

## FINDINGS

Files CP-02-03, DC-01-03, and ZC-02-03

Recommended by the Planning Commission on August 13, 2003

Adopted by the Albany City Council on September 10, 2003

The Planning Commission recommended these findings in support of their recommendations for implementation of the North Albany Refinement Plan. The Albany City Council adopted these findings in support of the ordinance.

## COMPREHENSIVE PLAN TEXT AMENDMENTS

### General

#### FINDINGS:

1. The Comprehensive Plan currently addresses the annexation of North Albany under Site 4 of "Sites of Special Interest." The amendments propose to delete this outdated text and create a new section in the Plan called the "North Albany Planning Area," which would include legislative and background histories.
2. Goals and Policies were added to the Comprehensive Plan before and immediately after the annexation of North Albany into the city limits. The amendments update these policies and delete the pre- and post-annexation policies that are no longer applicable.
3. The North Albany Refinement Plan and citizen input recommended adding policies that help to address the preservation of natural features in North Albany.
4. Currently a Plan policy states that upon approval of a submitted development plan (to which water and sewer service is provided), properties zoned RR (Residential Reserve) shall be assigned an RS-10 zoning designation. In order to implement the Refinement Plan goals and policies and other Comprehensive Plan policies, other zones (RS-6.5, RS-5 and RM-5) should be considered for land designated RR as proposed on Figure 1 of the Comprehensive Plan text amendments in Exhibit A.
5. The future zoning of the Village Center Site (west of North Albany Road, north of Highway 20) should be RM-5 (Limited Multiple Family) as shown on Figure 1 when sewer and water services are available for the following reasons.

*Staff Comment: The Planning Commission recommended that these properties be zoned RM-5, a medium-density zone, when urban services become available. While the effect of the proposed change is to rezone these properties, the change would be implemented by amending the Comprehensive Plan policy regarding conversion of land zoned RR (as noted under Finding 4 above). The change would be to allow land currently zoned RR (Residential Reserve- a "holding" zone) to become RS-10, RS-5, RS-6.5 or RM-5 according to Figure 1, rather than just RS-10 when both water and sewer are available.*

- a. This site is currently zoned RR (Residential Reserve). This zone is applied on an interim basis until urban services become available. Once sewer and water are available, the zoning would become RS-10 (Residential Single Family, 10,000 square foot minimum).
- b. In October 2002, the City amended the Comprehensive Plan for this site, changing it from Urban Residential Reserve to Village Center. This site falls within the newly created Village Center in the Hickory Street area.

- c. The RM-5 zone is the only residential zone compatible with the Village Center Comprehensive Plan designation. Within the Village Center, the RM-5 zone is intended to provide more dense and diverse housing that will help to support the commercial and community services provided in the Village Center. The current RR (Residential Reserve) and RS-10 (zoning once sewer and water are available to the properties) zones are not compatible with the Comprehensive Plan designation.
  - d. There is very little land zoned for medium density development near the Village Center and on the Benton County side of the river.
  - e. The Village Center is located to be easily accessible to major transportation routes. This site has easy access to Highway 20 and North Albany Road south of the railroad tracks. Increased density on these properties will not impact the transportation system.
  - f. The RM-5 zoning district may provide more diversity in housing units and density in proximity to the Village Center and schools.
  - g. The increased density would not impact the transportation system and the site is south of the railroad tracks.
  - h. Only a small portion of this site is located in the 100-year floodplain of the Willamette River, based on the July 7, 1999, Flood Insurance Rate Maps. Most of the site is outside the 100-year floodplain in Zone X. Under current regulations, the entire site could be filled.
  - i. The RM-5 zoning district supports the Comprehensive Plan goals and policies relating to creating village centers that offer housing and employment choices and creating land use patterns that take advantage of density to reduce the amount of vehicle miles traveled.
6. The future zoning of the Post Site (north of Dover Drive, east of Scenic Drive, south of Arlington Avenue) should be RS-6.5 (Single Family Residential, 6,500 s.f. minimum lot size), RS-5 (Single Family Residential, 5,000 s.f. minimum lot size), and RM-5 (Limited Multiple Family) as shown on Figure 1 when sewer and water services are available for the following reasons.

*Staff Comment: The Planning Commission supports the Post proposal to rezone portions of their property to RS-6.5, RS-5 and RM-5 when urban services become available. While the effect of the proposed change is to rezone these properties, this change would be implemented by amending the Comprehensive Plan policy regarding conversion of land zoned RR (as noted under Finding 4 above). The change would be to allow land currently zoned RR (Residential Reserve- a "holding" zone) to become RS-10, RS-5, RS-6.5 or RM-5 according to Figure 1, rather than just RS-10 when both water and sewer are available.*

- a. This site contains seven parcels totaling approximately 104 acres. During the June 30 public hearing, Post family members requested several zone changes in order to carry out their vision for a master planned neighborhood. They proposed these zone changes: 16 acres from RS-10 to RS-6.5, 34 acres from RS-10 to RS-5, and 19 acres from RS-10 to RM-5.
- b. This area is currently zoned RR (Residential Reserve) and without the addition of Figure 1 would become RS-10 (Residential Single Family, 10,000 square foot minimum) when sanitary sewer service is provided. The Comprehensive Plan Map designation is URR (Urban Residential Reserve).
- c. The Comprehensive Plan map designation for this area is proposed to be Low Density Residential (it is currently Urban Residential Reserve). The RS-6.5 and RS-5 zones are compatible zoning districts in this Plan designation. RM-5 is not a compatible zone in Low Density Residential. A Comprehensive Plan Map amendment to Medium Density Residential is proposed for the area

proposed to be zoned RM-5.

- d. This is a very large development site capable of integrating different housing types, protecting natural features, and providing a bike trail system in a compatible manner.
- e. The proposed zoning districts are planned so they would serve as buffers and transition areas to adjacent developments. The areas proposed to be RS-6.5 are adjacent to mostly developed land zoned RS-10. Areas proposed to be zoned RS-5 are adjacent to undeveloped land. The area proposed for RM-5 is centered within the development and is adjacent to a vacant school district-owned property and a few single-family residences to the east and the rest of the Post development to the west.
- f. Housing types could vary according to the physical circumstances (detached homes on upper hillside, attached homes in oak grove and around future lake, possible assisted living in center of community).
- g. The different zones proposed would enable diversity in housing choices and sizes and support the “age in place” concept.
- h. The site is a half mile from emergency services.
- i. Unique physical circumstances include a significant oak grove, a large south-facing steeply sloped hillside, and a farmed wetland that could be incorporated into the planned community.
- j. A small amount of significant wetlands and large amount of non-significant wetlands were identified on this site according to the North Albany Local Wetland Inventory. The Posts propose to enhance the wetlands on the property and make a lake that would serve as an amenity to the development.
- k. There is an opportunity for on-site mitigation by converting farmed wetlands to a lake (water quality benefits, wildlife habitat, and amenity for community).
- l. Open space corridors with bike/pedestrian trails would link to North Albany Park and Gibson Hill Park.
- m. The Post proposal is consistent with objectives of the North Albany Refinement Plan and supports Comprehensive Plan goals and policies relating to creating a desirable and efficient land-use pattern, and provides a diversity of housing choices that meet the housing needs of Albany’s residents.

## COMPREHENSIVE PLAN MAP AMENDMENTS

### Future Intersection of Crocker Lane and North Albany Road

#### FINDINGS:

1. The commercial demand forecast for North Albany indicates that the market for goods and services will expand with a growing population. The population forecast includes 700 more homes to accommodate a population of 6,250 by 2020. Growing demand and increased traffic congestion could create opportunities for small-scale retail and service businesses scattered throughout the neighborhoods.
2. This 18.95-acre vacant parcel on the west side of Crocker Lane was chosen for its distance from most existing residences, yet overall central location for all residents.
3. The property is currently zoned RR (Residential Reserve) and would become RS-10 (Residential Single Family, 10,000 square foot minimum) when water and sewer service are provided. The Comprehensive Plan designation is proposed to be Low Density Residential (from Urban Residential Reserve). The NC (Neighborhood Commercial) and OP (Office Professional) zones are compatible in the Low Density Residential Plan designation. A subsequent zone change would be needed to allow commercial development of the site.
4. The “star” designation would indicate that the Plan supports the future rezoning of part of this area for a small neighborhood commercial site. It is intended to identify the area as a good location for a future neighborhood commercial site once North Albany Road intersects with Crocker Lane. A zone change in this area is not timely for several reasons, one being that the alignment of the future intersection is not yet determined.
5. The Transportation System Plan shows that North Albany Road will likely extend westerly to intersect with Crocker Lane (and beyond to Grandview Drive). A high-volume intersection will be created where these two major collectors meet. High traffic volumes and road noise may render this intersection unsuitable for residential use. This future intersection is a likely candidate for a neighborhood commercial node. There are two possible intersection locations. The star appears in a location that could work for either alignment.
6. The nearest small-scale business is the realty office on North Albany Road (1.5 miles) and a gasoline station with food service on North Albany Road (1.7 miles).
7. The proposed star designation supports the Comprehensive Plan goals and policies relating to providing neighborhood commercial facilities within an accessible distance of the area they are intended to serve.

### Post Property

#### FINDINGS

1. RM-5 is not a compatible zoning district in the Low Density Residential Comprehensive Plan designation. In order to rezone a portion of the Post site to RM-5, a Comprehensive Plan map amendment is needed.

### Urban Residential Reserve to Low Density Residential

#### FINDINGS:

1. Before annexation, most of the residential properties in North Albany were designated Urban Residential Reserve in the Comprehensive Plan. This designation is intended for areas that are in the

city's Urban Growth Boundary, but not yet in the city limits. Now that this land is in the city limits, the Plan designation for areas designated URR should become Low Density Residential.

**Public**

FINDINGS:

1. Most of the publicly owned properties (like schools and parks) are designated "Public" on the Comprehensive Plan Map. Some of the publicly owned properties are not designated "Public." The proposed changes to the Plan map would designate publicly-owned properties as "Public."

**DEVELOPMENT CODE AMENDMENTS**

**Cluster Development**

FINDINGS:

1. The North Albany Refinement Plan discusses many of the area’s natural features – such as steep slopes, wooded hillsides, wetlands and wildlife corridors.
2. RS-10 has not effectively retained open space or natural features for rural character purposes.
3. The purpose of the cluster development regulations is to try to retain rural character, protect wetlands and riparian areas, and conserve open space, while also allowing development rights through “density transfer” provisions. The cluster development provision could help to protect natural areas and retain rural character.
4. Clustering would allow the same number of homes allowed by underlying zoning but would transfer density to set aside open space.
5. Cluster development may result in more efficient use of land and extension of streets and other utilities.
6. The cluster development regulations would be applied as an overlay and would not require any changes to the underlying zoning districts (RS-10, RS-6.5, RR, OS).
7. Overlay zones are designed to supplement, not supercede, the usual requirements of primary zones. For example, Floodplain and Greenway are overlay zones. Overlay zones are commonly used to address special circumstances.

## ZONING MAP AMENDMENTS

### Four properties east of the intersection of Gibson Hill Road and Scenic Drive

#### FINDINGS:

1. The site consists of four properties totaling 3.73 acres split between the northeast and southeast corners of the Gibson Hill-Scenic Drive intersection.
2. The site is currently zoned RS-10 (Residential Single Family, 10,000 square foot minimum). Based on testimony at the hearing, the Commission did not recommend any zone changes to NC, but did recommend that all of the site be zoned RS-5.
3. The proposed zone, RS-5, is compatible with the existing Low Density Residential Comprehensive Plan Map designation. No amendment to the Comprehensive Plan Map is needed to rezone the site from RS-10 to RS-5.
4. Public hearing testimony pointed out the impact of traffic at this busy intersection and along Gibson Hill Road. The traffic on both Scenic Drive and Gibson Hill Road make properties near this intersection unattractive for large-lot residential development.
5. There is no land zoned RS-5 in North Albany at this time. There are 742 acres zoned RS-10 in North Albany, and another 1,245 acres of RR will become RS-10 when sewer service is extended. The 3.73 acres proposed for RS-5 may yield approximately 20 total houses.
6. There is owner support for rezoning the properties from RS-10.
7. A City property buffers the southeast corner property to the east.
8. The RS-5 zoning district will allow more diverse single-family housing choices, thereby supporting other Comprehensive Plan goals relating to providing more diversity in housing choices and densities.

### Properties northwest of Hickory and Springhill intersection, east of the Village Center, west of the North Pointe development

#### FINDINGS:

1. This area is adjacent to the North Albany Village Center. A few additional residences will help to support the commercial uses in the Village Center.
2. The proposed zone, RS-5, is compatible with the existing Low Density Residential Comprehensive Plan Map designation. No amendment to the Comprehensive Plan Map is needed to rezone the site from RS-6.5 to RS-5.
3. This site has been slated for a future phase of the North Pointe development since the construction of the first phase in 1986. The second phase was built in 2002. The developer's vision for this area calls for attached and detached single-family homes developed through the planned development process. The proposed RS-5 zone would support development styles similar to the attached single-family housing in North Pointe. This supports Plan policies to provide more of a mix of housing types and densities in all areas of the city.
4. This area contains 20.83 acres. Assuming that the entire site was filled to the floodplain elevation, the average density of RS-6.5 development is 4.3 lots per gross acre, for an estimated 90 lots. The average density of development in RS-5 zoning is 5.4 lots per acre, yielding as many as 112 lots.

*G:\Periodic Review\North Albany Plan\Ordinance Exhibits\Final\Exh H.Findings.doc*