

ORDINANCE NO. 4348

TITLE: AN ORDINANCE AMENDING ORDINANCE #4030, WHICH ADOPTED THE CITY OF ALBANY'S COMPREHENSIVE DEVELOPMENT PLAN, TO PROVIDE FOR THE RECLASSIFICATION OF URBAN RESIDENTIAL LANDS TO COMMERCIAL FOR APPROXIMATELY 2 ACRES ON THE SOUTH SIDE OF 14TH AVENUE BETWEEN DAVIDSON AND WAVERLY DRIVE.

WHEREAS, the Planning Commission of the City of Albany has held such hearings as are required by the law and the ordinances of this city and has made findings concerning the appropriate comprehensive plan amendment with 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 comprehensive plan amendment above described and evidence having been introduced and the same being fully considered, and

WHEREAS, the Council's decision has been made in accordance with the findings on file with the City Recorder and adopted by separate motion and incorporated by reference herein, now, therefore,

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: COMPREHENSIVE DEVELOPMENT PLAN AMENDMENT NO. 14

11-3W-8D; Tax Lot 500

(see attached legal description)

is hereby amended in accordance with Exhibit A referenced herein and this amendment shall be known as Comprehensive Development Plan Amendment No. 14.

Section 2: COPY FILED

A copy of this comprehensive development plan amendment shall be filed in the Office of the City Recorder of the City of Albany.

Passed by the Council: March 12, 1980

Approved by the Mayor: March 12, 1980

Effective Date: April 11, 1980

Richard S. Alsen
MAYOR

ATTEST:

[Signature]
CITY RECORDER

EXHIBIT

Beginning at a point which is 3153.15 ft. North $1^{\circ} 28'$ West and 401.14 ft. North $89^{\circ} 05'$ West from the SE corner of the Leander C. Burkhart donation land claim number 50 in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; thence North $0^{\circ} 55'$ East 243.61 feet; thence North $89^{\circ} 05'$ West 380.44 ft; thence South $1^{\circ} 28'$ East, parallel with the West right-of-way line of Waverly Drive, 243.82 feet; thence South $89^{\circ} 05'$ East 370.30 feet to the place of beginning and containing 2.099 acres.

SUPPLEMENT TO COMPREHENSIVE/ZONE CHANGE APPLICATION
FEBRUARY 28, 1980
OREGON LAND CONSERVATION AND DEVELOPMENT COMMISSION GOALS

1. CITIZEN'S INVOLVEMENT: Citizens will have opportunity for input to our proposed zone change through the normal channels of the planning commission and city council. Applicant seriously doubts whether any of the surrounding property owners will have any objection. The proposed site is bounded on two sides by the party that sold Forest Industries Insurance the two acres that we are requesting the zone change on and they are in favor of the change.

The other two sides of the property are bounded by streets.

More distant owners, I believe, are unlikely to object. To the north is the theater and bowling alley and a vacant site for a proposed commercial and office complex and the library.

To the south is a five plus acre piece owned by the party that sold us the property and the same to the east. I doubt that people on the opposite side of Waverly, a four lane divided arterial, will object. The zoning in that area is C2 and RP and some R2 which I don't believe is developed. The property to the west is vacant and though zoned R2, PUD 577, has had interest as a business park.

2. LAND USE PLANNING: Since the city does not have a policy statement to accompany the comprehensive plan, it is difficult to know what the city's intentions are in this area. However, I am informed that the plan that they are working on may permit the construction of offices, (business use) in an R3 zone.

The change from R3 to RP is, at most, a lateral zoning change, possibly a less concentrated use, but could have the possibility of providing the city with less revenue, and at the same time having much less effect and need on city services such as sewer, police and fire protection than the high density that R3 development would require.

3. AGRICULTURAL LANDS: This land is already out of the agricultural area and this section is not applicable.

4. FOREST LANDS: There are no trees or undergrowth on this land. I wish there were some.

5. OPEN SPACES, SCENIC AND HISTORIC AREAS & NATURAL RESOURCES: There is nothing particularly scenic and certainly nothing historic on this area. There are no natural resources to disturb.

6. AIR, WATER AND LAND RESOURCES QUALITY: We have a clean business. We will not, in any way, effect the air, water or land resources quality.

7. AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS: The area is not subject to any natural diaster or hazards and is not in a flood area.

8. RECREATIONAL NEEDS: This property has already been set aside as multiple residential and would not have required any provision for recreational needs.

9. ECONOMY OF THE STATE: I have already addressed this in my other material and believe that the economy of the area is improved by keeping our business here.

10. HOUSING: Again, I have addressed this in my other material. There is considerable other multiple residential property, developed and undeveloped, but there is very little suitable RP zoned property. The city will not, in any way, be shorted by taking two acres of R3 land out of the plan.

11. PUBLIC FACILITIES AND SERVICES: All of the utilities and public services are already in the area. We will not be effecting them materially. We will certainly have considerably less impact upon the utilities than the commercial zoning will have and probably less than an R3 development.

12. TRANSPORTATION: The city report before you, indicates that additional automobile traffic in the area of the site may be adverse. Certainly, the building of anything there would create additional automobile traffic. I do submit that our proposal would create much less traffic than R3 development. There is no traffic to our business on weekends, Friday nights, Saturday and Sunday. This is the heavy time for commercial traffic. 90% of our employees come to work at 8:00 or 8:30 and leave at 4:30 or 5:00. Approximately 30% leave at noon for lunch. We have probably 15 outsiders an average, per day, come to the business. This is probably less than a heavy density R3 development would have in the normal course of the day. It is much less, for we have no traffic on the weekends, than an C-1 development would have. Therefore, I believe that, except for no development at all, our plan for the site would create less traffic for the area than any other type of development. I think that this is also a distinct advantage to the area when the shopping centers are developed on the other vacant property for it would cut down on the traffic in the area on the weekends, and not materially change it during the week.

13. ENERGY CONSERVATION: We will not disturb any renewable energy resources. We will attempt to build within and above all of the building code requirements to conserve energy as well as possible. We are not producing any manufactured items and therefore, do not use any great amount of energy.

14. URBANIZAITON: The utilization of this site as an office building by us, will be compatible with all seven sub-requirements of #14 in the state goals. It is compatible to the area and provides employment

Page Three.

opportunities and a general livability to the area.

15. WILLAMETTE RIVER GREENWAY: Not applicable.

16. ESTUARIAN RESOURCES: Not applicable.

17. COASTAL SHORELANDS: Not applicable

18. BEACHES AND DUNES: Not applicable

19. OCEAN RESOURCES: Not applicable.

SUMMARY: The applicant is Rockwood Development. Forest Industries Insurance Exchange has purchased the property and now owns it and they are the applicant. Rockwood Development Corporation, or their subsidiary, owns the senior citizens property to the east and the undeveloped PUD property to the south. They will, of course, not object to the change of the comprehensive plan or the zoning.

The staff reports only opposition to the change is in regard to automobile traffic, which will increase less with our proposed development than any other applicable development of the property.

Fourteenth Street is an arterial street and can adequately handle the minimal amount of traffic that we would add to it.

I believe that the change requested fits all of the state-wide planning goals and guidelines and the policy statement that the city is developing to follow the comprehensive plan.

Therefore, we request that you grant our comprehensive and zone plan change for this property. Thank you.

Very truly,



WENDELL LANGMAN

Vice President-General Manager

WL:jw

NEEDS OF THE COMPANY

Forest Industries Insurance Exchange and related companies Forest Industries Insurance Management, Forest Industries Realty, Western Pacific, Pacific Crest and Cornucopia Development Company presently occupy 9600 square feet of office space at 3111 Santiam Highway in Albany.

Constant & future expansion necessitate a building of 12,000 to 15,000 square feet in 1980 with room for additional expansion after that.

A 2800 square foot addition was added to the present building in June of 1978 because there was no space available to lease or buy in the city of Albany of sufficient size. The company has been looking for a site to build for 2 years. There is no sufficient space available without building. The company leased the "Main Building" for possible "overflow" but prefers not to split up their operations and have subleased this building which has 6,000 square feet.

The company presently has 60 employees and needs 75 parking spaces. This is expected to continually increase in the future. Because of future growth and to prevent the need for additional moves for lack of space, management feels that 2 acres is necessary.

Other R-P Property available

The company prefers to remain located near the freeway. We have a number of field people and we have 88 agencies with approximately 440 people in the state that occasionally come in. It is convenient for these people if they do not have to search us out in a remote location in the city.

We have looked at property zoned for office building at:

- 1) Pacific & Bain 1.03 acres -- too small
- 2) Santiam & freeway on ramp - 1.3 acres - too small difficult access - past a residence in a residential area but zoned C-1.
- 3) Queen Street by State Office building- acceptable but more difficult to find and residential on 3 sides.
- 4) Benton County - N. Albany - Springhill Market area. acceptable but too far from the freeway and considerable land fill was necessary.

- 5) Various areas East of the freeway, but sewer, drainage, less compatible surroundings for an office site i-e. tow yards, used car lots, nursery, truck shop did not fit with what we hope to have as an attractive office building.
- 6) Downtown locations: No parcel of sufficient size could be located. A parcel at 1st & Lyons was considered but we would have to go 4 + stories and still parking would be a problem.
- 7) The Parcel at the end of Main St. on the river was considered. The River Greenway was considered to be an obstacle. The location is remote. The cannery was next door and there is residential property on 2 other sides.

Little if anything else is available of sufficient size, good location and easy access.

Needs of the Public

The change of zoning for the parcel under consideration meets the public need as well as the applicants.

It is convenient to 60 employees and they are part of the public. There are no other adequate sites available. It should in no way detract, rather it should add to the attractiveness of the area.

We shall build an office building on the property. It will be built for the ease of future expansion. Our business is basically an 8:00 to 5:00 operation Monday thru Friday. Adjacent to the east are senior citizen apartments. Our business and employees will in no way disturb them. There is less coming and going traffic than the library has across the street. Certainly much less than any commercial locations which are located to the north. The property to the south and west is vacant and I believe planned for a business park, at least there is talk of that, however it is zoned R-2.

The change is Consistent with all Regulatory Goals and Guidelines.

The office building and our business is an appropriate use for the parcel under consideration. It is non polluting, and noiseless. It does not disturb a scenic or historical area. It will in no way interfere with but should enhance, the economy of the city and area. It will not increase the need for city services. It is safe and harmless.

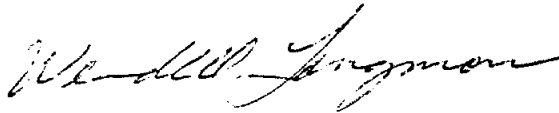
Local Economy

It provides employment for 60 people. It generates a substantial payroll and brings considerable money to the community in the form of \$7 + million of insurance premiums and combined assets of close to \$10 million. All of these will increase in the future.

We must add that some of our employees commute from Salem, Woodburn, Portland, and Lake Oswego areas so that all the payroll does not stay in Albany. Because of these people though, some thought has been given to moving operations to Salem or Portland where there is a larger employee pool of insurance people. We have had to move people in and train most of the others because we are the only insurance company south of Salem, with the exception that one company has a branch in Eugene. There are also many more office locations North, however, we do prefer to stay in Albany where we started and grew up.

We appreciate your consideration and hope that you may grant our request.

Thank you,



Wendell Langman
Vice President - General Manager