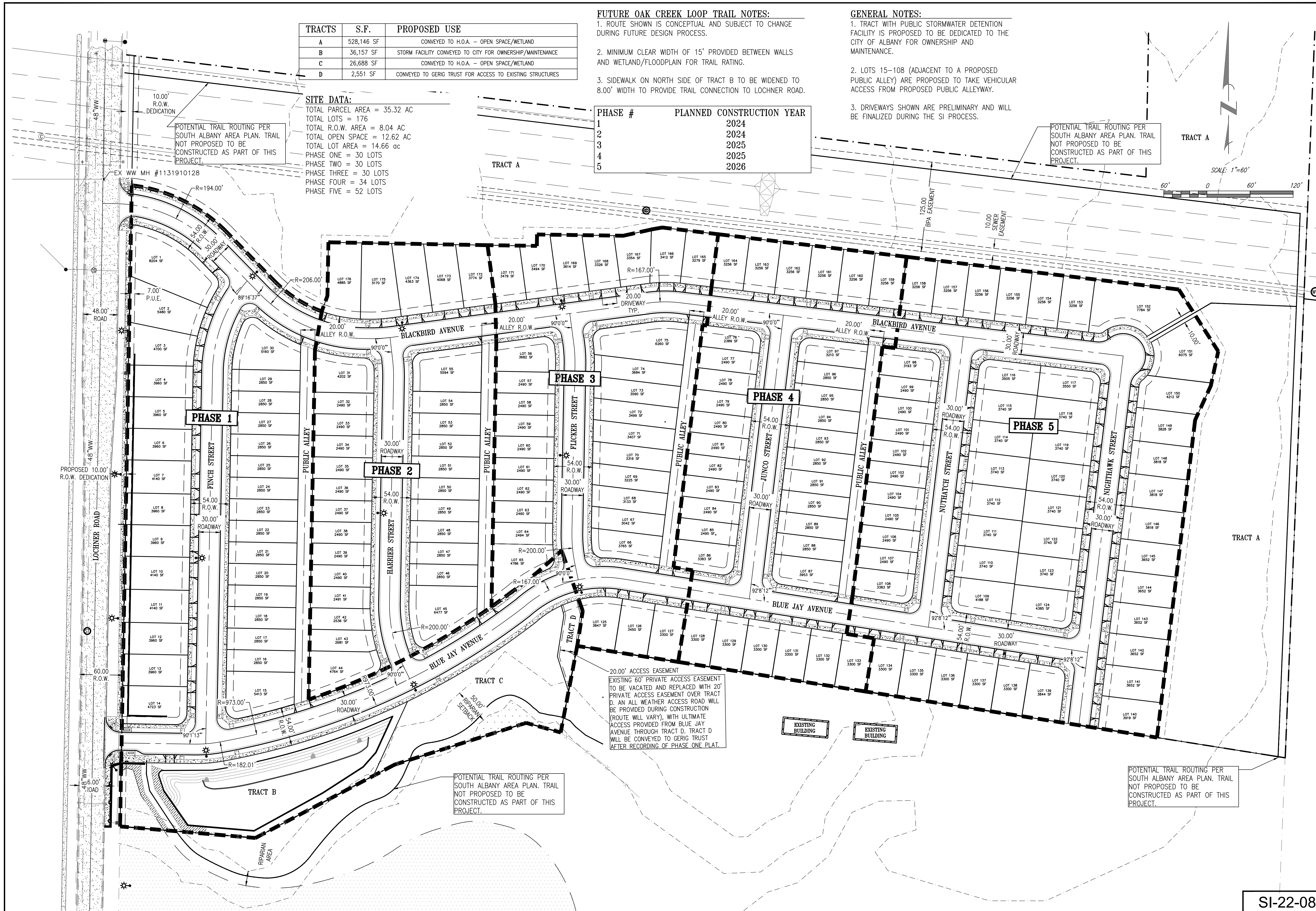
| TRACTS | S.F.       | PROPOSED USE  |
|--------|------------|---|
| A      | 528,146 SF | CONVEYED TO H.O.A. - OPEN SPACE/WETLAND                   |
| B      | 36,157 SF  | STORM FACILITY CONVEYED TO CITY FOR OWNERSHIP/MAINTENANCE |
| C      | 26,688 SF  | CONVEYED TO H.O.A. - OPEN SPACE/WETLAND                   |
| D      | 2,551 SF   | CONVEYED TO GERIG TRUST FOR ACCESS TO EXISTING STRUCTURES |

**SITE DATA:**  
 TOTAL PARCEL AREA = 35.32 AC  
 TOTAL LOTS = 176  
 TOTAL R.O.W. AREA = 8.04 AC  
 TOTAL OPEN SPACE = 12.62 AC  
 TOTAL LOT AREA = 14.66 ac  
 PHASE ONE = 30 LOTS  
 PHASE TWO = 30 LOTS  
 PHASE THREE = 30 LOTS  
 PHASE FOUR = 34 LOTS  
 PHASE FIVE = 52 LOTS

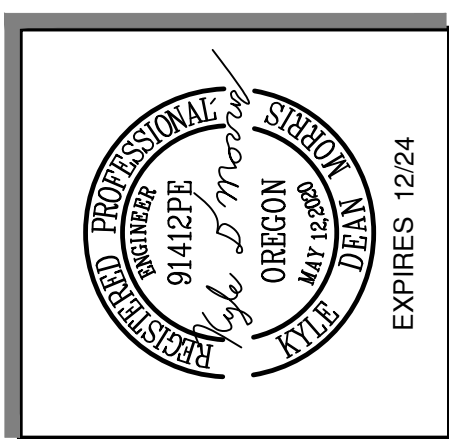
**FUTURE OAK CREEK LOOP TRAIL NOTES:**  
 1. ROUTE SHOWN IS CONCEPTUAL AND SUBJECT TO CHANGE DURING FUTURE DESIGN PROCESS.  
 2. MINIMUM CLEAR WIDTH OF 15' PROVIDED BETWEEN WALLS AND WETLAND/FLOODPLAIN FOR TRAIL RATING.  
 3. SIDEWALK ON NORTH SIDE OF TRACT B TO BE WIDENED TO 8.00' WIDTH TO PROVIDE TRAIL CONNECTION TO LOCHNER ROAD.

**GENERAL NOTES:**  
 1. TRACT WITH PUBLIC STORMWATER DETENTION FACILITY IS PROPOSED TO BE DEDICATED TO THE CITY OF ALBANY FOR OWNERSHIP AND MAINTENANCE.  
 2. LOTS 15-108 (ADJACENT TO A PROPOSED PUBLIC ALLEY) ARE PROPOSED TO TAKE VEHICULAR ACCESS FROM PROPOSED PUBLIC ALLEYWAY.  
 3. DRIVEWAYS SHOWN ARE PRELIMINARY AND WILL BE FINALIZED DURING THE SI PROCESS.

| PHASE # | PLANNED CONSTRUCTION YEAR |
|---------|---------------------------|
| 1       | 2024                      |
| 2       | 2024                      |
| 3       | 2025                      |
| 4       | 2025                      |
| 5       | 2026                      |



**A & O Engineering L.L.C.**  
 CIVIL ENGINEERING & SITE DEVELOPMENT CONSULTING  
 380 O ST. SUITE 300  
 SPRINGFIELD, OR 97477  
 PHONE: (541) 302-9790  
 SCOTT@AOENGINEERING.LL.C.



**Tentative Subdivision Site Plan**  
 for  
**Meadowlark Estates Subdivision**  
 Albany Linn County Oregon

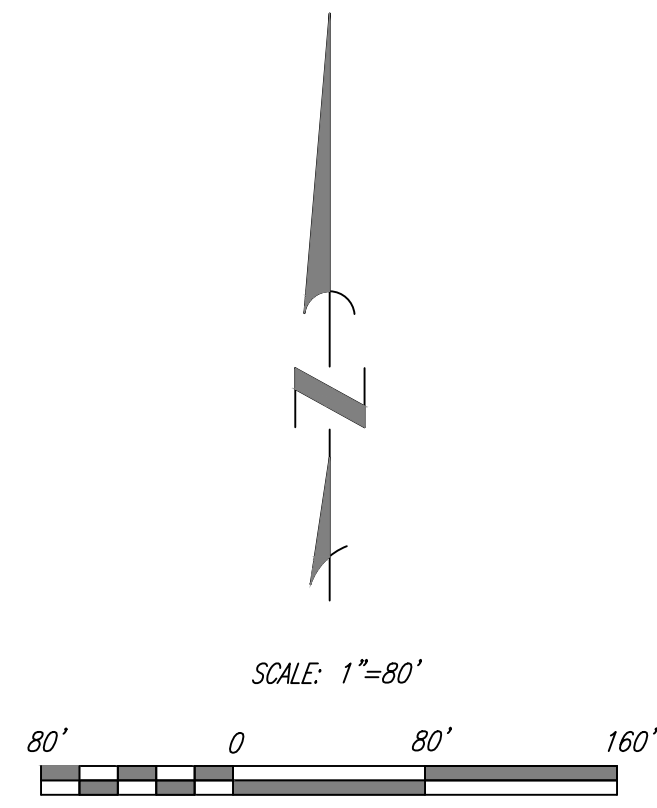
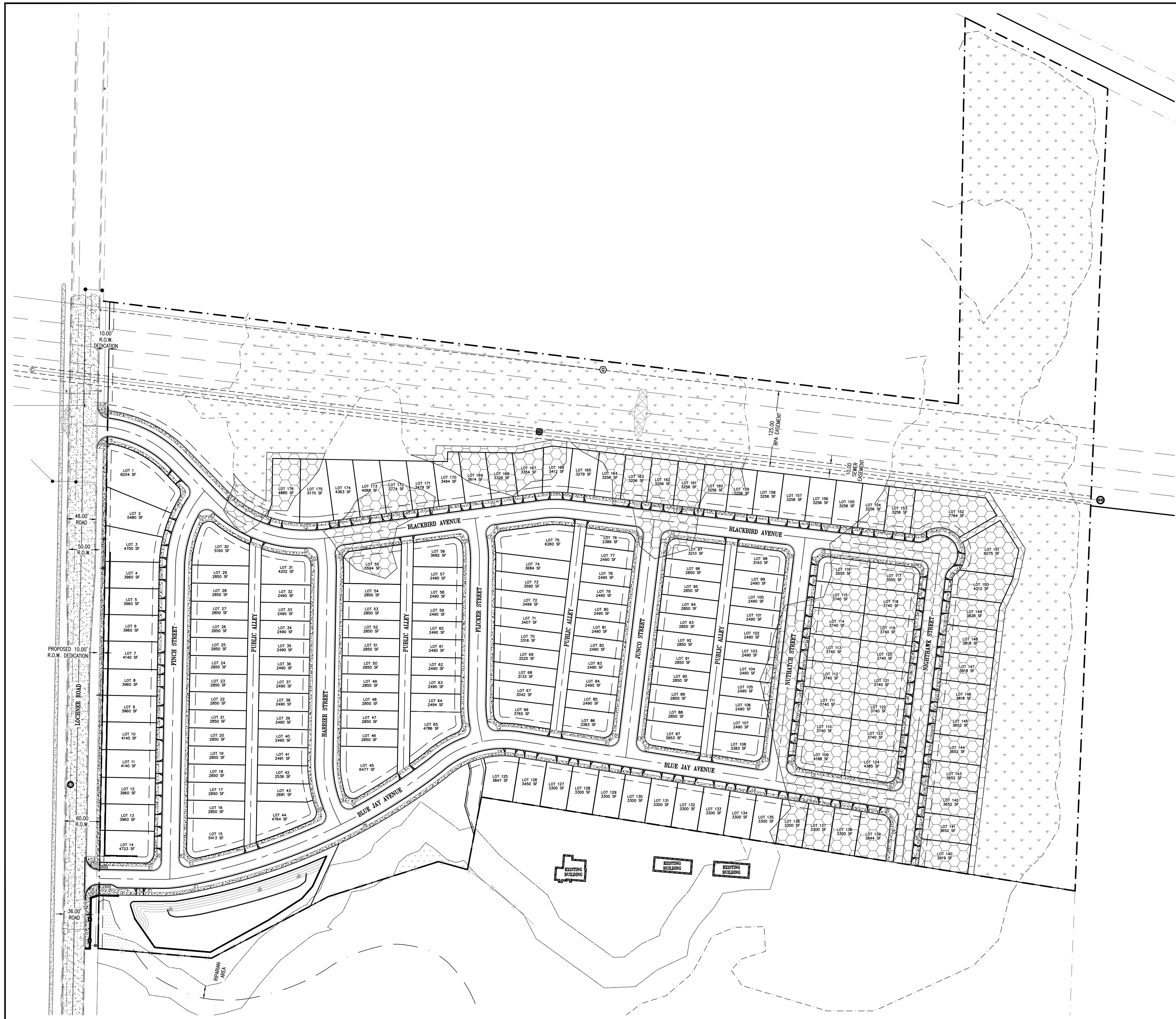
DATE: 8-1-22  
 PROJECT No: 5231  
 SCALE: 1/8"=1'-0"  
 VERT: \_\_\_\_\_  
 DRAWN BY: AGH  
 DESIGNED BY: KOM  
 REVIEWED BY: SOM

SUBMITTALS:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

REVISIONS:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**SHEET**  
**C-1.1**  
 2 OF 11

SI-22-08



**WETLAND DATA:**  
 TOTAL WETLAND = 14.20 AC  
 TOTAL WETLAND MITIGATION = 6.23 AC

**WETLAND PERMIT NOTE:**  
 WETLAND FILL PERMIT HAS BEEN ISSUED  
 DSL PERMIT #63643-RF

- LEGEND**
- WETLANDS TO BE IMPACTED
  - WETLANDS TO BE PRESERVED
  - ZONE AE FLOOD PLAIN AREA

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 scott@aoengineeringllc.biz

**Natural Resource Plan**  
 for  
**Meadowlark Estates Subdivision**  
 Albany Linn County Oregon

DATE: 8-1-22  
 PROJECT No: 5291  
 SCALE: 1/8"=1'-0"  
 VERT. DRAWN BY: ACH  
 DESIGNED BY: KOM  
 REVIEWED BY: SEM

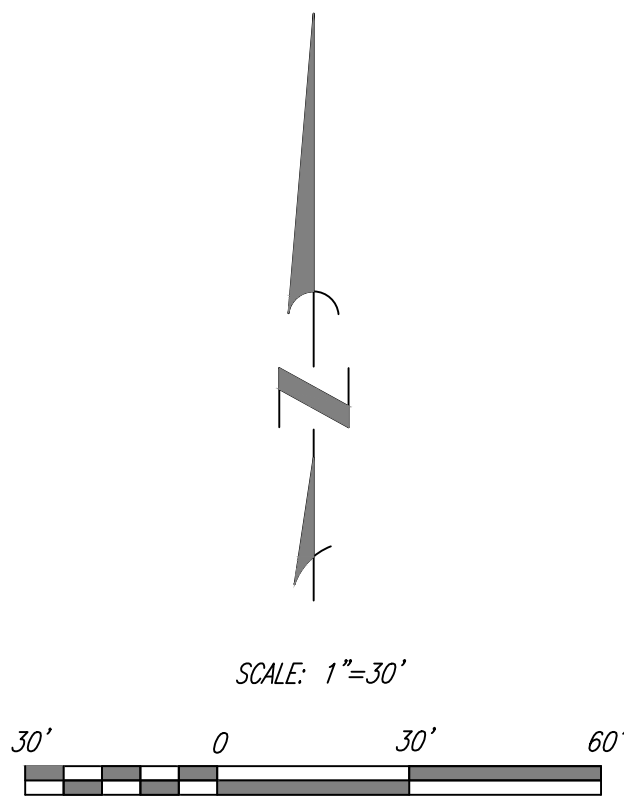
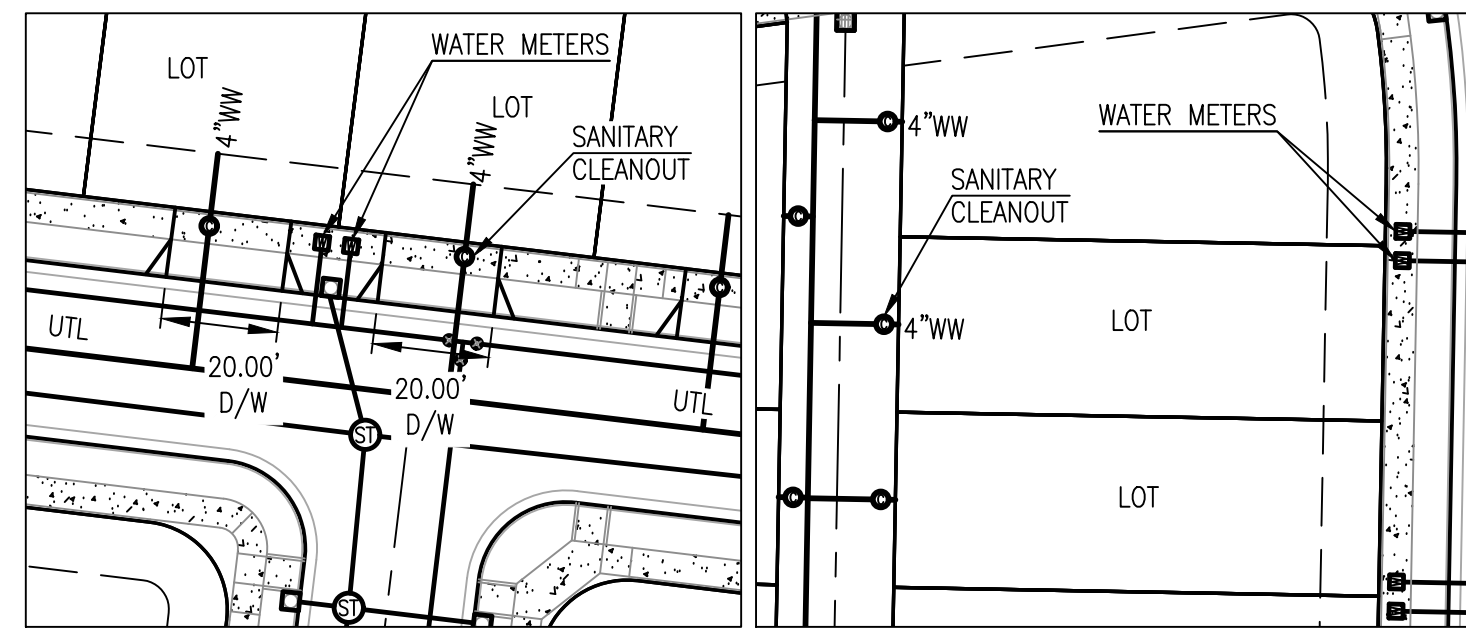
SUBMITTALS:

REVISIONS:

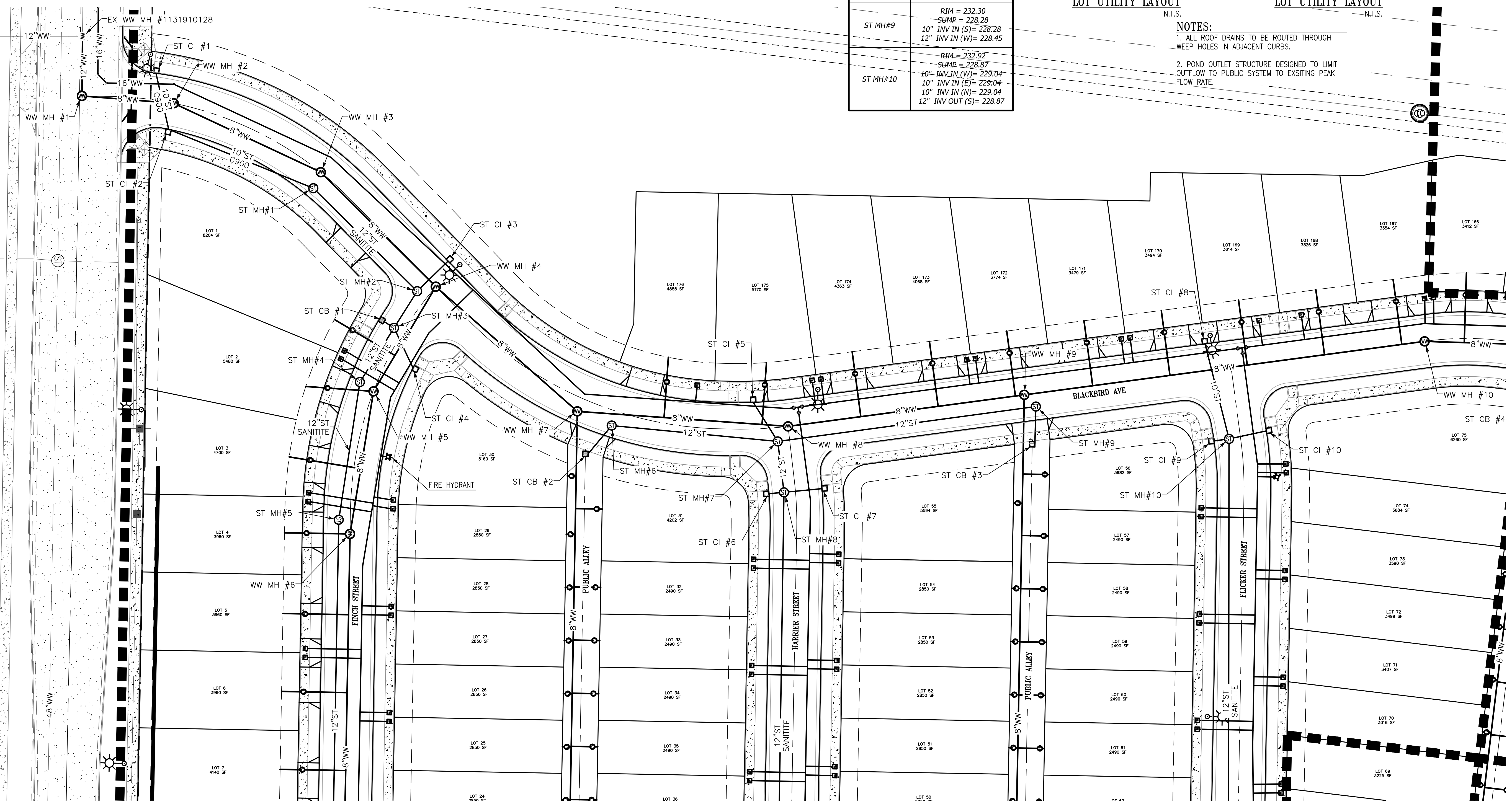
SI-22-08

**SHEET**  
**C-2.0**  
 3 OF 11

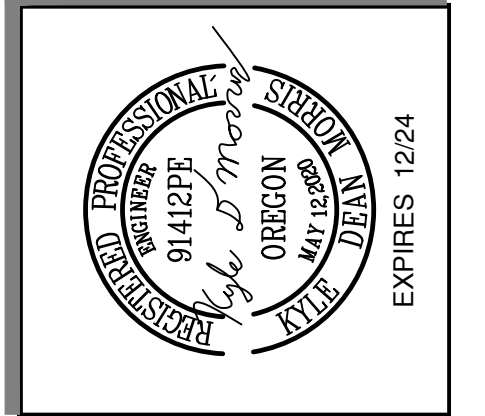
| Wastewater Structure Table |   | Wastewater Structure Table |   | Wastewater Structure Table |  | Stormwater Structure Table |  | Stormwater Structure Table |   | Stormwater Structure Table |  |
|----------------------------|---|----------------------------|---|----------------------------|--|----------------------------|--|----------------------------|---|----------------------------|--|
| Structure Name             | Structure Details   | Structure Name             | Structure Details   | Structure Name             | Structure Details  | Structure Name             | Structure Details  | Structure Name             | Structure Details   | Structure Name             | Structure Details  |
| EX WW MH #1131910128       | RIM = 228.98<br>SUMP = 211.68<br>12" INV IN (S) = 211.91<br>12" INV IN (N) = 211.91<br>12" INV OUT (W) = 211.70 | WW MH #5                   | RIM = 231.03<br>SUMP = 213.19<br>8" INV IN (S) = 213.29<br>8" INV OUT (NE) = 213.19                           | WW MH #10                  | RIM = 232.83<br>SUMP = 215.57<br>8" INV IN (E) = 215.67<br>8" INV OUT (W) = 215.57 | ST CB #1                   | RIM = 231.02<br>SUMP = 225.14<br>10" INV OUT (SE) = 226.64 | ST CI #5                   | RIM = 231.81<br>SUMP = 227.53<br>10" INV OUT (SE) = 229.03                            | ST MH#2                    | RIM = 231.01<br>SUMP = 225.13<br>12" INV IN (NW) = 226.83<br>10" INV IN (NE) = 226.79<br>12" INV OUT (SW) = 226.63                         |
| WW MH #1                   | RIM = 228.99<br>SUMP = 211.97<br>8" INV IN (E) = 212.31<br>12" INV OUT (N) = 211.99                             | WW MH #6                   | RIM = 231.00<br>SUMP = 213.62<br>8" INV IN (S) = 213.72<br>8" INV OUT (N) = 213.62                            |                            |  | ST CB #2                   | RIM = 232.15<br>SUMP = 228.10<br>10" INV OUT (NE) = 229.60 | ST CI #6                   | RIM = 232.00<br>SUMP = 227.21<br>10" INV OUT (E) = 228.71                             | ST MH#5                    | RIM = 231.01<br>SUMP = 224.24<br>12" INV IN (N) = 225.84<br>12" INV OUT (S) = 225.74   |
| WW MH #2                   | RIM = 228.85<br>SUMP = 212.50<br>8" INV IN (SE) = 212.62<br>8" INV OUT (W) = 212.52                             | WW MH #7                   | RIM = 231.31<br>SUMP = 213.22<br>8" INV IN (E) = 213.44<br>8" INV IN (S) = 219.74<br>8" INV OUT (NW) = 213.24 |                            |  | ST CB #3                   | RIM = 232.37<br>SUMP = 226.89<br>10" INV OUT (N) = 228.39  | ST CI #7                   | RIM = 232.00<br>SUMP = 227.28<br>10" INV OUT (W) = 228.78                             | ST MH#6                    | RIM = 231.25<br>SUMP = 227.82<br>10" INV IN (SW) = 229.49<br>12" INV OUT (S) = 229.32  |
| WW MH #3                   | RIM = 229.94<br>SUMP = 212.96<br>8" INV OUT (NW) = 212.99<br>8" INV OUT (SE) = 213.08                           | WW MH #8                   | RIM = 231.09<br>SUMP = 213.89<br>8" INV IN (E) = 214.02<br>8" INV OUT (W) = 213.92                            |                            |  | ST CI #1                   | RIM = 230.50<br>SUMP = 226.48<br>10" INV OUT (S) = 227.98  | ST CI #8                   | RIM = 232.64<br>SUMP = 227.83<br>10" INV OUT (S) = 229.33                             | ST MH#7                    | RIM = 231.98<br>SUMP = 228.72<br>12" INV IN (NW) = 228.89<br>12" INV OUT (S) = 228.72<br>12" INV OUT (E) = 228.92                          |
| WW MH #4                   | RIM = 231.01<br>SUMP = 212.71<br>8" INV IN (NW) = 212.71<br>8" INV IN (SE) = 212.81<br>8" INV IN (SW) = 212.91  | WW MH #9                   | RIM = 231.93<br>SUMP = 214.53<br>8" INV IN (E) = 214.66<br>8" INV IN (S) = 220.66<br>8" INV OUT (W) = 214.55  |                            |  | ST CI #2                   | RIM = 231.00<br>SUMP = 225.42<br>10" INV OUT (SW) = 226.92 | ST CI #9                   | RIM = 232.89<br>SUMP = 227.58<br>10" INV IN (N) = 227.81<br>10" INV OUT (E) = 227.81  | ST MH#8                    | RIM = 232.30<br>SUMP = 228.28<br>10" INV IN (W) = 228.28<br>12" INV IN (W) = 228.45  |
|                            |   |                            |   |                            |  | ST CI #3                   | RIM = 231.02<br>SUMP = 225.22<br>10" INV OUT (NW) = 226.72 | ST CI #10                  | RIM = 232.98<br>SUMP = 227.65<br>10" INV OUT (W) = 229.15                             | ST MH#9                    | RIM = 232.92<br>SUMP = 228.87<br>10" INV IN (W) = 229.04<br>10" INV IN (E) = 229.04<br>10" INV IN (N) = 229.04<br>12" INV OUT (S) = 228.87 |
|                            |   |                            |   |                            |  |                            |  | ST MH#1                    | RIM = 231.47<br>SUMP = 225.67<br>10" INV IN (W) = 227.34<br>12" INV OUT (SE) = 227.17 | ST MH#10                   |  |



- NOTES:**
- ALL ROOF DRAINS TO BE ROUTED THROUGH WEEP HOLES IN ADJACENT CURBS.
  - POND OUTLET STRUCTURE DESIGNED TO LIMIT OUTFLOW TO PUBLIC SYSTEM TO EXISTING PEAK FLOW RATE.



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**Utility Plan NW**  
for  
*Meadowlark Cluster Subdivision*  
Albany Linn County Oregon

DATE: 8-1-22  
PROJECT No: 5291  
SCALE: 1/8"=1'-0"  
VERT: ACH  
DRAWN BY: KDM  
DESIGNED BY: KDM  
REVIEWED BY: SDM

SUBMITTALS:

REVISIONS:

**SHEET**  
**C-4.1**  
6 OF 11

SI-22-08