

ORDINANCE NO. 5287

AN ORDINANCE AMENDING ORDINANCE NO. 4447, WHICH ADOPTED THE CITY OF ALBANY COMPREHENSIVE PLAN MAP; AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP; APPROVING A SITE PLAN FOR A PROPOSED SENIOR APARTMENT COMPLEX; ADOPTING FINDINGS; AND DECLARING AN EMERGENCY FOR PROPERTY LOCATED AT 2080-2090 QUEEN AVENUE SE.

WHEREAS, the City of Albany Planning Commission recommended approval of the proposed map amendments and the Site Plan, based on evidence presented in the staff report and at the public hearing for City of Albany File Nos. CP-01-97, ZC-01-97, and SP-03-97; and

WHEREAS, the Albany City Council held a public hearing on these cases on April 23, 1997.

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

Section 1: The Findings of Fact contained in the staff report and attached as Exhibit "A" are hereby adopted in support of this decision.

Section 2: The Albany Comprehensive Plan Map designation of the 2.74-acre subject property is hereby amended from Medium Density Residential to High Density Residential.

Section 3: The Zoning Map designation of the same 2.74-acre subject property is hereby amended from RM-5 (Residential Limited Multiple Family) to RM-3 (Residential Multiple Family).

Section 4: A legal description of the subject property and a map showing the amendment to the Zoning Map are attached as Exhibits "B-1" and "B-2."

Section 5: The Site Plan that shows construction of 40 one-bedroom units and 20 two-bedroom units and a 1,366 square foot clubhouse is hereby approved with the conditions listed in the Findings of Fact (Exhibit A). A drawing showing the approved Site Plan is attached as Exhibit "C."

Section 6: A copy of the map showing the amendments to the Comprehensive Plan Map and Zoning Map shall be filed in the Office of the City Recorder of the City of Albany and the changes shall be made on the official City of Albany Comprehensive Plan Map and Zoning Map.

Section 7: A copy of the legal description of the subject property and the map showing the amendment to the zoning map shall be filed with the Linn County Assessor's Office within 90 days after the effective date of this ordinance.

IT IS HEREBY adjudged and declared that this Ordinance is necessary for the immediate preservation of the public peace, health, and safety of the City of Albany, and an emergency is hereby declared to exist, and this Ordinance shall take effect and be in full force and effect when signed by the Mayor.

Passed by the City Council: April 23, 1997

Approved by the Mayor: April 23, 1997

Effective Date: April 23, 1997


Mayor

ATTEST:



City Recorder

FINDINGS DOCUMENT

(Refer to Staff Report for CP-01-97/ZC-01-97/SP-03-97)



Community Development Department

333 Broadalbin Street SW, PO Box 490, Albany OR 97321

Phone: (541) 917-7550 Facsimile: (541) 917-7573

STAFF REPORT Comprehensive Plan Map and Zoning Map Amendments Site Plan Review

HEARING BODY
HEARING DATE
HEARING TIME
HEARING LOCATION

CITY COUNCIL
Wednesday, April 23, 1997
7:15 p.m.
Council Chambers, Albany City Hall, 333 Broadalbin Street SW

GENERAL INFORMATION

DATE OF REPORT: April 14, 1997

FILE: CP-01-97, ZC-01-97 and SP-03-97

TYPE OF REQUEST: Amendment to change the Comprehensive Plan Map designation of a 2.74-acre land parcel from Medium Density Residential to High Density Residential, and Amendment to change the Zoning Map designation of the same 2.74 acre parcel from RM-5 (Residential Limited Multiple Family) to RM-3 (Residential Multiple Family), and Site Plan Review for the construction of 40 one-bedroom units and 20 two-bedroom units and a 1,366 square foot clubhouse.

REVIEW BODY: City Council

PROPERTY OWNER: Bowen Financial Services Corporation
2200 U.S. Bancorp Tower
111 SW 5th Avenue
Portland, OR 97204

APPLICANT: Albany Senior Apartments, LP
111 SW 5th Avenue, Suite 2260
Portland, OR 97204

APPLICANT REP: Bowen Real Estate Group
111 SW 5th Avenue, Suite 2260
Portland, OR 97204

Michael C. Robinson
Stoel Rives LLP
999 SW 5th Ave, Suite 2300
Portland, OR 97204-1268

Scott Reiter
RAR Architects Inc
34 NW First Avenue, Suite 206
Portland OR 97204

ADDRESS/LOCATION: 2080, 2082, 2084, 2086, 2088 and 2090 Queen Avenue SE (new addresses)

MAP/TAX LOT: Linn County Assessor's Map No. 11S-3W-8D, Tax Lot 1200

CURRENT ZONING: RM-5 (Residential Limited Multiple Family)

TOTAL LAND AREA: 2.74 acres

EXISTING LAND USE: Vacant land

NEIGHBORHOOD: Periwinkle

SURROUNDING ZONING: RS-6.5 (Residential Single Family) and RM-3 to the west; RM-5 to the north across Queen Avenue; RM-5 to the east; and RS-6.5 to the south.

SURROUNDING USES: An electrical substation (on the RS-6.5 parcel) and apartments to the west; vacant land, a duplex and single-family development to the north across Queen Avenue; single-family residential to the east; and single-family residential to the south.

PRIOR HISTORY: LA-38-93, property line adjustment to remove 4,500 square feet of the subject property and add it to another land parcel (the 4,500 square feet is now used to provide access to the apartment complex to the south).

PA-01-94, divide a 2.99 acre parcel into two parcels. One parcel is 11,000 square feet on which an existing house is located, and the other is the 2.74 acre parcel which is the subject of this application.

NOTICE INFORMATION

A Notice of Public Hearing was mailed to surrounding property owners on March 4, 1997. The site was posted on March 7, 1997. At the time this staff report was prepared (April 11, 1997), the Albany Planning Division had received no written comments from surrounding property owners.

STAFF AND PLANNING COMMISSION RECOMMENDATION

At the March 17, 1997, Planning Commission meeting, staff presented reports on the proposed Comprehensive Plan Map and Zoning Map Amendments (CP-01-97 and ZC-02-97) and the Site Plan Review application (SP-03-97), with recommendations for approval of all three. The Planning Commission voted unanimously to recommend the City Council approve the applications.

APPEALS

Within five days of the City Council's decision, the Community Development Director will provide written notice of the decision to the applicant and any other parties entitled to notice. The decision of the City Council may be appealed to the State Land Use Board of Appeals (LUBA) when a person with standing files a Notice of Intent to Appeal not later than 21 days after the City mails the notice of decision to parties entitled to notice.

CITY COUNCIL ACTION

[NOTE TO CITY COUNCIL: CHOOSE ONE FROM THE MOTIONS LISTED BELOW.]

MOTION TO APPROVE

If there is no new evidence presented at the public hearing, the City Council may approve the application based on the findings and conclusions of the staff report. This motion would be made following the first and second reading of the ordinance.

I MOVE that the City Council adopt the ordinance that would change the Comprehensive Plan Map designation of a 2.74-acre land parcel from Medium Density Residential to High Density Residential, change the Zoning Map designation of the same 2.74-acre parcel from RM-5 (Residential Limited Multiple Family) to RM-3 (Residential Multiple Family), and APPROVE the Site Plan Review application for the construction of 40 one-bedroom units and 20 two-bedroom units and a 1,366 square foot clubhouse on the same property, SUBJECT TO the conditions of approval listed in the staff report. These applications have been designated as Files CP-01-97, ZC-01-97, and SP-03-97. This recommendation is based on the findings and conclusions of the staff report and testimony presented at the public hearing.

OR

MOTION TO DIRECT STAFF TO PREPARE ADDITIONAL FINDINGS FOR APPROVAL

If new information is presented at the public hearing or if the City Council believes additional findings are needed to address issues in the staff report, the Council may direct staff to prepare additional findings for approval for its review at a future meeting. If those findings are found to be satisfactory, the City Council would then recommend approval of the application based on the staff report, the new information, and the additional findings.

I MOVE that the City Council direct staff to prepare additional findings for the approval of the applications for Comprehensive Plan Map and Zoning Map Amendments that would change the Comprehensive Plan Map designation of a 2.74-acre land parcel from Medium Density Residential to High Density Residential, and change the Zoning Map designation of the same 2.74-acre parcel from RM-5 (Residential Limited Multiple Family) to RM-3 (Residential Multiple Family). These applications have been designated Files CP-01-97 and ZC-01-97. These findings will address (*Note to City Council: Insert appropriate review criteria where you feel additional findings are needed*). The findings will be brought back to the City Council for consideration at a future meeting.

I MOVE that the City Council direct staff to prepare additional findings for approval of the Site Plan Review application for the construction of 40 one-bedroom units and 20 two-bedroom units and a 1,366 square foot clubhouse (File SP-03-97) SUBJECT TO the conditions of approval listed in the staff report. These findings will address (*Note to City Council: Insert appropriate review criteria where you feel additional findings are needed*). The findings will be brought back to the City Council for consideration at a future meeting.

OR

MOTION TO DIRECT STAFF TO PREPARE FINDINGS FOR DENIAL

If there is new information presented at the public hearing, the City Council may direct staff to prepare findings for denial for its review at a future meeting. If those findings are found to be satisfactory, the City Council would then deny the application based on the staff report, the testimony at the public hearing, and the additional findings.

I MOVE that the City Council direct staff to prepare findings for denial of the applications for Comprehensive Plan Map and Zoning Map amendments that would change the Comprehensive Plan Map designation of a 2.74-acre land parcel from Medium Density Residential to High Density Residential, and change the Zoning Map designation of

the same 2.74-acre parcel from RM-5 (Residential Limited Multiple Family) to RM-3 (Residential Multiple Family). These applications have been designated Files CP-01-97 and ZC-01-97. These findings will address (*Note to City Council: Insert appropriate review criteria which you feel indicate a decision for denial*). The findings will be brought back to the City Council for consideration at a future meeting.

I MOVE that the City Council direct staff to prepare findings for the denial of the Site Plan Review application for the construction of 40 one-bedroom units and 20 two-bedroom units and a 1,366 square foot clubhouse (File SP-03-97). These findings will address (*Note to City Council: Insert appropriate review criteria which you feel indicate a decision for denial*). The findings will be brought back to the City Council for consideration at a future meeting.

OR

MOTION TO DENY

If the City Council finds that the applicant has not provided sufficient evidence to demonstrate that the review criteria have been met, or if they find the applicant has presented incorrect information, the City Council deny the application.

I MOVE that the City Council DENY the applications for the Comprehensive Plan Map and Zoning Map amendments that would change the Comprehensive Plan Map designation of a 2.74-acre land parcel from Medium Density Residential to High Density Residential, and change the Zoning Map designation of the same 2.74-acre parcel from RM-5 (Residential Limited Multiple Family) to RM-3 (Residential Multiple Family). These applications have been designated as Files CP-01-97 and ZC-01-97. This decision is based on the findings and conclusions of the staff report and/or the testimony presented at the public hearing.

I MOVE that the City Council DENY the Site Plan Review application for the construction of 40 one-bedroom units and 20 two-bedroom units and a 1,366 square foot clubhouse (File SP-03-97). This decision is based on the findings and conclusions of the staff report and/or the testimony presented at the public hearing.



STAFF ANALYSIS

Comprehensive Plan Map Amendment File CP-01-97

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

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

FINDINGS OF FACT

- 1.1 The requested Comprehensive Plan designation for the subject property is High Density Residential. The existing designation is Medium Density Residential.
- 1.2 The following Comprehensive Plan policies are relevant to this application.
- 1.3 Goal 2: Land Use Planning - Updating and Amending the Plan

Policies:

2. Base approval of Comprehensive Plan amendments upon consideration of the following:
 - e. Short- and long-term impacts of the proposed change.
 - f. Demonstration of public need for the change.
 - g. Demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.

Goal 10: Housing

Policies:

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

Goal 14: Urbanization - Directing Growth

Policies:

15. Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.
- 1.4 The short-term impact of changing the Comprehensive Plan Map designation of the subject property from Medium Density Residential to High Density Residential would be the creation of an opportunity to apply the RM-3 (Residential Multiple Family) zoning designation to the property. The RM-3 zoning designation is compatible only with land designated High Density Residential, or within the URR (Urban Residential Reserve) areas within the Urban Growth Boundary (UGB). URR areas are outside the City limits, and are not currently available for development, until annexed to the City.

The long-term impact of the proposed change would most likely be the development of high density residential housing on the property. The same applicants that have submitted the application for this

Comprehensive Plan Map amendment have also submitted an application to construct 60 apartment units on the property. This is approximately 22 units per acre, a density currently allowed only in RM-3 zoning districts.

- 1.5 The applicants have found that there are only four parcels currently available within the city limits for development of high density residential housing. The largest vacant parcel of land zoned RM-3 is located at the most easterly boundary of the city limits, south of Highway 20 across from Goldfish Farm Road. This parcel is about 15 acres. The other three parcels are 0.19 acres, 1.08 acres, and 2.28 acres. Each of these parcels is located between the Burlington Northern railroad tracks and Salem Avenue across from Waverly Lake.
- 1.6 Goal 10, Policy 1 says that the City will “ensure that there is an adequate supply of residentially zoned land in areas accessible to employment and public services to provide a variety of choices regarding type, location, density, and cost of housing units commensurate to the needs of city residents.” The largest available parcel zoned RM-3 (the 15 acre parcel) is nearly one mile from the nearest concentration of employment opportunities on the west side of Interstate 5. The nearest public services to this parcel are several hundred feet away. The other (smaller) parcels are near employment centers and have public services available, but together they total only 3.6 acres. There appears to be a need for additional RM-3 zoned land more readily accessible to employment and public services.

The subject property is less than one-half mile from a significant concentration of employment opportunities located on 14th Avenue between Geary Street and Waverly Drive (the Heritage Mall/Heritage Plaza area). Water and storm drainage facilities are located immediately adjacent to the property. Sanitary sewer service is located 160 feet east of the property.

- 1.7 Changing the Comprehensive Plan designation of the subject property from Medium Density Residential to High Density Residential would not preclude the use of the property for medium density residential use, so there would be no impact on the supply of land currently available for this use.
- 1.8 The only alternative to changing existing Comprehensive Plan designations to allow more high density residential development, is to annex URR designated property to the City, and apply the RM-3 zoning designation. The City does not have an on-going annexation program; the Planning Division simply accepts applications from property owners who may want to annex their land to the city. The Planning Division is currently in the process of updating the Comprehensive Plan and Zoning Map to provide an adequate supply land for residential, commercial, and industrial property, but this process will take approximately two years. (The process of updating the Plan and Zoning Map is referred to as Periodic Review, a review required by the State’s Land Conservation and Development Commission).
- 1.9 Comprehensive Plan policies that include the words “encourage” or “discourage” are not mandatory; they are considered “aspirational,” an ideal towards which decisions should move the pattern of development. These policies may not be used as the sole basis for approval or denial of an application, but they may be considered as part of the overall evaluation of a proposal.
- 1.10 Goal 14, Policy 15 is to “encourage land use patterns... which take advantage of density and location to reduce the need for travel and dependency on the private automobile [and] facilitate energy-efficient public transit systems....” The Comprehensive Plan (page 126) identifies the High Density Residential Plan designation as “...areas concentrated near major commercial centers and corridors and with immediate access to arterial streets and/or major collectors.” As discussed in Finding of Fact 1.5 above, the subject property is located less than one-half mile from a major commercial center. The subject property is located on Queen Avenue, which is designated on the Master Street Plan (Comprehensive Plan Plate 12) as an Urban Minor



Arterial. The higher the density of residential development along a street, the more potential riders are located there, and the more feasible transit becomes.

CONCLUSIONS

- 1.1 The proposed High Density Residential Comprehensive Plan Map designation is more supportive of the Comprehensive Plan than the old Medium Density Residential designation because the new designation will provide an additional opportunity for high density residential development in the short- and long-term, filling a public need for land that can be developed with high density housing near an employment center and public services. This criterion is met.

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

FINDINGS OF FACT

- 2.1 We interpret "relevant area plans" to mean plans, other than the Comprehensive Plan and Zoning Map, that specifically direct a future pattern of land use. There are no such plans for this area.

CONCLUSIONS

- 2.1 This criterion is not applicable, because there are no relevant area plans, so no review of consistency with a plan is necessary.

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

FINDINGS OF FACT

- 3.1 The requested Comprehensive Plan Map designation of the subject property is High Density Residential.
- 3.2 The Comprehensive Plan map designation of the land to the north, across Queen Avenue, and to the east of the subject property, is Medium Density Residential; to the south is Low Density Residential; and to the west is High Density Residential.
- 3.3 If the designation of the subject property is changed to High Density Residential, the existing High Density Residential designation to the west would be extended farther east. This would extend the existing area of High Density Residential that faces Medium Density Residential north across Queen Avenue approximately 130 feet. High Density Residential across a street from Medium Density Residential creates an interface between similar uses, and is an acceptable land use pattern. High Density now abuts Medium Density Residential to the east, and that pattern would not change. Again, similar uses abut, and that is acceptable. To the west High Density would abut High Density Residential, like uses abutting, which is an acceptable interface.
- 3.4 To the south, High Density Residential would abut a Low Density Residential area for a distance of approximately 250 feet, a pattern that already exists just to the south of the subject property. This interface would exist along four separate single-family lots to the south. Generally, this is not a pattern that is preferred, because high density residential development may create negative impacts not expected by residents of single-family development.

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Negative impacts may be created simply because there is a larger population residing on land designated for high density residential use, and/or by the greater building height and lot coverage allowed. Maximum density on Medium Density land is 10-20 units per acre, on High Density land it's 20-40 units per acre. If an RM-3 (Residential Multiple Family) zoning designation is applied to the land (as requested by the same applicants in a concurrent application), the height limit for structures is 45 feet. The current RM-5 zoning designation allows a maximum height of 30 feet. Maximum lot coverage is 60 per cent in RM-5, and 70 percent in RM-3.

- 3.5 The Planning Division requires buffering and screening as part of site plan review as described in Albany Development Code (ADC) 9.240 and 9.250 where medium or high density residential uses abut single-family uses. Buffering and screening has been determined to mitigate any negative impacts that may occur as a result of placing these uses adjacent to each other.

CONCLUSIONS

- 3.1 If the Comprehensive Plan Map designation of the subject property is changed from Medium Density Residential to High Density Residential, the designation will be consistent with the Comprehensive Plan map pattern because the High Density Residential land will abut High Density Residential land to the west, and Medium Density Residential land to the north (across Queen Avenue) and east. This is an appropriate land use pattern because adjacent uses are similar in impact. To the south, High Density land will abut Low Density Residential land, but the potential conflict between a high intensity use and a lower intensity use can be mitigated by requiring buffering and screening in accordance with ADC 9.240 and 9.250 at the time development occurs on the subject property. This criterion is met.

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

FINDINGS OF FACT

- 4.1 The requested Comprehensive Plan designation is High Density Residential.
- 4.2 Statewide Planning Goal 2 (Land Use Planning), Goal 10 (Housing), and Goal 14 (Urbanization) are relevant to review of the subject application.
- 4.3 Goal 2 (Land Use Planning) is "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."

The subject application is being processed in accordance with the Type IV land use process (Planning Commission and City Council public hearings required) prescribed in Article I of the Albany Development Code, and in accordance with the requirements set forth in the Code for Comprehensive Plan Map amendments. The Code has been acknowledged by the Land Conservation and Development Commission (LCDC) as consistent with the Statewide Planning Goals.

Although, the City of Albany Planning Division does not have a current projection of demand for each type of residential land provided for in the Comprehensive Plan, the applicant has provided an inventory of available land designated for high density residential use, and the Planning Commission and City Council have determined that the current supply is not adequate to provide a range of housing opportunities for the City's residents. (Reference Finding of Fact 4.3 below.)

- 4.4 Goal 10 (Housing) is "to provide for the housing needs of citizens of the state."

The proposed change in the Comprehensive Plan Map designation of the subject property from Medium Density Residential to High Density Residential will add to the supply of land designated for high density residential development readily accessible to employment and public services where a public need for an increase in the supply has been identified. (Reference Findings of Fact 1.4 and 1.5 above.)

4.5 Goal 14 (Urbanization) is “to provide for an orderly and efficient transition from rural to urban land use.”

Goal 14 is not applicable to the subject application, because Goal 14 pertains primarily to “urbanizable land,” that is, land outside city limits, but inside urban growth boundaries. The subject property is within the Albany city limits.

CONCLUSIONS

4.1 The requested designation is consistent with Statewide Planning Goal 2 because the subject application is being reviewed consistent with the requirements of the Albany Development Code, acknowledged by LCDC, and because the applicant has provided an adequate factual basis on which a decision can be made by the Planning Commission and City Council.

4.2 The requested designation is consistent with Statewide Planning Goal 10 because it will add to the supply of land designated for high density residential use where a public need for an increased supply has been identified.

4.3 Goal 14 is not applicable to the subject application.

4.4 This criterion is met.

In addition to the review criteria above, Oregon Administrative Rules (OAR) 660-12-060(1) states that “amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility.”

The applicants have submitted a Zoning Map amendment application concurrent with this Comprehensive Plan Map amendment application. As part of the review of the Zoning Map Amendment application, the adequacy of the transportation system to accommodate potential development on the subject property has been reviewed. The findings and conclusions under Criterion (2) of that review also establish that a change in the Comprehensive Plan designation from Medium Density Residential to High Density Residential will not significantly impact the transportation facilities in the vicinity of the subject property. Those findings and conclusions are incorporated here by reference.

STAFF ANALYSIS

Zoning Map Amendment File ZC-01-97

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

(1) The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for in accordance with Section 2.080.

FINDINGS OF FACT

- 1.1 The proposed base zone is RM-3, Residential Multiple Family. The current Comprehensive Plan Map designation of the subject property is Medium Density Residential. The RM-3 zoning designation is not consistent with the Medium Density Residential designation, however, a Comprehensive Plan Map amendment has been applied for in accordance with ADC 2.090-2.220. [The reference in the review criterion to "Section 2.080" is an erroneous reference to a section of the Development Code that has been renumbered.]

CONCLUSIONS

- 1.1 The proposed RM-3 zoning designation is not consistent with the current Comprehensive Plan Map designation of the subject property, but a Comprehensive Plan Map amendment has been applied for, so this criterion is met.

(2) Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation.

FINDINGS OF FACT

- 2.1 The subject property is located on the south side of Queen Avenue SE, a street designated on the Master Street Plan (Comprehensive Plan Plate 12) as an Urban Minor Arterial.
- 2.2 Development on the subject property will most likely take access to and from Queen Avenue. Queen Avenue is improved to City standards, except there is no sidewalk along the frontage of the subject property. Queen Avenue along the frontage of the property has one traffic lane and one bicycle lane in each direction, and a continuous center turn lane.
- 2.3 Uses that are permitted under the proposed RM-3 zoning designation are primarily residential. Albany Development Code (ADC) 3.022 identifies RM-3 zoning districts as "intended primarily for medium to high density urban residential development," with development to occur at 20-40 units per acre. For the purposes of this review, we have assumed the future use of the property to be high density residential.
- 2.4 The City's traffic engineer has determined that no capacity problems have been identified, and that Queen Avenue can accommodate vehicle and bicycle traffic that will be generated by future development of the subject property.
- 2.5 Development on the property will most likely generate demand for a sidewalk along the property's frontage. ADC 12.290 requires that "all development for which land use applications are required... must include

sidewalks adjacent to public streets.” A Zoning Map amendment is not included in the Development Code definition of “development,” and a change in the zoning of the property does not create the need for a sidewalk at this time. However, a sidewalk will be required at the time development is proposed on the property, so it is considered an “anticipated facility” for the purposes of this review.

CONCLUSIONS

- 2.1 Existing transportation facilities for vehicles and bicycles are adequate to serve uses that are permitted under the proposed RM-3 zoning designation.
- 2.2 Existing pedestrian facilities are not adequate, but they will be made adequate at the time development occurs on the subject property by constructing a sidewalk along the frontage of the property.
- 2.3 This criterion is met.

(3) Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area.

FINDINGS OF FACT

- 3.1 Uses that are permitted under the proposed RM-3 zoning designation are primarily residential. ADC 3.022 identifies RM-3 zoning districts as “intended primarily for medium to high density urban residential development,” with development to occur at 20-40 units per acre. For the purposes of this review, we have assumed the future use of the property to be high density residential.
- 3.2 Water: Public water utility maps show that there is a 12-inch main in Queen Avenue. There is also a 12-inch main which runs through the property adjacent to the subject property to the west, which terminates at the southwest corner of the subject property. The City Engineer has determined that this line is of adequate size to accommodate high-density residential development on the subject property. It will be necessary to connect the two referenced 12-inch water mains to provide adequate service to the property. This water line connection will be a condition of approval of future development on the subject property, so it is considered to be an “anticipated service” for the purposes of this review. [The property adjacent to the subject property to the west, Linn County Tax Assessor’s Map 11S-3W-8CD, Tax Lot 200, on which Periwinkle Creek Apartments are located, will be referred to herein after as the “Periwinkle Creek Apartments property.”]
- 3.3 Sanitary sewer: Sanitary sewer utility maps show that there is no public sanitary sewer adjacent to the subject property. The nearest available public sanitary sewer is a 48-inch main located approximately 160 feet east of the subject property. The City Engineer has determined that this line is of adequate size to serve the subject property. It will be necessary to connect to this existing 48-inch sewer to serve the subject property. Connection to this sewer will be a condition of approval of future development on the subject property, so it is considered to be an “anticipated service” for the purposes of this review.
- 3.4 Storm sewers: Storm drain utility maps show that there is a 12-inch storm drain line that runs along an access driveway on the Periwinkle Creek Apartments property. This line runs from a manhole approximately 300 feet south of Queen Avenue, crosses Queen Avenue, then discharges to a 72-inch storm drain line on the north side of Queen Avenue. Drainage from Periwinkle Creek Apartments runs to the 12-inch line, and it is not clear whether there is additional capacity to accommodate the drainage from the subject property.

Utility as-built drawings for Periwinkle Creek Apartments include a note which says that "When flowing full, the 72" main's hydraulic grade line will be approximately el 218.5. During peak flows, if this main is flowing full, backup will occur in the storm sewer systems connected to the 12" storm sewer main."

The City Engineer has determined that the 72-inch storm drain line on the north side of Queen Avenue has adequate capacity to accommodate the storm drainage from the subject property. It is possible that the existing 12-inch storm drain also has the capacity to serve development on the property. A study will be required to evaluate the capacity of the 12-inch line if a connection is proposed at the time of development. The study and connection to the appropriate system will be a condition of approval of future development on the property, so they are considered to be "anticipated services" for the purposes of this review.

- 3.5 Schools: The subject property is located in Greater Albany Public School District 8-J (GAPS). Children who live in future development on the property will attend Periwinkle Elementary School, Calapooia Middle School, and South Albany High School. Changing the zoning of the subject property from medium density to high density residential will potentially increase demand for school space at these schools.

The applicants have submitted a concurrent Site Plan Review application to build a 60-unit apartment complex "to be rented to senior citizens...." If this development is constructed and rented primarily to senior citizens, there would be less demand for school space because seniors generally do not attend the schools listed above. Although it is the intent of the applicants to develop a senior project, there is, however, no assurance that the proposed development will actually be constructed, or that, even if constructed, the apartments will be rented only to seniors for the life of the project.

The applicants state that "since the neighboring parcel was developed at a much lower density than allowed by the zoning, the total number of families in this immediate area to be served by the schools... will be less than originally anticipated by the previous zoning." The implication of this observation is that planning for schools is based on an assumption that every parcel will be developed at maximum density. No evidence that this is so has been presented by the applicants.

The Planning Division has provided notice of the subject application, and an opportunity for the school district to comment on the application, but the school district has not submitted a response. A recent article in the Albany Democrat-Herald (February 26, 1997) indicates that the number of students now at Periwinkle Elementary School exceeds its intended capacity. However, it has been the past practice of the school district to add additional modular classrooms to accommodate increased student enrollment, and we expect that practice will continue.

At the Planning Commission public hearing, the applicants testified that they had spoken with the school district by telephone, and that the school district stated they did not intend to comment on the proposed Zoning Map Amendment. Development Coordinator Candace Ribera said she had talked with the school district and was told modular classrooms would be added to Periwinkle Elementary School, and boundaries would be adjusted to decrease the number of students that would otherwise go to Periwinkle School.

- 3.6 Police and fire protection: The Planning Division has provided notice of the subject application, and an opportunity for the Albany Police Department to comment. ADC 1.215 provides that "if the agency or city department does not comment within 10 days..., the agency or city department is presumed to have no comments or objections. "The Police Department has not returned comments, so they are presumed to have no comments or objections.

The Planning Division has provided notice of the subject application, and an opportunity for the Fire Department to comment. The Fire Department has responded that the subject property can be provided with fire protection if a 12-inch water line is looped through the property, if fire hydrants are provided at

appropriate locations, and if easements for these public facilities are provided. These requirements will be conditions of approval of future development on the property, so they are considered as "anticipated services" for the purposes of this review.

CONCLUSIONS

- 3.1 Water, sanitary sewer, storm sewer, and fire protection service can be provided to the subject property. However, the improvements to these systems described in the Findings of Facts above must be made at the time development is proposed on the property so that service can be provided without adverse impact on the affected service area. It is anticipated that the required improvements will be made at the time the property is developed, so the improvements are considered "anticipated services" for the purposes of review under this criterion.
- 3.2 Although it is likely that, if the zoning of the subject property is changed to allow higher density development, an apartment complex for senior citizens will be developed by the applicants, there is no assurance that the apartments will be rented to seniors for the life of the project. Therefore, it is not possible to conclude that there will be no increase in demand for school space if the zoning designation of the property is changed to allow an increase in density. The applicants have presented no information regarding the capacity of schools that would serve future development of the subject property. Information published in the Albany Democrat-Herald indicates that current student enrollment exceeds the capacity of Periwinkle Elementary School. However, it has been the past practice of the school district to add modular classrooms to accommodate additional students. We expect this practice to continue.

A project review notice was sent to Greater Albany Public School District 8-J, and since no comments were received back from them, we assume school capacity in relation to this application is not an issue.

- 3.3 Police services are currently adequate to accommodate potential high-density residential development on the subject property without adverse impact on the affected service area.
- 3.4 This criterion is met.

(4) Any unique natural features or special areas involved such as floodplains, slopes, significant natural vegetation, historic district will not be jeopardized as a result of the proposed rezoning.

FINDINGS OF FACT

- 4.1 **Floodplains:** *Comprehensive Plan Plate 5: Floodplains* shows no areas within a 100-year floodplain on the subject property. FEMA/FIRM Community Panel No. 410137 0002 E, dated March 16, 1989, shows the property in Zone X, an area determined to be outside the 500-year floodplain.
- 4.2 **Slopes:** *Comprehensive Plan Plate 7: Slopes* shows no areas of steep slopes on the subject property. The property is relatively flat.
- 4.3 **Wetlands:** *Comprehensive Plan Plate 6: Wetland Sites* shows no wetlands on the subject property. The U.S. Department of Interior, Fish and Wildlife Service, National Wetlands Inventory, dated 1994, shows no wetlands on the property.
- 4.4 **Vegetation:** *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat* shows no areas of concern on the subject property.

Planning Division staff visited the site on March 4, 1997, and found no significant vegetation or wildlife habitat. Vegetation on the site consists primarily of grass, blackberries, and two trees.

- 4.5 **Historic District:** *Comprehensive Plan Plate 9: Historic Districts* shows that the subject property is not within a historic district, and the City's Preservation Planner states that there are no known historic or archaeological sites on the property.

CONCLUSIONS

- 4.1 There are no areas of floodplains, steep slopes, wetlands, or significant natural vegetation or wildlife habitat located on the subject property. The property is not within a historic district.
- 4.2 There are no natural features or special areas on the subject property to be jeopardized as a result of the proposed rezoning, so this criterion is not applicable.

(5) The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.

FINDINGS OF FACT

- 5.1 The intent of residential zoning districts is to preserve land for housing. The Development Code preserves the character of neighborhoods by providing seven zones with different density standards. The purpose of the RM-3 zoning district is to allow medium to high density urban residential development. Development should occur at 20-40 units per acre. [ADC 3.020(6)]
- 5.2 The following Comprehensive Plan policies are relevant to this application.
- 5.3 Goal 2: Land Use Planning - Updating and Amending the Plan

Goal: Undertake Periodic Review and Update of the Albany Comprehensive Plan to ensure the Plan:

1. Remains current and responsive to community needs.
2. Retains long-range reliability.
3. Incorporates the most recent and reliable information.

Policies:

2. Base approval of Comprehensive Plan amendments upon consideration of the following:
 - e. Short- and long-term impacts of the proposed change.
 - f. Demonstration of public need for the change.
 - g. Demonstration that the proposed amendment will best meet the identified public need versus other available alternatives.

Goal 10: Housing

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

Policies:

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

- 5.4 The short-term impact of changing the Zoning Map designation of the subject property from RM-5 (Limited Multiple Family) to RM-3 (Residential Multiple Family) would be the creation of an opportunity to develop high density housing on the property.

The long-term impact of the proposed change would most likely be the development of high density residential housing on the property. The same applicants that have submitted the application for the subject Zoning Map amendment have also submitted an application to construct 60 apartment units on the property. This is approximately 22 units per acre, a density currently allowed only in RM-3 zoning districts.

- 5.5 The applicants have found that there are only four parcels currently zoned RM-3 within the city limits. The largest vacant parcel of land zoned RM-3 is located at the most easterly boundary of the city limits, south of Highway 20 across from Goldfish Farm Road. This parcel is about 15 acres. The other three parcels are 0.19 acres, 1.08 acres, and 2.28 acres. Each of these parcels is located between the Burlington Northern railroad tracks and Salem Avenue across from Waverly Lake.

- 5.6 Goal 10, Policy 1 says that the City will “ensure that there is an adequate supply of residentially zoned land in areas accessible to employment and public services to provide a variety of choices regarding type, location, density, and cost of housing units commensurate to the needs of city residents.” The largest available parcel zoned RM-3 (the 15 acre parcel) is nearly one mile from the nearest concentration of employment opportunities on the west side of Interstate 5. The nearest public services to this parcel are several hundred feet away. The other (smaller) parcels are near employment centers and have public services available, but together they total only 3.6 acres. There appears to be a need for additional RM-3 zoned land more readily accessible to employment and public services.

The subject property is less than one-half mile from a significant concentration of employment opportunities located on 14th Avenue between Geary Street and Waverly Drive (the Heritage Mall/Heritage Plaza area). Water and storm drainage facilities are located immediately adjacent to the subject property. Sanitary sewer service is located 160 feet east of the property.

- 5.7 The only alternative to changing existing Zoning Map designations to allow more high density residential development, is to annex property designated Urban Residential Reserve (URR) on the Comprehensive Plan Map to the City, and apply an RM-3 designation. The City does not have an on-going annexation program; the Planning Division simply accepts applications from property owners who may want to annex their land to the city. The Planning Division is currently in the process of updating the Comprehensive Plan and Zoning Map to provide an adequate supply of land for residential, commercial, and industrial property, but this process will take approximately two years. (The process of updating the Plan and Zoning Map is referred to as Periodic Review, a review required by the State’s Land Conservation and Development Commission).

- 5.8 Comprehensive Plan policies that include the words “encourage” or “discourage” are not mandatory; they are considered “aspirational,” an ideal towards which decisions should move the pattern of development. These policies may not be used as the sole basis for approval or denial of an application, but they may be considered as part of the overall evaluation of a proposal.

- 5.9 Goal 14, Policy 15 says the City will “encourage land use patterns... which take advantage of density and location to reduce the need for travel and dependency on the private automobile [and] facilitate energy-efficient public transit systems....” The subject property is located on Queen Avenue, which is designated on the Master Street Plan (Comprehensive Plan Plate 12) as an Urban Minor Arterial. The higher the density of residential development along a street, the more potential riders are located there, and the more feasible transit becomes.

CONCLUSIONS

- 1.1 The proposed RM-3 (Residential Multiple Family) zoning designation best satisfies the goals and policies of Comprehensive Plan because:
 - a. It will not preclude development of medium density residential housing.
 - b. It will allow the opportunity for development of high density residential housing in the short- and long-term and fill a public need for that type of development near an employment center and public services.

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STAFF ANALYSIS

Site Plan Review File SP-03-97

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

(1) Public facilities can accommodate the proposed development.

FINDINGS OF FACT

- 1.1 **Sanitary Sewer.** Sanitary sewer utility maps show that there is no public sanitary sewer adjacent to the subject property. The nearest available public sanitary sewer is a 48-inch main located approximately 160 feet east of the subject property. The applicant is proposing to connect to this sewer line by obtaining a public utility easement from the owner of Tax Lot 1305, Linn County Assessor's Map 11-3W-08D. The City Engineer has determined that this line is of adequate size to serve the subject property. It will be necessary to connect to this existing 48-inch sewer to serve the subject property.
- 1.2 **Sanitary Sewer.** All new development must extend and connect to the public sanitary sewer system when service is available within 300 feet of the property (ADC12.470 revised). The minimum size for a public sanitary sewer shall be 8-inches in diameter [AMC 10.01.110 (2)(a)].
- 1.3 **Sanitary Sewer.** All new development within the City must, where appropriate, make provisions for the continuation or appropriate projection of public sanitary sewer lines to serve surrounding areas. Line extensions may be required through the interior of a property to be developed where the City Engineer determines that the extension is needed to provide service to upstream properties (ADC 12.510).
- 1.4 **Sanitary Sewer.** Minimum width for public utility easements for sanitary sewers is 20 feet (ADC 12.370 revised). The site plan utility drawings submitted by the applicant indicate that there may be areas where the required 20-foot wide utility easement over proposed public sanitary sewer mains will be encroached upon by proposed carports or garages. This is unacceptable and must be modified so that no permanent structures will lie within the required public utility easements.
- 1.5 **Sanitary Sewer.** Sanitary Sewer System Development Charges for multiple family developments are calculated based on the number of dwelling units. These charges must be paid, or arrangements made for financing the charges, at the time of issuance of Building Permits (Res. No. 3513).
- 1.6 **Sanitary Sewer.** The submitted site plan utility drawing shows what appears to be a clean-out at the west end of the proposed sewer main between Building C and Building D. All public sewer lines must terminate in a manhole, as required in the City of Albany Standard Construction Specifications.
- 1.7 **Water.** Public water utility maps show that there is a 12-inch main in Queen Avenue. There is also a 12-inch main which runs through the property adjacent to the subject property to the west, which terminates at the southwest corner of the subject property. The City Engineer has determined that this line is of adequate size to accommodate high-density residential development as proposed. It will be necessary to connect the two referenced 12-inch water mains to provide adequate service to the property. [The property adjacent to the subject property to the west, Linn County Tax Assessor's Map 11-3W-08CD, Tax Lot 200, on which Periwinkle Creek Apartments are located, will be referred to herein after as "Periwinkle Creek Apartments."]
- 1.8 **Water.** The Albany Development Code requires connection to the public water system if the property is within 150 feet of a public line (ADC12.410 revised). The applicant is proposing to construct a public water

main from the existing 12-inch main near the southwest corner of the project to the existing 12-inch main in Queen Avenue.

- 1.9 Water. A minimum 12-inch public water line is needed through the site in order to provide for fire protection and system looping for high density residential development.
- 1.10 Water. It is unknown at this time if a backflow protection assembly will be required for this project to protect the public water system from backflow from the private system (including fire lines, irrigation lines, process water lines) (AMC11.01.225 and OAR 333.61.070).
- 1.11 Water. Minimum 15-foot wide public utility easements are required for all public water lines (ADC 12.370). These easements must cover all appurtenances associated with the public water system, including water services, water meters, fire hydrants, blow-offs, etc. No permanent structures (such as garages, carports, trash enclosures, etc.) may be constructed within the boundaries of these public utility easements. The submitted site plan utility drawing shows that the proposed water service for Building C, and the two proposed fire hydrants, appear to be located such that permanent structures (carports or trash enclosure) will encroach upon the required easements. This will not be allowed, and final plans for public utility construction must be modified to remedy this situation. Final hydrant locations must be approved by the Albany Fire Department and the Public Works Engineering Division.
- 1.12 Water. Water System Development Charges for multiple family developments are calculated based on the number of dwelling units. These charges must be paid, or arrangements made for the financing of the charges, at the time of issuance of Building Permits (Res. No. 3514).
- 1.13 Storm Drainage. Any new development on this site must make provisions for managing storm water runoff. Roof drains shall be discharged to a collection system approved by the City Engineer (ADC12.530 revised).
- 1.14 Storm Drainage. Storm drain utility maps indicate that public storm drainage adjacent to this site consists of a 12-inch line which runs along the proposed access roadway from Queen Avenue, in a southerly direction, to a manhole approximately 300 feet south of Queen Avenue. This 12-inch line crosses Queen Avenue and discharges to a 72-inch storm drain line on the north side of Queen Avenue. A portion of the Periwinkle Creek Apartments (formerly Brooklawn) development discharges to this 12-inch line, and it is not clear whether there is additional capacity to accommodate the drainage from the proposed development. Utility as-built drawings for the Periwinkle Creek Apartments include a note which states that "when flowing full, the 72" main's hydraulic grade line will be approximately el. 218.5. During peak flows, if this main is flowing full, backup will occur in the storm sewer systems connected to the 12" storm sewer main". It is the responsibility of the applicant to show whether or not the existing 12-inch storm line has the capacity to handle the projected storm water run-off from the proposed development.
- 1.15 Storm Drainage. Private utilities are not allowed within a public utility easement, except where it is necessary in the case of a crossing. Such crossings shall be made at angles as close to 90 degrees as possible. The portion of the private storm drain system which lies between Building C and Building F must be redesigned so that it does not lie within the public utility easement. Private catch basins must be located outside of public utility easements, unless approved during the plan review phase of the Permit for Private Construction of Public Improvements.
- 1.16 Storm Drainage. Where it is anticipated by the City Engineer that the additional run-off resulting from the development will overload an existing drainage facility, the review body will withhold approval of the development until provisions have been made for improvement of said potential condition (ADC 12.560 revised).

- 1.17 Storm Drainage. The City does not allow sheet flow of storm water across the sidewalk and into the street. The high point on the driveway must be at the property line so that all on-site drainage is collected within the applicant's property. Also, no storm water (including roof drainage) may be discharged to the sanitary sewer (ADC12.530 revised).
- 1.18 Storm Drainage. The final private catch basin prior to discharging to the public storm drain system must be an oil/sand separator.
- 1.19 Street. The subject property is bounded on the north by Queen Avenue, which is designated as an Urban Minor Arterial in the Albany Comprehensive Plan. Existing street improvements on Queen Avenue were constructed to city standards, with the exception that sidewalk has not been completed along the project's frontage. No capacity problems have been identified and the street can accommodate the vehicular demands of the proposed development. The project will generate pedestrian traffic between the development and nearby commercial and residential uses.
- 1.20 Street. The applicant is proposing to access the site from the existing private roadway from Queen Avenue which also serves the Periwinkle Creek Apartments. A joint-use access and maintenance agreement is required for this development to take access to the private roadway. No direct access is proposed to Queen Avenue.
- 1.21 Sidewalks. All developments for which land use applications are required must include sidewalks adjacent to public streets (ADC12.290 revised). The required width for a sidewalk on an arterial or separated from the curb by a landscaped planter strip at least five feet wide [ADC12.300(1) revised].
- 1.22. Sidewalks. The site does not currently have sidewalk facilities along its frontage on Queen Avenue. Installation of a sidewalk is needed to accommodate pedestrian traffic generated by the project.
- 1.23 Transit. Oregon Administrative Rules OAR660-12-045(4)(b) requires preferential access to transit for new development at or near transit stops. As a condition of approval for the Periwinkle Creek Apartment development located immediately to the southwest, across the shared roadway, the developer was required to provide for a bus shelter pad and a future shelter near the northwest corner of the subject property adjacent to Queen Avenue. In addition, a private sidewalk was provided adjacent to the east side of the shared roadway to connect to the public sidewalk system on Queen Avenue. At the time the Periwinkle Creek Apartments were constructed, a public sidewalk existed to the west of the subject property.
- 1.24 Transit. The subject property is served by public transit at the intersection of Geary Street and Queen Avenue, approximately 600 feet to the west.
- 1.25 Parks. The closest neighborhood park to the proposed development is Periwinkle Park which is located approximately 400 feet to the south of 21st Avenue adjacent to Periwinkle Elementary School or Leigh Park which is located approximately a half a mile to the east across Waverly Drive.
- 1.26 Schools. The schools currently serving this area are Periwinkle Elementary, Calapooia Middle, and South Albany High School. The Greater Albany School District provides bus service for the students attending Calapooia and South Albany schools. Students attending Periwinkle are within walking distance. The Planning Division has provided notice of the subject application, and an opportunity for the school district to comment on the application, but they have not submitted a response. A recent article in the Albany Democrat Herald (February 26, 1997) indicates that the number of students now at Periwinkle Elementary School exceeds its intended capacity. However, it has been the past practice of the school district to add additional modular classrooms to accommodate increased student enrollment, and we expect that practice

will continue. The applicants for this project have indicated that these apartments will be targeted for seniors.

CONCLUSION(S). The City is capable of providing city services commensurate with the needs of existing and any proposed new uses in the area without significantly impairing existing city services in this area. Public improvements must be constructed to serve this development, as the existing facilities will not support the proposed use. This criterion can be met provided the following conditions are met:

Public Utilities General.

1. All required public utilities must be constructed or financial assurances for their construction provided prior to issuance of Building Permits.

Sanitary Sewer.

1. The applicant shall construct an 8-inch public sanitary sewer main through the site to serve the proposed development. The proposed configuration as shown on the submitted site plan utility drawing is generally acceptable. The proposed main running north-south between Building B and Building F shall be extended to the southwest corner of Tax Lot 1202, Linn County Assessor's Map 11-3W-08D (just east of the clubhouse), and an 8-inch stub installed to that lot. Also, construct 8-inch stubs from the proposed manholes to Tax Lots 1308 and 1305, Linn County Assessor's Map 11-3W-08D. This work must be done under a Permit for Private Construction of Public Improvements.
2. **Prior to issuance of Building Permits**, a 20-foot wide public utility easement for the proposed public sanitary sewer line to be located in the north portion of Tax Lot 1305, Linn County Assessor's Map 11-3W-08D, shall be granted to the City of Albany for repair and maintenance purposes. The applicant must provide the City with the legal description for the public easement and the City will insert the approved description into the City's easement form for signatures and recordation.
3. The proposed public sanitary sewer extension to serve this development shall consist of minimum 8-inch diameter mains. This work must be done under a Permit for Private Construction of Public Improvements.
4. Minimum 20-foot wide public utility easements are required over all proposed public sewer lines (ADC 12.370). No permanent structures (such as garages, carports, trash enclosures, etc.) may be constructed within the boundaries of these easements.
5. Standard manholes shall be installed at the end of all public sewer mains and at changes of direction in the line.
6. In order to provide access to public sewer, an 8-inch stub to the southwest corner of Tax Lot 1308, and a stub to tax lot 1305, will be necessary. In order to provide access to public sewer, the proposed public main which will run north-south through the project will need to be extended, and an 8-inch stub provided to the southwest corner of tax lot 1202, just east of the proposed clubhouse.

Water

7. The applicant shall construct a 12-inch public water main from the end of the existing 12-inch main near the project's southwest corner, through the site, to the existing 12-inch main in Queen Avenue. The proposed configuration as shown on the submitted site plan utility drawing is generally acceptable, but final review of construction details (such as hydrant locations, service/meter locations, easements, etc.) will be done as part of the Permit for Private Construction of Public Improvements.

8. No permanent structures may be built within a public utility easement. Modifications to the proposed site layout may be necessary to insure that all proposed structures are outside of easement boundaries. Final fire hydrant locations must be approved by the Albany Fire Department and the Public Works Engineering Division.
9. **Prior to issuance of Building Permits**, the intended meter locations and sizes are to be shown on the plans. The requirements for installing new services and meters are issued by the Engineering Division. In addition, the size of the new water service lines need to be indicated on the plans submitted for Building Permit issuance. This requirement is placed to ensure that the service line head loss is not excessive, resulting in a water pressure reduction at the building (AMC11.01.100 and Uniform Plumbing Code).

Storm Drainage

10. The applicant must show that the existing 12-inch storm drain line within the access roadway to Queen Avenue has the additional capacity to accept the projected storm water run-off from the proposed development.
11. Portions of the proposed private storm drain system will need to be relocated so that it does not lie within the proposed public utility easements.
12. An oil/sand separator must be installed in the last private catch basin before discharging into the public storm drain system.
13. The applicant shall submit to the Public Works Engineering Division, a storm drainage plan for the parking lot that shows slope of the lot and how storm drainage will be collected and routed to a public storm drain system. If storm drain pipes are planned, indicate the size and slope of each pipe. The City does not allow sheet flow of storm water across the sidewalk and into the street. The high point on the driveway must be at the property line so that all on-site drainage is collected within the applicant's property. The submitted storm drain plan shall include proposed finished elevations around and within the proposed parking lot to show how the surface runoff will be collected on-site before being discharged to the public storm drain system. Also, no storm water (including roof drainage) may be discharged to the sanitary sewer (ADC12.530 revised).

Sidewalks

14. Construct sidewalks adjacent to Geary Street to City Specifications for the length of Tax Lot 1200, Linn County Assessor's Map 11-3W-08D **prior to occupancy of the proposed buildings.**

(2) Any special features of the site (such as topography, hazards, vegetation, wildlife habitat, archaeological sites, historic sites, etc.) have been adequately considered and utilized.

FINDINGS OF FACT

- 2.1 Topography. The subject property is relatively flat with an elevation ranging from 223.0 feet to 225 feet. It is currently an undeveloped field of weeds and grasses.
- 2.2 Floodplain. The subject property does not lie within a floodplain as shown of FEMA/FIRM Community Panel No. 4101370002E (dated March 16, 1989).

- 2.3 Wetlands. The US Department of Interior, Fish and Wildlife Service, National Wetland Inventory Map (Albany Quad) (1994) shows no wetlands on the subject property nor have any wetlands been identified by the applicants, affected parties, or by staff review.
- 2.4 Vegetation. The subject properties are not identified as having natural vegetation or wildlife habitat as noted on Plate 3 of the Comprehensive Plan.

Conclusion: There are no special features to consider with this request. This criterion is met.

(3) The design and operating characteristics of the proposed development are reasonably compatible with surrounding development and land uses, and any negative impacts have been sufficiently minimized.

FINDINGS OF FACT

- 3.1 Overview. The applicant proposes to construct two-story apartment units, 40 one-bedroom units and 20 two-bedroom units. The applicants have submitted elevation drawing of the proposed buildings. The maximum height of the building, measured from adjacent grade to roof peak, is approximately 26 feet, which is below the allowed height in a multiple family residential zoning district of 45 feet. Access and parking areas will be paved. The setbacks for the buildings meet or exceed the standards for the Multiple Family zoning district. Landscaping areas are shown on the submitted site plan.
- 3.2 Surrounding Development and Land Use. To the north, across Queen Avenue, vacant land which has been subdivided and a duplex; to the immediate northeast, a one-story single family residence with accessory buildings; to the east, one-story single family residences and a vacant multiple family zoned parcel; to the south, one-story single family residences; to the southwest, two and a half-story apartment units; to the west (north half of subject property), an electrical substation (Pacific Power and Light); to the west (south half of subject property), two and a half-story apartment units.
- 3.3 The RM-3 (Residential Multiple Family) zoning district is intended primarily for medium to high density urban residential development. Development should occur at 20-40 units per acre [ADC 3.020(6) revised].
- 3.4 Multiple family developments (apartments) are permitted with Site Plan Review approval in the RM-3 (Residential Multiple Family) zoning district in accordance with the density and setback standards of Section 3.190ADC (Table 1), minimum parking requirements of Section 3.320 ADC (Table 3), and the standards for Site Plan Review approval, Article 8 of the revised Albany Development Code.
- 3.5 High density residential use is defined on page 126 of the Albany Comprehensive Plan as follows: "Permits multiple family and condominium developments at densities ranging from 20 to 40 units per acre depending upon approved density bonuses. These areas are concentrated near major commercial centers and corridors and with immediate access to arterial streets and/or other major collectors."
- 3.6 The subject property is within walking distance to three major grocery stores, an enclosed mall (Heritage Mall), two strip malls (Heritage Plaza and Bi-Mart), a Fred Meyer center, a 7-screen cinema, a bowling alley, several restaurants, two neighborhood parks (Leigh and Periwinkle) and the main city library.
- 3.7 This general area has been planned and zoned for medium and high density residential development at least since 1973. The existing RM-5 zoning designation would have allowed up to 82 one-bedroom units or 60 two-bedroom units if the developers choose to take the full 40% density bonuses as defined in Section 6.040 of the Albany Development Code. The maximum number of two-bedroom units allowed on the subject property taking only the 10% transportation bonus with out the zone change would be 40 or 55 one-bedroom

units. The applicants have applied for a concurrent Comprehensive Plan Amendment to High Density Residential with a concurrent Zone Change from RM-5 to RM-3 for the construction of 40 two-bedroom units and 20 one-bedroom units, a density of 22 units per acre.

- 3.8 Lot Coverage. Residential Development Standards, as shown in Article 3 of the Albany Development Code, Table 1, indicate that RM-3 zoned property may have building and parking coverage up to 70% of the land area being developed. The applicants have proposed a 64% lot coverage with buildings and parking.
- 3.9 Setbacks. The minimum setback adjacent to a public right-of-way in all multiple family zoning districts is 15 feet. Interior lot line setbacks are a minimum of 10 feet (ADC3.190 revised Table I). The applicants' Site Plan shows a minimum setback of 34 feet from Queen Avenue, a setback of 10-15 feet adjacent to the east property line, 15 feet from the west property line, and 17'2" to 35'9" from the south property line.
- 3.10 Special Noise Setback. Residential developments adjacent to Queen Avenue shall maintain a setback of 10 feet in addition to the required setback for the zoning district (ADC3.290 revised) The applicant has provided a setback of 34 feet from Queen Avenue.
- 3.11 Landscaping. The landscape standards for residentially zoned property require that all front yards exclusive of access ways and other permitted intrusions are required to be landscaped prior to issuance of an occupancy permit. A temporary occupancy permit for up to one year may be issued if the developer posts a bond with the city. The minimum landscaping acceptable per 1000 square feet of required yard area shall be as follows:
- a. One tree at least six feet in height;
 - b. Four one-gallon shrubs or accent plants.
 - c. The remaining area treated with attractive ground cover (e.g. lawn, bark, rock, ivy, and evergreen shrubs). [ADC9.140(1) revised]
- 3.12 Buffering and Screening Requirements. In order to reduce the impacts on adjacent uses which are of a different type, buffering and screening is required in accordance with the matrix which follows Section 4.280 of the revised Albany Development Code. If the uses are separated by a public right-of-way, then buffering but not screening is required.. The minimum improvements within a buffer area consist of the following:
- a. At least one row of trees. These trees will be not less than 10 feet high at time of planting for deciduous trees and spaced not more than 30 feet apart and 5 feet high at time of planting for evergreen trees and spaced not more than 15 feet apart.
 - b. At least five 5-gallon shrubs or ten 1-gallon shrubs for each 1,000 square feet of required buffer area
 - c. The remaining area treated with attractive ground cover (e.g., lawn, bark, rock, ivy, evergreen shrubs.)
 - d. In addition: (1) one row of evergreen shrubs shall be planted which will grow to form a continuous hedge at least four feet in height within two years of planting, or (2) a minimum of a five-foot fence or masonry wall shall be constructed which shall provide uniform sight-obscuring screen, or (3) an earth berm combined with evergreen plantings or fence shall be provided which shall form a sight and noise buffer at least six feet in height within two years of installation.
- 3.13 Landscape/Irrigation Plans. The applicant has not submitted a landscape and irrigation plan. Such a plan must be submitted for staff review and approval prior to occupancy of the building.
- 3.14. Vision Clearance Safety. Landscaping and fencing shall be placed respecting vision clearance areas as described in Section 12.180 of the revised Albany Development Code.

- 3.15 **Signage.** Sign permits are required for signs identifying the development. Signs identifying multiple-family units are limited to 1 single- or double-faced, indirectly lighted sign not to exceed 24 square feet for one face or 48 square feet in surface area for two or more faces. If the sign is not attached to a building, the maximum height of the sign shall not exceed 4 feet (ADC13.610 revised).
- 3.16 **Lighting.** Any lighting provided on the site, including that provided by and/or for the illumination of a parking lot, building, or signage shall be arranged to reflect the light away from any residential uses and the adjacent street [ADC9.120(14) revised].

CONCLUSION: The proposed use is similar to the other buildings on adjacent properties and the main portions of the buildings are from 15 to 39 feet from property lines adjacent to single family residences.. Clear and objective standards in relation to setbacks, minimum landscape, buffering and screening and parking requirements are listed in Article 3 of the Albany Development Code of development of property within an RM-3 (Residential Multiple Family) zoning district. This criterion can be met subject to meeting the following conditions:

1. **Landscape Plan. Submit Landscape Plan to the Planning Division for review and approval prior to occupancy of the building (ADC9.180 revised).**

Minimum Landscaping and Buffering required adjacent to Queen Avenue (ADC9.140 revised):

- a. **Four (4)** deciduous trees not less than 10 feet high at time of planting and spaced not more than 30 feet apart or **eight (8)** evergreen trees not less than 5 feet in height at time of planting and spaced not more than 15 feet apart.
- b. At least **five (5)** five-gallon shrubs or **ten (10)** one-gallon shrubs.
- c. The remaining area treated with attractive ground cover (lawn, bark, rock, ivy, evergreen shrubs).

Minimum Landscaping required adjacent to the private access road (ADC9.140 revised):

- a. **Eight (8)** street trees a minimum of 6 feet in height at time of planting and spaced a maximum distance of 45 feet on center.
- b. **Fifteen (15)** five-gallon shrubs or **twenty-two (22)** one-gallon shrubs.
- c. The remaining area treated with attractive ground cover (lawn, bark, rock, ivy, evergreen shrubs, etc.).

Minimum Landscaping and Buffering/Screening required adjacent to south property line (ADC9.210 revised):

- a. **Nine (9)** deciduous trees not less than 10 feet high at time of planting and spaced not more than 30 feet apart or **seventeen (17)** evergreen trees not less than 5 feet in height at time of planting and spaced not more than 15 feet apart.
- b. At least **fifteen (15)** five-gallon shrubs or **thirty (30)** one-gallon shrubs.
- c. The remaining area treated with attractive ground cover (lawn, bark, rock, ivy, evergreen shrubs, etc.).
- d. In addition: (1) one row of evergreen shrubs shall be planted which will grow to form a continuous hedge at least four feet in height within two years of planting, or (2) a minimum of a five-foot fence or masonry wall shall be constructed which shall provide uniform sight-obscuring screen, or (3) an earth berm combined with evergreen plantings or fence shall be provided which shall form a sight and noise buffer at least six feet in height within two years of installation.

Minimum Landscaping and Buffering/Screening required adjacent to east property line (ADC9.210 revised):

HO

- a. **Fourteen (14)** deciduous trees not less than 10 feet high at time of planting and spaced not more than 30 feet apart or **twenty-nine (29)** evergreen trees not less than 5 feet in height at time of planting and spaced not more than 15 feet apart.
- b. At least **thirty (30)** five-gallon shrubs or **sixty (60)** one-gallon shrubs.
- c. The remaining area treated with attractive ground cover (lawn, bark, rock, ivy, evergreen shrubs, etc.).
- d. In addition: (1) one row of evergreen shrubs shall be planted which will grow to form a continuous hedge at least four feet in height within two years of planting, or (2) a minimum of a five-foot fence or masonry wall shall be constructed which shall provide uniform sight-obscuring screen, or (3) an earth berm combined with evergreen plantings or fence shall be provided which shall form a sight and noise buffer at least six feet in height within two years of installation.

Minimum Landscaping for Planter Bays: **one (1)** tree at least 10 feet high and decorative ground cover containing at least **two (2)** shrubs for every **100 square feet** of landscape area [ADC9.150(1) revised].

2. **Irrigation.** All required landscaped areas must be provided with a piped underground water supply irrigation system unless a licensed landscape architect or certified nurseryman submits written verification that the proposed plant materials do not require irrigation. Irrigations systems installed in the public right-of-way require an Encroachment Permit.
3. **Installation of Landscaping.** **Prior to issuance of an Occupancy Permit, either** the landscaping shall be installed as shown on the approved Final Landscape Plan *or* the applicant may submit a landscape completion guarantee equal to 110% of the estimated cost of the plant materials and labor as determined by the Director which shall be forfeited to the City of Albany if landscaping is not completed within nine months of issuance of the temporary occupancy permit. An extension of three months may be granted by the Director when circumstances beyond the control of the developer prevents earlier completion.
4. **Landscape Maintenance.** It shall be the continuing obligation of the property owner to maintain required landscaped areas in an attractive manner free of weeds and noxious vegetation. In addition, the minimum amount of required living landscape materials shall be maintained (ADC9.200 revised).
5. **Refuse Containers.** All refuse materials shall be contained within a screened area consisting of a sight-obscuring fence, wall or hedge at least 6 feet in height. No refuse container shall be placed within 15 feet of a dwelling window.
6. **Vision Clearance Safety.** No trees, shrubs, fences, or signs may be located within any vision clearance area which **prohibits** structures or planting that would impede visibility between the heights of two feet and eight feet. A clear vision area shall consist of a triangular area, two sides of which are lot lines or a driveway, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the two sides. **For a commercial driveway, the measurement along the lot line and driveway shall be 20 feet and for Queen Avenue and Geary Street, the measurement for the two sides is 20 feet** (ADC12.180 revised).
7. **Signage.** **Obtain Sign Permit(s)** prior to placement of signs [ADC13.320(15) revised]. Signage is limited to one single- or double-faced, indirectly lighted sign not to exceed 24 square feet for one face or 48 square feet in surface area for two or more faces. If the sign is not attached to a building, the maximum height of the sign shall not exceed 4 feet (ADC13.610 revised).

(4) Parking areas and entrance-exit points are designed to facilitate traffic and pedestrian safety and avoid congestion.

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FINDINGS OF FACT

- 4.1 The site plan submitted by the applicant shows one driveway access point for the site, located on the private roadway which provides access to Queen Avenue for the existing Periwinkle Creek Apartments. A joint-use access and maintenance agreement is required for this development to also access the private road. No direct access to Queen Avenue is proposed.
- 4.2 The Albany Development Code requires one off-street parking space per one-bedroom unit and one-and-a-half spaces per two-bedroom unit (ADC3.320 revised Table 3). The applicant proposes to construct 40 one-bedroom units and 20 two bedroom units which would require a minimum of 70 parking spaces. The applicant has proposed to construct 110 parking spaces (12 of which are garage spaces) which exceeds the requirements of ADC3.320.
- 4.3 For a multiple family dwelling containing 3 or more units, the Albany Development Code requires a minimum of one bicycle parking space per unit [ADC9.120(13) revised].
- 4.4 Parking areas shall be divided into bays of not more than 12 parking spaces. Between or at the end of each parking bay there shall be curbed planters of at least 5 feet in width [ADC9.150(1 & 4) revised]. The applicant's site plan conforms to this requirement.
- 4.5 Parking areas shall be separated from the exterior wall of a structure by pedestrian entrance ways or loading areas or by a 5-foot strip of landscaping materials [ADC9.150(3)]. The proposed site plan shows a 7'6"-foot wide sidewalk to adjacent to the parking stalls and in front of the proposed units. The sidewalk provides a connection with the existing sidewalk located on the east side of the private roadway and the new sidewalk on Queen Avenue.

CONCLUSION(S). This criterion can be met provided the following conditions are met:

1. A copy of the recorded joint-use access and maintenance agreement for the shared driveway must be submitted to the Planning Division at the time of submittal for Building Permits.
2. Directional arrows must be painted on the pavement with designated lanes at the entrances of all driveways. If a three-lane driveway is proposed, the minimum width shall be 36 feet with designated lanes and turning movements [ADC 12.100(2) revised].
3. **Provide a minimum of seventy (70) off-street parking spaces (ADC3.320 revised Table 3).** Parking spaces shall be designated in the parking lot [ADC9.120(8)] **prior to occupancy.** Standard parking spaces shall be a minimum of 9 feet by 19 feet. Forty percent of the total parking spaces in the lot may be designated for compact cars. The minimum dimensions for compact spaces shall be 8 feet by 16 feet. Such spaces shall be signed and/or the space painted with the words "Compact Car Only." **Provide one "Disabled" parking stall a minimum of 17 feet in width including access aisle adjacent to each building complex.** The handicapped parking space shall be designated on the pavement "Disabled Only" and signed as required in Chapter 31 of the Uniform Building Code and in particular Section 3108 [ADC9.120(12) revised].
4. **Provide a minimum of 12 guest parking spaces.** Guest parking spaces shall be signed as "Guest Parking Only." Provide signage the entrance to the complex, outside of any vision clearance area, that parking is for tenants and guest parking in designated areas.
5. The parking lot must be constructed in conformance with Section 9.120(3) of the revised Albany Development Code. The Site Plan does not indicate perimeter curbing [ADC9.120(5) revised] nor wheel

bumpers for parking slots fronting sidewalks [ADC9.120(6) revised]. This requirement must be indicated on the plans submitted for Building Permits and must be met at the time of construction of the parking lot. (Note: If sidewalks are 7' 6" wide, wheel bumpers are not required and the length of the space becomes 16' 6".)

6. **Provide a minimum of sixty (60) bicycle parking spaces.** Each space must be a minimum of six feet in length, two feet in width, and have an overhead clearance of six feet. Required spaces must be located as near as possible to building entrances used by automobile occupants [ADC9.120(13) revised]. In conformance with the State Transportation Planning Rule, the bicycle parking shall be provided within a bicycle storage room, bike locker, or racks inside of a building (ORS 660-12).

The State's Transportation Planning Rule (OAR Chapter 660, Division 12) contains the following additional review criteria which must be met for this application to be approved.

Oregon Administrative Rules

Local governments shall adopt land use or subdivision regulations for urban areas and rural communities to require:

- (a) *Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park and ride lots.*

The applicants will be required to provide bicycle parking in compliance with the Albany Development Code. An easement and the construction of a bus shelter pad had been required adjacent to Queen Avenue for future bus shelters serving future transit routes in this area as part of a previous development located to the west and southwest of the subject property.

- (b) *Facilities providing safe and convenient pedestrian and bicycle access within and from new subdivisions, planned developments, shopping centers and industrial parks to nearby residential areas, transit stops, and neighborhood activity centers, such as schools, parks and shopping. This shall include:*
 - (A) *Sidewalks along arterial and collectors in urban areas;*
 - (B) *Bikeways along arterial and major collectors;*
 - (C) *Where appropriate, separate bike or pedestrian ways to minimize travel distances within and between the areas and developments listed above.*

The applicants are providing private sidewalk connections to the public sidewalks that will be constructed adjacent to Queen Avenue. Bikeways exist in the public right-of-way on Queen Avenue.

- (c) *For purposes of subsection (b) of this section "safe, convenient and adequate" means bicycle and pedestrian routes, facilities and improvements which:*
 - (A) *Are reasonably free from hazards, particularly types or levels of automobile traffic which would interfere with or discourage pedestrian or cycle travel for short trips;*
 - (B) *Provide a direct route of travel between destinations such as between a transit stop and a store; and*
 - (C) *Meet travel needs of cyclists and pedestrians considering destination and length of trip.*

The applicants will have met this requirement with the provision of pedestrian connections to the public sidewalk system and future transit stops.

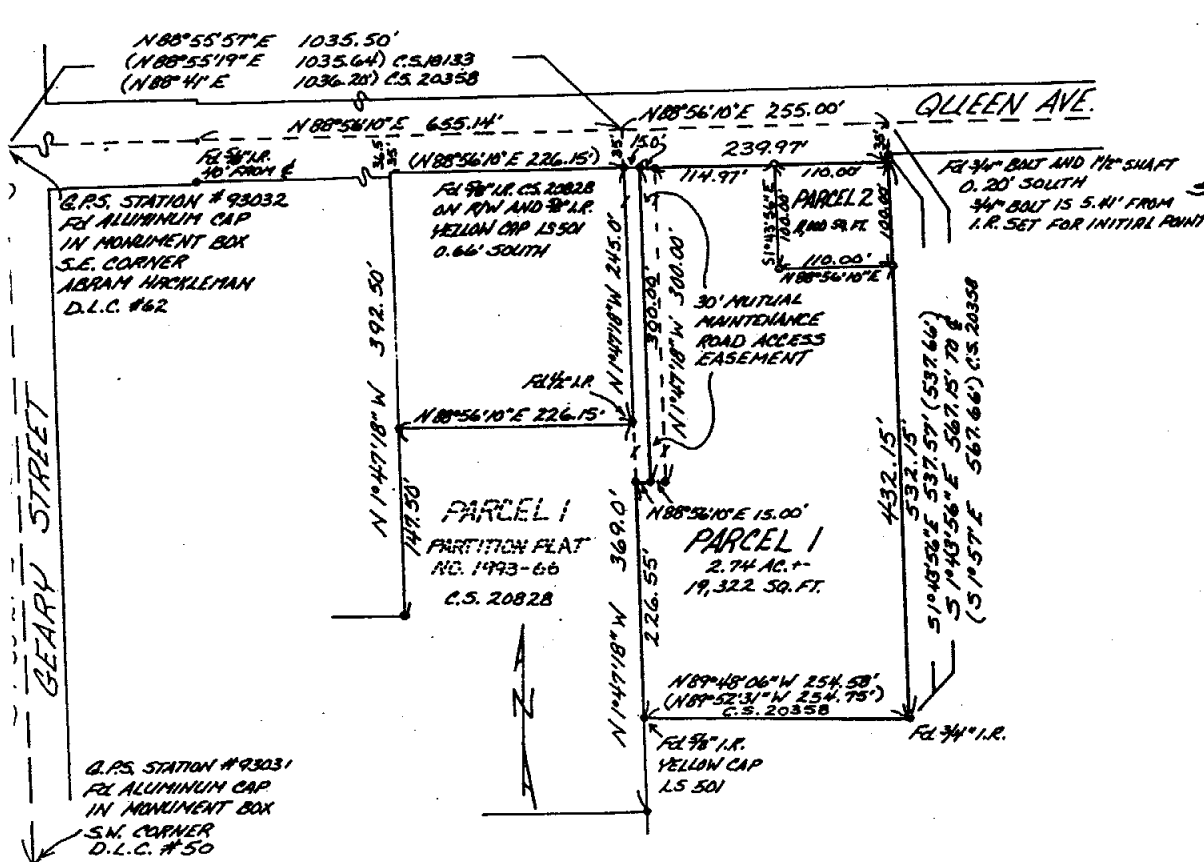
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To support transit in urban areas containing a population greater than 25,000, where the area is already served by a public transit system or where a determination has been made that a public transit system is feasible, local governments shall adopt land use and subdivision regulations to require:

- (a) Design of transit routes and transit facilities to support transit use through provision of bus stops, pullouts and shelters, optimum road geometrics, on-road parking restrictions and similar facilities, as appropriate;
- (b) New retail, office and institutional buildings at or near existing or planned transit stops to provide preferential access to transit through the following measures:
 - (A) Orienting building entrances to the transit stop or station;
 - (B) Clustering buildings around transit stops; and
 - (C) Locating buildings as close as possible to transit stops.

The applicants' proposed development is located at the corner of a minor arterial street and a private roadway serving a 79-unit apartment complex. Private sidewalks connect the public sidewalk, a future transit stop and to all of the proposed buildings and to the existing Periwinkle Creek Apartment complex.

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C.S. 20886
 PARTITION PLAT NO. 1994-20
BOWEN FINANCIAL SERVICES
 SE 1/4 SW 1/4 SECTION 8, T.11S., R.3 W., W.M.
 CITY OF ALBANY, LINN COUNTY, OREGON
 SCALE: 1" = 100'
 FEBRUARY 25, 1994

LEGEND:

- MONUMENT FOUND 5/8" IRON ROD/ RED CAP/ CW GIBBS RLS 2576 PER C.S. 20828 OR AS NOTED
- MONUMENT SET 5/8" X 30" IRON ROD WITH RED PLASTIC CAP STAMPED: C W GIBBS RLS 2576
- DONATION LAND CLAIM (D.L.C.) LINE
- () DATA OF RECORD

REFERENCE SURVEYS: C.S. 20828, C.S. 20358, C.S. 18133

NOTE: BASIS OF BEARINGS PER C.S. 20828

PURSUANT TO O.R.S. 92.050(5), THERE ARE GEODETIC CONTROL MONUMENTS, GPS # 93032 AND GPS #93031, WITHIN THE STATUTORY 0.5 MILES.

WATER RESOURCES DEPARTMENT REPORTS THERE IS NO WATER RIGHT APPURTENANT TO THIS PARTITION.

NARRATIVE:

PURPOSE OF SURVEY TO PARTITION A 2.99 ACRES, MORE OR LESS, PARCEL INTO TWO PARCELS, ONE BEING 11,000 SQUARE FEET, MORE OR LESS, AND THE OTHER BEING 2.74 ACRES, MORE OR LESS, WITH BOTH PARCELS HAVING ACCESS TO QUEEN AVENUE. FOUND MONUMENTS AROUND PARENT PARCEL AS SHOWN AND SET NEW CORNERS ON LINE AS SHOWN. A 0°00'05" TOTAL STATION THEODOLITE AND ELECTRONIC DISTANCE METER WERE USED TO MAKE THIS SURVEY.

OWNER'S DECLARATION:

KNOW ALL PERSONS THAT BOWEN FINANCIAL SERVICES CORPORATION, AN OREGON CORPORATION, IS THE OWNER OF THE LAND DESCRIBED HEREON AND HAVE CAUSED THE SAME TO BE PARTITIONED AS SHOWN.

C. W. Erbero
 JAMES W. ERBERO, VICE PRESIDENT
 BOWEN FINANCIAL SERVICES CORPORATION

ACKNOWLEDGEMENT:

STATE OF OREGON

 SS.

APPROVALS:

STATE OF OREGON)
) SS.
 COUNTY OF LINN)
 CITY OF ALBANY PLANNING REFERENCE: PA-01-94

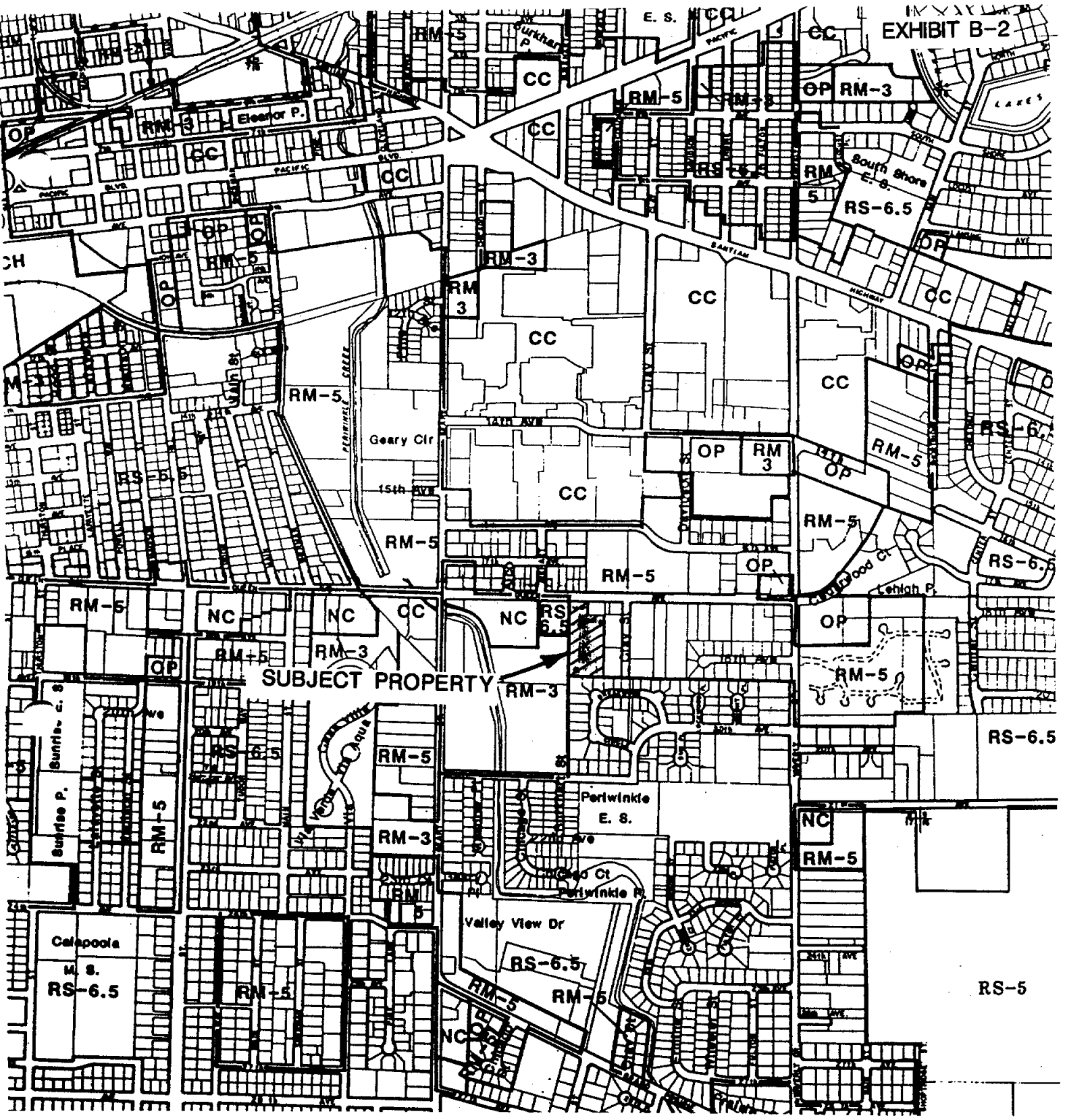
WE THE UNDERSIGNED HAVE EXAMINED AND APPROVED THE PORTION OF THIS PLAT AS REQUIRED BY DESIGNATED AUTHORITY OF OUR RESPECTIVE OFFICES.

Charles W. Gibbs

DEPOSEE'S CERTIFICATE

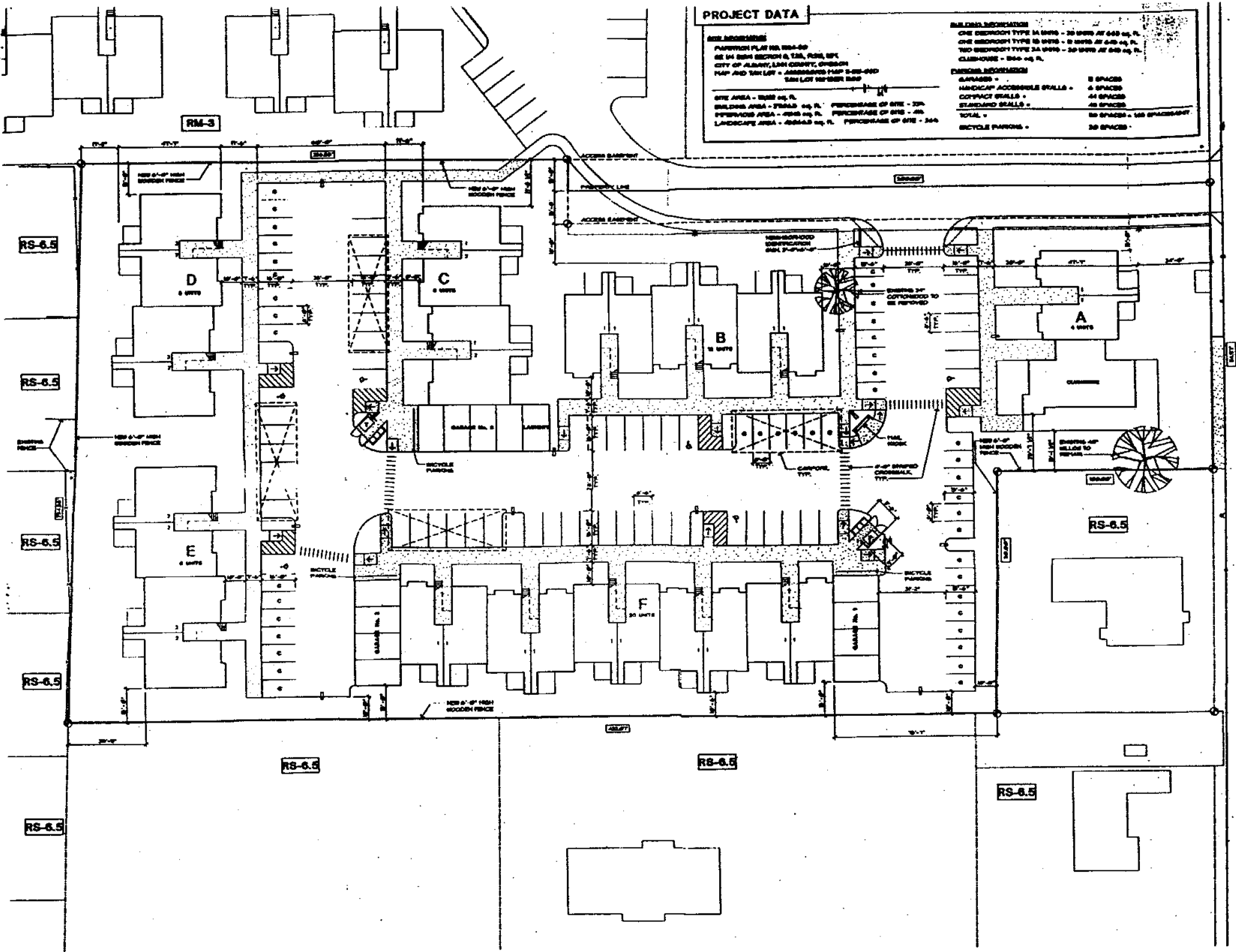
CHARLES W. GIBBS, BEING FIRST DULY SWORN DEPOSE AND SAY HE HAS CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS THE LAND DESCRIBED HEREON. THE EXTERIOR BOUNDARY OF WHICH IS

EXHIBIT B-1



CITY OF ALBANY ZONING MAP
(Approximate Scale: 1" - 950')

File CP-01-97 and ZC-01-97: The proposed Comprehensive Plan Map Amendment would change the Comprehensive Plan Map designation of the 2.7-acre subject property from Medium Density Residential to High Density Residential. The proposed Zoning Map Amendment would change the zoning designation of the same property from RM-5 (Residential Limited Multiple Family) to RM-3 (Residential Multiple Family).



PROJECT DATA	
REGULATIONS	
PARTITION PLAN NO. 188-89	
RE 14 2ND SECTION 6, T2N, R2E, S7E	
CITY OF ALBANY, LAMAR COUNTY, OREGON	
TWP AND T2N14E - APPROXIMATE TWP 6-22-89D	
SEE LOT NUMBER 282	
REGULATIONS	
SITE AREA - 1025 sq. ft.	PERCENTAGE OF SITE - 20%
BUILDING AREA - 2745 sq. ft.	PERCENTAGE OF SITE - 26%
PERVAHIVE AREA - 1025 sq. ft.	PERCENTAGE OF SITE - 10%
LANDSCAPE AREA - 4000 sq. ft.	PERCENTAGE OF SITE - 36%
BUILDING INFORMATION	
ONE BEDROOM TYPE 1A 1075 - 20 UNITS AT 525 sq. ft.	
ONE BEDROOM TYPE 1B 1075 - 20 UNITS AT 525 sq. ft.	
TWO BEDROOM TYPE 2A 1075 - 20 UNITS AT 640 sq. ft.	
CLUBHOUSE - 200 sq. ft.	
FINISH INFORMATION	
GARAGES -	8 SPACES
HANDICAP ACCESSIBLE STALLS -	4 SPACES
COMPACT STALLS -	44 SPACES
STANDARD STALLS -	40 SPACES
TOTAL -	96 SPACES - 145 SPACES
BICYCLE PARKING -	20 SPACES



RAR
ARCHITECTS
INCORPORATED

24 N.W. FIRST AVENUE
TULSA, OREGON 97306
(503) 233-0000

ALBANY SENIOR APTS.
QUEEN AVENUE
ALBANY, OREGON
OWNER:
ALBANY SENIOR APARTMENTS LIMITED PARTNERSHIP
280 U.S. MARSHAL WAY

SITE PLAN

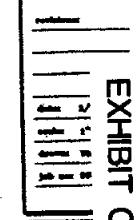


EXHIBIT C
A
1.1

1 SITE PLAN
AU



SITE DESIGN #
1/7/96