

RESOLUTION NO. 5477

A RESOLUTION ESTABLISHING THE PROCESS FOR REVIEWING THE SMARTCENTRES SITE PLAN APPLICATION.

WHEREAS, SmartCentres has indicated that they will submit a Site Plan application for property they own on the south side of Santiam Highway west of Goldfish Farm Road; and

WHEREAS, Planning staff is typically the local decision-maker for site plan review applications and local appeals would normally end with the Planning Commission and further appeals would go directly to LUBA without City Council involvement; and

WHEREAS, the Albany Development Code in Section 1.520(4) provides a mechanism whereby the City Council may, during the appeal period, call up a lower level decision for a de novo review; and

WHEREAS, the City Council recently amended the Comprehensive Plan and Zoning Maps affecting this property, and imposed a trip cap on future development; and

WHEREAS, it is appropriate that the City Council be the final local decision maker in this case, given its past involvement in mapping changes and imposition of a trip cap.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council, the following:

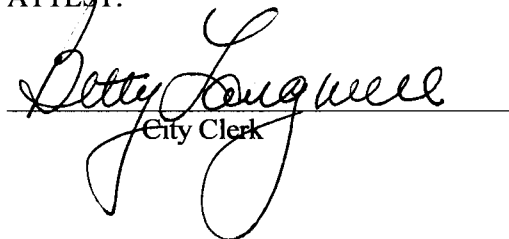
1. Staff will make the initial decision when SmartCentres submits a Site Plan application.
2. After staff makes the initial decision, the City Council will, during the appeal period, call up the decision by ordering a de novo review of the staff decision.

DATED AND EFFECTIVE THIS 12TH DAY OF SEPTEMBER 2007.



Mayor

ATTEST:



City Clerk



TO: Albany City Council
VIA: Wes Hare, City Manager
FROM: Helen Burns Sharp, Community Development Director **HBS**
DATE: September 5, 2007, for the September 12, 2007, City Council Meeting
SUBJECT: Site Plan Review Procedure for SmartCentres Application ("Ropp" Property)

Action Requested:

Passage of the attached resolution that authorizes staff to make the initial decision on the SmartCentres Site Plan application and Council to call up that decision to make a final decision.

Discussion:

In early September we have a pre-application meeting scheduled with SmartCentres, which is the company that now owns what we have referred to as the "Ropp" property and an adjoining piece of land formerly owned by Coastal Farm. Their property is located east of I-5, west of Goldfish Farm Road, and is on the south side of Santiam Highway. The zoning is Regional Commercial (RC).

We need direction from Council on what process you wish us to follow in reviewing this Site Plan application once it is submitted. Staff's recommendation is that you direct staff to make the initial decision and that you then call up the staff decision for a final decision. ADC 1.520(4) provides that, during the appeal period, the City Council, acting upon the recommended action of the City Manager or upon its own motion, may order a de novo review of any lower level decision.

Due to the 120-day deadline for processing local land use applications, it would be difficult to process the anticipated appeal of any staff decision through both the Planning Commission and City Council. The requested action ensures that the City Council can weigh in on this important development review without the time pressures which would otherwise be imposed.

The Council spent considerable time in 2006 on this property when rezoning the remainder of it RC. You imposed a trip cap that would apply to the entire development site. Staff believes that Council might want to make the final local decision on the Site Plan. Passage of this resolution enables you to do that.

HBS

Attachment: Resolution

c: Don Donovan, Planning Manager
Jim Delapoer, City Attorney

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