

CITY OF HERMISTON

APPLICATION TO AMEND COMPREHENSIVE PLAN MAP

Pursuant to the provisions of ' 157.226 of the Hermiston Code of Ordinances, application is hereby made to amend the text or the comprehensive plan map for the following described property:

Name of Applicant: Lloyd & Lois Piercy Phone: 541-376-0421

Mailing Address: PO Box 249, Echo, OR 97826

Name of Owner (If Different): _____ Phone: _____

Mailing Address: _____

Legal Description: Assessor's Map No: 4N2812B000300 Tax Lot No: 300

Subdivision: _____

Street Address: Elm Street & Diagonal Road

Current Comprehensive Plan Designation: Future Commercial

Proposed Comprehensive Plan Designation: 3 Acres to NC, 2 Acres to remain Commercial and 31.3 Acres R3

IMPORTANT!: The code of ordinances requires a positive recommendation from the Hermiston Planning Commission and approval from the Hermiston City Council before a change can be made in the comprehensive plan designation of any property. This approval must be determined after separate public hearings before these bodies. Oregon's Land Use Planning Laws require the planning commission to make findings of fact with regard to requests for comprehensive plan amendments. The findings provide justification to either approve or deny the application. Read the questions that follow and answer them as completely as you can; use additional sheets if necessary. Your responses will be used by the City to make findings and evaluate the merits of your request. Inasmuch as **THE BURDEN OF PROOF IS ON THE PROPONENT**, the chances of a successful application depend upon the adequacy of the arguments you present to justify approval of the application.

APPROVAL CRITERIA

- The burden in all land use proceedings is upon the applicant
- The requested change must be justified by proof of the following:

1. Explain how the requested change is in conformance with the comprehensive plan and also the goals and policies of the plan.

Please see attached

2. Describe the public need for the comprehensive plan amendment and whether that public need is best served by changing the zoning classification on the property under consideration.

Please see attached

3. Explain how the public need is best served by changing the classification of the site in question as compared with other available property.

Please see attached.

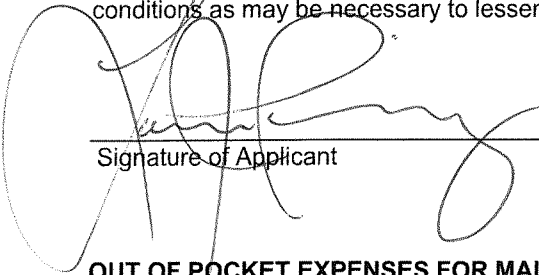
4. Explain how the potential impact upon the area resulting from the change has been considered.

Please see attached.

ADDITIONAL INFORMATION TO BE FURNISHED AND ATTACHED TO APPLICATION:

1. Evidence that applicant is owner or purchaser of the property or has written permission of such owner to make an application for the proposed use.
2. Two copies (one digital copy) of a site plan (11" x 17") drawn to scale, showing the location of the property concerned, the location of all proposed building(s), highways, streets and alleys.
3. A metes and bounds legal description of the entire property proposed for amendment. A metes and bounds description of each parcel is not sufficient.

The above statements are true to the best of my beliefs and knowledge. As applicant, I understand that the planning commission requests the attendance of me, or my representative, at the meeting(s) where this request is scheduled for consideration and that the planning commission retains the right to approve or deny this request and impose those conditions as may be necessary to lessen probable adverse impacts based upon the testimony provided at the hearing.


Signature of Applicant

8-19-2019
Date

OUT OF POCKET EXPENSES FOR MAILING AND PUBLICATION COSTS WILL BE BILLED LATER

NOTE: The planning commission shall conduct a public hearing on the proposed amendment at the earliest regular meeting, after the application is submitted, in accordance with the public hearing procedures under '157.226 of the Hermiston Code of Ordinances. Both text and map amendments shall also be submitted to the Department of Land Conservation and Development 45 days prior to the date set for final action by the city council except as provided for under ORS 197.601. For further information, please feel free to contact the planning department at the Hermiston City Hall, 180 N.E. 2nd Street, Hermiston, Oregon 97838, or telephone (541) 567-5521. The City's fax number is (541) 567-5530.

Office Use Only

Date Filed: 8-20-19 Received By: Maple Meeting Date: Nov 13 2019
Fee: \$725.00 Date Paid: 8-20-19 Receipt No: 1.137196

Application to Amend Comprehensive Plan Map

Piercy Land: 4N2812B000300

Acres: 36.3

Introduction:

This application seeks to change the Comprehensive Plan Map zoning designation of approximately 36.3 acres of tax lot #4N2812B000300 from Future Commercial to 3 acres of Neighborhood Commercial, 2 acres of Commercial and 31 acres to R-3 zoning. An application for annexation has been submitted concurrently with this application to amend zoning.

We are planning a diverse community that will hold an area for Commercial services, neighborhood commercial, single-family homes and an age restricted area.

The R3 will consist of approximately 6 acres for age restricted single level duplexes and triplexes. The duplexes will be two 2BR homes and the triplexes will have two 2BR and one 1BR homes for much needed independent living for Hermiston's over 55 citizens. We anticipate approximately 45 age restricted units. The age restricted duplexes and triplexes will be identical to each other on the exterior, with identical floor plans and will accommodate accessibility for Hermiston citizens who are over 55 years of age. This portion of the property will have a managed HOA to coordinate landscape maintenance, irrigation, exterior window washing and snow removal.

Approximately 25 remaining acres of the R3 designation is planned for non-age restricted single-family homes which will be constructed on small lots with moderate houses to meet the needs of Hermiston's medium income families. We will have CC&R's to ensure the quality and standard of homes are consistent throughout the neighborhood.

The 3 acres of Neighborhood Commercial may contain townhomes, duplexes or triplexes that could provide living areas plus commercial services within the home to the connecting R3 area. The 2 acres that lie on the east side of Diagonal road, is a viable location for a convenience store or other commercial businesses to provide services to this new development, the sports complex, as well as the surrounding residential areas.

The Development will incorporate walking paths and beautification that allow safe walking and access to members of the Hermiston community. There will be a walking path along 10th Street that ties to the existing walking path along Elm St. We will work with the Hermiston Irrigation District and the Bureau of Reclamation, to beautify the drainage ditch along 10th Street.

We would also like to incorporate a City entrance sign at the corner of Elm Street and Diagonal Road with landscaping.

This plan fits in well with Ordinance 2179 which updated the City of Hermiston's Comprehensive Plan for Housing Availability and Affordability, Policy 21. The City of

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Hermiston encourages the home building industry to “Provide a variety of housing opportunities in sufficient quantities at affordable prices to meet the housing needs of its residents”. This plan supports paragraph A of Policy 21 as a top priority to provide moderate income homes and paragraph B as a high priority to supply housing for middle income households as well as Paragraph E to provide housing for senior citizens.

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1. Explain how the requested change is in conformance with the comprehensive plan and, also the goals and policies:

Goal #1: Citizen Involvement. A major objective of the planning process is to balance successfully the rights of individual property owners with the health, safety and economic well-being of the whole community.

This requested zone classification change and annexation will allow establishment of much needed safe, quiet over 55 area of homes as well as non-age restricted single-family dwellings in the moderate to median income levels, in proximity to a small commercial area making the possibility of walking to needed services and/or goods a reality. The goal of the City is to help provide the type of housing needed as well as commercial opportunities near residential. By providing a multi-use development we are fulfilling the needed medium price of housing and an age restricted independent living area as well as retaining some commercial designation to service the area.

Goal #2: Planning Process. This request will allow for an orderly urban growth. Requesting an NC/R3/C zoning change will allow for neighborhood commercial, residential and commercial to maintain the goals of the urban growth by allowing close proximity to services, walking paths and designated homes for Hermiston citizens who are over 55 years of age as well as for younger citizens and their families, who wish to settle in Hermiston.

Policy 3: Intergovernmental Coordination. This property is located inside the Urban Growth Boundary and is Outside the City limits. It is currently zoned FU-10. We will work with Umatilla County, the City of Hermiston, Pacific Power, Umatilla Electric, Hermiston Irrigation and any other governing offices and public services to coordinate the changes for development and annexation. We understand that the requested change to the comprehensive plan map will need to be co-adopted by the County of Umatilla subsequent to the City of Hermiston's approval.

Policy 4: Orderly Urban Growth. This property is adjacent to City limits, after zoning and annexation this will intensify land use within the Urban Growth Boundary. All required utilities are adjacent to this land and can be readily extended.

Policy 5: Annexation. The plan for annexation, will facilitate Urban growth. The requested NC/R3/C zoning is a medium density designation that will provide the housing for the anticipated growth of seniors and younger families of the Hermiston community. We are also requesting a commercial zone in the triangle that is East of Diagonal Road

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for commercial convenience services. This too, facilitates orderly urban growth because it provides commercial services proximate to housing, increasing the livability and walkability of the community.

Policy 6: Conversion. The NC/R3/C zoning change request and annexation into the City will result in a larger portion of the parcel being residential and approximately 3 acres surrounding the UEC Substation as NC, while retaining approximately 2 acres for C in the NE triangle on the east side of Diagonal Road. This will provide opportunity for convenience store services to the surrounding residential communities as well as the sports complex. The residential growth will symbiotically promote appropriate economic growth in commercial sectors.

Policy 7: Natural Resources. This proposed change does not affect the 100-year floodplain or the OSU Experimental Station. This parcel is not in the 100-year floodplain.

Policy 8: Surface and Groundwater Resources. The development will protect groundwater resources and will appropriately manage surface water run-off. The development plan will include connections to public sewer and water systems as well as stormwater drainage.

Policy 9: Mineral and Aggregate Resources. This property is not adjacent to or nearby existing mineral or aggregate resources or heavy industrial sites.

Policy 10: Historic Resources. This property does not contain historical or cultural resources.

Policy 11: Air Quality. The plan for this property does not adversely affect air quality. There will be walking paths designed to encourage walking to reduce traffic and there are commercial designations on surrounding properties to service residents within walking distance. The development promotes compact urban development as required by Policy 4 and mixing commercial and residential uses reduces the need for off-site trips.

Policy 12: Noise. The Development will comply with all City of Hermiston and State of Oregon standards as well as any specific portions of the zoning code requiring setbacks and screening requirements. The plan for the area along Elm St., include noise buffers such as trees or other vegetation to quiet the traffic noise. The C zone request of 2 acres across Diagonal will alleviate noise to the residential section by reducing commercial traffic in and out of the development along Elm Street due to a planned access from Hooker Road.

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Policy 13: Water Quality. It is intended to request annexation upon Zone change approval. The Development will utilize the City's water system and the City's utility systems have adequate capacity to cover proposed improvements.

Policy 14: Natural Hazards and Development Limitations. The parcel is not at risk from natural disaster that does not apply area wide. This site is identified as having excessively well-drained soils on the city's natural hazard map.

Policy 15: Energy Conservation. Changing approximately 31 acres of the large portion of the parcel to R3 zoning will reduce energy use of the high demand for lighting of commercial spaces, it will also reduce the amount of commercial traffic in and out of the designated residential area resulting in less energy use not only for the development but community wide.

Policy 16: Parks, Recreation and Open Space. The large portion of the property would allow room for green space in the corner at Elm Street and Diagonal Road and the inclusion of a walking path along 10th on the east side of the Hermiston Ditch with resting benches. This path will tie to the existing paths along Elm. We plan to beautify the Hermiston Irrigation ditch and possibly have a park in the South area of the parcel.

Policy 17: Agriculturally Related Development. Changing the 2 acres in the small triangle at the NE end to C zoning will attract convenience store type services to supply goods and services to the area. While the NC request for approximately 3 acres surrounding the interior lines of the UEC Substation can also provide neighborhood services.

Policy 18: General and Industrial Development. This property does not affect industrial development.

Policy 19: Commercial Development. As noted in the attached Analysis conducted June 6, 2019, by Johnson Economics, this parcel is well suited for commercial services as it is located at the confluence of a highway and major collector, which provides the area with strong visibility and access, priming it for neighborhood commercial.

There are large commercial areas along Highway 395 and the commercial land to the SW, which could draw away demand from any commercial areas within this parcel. Keeping the commercial to a minimum on this parcel due to the commercial property SW of it will promote development that is most in demand.

Policy 20: General Economic Development. While the City is promoting growth in Hermiston and providing good economic resources, we have considered the housing availability of their parents or aging family members who are not ready for assisted

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living facilities. Hermiston does not have enough housing that services the independent over 55 age group with accessible housing amenities.

Having an age restricted portion of the parcel in the R-3 zone in a quiet area of Hermiston that is not saturated with commercial traffic will be attractive to some people who are considering moving to Hermiston or may retain current citizens considering moving from Hermiston (to Tri-Cities), to accommodate the elderly. This will keep working citizens in Hermiston while providing independent living for their over 55 family members to maintain family continuity. This property has ample space to provide an over 55 area, single family homes in the moderate to median income level as well as commercial services.

As noted in the Johnson Economic study dated June 6, 2019, changing the zoning on this parcel will increase the area's housing capacity and create commercial opportunities, which could lead to an increase in the city's housing supply and foster new businesses. This could potentially lower the cost of housing and provide a land mix more consistent with the needs of expected economic growth.

Policy 21: Housing Availability and Affordability. This plan fits well with Ordinance 2179 which updated the City of Hermiston's Comprehensive Plan for Housing Availability and Affordability, Policy 21, as well as the Periodic Review Work Program adopted in 2011, Goal #10.

The City of Hermiston encourages the home building industry to "Provide a variety of housing opportunities in sufficient quantities at affordable prices to meet the housing needs of its residents". This plan supports paragraph A of Policy 21 as a top priority to provide moderate income homes and paragraph B as a high priority to supply housing for middle income households as well as Paragraph E to provide housing for senior citizens.

In the study provided by Johnson Economics dated June 6, 2019 (See attached), Hermiston has an ample supply of land for all three land uses; Residential, Commercial and Industrial. Changing the Zone from FU-10 to a mix of R-3, NC and C zoning would increase the years of residential and commercial land supply relative to the industrial land supply, moving the city to a more balanced overall supply of land.

The Study by Johnson Economics also states; "Given the relative need for additional residential units and commercial land compared to the need for industrial land, the proposed zone change would provide new opportunities for housing and economic growth from a community and land-use policy perspective for the study area, as well as providing a significant opportunity to add housing near the downtown core".

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This parcel is large enough to place a variety of homes on. Most buildable lands inside the City limits are small and not desirable to build on for developers, it will require people to utilize single lot purchases and builds which are not as cost effective, or possibly located in an area that is not as desirable to live in. This parcel is desirable for development, however, not for the high-end homes as discussed in the 2004 Buildable Lands study. We will be focusing on the moderate to medium income level housing and independent retirement homes, which the City has a need for.

Policy 22: Neighborhood Quality. This property is surrounded by established neighborhoods that share the same general location and access characteristics.

This zoning request will provide a quieter development and reduce high traffic noise to neighborhood streets. This property connects with highway 207 and having it zoned for NC/R3/C would allow us the capacity to limit access to the development to only one entrance from highway 207 which is highly acceptable to DOT.

This parcel has good access to commercial services within a walking, biking, or driving distance to the city center and, future commercial uses are planned on the property adjacent to the southwest corner.

Policy 23: Provision of Public Services. All necessary urban services are readily available to the property. There is a 12-inch city water line at the intersection of NE 10th Street and Diagonal and an 18-inch sewer line in the NE 10th Street.

Policy 24: Water, Sewer, Storm Drainage. There is City water and sewer readily accessible. The Developer is willing to bear the cost to extend water and sanitary sewer to the property per the Subdivision guidelines following annexation. Storm run-off will be addressed in the design.

Policy 25: Solid Waste. Solid waste disposal is available to the property.

Policy 26: Schools. The property is not designated as a potential school site. An NC/R3/C designation will create medium density housing within walking distance to Sandstone Middle School and Highland Hills Elementary as well as any future planned schools across Elm St.

Policy 27: Police. Once annexed, the property will fall under the jurisdiction of the Hermiston Police Department resulting in efficient response time.

Policy 28: Fire Protection. The design of the development will be laid out to comply with the ordinance and fire response.

Policy 29: Local Government Services. Not Relevant.

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Policy 30: Private Utilities. Not Relevant.

Policy 31: Integrated Traffic System. This plan will continue a balanced and efficient urban transportation system that will not affect the movement of people and goods.

Obtaining an NC/R3 zoning for the large portion of this parcel will result in just one entrance/exit to and from highway 207, allowing safe access to the property while facilitating the movement of commodities. ODOT has verbally approved one entrance to the property pending location verification. We would also plan for an entrance/exit from Diagonal Rd. There is no plan to access 10th Street. The 2 acres of C zone will be accessed from Hooker Road.

Policy 32: Rail and Air Transportation. Not Relevant.

Policy 33: Alternative Transportation. This site will include walking paths and sidewalks.

Policy 34: Transportation System Plan. The property will comply with all ODOT access management and will not change the function of any roadway connecting the property per the Transportation Impact Analysis prepared by Chris Clemow of Clemow Associates, LLC.

Highway 207, a regional highway is a Minor Arterial for Hermiston and is a designated truck route. It is intended to carry large volumes of traffic at steady speeds with minimum interruptions to traffic flow.

Diagonal Road and 10th Street are Major Collectors which forms the boundaries of major blocks of land and is intended primarily for inter-neighborhood traffic and can function as a road to service areas from the arterial systems.

The attached Transportation Impact Analysis by Clemow Associates, LLC conducted in July, 2019, was approached as a worst-case development scenario and a mixed-use development where internal trip capture has less impact on the external roadway system than does a single-use development generating the same number of total trips. This worst-case scenario for a development will generate an additional 295 PM peak hour trips over the current FU-10 zone designation.

The worst-case scenario analysis has a significantly larger number of Single-family homes, and a significantly larger number of multi-family residents in the study, than what is planned for the development. We do not anticipate the trip count to be this high, although the study indicates that the worst-case scenario will not generate any

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improvements necessary to mitigate transportation impacts and will operate within agency mobility.

As stated in the study, the area intersection crash rates are less than the 90th percentile crash rates of the reference intersections. As such, the intersections are considered relatively safe and no further evaluation of safety deficiencies are necessary.

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2. Describe the public need for the rezoning and whether that public need is best served by changing the zoning classification on the property under consideration:

This property is surrounded by established neighborhoods that share the same general location and access characteristics and has good access to commercial services within a walking, biking, or driving distance in the city center and future commercial uses are planned adjacent to the southwest corner.

According to the 2004 study by Hobson Ferrarini Associates, the Senior Population Growth over the next two decades since 2003 was projected to grow two-and-a-half times faster than the general population, resulting in an exceptionally strong demand for senior housing. Hermiston has assisted living facilities but does not have an age restricted independent living community. Talking with realtors in the Hermiston area, we are seeing the result of this growth now. A housing neighborhood for Seniors is becoming a desired purchase with not much accessible housing available. It will also provide seniors with quiet enjoyment as well as access to a sporting complex like the Field of Dreams and neighborhood commercial access. This area is also compatible for Seniors because of the network of walking paths.

Policy 21 of the Comprehensive Plan states Moderate and Median housing are priorities and Senior housing is supported.

This type of development will suit the needs of the community for residents to maintain family continuity. NC/R3/C zoning will provide single-family housing along with an age restricted area within walking distance of Sandstone Middle School, Highland Hills Elementary as well as any new schools anticipated in the future at 10th Street and Theatre Lane, the neighborhood commercial and the downtown area. It will also allow Hermiston citizens to work and remain in Hermiston with their aging parents rather than moving to an area such as Tri-Cities where age restricted housing is readily available. It will also provide the opportunity for neighborhood commercial services as well as a commercial service provider.

Once this property is annexed it will provide a more appealing entrance from the NE into the City rather than the planned Future Commercial. We envision a green space at the corner of Elm Street and Diagonal Road which could hold a City of Hermiston

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monument that would promote pride and a welcoming entrance to the City. With the ball fields being across the street we see many visitors in that area, and it will make a community statement. Changing the zoning to NC on a portion of the property along Elm St and the zoning to C in the triangle NE of Diagonal Road will allow for neighborhood services that will service the sports complex and nearby residential communities.

As noted in the Johnson Economic study dated June 6, 2019, changing the zoning on this parcel will increase the area's housing capacity and create commercial opportunities, which could lead to an increase in the city's housing supply and foster new businesses. This could potentially lower the cost of housing and provide a land mix more consistent with the needs of expected economic growth.

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3. Explain how the public need is best served by changing the classification of the site in question as compared with other available property:

Parcels of this size currently located in the City limits are virtually non-existent. This parcel is in the UGB and the 36 acres are well suited for the requested zone change compared with other UGB parcels in the NE area of the UGB. There are other parcels located in the UGB on the NE side of the city that are comparable in size, if not larger than this parcel. One parcel is on the west side of NE 10th Street and the other parcel is on the East side of NE 10th Street and 2 others that are near Punkin Center Road. This parcel of land is better suited for the requested zone change compared to the others on the NE side of the UGB as a mix of residential and commercial due to its location between State Highway 207 and major collector streets. This will ensure it has a strong visibility and access for commercial and provide residents good commuting routes via Highway 207 to the north, or through the downtown area via Diagonal Road.

This parcel is more centrally located than the other parcels and close to downtown, where housing and commercial uses are more appropriate. It is also near established, high density residential neighborhoods where multi-family residential and commercial developments would be more compatible with the neighborhood character. There are also over 4,000ft of total frontage on either road, providing the area with strong viability and access, priming it for neighborhood commercial development.

As stated in the June 6, 2019 analysis by Johnson Economics, (see attached), the proposed zone change would provide new opportunities for housing and economic growth from a community and land-use policy perspective for this parcel, as well as providing a significant opportunity to add housing near the downtown core.

Also noted in the attached Analysis conducted June 6, 2019, by Johnson Economics, this parcel is well suited for commercial services as it is located at the confluence of a highway and major collector, which provides the area with strong visibility and access, priming it for neighborhood commercial. However, there are large commercial areas along Highway 395 and the commercial land to the SW, which could draw away demand from any commercial areas within this parcel. Keeping the commercial to a minimum on this parcel due to the commercial property SW of it will promote development that is most in demand.

This parcel is a gateway to the east entrance of the city due to Highway 207 and is seen by many visitors each year. Greenery, neighborhood commercial, homes, and a city

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entrance sign will provide an appealing entrance to the City, more so than any other comparable parcels in the UGB on the NE side of the city.

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4. Explain how the potential impact resulting from the change has been considered:

We have considered the Comprehensive plan for Hermiston and have looked at the types of land, the type of housing currently not available in Hermiston, as well as urban growth, the effects on natural resources such as those stated in the Comprehensive plan including groundwater, open space, and energy conservation. We have also considered air quality, noise, neighborhood economic and commercial growth, public facilities and transportation impacts, and have determined that there will be no adverse impact to the community concerning the above.

Not only will it be more appealing to enter Hermiston, the out of town guests will see a side of town that has long been undeveloped. Hermiston will be seen more as a thriving green community versus an undeveloped area when approaching from the NE.

Providing an age restricted area for the over 55 generation will provide an opportunity for elderly parents to stay and live in Hermiston near their families, and their families will be satisfied that there is a place for them nearby which will keep the working citizens in Hermiston as well. By changing to mostly an R3 designation we would be able to provide our elderly citizens with a more peaceful, and safe lifestyle. And having land designated to Neighborhood Commercial and the small 2-acre triangle on the east side of Diagonal as Commercial, businesses will have the opportunity to service the immediate area.

This parcel is not conducive to high-end homes. The high-end homes that are stated in the comprehensive plan would require much more acreage to provide the amenities high-end buyers are looking for. This parcel is well suited for modest to moderate income type homes,

The comprehensive plan would like to see neighborhood commercial incorporated into Developments to enable services within walking distance of the community. The City's comprehensive plan map is showing future commercial for this property. A zone change, to NC/R-3/C will reduce traffic to this area as residential has a lower volume of use. If we retain the Future Commercial and are annexed, a commercial zone classification will have a higher volume of autos to service the commercial and it is not compatible with this type of pedestrian traffic. Access to those commercial designations from Oregon Highway 207 will cause traffic issues and has the potential to disrupt a residential area and commodity flow.

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Having schools close-by linked with walking paths, provides public safety. the public is better served to change to NC/R3/C to lower the impact of traffic that mostly commercial would bring. Any future schools planned at 10th St. and Theatre Lane will be well served by this residential development as well.