

ORDINANCE NO. 5577

AN ORDINANCE AMENDING ORDINANCE NO. 4447, WHICH ADOPTED THE CITY OF ALBANY COMPREHENSIVE PLAN MAP, AND AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY DEVELOPMENT CODE AND ZONING MAP, BY AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP FOR PROPERTIES LOCATED NEAR 53RD AVENUE, AND BY AMENDING ARTICLE 5 OF THE ALBANY DEVELOPMENT CODE; ADOPTING FINDINGS; AND DECLARING AN EMERGENCY.

WHEREAS, the Albany Planning Commission recommended approval of the proposed map and text amendments, based on evidence presented in the staff report and testimony presented at the June 21, 2004 public hearing for City of Albany File Nos. CP-01-04, DC-01-04, and ZC-01-04; and

WHEREAS, the Albany City Council held a public hearing on these same applications on July 14, 2004.

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

Section 1: The Albany Comprehensive Plan Map is hereby amended as follows:

Exhibit A: From Urban Residential Reserve and Open Space to Village Center for 8.68 acres.

Exhibit B: From Urban Residential Reserve and Open Space to Open Space for 5.09 acres.

Exhibit C: From Urban Residential Reserve to Residential Medium Density for 1.08 acres.

The location of these amendments is shown on Exhibit D. These exhibits, upon the adoption of this ordinance, shall supercede the previous Comprehensive Plan designation of those properties.

Section 2: Article 5 (Mixed Use Village Center Zoning Districts) of the Albany Development Code is hereby amended as shown on Exhibit E.

This exhibit, upon adoption of this ordinance, shall supercede the corresponding section of the Development Code. Language shown in the exhibit as having been struck is removed from the Development Code.

Section 3: The Albany Zoning Map is hereby amended as follows:

Exhibit F: From RS-6.5 (Single Family Residential) and MUR (Mixed Use Residential) to MUC (Mixed Use Commercial) for 8.68 acres.

Exhibit G: From RS-6.5 (Single Family Residential) and MUR (Mixed Use Residential) to OS (Open Space) for 5.09 acres.

Exhibit H: From RS-6.5 (Single Family Residential) to RM-5 (Residential Limited Multiple Family) for 1.08 acres.

The location of these amendments is shown on Exhibit I. These exhibits, upon the adoption of this ordinance, shall supercede the previous zoning of those properties.

Section 4: The Findings of Fact and Conclusions included in the staff report attached as Exhibit J are hereby adopted in support of this decision.

Section 5: A copy of the legal descriptions and maps showing the amendment to the Comprehensive Plan Map and Zoning Map shall be filed in the Office of the City Recorder of the City of Albany and the changes shall be made on the official City of Albany Comprehensive Plan Map and Zoning Map.

Section 6: A copy of the legal description of the affected property and the map showing the amendment to the Comprehensive Plan Map shall 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 the Council: July 28, 2004

Approved by the Mayor: July 28, 2004

Effective Date: July 28, 2004



MAYOR

ATTEST:



City Clerk

**BOUNDARY DESCRIPTION
FOR
MIXED USE ZONING SOUTH OF 53RD AVENUE S.W.**

Beginning at a point which is South 76°01'30" East 127.63 feet from Linn County GPS Monument No. 93255, which is located within the Robert E. Harmon Donation Land Claim No. 77 in the Southeast Quarter of Section 24, Township 11 South, Range 5 West, Willamette Meridian, Linn County, Albany, Oregon; said point being at the intersection of the south right-of-way line of 53rd Avenue SW and the west right-of-way line of Highway 99E and marking the true point of beginning; thence along said west right-of-way line on the arc of a 1472.50 foot radius curve to the left (the long chord bears South 05°02'49" East 106.67 feet) a distance of 106.70 feet to a point; thence South 00°26'52" East along said west right-of-way line 100.72 feet to a point; thence along said west right-of-way line on the arc of a 603.00 foot radius curve to the left (the long chord bears South 17°58'50" East 363.31 feet) a distance of 369.04 feet to a point; thence South 35°32'00" East along said west right-of-way line 100.95 feet to a point; thence along said west right-of-way line on the arc of a 1472.50 foot radius curve to the left (the long chord bears South 32°14'34" East 171.74 feet) a distance of 171.83 feet to a point; thence South 35°32'00" East along said west right-of-way line 5.90 feet to a point; thence leaving said right-of-way line North 89°14'00" West 163.80 feet to a point, thence North 35°18'00" West 63.40 feet to a point, thence North 69°19'00" West 158.86 feet to a point; thence South 76°01'00" West 2.14 feet to a point; thence North 60°48'00" West 106.42 feet to a point; thence North 50°13'36" West 599.40 feet to a point; thence North 15°28'03" West 254.52 feet to a point, said point being on the south right-of-way line of 53rd Avenue SW; thence South 89°33'00" East along said south right-of-way line 696.56 feet to the point of beginning.

The above-described area of land contains 8.68 acres (378,211 sq.ft.), more or less.

**BOUNDARY DESCRIPTION
FOR
OPEN SPACE BOUNDARY SOUTH OF 53RD AVENUE S.W.**

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The above-described area of land contains 5.09 acres (221,704 sq.ft.), more or less.

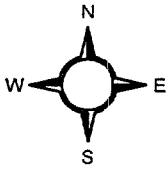
**BOUNDARY DESCRIPTION
FOR
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The above-described area of land contains 1.08 acres (47,131 sq.ft.), more or less.

Existing Comprehensive Plan Map

Exhibit D



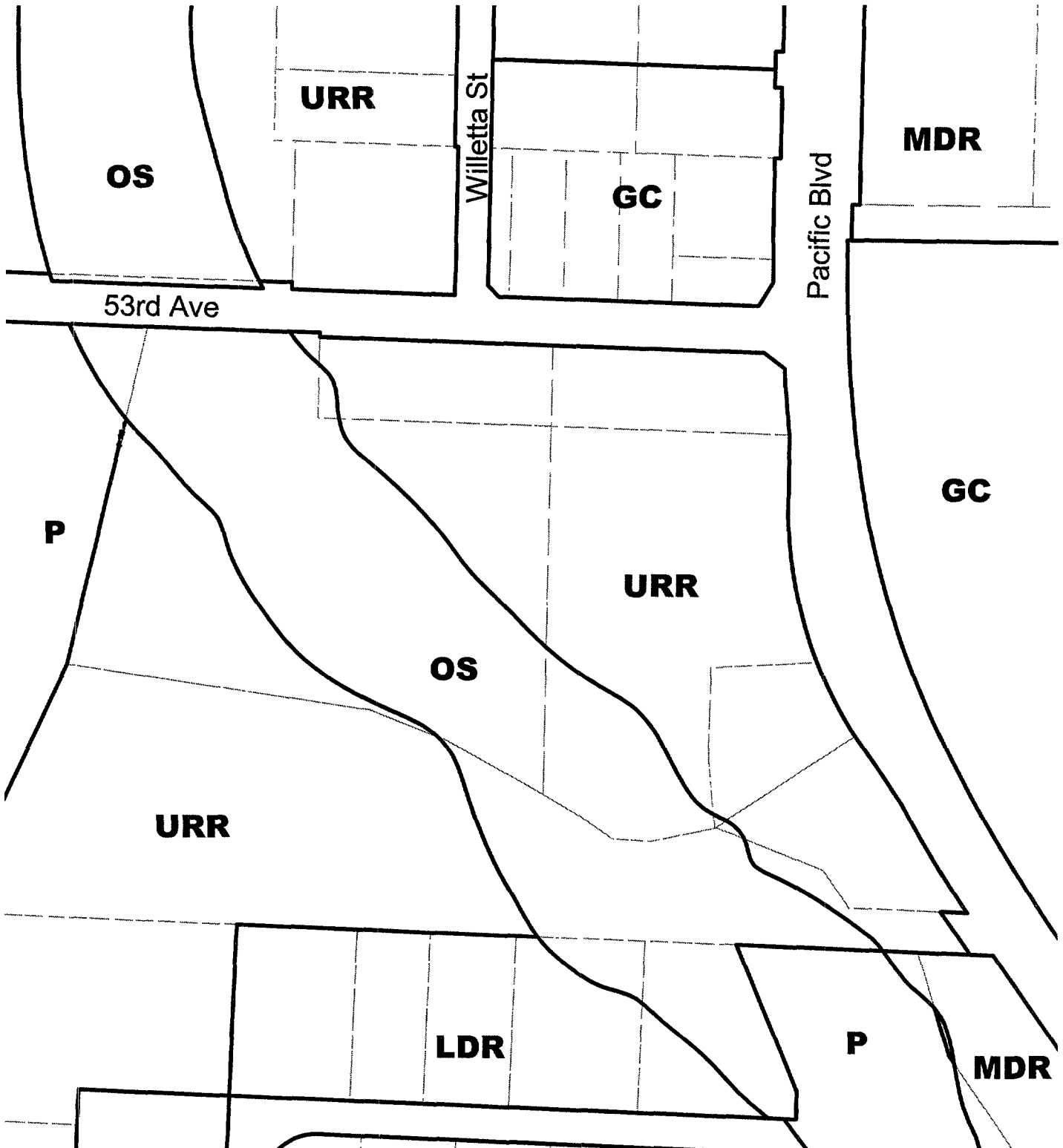
July 14, 2004

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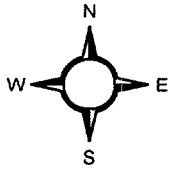
- URR -- Urban Residential Reserve
- LDR -- Residential Low Density
- MDR -- Residential Medium Density
- GC -- General Commercial
- OS -- Open Space
- P -- Public and Semi-Public

Community
Development
Department



Proposed Comprehensive Plan Map

Exhibit D



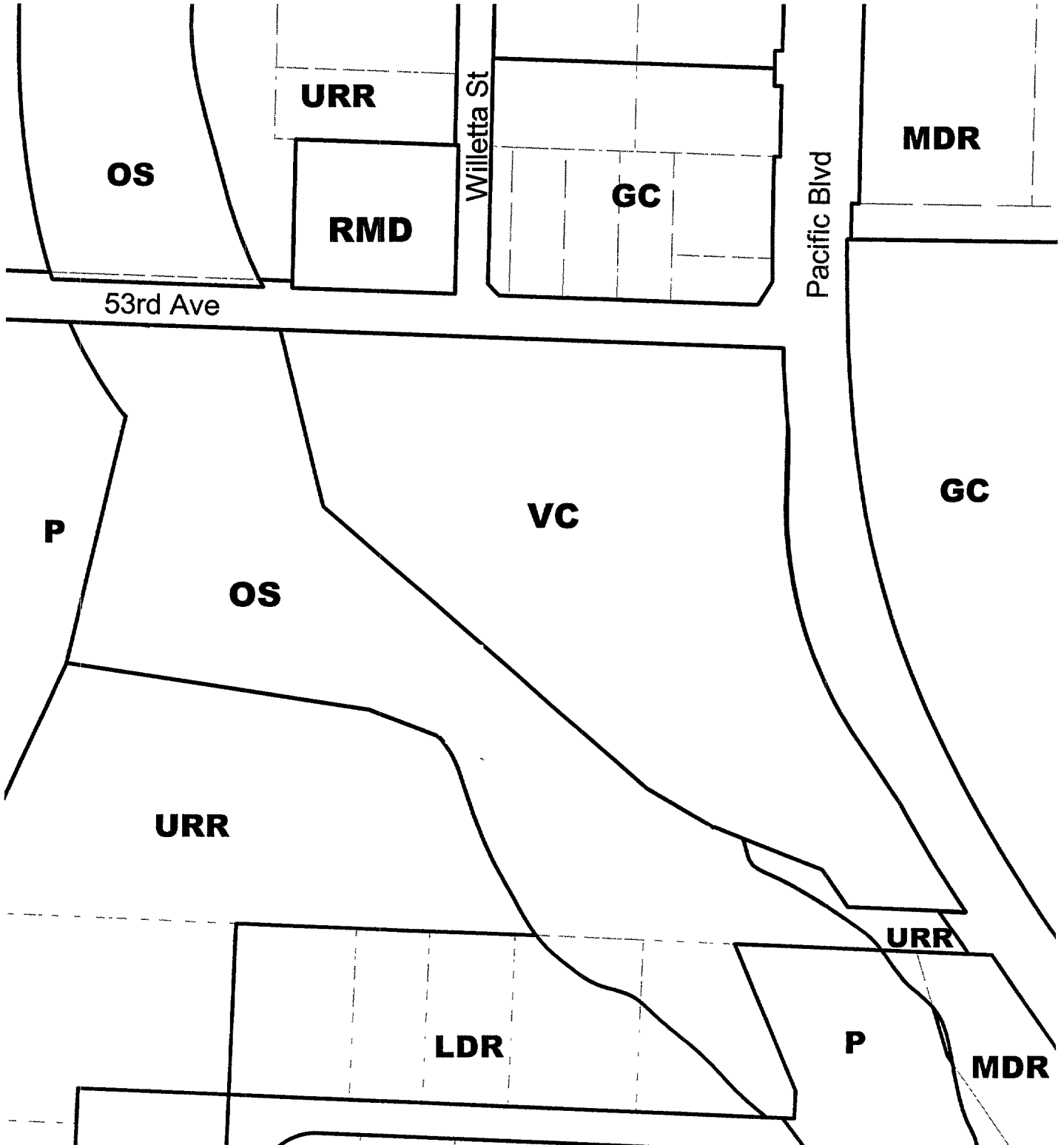
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ARTICLE 5 MIXED USE VILLAGE CENTER ZONING DISTRICTS

5.000 Purpose. This article is intended to define the character of Albany's mixed-use zoning districts. The mixed-use zones implement the concepts identified in the Balanced Development Patterns Project (2001) and the Town Center Plan (Central Albany Land Use and Transportation Study, CALUTS, 1996). These zoning districts are compatible with the Village Center Comprehensive Plan designation applied in the Central Albany area, North Albany, east of Interstate 5 on Knox Butte Road, and south of Oak Creek near Highway 99E (Pacific Boulevard). The mixed-use zones may be applied outside of the Village Center plan designation.

5.020 Overview. The mixed-use Village Center zoning districts are the center of neighborhood and commercial activity, providing a horizontal or vertical mix of retail and residential uses to serve nearby neighborhoods. Other uses may include offices, community and personal services, and live work units. Centers are easily accessible to nearby residences, are pedestrian-friendly, and relate to the adjacent land uses. Commercial uses must fit the scale of adjacent neighborhoods and the desired character envisioned for each Village Center. The Village Center zones differ in permitted uses, development standards, and design based on the unique objectives of each center. Design standards may be adopted to define the unique architectural and streetscape features of each Village Center. Medium-density residential development that provides a mix of housing choices is located adjacent to the Village Center commercial zone.

Development may also be subject to the provisions in Article 8, Design Standards; Article 9, On-Site Development and Environmental Standards; and Article 12, Public Improvements. Sites within overlay districts are also subject to the provisions in Article 6, Special Purpose Districts, and Article 7, Historic Overlay Districts.

The list below is a summary of the topics covered in this article.

- Zoning Districts
- Schedule of Permitted Uses
- Development Standards

5.030 Establishment of Village Center Zoning Districts. In order to implement the mixed-use and livability concepts in the Town Center and Albany Comprehensive Plans, the following zoning districts are created:

No changes are proposed to Subsections (1) to (8).

- (9) **MUC – MIXED USE COMMERCIAL DISTRICT.** The MUC zoning district is intended primarily to provide a mix of convenience commercial, personal services, offices and medium density residential uses ~~in the North Albany and East Albany Village Centers.~~ The district would typically be anchored by a grocery store, and may include a mix of smaller retailers, offices, live-work units and residences. The MUC district is easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent neighborhoods. Uses in the MUC zone will serve ~~the North Albany or East Albany~~ area residents and should not draw from the region.

No changes are proposed to Sections 5.040 to 5.410.

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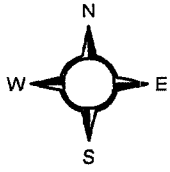
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Existing Zoning Map

Exhibit I



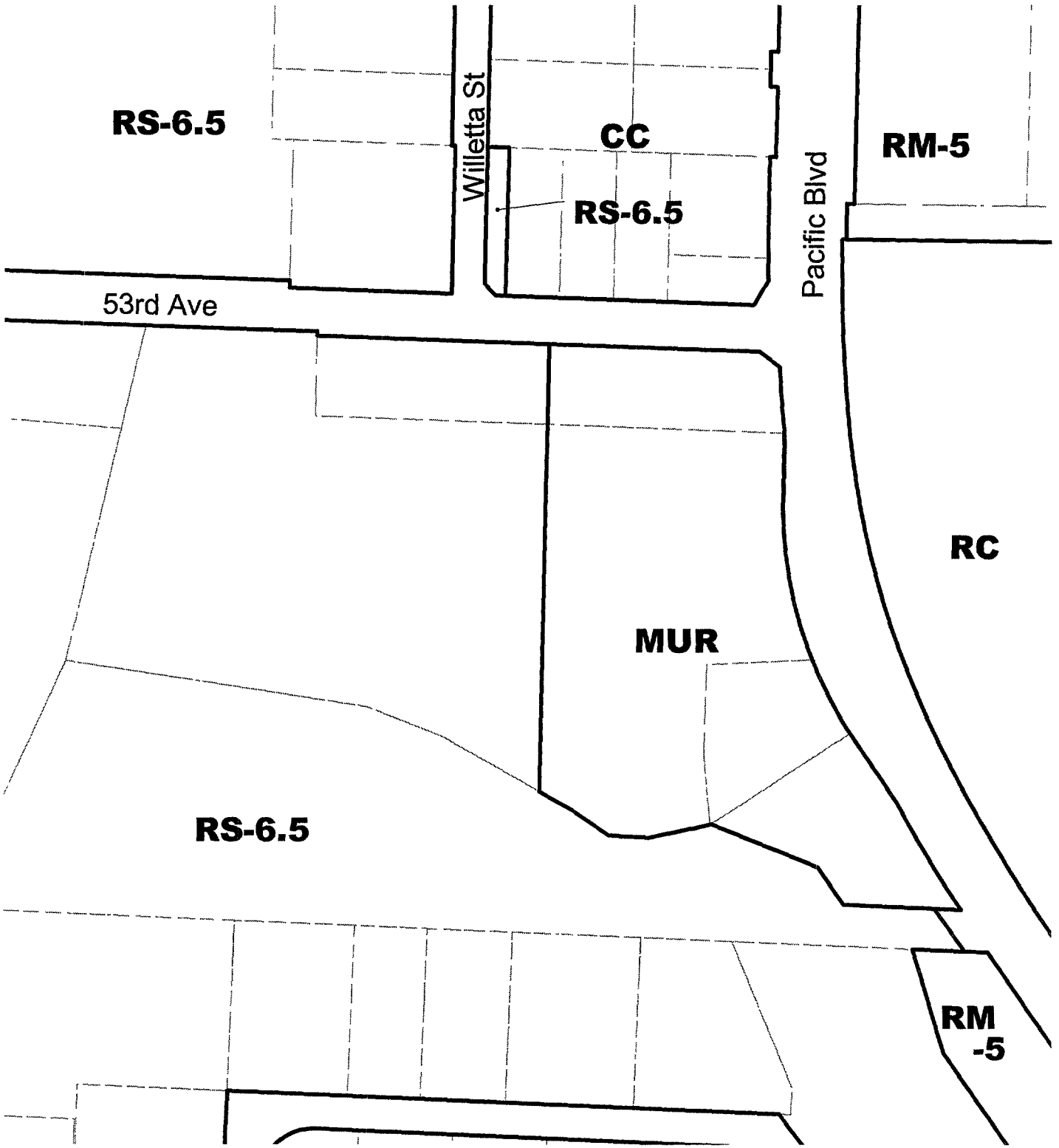
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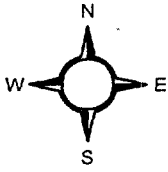
- RS-6.5 -- Residential Single Family
- RM-5 -- Residential Limited Multiple Family
- MUR -- Mixed Use Residential
- CC -- Community Commercial
- RC -- Regional Commercial

Community
Development
Department



Proposed Zoning Map

Exhibit I



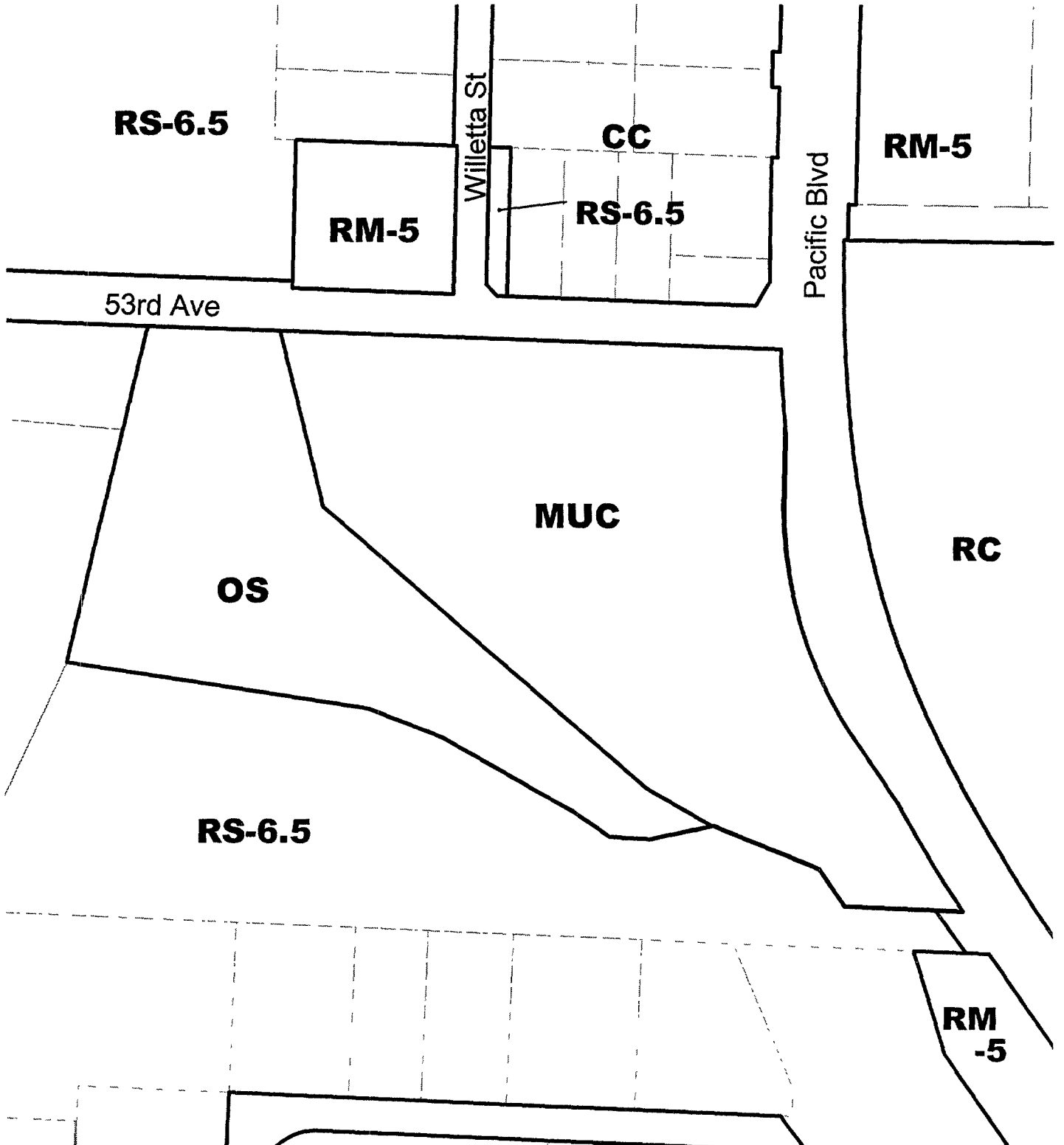
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COMPREHENSIVE PLAN MAP AMENDMENTS

File CP-01-04

The current Comprehensive Plan designation for 9.51 acres is Urban Residential Reserve and 4.90 acres is Open Space. The proposed designations are: 8.68 acres Village Center; 1.08 acres Medium Density Residential; and 5.09 acres Open Space. The proposed Village Center designation is needed for the zone change to Mixed Use Commercial to allow a bowling center as the first phase of commercial development on this corner. The proposed Medium Density Residential designation is needed for the proposed RM-5 zone for a 1.08-acre parcel on the north side of 53rd Avenue. The proposed Comprehensive Plan amendments would also clarify the location of the Open Space boundary. See attached maps B and C.

STAFF ANALYSIS

The Albany Development Code contains the following review criteria which must be met for this quasi-judicial map amendment to be approved. Code criteria are written in *bold italics* and are followed by findings and conclusions.

- (1) *The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance has been found to be more supportive of the Comprehensive Plan as a whole than the old designation.*

FINDINGS OF FACT

REQUESTED DESIGNATION OF THE PROPERTY

- 1.1 The current Comprehensive Plan Map designation of the property is Urban Residential Reserve (URR) and Open Space (OS). The URR designation “identifies areas between the developed urban area and the Urban Growth Boundary within which a variety of residential zones may be permitted to accommodate all needed housing types without a Plan change.” The OS designation “identifies and protects areas where development is infeasible or undesirable and where it is in the public interest to protect lands for the maintenance of natural drainageways and flood channels, to protect fish and wildlife habitats, to enhance scenic and historic areas, to protect natural resources, and to protect potential recreation trails and park sites.” (Comprehensive Plan, pages 136, 138)
- 1.2 The requested designations of the property are Village Center (VC), Open Space (OS), and Medium Density Residential (MDR). The VC designation “provides for a mixture of uses to serve nearby neighborhoods. These uses must include retail and residential uses and may include offices, community and personal services, and live-work units. Development within a Village Center will be pedestrian friendly, fit the desired scale and character of nearby neighborhoods and prevent the appearance of strip commercial development. Within the Village Center Plan designation there will be at least two zones. One is a mixed-use commercial zone, the other is a medium- to high-density residential zone that provides a mix of housing choices.” The OS designation “identifies and protects areas where development is infeasible or undesirable and where it is in the public interest to protect lands for the maintenance of natural drainageways and flood channels, to protect fish and wildlife habitats, to enhance scenic and historic areas, to protect natural resources, and to protect potential recreation trails and park sites.” The MDR designation “identifies areas suitable for multiple-family and attached single-family development at densities ranging from 10 to 20 units per acre.” (Comprehensive Plan, page 136-138)

CITY OBLIGATION IN REGARD TO GOALS AND POLICIES

- 1.3 The Comprehensive Plan (page 2) defines a goal as “a general statement indicating a desired end, or the direction the City will follow to achieve that end.”

The Comprehensive Plan describes the City’s obligation in regard to goals as follows: “The City cannot take action which opposes a goal statement unless: 1) It is taking action which clearly supports another goal, 2) There are findings indicating the goal being supported takes precedence (in the particular case) over the goal being opposed.”

- 1.4 The Comprehensive Plan (page 3) defines a policy as “a statement identifying a course of action or City position.”

The Comprehensive Plan describes the City’s obligation in regard to policies as follows: “The City must follow relevant policy statements in making a land use decision . . . [I]n the instance where specific Plan policies appear to be conflicting, then the City shall seek solutions which maximize each applicable policy objective within the overall content of the Comprehensive Plan and in a manner consistent with the statewide goals. In balancing and weighing those statements, the City can refer to general categories of policies and does not have to respond to each applicable policy. Also, in this weighing process, the City shall consider whether the policy contains mandatory language (e.g. shall, require) or more discretionary language (e.g. may, encourage).”

RELEVANT GOALS AND POLICIES

- 1.5 The following Comprehensive Plan goals and policies are relevant in considering whether the proposed VC, OS and MDR designations are more supportive of the Plan, on balance, than the current URR and OS designations. Goals and policies are listed below in ***bold italic*** print, followed by findings of fact, then conclusions.

UPDATING THE COMPREHENSIVE PLAN

- 1.6 ***Goal 2: Land Use Planning - Updating and Amending the Comprehensive Plan.***

Goal: To “Undertake Periodic Review and Update of the Albany Comprehensive Plan to Ensure the Plan:

- 1. Remains current and responsive to community needs.***
- 2. Retains long-range reliability.***
- 3. Incorporates the most recent and reliable information.***
- 4. Remains consistent with state laws and administrative rules.***

Policy 2: Base approval of Comprehensive Plan amendments upon consideration of the following:

- a. Conformance with goals and policies of the Plan.***

How this application conforms to the goals and policies of the Comprehensive Plan is the subject of the discussion under this review criterion.

- b. Citizen review and comment.***

A Comprehensive Plan Map amendment application is processed as a Type IV land use decision. The City’s Development Code requires notification to surrounding property owners that this Comprehensive Plan Map amendment application has been received and that there will be public hearings on the application. A sign advertising the public hearing must also be posted on the property [ADC 1.440 and 1.410]. A Notice of Public Hearing was mailed to surrounding property owners and the property was posted with the required sign.

- c. Applicable Statewide Planning Goals.***

How the proposed changes comply with the Statewide Planning Goals is discussed under Review Criterion (4) below.

d. Input from affected governmental units and other agencies.

Local utility providers may have an interest in the proposed change in the land use designation of this property. Local utility companies were notified of the proposed map amendments.

Pacific Boulevard is a state highway (State Highway 99E) under the jurisdiction of the Oregon Department of Transportation (ODOT). ODOT was notified of the proposed map amendments.

ORS 197.610 requires the City to notify the Oregon Department of Land Conservation and Development (DLCD) of any proposed changes to the Comprehensive Plan Map and/or Zoning Map. The notice must be received by DLCD at least 45 days before the first evidentiary hearing. DLCD notifies state agencies and others who may have an interest in the proposed changes. DLCD was notified of the proposed Comprehensive Plan Map and Zoning Map amendment applications on April 7, 2004. The notice provides DLCD the required 45-day notice before the first (Planning Commission) hearing.

e. Short- and long-term impacts of the proposed change.

f. Demonstration of public need for the change.

g. Demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.

h. Any additional information as required by the Planning Commission and City Council.

The short-term and long-term impacts of the proposed change, the public need for the change, and other available alternatives are discussed in the findings below.

GOAL 9: ECONOMY

1.7 Goal 9: Land Use

Land Use Goal: Create village centers that offer housing and employment choices.

Applicant's comments: "The Comprehensive Plan Map currently identifies a Future Village Center in South Albany, near the intersection of 53rd Avenue and Pacific Boulevard. The South Albany area does not currently have a neighborhood center where residents can go for their frequently recurring shopping needs. South Albany residents have to drive back into town if they want to eat at a restaurant or buy a cup of coffee.

"Amending the Comprehensive Plan from Urban Residential Reserve to a Village Center will provide South Albany residents with convenient services so they will not have to drive as far for their daily shopping needs. A recent demand analysis for retail space in South Albany, resulted in the following findings:

1. "The southern portion of Albany will support the development of approximately 700,000 square feet of retail space (requiring approximately 64 acres of retail commercial land) when the area is fully built out.
2. "The 34-acre Piano parcel (located east of 53rd Avenue and Pacific Boulevard) will only use approximately 50% of the market demand. There will be more than sufficient demand to support additional retail development in the area.

3. “Neglecting to meet the need for additional retail and commercial land will force residents to shop elsewhere and result in increased automobile use, more traffic congestion and air pollution.”

1.8 ***General 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.***

Applicant’s comment: “The proposed amendment will establish a Village Center in South Albany. Currently, residents in this part of town must drive back into town to purchase either a gallon of milk, a newspaper, or a cup of coffee. Not having a neighborhood center in South Albany increases vehicle miles traveled and dependency on the private automobile. The proposed Village Center is on an existing transit route, which also offers transit riders an opportunity to shop or take the bus to work.”

1.9 ***Commercial Policy 3: Designate new mixed use Village Centers that provide a mix of commercial, office, entertainment and medium- to high-density residential uses that are integrated into the desired character of the neighborhood.***

The Village Center is the hub of the neighborhood. The size, location, and identity of the Village Center depends on the needs of the neighborhood. Because neighborhood character varies across the city, the Village Center can fulfill a number of different roles in the daily life of the neighborhood. When considering the concept of the Village Center for the first time in late 2001, the Planning Commission was faced with the challenge of the diversity of sizes and different mix of use types. The Commission explored two sizes of Village Centers, major and minor. Given the sizeable amount of residential development in the Oak Creek area and the lack of convenient access to goods and services, the Commission looked for a site for a Village Center in the area. They considered this site for a possible Minor Village Center to serve the growing neighborhood. Ultimately the Planning Commission and City Council opted for a single Village Center designation that could be tailored to meet the needs of the neighborhood. They designated a Future Village Center to the east of the railroad to be incorporated into the future neighborhood and left the door open for a smaller Village Center to meet the needs of existing residents on the west side of Pacific Boulevard.

1.10 ***Commercial Policy 5: Provide opportunities for small neighborhood commercial facilities to be located in neighborhoods and Village Centers to be located close to the areas they are intended to serve. Neighborhood convenience and Village Center commercial uses must:***

- a. ***Be located, designed, and operated so as to be compatible with surrounding residential uses.***
- b. ***Be oriented to provide for the common and frequently recurring shopping needs of the area they are intended to serve.***
- c. ***Be limited in number, size, and location. Generally, new Neighborhood Commercial sites will be less than an acre.***
- d. ***The commercial component of Village Center zoning districts should be sized to meet the neighborhood needs. Village Centers are generally located at least one mile in travel distance from any other commercial site that serves or is available to serve similar commercial needs.***
- e. ***Zone change applications for new neighborhood and Village Center commercial sites must demonstrate that the chosen site is superior or equal to viable alternative sites within the same market area based on exposure to traffic flows and other market indicators, accessibility and convenience to the market area, and compatibility with surrounding uses.***

Applicant’s comment: “The proposed amendment will provide a new Village Center in South Albany. The Village Center designation would be located on 8.68 acres at the southwest corner of 53rd Avenue and Pacific Boulevard and would function in combination with the 32-acre Piano parcel to the east. This site would be the smallest of the three Village Centers in Albany. Currently the North Albany Village Center is approximately 115 acres, while the East Albany Village Center is approximately 50 acres.

“The proposed amendment will provide South Albany residents with a new Village Center at the southwest corner of 53rd Avenue and Pacific Boulevard. The existing Comprehensive Plan Map calls for Medium High Density residential uses to the south, along Pacific Boulevard. This provides a compatible transition between the Village Center and the residentially-zoned lands to the south. The western boundary of the site will be amended to include additional open space. This open space will provide a compatible transition between the Village Center and the residential uses to the west. Lands north of 53rd Avenue and the site are currently designed for commercial and residential uses. The single-family residential land associated with Tax Lot 1005 could result in compatibility issues, as the land to the south and east is proposed to be rezoned to commercial. Higher density residential zoning in this area would provide a more compatible transition to these commercial uses.

“The proposed amendment will result in a cluster of commercial uses at the intersection of 53rd Avenue and Pacific Boulevard. The City already provides transit service to the site. The Village Center will include a mix of neighborhood uses that can be reached by walking, biking, or riding the bus. The proposed amendment will increase the amount of open space along the western project boundary and will result in increased compatibility between the low-density residential uses to the west. The City’s new Design Standards will ensure that the proposed multi-family residential lands north of 53rd Avenue are compatible with the existing single-family residential lands to the north. Existing public facilities are already available to serve the site.”

The property owners of the subject tax lots have worked cooperatively to submit the proposed map amendments, but only one property owner is prepared to develop his property. The proposed bowling center would become the first eating and recreation establishment in the area, as well as provide employment opportunities to local residents. The balance of the land could develop as a retail, service, and office center to meet the needs of local residents.

The need for the Village Center designation is based in part on the applicant’s plans to construct a 19,800-square-foot building for the bowling center. Under the provisions for the current Mixed Use Residential zoning district, the maximum building size is 10,000 square feet. According to the ADC 5.030(3), “the MUR district is intended primarily to create a residential district with a mixture of neighborhood commercial uses allowed to meet daily needs of area residents.” In other words, the MUR district has a residential orientation that allows occasional, compatible, small-scale commercial uses. In contrast the proposed Village Center is primarily a commercial core for a larger residential area.

1.11 **Goal 9: Albany’s Economy**

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

Applicant’s comment: “The Applicant proposes to construct a 16-lane bowling center on the site. This bowling center will include activities normally found in bowling centers in the area. This will include league and non-league bowling. As is typical with bowling centers, businesses located in this facility will include: sit-down restaurant; billiards/arcade; arcade; sports bar; and lounge. This project is intended to replace the applicant’s existing bowling center, Lakeshore Lanes on Airport Road.”

GOAL 5: OPEN SPACE

1.12 ***Goal: Ensure the provision of open space and protection of natural and scenic resources.***

More than five acres of the site is undevelopable, comprised of wetlands, riparian vegetation, and floodplain associated with a southern fork of Oak Creek. However, the boundaries of the current Open Space designation do not follow any identifiable feature. Some developable upland area is protected as

Open Space and some bottomland area is designated for residential development. The proposed map amendment would apply the OS designation in a more rational manner.

- 1.13 ***Policy 1. Retain open space lands which provide the following:***
- a. Aesthetic and environmental relief from the density of urban development.***
 - b. Future recreational lands and opportunities.***
 - c. Buffers between incompatible development.***
 - d. Protection of natural hazard, wetlands, steep slopes, and other areas not suitable for development.***
 - e. Significant fish and wildlife habitats.***
 - f. Protection of significant historic areas.***

Applicant's comments: "The Comprehensive Plan currently designates the low-lying lands along the western project boundary for residential development. This area contains wetlands and is part of the existing natural drainageway. The proposed amendment results in an increase of land designated as Open Space. The aesthetics of the area will be enhanced through preservation of additional Open Space. The proposed Open Space will serve as a buffer between the proposed Village Center and the low-density residential lands to the west. The area proposed as Open Space will ensure preservation of wetlands and natural drainageway functions."

The proposed OS boundary approximates the wetland and floodplain boundaries.

GOAL 10: HOUSING

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

Applicant's comments: "The proposed amendment will reduce the amount of lands designated for Urban Residential Reserve. The proposed amendment is not anticipated to negatively impact the ability to meet the housing needs of Albany's citizens. The proposed Village Center and Residential-Medium Density designations both allow for residential development. The Medium Density designation allows for single-family development, condominiums, townhouses, and apartments, while the Village Center would allow for the development of condominiums, townhouses, and live/work units."

- 1.15 ***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.***

The URR designation currently applies to 9.51 acres of the 14.41-acre site. While the underlying zoning would allow for residential development of the site, there has been continuous market interest for commercial use of the site.

The proposed Village Center and Residential Medium Density designations could integrate a variety of housing types in relatively small numbers into a growing neighborhood of suburban-style single-family detached homes. These homes could provide housing options for those who otherwise would not live in this area.

The one-acre site proposed for the Residential Medium Density designation is located on the northwest corner of 53rd Avenue and Willetta Street. Land to the south is located in the proposed Village Center; to the east is light industrial property in the Community Commercial zone; to the north is a single-family zoning; and to the west is Open Space. On average, one acre of RM-5 land could develop 12-14 attached homes or 6-8 detached homes.

GOAL 12: TRANSPORTATION

- 1.16 ***Goal: Provide a safe, diversified, economical, and efficient transportation system that protects and enhances Albany's economy, environment, neighborhood quality, cultural, and scenic values. For the purposes of this document, a transportation system includes auto, transit, bicycles, pedestrian, rail and air transportation.***
- 1.17 ***Policy 2: Protect transportation facilities, corridors, and sites for their identified functions.***
- a. Develop access control measures and encourage land development patterns that minimize direct access onto collector and arterial roads.***
 - b. Develop a roadway system that appropriately allocates on-street parking to manage traffic on arterial, collector and local streets.***
 - c. Protect the future operation of corridors by obtaining sufficient right-of-way or building setbacks to provide for future capacity in transportation corridors and by conditioning development proposals to minimize impacts.***
 - d. Review land use designations, densities, and design standards for consistency with the functions, capacities, and levels of service of facilities identified in the TSP.***
 - e. Negotiate a means to transfer ownership of county roads that are within the city limits of Albany. Coordinate with the county for the construction, right-of-way-acquisition, improvement or repair of any county road within the city limits or within a 1/4 mile of the Urban Growth Boundary for improvements recommended in the TSP.***
- 1.18 In addition to the review criteria above, Oregon Administrative Rule (OAR) 660-12-060(1) states that ***"Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility."***

The site is located on the southwest corner of Highway 99E and 53rd Avenue, and has frontage on both roads. Highway 99E is classified as a principal arterial street and is under the jurisdiction of ODOT. The street is improved to City standards and includes: curb, gutter, and sidewalk; two travel lanes in each direction; a two-way center left-turn lane; and bike lanes. The speed limit is 50 MPH. 53rd Avenue is classified as a major collector street.

53rd Avenue is in the process of being improved to City standards with a Local Improvement District (LID). Improvement will include: curb, gutter and sidewalk; a travel lane in each direction; bike lanes; and installation of a traffic signal at the intersection of Highway 99E and 53rd Avenue. Tax lots 602, 603 and 604 are not within the LID boundary. When the 53rd Avenue LID was formed, the parcels involved in this zone change were zoned for single-family residential development. The assessment methodology developed with the LID was based upon the assumption that future development of these parcels would be single-family development.

The applicant submitted a traffic study with the application. The study was performed by Lancaster Engineering and is dated June, 2004. ODOT and City staff have reviewed the study. The study assumed the site would be developed with uses permitted under the requested zone designation, and that those uses would have a shared common interior circulation pattern that resulted in shared access to both Highway 99E and 53rd Avenue. Anticipated uses included: a 16-lane bowling alley, 33,560 square feet of retail space, 11,160 square feet of office space, a 4,500-square-foot restaurant, and 18 apartment units. Trip generation estimates were then calculated for the proposed uses and the public street system was analyzed at year 2019 to determine capacity and the extent of any needed improvements.

- 1.19 The traffic study reached the following conclusions:
- When developed with the proposed zone designations, the site is estimated to generate 179 trips during the morning peak hour, 285 trips during the evening peak hour, and a total increase of 2,978 trips per average weekday.
 - When development of the site under the proposed zone designations is compared to development

under existing zone designation, the proposed zoning would result in an increase of 104 trips during the morning peak hour, 166 trips during the evening peak hour, and 1,686 trips per average week day.

- With development under the proposed zone designations, all street intersections are expected to operate acceptably during morning and evening peak hours under both ODOT and City standards.
- The driveway access to Highway 99E could exceed ODOT capacity standards in year 2019, but in that event, trips would likely reroute on-site to 53rd Avenue and use the signal at Highway 99E. The signalized intersection of Highway 99E and 53rd Avenue has adequate capacity to accommodate the diverted movements.

GOAL 14: URBANIZATION

- 1.20 ***Goal: Achieve stable land use growth which results in a desirable and efficient land use pattern.***

Policy 12: Discourage future strip commercial development and promote clustered commercial opportunities and the infilling of existing commercial areas which will foster:

- a. Efficient and safe utilization of transportation facilities.***
- b. A variety of attractive and comfortable shopping opportunities that encourage shopping in a number of stores without auto use.***
- c. Compatibility between land uses, particularly adjacent residential neighborhoods.***
- d. Efficient extension of public facilities and services.***

Applicant's comments: "The proposed amendment will result in a cluster of commercial uses at the intersection of 53rd Avenue and Pacific Boulevard. The City already provides transit service to the site. The Village Center will include a mix of neighborhood uses that can be reached by walking, biking, or riding the bus. Existing public facilities are already available to serve the site. It is anticipated that the proposed amendment will increase the demand for water and sewer slightly over the existing land use designations. This is because the existing demand is based on 14.41 acres of Residential Single-Family and Mixed Use Residential development, while the demand associated with the amendment is based on 9.09 acres of Mixed Use Commercial and Residential Limited Multiple Family development."

CONCLUSIONS

- 1.1 The Urban Residential Reserve designation is no longer consistent with the character of this area. Given the recent level of residential development to the west and the current upgrade of 53rd Avenue, this area would no longer be considered "between the developed urban area and the Urban Growth Boundary." It is timely to consider a more appropriate designation at this site.
- 1.2 Increasing levels of traffic on 53rd Avenue and Pacific Boulevard support the argument that the eight-acre site at the southwest corner is better suited in the long term for commercial development than for residential use.
- 1.3 The Planning Commission considered a "minor" version of the Village Center designation for this site during the update of Economic Development policies and regulations. Ultimately the City Council adopted a single version of the Village Center designation that could be adapted to local circumstances rather than create a two-tier designation.
- 1.4 The Planning Commission and City Council recognized the need for a Village Center to serve the expanding number of households in the Oak Creek area. They adopted a "future" Village Center designation for the tracts east of the railroad and left the door open for a version at this site.

- 1.5 The applicants have worked together to advance the proposed Village Center designation. One property owner has plans to move his bowling center to this site. Approval of these requests would support the efforts of this businessman to stay local.
- 1.6 The proposed Village Center designation provides an appropriate blend of commercial and residential uses on this site. The intervening open space would comfortably buffer nearby single-family homes from future impacts of retail, service, office and residential uses of the site. The service area would primarily be the Oak Creek area and specifically the 53rd Avenue neighborhood.
- 1.7 The proposed realignment of the Open Space designation better fits the existing topography. The boundary would generally follow the upland edge of the wetlands, riparian vegetation and floodplain.
- 1.8 The proposed Residential Medium Density designation on the north side of 53rd Avenue is an opportunity to integrate other housing options in the single-family neighborhood. It would also increase the density near the Village Center in support of businesses in that location.
- 1.9 Access to the site is from Highway 99E and 53rd Avenue. Highway 99E is part of the State Highway system, is under the jurisdiction of ODOT, and is constructed to City standards. 53rd Avenue is a major collector street, and is currently being improved to City standards with an LID. The intersection of 99E and 53rd is controlled by a traffic signal.
- 1.10 Some of the parcels involved in this zone change application are within the 53rd Avenue LID boundary, and are therefore subject to assessments for street costs upon completion of the street improvement project. The requested zone designations will result in an increase in the intensity of use and vehicle trip generation when these parcels develop. As a result, at project completion when levying final assessments, the City Council may choose to modify the current LID assessment methodology to take into account the increased intensity of allowed uses on those parcels.
- 1.08 A traffic study was submitted with the application. The study estimated trip generation that would result from development of the site under the requested zone designations, and concluded the street system has adequate capacity to accommodate the new zone designations. Therefore, the proposed amendment will not significantly affect transportation facilities.
- 1.12 ODOT and City staff have reviewed the traffic study and agree with its conclusions.

(2) *The requested designation is consistent with any relevant area plans adopted by the City Council.*

FINDINGS OF FACT

- 2.1 "Area plans" means land use plans. The property where the map amendments are proposed has not been included in any area plans.

CONCLUSION

- 2.1 This review criterion is not applicable because there are no area plans that have been adopted by the City Council for the area where the Comprehensive Plan Map amendment is proposed.

(3) *The requested designation is consistent with the Comprehensive Plan map pattern.*

FINDINGS OF FACT

- 3.1 The evolving pattern in this area recognizes the fact that this will one day be a busy intersection. 53rd Avenue will continue east over the railroad and merge with Ellingson Road. Vacant land between Pacific

Boulevard and the railroad was zoned last year to Regional Commercial. Just on the other side of the railroad will be a Village Center.

- 3.2 Currently there is little commercial development in this area. Auto sales, metal fabrication, convenience store, and a veterinary clinic are the only businesses in this section of Pacific Boulevard. Other land zoned for commercial use is not served by water and sewer or is already developed for other uses.
- 3.3 The proposed Village Center designation would cluster future commercial and employment into a single area that would serve as a hub for growing residential areas on the west side of Pacific Boulevard. This pattern of development would prevent the linear expansion of development along the state highway.
- 3.4 The proposed Village Center designation is consistent with the preferred development pattern recommended by the Balanced Development Patterns project in 2001.
- 3.5 The proposed Open Space designation is consistent with long-term efforts to protect natural resources along Albany-area streams.
- 3.6 The proposed Residential Medium Density designation for the one-acre site on the north side of 53rd Avenue is consistent with Housing policies to integrate various housing types and create more housing opportunities in proximity to Village Centers.

CONCLUSION

- 3.1 The requested designation is consistent with the Comprehensive Plan map pattern. This criterion is met.

(4) *The requested designation is consistent with the Statewide Planning Goals.*

FINDINGS OF FACT

- 4.1 The following Statewide Planning Goals are relevant to consideration of this application. Goals and policies are listed below in ***bold italic*** print followed by findings of fact, then conclusions.

4.2 ***Goal 5 is "To protect natural resources and conserve scenic and historic areas and open spaces.***

As discussed under Review Criterion (1) above, the proposed realignment of the Open Space designation will better protect wetlands, riparian vegetation and floodplain areas on the property.

4.3 ***Goal 9 is "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens."***

As discussed under Review Criterion (1) above, the proposed Village Center designation will provide more opportunity for local economic growth and development in the Oak Creek area.

4.4 ***Goal 10: Housing is "To provide for the housing needs of citizens of the state."***

As discussed under Review Criterion (1) above, the proposed Residential Medium Density and Village Center designations will provide more variety of housing choices in the Oak Creek area.

4.5 ***Goal 12 is "To provide and encourage a safe, convenient and economic transportation system."***

As discussed under Review Criterion (1) above, existing transportation facilities are adequate to accommodate levels of traffic anticipated by the proposed amendments.

CONCLUSION

- 4.1 The requested designations are consistent with the statewide planning goals for reasons listed under criterion (1) above.

ZONING MAP AMENDMENTS**File ZC-01-04**

The current zoning for 8.56 acres is RS-6.5 (Residential Single Family) and 5.85 acres is zoned MUR (Mixed Use Residential). The proposed zoning is: 8.68 acres MUC (Mixed Use Commercial); 1.08 acres RM-5 (Limited Multiple Family); and 5.09 acres OS (Open Space). The Zoning Map amendments would: allow a proposed bowling center as the first phase of development; unify the zoning of several tax lots in multiple ownership to enable more efficient and compact development of the site; clarify the boundary of the Open Space district, and provide more flexibility for residential development of a 1.08-acre parcel on the north side of 53rd Avenue. See attached maps D and E.

STAFF ANALYSIS

The Albany Development Code contains 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 applicants propose to change the zoning of 14.41 acres of land from MUR (Mixed Use Residential) and RS-6.5 (Residential Single Family) to MUC (Mixed Use Commercial), OS (Open Space), and RM-5 (Limited Multiple Family).
- 1.2 The current Comprehensive Plan Map designation of the property is Urban Residential Reserve.
- 1.3 The Plan Designation Zoning Matrix in the Comprehensive Plan (page 140) shows that the proposed MUC and OS zoning is not consistent with the Urban Residential Reserve Comprehensive Plan Map designation of the property. The proposed RM-5 is consistent with Urban Residential Reserve.
- 1.4 The Zoning Map Amendment cannot be approved unless the Comprehensive Plan Map designation is changed from Urban Residential Reserve to Village Center and Open Space. The Urban Residential Reserve designation does not allow MUC or OS zoning. It does allow RM-5.
- 1.5 The applicants have applied to change the Comprehensive Plan Map designation from Urban Residential Reserve to Village Center and Open Space. They have also applied for a change to Residential Medium Density for the RM-5 portion, but the change is not required to implement the RM-5 zoning.
- 1.6 The proposed MUC, OS and RM-5 zoning is consistent with the proposed Village Center, Open Space and Residential Medium Density designations respectively.

CONCLUSION

- 1.1 This criterion is met because the applicants have applied for a Comprehensive Plan Map amendment to Village Center. The proposed MUC zoning is consistent with the Village Center designation.
- (2) *Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation.*

FINDINGS OF FACT

- 2.1 The findings related to Goal 12, Transportation under Review Criterion (1) of the concurrent Comprehensive Plan Map amendment staff report are applicable to this review criterion as well. To avoid repeating the same information here, those findings are included here by reference.

CONCLUSION

- 2.1 The conclusions related to Goal 12, Transportation under Review Criterion (1) of the concurrent Comprehensive Plan Map amendment staff report are adopted by reference.
- (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 The findings related to Public Facilities under Review Criterion (1) of the concurrent Site Plan Review staff report are applicable to this review criterion as well. The public facilities available for the proposed bowling center are those available to the entire site. To avoid repeating the same information here, those findings are included here by reference.

CONCLUSION

- 3.1 The conclusions related to Public Facilities under Review Criterion (1) of the concurrent Site Plan Review staff report are adopted by reference.
- (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 related to Special Features of the Site under Review Criterion (2) of the concurrent Site Plan Review staff report are applicable to this review criterion as well. With the exception of large trees, the Special Features found near the proposed bowling center are those found throughout the entire site. To avoid repeating the same information here, those findings are included here by reference.

CONCLUSION

- 4.1 The conclusions related to Special Features of the Site under Review Criterion (2) of the concurrent Site Plan Review staff report are adopted by reference.
- (5) *The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.*

FINDINGS OF FACT

- 5.1 The current zoning of the property where the Zoning Map amendment is proposed is MUR (Mixed Use Residential) and RS-6.5 (Residential Single Family). The proposed zoning is MUC (Mixed Use Commercial), OS (Open Space) and RM-5 (Limited Multiple Family).
- 5.2 This review criterion requires that the intent and purpose of the proposed MUC, OS and RM-5 zoning districts “best satisfy” the goals and policies of the Comprehensive Plan.

5.3 The purpose statements for the existing zoning are as follows:

The MUR district is intended primarily to create a residential district with a mixture of neighborhood commercial uses allowed to meet daily needs of area residents [ADC 5.030(3)].

The RS-6.5 District is intended primarily for low-density, urban single-family residential development. Development should occur at 6-8 units per acre [ADC 3.020(3)].

5.4 The purpose statements for the proposed zoning are as follows:

The MUC zoning district is intended primarily to provide a mix of convenience commercial, personal services, offices and medium-density residential uses in the North Albany and East Albany Village Centers. The district would typically be anchored by a grocery store, and may include a mix of smaller retailers, offices, live-work units and residences. The MUC district is easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent neighborhoods. Uses in the MUC zone will serve the North Albany or East Albany area residents and should not draw from the region [ADC 5.030(9)].

The OS district is intended for the establishment, continuation, and preservation of agricultural uses, park and recreation areas, wildlife habitats, wetlands, natural areas, and other uses that do not involve the construction of structures other than minor facilities that might be required to conduct the principal use [ADC 3.025].

The RM-5 District is primarily intended for low to medium density multiple family residential urban development. Development should occur at 10-20 units per acre [ADC 3.020(5)].

5.5 The findings under Review Criterion (1) of the concurrent Comprehensive Plan Map amendment staff report are applicable to the Zoning Map amendment as well. To avoid repeating the same information here, those findings are included here by reference.

CONCLUSION

5.1 The conclusions related to Review Criterion (1) of the concurrent Comprehensive Plan Map amendment are adopted by reference.

DEVELOPMENT CODE AMENDMENT
File DC-01-04

To complete the proposed zone change to Mixed Use Commercial, it is necessary to amend the Development Code text in the purpose statement for the MUC district. See attachment F for the proposed text amendment.

STAFF ANALYSIS

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

- (1) *The proposed amendments better achieve the goals and policies of the Comprehensive Plan than the existing regulatory language.*

FINDINGS OF FACT

- 1.1 The Albany Development Code specifies that the Mixed Use Commercial zoning district can only be applied in North Albany and East Albany Village Centers. According to the Comprehensive Plan Map, the North Albany Village Center is designated for multiple properties on Hickory Street; the East Albany Village Center is located on Knox Butte Road.
- 1.2 The proposed text amendment to ADC 5.030 would eliminate locational references as follows (additions in **bold**, deletions as ~~strike through~~):
- 5.030 Establishment of Village Center Zoning Districts. In order to implement the mixed-use and livability concepts in the Town Center and Albany Comprehensive Plans, the following zoning districts are created:
- (9) **MUC – MIXED USE COMMERCIAL DISTRICT.** The MUC zoning district is intended primarily to provide a mix of convenience commercial, personal services, offices and medium density residential uses ~~in the North Albany and East Albany Village Centers.~~ The district would typically be anchored by a grocery store, and may include a mix of smaller retailers, offices, live-work units and residences. The MUC district is easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent neighborhoods. Uses in the MUC zone will serve the ~~North Albany or East Albany~~ area residents and should not draw from the region.
- 1.3 According to staff members who worked on the periodic review task to update the City's economic development strategy in 2002-03, the reference in ADC 5.030(9) was not intended to restrict the location of the Mixed Use Commercial district. Rather, it simply recognizes two locations zoned MUC through the update process. The proposed text amendment would not otherwise alter the meaning of the remainder of the text.
- 1.4 The Comprehensive Plan text is the appropriate location for criteria to site a Village Center, the first step in determining eligibility for the MUC district. In fact, the Plan goals and policies list a number of residential and commercial characteristics to consider in determining the size and location of a Village Center. The MUC district becomes the tool to implement the Village Center designation. Plan text does not restrict Village enters or the MUC zoning district to North Albany and East Albany.
- 1.5 The proposed text change is consistent with the proposed amendment to the Zoning Map to apply the Mixed Use Commercial zoning district to this site. Approval of the Zoning Map amendment is contingent on this text amendment.

- 1.6 The policies applicable to the proposed zone change to Mixed Use Commercial are also applicable to the proposed text amendment.

CONCLUSIONS

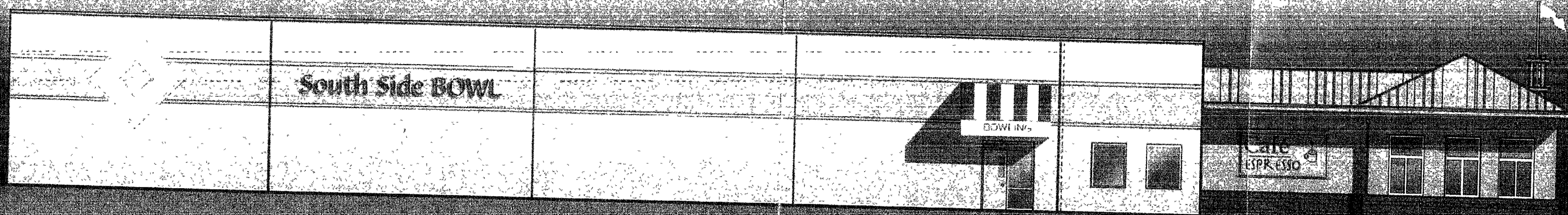
- 1.1 The proposed amendment to the Development Code would remove the references to MUC zoning in specific areas. Deleting these references would alleviate the ambiguity over the use of these references as criteria for locating Village Centers.
- 1.2 The MUC district is a tool to implement the Village Center designation. Siting criteria for village centers are more appropriately located in the Comprehensive Plan. The Plan text contains no such direct reference to specific areas.
- 1.3 The proposed zone change to Mixed Use Commercial is dependent on the Development Code text amendment. Therefore the findings and conclusions regarding applicable Comprehensive Plan policies for the proposed zone change to Mixed Use Commercial are adopted by reference in support of the proposed text amendment.
- (2) *The proposed amendments are consistent with Development Code policies on purpose and with the purpose statement for the base zone, special purpose district, or development regulation where the amendment is proposed.*

FINDINGS OF FACT

- 2.1 The purpose statement for the Mixed Use Village Center Zoning Districts are found in ADC 5.000:
- 5.000 Purpose. This article is intended to define the character of Albany's mixed-use zoning districts. The mixed-use zones implement the concepts identified in the Balanced Development Patterns Project (2001) and the Town Center Plan (Central Albany Land Use and Transportation Study, CALUTS, 1996). These zoning districts are compatible with the Village Center Comprehensive Plan designation applied in the Central Albany area, North Albany, east of Interstate 5 on Knox Butte Road, and south of Oak Creek near Highway 99E (Pacific Boulevard). The mixed-use zones may be applied outside of the Village Center Plan designation.
- 2.2 According to the Purpose statement in ADC 5.000, the MUC zoning district is intended to be compatible with the Village Center designation on the Comprehensive Plan Map. The proposed text amendment will not alter the principle that the zoning district be consistent with the Comprehensive Plan Map designation. The Plan Designation Zoning Matrix on page 140 of the Comprehensive Plan requires that a site be designated Village Center on the Comprehensive Plan Map to be zoned MUC, subject to applicable policies for Village Centers.

CONCLUSION

- 2.1 The purpose statement for Mixed Use Village Center Zoning Districts does not restrict Village Center zones to any particular area. Therefore the proposed text amendment is consistent with the purpose statement set forth in ADC 5.000.



South Side Bowling Center - Albany, Oregon

East Elevation

William G. Ryals - Architect



South Side Bowling Center - Albany, Oregon

North Elevation

William G. Ryals - Architect



Community Development Department

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NOTICE OF DECISION

DATE OF NOTICE: July 29, 2004

FILES: CP-01-04, ZC-01-04, and DC-01-04

SUMMARY OF PROPOSAL: Amendments to the Comprehensive Plan Map, Development Code and Zoning Map.

TYPES OF APPLICATIONS:

- 1) CP-01-04: Comprehensive Plan Map Amendments: These properties are designated URR (Urban Residential Reserve) and part of Tax Lot 606 is designated Open Space. The applicants propose to change the Comprehensive Plan designation to VC (Village Center), Medium Density Residential (MDR), and Open Space (OS).
- 2) ZC-01-04: Zoning Map Amendments: Tax Lots 606, 1005 and 1200 are zoned RS-6.5 (Residential Single Family). Tax Lots 602, 603, 604 and 1300 are zoned MUR (Mixed Use Residential). The applicants propose to change the designation of Tax Lot 1005 to RM-5 (Residential Limited Multiple Family) and the designation of the rest of the properties to MUC (Mixed Use Commercial) with some OS (Open Space) on Tax Lot 606.
- 3) DC-01-04: Development Code Text Amendment: ADC 5.030(9) states that MUC zoning is intended for the North Albany and East Albany Village Centers. The proposed amendment would omit this reference.

PROPERTY OWNER / APPLICANT:

Tax Lot 602: Jack/Kenneth/Maria Martin; PO Box 405; Albany, OR 97321
Tax Lots 603 and 604: Roger Nyquist; 3034 North Shore Drive SE; Albany, OR 97321
Tax Lots 606, 1005, 1200 and 1300: Schneider Homes; 6510 Southcenter Boulevard, Suite 1; Tukwila, WA 98188

APPLICANT REP:

Dave Dodson; Willamette Valley Planning; 350 NW Polk Avenue; Corvallis, OR 97330
Dan Watson; K&D Engineering; PO Box 725; Albany, OR 97321
Lyle Hutchins; Devco Engineering, Inc.; PO Box 1211; Corvallis, OR 97339

ADDRESS/LOCATION: Multiple addresses

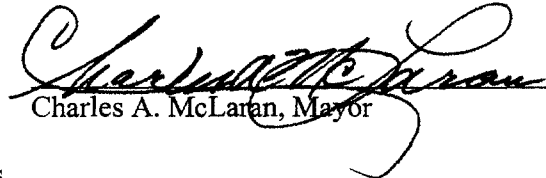
MAP/TAX LOT: Linn County Assessor's Map No. 11S-4W-24DA, Tax Lots 1005, 1200 and 1300 and Map No. 11S-4W-24, Tax Lots 602, 603, 604 and 606

On July 28, 2004, the City of Albany City Council granted APPROVAL to the applications to amend the Comprehensive Plan Map, Development Code, and Zoning Map. (A decision on the site plan for a bowling center was postponed until August 11, 2004.)

The City based its decision on the project's conformance with the review criteria listed in the Albany Development Code.

The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. For more information, please contact Rich Catlin, project planner, at (541) 917-7564, or Senior Planner Don Donovan, (541) 917-7561.

The City's decision may be appealed to the Land Use Board of Appeals if a person with standing files a notice to appeal no later than August 19, 2004.



Charles A. McLaran, Mayor

Attachments: Location Map, Map and Text Changes

Routing: (For Department Use Only)

Applicants	<u>3</u>
Applicant Reps	<u>3</u>
Property Owner	<u>0</u>
Building Division (Blaine Brassfield)	<u>0</u>
Finance Department (Diane Wood)	<u>0</u>
Fire Department	<u>0</u>
Public Works Engineering (Gordon S.)	<u>0</u>
Public Works Traffic Engineering	<u>0</u>
Participating Parties **	<u>5</u>
Linn County Surveyor *	<u>0</u>
GIS (Willis Hill)	<u>1</u>
Planning AAI (Tracy Swett)	<u>1</u>
Files CP-01-04, DC-01-04, ZC-01-04	<u>3</u>