

AN ORDINANCE AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP BY AMENDING THE ZONING MAP FOR PROPERTY LOCATED AT 1620 SHORTRIDGE STREET SE; ADOPTING FINDINGS; AND DECLARING AN EMERGENCY.

WHEREAS, the Albany Planning Commission recommended approval of the proposed Zoning Map amendment (File ZC-03-03), based on evidence presented at a public hearing held on July 28, 2003; and

WHEREAS, the Albany City Council held a public hearing on the proposed Zoning Map amendment application on August 13, 2003.

NOW THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The Findings of Fact, Conclusions, and Conditions included in the staff report attached as Exhibit "A" are hereby adopted in support of this decision.

Section 2: The Zoning Map designation of the property described in Exhibit "B" is hereby amended from RM-5 (Residential Limited Multiple Family) to OP (Office Professional).

Section 3: The map attached as Exhibit "C" shows the property where the zoning designation is changed.

Section 4: A copy of the map showing the amendment to the Zoning Map will be filed in the Office of the City Recorder of the City of Albany and the changes will be made on the official City of Albany Zoning Map.


Section 5: A copy of the legal description of the affected property and the map showing the amendment to the Zoning Map will be filed with the Linn County Assessor's Office within 90 days after the effective date of this ordinance.

IT IS HEREBY adjudged and declared that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Albany, and an emergency is hereby declared to exist, and this Ordinance shall take effect and be in full force and effect when passed by the City Council and approved by the Mayor.

Passed by Council: August 13, 2003

Approved by Mayor: August 13, 2003

Effective Date: August 13, 2003



Mayor

ATTEST:



City Recorder



Community Development Department

333 Broadalbin Street SW, P.O. Box 490, Albany, OR 97321

Phone (541) 917-7550 Facsimile (541) 917-7598

STAFF REPORT Partition and Zoning Map Amendment

<u>HEARING BODY</u>	CITY COUNCIL
<u>HEARING DATE</u>	Wednesday, August 13, 2003
<u>HEARING TIME</u>	7:15 p.m.
<u>HEARING LOCATION</u>	Council Chambers, Albany City Hall, 333 Broadalbin Street SW

GENERAL INFORMATION

DATE OF REPORT:	August 6, 2003
FILES:	PA-03-03 and ZC-03-03
TYPE OF APPLICATION:	<ol style="list-style-type: none"> 1) <u>PA-03-03</u>: Partition Tentative Plat that will divide a 1.25-acre parcel of land into 3 parcels. Parcel 1 will be 23,368 square feet in area. Parcel 2 will be 19,484 square feet. Parcel 3 will be 11,438 square feet. 2) <u>ZC-03-03</u>: Zoning Map Amendment that will change the zoning of Parcel 1 of the concurrent partition from RM-5 (Residential Limited Multiple Family) to OP (Office Professional).
REVIEW BODY:	City Council
PROPERTY OWNER/APPLICANT:	City of Albany; Gary Holliday, Interim Finance Director; PO Box 490; Albany, OR 97321
APPLICANT REP:	Jack Burrell; K&D Engineering, Inc.; PO Box 725; Albany, OR 97321
ADDRESS/LOCATION:	1620 Shortridge Street SE
MAP/TAX LOT:	Linn County Assessor's Map No. 11S-3W-8D; Tax Lot 200
ZONING:	RM-5 (Residential Limited Multiple Family)
TOTAL LAND AREA:	The entire property is 1.25 acres. Only the zoning of Parcel 1 (23,368 square feet) will be changed. The zoning of Parcel 2 and 3 will stay the same (RM-5).
EXISTING LAND USE:	There is one single-family house on the property now. The house will be on what will be Parcel 3 of the partition.
NEIGHBORHOOD:	Santiam

SURROUNDING ZONING: North: RM-5 (Residential Limited Multiple Family)
East: RM-5
South: RS-6.5 (Residential Single Family)
West: OP (Office Professional)

SURROUNDING USES: North: Single-family houses and an Alzheimer's care facility across 14th Avenue
South: Single-family houses and an assisted living facility
East: Single-family houses
West: Eye clinic (laser eye surgery)

OVERVIEW OF THE APPLICATIONS

Partition Tentative Plat

The City of Albany bought the property where the partition and zone change are proposed in 1999. The property is located on the south side of 14th Avenue, between Waverly Drive and Shortridge Street. The City also bought another property on the north side of 14th Avenue at the same time.

The City bought the properties because right-of-way was needed to construct a street connection between 14th Avenue, which ended just east of the Albany Plaza shopping center, and 16th Avenue, which ended at the west boundary of the Lehigh subdivision.

The right-of-way was created and the street connection was built. This left the parcel where the partition and zone change are proposed configured as it is today. It is one parcel with a single-family house on it.

The City offered the property for sale in 2001. A buyer made an offer to the City earlier this year. The buyer is a dentist who is interested in building a dental office on Parcel 1 of the partition. The dentist intends to build multi-family housing (duplexes or a 4-plex) on Parcel 2 as allowed by the current zoning. Parcel 3 will have the existing single-family house on it. A single-family house is also an allowed use in RM-5 zoning districts.

Review Process

Partitions are reviewed in two steps – the tentative plat and the final plat. This application is for the tentative plat. The tentative plat is usually approved with conditions. When the conditions are met, the property owner submits the final plat, and City staff approves it (assuming all conditions have been met).

Usually, partition plats are reviewed by staff. But when two applications are submitted at the same time, Section 1.200(3) of the City's Development Code says they are reviewed using the "highest numbered procedure specified." The types of reviews we do have numbers. A Type I review is done just by staff. A Type IV review requires both Planning Commission and City Council review. The partition application was submitted with a zoning map amendment application. The zoning map amendment application is a Type IV review, so both the partition application and the zoning map amendment applications are reviewed as Type IV applications.

Zoning Map Amendment Application

The entire parcel that will be divided by the partition is currently zoned RM-5 (Residential Limited Multiple Family). The RM-5 zoning does not allow construction of a dental office. The City has agreed to apply to change the zoning of Parcel 1 of the partition to OP (Office Professional). Parcel 1 will be 23,368 square feet, or

about 1/2 acre. This is the amount of land that is needed to construct a 5,000-square-foot medical office with required parking and landscaping.

Parcel 1 will be adjacent to property to the west that currently has an eye surgery clinic on it. To the south is an assisted living facility. To the north, across 14th Avenue, is an Alzheimer's care facility and a parcel with a single-family house on it. To the east of Parcel 1 will be vacant land zoned for multi-family development (Parcel 2) and Parcel 3 with the single-family house on it.

The staff report below reviews the partition application first, then the zoning map amendment application.

NOTICE INFORMATION

A Notice of Public Hearing was mailed to surrounding property owners on July 18, 2003. The site was posted on July 17, 2003, with a sign that advertises the public hearing, in accordance with Section 1.410 of the Albany Development Code.

PLANNING COMMISSION AND STAFF RECOMMENDATIONS

On July 28, 2003, the Planning Commission held a public hearing on these applications. Staff recommended the applications be approved, with conditions where conditions are necessary. Gary Holliday spoke in favor of the applications on behalf of the City. (The City owns the property.) No one spoke in opposition. The Planning Commission voted unanimously to recommend the City Council approve the applications.

RECOMMENDED CITY COUNCIL ACTION

MOTION TO APPROVE

I MOVE that the City Council APPROVE WITH CONDITIONS the Partition application that will divide a 1.25-acre parcel of land at the same address into 3 parcels (File PA-03-03).

I ALSO MOVE that the City Council adopt the ordinance which will APPROVE the application for the Zoning Map Amendment that will change the zoning map designation of about 1/2 acre of land from RM-5 to OP for property at 1620 Shortridge Street SE (File ZC-03-03).

These decisions are based on the findings and conclusions of the staff report and testimony presented at the public hearing.

NEXT STEPS IN THE REVIEW PROCESS

Within five days of the City Council's final decision on these applications, the Community Development Director will provide written notice of the decision to the applicant and any other parties entitled to notice.

The City Council decision may be appealed if a person with standing files a Notice of Intent to appeal with the Oregon Land Use Board of appeals within 21 days of the decision.

STAFF ANALYSIS
Partition File PA-03-03

Review Criteria

Albany Development Code (ADC) Section 11.180 states that the following review criteria must be met for the partition application to be approved. Code criteria are written in *bold italics* and are followed by findings, conclusions and conditions, where conditions are necessary to meet the review criteria.

- (1) *Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.*

FINDINGS OF FACT

- 1.1 Parcel 1 will be 23,368 square feet. Parcel 2 will be 19,484 square feet. Parcel 3 will be 11,438 square feet.
- 1.2 This property is currently zoned RM-5. Single-family houses are allowed in RM-5 zoning districts. The minimum lot size for a single-family house is 5,000 square feet. So, all of the parcels could be divided again to create single-family lots. Multi-family development of the parcels is also allowed.
- 1.3 To develop the property with single-family lots (or any other use) the parcels that could be created must have frontage on, or approved access to, a public street. The lots must also have sewer and water service.
- 1.4 Access to public streets and water and service are discussed under Review Criteria (2) and (3) below.

CONCLUSIONS

- 1.1 All of the parcels that will be created can be divided again to create additional parcels. New parcels would have to have access to public streets and have water and sewer service.
- 1.2 Based on the findings and conclusions under Review Criteria (2) and (3) below, parcels created beyond those proposed with this partition can be provided street access and sewer and water service. This criterion is met.

- (2) *Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.*

FINDINGS OF FACT

- 2.1 This criterion has been interpreted by the City Council to require that adjoining land either have access, or be provided access, that will allow it to be developed in accordance with the Albany Development Code. If necessary, access may be required across the property that will be divided by the partition.
- 2.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic.
- 2.3 To the north of the property that will be divided, across 14th Avenue, is an Alzheimer's care facility and a parcel with a single-family house on it. The Alzheimer's facility has access to 14th Avenue. The parcel with the single-family house on it could be divided into several lots. The parcel has frontage on

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- 1.1 Parcel 1 will be 23,368 square feet. Parcel 2 will be 19,484 square feet. Parcel 3 will be 11,438 square feet.
- 1.2 This property is currently zoned RM-5. Single-family houses are allowed in RM-5 zoning districts. The minimum lot size for a single-family house is 5,000 square feet. So, all of the parcels could be divided again to create single-family lots. Multi-family development of the parcels is also allowed.
- 1.3 To develop the property with single-family lots (or any other use) the parcels that could be created must have frontage on, or approved access to, a public street. The lots must also have sewer and water service.
- 1.4 Access to public streets and water and service are discussed under Review Criteria (2) and (3) below.

CONCLUSIONS

- 1.1 All of the parcels that will be created can be divided again to create additional parcels. New parcels would have to have access to public streets and have water and sewer service.
- 1.2 Based on the findings and conclusions under Review Criteria (2) and (3) below, parcels created beyond those proposed with this partition can be provided street access and sewer and water service. This criterion is met.
- (2) *Adjoining land can be developed or is provided access that will allow its development in accordance with this Code.*

FINDINGS OF FACT

- 2.1 This criterion has been interpreted by the City Council to require that adjoining land either have access, or be provided access, that will allow it to be developed in accordance with the Albany Development Code. If necessary, access may be required across the property that will be divided by the partition.
- 2.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic.
- 2.3 To the north of the property that will be divided, across 14th Avenue, is an Alzheimer's care facility and a parcel with a single-family house on it. The Alzheimer's facility has access to 14th Avenue. The parcel with the single-family house on it could be divided into several lots. The parcel has frontage on both 14th Avenue and Shortridge Street. Access to the property can be provided to either or both of these streets.

- 2.4 To the south of the property that will be divided is a subdivision (Portside) and an assisted living facility (Cambridge Terrace). All the lots in the subdivision have access to a public street (17th Avenue). The assisted living facility has access to 14th Avenue on a private driveway.
- 2.5 To the east is a subdivision (Lehigh). All the lots in the subdivision have access to public streets (16th Avenue and 17th Avenue).
- 2.6 To the west is a parcel with an eye clinic on it. The eye clinic has access to 14th Avenue. The remainder of the parcel is not developed. It also has access to 14th Avenue.

CONCLUSIONS

- 2.1 All of the land adjoining the parcel that will be divided with the proposed partition has access to public streets. This criterion is met.
- (3) *The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.*

FINDINGS OF FACT

- 3.1 The proposed partition will divide a 1.25-acre parcel into three separate parcels of land. There is an existing house on the eastern end of the property. Parcels 1 and 2 will be vacant when they are created. Parcel 3 will have the existing house on it.
- 3.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic. All three parcels will have frontage on 14th Avenue.
- 3.3 Fourteenth Avenue is classified as a minor collector street. The street is constructed to City standards. Street improvements include: curb and gutter; sidewalk; and a travel lane in each direction. The posted speed limit is 25 miles per hour. A traffic count of 1,528 Average Daily Traffic (ADT) was taken on 14th Avenue in front of the property on November 6, 2000. (This is the most recent count available.)
- 3.4 Albany's Transportation System Plan does not identify any level of service or congestion problems on 14th Avenue.
- 3.5 Minor collector streets typically accommodate traffic volumes ranging between 3,000 and 6,000 ADT. Dividing the property will not change the number of residential units that can be built on the property.

CONCLUSIONS

- 3.1 The parcels created by the partition will have frontage on, and access to, 14th Avenue. Fourteenth Avenue is constructed to City standards.
- 3.2 No new streets are proposed or needed with the proposed partition. The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances. This criterion is met.

(4) *The location and design allows development to be conveniently served by various public utilities.*

Sanitary Sewer

4.1 The City's utility maps show an 8-inch public sanitary sewer main in Shortridge Street. This sewer ends at the south edge of 14th Avenue. There is also an 8-inch main on the north side of 14th Avenue. This sewer ends near the west boundary of the property that will be divided.

There is an 8-inch sewer stub-out to the northwest corner of the property. The stub-out was constructed to provide sewer service to this property.

4.2 ADC 12.470 requires that "all new development must extend and connect to the public sewer system when service is available within 300 feet of the property." The definitions section of the Code includes a partition in the definition of development.

4.3 ADC 12.510 says, "all new development within the City must, where appropriate, make provisions for the continuation or appropriate projection of existing sewer lines serving surrounding areas."

4.4 The proposed partition will create 3 parcels.

Parcel 1 will have access to the sewer system through the 8-inch stub-out at the northwest corner of the parcel.

Parcel 2 will not have direct access to the existing public sanitary sewer system. The sewer system is within 300 feet of the property. To provide access to the public sewer system for Parcel 2, a public sanitary sewer main must be extended to the parcel.

There is an existing house on the property that will be on Parcel 3. The house is connected to the public sanitary sewer system through a lateral connected to the public sewer main in Shortridge Street.

4.5 Public utility easements of at least 20 feet in width, centered over the main, are required for all public sanitary sewers and appurtenances (ADC 12.370). Permanent structures are not allowed to encroach on a public utility easement, or be placed over a public sewer main.

4.6 All required public sanitary sewer system improvements must be constructed, or financial assurances for their construction must be provided to the City, prior to approval of the final plat (ADC 12.590).

Water

4.7 The City's utility maps show there is a 12-inch public water main in 14th Avenue along the full length of the property that will be divided. There is also an 8-inch main along the west boundary of the property. This main is located within the driveway to the assisted living facility to the south.

4.8 Each of the 3 parcels in the proposed partition will have access to the 12-inch public main in 14th Avenue. Development on the property will have to connect to the water system at the time building permits are issued.

Storm Drainage

4.9 The City's utility maps show there is a 24-inch public storm drainage main that runs through the eastern part the property that will be divided. There is also an 18-inch main located west of the property. This main is located within the driveway to the assisted living facility to the south. Although there is a public utility easement over this public main, it does not extend to the property boundary, and therefore does not

allow direct access by the property that will be divided without approval from the neighboring property owner. There is also a 12-inch main that runs along the south boundary of the property. A public utility easement over this main extends to the property line, so the property can connect to this main. There are catchbasins in 14th Avenue at Shortridge Street and near the northwest boundary of the property that will be divided.

- 4.10 Parcel 1 will have access to public storm drain main along its south boundary. Development on Parcel 2 will be able to discharge roof drains to the gutter along 14th Avenue. The existing house on Parcel 3 discharges roof drains to the gutter on 14th Avenue.

CONCLUSIONS

- 4.1 Parcels 1 and 3 currently have sanitary sewer service. Parcel 2 will not have service, unless a public main is extended to serve it. A public main must be extended.
- 4.2 All 3 parcels that will be created will have access to the public water line in 14th Avenue.
- 4.3 All 3 parcels will have access to the public storm drainage system, either to the pipe along the south boundary of the property or the gutter on 14th Avenue for roof drains.

CONDITIONS

- 4.1 Before the final partition plat will be approved by the City, the property owner must construct a public sanitary sewer main extension that will bring public sewer access to Parcel 2, or provide an improvement financial assurance as allowed in ADC 12.590 – 12.610.
- 4.2 It is likely that the sewer main extension will have to be located along the south side of 14th Avenue outside of the public right-of-way. If so, a 20-foot-wide public utility easement must be granted over this main. Permanent structures are not allowed to encroach on a public utility easement, or be placed over a public sewer main.

Criterion (5) Any special features of the site (such as topography, floodplains, wetlands, vegetation, historic sites) have been adequately considered and utilized.

FINDINGS OF FACT

- 5.1 Topography. *Comprehensive Plan Plate 7: Slopes* shows there are no steep slopes on this property. The tentative plat submitted with the application shows that elevations on the western part of the property vary from about 226.4 to about 227.1 feet. There is an area of higher ground on Parcel 3 that is about 228.8 feet in elevation.
- 5.2 Floodplains. *Comprehensive Plan Plate 5: Floodplains* shows the property is not in a 100-year floodplain. FEMA/FIRM Community Panel Number 410137 0004 F, dated July 7, 1999, shows the property is in Zone X, an area determined to be outside any 500-year floodplain.
- 5.3 Vegetation. *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat* shows no areas of concern on the property. There are a few trees, shrubs, and grass on the property, mostly near the existing house. Dividing the property will not affect the vegetation.
- 5.4 Wetlands. *Comprehensive Plan Plate 6: Wetland Sites* does not show any wetlands on the property. The National Wetlands Inventory does not show any wetlands on the property. There is not a local wetlands inventory for this property.

5.5 Archaeological and Historic Sites. *Comprehensive Plan Plate 9: Historic Districts* shows the property is not in a historic district. There are no known archaeological sites on the property.

CONCLUSIONS

5 1 There are no special features on the property. This criterion is met.

STAFF ANALYSIS

Zoning Map Amendment File ZC-03-03

The Albany Development Code includes the following review criteria which must be met for this application to be approved. Code criteria are written in ***bold italics*** and are followed by findings and conclusions.

- (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 in accordance with Section 2.080, ADC Article 2.***

FINDINGS OF FACT

- 1.1 The property owner (the City) proposes to change the zoning of 23,368 square feet of land (about 1/2 acre) from RM-5 (Residential Limited Multiple Family) to OP (Office Professional).
- 1.2 The current Comprehensive Plan Map designation of the property is Medium Density Residential.
- 1.3 The Plan Designation Zoning Matrix in the Comprehensive Plan (page 131) shows that the proposed OP zoning is consistent with the Medium Density Residential Comprehensive Plan Map designation of the property.

CONCLUSIONS

- 1.1 This criterion is met.
- (2) ***Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation.***

FINDINGS OF FACT

- 2.1 The area of the property where the zoning map amendment is proposed is 23,384 square feet. The property is located on the south side of 14th Avenue west of Shortridge Street.
- 2.2 When the property is developed, access to the development will be on 14th Avenue.
- 2.3 Fourteenth Avenue is classified as a Minor Collector street. The street is constructed to City standards. Improvements include: curb and gutter; sidewalk; and a travel lane in each direction. No capacity problems have been identified on 14th Avenue. The speed limit is 25 miles per hour.
- 2.4 A traffic count of 1,528 ADT was taken on 14th Avenue in front of the property on November 6, 2000. (This is the most recent count available.)
- 2.5 Minor Collector streets typically accommodate traffic volumes ranging between 3,000 and 6,000 Average Daily Traffic (ADT).
- 2.6 If the zoning is changed to OP (Office Professional), one of the more intense uses of the property would be a medical office building of about 5,200 square feet in size. A medical office building of that size would generate approximately 188 vehicle trips per day (based in Institute of Transportation Engineers estimates).

CONCLUSIONS

- 2.1 Existing transportation facilities are adequate for uses that are permitted under the proposed OP zoning designation. This review criterion is met.
- (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.***

FINDINGS OF FACT

- 3.1 **Sanitary sewer:** The City's utility maps show there is an 8-inch main on the north side of 14th Avenue with an 8-inch stub-out to the northwest corner of the property where the zone change is proposed. The parcel (Parcel 1 of the concurrent partition application) has sewer service.
- 3.2 **Water:** The City's utility maps show a 12-inch public water main in 14th Avenue along the full frontage of the property where the zone change is proposed.
- 3.3 **Storm Drainage:** The City's utility maps show there is an 18-inch main that runs along the south boundary of the property where the zone change is proposed. There is an easement over the line that will allow development on the property to discharge storm water to the line.
- 3.4 **Schools:** Children are less likely to live on land designated for commercial use than on land designated for residential use. Changing the zoning of the property to allow office development instead of residential development will decrease the demand for school space.
- 3.5 **Police and Fire Protection:** Development on the property will be provided police and fire service by the Albany Police Department and the Albany Fire Department.

CONCLUSIONS

- 3.1 Existing public services can accommodate development on the property where the zone change is proposed without adverse impact on the affected service area. This review criterion is met.
- (4) ***Any unique natural features or special areas involved, such as floodplains, slopes, significant natural vegetation, historic district, will not be jeopardized as a result of the proposed rezoning.***

FINDINGS OF FACT

- 4.1 The findings and conclusions under Review Criterion (5) of the concurrent partition staff report are applicable to the Zoning Map as well. To avoid repeating the same information here, those findings and conclusions are included here by reference.

CONCLUSIONS

- 4.1 There are no natural or special features to consider for the proposed zone change.
- (5) ***The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.***

FINDINGS OF FACT

Intent and Purpose of RM-5 and OP Zoning Districts

- 5.1 ADC 3.010 says the intent of residential zones [such as the RM-5 zone] is to "...preserve land for housing. This Code preserves the character of neighborhoods by providing seven zones with different density standards."
- 5.2 ADC 3.020(5) says the purpose of RM-5 zoning districts is to provide land for "low to medium density multiple family residential urban development."
- 5.3 ADC 4.010 says the intent of commercial zones [such as the OP zone] is "to provide land for commercial, office and industrial uses. The differences among the zones, in the permitted uses and development standards, reflect the existing and potential intensities of commercial and industrial development."
- 5.4 ADC 4.020(1) says the purpose of OP zoning districts is to "provide a vertical or horizontal mix of professional offices, personal services, live-work, residential and limited related commercial uses in close proximity to residential and commercial districts. The limited uses allowed in this district are selected for their compatibility with residential uses and the desired character of the neighborhood. OP is typically appropriate along arterial or collector streets as a transitional or buffer zone between residential and more intense commercial or industrial districts."

Relevant Goals and Policies

- 5.5 The following Comprehensive Plan goals and policies are relevant in considering whether the proposed OP zoning best satisfies Comprehensive Plan goals and policies. Goals and policies are listed below in ***bold italic*** print followed by findings of fact, then conclusions.

Goal 9: Economic Development

Albany's Economy

Goal 2: Provide a supportive environment for the development and expansion of desired businesses.

Policy 2: Support the retention and expansion of existing businesses and industries, especially those that are locally owned.

Land Use

Goal 1: Ensure an adequate supply of appropriately zoned land to provide for the full range of economic development opportunities in Albany, including commercial, professional, and industrial development.

Goal 2: Achieve stable land-use growth that results in a desirable and efficient land-use pattern.

Goal 4: Promote infill development and redevelopment throughout the City.

Policy 1: Provide opportunities to develop the full range of commercial, industrial and professional services to meet the needs of Albany's residents and others.

Policy 2: Encourage land use patterns and development plans that take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations that increase energy efficiency.

Policy 3: Designate enough land in a variety of parcel sizes and locations to meet future employment and commercial needs.

Policy 7: Consider infill and redevelopment of already serviced vacant and underdeveloped land before designating additional land for industrial and commercial uses.

Goal 10: Housing

Goal: Provide a variety of development and program opportunities that meet the housing needs of all Albany's citizens.

Policy 1: Ensure that there is an adequate supply of residentially zoned land in areas accessible to employment and public services to provide a variety of choices regarding type, location, density, and cost of housing units commensurate to the needs of city residents.

Policy 11: Encourage residential development on already serviced and vacant residential lots or in areas within which services are available or can be economically provided.

- 5.6 The potential buyer of the property where the zone change is proposed is a dentist who already has an office in Albany. He intends to build a new dental office on the property.
- 5.7 This application is to change the zoning designation of 23,368 square feet of land. This is about 1/2 acre.
- 5.8 The property where the zone change is proposed is located on the south side of 14th Avenue. To the north of the property, a cross 14th Avenue, is an Alzheimer's care facility and a parcel with a single-family house on it. To the south is a subdivision and an assisted living facility. To the east is another subdivision. To the west is a parcel with an eye clinic on it. The area is a mix of residential, office, and institutional uses.
- 5.9 There is a shopping center farther west on the north side of 14th Avenue.
- 5.10 As discussed under Review Criterion (3) above, public services, such as sewer and water, are available to serve development on the property where the zone change is proposed.

CONCLUSIONS

- 5.1 The potential buyer of this property is a local dentist. He intends to build a dental office on the property. Although this is what is intended, it may not be what happens with the property. However, if this is what happens, the zone change will provide for the expansion of a local dentist's office and help retain a locally owned business.
- 5.2 If the zoning of this property is changed from RM-5 to OP, it will have an insignificant effect on the supply of either RM-5 or OP land because the property is only about 1/2 acre.
- 5.3 The property that will be designated OP is located between an existing office development and land designated for multi-family development. On the other side of the land designated for multi-family development is a single-family house. If the zoning of the property is changed, the property will provide a buffer of office development between office development and the multi-family land to the east.
- 5.4 The property where the zone change is proposed has public services available.
- 5.5 The proposed OP zoning district best satisfies the goals and policies of the Comprehensive Plan. This review criterion is met.

K & D ENGINEERING, Inc.*Engineers • Planners • Surveyors***CITY OF ALBANY – 14TH AVENUE PARTITION****Zone Change Description**

A portion of Parcel 1 of Partition Plat 2000-62, a Partition Plat recorded in Linn County, Oregon, and being more particularly described as follows:

Beginning at a 5/8 inch rod at the southwest corner of said Parcel 1; thence North 01°09'30" West 244.39 feet to 5/8 inch rod at the northwest corner of said Parcel 1, said 5/8 inch rod also being on the southerly right-of-way line of 14th Avenue; thence along the southerly right-of way line of 14th Avenue the following three (3) courses: 1) South 70°28'38" East 11.77 feet; 2) thence along the arc of a 224.00 foot radius curve to the right (long chord of which bears South 49°04'51" East 163.75 feet) a distance of 167.63 feet to a 5/8 inch rod; 3) thence along the arc of a 326.00 foot radius curve to the left (long chord of which bears South 32°33'29" East 57.00 feet) a distance of 57.07 feet to a 5/8 inch rod; thence South 62°04'19" West 181.73 feet to the Point of Beginning. Containing 23,368 square feet of land, more or less.

July 14, 2003
 14TH AVENUE
 ZONE CHANGE DESCRIPTION
 (03-83) JJC:nm

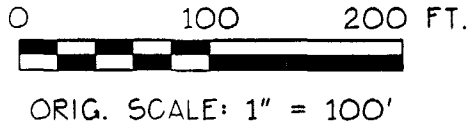
File: nm\mydocshard\city-alb\03-83 zone change desc.doc

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Jack R. Burrell
 OREGON
 JULY 14 1978
 JACK R. BURRELL
 1630

RENEWAL DATE

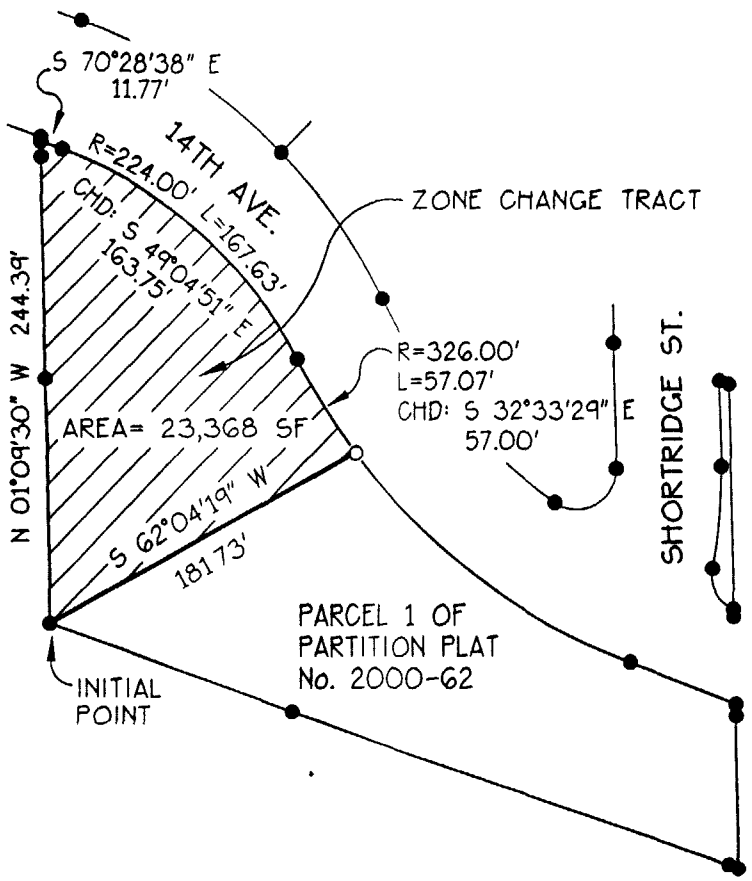
02/31/03



ZONE CHANGE MAP
 FOR
 CITY OF ALBANY
 OF
 TAX LOT 200, MAP 115-3W-8D
 LOCATED IN A PORTION OF
 PARCEL 1 OF PARTITION PLAT No. 2000-62
 IN THE
 SE 1/4 OF T. 11 S., R. 3 W., W.M.
 CITY OF ALBANY, LINN COUNTY, OREGON
 JULY 14, 2003

LEGEND:

- AREA OF ZONE CHANGE FROM RESIDENTIAL MULTIPLE FAMILY (RM-5) TO OFFICE PROFESSIONAL (OP) 23,368 SF
- FOUND 5/8 INCH MONUMENT
- SET 5/8 INCH MONUMENT



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

Jack R. Burrell
 OREGON
 JULY 14, 1978
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RENEWAL DATE: 12/31/03

EXHIBIT C

