



NOTICE OF LAND USE PUBLIC HEARING

Monday, June 21, 2021, 6:00 PM *

City Council

Online meeting via GoToWebinar:

<https://attendee.gotowebinar.com/register/5383799782276401935>

Marys Annexation
ANN17-00001 / ZDC17-00002

Type of land use application: Major Annexation and Zone Change

Applicant(s): Min-hsin Lin, on behalf of CMTWH, LLC

Owners: CMTWH, LLC and First Congregational United Church of Christ

Request: The applicant seeks approval of an Annexation and Zone Change, to change the existing Benton Co. zoning from a mix of UR-5 (~44 ac) and UR-50 (~75) to a mix of RS-12 (Medium-High Density Residential) (~91 ac), MUR (Mixed Use Residential) (~18 ac), and C-OS (Open Space – Conservation) (~9.5 ac).

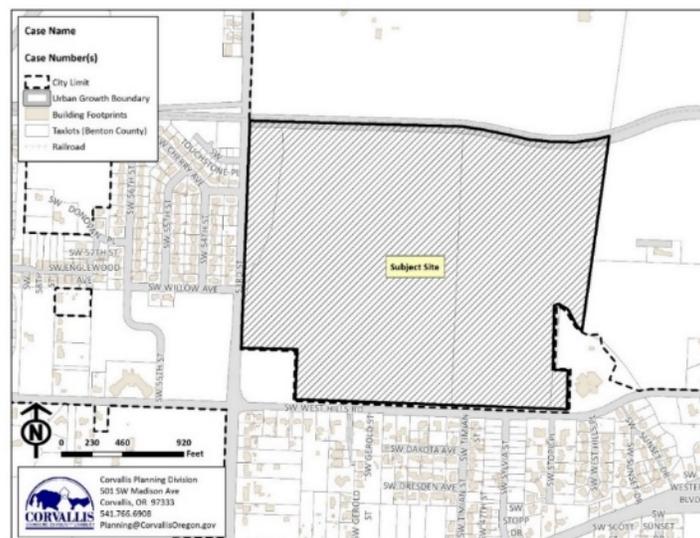
NOTE: On February 5, 2018, City Council voted to tentatively deny the annexation request due to concerns about whether the site is capable of being served by urban services and facilities required with development. **This public hearing is limited to review of a proposed annexation agreement intended to address City Council's concerns.** The draft annexation agreement will be available no later than seven days prior to the hearing and available at the application details link below.

Subject site location: The ~118.5 acre subject site is located near the northeast corner of SW 53rd St. and SW West Hills Rd. The site is identified on Benton County Assessor's Map 12-5-04 as Tax Lots 400 (partial), 1300 and 1400.

Application Details: The application and all documents and evidence used by the applicant are available for inspection at the Planning Division office, with the option to purchase copies. The same materials may be found online at this address: <https://apps.corvallisoregon.gov/webdocs/showdoc.aspx?docID=875827>

For more information on this application, please contact the case manager:

Aaron Harris, Associate Planner – Planning Division. City Hall, Main Level, 501 SW Madison Avenue.
Phone: (541) 766-6575 / Email: aaron.harris@corvallisoregon.gov



* This meeting date may include more than one public hearing item. The order in which hearing items are to be considered will be outlined in the meeting agenda, but this may be modified at the beginning of the meeting by the Mayor.

THE HEARING PROCESS / OPTIONS FOR PROVIDING COMMENT:

- At the hearing, the City Council receives public testimony, deliberates, and typically makes its decision before adjourning the meeting.
- The City Council may approve or deny the proposed Annexation, following consideration of the proposed annexation agreement.
- You may provide written and/or oral testimony on the proposal as follows:
 - Written testimony: The City Council strongly encourages community members to provide written testimony. Please submit your comments by 9:00 am on June 21, 2021 via email to carla.holzworth@corvallisoregon.gov. You may also submit written testimony via U.S. mail to Carla Holzworth, City Recorder, P.O. Box 1083, Corvallis, OR 97333-1083. Written testimony received by 9:00 am on June 21, 2021 will be provided to the Council for consideration before the meeting. Written testimony received after 9:00 am on June 21 will be provided to the Council at the meeting. Note that it is challenging for Councilors to read and consider written testimony received at the meeting.
 - Oral testimony: There will be an opportunity at the public hearing for oral testimony in support of, in opposition to, or neutral on the proposal. The Mayor will set a time limit of three minutes per person for oral testimony.

To testify via telephone or through your computer during the hearing, you must register using the webinar link below and with the City Recorder by 9:00 am on June 21, 2021. To register with the City Recorder, contact City Recorder Carla Holzworth at the above email address or via telephone at 541-766-6729 extension # 5075. <https://attendee.gotowebinar.com/register/5383799782276401935>

- Any person participating in the hearing is entitled to request that the written record remain open for an additional seven days in order to present additional evidence, arguments, or testimony regarding the case. If new evidence is presented following the close of the public hearing, the public hearing may be reopened by the City Council where any person may raise issues related to the new evidence, arguments, or testimony.
- “Raise it or waive it”: Failure to raise an issue in a hearing, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision makers an opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) based on that issue. This means that in order to appeal the City’s decision to LUBA based on a particular issue, you must raise that issue at the City’s public hearing. The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the local government to respond to the issue precludes an action for damages in Circuit Court.

DECISION:

The City Council decision on the Annexation will be final unless the case is appealed to the Land Use Board of Appeals (LUBA). Appeals may be filed within 21 days of the decision, and in accordance with OAR 661-010.

DECISION MAKING CRITERIA:

The City Council will evaluate this request based on specific review criteria from the Corvallis Land Development Code (LDC). The staff-identified decision making criteria are established in LDC § 2.2.40.05 and 2.6.30.06. Staff has preliminarily identified the following applicable Comprehensive Plan policies: 3.2.1, 4.2.1, 4.2.2, 4.7.1, 4.8.1-8.4, 4.10.1-10.10, 4.10.12, 4.11.1-11.5, 4.11.7, 4.11.8, 4.11.13, 4.13.1-13.4, 4.13.7, 5.5.2, 5.5.4, 5.5.5, 5.6.1, 5.6.8, 5.6.11, 7.2.1, 7.2.6, 7.5.1-5.9, 9.2.1-9.2.5, 9.3.1, 9.4.1, 9.4.8, 9.5.13, 10.2.1-2.5, 10.2.9-2.13, 10.3.1, 10.3.5, 10.3.6, 10.4.1-4.4, 10.5.1-5.3, 10.5.8-5.10, 10.7.4, 10.7.5, 10.8.1, 11.2.1-2.6, 11.2.10, 11.2.12, 11.3.2-3.12, 13.12.1-12.6, 14.2.4, 14.4.2, and 14.4.3.

Community members are encouraged to become familiar with the application and applicable review criteria. A staff report discussing the request in relation to the criteria will be available seven days before the hearing (www.corvallisoregon.gov/cd-staffreports). All documents may be reviewed at the Planning Division office without charge; copies will be provided upon request. The LDC and Comprehensive Plan are available on the City’s website (www.corvallisoregon.gov/cd-publications). Charts illustrating the process for land use applications requiring a quasi-judicial hearing are also on the City’s website (<http://www.corvallisoregon.gov/landuseprocess>).

THE CORVALLIS PLANNING DIVISION ENCOURAGES YOU TO NOTIFY YOUR NEIGHBORS AND OTHER PERSONS YOU BELIEVE WOULD BE AFFECTED BY THIS MATTER

Mail and distribute by: 6/1/2021