



APPROVED August 4, 2003

**CITY OF ALBANY
PLANNING COMMISSION
City Hall Council Chambers, 333 Broadalbin Street
Monday, June 30, 2003
6:00 p.m.**

MINUTES

Planning Commissioners present: Dala Rouse, Paul Davis, Dan Bedore, Dennis Venable, Wayne Rackham, Anne Peltier, John Donovan, Mark Irving

Planning Commissioners absent: Karlee Tinney

Staff present: Community Development Director Helen Burns Sharp, Planner III Rich Catlin, Planner II Anne Giffen, Administrative Assistant I Allison Liesse

Others present: City Councilors Bessie Johnson, Sharon Konopa, and Dick Olsen; Rick Satre, Satre and Associates.

CALL TO ORDER

Chair Rouse called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL

APPROVAL OF THE June 9, 2003, MINUTES

Commissioner Davis moved to approve the minutes of the June 9, 2003, joint Planning Commission/City Council work session as written. Commissioner Peltier seconded the motion, which passed 8:0.

CONSOLIDATED QUASI-JUDICIAL PUBLIC HEARING, CP-02-03/DC-03-03/ZC-02-03 (North Albany Refinement Plan)

Chair Rouse called to order a consolidated public hearing on Planning Files CP-02-03, DC-03-03, and ZC-02-03, proposed amendments to the Comprehensive Plan, Development Code, and Zoning Map to implement portions of the North Albany Refinement Plan.

Rouse explained that tonight's meeting was to hear testimony from North Albany residents about the proposed changes. After testimony and deliberation, the Planning Commission will make a recommendation to the City Council.

Background:

Planner Catlin summarized the staff report. He explained the hearing process, and suggested that the broad purpose tonight was to continue to brainstorm solutions for livability in North Albany. The North Albany Refinement Plan (NARP) tries to address several issues: Highway 20 capacity, rural character, housing, employment, access to goods and services, floodplain management, and infrastructure capacity.

Catlin asked the audience to keep in mind that this discussion should take place on a conceptual as well as a detail level. The Planning Division has received letters from the following, whose names he read into the record: Cordell Post, Michael Moore, Felicia Sweet, Jim and Linda Lawrence, Barclay and Kathy Mason,

John and Sharon Pascone, Scott Pirie, Rick and Reneigh Rebel, Jerry and Betty Thorn, and Dennis Williamson. (Letters in agenda file.) Copies of these letters were distributed to Planning Commission members.

Staff Report on Cluster Development:

Catlin said the concept of cluster development tries to address the issues of keeping rural character and protecting natural resources. The concept would apply to subdivisions; the underlying zoning would not change. As proposed, cluster development would set aside 20 percent of a subdivision for public or private open space, then cluster the homes on the remaining 80 percent of the property. Cluster development would be required for development on properties 5 acres or larger, and optional for development on properties smaller than 5 acres.

Testimony on Cluster Development:

Bonnie Adkins, 1725 Fisher Loop NW, expressed concern at not receiving more mailed information on the North Albany Refinement process. Catlin explained that legal notice was mailed to all North Albany property owners about two weeks ago. At the beginning of the process in April 2002, Planning staff sent invitation letters to all North Albany property owners regarding three public workshops, and has continued to work with the *Democrat-Herald* on news releases.

Adkins asked if cluster development would allow apartment buildings. Rouse said not in this proposal. Adkins said Highway 20 is already congested, and development will make it worse.

Randy Rannow, 1500 Thorn Drive NW, asked if cluster development would result in higher density development. Catlin said the same number of houses could be built. There would be less runoff and lower infrastructure costs.

Name? Female expressed concern about higher density because of possible undevelopable land on a particular lot. Commissioner Bedore said the goal is the same number of houses on a property, but closer together to leave more undeveloped space. Catlin said that it is possible to develop on wetlands if a property owner gets a permit from the state and mitigates elsewhere.

Gary Rodgers, 1617 Crittenden Loop NW, said he thinks cluster development is wonderful because it would encourage developers to cluster new homes around natural habitat that could be left alone. He thinks it will help preserve North Albany's rural atmosphere. It might encourage smaller homes and fewer streets, resulting in less runoff.

Gopalan Raman, 1520 Skyline Drive NW, said he has seen cluster development in the Northeastern United States, and it works if it's done well. His main concern is increasing traffic in North Albany. If the population of North Albany increases, the City will have to address the issue of how people and emergency vehicles will get into and out of the area. He is very much opposed to any commercial development in North Albany (north of the train tracks).

David Allman, 840 Jones NW, said he thinks all the open space in cluster development should be public.

Frances Beck, 3230 Kingston Way NW, said she wanted to live in North Albany because she enjoys the wildlife. If homes are clustered, she thinks she might see back doors and driveways, not deer. She doesn't need more open space, because she has open space on her property.

Dan Steele, 1540 Patrick Court NW, said he understood early in the Refinement Plan process that cluster development would be centered in the area off Crocker, where there are a lot of steep hillsides. Now it looks like a lot of cluster development is being proposed. He doesn't like the expanded cluster area. He thinks if part of a property is not buildable, clustering will allow that part to be open space, and homes to be crammed into the rest.

Emily May, 1821 Laura Vista NW, wants a grocery store in North Albany. She believes that development in wetlands has forced her to put in a second sump pump. She doesn't want to see a 7-11 in her neighborhood. She thinks cluster development will result in cramming inexpensive homes onto smaller properties.

Gene Shrout, 3480 Kingston NW, said he didn't know this process was happening. If the state allows building in wetlands, then some government body should be sure it's done properly. He likes North Albany the way it is, and wouldn't mind if it didn't grow, but he understands we have to provide for growth. He doesn't want commercial enterprises outside of the Hickory Street area. He hopes whatever is decided on doesn't provide for low-value housing (condos, townhouses, etc.).

Brett Chytraus, 2010 Ravenwood Court NW, said if undevelopable property can be set aside, the effect is the same as more lots on smaller properties. Increased density will affect Oak Grove and Fir Grove Schools, neither of which are inside the city limits. Cluster development won't make sense in North Albany until after the natural resource surveys are complete. Catlin said that under state law, school districts do their own planning.

Mono Soot, 2365 Robin Hood NW, asked whether area set aside for streets is counted in calculating how many units are allowed in a development. Catlin said street area is subtracted from the gross acreage to determine allowed density. Soot expressed concern that developers would put as many houses on a property as possible, and clustered development would allow more.

Jack White, 1111 Jones NW, said RS-5 zoning and cluster development are incompatible. His 2-acre lot at RS-5 could have 10 to 12 homes, which would be 30 – 40 people, 20+ cars and 12-15 children. There would be no room for open space. He thinks clustering can be done badly or well. He is against clustering used in combination with the RS-5 zone.

Ed Henricks, 1586 Thornton Lake Drive NW, is concerned about preserving Thornton Lake. Hillside development with clustering will increase runoff. Increased density does not belong in North Albany. He requested that the West Thornton Lake area remain RS-10 and that the hillside be removed from the cluster overlay area.

Jeff Blaine, 1923 Lincoln Street NW, said the issue is how to accommodate growth and keep livability. He asked how public open space would be maintained and how funds would be allotted. He also asked what would keep open space associated with a large development from being rezoned and developed in the future. Catlin said open space would be permanent. Blaine said the City should recalculate the density calculations for cluster development to avoid denser development overall. He also does not think commercial development is feasible in North Albany. He said that the proposed North Albany Storm Drain Master Plan recommends sediment traps on Thornton Lake.

Elizabeth Lincoln, 915 North Albany Road NW, said the comparison of cluster development with conventional development assumes no zone changes, but several significant zone changes are being proposed. She is concerned that Community Development seems unable to get other departments and entities involved in the process. She thinks the planning process should only go as fast as the infrastructure can support.

Phillip Gebhart, 1832 Meadow Wood Drive NW, likes clustering as a concept but is concerned about an area close to Crocker Creek that has power lines. Normally, most of the property there couldn't be developed, but with cluster development, a developer could fit a housing complex in. This, with a Neighborhood Commercial node, would have a negative effect on the area.

Kirk Rose, 1221 Thorn Drive NW, said he isn't sure he likes cluster development because more houses mean more traffic. He would like to see the open space required to be public and connected, as in Westminster, Colorado.

Dan Post, 2792 Arlington Drive NW, owns 105 acres east of Scenic and south of Valley View. He agreed that growth is inevitable, but the question is how to do it intelligently and preserve what's needed. He thinks cluster housing fits North Albany. He would like to be able to do cluster development on his property, to preserve open areas, save trees and significant wetlands, and provide bike/pedestrian connections to the rest of North Albany. Clustering would make it easier for development to take advantage of land contours and drainage patterns and existing trees. It would put open space into neighborhoods and connect people to parks.

Commissioner Irving asked if Post thought clustered development would work for all developable properties in North Albany? Post said it might be right for some but not for others.

Leo Clarke, 1750 Whitecliff NW, said he is against cluster development because it puts people closer together, even if the overall density stays the same. The Commission must consider impacts of development on schools and infrastructure.

Henry Nielsen, 2195 Crocker Lane NW, said he thinks the cluster concept is good, but the devil is in the details. He thinks the 20 percent open space requirement is low. He said development must protect wildlife trails as well as other natural resources. Creating bike paths becomes a regional North Albany issue. He'd like to be involved in this process.

Mark Gasperino, 1417 Sherman Street NE, doesn't like growth in North Albany but knows it's inevitable. He thinks the forecast population increase is unrealistic. Cluster development done well could keep the population down and preserve open space. He liked Mr. Post's proposal.

Phil McFadden, 524 NW 34th Street, Corvallis, owns property in North Albany. He thinks cluster development makes sense, because development needs to be flexible to follow land contours, minimize pavement, etc. He thinks rezoning is a more significant change than clustering. If cluster development can be done without rezoning for higher density, he thinks it will make development more compatible with what North Albany residents already enjoy.

Commissioner Irving asked the audience if they would still be against the cluster concept if the same net density/number of units is allowed. About 25 percent of the audience raised their hands indicating they were against the cluster concept.

Glen Rea, 2649 21st Avenue SE, is the developer of North Pointe which is a clustered development. Out of 25 acres, 8 will be open space, including a 5-acre lake. Each property yields a different number of lots. He's doing attached and detached zero-lot-line houses in North Pointe, and they're expensive. They won't lower property values. He is in favor of a more rural street standard that would allow more bioswales and hedgerows. He isn't sure rezoning from RS-10 to RS-5 would result in any greater density. He asked staff to do research on how cluster regulations would interface with conservation easements.

Staff Report on Proposed Residential Rezoning:

Catlin said the North Albany Refinement Plan proposes to rezone some areas from RS-10 to RS-5, mostly in the Thornton Lake area and north of Highway 20. RS-5 zoning would allow attached single-family homes but not apartments. The Plan proposes to rezone one site just west of Hickory to RM-5, which would allow both single-family homes and apartments.

Testimony on Rezoning:

Floyd Collins, 754 Quarry Road NW, said he is against converting Site 5-f in the Plan to RS-5. Rezoning would make an illogical transition for zoning in the area. The property proposed for rezoning is in the floodplain. More houses and more fill here will put floodwater onto adjacent properties. The only access to the property is from North Albany Road or the school driveway. Rezoning to RS-5 would allow 48 to 60 housing units, and North Albany Road couldn't handle the additional traffic. He believes the burden of proof should be on the developer to make the case for why the change is needed.

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Christie Fitzpatrick, 705 East Thornton Lake Drive NW, said traffic is already bad along North Albany Road. Increasing the number of houses and children traveling to school will make it worse.

Ed Henricks submitted to the Planning Commission a map with signatures of residents near Thornton Lake who oppose a zone change (in agenda file). Allowing greater density here will increase traffic and runoff into the lake. The lake is already a maintenance issue. The Plan doesn't consider the increased cost of maintaining Thornton Lake. He adds that the intersection of North Albany Road and West Thornton Lake Drive is already a problem.

Greg Latta, 310 Green Acres Lane NW, asked about floodplain management certification. He believes that rezoning to greater density will increase the amount of development and the amount of fill in the floodplain. We're making decisions that will affect housing and natural resources, but we haven't done the Goal 5 and Goal 10 work yet.

Mark Taleff, 880 Edgewood Drive NW, said he doesn't think rezoning properties from RS-10 to RS-5 accomplishes any of the goals stated in the North Albany Refinement Plan.

Shirley Pollak, 1121 Jones Avenue NW, spoke about the 1942 flood and its effects on North Albany. It could happen again, and she would not like to see any more housing in the floodplain when it does.

Jane Yocum, 1115 Jones Lane NW, said if Jones Lane goes through to Thornton Lake Drive, it would divide her property. Land between her house and the train tracks floods almost every year.

Carole Perkins, 2550 Thornton Lake Drive NW, said her property floods because of building on the hillside across the road. The creek behind her house floods every year.

Chris Smith, 960 Jones Avenue NW, said his field floods almost every year. Rezoning to RS-5 in the area wouldn't make sense because of flooding and increased traffic. He didn't move to North Albany because he wanted to be around a lot of people.

Leah Latta, 310 Green Acres Lane NW, said North Albany residents feel the City hasn't addressed floodplain management. Most of the proposed density increase is in the floodplain or next to Thornton Lake. The population of North Albany is projected to grow to 6500 in the next 20 years. North Albany can accommodate that many new people without increasing density in that small area.

Ed Leslie, 1282 Gibson Hill Road NW, said he is against rezoning land to RS-5.

Sue Johnston, 3310 Idlewood Place SE, read a statement into the record and submitted a copy of it and of Albany's vision statements to the Planning Commission (copies in agenda file). She said the land north of the river is about 1/3 of the total land area in Albany. The Commission must consider the entire community and respect state guidelines when it decides on issues that may allow special privileges to some residents.

Dan Steele said he didn't think it was fair for someone who doesn't live in North Albany to judge how we live. The Plan doesn't propose any street improvements in North Albany to accommodate development. Rezoning to RM-5 will compound the water problems of his neighbors on Jones Avenue. It is unconscionable to allow heavy development in flood zones, especially when roads are inadequate. If there must be development, it should go on higher flat land.

Diane Clarke, 1750 Whitecliff Drive NW, submitted a petition into the record (in agenda file). Those who signed the petition are not in favor of light commercial development north of the train tracks, or of any kind of commercial development among residential neighborhoods, or of medium-density housing. They like North Albany as it is now. It isn't necessary to duplicate all the rest of Albany in all parts of the city. The community needs pockets that are different.

Kathryn Snell, 1765 Whitecliff Drive NW, said she's concerned about the proposed Neighborhood Commercial Node 1. There are 50 children on Whitecliff Drive under 16 years old. Putting a convenience

store on that corner would endanger them. Instead, the neighborhood would like a full-size grocery store. The infrastructure in North Albany doesn't support the Plan. The City should consider starting over and providing the infrastructure before increasing the population density.

Staff Report on Neighborhood Commercial Nodes:

Catlin listed the locations of the three neighborhood commercial nodes proposed for consideration. The purpose of the nodes is to provide convenient access for North Albany residents to the types of goods and services they need daily. These could include stores, restaurants, and offices.

Testimony on Neighborhood Commercial Nodes:

Janet Nielsen, 2195 Crocker Lane NW, thinks neighborhood commercial is incompatible with the rural character of North Albany. She doesn't think it would reduce the amount of traffic into downtown because goods for convenience stores would come into North Albany by truck and at least some employees would come to work from other places. She doesn't want to see commercial signs or parking lots or night lighting. She isn't against affordable housing or development, but it needs to stay in context. A supermarket at Highway 20 and Springhill would take care of North Albany's daily needs.

Rick Norris, 2568 Orchard Heights NW, said North Albany residents would be willing to drive into downtown to a coffee shop, if by doing so they could keep it out of their neighborhood. He thinks the audience is overwhelmingly against cluster development because it would result in smaller lot sizes and smaller home sizes.

Leo Clarke, 1750 Whitecliff Dr NW, said North Albany residents would like a grocery store near the one that closed. Neighborhood commercial nodes would weaken the market for a grocery store. Crime at local rural stores is high. He doesn't think neighborhood commercial nodes would reduce traffic. Chair Rouse said she grew up near a neighborhood store in Scio and feels neighborhood stores can have rural character.

Tom Deskins, 1805 Scenic Drive NW, said it should be obvious that most of the people in North Albany who would be neighbors to the proposed neighborhood commercial nodes don't want them. Of 41 residents on 25th Avenue NW he surveyed, 36 said they were opposed to a zone change at Gibson Hill and Scenic. He thinks the best thing for all is to continue the workshops, and not hurry to the City Council for a decision.

Patsy Pieschl, 2795 Crocker Lane NW, said she is opposed to the commercial nodes. She would be in favor of a large grocery store.

Lynn Whitacre, 1588 Valley View Place NW, said a convenience store on Scenic isn't a new idea, and neighbors have fought it before. It would be too attractive to Oak Grove students, who would be endangered by traffic when they went for sodas. Almost everyone coming into North Albany could stop conveniently at a large grocery in the old location. Two video stores and a bank have all failed in North Albany, but downtown needs businesses.

Peter Kenagy, 1640 North Nebergall Loop Road NW, submitted a letter to the Planning Commission. He is a member of the Benton County Planning Commission. The NARP process has showed up the failure of previous planning. A traffic plan must be first and central. If staff can't get a viable traffic plan, the City should put a moratorium on development.

Jim Sapp, 308 South Nebergall Loop NW, owns the property known as Node 3. He said a neighborhood commercial node in this area doesn't make sense. It will make traffic and litter problems worse.

Gebhart said his wife teaches at Oak Grove School. She is appalled at the idea of a convenience store that near so many school children. (Node 1)

Danielle McCafferty, 3290 Kingston Way NW, said the speed limit on Gibson Hill and Scenic Roads is 45 miles per hour, and some drivers travel at 70 on Crocker Lane. She won't let her kids walk or bike to the store because it is too dangerous. Other convenience stores in the City are on streets with speed limits from 25 to 35 miles per hour. A commercial node at the corner of Gibson Hill and Scenic will bring more traffic. She said this is also not a walk-able site. The same applies to the proposed node at Springhill and Nebergall. There is room in North Albany now, with all the houses that are for sale. The City should let those houses sell and let development already in progress take up the rest of the growth. She echoed previous comments about traffic on North Albany Road.

Rouse explained the role of the City's Traffic Safety Commission is to study traffic problems and recommend a solution.

Diane Clarke said she has contacted the sheriff and the Albany police about the 45 mph speed limit. Benton County won't decrease the speed limits.

Henry Nielsen spoke of the "covenant" made between the City and North Albany residents when North Albany was annexed. He referenced several passages in Exhibit A which he believes may be in conflict with the covenant. He said the meeting process was orchestrated by outside consultants and some comments from those meetings didn't appear in summaries. He cited transportation issues, wetlands, and lack of market demand in his opposition to Node 2.

Community Development Director Sharp thanked all who testified. She said the City is still working to get a full-size grocery store on Hickory Street. The City recognizes that traffic in North Albany is a big issue, and doesn't want to make things worse.

Catlin said a traffic study by Thomas Bauer predicted that with no changes in North Albany, every key intersection would reach Level of Service F at buildout (date unknown). One part of easing the transportation problems is land-use planning.

Staff Response:

Rouse closed the public hearing at 10:10 p.m.

Commission Action:

The Commission left the written record open until noon Monday, July 7. Catlin displayed the City's Web site address on the overhead projector.

NEXT MEETING DATE

The Planning Commission will meet Monday, July 7, at 6:00 in the Council Chambers to deliberate on the North Albany Refinement Plan.

ADJOURNMENT

Hearing no further business, Chair Rouse adjourned the meeting at 10:20 p.m.

Submitted by

Reviewed by

Allison Liesse
Administrative Assistant I

Helen Burns Sharp
Community Development Director