

City of Albany
Planning Commission

ORDINANCE NO. 3949

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TITLE: ZONE CHANGE AMENDMENT NO. 131, UNDER ORDINANCE NO. 2916 REZONING PROPERTY CONTAINING APPROXIMATELY 2.868 ACRES FROM R-2 LIMITED MULTIPLE FAMILY TO M-1 LIGHT INDUSTRIAL.

WHEREAS, the Planning and Zoning Commission of the City of Albany has held such hearings as are required by the law and the Ordinances of this city and has made findings concerning the appropriate zone for the property being considered, said findings being based upon evidence produced at hearings, and

WHEREAS, the Council of the City of Albany has duly advertised and caused notices to be given as required by law and has had a public hearing concerning the zoning of the property above described and evidence having been introduced and the same being fully considered, the City Council does hereby find as follows:

See attachment A

and,

WHEREAS, it is further determined that the rezoning hereinafter made should be subject to certain conditions, the said conditions being as follows:

All building permits issued on this property will be subject to approval by the City of Albany of all site plans for this property.

now, therefore,

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

Section 1: ZONE CHANGE AMENDMENT NO. 131

An area described as follows:

See attached legal description

is hereby rezoned as M-1 light indus. and this amendment shall be known as zone change amendment number 131 .

Section 2: COPY FILED

A copy of this zone change amendment shall be filed in the office of the City Recorder of the City of Albany and the number noted on the official zoning map of the City of Albany.

SEE HEARINGS BOARD MINUTES OF OCTOBER 13, 1976, FOR APPROVAL BY HEARINGS BOARD OF MASTER DEVELOPMENT PLAN. THE ABOVE CONDITION HAS BEEN MET.

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Section 3: CERTIFICATE OF COMPLIANCE

This zone change amendment shall be effective upon filing of a certificate of compliance with the conditions above enumerated by the Planning Director of the City of Albany.

Passed by the Council: July 14, 1976

Approved by the Mayor: July 14, 1976

Effective Date: October 14, 1976

David C. Hayes
Mayor

ATTEST:

Ernest Isham
City Recorder

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Attachment A

1. The request conforms to the Comprehensive Land Use Plan and General Goal Statements.
2. The utility systems and south Ferry Street (industrial arterial street) have been designed and improved to accommodate future industrial growth.
3. The surrounding area is presently and predominantly established for future heavy industrial development, with the exception of the residential zoned pocket area south of Queen Avenue.
4. Recent action by the Planning Commission has reclassified adjoining property from R-2 to M-1 in compliance with the Comprehensive Land Use Plan.
5. The adjacent residential property owners have had a continuing concern for encroachment of industrial development and impact of industrial traffic through an existing residential area.
6. The M-1 zone will provide a decent and effective buffer between the residential properties to the north and the heavy industrial properties to the south.

B,

Sec. 18, T11S, R3W, WB & M

Description for Albany Growth Investors Zone Change
11-3W-18B, a portion of tax lot 400

Beginning at a point which is 1860 feet S $1^{\circ}30'E$ and 341.95 feet S $82^{\circ}06'W$ of the northeast D.L.C. corner of Isaac Hutchins and wife, as described in deed book 318, page 598, Records of Linn County, Oregon; thence S $82^{\circ}W$ along a barb wire fence 345.4 feet to the Eastern boundary of the right-of-way of the Albany and Santiam Canal; thence N $17^{\circ}30'W$ along said right-of-way and extension there of 396.71 feet; thence parallel to the south boundary of Elkins Street (now called 22nd Avenue) N $80^{\circ}59'E$ 215.81 feet to the west line of property described in Volume 6, page 255, Record of Mortgage, Linn County, Oregon; thence along said line S $13^{\circ}54'30''W$ 122.14 feet to the S.W. corner of said property; thence along the south line of said property N $84^{\circ}24'E$ 177.95 feet to the West line of property described in Warranty Deed Volume 129, page 354, Record of Linn County, Oregon; thence along said line S $9^{\circ}01'E$ 266.80 feet to the point of beginning.

Containing 2.868 acres more or less.