

ORDINANCE NO. 4477

TITLE: ZONE CHANGE AMENDMENT NO. 2 UNDER ORDINANCE NO. 4441 REZONING 4.15 ACRES OF PROPERTY LOCATED AT 2211 WAVERLY DRIVE FROM R-1, SINGLE FAMILY RESIDENTIAL, TO R-2, LIMITED MULTIPLE FAMILY RESIDENTIAL, AND C-1, NEIGHBORHOOD COMMERCIAL.

WHEREAS, the Planning and Zoning Commission of the City of Albany has held such hearings as are required by law and the ordinances of this city and has made findings concerning the appropriate zone for the property being considered, said findings being based upon evidence produced at hearings; and

WHEREAS, the Council of the City of Albany has duly advertised and caused notices to be given as required by law and has had a public hearing concerning the zoning of the property described above and bases its decision in accordance with the findings on file with the City Recorder which are adopted by separate motion and incorporated by reference herein; and

WHEREAS, it is further determined that the rezoning hereinafter made should be subject to certain conditions. Those said conditions are as follows:

1. Provide for joint access to the residential and commercial areas.
2. Access to the subject property from Waverly Drive must align with 22nd Avenue.
3. Prior to site plan approval, the applicant must submit a Petition for Improvements and a Waiver of Remonstrance for the construction of 21st Avenue to collector standards.
4. Prior to site plan approval for Phase I, the Commission recommends that the sanitary sewer service be provided from an 8" line off Waverly Drive at the applicant's cost. Prior to site plan approval for Phase II, the applicant shall provide a waiver of remonstrance and petition for improvement for the 21st Avenue interceptor sewer for Phase II, assessable to Phase II. Prior to development of Phase II, the 21" interceptor shall be provided.
5. Provide a site plan showing the location and approximate size of any existing trees. Preserve as many trees as possible in the final design of the project.
6. Access to Waverly Drive and 21st Avenue shall be limited to one access point per street.
7. Landscaping requirements as per Article 7.020 of the Development Code must be statisified.
8. Buffering and screening must be provided as required in Article 7.050 of the Development Code between the residential and commercial uses.

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

Section 1. ZONE CHANGE AMENDMENT NO. 2

An area described as follows: The property described on the attachment Exhibit A is hereby rezoned as described in Exhibit A and will be known as Zone Change Amendment No. 2.

Section 2. COPY FILED

A copy of this zone change amendment shall be filed in the Office of the City Recorder of the City of Albany and the number noted on the official zoning map of the City of Albany.

Passed by the Council: January 13, 1982

Approved by the Mayor: January 13, 1982

Effective Date: February 13, 1982



Mayor

ATTEST:



City Recorder

ROBERTS ZONE CHANGE - LEGAL DESCRIPTIONS

PARENT PARCEL

All of that property as described by instrument number MF236-652, Microfilm Records of Linn County, Oregon, and containing 4.36 acres, more or less.

PARCEL I (C-1 ZONE)

Beginning at the northwest corner of the parcel conveyed in Book 201, page 802, Deed Records of Linn County, Oregon, and lying N 1°39' W 2199.78 feet from the southwest corner of the Anderson Cox D.L.C. No. 49, T11S, R3W, W.M., said county and state; thence S 1°39' E 27.00 feet and N 89°04' E 35.00 feet to a point on the easterly right-of-way line of Waverly Drive, and the true point of beginning of the parcel described herein; thence parallel to the south line of said D.L.C. N 89°04' E 207.43 feet; thence parallel to the west line of said D.L.C. S 1°39' E 210.00 feet; thence S 89°04' W 207.43 feet to the easterly right-of-way line of Waverly Drive; thence N 1°39' W 210.00 feet to the true point of beginning; containing 1.00 acres, more or less.

PARCEL II (R-2 ZONE)

Beginning at the northwest corner of the parcel conveyed in book 201, page 802, Deed Records of Linn County, Oregon, and lying N 1°39' W 2199.78 feet from the southwest corner of the Anderson Cox D.L.C. No. 49, T11S, R3W, W.M., said county and state; thence S 1°39' E 237.00 feet and N 89° 04' E 35.00 feet to a point on the easterly right-of-way line of Waverly Drive, and the true point of beginning of the parcel described herein; thence parallel to the south line of said D.L.C. N 89°04' E 207.43 feet; thence parallel to the west line of said D.L.C. N 1°39' W 210.00 feet; thence N 89°04' E 270.07 feet to the easterly line of said deeded parcel; thence S 1°39' E 398.00 feet to the southeast corner of said deeded parcel; thence S 89°04' W 477.50 feet to the easterly right-of-way line of Waverly Drive; thence N 1°39' W 188.00 feet to the true point of beginning; containing 3.36 acres, more or less.

STAFF REPORT

File No. ZC-7-81
Hearing Body: Planning Commission
City Council

Hearing Date: December 7, 1981
January 13, 1982

I. GENERAL INFORMATION

- A. APPLICANT: Allen Roberts
3152 Fir Oaks Drive
Albany, Oregon 97321
- B. AGENT: Robert Price
Benkendorf & Associates, Ltd.
620 S.W. Fifth Avenue #925
Portland, Oregon 97204
- C. TYPE OF REQUEST: To consider an application to change a zone from R-1 (Single Family Residential) to R-2 (Limited Multiple Family Residential) and C-1 (Neighborhood Commercial).
- D. PROPERTY LOCATION: 2211 Waverly Drive, S.E. (Southeast corner of 21st Avenue S. E. and Waverly Drive S.E.)
- E. LAND AREA INVOLVED: 4.15 acres (3.15 acres R-2 and 1 acre C-1)
- F. MAP AND TAX LOT: 11-3W-17A, Tax Lot 100
- G. NEIGHBORHOOD: Periwinkle
- H. COMPREHENSIVE PLAN DESIGNATION: Urban Residential
- I. EXISTING ZONING: R-1 (Single Family Residential)
- J. PROPOSED ZONING: R-2 (Limited Multiple Family Residential) and C-1 (Neighborhood Commercial)
- K. SURROUNDING ZONING: R-1 (Single Family Residential)
- L. EXISTING LAND USE: the subject property is presently used for residential purposes. The resident of the single family structure utilizes the site for the grazing of a few head of livestock and to operate his firewood business.
- M. SURROUNDING LAND USE: The property to the north is developed with a Mobile Home Park, a single family subdivision, single family detached units on oversized lots and urban agriculture. The property to the west and south of the subject property is predominantly developed. The majority of the area is developed with single family detached homes with medium density multiple family structures located near Grand Prairie Road. The property to the East of the subject property is vacant and presently under agricultural use. This area was annexed in June of 1980 and is

presently zoned for single family development. However, this designation could change upon approval for higher densities at the time of development.

- N. PROPOSED DEVELOPMENT: The applicant proposes to develop 76% of the site (3.15 acres) in two phases with multiple family structures. Phase I would contain 30 units on 2 acres with access onto Waverly Drive. Phase II would contain 15 units on 1.15 acres with access onto 21st Avenue. Construction for Phase I is proposed for 1981-82 and Phase II in 1983-84. The one acre site on the corner of Waverly Drive and 21st Avenue is proposed for Neighborhood Commercial uses and development is scheduled to begin in 1982.
- O. PRIOR HISTORY: The subject property is a 4.15 acre site which is a portion of an Annexation of 266 acres of property located south of Lehigh Acres, East of Waverly Drive, north of Grand Prairie Road, and West of Interstate 5. The property was annexed and zoned R-1 (8) Single Family Residential on an interim basis on June 12th 1980. The following conditions were placed upon the Annexation:
1. That the zoning would be reviewed by the Planning Commission upon completion of the Comprehensive Plan policies and land use map designations for this area on its own motion and that the Planning Commission would initiate rezoning of this area to bring it into conformance with the Plan or that the applicant can submit for the rezoning upon completion of the Comprehensive Plan, whichever comes first.
 2. That the condition of the staff report be incorporated, i.e., roads within this area will not be accepted by the City until brought up to city standards.
 3. Sufficient right-of-way will be dedicated to the City to achieve a 60-foot right-of-way width on 21st Avenue adjacent to the Fahndrich/Roberts property and that the remainder of that property adjacent to the Fahndrich/Roberts property on the south side owned by Landwest be transferred to the Fahndrich/Roberts property.

II. CRITERIA FOR ZONE AMENDMENTS

- A. DISTRICT AMENDMENT CRITERIA. Any zoning or special purpose district amendment proposal considered under a Type IV procedure must be demonstrated to be in conformance with each of the following criteria:
1. The proposed amendment conforms to the Comprehensive Plan or substantial changes have occurred which render the Comprehensive Plan inapplicable to the requested change and the Plan should be amended as proposed by the proponent of the change (in which case the Plan must be amended prior to final action on the District Amendment).

2. If residential zoning is involved, the proposed residential zone or zones best satisfies the objectives of the Comprehensive Plan and does not exclude opportunities for adequate provision of low and moderate income housing within the subject neighborhood area.

III. FINDINGS OF FACT. In determining compliance with the Adopted Comprehensive Plan, the following questions have been developed by the staff. Adequate findings with these questions will support compliance with the Plan.

A. TRANSPORTATION FACILITIES. What are the existing or anticipated transportation facilities (streets, bus routes, etc.), what impact on traffic generation and safety will result from the proposed zone, and how do the transportation facilities make the proposed zone the most appropriate zone within the plan designation?

1. Existing Conditions: Waverly Drive is a designated Arterial Street. Presently the right-of-way is 70' with 54' of improvement. In this area it is a 2-lane street with curbs and gutters on both sides and a sidewalk/bikepath on the west side. Twenty-first Avenue is a designated Collector Street. Presently there is a dedicated right-of-way of 60' along the north side of the subject property. However, the subject property and the existing right-of-way are separated by a 3-foot strip which is under separate ownership. Twenty-first Avenue at the present is an unimproved, gravel lane. The right-of-way east of the subject property narrows to 30 feet. Bus service is provided on Waverly Drive.
2. Applicant's Comments: Location of a neighborhood commercial facility on Waverly Drive in the Periwinkle Neighborhood will provide better and more convenient access to most of the immediate area than currently exists for any C-1 zoned areas in southeast Albany. The future development of 21st Avenue will provide excellent access into the "annexation area," significantly expanding the site's market area and excellent locational advantages. See pages 28 and 29 of the report.
3. Staff's Comments:
 - a. Both Waverly Drive and 21st Avenue are designated on the Master Street Plan as Arterial and Collector Streets respectively. In the Comprehensive Plan, Transportation Section, the following policy and implementation methods relating to access need to be considered:
 - (1) Policy #1: When reviewing development proposals or transportation plans, determine the relationships between land uses and transportation systems, i.e., how will proposed developments affect existing or proposed transportation and how will transportation plans affect future land use patterns.

- (2) Policy #15: Maintain the carrying capacity and viability of major arterials and other major streets.
 - (3) Policy #16: Limit access onto major arterials (reducing curb cuts and other street intersections); ensure adequate rights-of-way and setback lines; and discourage on-street parking.
 - (4) Implementation Method #26: For major arterials limit access to frontage or side streets (if possible) and where frontage on side streets is not available attempt to develop shared access.
 - (5) Implementation Method #27: On arterials and other major streets, restrict or reduce curb cuts and other street intersections, require adequate rights-of-way and setback lines as part of the development process, and discourage on-street parking.
- b. The City Traffic Engineer has indicated substantial concern regarding unlimited access onto Arterial Streets, and specifically, access onto Arterials near major intersections. He recommends limiting access from this property to no more than one access per street. He also indicated that a traffic impact study may be needed prior to any development approval of the site.
- c. The Development Code further states in articles 7.120 (4), (5), (6), (7), (8), and (12):
- (1) Distance from Intersection. All driveways shall be located the maximum distance which is practical from a street intersection and in no instance shall the distance from an intersection be closer than the following as measured from the nearest curb return radius:
 - Local Street - 10 feet
 - Collector Street - 20 feet
 - Arterial Street - 40 feet
 - (2) Site Plan Review - The location, width, and number of accesses to a public street may be limited for developments which are subject to site plan review provisions of this Code. In addition any development which proposes access to an arterial street shall be subject to site plan review procedures.
 - (3) Number of Accesses Permitted - Access points to a public street shall be the minimum necessary to provide reasonable access while not inhibiting the safe circulation and carrying capacity of the street.

- (4) Double Frontage Properties - Properties which have frontage on more than one street may be restricted to access on the streets of a lower classification through site plan review or other review procedures.
- (5) Joint Access Encouraged - Common access ways at a property line shall be encouraged and in some instances may be required in order to reduce the number of access points to streets. Construction of common access ways shall be preceded by recording of joint access and maintenance easements.
- (6) Access to Arterial Streets - Where access is allowed on an arterial street, efforts shall be made to locate the access adjacent to the interior property line where such access could be shared by the adjacent property.

4. Conclusions: There are a number of potential access problems to the site. The following conditions attached to the approval of the request would alleviate most of the problems;

- a. It will be necessary to secure access to 21st Avenue prior to site plan approval.
- b. Provide for joint access to the residential and commercial areas if at all possible in the design of the project.
- c. Prior to Site Plan Approval a Petition for Improvements and a Waiver of Remonstrance must be submitted to the City of Albany for the construction of 21st Avenue to Collector standards.
- d. Access to the subject property from Waverly Drive must align with 22nd Avenue.

B. PUBLIC SERVICES: How will other existing or anticipated services (sanitary sewers, storm sewers, schools, fire protection, etc.) be impacted by the proposed zone and how do these services make the proposed zone the most appropriate zone within the plan designation?

1. Existing Conditions: At the present sanitary sewer service is not available to the property. The subject property was not intended to be serviced by the existing facilities. A 21" interceptor line is proposed to service this property and the area east to the Urban Growth Boundary. Stormwater drainage facilities are available near the site.

2. Applicant's Comments:

- a. All services and facilities, with the exception of sanitary sewer, are in place and currently serve the property. Sanitary sewer service can be easily extended to serve the development, and additional service capability will exist when the 21 inch line along 21st Avenue is completed. No

service extensions or new service provisions, other than sanitary sewer will be required.

- b. The site is one of the few undeveloped properties fronting on Waverly between Queen Avenue and Grand Prairie Road. Development of the site will be timely and orderly and should occur prior to utilization of land east of Waverly Drive. This will help to prevent the existence of passed over undeveloped parcels within the urban area.
 - c. Recent improvements in the storm drainage system in the eastern portion of Albany provide the opportunity to alleviate historical drainage problems. The improvements enable new developments to provide adequate safeguards for the immediate vicinity. A portion of the recent improvements involve the subject property where a 60 inch storm drain line has been installed along the south property line. This line will adequately serve the proposed development on the site and the surrounding vicinity also, alleviating existing and future drainage problems.
 - d. The full range of facilities and services are available to the site either through the City of Albany or private utilities. There is no need for enlarged or improved services. Services not currently connected to the site can be extended to provide adequate service connections, at cost to the applicant. The site is located on a major arterial within the city limits and should be served as part of the timely, orderly, and efficient arrangement of public facilities and services. Development of the site will not create a burden on any facility or service, including fire and police protection; sanitary and storm sewers; health, recreation and school services and facilities; energy and communication services; and community government services.
3. Staff's Comments: The applicant has alleged that sanitary services are readily available to the site. The current plan for service to the subject property is via a proposed 21" interceptor line which will be extended from an interceptor line located to the west of Waverly Drive near the Periwinkle School property. "Temporary" sanitary sewer service cannot be provided to the subject property.
 4. Conclusions: Based upon the recommendation of the Public Works Department, the subject property can only be appropriately serviced by the proposed 21" interceptor line. No development should be allowed prior to the construction of this line. The applicant's proposal for "temporary" service from the existing facilities is not acceptable to the Public Works Department. Therefore, if development of the subject property is to occur, the 21" interceptor line must be constructed from its intersection with the existing interceptor to the east property line of the subject property.

- C. Natural Features: What are the natural features of the site, how will those features be impacted as a result of the zone change, and how do these features make the proposed zone the most appropriate zone within the plan designation?
1. Existing Conditions: The site is very flat, dropping in elevation from 230.5 feet to 229.5 feet on the most westerly portion. The existing vegetation consists of 3 pine trees, 4 cedar trees, 5 apple trees, and 1 deciduous tree. All are over 30 feet in height.
 2. Applicant's Comment: The site is very flat and contains no adverse natural features which would inhibit development. The site is suited to development and, on the basis of infilling in the urban area, is one of the most appropriate sites of its size and potential in all of southeast Albany.
 3. Staff's Comments: As stated in the Development Code in Article 7.011 all existing trees over 8 inches in diameter as measured 3 feet from the ground level will be noted on all development plans with notations indicating whether they are to be removed or utilized in the development. The following policies and implementation method of the Comprehensive Plan need to be addressed at the time of Site Plan Review.
 - a. Policy #1: Where feasible, protect the existing vegetation for its environmental, wildlife support, and aesthetic qualities, particularly along waterways.
 - b. Policy #3: Encourage consideration of the beneficial aspects of trees, both onsite and offsite before they can be removed.
 - c. Implementation Method #2: Require existing trees of a predetermined size to be identified in the design processes and protected wherever possible in new development.
 4. Conclusions: It is the policy of the City of Albany to save as many existing trees as possible in the development of a site. Therefore, the applicant in the design of his project should:
 - a. Consider the location and preservation of any trees of significant aesthetic value in the conceptual design of the project.
 - b. Prior to the removal of any trees over 8" in diameter, site review approval is obtained (Site Plan must show location and size of existing trees as per Article 7.011 of the Development Code).
- D. SPECIAL DISTRICTS: Is the area proposed for a change within any of the following special areas, and considering the impact of uses allowed in the proposed zone, how does this particular zone fit with the special area? (Note: some of these areas require separate

permits and/or development standards). Most of them are distinguished by special policies in the plan. If applicable, these should be specifically addressed by the applicant.

- a. Slopes exceeding 12%: See Comprehensive Plan page 25, & Goal 2, page 26.
- b. Floodplain Areas: See Comprehensive Plan pages 23-28.
- c. Properties within the Willamette River Greenway: See Comprehensive Plan pages 29-32.
- d. Historic Areas: See Comprehensive Plan pages 33-36.
- e. Central Business District Properties: See Comprehensive Plan pages 43-47.
- f. Properties along Pacific Boulevard and Santiam Highway: See Comprehensive Plan pages 53-63.
- g. Properties Impacted by the Airport: See Comprehensive Plan pages 56-63.
- h. Properties Adjacent to the Freeway: (Interstate 5)

1. Existing Conditions: None of the above conditions apply to the subject property.
2. Applicant's Comments: The site is not within any of the identified special areas.

E. NEIGHBORHOOD COMPATIBILITY. What type of development (existing and anticipated) surround the site, what are the probable impacts from allowed uses on surrounding development and how does the question of compatibility make the proposed zone the most appropriate zone within the plan designation?

1. Existing Conditions: The property to the north is developed with a Mobile Home Park, a single family subdivision, single family detached units on oversized lots and urban agriculture. The property to the west and south of the subject property is predominately developed. The majority of the area is developed with single family detached homes with medium density multiple family structures located near Grand Prairie Road. The property to the East of the subject property is vacant and presently under agricultural use. This area was annexed in June of 1980 and is presently zoned for single family development. However, this designation could change upon approval for higher densities at the time of development.

2. Applicant's Comments:

- a. Surrounding Land Use: Development of the total site as designated by the Conceptual Development Plan (Exhibit 9)

will involve no significant impacts on surrounding lands which cannot be mitigated to acceptable levels. The lesser, neighborhood oriented nature of the retail commercial facilities and the limited multiple family nature of the residential development will produce no odor or dust. Slightly increased noise levels will probably occur, mostly from automobile traffic generated by the site, and will be generally attributable to the commercial area. Overall, however, impacts on surrounding land uses will be minimal.

- (1) North - Single family detached dwellings on the north side of 21st Avenue may be somewhat impacted by the noise and movement of site generated activity. However, the ultimate development of 21st Avenue into a full standard collector will provide buffering between existing dwellings on the north and planned commercial and multiple family residential development on the south. Landscaping of the site, building placement and configuration and positioning of lighting and signs will assist in reducing impacts.
 - (2) East - Because the land is vacant there will be no direct impact. Future development of the area will be compatible with site development and should provide mitigation measures to reduce adverse impacts on the developed site.
 - (3) South - Developed single family detached units to the south, only one of which is directly adjacent to the site, will be only minimally impacted by multiple family residential development on the south portion of the site. Future development south of the site is likely to be lower density single family detached housing, resulting in only two or three new units directly adjacent to the site. Setbacks, fencing, landscaping, building placement and configuration and building height and design will provide sufficient mitigation of site generated impacts.
 - (4) West - Waverly Drive provides a very definitive buffer between uses on either side of the right-of-way. Additionally, land directly across Waverly from the site is undeveloped and will not suffer any adverse impacts resulting from planned development of the subject site.
- b. Traffic: At the present time, site generated traffic is minimal based on the one single family detached dwelling on site and the very small scale firewood business operating out of the garage. Future site development as proposed will generate considerably greater amounts of traffic. However, site generated traffic will not adversely impact Waverly Drive, nor require the future development of 21st Avenue beyond the planned collector level. Based on traffic volumes for Waverly Drive and proposed development levels on

the site as illustrated below, site generated traffic will increase the volume of traffic on Waverly by approximately 10%. (See page 52 of Applicant's Report.)

The figure of 1,160 total site generated daily trips yields an hourly average of approximately 48 vehicle trip ends. Peak hours would be greater while other hours during a 24-hour period would be less. Minor conflicts may occur during peak hours, but with one access point each on Waverly Drive for the residential and commercial area, conflict possibilities will be minimized. When 21st Avenue is fully developed, additional access points on the north side of the site will reduce pressures and conflict possibilities on Waverly Drive. Overall, impacts of additional site generated traffic resulting from full site development will be within the capabilities of Waverly Drive to absorb them.

3. Staff's Comments: Any development of this type and magnitude will have an impact on the surrounding area. However, considering the immediate access to a collector and an arterial street, this site is perhaps the best location for the housing density and commercial activity proposed. The development code provides for criteria to ameliorate any expected disruption to the surrounding uses. Adverse impacts can be reduced through control of access, landscaping requirements, and buffering and screening of different uses.

4. Conclusions:

- a. As stated in the Transportation Section, access to Waverly Drive and 21st Avenue should be limited to one access point per street.
- b. Landscaping requirements as per Article 7.020 of the Development Code must be satisfied.
- c. Buffering and screening must be provided as required in Article 7.050 of the Development Code between the residential and commercial uses.

F. COMMUNITY LOCATION: How does the proposed zone comply with distribution policies of the plan? For example, neighborhood commercial sites are to be spread throughout the community to serve as neighborhood centers. Higher density development is desired so as to reduce the need for travel and increase energy policy. Pay particular attention to Comprehensive Plan pages 43, 44, 50, 94, 95, and 106.

1. Existing Conditions: Within a mile radius of the proposed commercial site there are three commercial areas. One-half mile to the north on Waverly Drive is the Santiam Commercial Center. Five-eighths of a mile to the West on the S.E. corner of Queen Avenue and Geary Street is a C-1 zoned piece of ground which is currently a portion of the Park Planned United

Development. It presently is vacant. Across the street on the NE corner of Queen and Geary, a zone change from R-2 to C-1 was recently approved for 11,700 square feet of additional commercial land. This site will house a convenience market. The zone change abutts land currently zoned C-1 lying between 17th and Queen Avenues on Geary Street. One mile to the south and west is a small commercial center on the SE corner of Grand Prairie Road and Geary Street. A grocery store and service station are located on the site.

In the Periwinkle Neighborhood lying north of Grand Prairie Road, south of Queen Avenue, East of Geary Street and west of Interstate 5, there are approximately 31.3 acres of R-2 zoned land, and approximately 26.1 acres which are zoned R-3. The majority of this land has not been developed. A recent zone change from R-1 to R-2 on 28th Avenue will add an additional 3.37 acres to the inventory of R-2 land.

2. Applicant's Comments: The proposed neighborhood commercial area would provide a more centralized service base than currently exists within the southeast Albany area. The site is not within one-half mile radius of any existing commercial area and will assist in meeting the need for additional commercial areas within the city.

The multi-family portion of the site will provide a variety in the type and density of housing within reasonable proximity to the developing Santiam corridor commercial area. Multi-family development of a portion of the total site will provide a mix of housing types which will supply housing needs within the urban growth boundary.

Development of this site will direct growth at the process of infilling within developed areas without requiring additional local services and facilities. The site location is travel and energy conscious. (See pages 18 through 32 of the accompanying report.)

3. Staff's Comments: Although the Comprehensive Plan Map designates the subject property as Urban Residential Reserve, that general classification does not determine the intensity of use. To determine intensity of use we must rely upon the text of the Plan and the locational criteria established by the Plan. Presently this parcel is zoned R-1 (Single Family Residential). However, the policies of the Plan relating to Housing and Commercial goals reinforce the need for coordination of housing and commercial activities. The applicant is proposing an integrated concept of multiple family units with an adjacent neighborhood commercial center. The proposal meets the applicable goals and policies relating to housing and commercial development of the Plan. The proposed development relates to specific housing policies by having convenient, safe access, removal of traffic from residential areas, clustering of higher density housing around a commercial site, consideration of the

scale of commercial buildings and activity in relationship to the surrounding neighborhood, and allows for a mixture of housing types for different incomes. The commercial activities are enhanced since the proposal is located at the intersection of a collector and arterial street, will have adequate parking while discouraging major customer traffic from filtering through nearby residential streets. The proposed neighborhood commercial site will allow for a variety of neighborhood services.

4. Conclusions: While the staff agrees that the proposed site is perhaps the best location for a neighborhood commercial center and for the higher density housing proposed, a number of factors would support this location considering full development of the surrounding properties. However, the fact remains that less than 50% of the available land in the immediate area has been developed to urban densities. The proposed development may not be adequately justified at this time.

- G. ALTERNATIVE LANDS: What other vacant areas within the City have the identical Comprehensive Plan designation and zoning as the zone redesignation being applied for? (Give location of parcels and estimate of acreage.) What are the characteristics of the subject parcel that are not duplicated by the similarly zoned land (mentioned above) that make it necessary to amend the zoning/

1. Existing Conditions: In the Periwinkle Neighborhood lying north of Grand Prairie Road, south of Queen Avenue, east of Geary Street, and west of Interstate 5, there are approximately 14.45 acres of vacant R-2 zoned land 21.01 acres of vacant R-3 zoned land and 4 acres of vacant C-1 zoned land. The R-2 zoned land lies adjacent to Interstate 5 and at the intersection of Geary Street and Grand Prairie Road. A recently rezoned parcel lies east off 28th Avenue. The R-3 zoned land lies adjacent to Geary Street near its intersection with Queen Avenue and on the east side of the intersection of Queen Avenue with Waverly Drive. The C-1 zoned land lies on the SE corner of Geary Street and Queen Avenue.

2. Applicant's Comments: The only three C-1 zoned parcels within the Periwinkle Neighborhood are all located on the fringes of the neighborhood. There is no site located within a centralized location. Two of the three neighborhood commercial sites are not developed and the third is only partially developed, leaving the Periwinkle Neighborhood without a well developed neighborhood commercial center. (See pages 23 through 26 of the accompanying report.)

The multi-family (R-2) portion of the site will fulfill a need for additional multiple family housing, especially in the Periwinkle Neighborhood where little vacant R-2 land is available. Two areas on Grand Prairie Road east of Geary Street are currently undeveloped, but most other properties currently zoned R-2 in the immediate area are developed, developing or

planned for development. Other areas currently zoned R-2 exist in other areas of the city, but generally lack the locational advantages of the subject property. (See pages 18 to 23, 29, 30, 43, and 44 in the accompanying report.)

The site is extremely well located and will not require public investment in new services and facilities or for future maintenance. Location of the site is energy and transportation efficient, and constitutes infilling on vacant lands as opposed to sprawl or annexation development. Size and shape of the parcel are highly suitable to development and impacts on surrounding properties are minimal and can be mitigated. The parcel is basically vacant and available and can be developed readily and economically. For the commercial portion of the site, an existing market area is available and an additional market area is guaranteed. (See pages 18, 21, 29, 30, 31, and 32 of the accompanying report.)

3. Staff's Comments: The current alternative lands are in fact located on the fringe of the Periwinkle Neighborhood. The subject property is centrally located within a future highly populized area. The site has good access to an arterial and proposed collector street. The site will provide for convenience services which can be expected to alleviate some of the traffic at the large commercial center at the corner of Waverly Drive and the Santiam Highway.
 4. Conclusions: High trip generating commercial and multi-family uses should have ready access to collector and arterial streets. Again the question arises concerning the timing of the proposed uses. The proposed site meets the location criteria for the proposed uses. However, the area is underdeveloped at the present and other vacant lands with zoning compatible to the applicant's request exist within the more developed areas of the neighborhood.
- H. ENERGY EFFICIENCY: Explain how the zone change will assist with efficient service provisions and energy conservation, comparing present development on this parcel as opposed to other vacant parcels with the same zoning (Comprehensive Plan pages 93-116 discuss growth and energy use).
1. Existing Conditions: Public facilities with the exception of sanitary sewer are readily available to the subject property. Bus service is provided on Waverly Drive. The land to the west has been committed to urban densities.
 2. Applicant's Comments: Services and facilities, with the exception of sanitary sewer, are currently available to the site and sanitary sewer service can be provided to the site with little difficulty. The site is a prime parcel for smaller scale development, but is currently underutilized and inefficiently planned. Use and development of the site would contribute to infilling and should be accomplished prior to future annexations

or development in the Urban Residential Reserve area where services and facilities are not currently available and must be extended. (See pages 23 through 32 of the accompanying report.)

3. Staff's Comments: All public facilities with the exception of sanitary sewer are readily available to the subject property. The Public Works Department has reviewed the proposal and has determined that the site cannot be appropriately served by the existing sanitary sewer facilities. (See PUBLIC SERVICE section.) The subject property is centrally located and will account for a savings in fuel consumption at such time as the area is more fully developed. The proposed neighborhood commercial center will provide readily accessible convenience goods for the housing units located within a half-mile radius. The high trip generating multi-family development will be within walking distance of the commercial center.
 4. Conclusions: Based upon the recommendation of the Public Works Department, the subject property cannot be appropriately serviced by sanitary sewer at this time. No development should be allowed until the completion of the 21st Avenue interceptor line to the east property line of the subject property.
- I. LOW INCOME HOUSING OPPORTUNITY: If residential zoning is involved, explain how approval of the request will not exclude opportunities for adequate provision of low and moderate income housing within the subject neighborhood area.

1. Existing Conditions: A great many households in Albany are spending large portions of their incomes on housing. In 1970, nearly 50 percent of Albany and North Albany renter families spent over 25 percent of their incomes for housing. According to the 1970 Census, 12.9 percent of Albany households had incomes below the poverty level. Nearly half of these were households with heads 65 years and over. Of the households with elderly heads, 36 percent were below the poverty level.

Census data from 1970 show that 6.5 percent of Albany's households fall into the female-headed family group. There is reason to believe that this group has increased dramatically since 1970. In 1977 nearly 9.5 percent of all households in the United States were female-headed with children under 18.

A third subgroup needing housing assistance are the minority group families. In 1970, 34 percent of Albany's Spanish-speaking families and 23 percent of other minority families had incomes below the poverty level as compared to 9 percent of Caucasian families.

Housing assistance is available to some low and moderate income families through a variety of federally funded programs. The Department of Housing and Urban Development (HUD) sponsors

several housing programs, among these are rental assistance, housing rehabilitation, and historic preservation. The State Housing Division also has a program for rental assistance for low income families.

2. Applicant's Comments: According to the Housing section of the Albany Background Report, there are over 3,200 multiple family units existing on 231 acres of land within the city. Between 1978 and the year 2000 there is an identified need for 7,739 additional multiple family units on 520 additional acres. The site will be developed during a period between 1980 and 1990 when there will be a need for 2,965 additional multiple family units on approximately 198 acres. The proposed residential portion of the site, at 3.15 acres, represents approximately 1.6% of the needed units and acreage during this ten year time period. Regardless of the small size of the site and percentage of units it will supply, development of multiple family housing will help in fulfilling the established need for housing.
3. Staff's Comments: Many elements of the population find that multi-family housing is their most viable housing alternative. An R-2 zoning designation will not preclude the developer from offering low or moderate income housing.
4. Conclusion: A zone change from R-1 (Single Family Residential) to R-2 (Limited Multiple Family) will provide for alternative housing types.

IV. APPLICANT'S FINDINGS FOR APPROVAL

- A. The zone change and proposed site development fulfill the applicable Plan Goals and Policies of Chapters 1, 2 and 3 of the Plan, specifically, Sections on Natural Resources, Hazards, Special Areas, Population Characteristics and Projections, Economic Development, Housing, Transportation, Public Services and Facilities, Social Amenities, Directing Growth, Development Review, Energy Conservation and Public Involvement.
- B. The zone change will not result in significant additional impacts on the quality of water, air, sound and land resources of the site, the immediate vicinity or the city.
- C. There are no identified hazards on the site which would inhibit development or result in impacts on surrounding lands.
- D. The site is not within the Willamette Greenway.
- E. The zone change will have no adverse impact on local and regional population characteristics and projections. The additional 27 persons who may live on the site will not create an imbalance in the city's settlement patterns or create the need for changes in the city's adopted planning and land development strategies.

- F. Based on Tables 10-Xi through 10-XVIII of the Albany Background Report, there are both immediate and future needs for the additional dwelling units proposed in the application. This proposed zone change will assist in fulfilling a portion of those needs.
- G. There is a need for additional neighborhood commercial areas zoned C-1 in the Periwinkle Neighborhood based on the fact that there are no existing neighborhood commercial areas within the center of the neighborhood. All existing C-1 zoned areas are located on the fringes of the neighborhood.
- H. A market area currently exists for a neighborhood commercial development on the site. The market will be significantly expanded when development in the "East Albany Annexation Area" occurs.
- I. The location of the site and the proposed zone change are energy and land use efficient and will promote infilling as a major objective of development in Albany.
- J. Local public facilities and services are in place and available to the site without major extensions at public expense.
- K. The zone change and future development of the site will result in additional tax and financing benefits to the city.
- L. The proposal is in compliance with all Statewide Planning Goals of the Land Conservation and Development Commission as applicable to the City of Albany.
- M. The proposal has addressed and is in compliance with the nine (9) items specified in the application as Appropriateness of the Particular Zone and Appropriateness of Zone Change Timing.
- N. The proposal has addressed and fulfills the three criteria (a, b, and c) contained in the application under Findings of Fact.

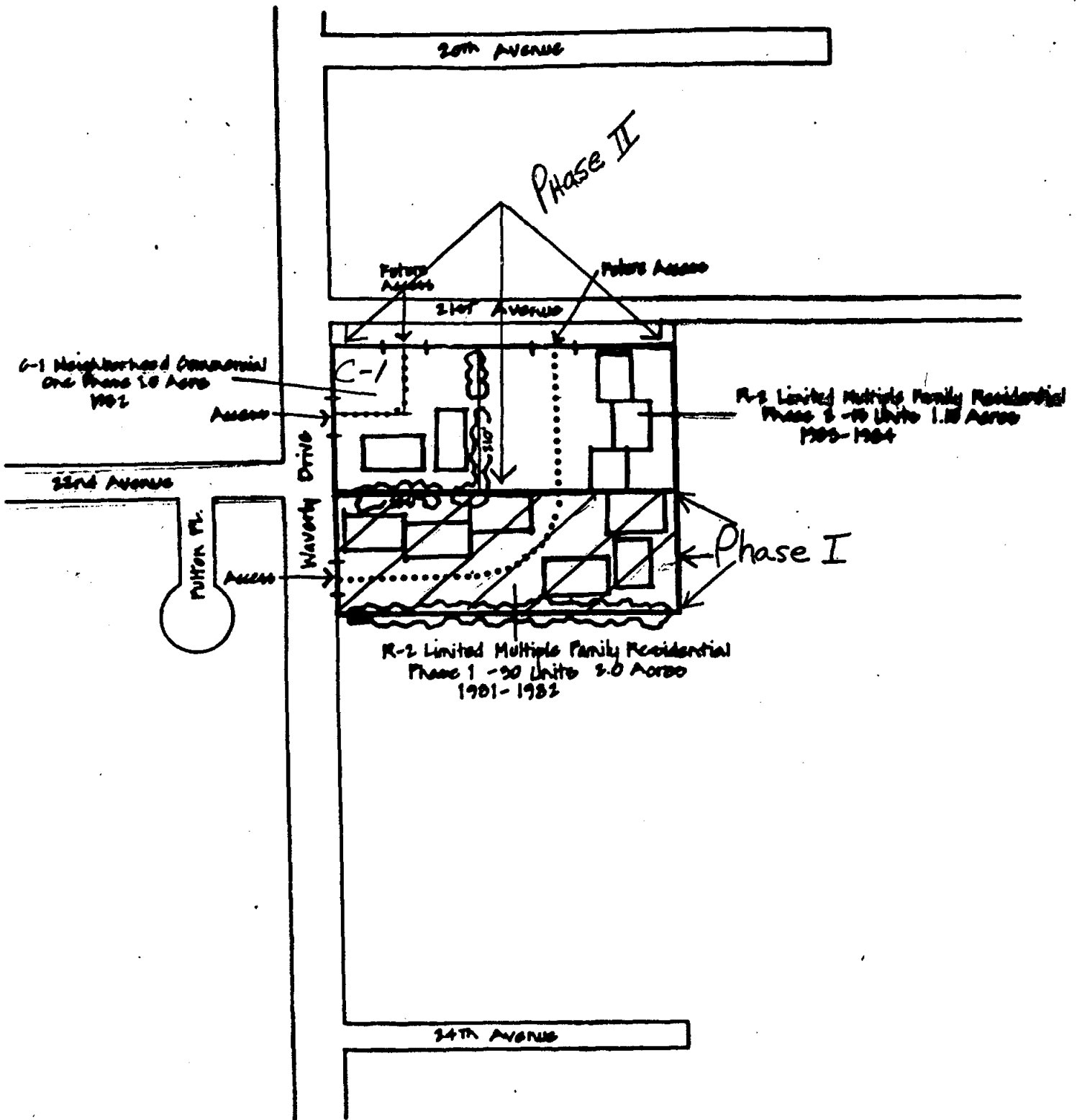
V. STAFF RECOMMENDATION

- A. Based upon the concerns noted above the Commission may DENY the application based on the following findings:
 - 1. Find that an adequate amount of vacant R-2 and C-1 land exists in the area and therefore the zone change is premature at this time; and/or
 - 2. Sanitary sewer service is not immediately available to the property and the applicant does not satisfy the Public Facilities Goal and provision of utilities as provided in the Comprehensive Plan.
- B. Adopt the petitioner's findings for approval. If the zone change is granted, staff recommends the following conditions:
 - 1. Access to 21st Avenue prior to site plan approval.

2. Provide for joint access to the residential and commercial areas.
3. Access to the subject property from Waverly Drive must align with 22nd Avenue.
4. Prior to site plan approval, the applicant must submit a Petition for Improvements and a Waiver of Remonstrance for the construction of 21st Avenue to collector standards.
5. Prior to site plan approval the construction of 21st Avenue Interceptor project must be completed to the east property line of the subject property.
6. Provide a site plan showing the location and approximate size of any existing trees. Preserve as many trees as possible in the final design of the project.
7. Access to Waverly Drive and 21st Avenue shall be limited to one access point per street.
8. Landscaping requirements as per Article 7.020 of the Development Code must be satisfied.
9. Buffering and screening must be provided as required in Article 7.050 of the Development Code between the residential and commercial uses.

VI. PLANNING COMMISSION RECOMMENDATION

At its regular December meeting, the Commission recommended approval of the zone change from R-1 to R-2 and C-1 for the property at 2211 Waverly Drive SE based on the findings enumerated in the staff report with the following amendment: Finding "0" - "The proposal provides a unique opportunity for multiple family zoning without opposition; furthermore, the rezoning will allow development in the vicinity to occur following development of multiple family and commercial development on the subject site."; and based on the conditions enumerated in the staff report as amended, condition No. 5 to read: "Prior to site plan approval for Phase I, the Commission recommends that the sanitary sewer service be provided from an 8" line off Waverly Drive at the applicant's cost. Prior to site plan approval for Phase II, the applicant shall provide a waiver of remonstrance and petition for improvement for the 21st Avenue interceptor sewer for Phase II, assessable to Phase II. Prior to development of Phase II, the 21" interceptor shall be provided."



Conceptual Development Plan

Exhibit 9
Scale: 1" = 200'



*Background
for ORD 4477*

ADDENDUM TO INITIAL APPLICATION
Summary Statement and Findings of Fact

The following two part **Addendum** to the application by Allen Roberts has been prepared to address all Goals and Policies contained in several sections of the city's Comprehensive Plan. Additionally, a set of Findings of Fact to support approval of the proposed zone changes has been included.

Goals and Policies

A section by section response to all Goals and Policies fulfills the need to address all parts of the city's Plan. Specific Goals or Policies, when not already discussed in the main body of the application, are discussed specifically within this portion of the **Addendum**.

CHAPTER 1. ENVIRONMENTAL SETTING

I. NATURAL RESOURCES

A. Vegetation and Wildlife Habitat - Goal and Policies 1-10

COMMENT: The two large cedar trees on the western portion of the property adjacent to Waverly Drive will be retained and incorporated into the Development Plan. The remnants of the old orchard on the southwest corner of the property will be retained if at all possible. Other on-site vegetation is relatively minor and insignificant. New vegetation will be planted as part of the Development Plan, especially at the property boundaries and within the development to separate use areas and provide amenity to users of the retail, the residents of the proposed housing units, and the surrounding property owners.

B. Agriculture and Forestry - Goal and Policies 1 and 2

COMMENT: The property supports grazing for horses on an occasional basis and is not an agriculturally viable parcel. Other lands within the Urban Growth Boundary (U.G.B.), especially to the east of the site, are still in agricultural use and remain viable and valuable. Use and development of the site will be orderly and will fulfill the concept of infilling prior to the use of more outlying, unserviced lands .

C. Sand and Gravel - Goal and Policy

COMMENT: This section does not apply because there are no identified sand or gravel reserves on the site.

D. Open Space Resources - Goal and Policies 1-5

COMMENT: The site is not an identified site within the city's Open Space inventory. However, as part of the Development Plan open spaces within the site will provide relief from the density of on-site development and will reduce the impact on surrounding lands and uses.

E. Water Quality - Goal and Policies 1 and 2

COMMENT: Development of the site will produce no significant amount of additional pollutants. The connection of the development to the city's Sanitary Sewer System and recently installed Storm Drainage System will reduce the impact of site development on local water quality. Local and state water quality standards will be maintained.

F. Air Quality - Goal and Policies 1-6

COMMENT: Minimal air pollution in the immediate vicinity may result from additional site based traffic. However, local and state air quality standards will be maintained by the uses proposed for the site because no containment discharges or major burning will occur.

G. Sound Quality - Goal and Policies 1-4

COMMENT: Uses resulting from development on the site will not produce significant additional noise or impact on an existing noise-sensitive area. On-site landscaping will assist in reducing any localized noise and impacts on adjacent uses and properties. Local and state noise standards and regulations will be maintained.

II. HAZARDS

A. Flooding - Goal and Policies 1-6

COMMENT: The site is not within an identified floodway, flood fringe or flood plain area and is not impacted by this goal or policies. Any existing ponding on the site will be reduced or negated by site design and connection to the city's Storm Drainage System.

III. SPECIAL AREAS

A. Willamette Greenway - Goal and Policies 1-8

COMMENT: The site is not within the city's identified Willamette Greenway and is not impacted by this goal or policies.

B. Historical and Archaeological Resources - Goal and Policies 1-8

COMMENT: As stated in the discussion of LCDC Goal 5, the existing single family frame dwelling on the site has not been identified as an historic structure. No other historical or archaeological resources have been identified on the site. Therefore, this goal and policies are not applicable to this proposal.

CHAPTER 2. COMMUNITY NEEDS

I. POPULATION CHARACTERISTICS AND PROJECTIONS

As discussed on page 53 of the application document, the additional 27 persons living on the site under the proposed multiple family development will have no impact on city or regional population characteristics and projections.

II. ECONOMIC DEVELOPMENT

A. Economic Structure

B. Commercial and Industrial Land Use Needs

COMMENT: Policies 2, 10 and 18 have been discussed in the application document. The balance of the policies will not apply specifically to this application because the site is not within the Central Business District (C.B.D.) and, as a Neighborhood Commercial area, will have no impact on the economic structure of the C.B.D.

No industrial uses are anticipated on the site. On-site employment will be relatively small and the

regional economic impact will be minor. On-site construction will provide short term economic advantages, while increased property tax revenues will benefit the city and county. Site related employment will benefit the local labor force, helping to maintain local income while keeping local and regional dollars within the local area.

III. HOUSING

COMMENT: The Housing Goal and Policies 1, 9 and 12 have been addressed in the main application and other related information and justification were provided in the discussion on LCDC Goal 10. Other policies do not apply because the site is not within an Historic District, will not involve the use of mobile homes, development may not use the Planned Unit Development method, and the site is not within the Central Business District (Policies 3, 7, 8 and 10). Design of the multi-family units will make use of every available and practical means of creating variety while reducing housing costs, thus providing a greater opportunity for meeting the needs of renters (Policies 6 and 11). Policies 2, 4, and 5 generally do not apply.

IV. TRANSPORTATION

- A. Transportation Types**
- B. Transportation Mode Comparisons**
- C. Streets**
- D. Downtown Parking**
- E. Airport**

COMMENT: Policies 1, 3, 18 and 20 were discussed in the main application. Because no new improvements are planned as part of the proposal, based on existing or planned facilities being adequate to serve the developed site, Policies 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, and 21 do not apply. Use of the existing transportation facilities without construction of new streets will improve the efficiency and maintain the carrying capacity of the existing facilities. Access onto both Waverly Drive and 21st Avenue will be controlled and located to provide safe and efficient ingress and egress. Adequate off-street parking will be provided to reduce the need for curb-side parking and there will be no non-residential parking anticipated or provided for.

V. PUBLIC FACILITIES AND SERVICES

The main Goal was discussed in the body of the application. Policies under each of the nine sections were singled out as being appropriate and were addressed. The remaining policies as listed below are not applicable to this proposal because they are more generalized and apply to the total urban area as opposed to site specific development actions.

- A. **Water Service** - Policies 1 and 2.
- B. **Storm Drainage** - Policies 2, 5, 6, and 7.
- C. **Sewage Treatment** - Policies 1, 2, 3, and 4.
- D. **Solid Waste** - Policies 1, 2, 3, 4, 5, and 6.
- E. **Other Utilities** - Policy 1.
- F. **Police and Fire Protection Services** - Policies 1, 2, 3, and 4.

- G. **Health Services** - Policy 1.
- H. **City Support Services** - Policy 1.
- I. **Education** - Policies 1, 2, 3, 4, and 5.

VI. SOCIAL AMENITIES

The proposed zone change and site development will not place additional burdens on social amenities such as parks and recreation. Existing facilities are within close proximity to the site and provide the broad range of needed facilities.

CHAPTER 3. GROWTH MANAGEMENT PROCESS

I. DIRECTING GROWTH

The major Goal and Policies 1, 6, 7, 10, 12 and 16 were addressed in the main application. The remaining policies do not apply because the site is already within the incorporated city limits, development is strictly neighborhood oriented, is of a relatively small scale and the proposed development will maximize existing facilities and services (sewers, water, streets) without requiring significant new construction or service extensions. Policies 3, 4, 5, 9, 11, 15 and 18 do not apply specifically to the proposal.

II. DEVELOPMENT PROCESS

The Goal and Policies 1-8 are indirectly applicable to the proposal through the city's overall process. Policy 9 is addressed by the determination of applicable Goals and Policies addressed throughout the application.

III. ENERGY CONSERVATION

The Goal and all applicable Policies are addressed generally by the discussion of LCDC Goal 13 contained in the body of the application. Specific policy items, such as the need to reduce energy used in street construction and maintenance programs, are especially important and significant because no new public streets will be required. Energy efficient design and construction methods, use of the site and reduced dependence upon the automobile are goals of the project.

IV. PUBLIC INVOLVEMENT

The Goal and all Policies are carried out through the city's established planning processes.

Findings of Fact

1. The zone change and proposed site development fulfill the applicable Plan Goals and Policies of Chapters 1, 2 and 3 of the Plan, specifically, Sections on Natural Resources, Hazards, Special Areas, Population Characteristics and Projections, Economic Development, Housing, Transportation, Public Services and Facilities, Socials Amenities, Directing Growth, Development Review, Energy Conservation and Public Involvement.
2. The zone change will not result in significant additional impacts on the quality of water, air, sound and land resources of the site, the immediate vicinity or the city.
3. There are no identified hazards on the site which would inhibit development or result in impacts on surrounding lands.
4. The site is not within the Willamette Greenway.

5. The zone change will have no adverse impact on local and regional population characteristics and projections. The additional 27 persons who may live on the site will not create an imbalance in the city's settlement patterns or create the need for changes in the city's adopted planning and land development strategies.
6. Based on Tables 10-XI through 10-XVIII of the Albany Background Report, there are both immediate and future needs for the additional dwelling units proposed in the application. This proposed zone change will assist in fulfilling a portion of those needs.
7. There is a need for additional neighborhood commercial areas zoned C-1 in the Periwinkle Neighborhood based on the fact that there are no existing neighborhood commercial areas within the center of the neighborhood. All existing C-1 zoned areas are located on the fringes of the neighborhood.
8. A market area currently exists for a neighborhood commercial development on the site. The market will be significantly expanded when development in the "East Albany Annexation Area" occurs.
9. The location of the site and the proposed zone change are energy and land use efficient and will promote infilling as a major objective of development in Albany.
10. Local public facilities and services are in place and available to the site without major extensions at public expense.
11. The zone change and future development of the site will result in additional tax and financing benefits to the city.
12. The proposal is in compliance with all Statewide Planning Goals of the Land Conservation and Development Commission as applicable to the City of Albany.

13. The proposal has addressed and is in compliance with the nine (9) items specified in the application as Appropriateness of the Particular Zone and Appropriateness of Zone Change Timing.
14. The proposal has addressed and fulfills the three criteria (a, b, and c) contained in the application under Findings of Fact.

Background
for
ORD 4477

Zone Amendment

S.E. 21st Avenue & Waverly Drive Albany, Oregon

September 9, 1981

Prepared for:

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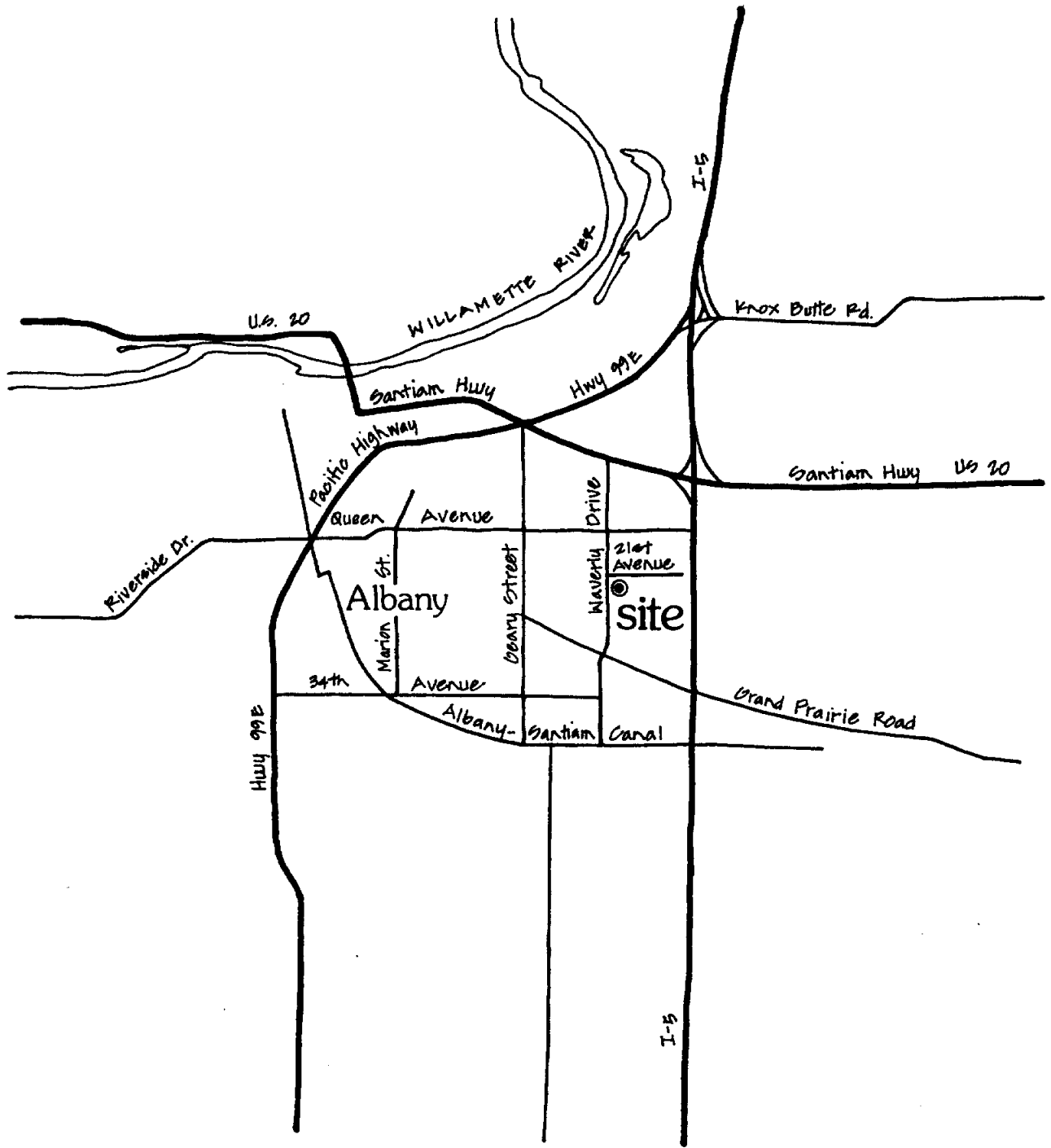
INTRODUCTION

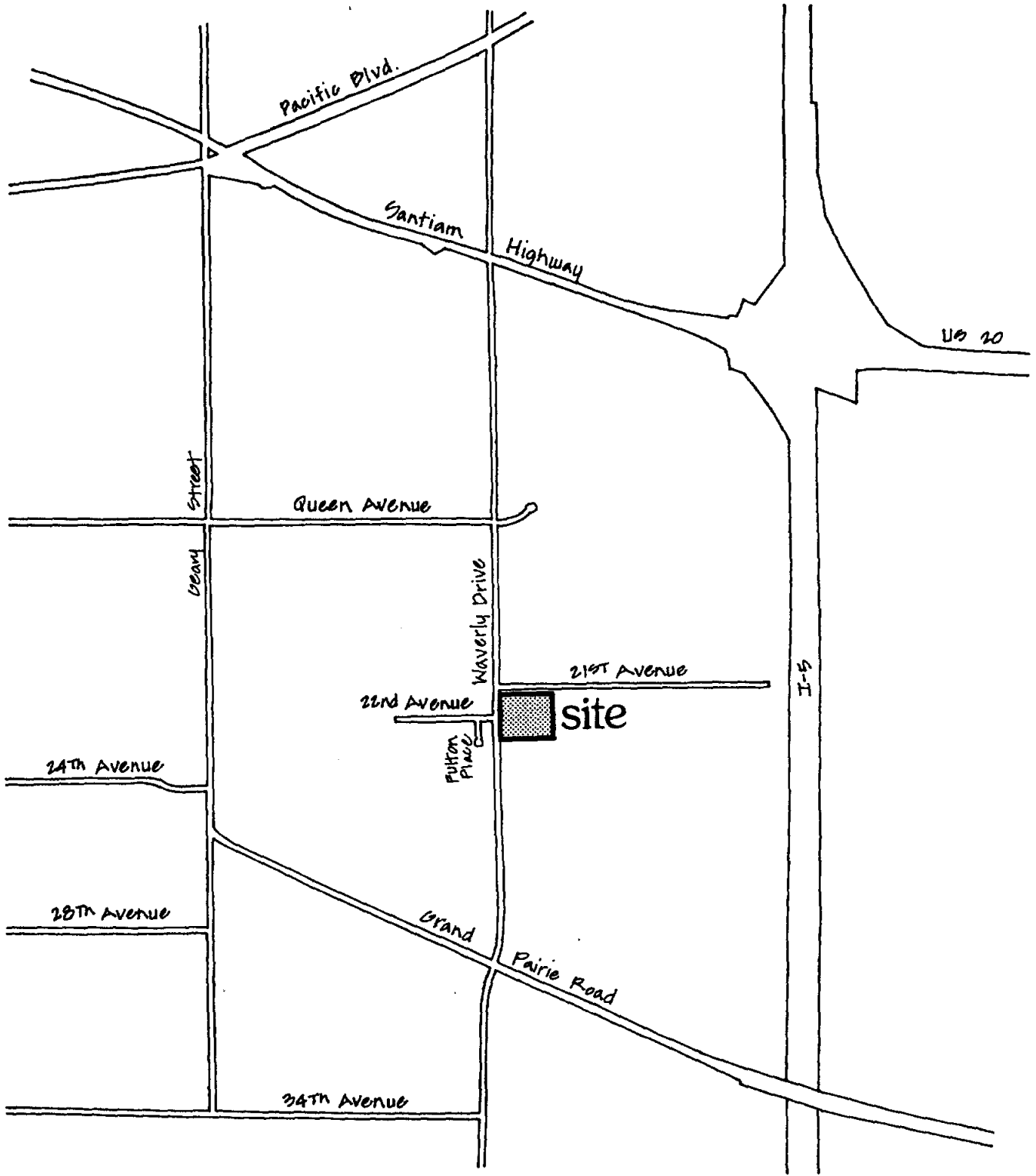
The purpose of this application is to obtain a recommendation from the Albany Planning Commission and a final decision from the Albany City Council to allow a zone amendment on a 4.15 acre parcel east of Waverly Drive and south of 21st Avenue in the Periwinkle neighborhood. See Exhibits 1, 2 and 3. The application requests a change of zoning from the current R-1, Low Density Single Family Residential - 6,500 square foot lot size, to two zones consisting of C-1, Neighborhood Commercial on the northwesterly one acre sector adjacent to Waverly Drive and R-2, Limited Multiple Family Residential on the balance of the site.

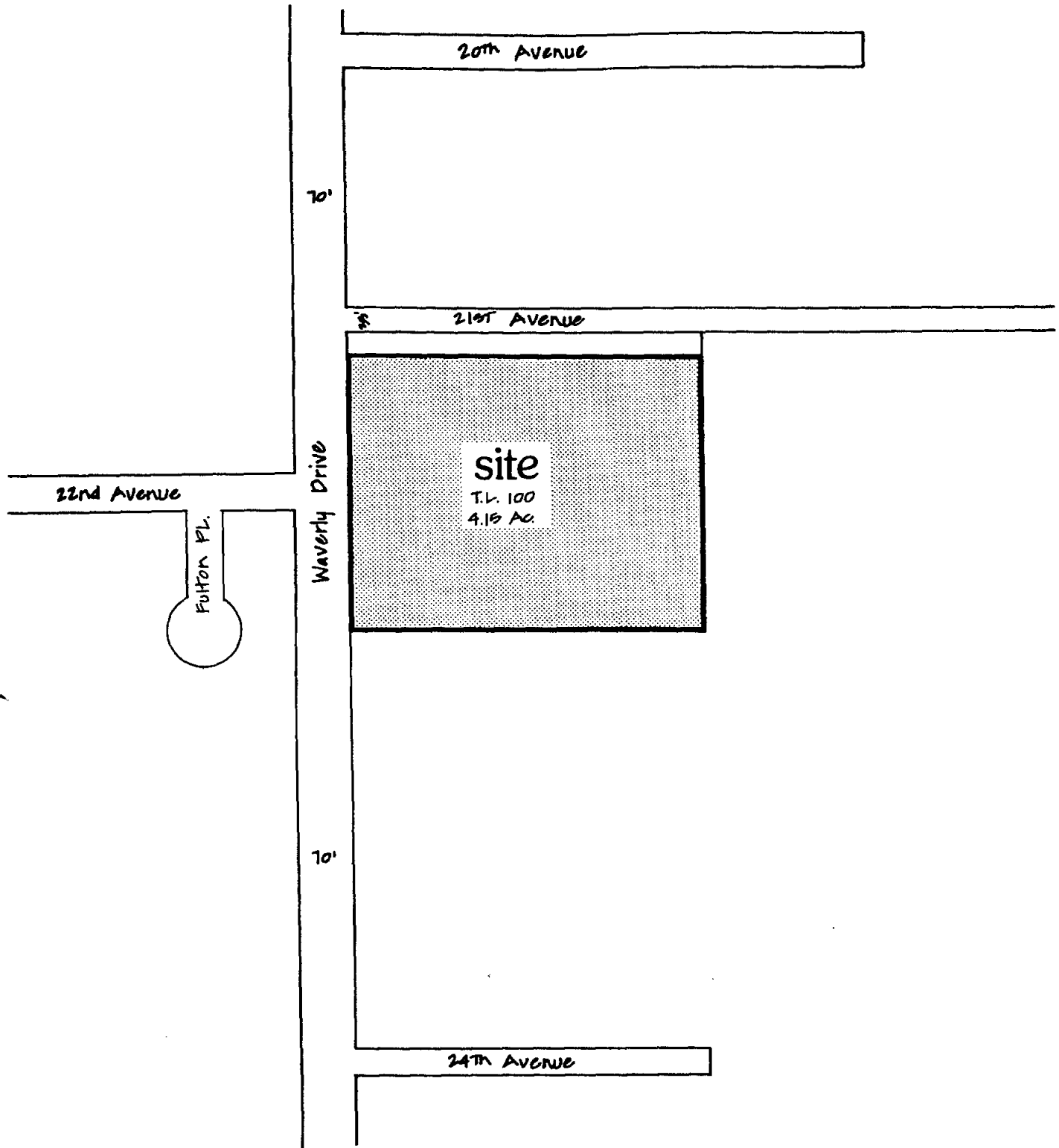
A recent annexation to the city of 266 acres in the Periwinkle area north of Grand Prairie Road, east of Waverly Drive, south of Santiam Highway and west of the I-5 freeway has reinforced the existing need for a small neighborhood commercial area in southeast Albany which is highly accessible and which will serve a significantly large local market area. With a majority of the 266 acres recently annexed being undeveloped, the subject site will be centrally located to all existing residential development to the north, south and west and the area to the east which is proposed for residential development. Although not large, the site will be very flexible to permit the maximum number of design alternatives for both commercial and residential areas and uses. The zone amendment will serve two purposes:

1. To provide additional neighborhood commercial sites in an area of Albany which presently lacks a suitable variety of appropriately zoned vacant and available sites, and
2. To provide housing for the area which will be compatible with existing housing and will fulfill the city's goals and policies.

The Urban Residential Reserve designation applied to the recently annexed area provides the opportunity and flexibility to allow the zone amendment to C-1 and R-2. Such a zone amendment will serve local neighborhood needs, save energy, offer a diverse yet compatible type of housing in the immediate vicinity, a more efficient use of urban land and fulfillment of City and Statewide Planning Goals.







Site Area

Exhibit 3
Scale: 1" = 200'



I. GENERAL INFORMATION

A. City of Albany

Albany is the county seat of Linn County and is located in the northwestern portion of the county. Originally sited on the Willamette River in the mid-1800's, Albany has grown away from the river, orienting more along such vehicular transportation routes as Pacific Highway (U.S. 99E) and the I-5 freeway. Increasing to a present population of nearly 28,000, Albany possesses a variety of economic activities including lumber and wood products, metallurgy, food processing and general manufacturing. The city demonstrates a variety in housing types, styles, conditions and prices and exhibits a definitive character of developed neighborhoods, each with specific local and citywide needs.

Located approximately 65 miles south of Portland in the heart of the Willamette Valley, Albany is surrounded by excellent resource lands. However, most people live in Albany because of the excellent commercial and industrial employment opportunities. The city has a good ratio of residential to nonresidential land use and possesses an enviable basic-nonbasic ratio. Major commercial areas are found along the Pacific and Santiam Highways, but viable neighborhood commercial areas are lacking, especially in south and southeast Albany. Policies and Implementation Methods contained in the recently adopted Albany Comprehensive Plan suggest that the city recognizes the need for additional neighborhood commercial areas and a diversity of housing and intends to meet these needs.

B. Vicinity Conditions

1. Location

The southeast Albany area can be roughly defined to include Periwinkle, Oak and Sunrise neighborhoods. As a residential area,

southeast Albany may be bounded on the west by Marion Street, on the south by the Albany-Santiam Canal, on the east by the I-5 freeway and on the north by Queen Avenue. The Santiam and Pacific Highway commercial cores are located directly north one-quarter mile or more. The main downtown core of the city is located to the northwest, between Pacific Highway and the Willamette River. The downtown core is one mile or more distance from southeast Albany. See **Exhibit 1**.

2. Land Characteristics

The area is almost uniformly flat and level, with only minor localized topography in the vicinity of some small drainage courses, including Periwinkle Creek. Overall topographic relief is generally less than 10 feet. Vegetation is limited to scattered individual trees and small clusters. There are no remaining significant natural stands of any type of tree. Some grassy areas exist where small scale urban agriculture is practiced on lands where development has yet to occur. Drainage is undirected due to the lack of relief, but is not a problem in the area.

3. Surrounding Land Uses

Southeast Albany is almost exclusively a residential area, with very little commercial activity and no industrial uses. Residential development includes medium and high density multiple family dwellings as well as single family detached units on lot sizes ranging from 6,000 to 10,000 square feet. Some single family attached units have been developed, but the number is relatively small.

In the immediate vicinity of the subject site, surrounding land uses include a mobile home park, medium density multiple family dwellings, single family detached units developed on individual lots

and in platted subdivisions, and urban agriculture. The nearest developed commercial areas are located at Grand Prairie Road and Geary Street, approximately one mile to the southwest, and at Waverly Drive and Santiam Highway, approximately .65 mile north.

4. Development Patterns

Most of southeast Albany is relatively newly developed, much of it less than 10 or 12 years of age. Southeast Albany has been the major residential growth area for the city, with significant development of single family detached units around Periwinkle Grade School and South Albany High School. Multiple family units have been slower to develop, especially in the Periwinkle neighborhood, because of the single family detached character of the area and the lack of a suitable supply of vacant and available zoned land. A significant portion of the land east of Waverly Drive between Queen Avenue and Grand Prairie Road was recently annexed to the city and is undeveloped vacant land. Because sanitary sewer and water service are not readily available to much of the annexation area, development under the county's jurisdiction was discouraged. Since the annexation in early 1980, there has been only minor activity within the annexation area. Within other localized areas of southeast Albany, residential development has continued.

5. Accessibility and Traffic

Several arterials serve southeast Albany, including Waverly Drive, Geary and Hill Streets, Grand Prairie Road, Queen Avenue and 34th Avenue. Each of these streets intersect either with each other or with major arterials such as Pacific Boulevard or Santiam Highway to provide a well integrated system of access and movement throughout the area. Other less important routes such as 24th and 28th Avenues and Columbus, Oak and Marion Streets provide additional flexibility for access. See **Exhibit 2**.

Traffic on the major routes in southeast Albany is variable, but averages nearly 6,500 A.D.T. (Average Daily Traffic) or more on each of the major routes except Grand Prairie Road. The most recent figures available from the city were counts taken in 1977 and 1978 and it is likely that volumes on every route have increased to the present. At the time counts were taken the greatest volume was recorded on Queen Avenue west of the intersection with Waverly Drive. The figure was 11,400 vehicles daily. Although some trucks and service vehicles were included in all available figures, the great majority of the vehicles were personal cars and trucks owned by residents of or visitors to the area.

Waverly Drive is a main arterial from the southeast Albany area northward to Santiam Highway. This city street serves the entire Periwinkle neighborhood and is the only north-south through link to this area of Albany. The 70 foot right-of-way (becoming 75 feet to the south near Grand Prairie Road) is currently only two lanes of travel, one in each direction, between Grand Prairie Road and Queen Avenue. However, Waverly Drive increases to four lanes of travel, two in each direction, south of Grand Prairie Road and north of Queen Avenue.

The latest available traffic volumes on Waverly Drive at three selected points are as follows:

- o North of Queen Avenue - 13,800 (1977-78 A.D.T.)
- o South of Queen Avenue - 9,850 (1977-78 A.D.T.)
- o North of Grand Prairie Road - 7,900 (1977-78 A.D.T.)

Traffic feeding onto Waverly from 20th, 21st, 24th, 26th, 27th and 28th Avenues from the east is very limited because all of the streets are stubbed, serving relatively few properties. On the west side of Waverly, 22nd, 23rd, 25th and 27th are looped streets serving single

family subdivisions, and only 20th Avenue is a through street to Geary Street on the west. Estimated volumes on these streets are quite low.

C. Site Characteristics

1. Topography

The site is extremely flat and level, exhibiting no relief.

2. Vegetation

A few old fruit trees, remnants of an orchard, dot the southwestern portion of the property, along with two stately and beautiful cedar trees fronting the existing frame dwelling. The balance of the property is covered with forage grass. There are some small shrubs and brush along the north, east and south property lines, but these are varied in type and are insignificant.

3. Drainage and Runoff

Because the site is so flat and level, surface runoff is poor but drainage directly into the soil is good due to the soil types on the site.

4. Current Land Uses

The site is used for residential purposes, but is also large enough to provide for grazing of a few head of livestock. The current resident operates a firewood business, selling the split wood from the garage. The wood does not originate on the site.

5. Structures

An older single family frame dwelling in fair condition presently exists on the site. The house has not been identified as being of any historical significance. A garage, also in fair condition, is located adjacent to the house. An old dilapidated barn also exists near the center of the site.

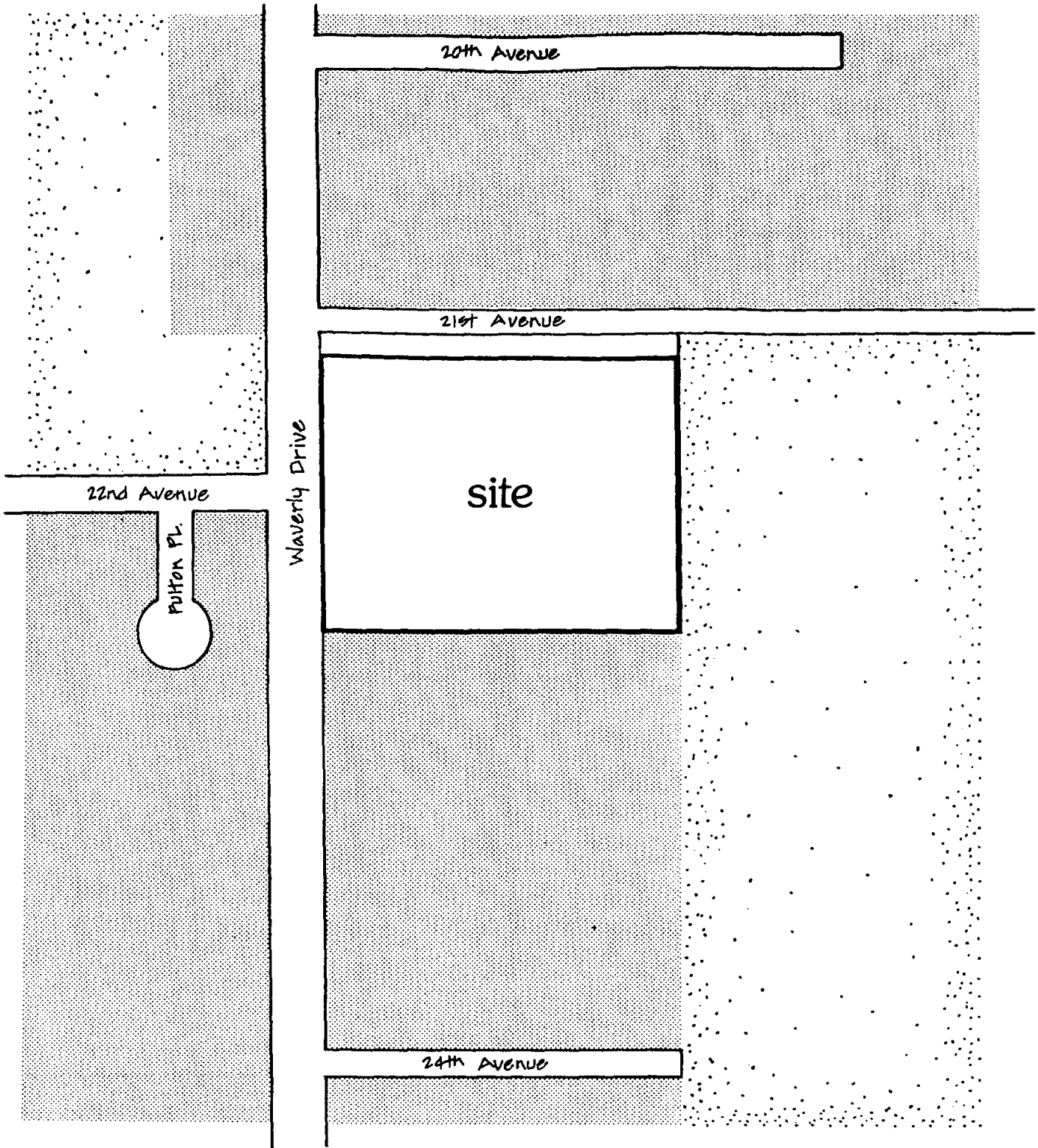
6. Surrounding Development

To the south, fronting on Waverly Drive, are a series of developed residential lots. These lots are almost entirely a uniform depth of 512.5 feet. To the east behind these lots, the land is in agricultural use. To the southwest, across Waverly Drive, development is extensive single family residential. The land directly west of the site across Waverly Drive is vacant. See **Exhibit 4**. The nearest multiple family housing lies to the north approximately at the through line of 19th Avenue on the west side of Waverly Drive. A mobile home park is located on the east side of Waverly Drive at 19th Avenue. At the southeast corner of Waverly Drive and Queen Court is an undeveloped parcel with R-3 (Multiple Family Residential) zoning. The nearest vacant R-2 zoned property is located on Grand Prairie Road east of Geary Street, approximately one half mile from the site.

D. Services and Facilities

1. Sanitary Sewer

This property is not served by any existing City of Albany lines, but is planned to be served by the 21 inch "Periwinkle interceptor" when the line is fully installed. Currently, the interceptor stubs out at Periwinkle School, approximately 1,500 feet to the west.



- Legend**
-  Property Boundary
 -  Single Family Residential
 -  Open

Surrounding Land Use

Exhibit 4
Scale: 1" = 200'



Other properties to the north and south are served by existing 8 inch laterals located in the Waverly Drive right-of-way, but the subject property is not served. The line from the south terminates at the property directly adjacent to the subject property. The line from the north terminates at the property on the north side of 21st Avenue. The City has installed 100 feet of 21 inch dry line under Waverly Drive at 21st in anticipation of extension of the Periwinkle interceptor, but the line has yet to be extended and connected. The 21 inch interceptor is planned for installation in the 21st Avenue right-of-way, traveling eastward, crossing under the freeway and looping through the east Albany area. See **Exhibit 5**.

2. Water

Pacific Power and Light Company provides water via a 20 inch main located in the Waverly Drive right-of-way.

3. Storm Drainage

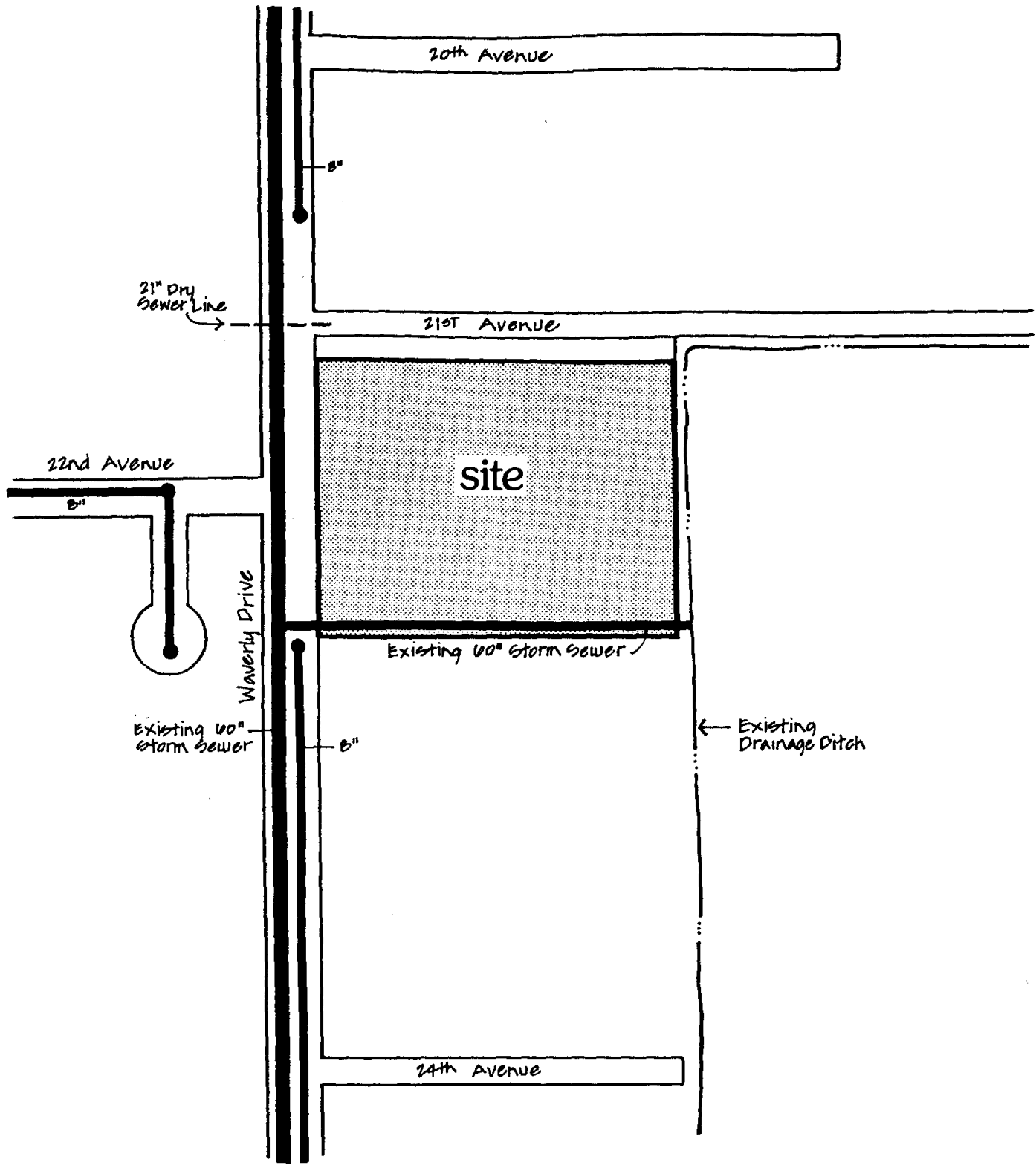
Existing drainage system in the area consists of a City of Albany 60 inch storm line running north-south along Waverly Drive. A new 60 inch storm line has recently been installed, running easterly along the south property line of the site. See **Exhibit 5**.

4. Fire Protection

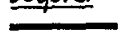

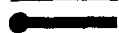
The Albany Fire Department provides fire protection throughout the city. Stations are located in the South Albany area at 34th and Lyon and downtown at 5th and Lyon.

5. Police Protection

Police protection is provided by the Albany Police Department on a 24 hour basis. Routine patrols cover the entire city. Response to



Legend

-  Property Boundary
-  Existing Storm Sewer
-  Existing Sanitary Sewer

calls for assistance is generally less than five minutes, but response time may vary according to the type of call and the present response load.

6. Miscellaneous

Electrical service is provided by Pacific Power and Light Company. Telephone service is provided by Pacific Northwest Bell and Northwest Natural Gas provides all natural gas to the city.

E. Regulatory Issues

1. 1980 City of Albany Comprehensive Plan

The newly adopted plan designates the site area Urban Residential Reserve. Under the previous plan, the site designation was Urban Residential. See **Exhibit 6**.

2. City of Albany Zoning

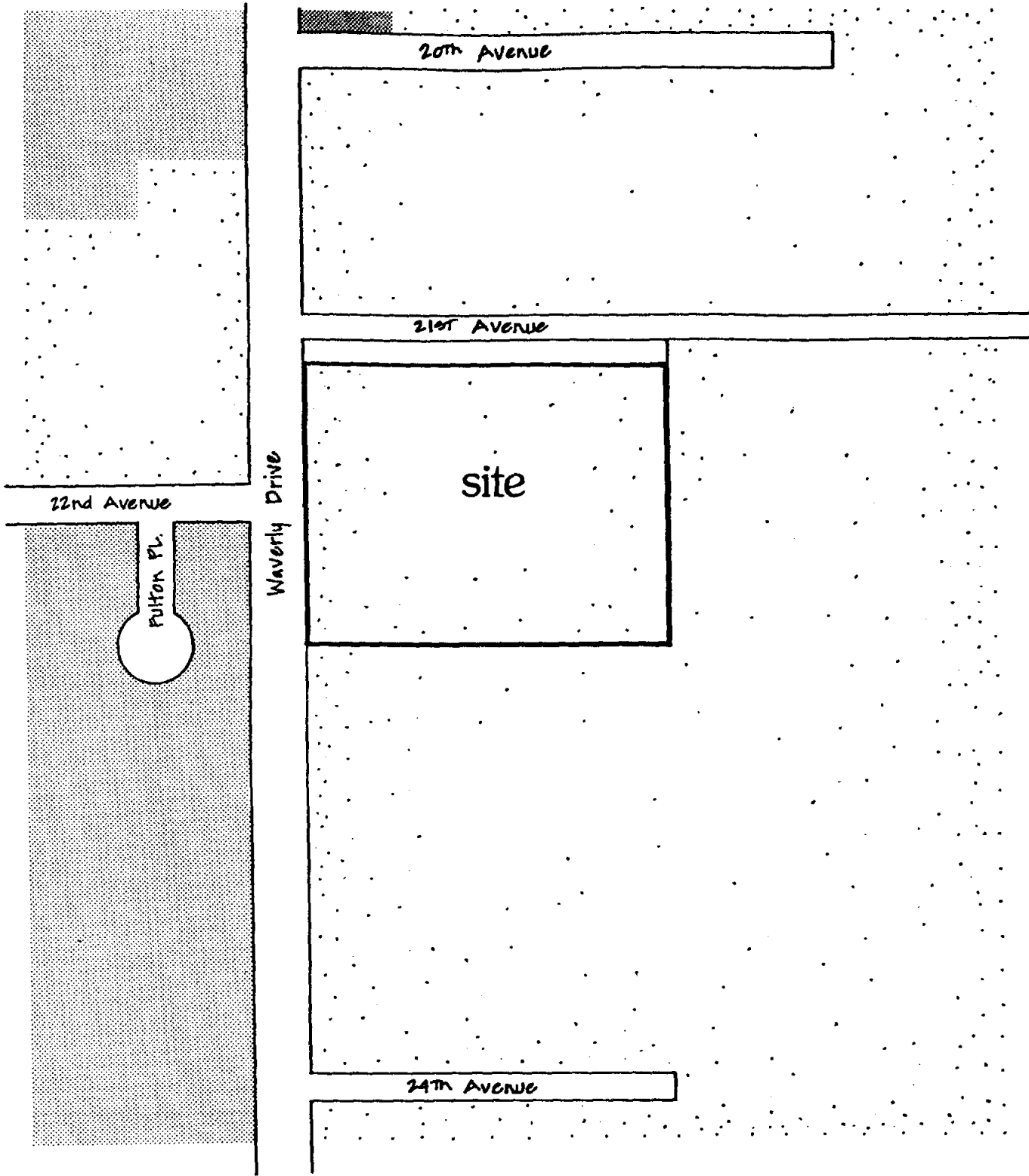
R-1, Low Density Single Family Residential, 6,500 sq. ft. lot size. See **Exhibit 7**.

3. Neighborhood



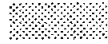

The site is located within the Periwinkle neighborhood.

4. Previous Actions

No previous regulatory or development actions occurred on the site while under the jurisdiction of Linn County. However, on March 12, 1980 the Albany City Council voted to adopt an ordinance (No. 4350) which



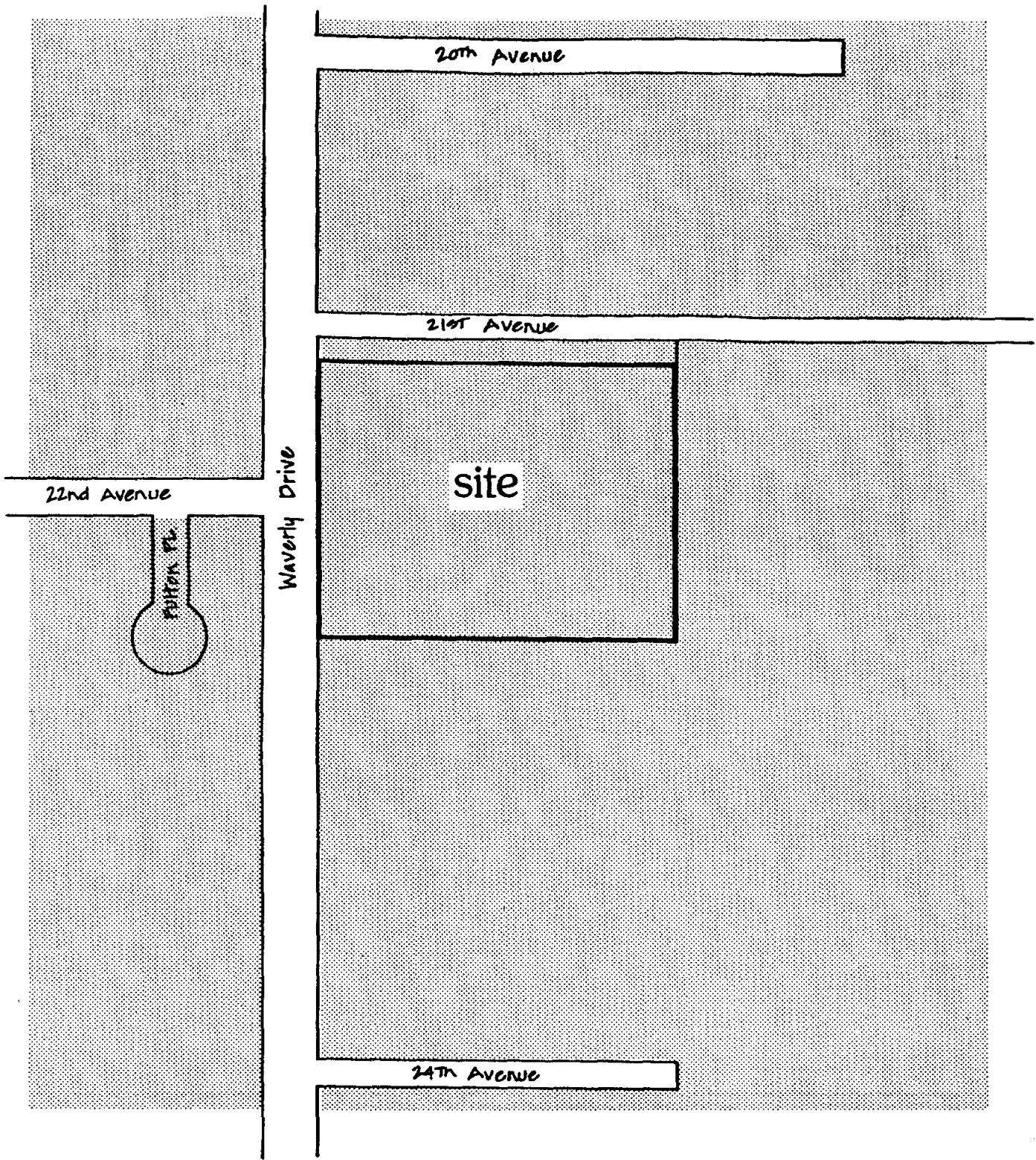
Legend

-  Property Boundary
-  Urban Residential Reserve
-  Low Density Residential
-  Medium Density Residential



Albany Comprehensive Plan Designations

Exhibit 6
Scale: 1" = 300'





Legend

-  Property Boundary
-  M1 - Single Family Residential District



annexed a total of 266 acres in the east Albany area into the city. The subject property is part of this annexation, called the Waverly-Grand Prairie Annexation. Because conditions were attached to the approval, the annexation was not official until June 12, 1980.

The subject property was part of a triple 50% annexation request made by Landwest Development Corporation. The request included a "Conceptual Street Pattern" and a plan for Proposed Zoning, but the City Council chose to not adopt the Conceptual Street Pattern and to zone the entire 26 acres R-1(8). Recent city-initiated rezonings in conformance with the newly adopted comprehensive plan has redesignated most of the area R-1, Low Density Single Family Residential. At such time as specific development proposals are presented, other rezonings will be considered. Several recent proposals have been considered by the city within the Periwinkle area in recent months and most have been generally approved.

II. ZONE CHANGE

A. The Proposal

As proposed in this application, the zoning district currently existing on the site will be amended from R-1, Low Density Single Family Residential, 6,500 square foot lot size to new designations of R-2, Limited Multiple Family Residential on approximately 76% of the site (3.15 acres) and C-1, Neighborhood Commercial on the remaining 24% (1.0 acre). Proposed zoning is illustrated in **Exhibit 8**. A Conceptual Development Plan is shown as **Exhibit 9**.

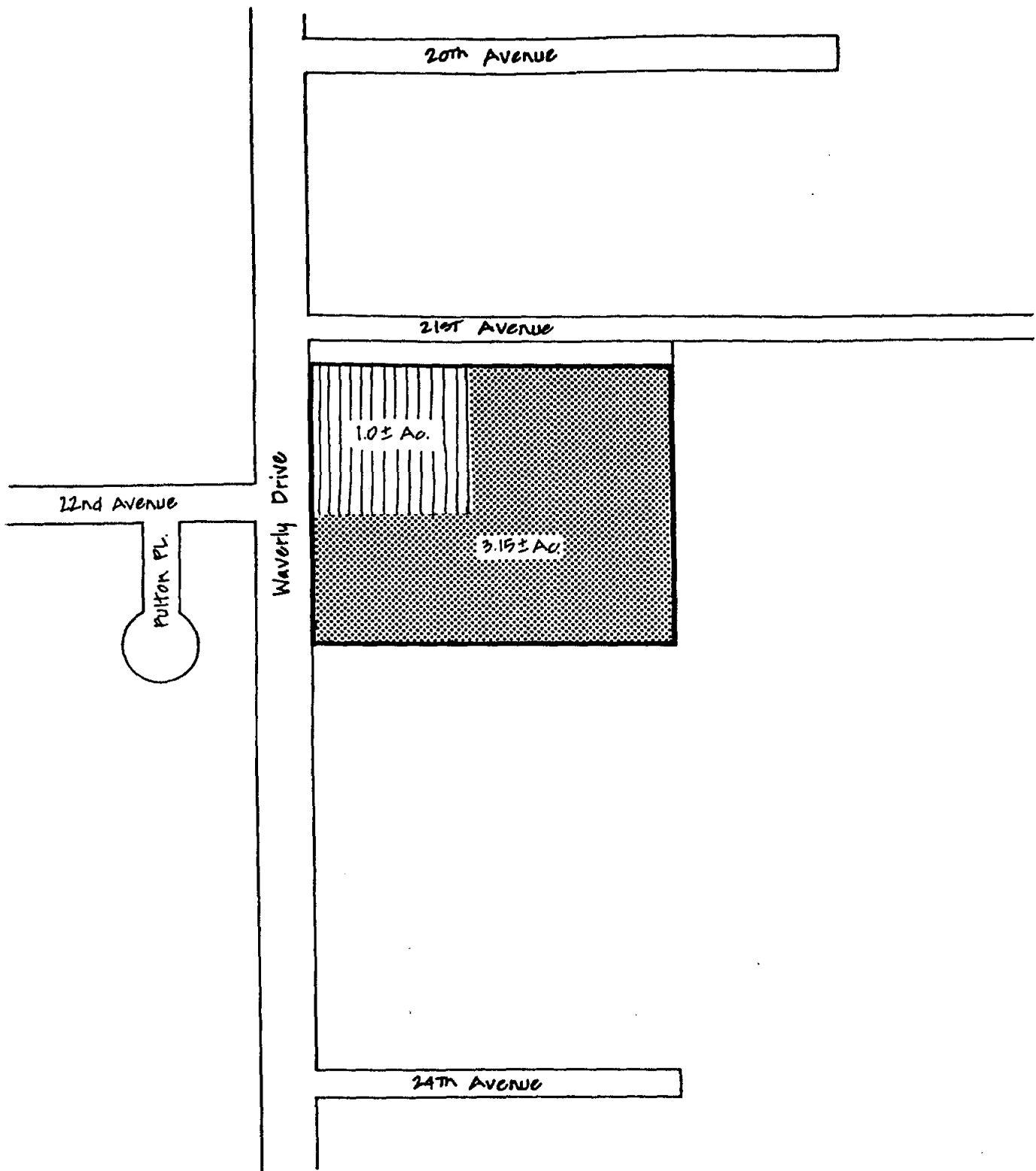
1. Reasons for Initiating this Action

- a. To obtain a more suitable, practical and economically viable residential zoning to allow housing development. Improve the use of land in an efficient manner and provide available land that is currently contiguous to existing development and available public services and facilities.
- b. To provide a centralized location for small, convenience neighborhood commercial development which will serve existing developed areas generally south of Queen Avenue and new development areas east of Waverly Drive within the Periwinkle neighborhood.




B. Conformance with Goals and Policies

1. Albany Comprehensive Plan

The site has been designated Urban Residential Reserve which will permit the proposed zoning within the parameters of that Plan designation. The following Plan Goals and Policies apply to the application:



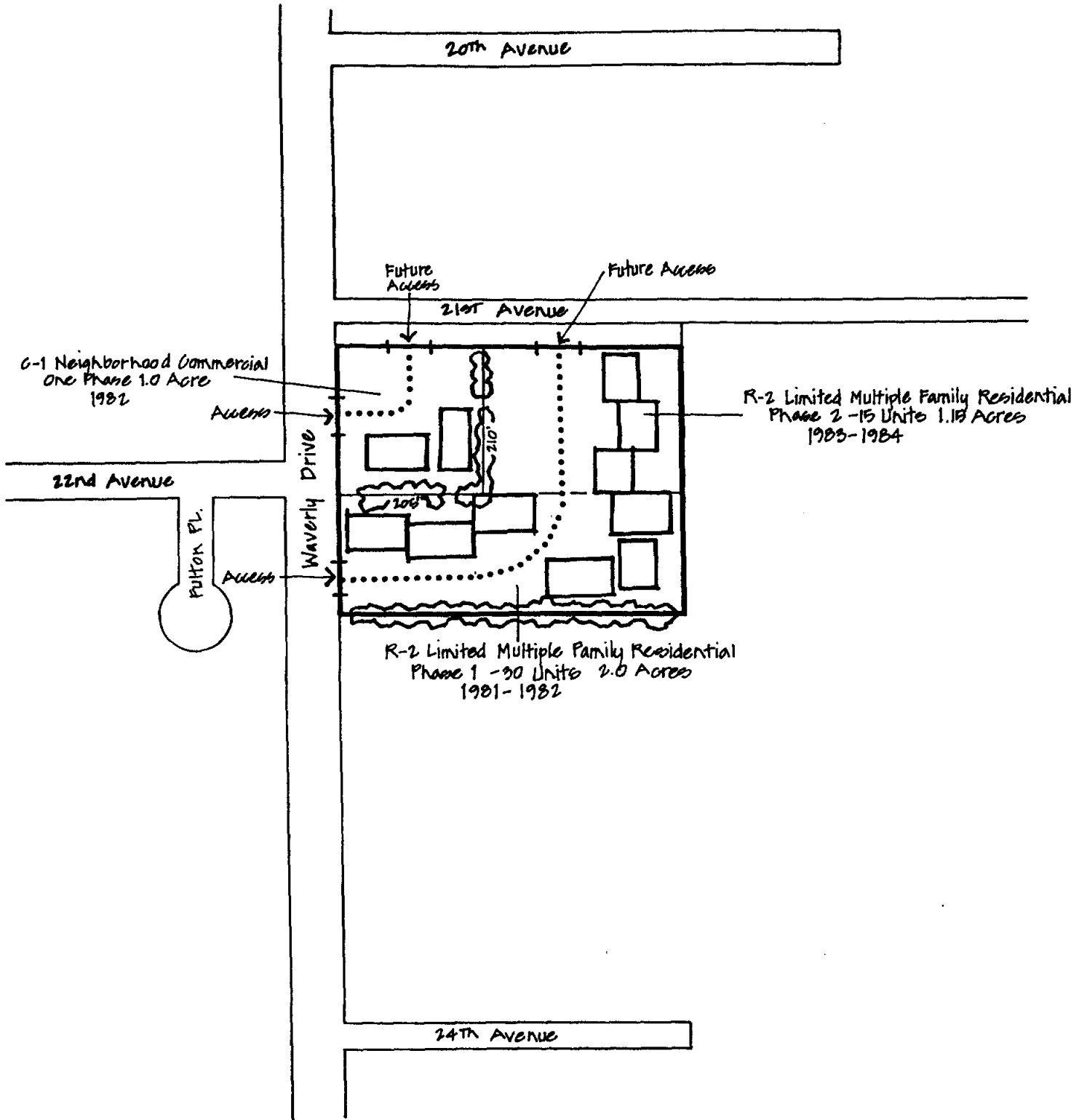
Legend

-  Property Boundary
-  C-1 Neighborhood Commercial
-  R-2 Limited Multiple Family

Proposed Zoning

Exhibit B
Scale: 1" = 200'





Conceptual Development Plan

Exhibit 9
Scale: 1" = 200'



Housing Goal - Provide for the housing needs of all Albany's citizens

COMMENT: According to the Housing section of the Albany Background Report, there are over 3,200 multiple family units existing on 231 acres of land within the city. Between 1978 and the year 2000 there is an identified need for 7,739 additional multiple family units on 520 additional acres. The site will be developed during a period between 1980 and 1990 when there will be a need for 2,965 additional multiple family units on approximately 198 acres. The proposed residential portion of the site, at 3.15 acres, represents approximately 1.6% of the needed units and acreage during this ten year time period. Regardless of the small size of the site and percentage of units it will supply, development of multiple family housing will help in fulfilling the established need for housing.

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

COMMENT: Location of the site on Waverly Drive and 21st Avenue (to be ultimately developed into a collector) provides excellent access from the site to other areas of the city. With the continuing development of the Santiam Corridor into a major city and sub-regional commercial area, employment opportunities will continue to increase within a reasonable proximity to the subject site. Schools are easily accessible from the site, especially Periwinkle Grade School and South Albany High School. All other public services and facilities are equally accessible and available to the site.

Periwinkle Neighborhood does contain areas of land zoned R-2, but most of the areas, especially those in the area of the subject site,

have been developed. This leaves a potential lack of developable limited multiple family residential land available within the Periwinkle Neighborhood. In order to provide a greater choice of type, location, density and cost of units within the housing framework of the area, additional R-2 zoned land is necessary within the Periwinkle Neighborhood to provide an adequate supply of appropriately zoned land in the market place which is well located to places of employment and necessary public facilities.

Policy 9 - Encourage an adequate supply of rental housing dispersed throughout the city to meet the needs of renters.

COMMENT: According to available information, vacancy rates in Albany have traditionally been quite low. Past vacancy rates for multiple family housing have been below the "desired vacancy rate" used to project future housing needs for the city. As such, additional rental housing is required to bring the vacancy rate into balance and maintain the integrity of future housing projections.

Policy 12 - Encourage a mix of housing types and residential densities within the Urban Residential Reserve area which conform with the housing needs projections used to determine the size and location of the Urban Growth Boundary.

COMMENT: The proposed zone change will ultimately result in a contribution to the desired mix of housing types and densities by providing multiple family housing in an area which has been either undeveloped or developed largely for single family detached residential dwellings. Development of multiple family housing on the site will assist in providing a diversity of housing types and densities in a large area of Albany which has been designated Urban Residential Reserve and zoned for single family development. The Albany Background Report states that the Urbanizing Area will

require a total of 7,739 multi-family units between 1978 and the year 2000 to satisfactorily fulfill the city's fair share of housing. Over a period of 22 years, there is a needed yearly average of over 350 units. These units will require more than 23 acres to be developed each year. Development of the proposed residential portion of the site would provide slightly more than three acres, or 45 total units. This minimal acreage and small number of units will fit well within the framework of the provision of housing within the Urbanizing Area in a manner which will not overbalance the adopted Plan.

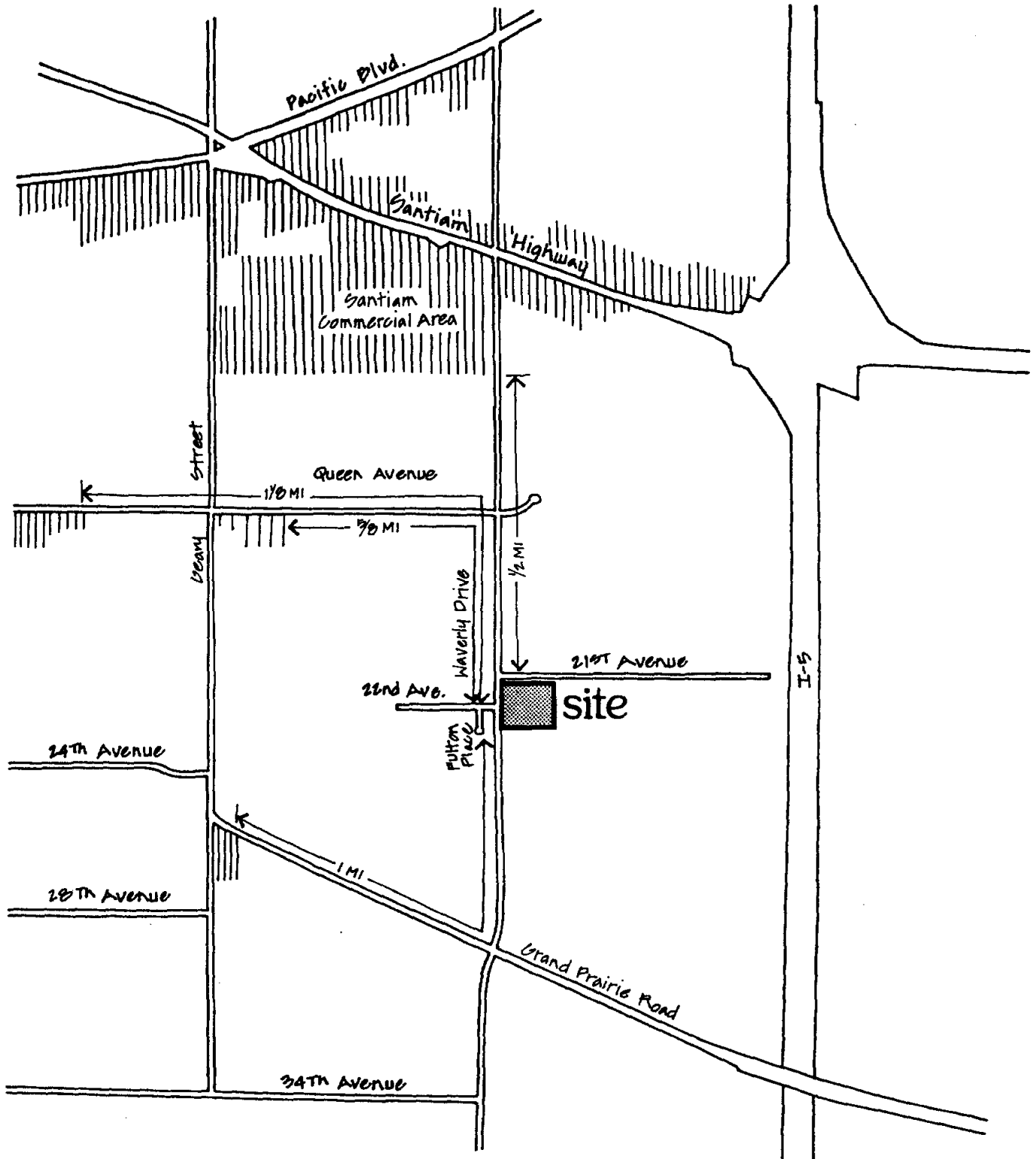
Economic Development Policies:

Policy 2 - Provide trade and service establishments for the residents of Albany which include a variety of levels of service ranging from neighborhood to regional needs.




COMMENT: The rezoning of one acre of the site to C-1 (Neighborhood Commercial) would provide an improved level of retail service for the area located north of Grand Prairie Road, south of Queen Avenue, east of Waverly Drive and west of I-5. No commercial land currently exists within this area. Presently, the three areas zoned C-1 within the Periwinkle Neighborhood are located on the fringes of the identified neighborhood area. There is no neighborhood commercial site within the Periwinkle Neighborhood which is specifically planned to serve Periwinkle residents. Development of the proposed C-1 site area would be at a level to provide localized neighborhood services. See **Exhibit 10**.

Policy 10 - Provide residents of the city with access to neighborhood commercial facilities within a half mile radius.

COMMENT: The Periwinkle Neighborhood currently contains three sites which are zoned C-1 (Neighborhood Commercial). Two of those



Legend

-  Property Boundary
-  Undeveloped Commercial
-  Developed Commercial

Distances to Nearby Commercial Areas

Exhibit 10

Scale: 1" = 1/4 Mile



sites are undeveloped and the third site contains only a minimal level of retail services. All three sites are located on the fringes of the Periwinkle Neighborhood. As such, the Periwinkle Neighborhood is effectively without any neighborhood retail facilities which would serve a significant portion of the neighborhood. While the proposed site is located on a major arterial and would serve a significant market area, both existing and future, the site is not within the half mile radius of another neighborhood retail site and is approximately .65 mile driving distance from the nearest neighborhood retail site which is located at the intersection of Geary Street and Grand Prairie Road. The nearest community commercial facilities are located approximately .65 mile north of the site on Waverly Drive.

Policy 18 - Limit neighborhood commercial areas with respect to site size (less than five acres), site coverage, and types of uses which should be correlated with the needs of the people in the neighborhood.

COMMENT: The proposed commercial site is one acre which will limit the size and scope of development to ensure a compatible situation with the surrounding neighborhood. Site coverage and other site design requirements and details will be in accordance with the adopted Albany Development Code. Uses in the developed neighborhood commercial site area will be in compliance with uses permitted in the C-1 district according to the Albany Development Code and will be those types of uses appropriate to the site, neighborhood and market area.

Implementation Methods:

Method 1 - Designate lands in suitable locations for future commercial and industrial development.

COMMENT: The location of the neighborhood commercial site is highly suitable in terms of existing and future market area, energy conservation and traffic and access. The site will serve a developed area, mostly west of Waverly Drive and provide for neighborhood needs in a developing residential area east of Waverly. Access to the site will initially be from Waverly Drive, with a second access on 21st Avenue when the street is more fully improved. Serving residents of the Periwinkle Neighborhood will provide an excellent opportunity to travel shorter distances in order to fulfill basic needs. Energy conservation, traffic facilities and excellent access, and existing and future market areas result in the site being a highly suitable location for a neighborhood retail development.

Method 10 - Assure the provision of an adequate supply of commercial lands to meet the needs of all types of retail and business services.

COMMENT: The Albany Comprehensive Plan states that the city will need a total of approximately 640 acres of commercial land by the year 2000. This will mean an addition of less than 100 acres to the existing inventory. The rezoning of one acre of the site is a very minor amount in the overall total. However, the most important consideration is not the amount of land but the location of the site. With three commercial areas, only one of which is actually developed, in one of the city's major residential neighborhoods, a deficiency of available retail services exists. The need is to provide additional neighborhood retail facilities in convenient and practical locations which serve the neighborhood market area in an energy efficient manner. A change of zone on one acre will be within the framework of Plan policies, will not imbalance the Plan and will assure the adequate provision of a needed supply of commercial land.

Public Services and Facilities Goal - Ensure the provision of a full range of public utilities and services to serve the Albany urban area

in a timely and orderly fashion and maintain the quality of services commensurate with new growth.

COMMENT: The full range of all utilities and services are available in the vicinity and can be extended to serve the site. The site is one of the few undeveloped properties fronting on Waverly between Queen Avenue and Grand Prairie Road. Development of the site will be timely and orderly and should occur prior to utilization of land east of Waverly Drive. This will help to prevent the existence of passed over undeveloped parcels within the urban area.

Storm Drainage Policies:

Policy 1 - Work toward the elimination of existing and future drainage problems within the city.

Policy 3 - Ensure that all developments include a drainage system which protects the development and adjoining property from runoff related damage.

Policy 4 - Encourage drainage systems which utilize natural drainageways and minimize the amount and rate of surface water runoff unless it can be shown that a conventional piped drainage system is a more suitable alternative.

COMMENT: Recent improvements in the storm drainage system in the eastern portion of Albany provide the opportunity to alleviate historical drainage problems. The improvements enable new developments to provide adequate safeguards for the immediate vicinity. A portion of the recent improvements involve the subject property where a 60 inch storm drain line has been installed along the south property line. This line will adequately serve the proposed development on the site and the surrounding vicinity also, alleviating existing and future drainage problems.

Transportation Policies:

Policy 1 - When reviewing development proposals or transportation plans, determine the relationships between land uses and transportation systems, i.e., how will proposed developments affect existing or proposed transportation and how will transportation plans affect future land use patterns.

COMMENT: Development of the site does not include and will not require new rights-of-way to be added to the existing street system of the area. Initial phases of development will access to and from Waverly Drive, while future phases will include the use of 21st Avenue when it has been developed to the satisfaction of the City. The latest available traffic volume counts on Waverly indicate that additional traffic volumes and access will not create problems for continued traffic flow. Construction of 21st Avenue to city standards is anticipated in the future and will provide a major means of access into the as yet undeveloped "annexation area". This will provide additional access for the site and will reduce the use of access points on Waverly Drive. Development of the site will have no direct impact on proposed transportation facilities and will not affect the transportation aspect of the future land use patterns.

Policy 3 - As part of any development review process, evaluate the adequacy of transportation to, from and within the site.

COMMENT: The site is located on the main north-south thoroughfare within the Periwinkle Neighborhood and east Albany, providing ease of access. 21st Avenue will provide additional access while serving as a main route into the "annexation area". Ultimately, access to the site from the surrounding neighborhood area will be better than it is at the present. Internal circulation will be designed in such a way as to make the greatest use of the fewest points of

access onto both Waverly Drive and 21st Avenue, reducing conflicts between flowing and accessing vehicles. A major objective of the commercial portion of this project is to provide neighborhood retail facilities which are within reasonable walking and bicycling distances of existing and future residential areas, reducing the need to drive to other commercial areas located outside the Periwinkle Neighborhood.

Policy 18 - Minimize the need for on-street parking by ensuring adequate off-street parking facilities.

Policy 20 - Ensure that parking requirements reflect parking needs.

COMMENT: Both commercial and residential portions of the development will provide adequate parking facilities, minimizing or alleviating the need for on-street parking.

Directing Growth Goal - Achieve stable land use growth which results in a desirable and efficient land use pattern.

COMMENT: The proposed rezoning of the site and subsequent residential and commercial development of the site will provide infilling of an underutilized parcel, achieving stable and desirable growth. The pattern of efficient land use will combine with an energy consciousness to achieve Plan goals and fulfill policies without adverse impacts on existing development or urban services and facilities.

Although a large amount of land has been annexed to the east portion of the city, growth should occur within serviced areas first and on sites where the greatest advantages will be provided to the neighborhood and the city. The phased development of multiple family housing on approximately 75% of the site will provide a focus for the area. This will provide increased efficiency and stability for the city and the neighborhood together.

Policy 1 - Encourage the development of vacant serviced properties before extending services to other undeveloped areas.

COMMENT: The site can be fully serviced from existing facilities. The use of the site will provide infilling of an underutilized parcel within an area which is largely developed. Rezoning and development of the site will fulfill this policy without requiring the costly extension of mains, trunk lines, streets and other utilities and services.

Policy 6 - Encourage the infilling of existing vacant land and the revitalization of older areas, and discourage low density sprawl development.

COMMENT: The site is not vacant but is very underutilized and is an inefficient use of land. The higher density use of the site for multi-family residential and neighborhood commercial will provide a desirable mixture of uses which is infilling rather than sprawl.

Policy 7 - Encourage land use patterns which take advantage of density and location to reduce the need for travel, facilitate energy efficient public transit systems, and permit building configurations which increase the efficiency of energy use.

COMMENT: Development of the site will provide a greater density of land use in a location which will be more energy efficient and make use of existing facilities and services. The commercial portion of the site will serve an area previously unserved within walking distance and will reduce overall travel requirements within the Periwinkle neighborhood. The residential portion of the site will provide medium density multi-family housing in relatively close proximity to schools, arterials and community shopping facilities in a neighborhood environment. Most building placement and

configurations will afford opportunities to take advantage of passive solar systems and will incorporate many of the available energy efficient building practices.

Policy 10 - As much as possible locate commercial activity centers in the center of the population area they serve.

COMMENT: The proposed retail commercial neighborhood oriented portion of the site will serve not only that area north, west and south of the site which has already been partially or fully developed, but will serve much of the area east of the site when future development occurs. At a time when substantial development takes place east of the site and development continues to the north, west and south, the commercial site will be at the epicenter of a significant concentration of neighborhood oriented population. Excellent access to the neighborhood retail site is provided by Waverly Drive and will be enhanced by the future construction of 21st Avenue.

Policy 12 - Require the type and size of commercial service areas to be commensurate with the size and area to be served.

COMMENT: The commercial portion of the site will be a neighborhood retail facility with small businesses which will cater to the neighborhood and drop in trade. The one acre size of the site will provide the opportunity for flexibility in the size and type of businesses locating there without creating a shopping center situation which will adversely impact the surrounding area or change the character or land use pattern of the area. The commercial site will be a neighborhood retail facility intended to serve the Periwinkle Neighborhood area.

Policy 16 - To the greatest extent possible integrate residential uses with commercial and recreational uses.

COMMENT: The total site layout will make use of setbacks, landscaping and buffers to provide integration of residential and commercial uses, not only within the site but between the site and surrounding uses. The goal of the entire site development proposal is to provide both medium density multi-family housing and a neighborhood commercial facility within the framework of both the established and future Periwinkle Neighborhood. Building design will be an important consideration in the integration effort and will be closely controlled.

2. Albany Development Code

As required for any zoning district amendment proposal, the following criteria under Section 3.050 are addressed:

- a. The proposed amendment conforms to the Comprehensive Plan or substantial changes have occurred which render the Comprehensive Plan inapplicable to the requested change and the Plan should be amended as proposed by the proponent of the change (in which case the Plan must be amended prior to final action on the District Amendment).

COMMENT: The proposed amendment is in conformance with the allowable districts permitted within the Urban Residential Reserve Plan Map designation. Various goals, policies and implementation methods contained within the Albany Comprehensive Plan have been addressed which are appropriate to the proposed amendment. Through these means, the proposed amendment is in total conformance with all aspects of the adopted Albany Comprehensive Plan.

- b. If residential zoning is involved, the proposed residential zone or zones best satisfies the objectives of the Comprehensive Plan

and does not exclude opportunities for adequate provision of low and moderate income housing within the subject neighborhood area.

COMMENT: The proposed amendment involving residential zoning satisfies the ultimate Housing Goal set forth in the Plan and also satisfies the three most important policies relating to multi-family housing. At no point does this proposed zone amendment reduce or exclude opportunities for the provision of low and moderate income housing.

3. Land Conservation and Development Commission (LCDC)

a. Statewide Planning Goals

The 14 Goals and a discussion of the individual Goals which are appropriate to this proposal follow:

GOAL 1: CITIZEN INVOLVEMENT

To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

The governing body charged with preparing and adopting a comprehensive plan shall adopt and publicize a program for citizen involvement that clearly defines the procedures by which the general public will be involved in the ongoing land use planning process.

The citizen involvement program shall be appropriate to the scale of the planning effort. The program shall provide for continuity of citizen participation and of information that enables citizens to identify and comprehend the issues.

Federal, state and regional agencies, and special purpose districts shall coordinate their planning efforts with the affected governing bodies and make use of existing local citizen involvement programs established by counties and cities.

Consideration of this application by the Albany Planning Commission and Albany City Council in public hearings afford the opportunity for citizen involvement and input. The local neighborhood group, the Periwinkle Neighborhood Citizen Advisory Committee, may also provide the opportunity for input.

GOAL 2: LAND USE PLANNING

PART I - PLANNING:

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

City, county and state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS 197.705 through 197.795.

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents. The plans, supporting documents and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be

the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

All land use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances. Affected persons shall receive understandable notice by mail of proposed changes in plans or zoning ordinances sufficiently in advance of any hearing to allow the affected person reasonable time to review the proposal.

PART II - EXCEPTIONS:

When, during the application of the statewide goals to plans, it appears that it is not possible to apply the appropriate goal to specific properties or situations, then each proposed exception to a goal shall be set forth during the plan preparation phases and also specifically noted in the notices of public hearing. The notices of hearing shall summarize the issues in an understandable and meaningful manner.

If the exception to the goal is adopted, then the compelling reasons and facts for that conclusion shall be completely set forth in the plan and shall include:

- (a) Why these other uses should be provided for;

- (b) **What alternative locations within the area could be used for the proposed uses;**
- (c) **What are the long term environmental, economic, social and energy consequences to the locality, the region or the state from not applying the goal or permitting the alternative use;**
- (d) **A finding that the proposed uses will be compatible with other adjacent uses.**

PART III - USE OF GUIDELINES:

Governmental units shall review the guidelines set forth for the goals and either utilize the guidelines or develop alternative means that will achieve the goals. All land use plans shall state how the guidelines or alternative means utilized achieve the goals.

The Zone Amendment process plus compliance with Goals and Policies of the city's adopted comprehensive plan, appropriate sections of the Albany Development Code and coordination with appropriate governmental and non-governmental agencies and organizations provide a basis for local decision making on this land use matter. No Part II exceptions are required as a part of the application for a zone amendment on the site.

GOAL 3: AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

Agriculture lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space. These lands shall be inventoried

and preserved by adopting exclusive farm use zones pursuant to ORS Chapter 215. Such minimum lot sizes as are utilized for any farm use zones shall be appropriate for the continuation of the existing commercial agricultural enterprise within the area.

Conversion of rural agricultural land to urbanizable land shall be based upon consideration of the following factors: (1) environmental, energy, social and economic consequences; (2) demonstrated need consistent with LCDC goals; (3) unavailability of an alternative suitable location for the requested use; (4) compatibility of the proposed use with related agricultural land; and (5) the retention of Class I, II, III and IV soils in farm use. A governing body proposing to convert rural agricultural land to urbanizable land shall follow the procedures and requirements set forth in the Land Use Planning goal (Goal 2) for goal exceptions.

This Goal does not apply because the site is within the Albany Urban Growth Boundary and the incorporated city limits of Albany.

GOAL 4: FOREST LANDS

To conserve forest lands for forest uses.

Forest land shall be retained for the production of wood fiber and other forest uses. Lands suitable for forest uses shall be inventoried and designated as forest lands. Existing forest land uses shall be protected unless proposed changes are in conformance with the comprehensive plan.

In the process of designating forest lands, comprehensive plans shall include the determination and mapping of forest site

classes according to the United States Forest Service manual "Field Instructions for Integrated Forest Survey and Timber Management Inventories - Oregon, Washington and California, 1974."

This Goal does not apply because the site is within the Albany Urban Growth Boundary and the incorporated city limits.

GOAL 5: OPEN SPACES, SCENIC AND HISTORICAL AREAS AND NATURAL RESOURCES

To conserve open space and protect natural and scenic resources.

Programs shall be provided that will: (1) ensure open space, (2) protect scenic and historic areas and natural resources for future generations, and (3) promote healthy and visually attractive environments in harmony with the natural landscape character. The location, quality and quantity of the following resources shall be inventoried:

- a. Land needed or desirable for open space;**
- b. Mineral and aggregate resources;**
- c. Energy sources;**
- d. Fish and wildlife areas and habitats;**
- e. Ecologically and scientifically significant natural areas, including desert areas;**
- f. Outstanding scenic views and sites;**
- g. Water areas, wetlands, watersheds and groundwater resources;**
- h. Wilderness areas;**
- i. Historic areas, sites, structures and objects;**
- j. Cultural areas;**
- k. Potential and approved Oregon recreation trails;**

1. Potential and approved federal wild and scenic waterways and state scenic waterways.

Where no conflicting uses for such resources have been identified, such resources shall be managed so as to preserve their original character. Where conflicting uses have been identified the economic, social, environmental and energy consequences of the conflicting uses shall be determined and programs developed to achieve the goal.

Review of the Albany Comprehensive Plan indicates that the subject site is of no significant value under the 12 categories of resources to be inventoried and addressed. The site is currently developed with only a single family frame dwelling and several farm type outbuildings, none of which are of any significant cultural or historic value. The following listing of the 12 categories contained in this Goal illustrates that the site and proposed development represent no conflict with established inventories, Plan Goals or Policies:

- o Land needed or desirable for open space - not identified on City of Albany resource inventories.
- o Mineral and aggregate resources - not applicable.
- o Energy sources - not applicable.
- o Fish and wildlife areas and habitats - not applicable.
- o Ecologically and scientifically significant natural areas, including desert areas - not applicable.
- o Outstanding scenic views and sites - not identified on City of Albany resource inventories.

- o Water areas, wetlands, watersheds and groundwater resources - not applicable.
- o Wilderness areas - not applicable.
- o Historic areas, sites, structures and objects - The existing single family frame dwelling on the site has not been identified as a historic structure.
- o Cultural areas - not identified on City of Albany resource inventories.
- o Potential and approved Oregon recreational trails - not applicable.
- o Potential and approved federal wild and scenic waterways and state scenic waterways - not applicable.

GOAL 6: AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards. With respect to the air, water and land resources of the applicable air sheds and river basins described or included in state environmental quality statutes, rules, standards and implementation plan, such discharges shall not (1) exceed the carrying capacity of such resources, considering long range needs; (2) degrade such resources; or (3) threaten the availability of such resources.

Rezoning and future development of the site for commercial and residential uses will maintain local air and water quality standards. All waste and runoff discharges generated on the site will be directed to appropriate available facilities for collection and processing. Minor amounts of additional site generated noise may result, but will be well within any local, state and federal limitations and guidelines. The carrying capacity of the land is not impacted by the proposed rezoning and future development because the site is within an urban area.

GOAL 7: AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect life and property from natural disasters and hazards.

Developments subject to damage or that could result in loss of life shall not be planned nor located in known areas of natural disasters and hazards without appropriate safeguards. Plans shall be based on an inventory of known areas of natural disaster and hazard.

This goal does not apply because the site is not within any identified flood plain, earthquake zone or other disaster or hazard area.

GOAL 8: RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors.

The requirements for meeting such needs, now and in the future shall be planned for by governmental agencies having responsibility for recreation areas, facilities and opportunities:

(1) in coordination with private enterprise, (2) in appropriate proportions and (3) in such quantity, quality and location as is consistent with the availability of the resources to meet such requirements. State and federal agency recreation plans shall be coordinated with local and regional recreational needs and plans.

The site is not an identified recreational site contained in the city's plan. Recreational opportunities for the future residents of the residentially developed portion of the property exist within the Periwinkle Neighborhood and future recreational areas may be developed in the future. Periwinkle School, Periwinkle Park and Grand Prairie Park are within reasonable walking and bicycling distances from the site and provide excellent facilities and opportunities for both active and passive recreation.

GOAL 9: ECONOMY OF THE STATE

To diversify and improve the economy of the state.

Both state and federal economic plans and policies shall be coordinated by the state with local and regional needs. Plans and policies shall contribute to a stable and healthy economy in all regions of the state. Plans shall be based on inventories of areas suitable for increased economic growth and activity after taking into consideration the health of the current economic base; materials and energy availability; labor market factors; transportation; current market forces; availability of renewable and non-renewable resources; availability of land; and pollution control requirements.

Economic growth and activity in accordance with such plans shall be encouraged in areas that have underutilized human and

natural resource capabilities and want increased growth and activity. Alternative sites suitable for economic growth and expansion shall be designated in such plans.

A zone amendment on the site will provide both short term direct and long term indirect economic benefits to the city, region and state. Construction will provide employment in several types of businesses, while retail operations will provide small scale employment and additional needs for manufactured goods and personal services. Ultimate development of the site will contribute additional tax revenue and will provide a flow of dollars which will remain in Albany through rent payments and expenditures on retail goods and services.

GOAL 10: HOUSING

To provide for the housing needs of citizens of the state.

Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

Rezoning of 3.15 acres of the site will provide approximately 45 additional multi-family units which will assist in satisfying the housing needs of local citizens. The proposal meets, to a certain extent, the requirements of Goal 10 by providing affordable housing and variety in housing types. Multi-family housing will be provided in a suitable location, in close proximity to schools and recreation areas, commercial areas and main access routes. Because of the recent development of a great majority of the Periwinkle Neighborhood, the proposed multi-family housing will

integrate with the area and will not adversely alter the character of existing land use pattern of the area.

Demand for multi-family housing may increase significantly if mortgage interest rates continue to stifle the homebuilding industry and the homebuyer's market. Vacancy rates may reduce considerably as young families and homebuyers are shut out of the market and continue to be renters or re-enter the rental housing market once again. The need for affordable rental housing is more urgent than it may have been prior to the rapid increase in the cost of owner occupied housing.

GOAL 11: PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Urban and rural development shall be guided and supported by types and levels of urban and rural public facilities and services appropriate for, but limited to, the needs and requirements of the urban, urbanizable and rural areas to be served. A provision for key facilities shall be included in each plan. To meet current and long range needs, a provision for solid waste disposal sites, including sites for inert waste, shall be included in each plan.

The full range of facilities and services are available to the site either through the City of Albany or private utilities. There is no need for enlarged or improved services. Services not currently connected to the site can be extended to provide adequate service connections, at cost to the applicant. The site is located on a major arterial within the city limits and should be served as part of the timely, orderly and efficient arrangement

of public facilities and services. Development of the site will not create a burden on any facility or service, including fire and police protection; sanitary and storm sewers; health, recreation and school services and facilities; energy and communication services; and community government services.

GOAL 12: TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

A transportation plan shall (1) consider all modes of transportation including mass transit, air, water, pipeline, rail, highway, bicycle and pedestrian; (2) be based upon an inventory of local, regional and state transportation needs; (3) consider the differences in social consequences that would result from utilizing differing combinations of transportation modes; (4) avoid principal reliance upon any one mode of transportation; (5) minimize adverse social, economic and environmental impacts and costs; (6) conserve energy; (7) meet the needs of the transportation disadvantaged by improving transportation services; (8) facilitate the flow of goods and services so as to strengthen the local and regional economy; and (9) conform with local and regional comprehensive land use plans. Each plan shall include a provision for transportation as a key facility.

Rezoning and future development of the site will create no need for additional public rights-of-way. The site is bounded on the west by Waverly Drive and on the north by 21st Avenue. All site generated traffic will access via either Waverly or 21st, depending upon the final design of the internal circulation system. Through the limiting of access points onto both Waverly and 21st and the lack of need for additional rights-of-way either

within or to serve the property, the rezoning and development of the site will minimize adverse impacts on transportation, conform with the city's master street plan and contribute to the safe, convenient and economic transportation system of the neighborhood and local area.

GOAL 13: ENERGY CONSERVATION

To conserve energy.

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

The commercial portion of the site will provide neighborhood oriented retail facilities where none currently exist and where future residential development will occur. The retail facilities will serve a part of the Periwinkle Neighborhood within reasonable walking, bicycling and driving distances, thus providing an opportunity for energy savings. The residentially developed portion of the site will provide a density of housing which will be an efficient use of land and structures. Multi-family units are more energy efficient than single family detached homes, providing a savings over a similar number of developed single family detached units. The lack of need for new streets will also lead to conservation and a greater efficiency of land use.

GOAL 14: URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use.

Urban growth boundaries shall be established to identify and separate urbanizable land from rural land.

Establishment and change of the boundaries shall be based upon consideration of the following factors:

- (1) Demonstrated need to accommodate long range urban population growth requirements consistent with LCDC goals;
- (2) Need for housing, employment opportunities, and livability;
- (3) Orderly and economic provision for public facilities and services;
- (4) Maximum efficiency of land uses within and on the fringe of the existing urban area;
- (5) Environmental, energy, economic and social consequences;
- (6) Retention of agricultural land as defined, with Class I being the highest priority for retention and Class VI the lowest priority; and,
- (7) Compatibility of the proposed urban uses with nearby agricultural activities.

The results of the above considerations shall be included in the comprehensive plan. In the case of a change of a boundary, a governing body proposing such change in the boundary separating urbanizable land from rural land, shall follow the procedures and requirements as set forth in the Land Use Planning goal (Goal 2) for goal exceptions.

Any urban growth boundary established prior to January 1, 1975 which includes rural lands that have not been built upon shall be reviewed by the governing body, utilizing the same factors applicable to the establishment or change of urban growth boundaries.

Establishment and change of the boundaries shall be a cooperative process between a city and the county or counties that surround it.

Land within the boundaries separating urbanizable land from rural land shall be considered available over time for urban uses. Conversion of urbanizable land to urban uses shall be based on consideration of:

- (1) Orderly, economic provision for public facilities and services;**
- (2) Availability of sufficient land for the various uses to ensure choices in the market place;**
- (3) LCDC goals; and,**
- (4) Encouragement of development within urban areas before conversion of urbanizable areas.**

The site is within both the acknowledged Albany Urban Growth Boundary (UGB) and the incorporated city limits. The property is designated for urban use due to its location within the city and the current availability of urban services. Thus, this goal is not at issue because there is no conversion of rural to urban land or any change of local boundaries contemplated.

C. Adequacy of Services and Facilities

1. Sanitary Sewer

The eight inch sewer lateral located within the Waverly Drive right-of-way currently serves many of the residences on Waverly. The lateral is in two sections, north and south which do not meet, leaving the subject site without immediately available sewer service. The south portion of the sewer lateral can be extended northward a distance of approximately 100 to 125 feet which will provide accessibility for a direct connection from the southwest corner of the site. According to the City Engineers' office (Public Works), this would provide adequate sanitary sewer service to the site. All extensions and connections would be at the applicant's expense.

2. Water

The existing 20 inch Pacific Power and Light main will provide adequate water supply for the proposed development of the site.

3. Storm Drainage

The recently installed 60 inch storm drainage line which is located along the south property line of the subject property line is designed to serve much of the east and southeast Albany area. The line capacity will be adequate to serve the site.

4. Fire Protection

The property has been served by the Albany Fire Department and will continue to be served by the Albany Fire Department regardless of the density and scope of development.

5. Police Protection

The property has been served by the Albany Police Department since the time of annexation and will continue to be served by the Albany Police Department.

6. Miscellaneous

Future levels of gas, electricity and telephone services will be determined by the scale of development on the site and will be provided accordingly under regulations of the Oregon Public Utilities Commissioner.

D. Impacts

1. Surrounding Land Use

Development of the total site as designated by the Conceptual Development Plan (**Exhibit 9**) will involve no significant impacts on surrounding lands which cannot be mitigated to acceptable levels. The lesser, neighborhood oriented nature of the retail commercial facilities and the limited multiple family nature of the residential development will produce no odor or dust. Slightly increased noise levels will probably occur, mostly from automobile traffic generated by the site, and will be generally attributable to the commercial area. Overall, however, impacts on surrounding land uses will be minimal.

- a. North - Single family detached dwellings on the north side of 21st Avenue may be somewhat impacted by the noise and movement of site generated activity. However, the ultimate development of 21st Avenue into a full standard collector will provide buffering between existing dwellings on the north and

planned commercial and multiple family residential development on the south. Landscaping of the site, building placement and configuration and positioning of lighting and signs will assist in reducing impacts.

- b. East - Because the land is vacant there will be no direct impact. Future development of the area will be compatible with site development and should provide mitigation measures to reduce adverse impacts on the developed site.
- c. South - Developed single family detached units to the south, only one of which is directly adjacent to the site, will be only minimally impacted by multiple family residential development on the south portion of the site. Future development south of the site is likely to be lower density single family detached housing, resulting in only two or three new units directly adjacent to the site. Setbacks, fencing, landscaping, building placement and configuration and building height and design will provide sufficient mitigation of site generated impacts.
- d. West - Waverly Drive provides a very definitive buffer between uses on either side of the right-of-way. Additionally, land directly across Waverly from the site is undeveloped and will not suffer any adverse impacts resulting from planned development of the subject site.

2. Traffic

At the present time, site generated traffic is minimal based on the one single family detached dwelling on site and the very small scale firewood business operating out of the garage. Future site development as proposed will generate considerably greater amounts of traffic. However, site generated traffic will not adversely impact

Waverly Drive, nor require the future development of 21st Avenue beyond the planned collector level. Based on traffic volumes for Waverly Drive and proposed development levels on the site as illustrated below, site generated traffic will increase the volume of traffic on Waverly by approximately 10%.

Table 1
Trip Generation Characteristics

Land Use	Density of Site Development	Vehicle Trip Ends	Total
Limited Multiple Family	45 units on 3.15 acres	8/unit	360
Neighborhood Retail Commercial	10,000 sq. ft. on 1.0 acres	80/1,000 sq. ft.	800
Total Site Generated Daily Trips			1,160

The figure of 1,160 total site generated daily trips yields an hourly average of approximately 48 vehicle trip ends. Peak hours would be greater while other hours during a 24 hour period would be less. Minor conflicts may occur during peak hours, but with one access point each on Waverly Drive for the residential and commercial areas, conflict possibilities will be minimized. When 21st Avenue is fully developed, additional access points on the north side of the site will reduce pressures and conflict possibilities on Waverly Drive. Overall, impacts of additional site generated traffic resulting from full site development will be within the capabilities of Waverly Drive to absorb them.

3. City of Albany

A zone amendment which involves residential districts bears impacts on the local jurisdiction in terms of total population, housing, public institutions and the facilities and services which serve the area. As discussed below, the impacts are minimal and will not result in the requirement for major changes in the city's newly adopted comprehensive plan or other facilities plans.

a. Population

Under current zoning the site could be developed with a total of approximately 25 single family detached units on large individual lots. The proposed zone amendment will provide 45 multiple family units on a site area of 3.15 acres. The remaining one acre will be commercially developed and will carry no population. Based on an average household size of 2.9 persons per single family detached unit, site population would be approximately 72 persons if developed under current zoning. If developed under proposed zoning, site population would be approximately 99 persons using an average of 2.2 persons per multiple family unit. The difference of 27 persons will have no significant impact on the future growth projections and characteristics of the city.

Table 2
Comparison of Population Impacts

Land Use	Density of Site Development	Persons Per Unit	Total Site Population
Single Family	25 units on 4.15 acres	2.9	72
Multiple Family	45 units on 3.15 acres	2.2	99

b. Housing

Current zoning with bonuses would permit development of approximately 25 single family detached units on lots of 6,500 square feet each. The proposed zone amendment will provide 45 multiple family units on a site reduced to 3.15 acres. No dwellings will be developed on the land proposed for commercial zoning and use. The proposed change of residential zoning from single family residential to multiple family residential would result in the reduction of 25 single family detached units from planned densities contained in the city's comprehensive plan and the addition of 45 multiple family units. This overall shift of 20 additional units to the city's housing stock will not overbalance the city's housing element and is indicative of the trend toward multiple family housing. The 10% shift from single family to multiple family housing since 1970 is likely to continue, especially in the current economic climate, and will create the demand for more multiple family units than has been planned for. As such, the long term benefit for the city will be the lack of adverse impact upon the city's housing stock resulting from the continued shift to multiple family housing.

c. Financial

This zone amendment and any subsequent site development will maintain the financial integrity of the city in two ways:

- 1) The City's policy that increased and extended services for a development are paid for by the developer; and
- 2) The City's tax base is adequate to support the local services and facilities after the development is completed.

The increased tax revenue paid to the City will enable the City to maintain city operations at required levels. Although no city fiscal impact analysis has been done, the continued integrity of the city's financial structure as a result of zone amendments has never presented a problem.

Development of the site for multiple family housing and neighborhood retail commercial will involve less public expenditure for street maintenance than for the traditional subdivision because no new public rights-of-way are being created. Under proposed development of the site, more revenue can be generated in systems development charges and more tax revenue will result from the commercial use and greater density of residential development.

4. Schools

Using the formula developed by the Beaverton School District to determine the number of children impacting a school system as a result of site development, it has been determined that the development of the property under proposed zoning will actually generate fewer school age children per dwelling than would a single

family subdivision under current zoning. The following table provides comparisons.

Table 3
Comparison of School Impacts

Land Use	Density of Site Development	Total School Age Children Per Dwelling	Total
Single Family	25 units	.67	16.75
Multiple Family	45 units	.22	9.9

E. Conclusions

1. The size, shape and topography of the site make it well suited for development.
2. The Periwinkle Neighborhood has been extensively developed in single family detached housing and lacks a suitable mix of multiple family housing.
3. The site has excellent existing and future access via Waverly Drive and 21st Avenue respectively, negating the need for development of additional public streets and rights-of-way. From the two access routes, the site has and will have excellent access to the Periwinkle Neighborhood and southeast Albany.
4. Existing service levels in the area are adequate to serve the proposed development on the site.
5. The Periwinkle Neighborhood lacks a suitable neighborhood commercial site which will serve the needs of the residents south of

Queen Avenue and east of Geary Street, and the future residents of the east Albany "annexation area".

6. The proposed rezoning of the site will allow for commercial development which will serve the needs of a significant portion of the residents of the Periwinkle Neighborhood, in compliance with applicable goals and policies of the city's adopted comprehensive plan.
7. Multiple family residential development on the site will fulfill a portion of the city's need for additional multiple family housing units, in compliance with applicable goals and policies of the city's adopted comprehensive plan.
8. Development of this site will follow the process of infilling of vacant and underutilized lands and will reduce the tendency toward sprawl development in other areas.
9. The proposed zone amendment complies with the applicable Statewide Planning Goals.
10. The proposed zone amendment meets and fulfills the criteria set forth under Section 3.050 of the Albany Development Code.
11. Site generated impacts on housing, population, schools and traffic will not be significant and can be absorbed or mitigated.