

ORDINANCE NO. 3967

AN ORDINANCE ANNEXING PROPERTIES LOCATED NORTH OF QUEEN AVENUE AND EAST OF OAK STREET CONTAINING APPROXIMATELY ONE-HALF ACRE TO BE ZONED R-2 LIMITED MULTIPLE FAMILY(LINN COUNTY TAX LOT 11-3W-8BC, 1300) AND CONTAINING APPROXIMATELY 33 ACRES TO BE ZONED R-2 PUD, LIMITED MULTIPLE FAMILY PLANNED UNIT DEVELOPMENT WITH THE FOLLOWING CONDITIONS FOR THE 33-ACRE PROPERTY: 1) A STRIP OF PROPERTY BEGINNING AT THE SOUTH LINE OF LINN COUNTY TAX LOT 11-3W-8BC, 1300 AND EAST OF OAK STREET EXTENDING DOWN TO 14TH STREET WITH A 100-FOOT DEPTH SHALL BE DEVELOPED AS SINGLE-FAMILY DENSITY AND WITH SINGLE-FAMILY DWELLINGS AND 2) A GROUP OF SURROUNDING NEIGHBORS SHALL BE ACTIVELY INVOLVED IN DISCUSSION OF THE DEVELOPMENT PLANS FOR THE R-2 PUD PROPERTY AND DECLARING AN EMERGENCY.

WHEREAS, on the 28th day of July, 1976, at a regular Council meeting, the Council of the City of Albany, Oregon, did duly pass Ordinance No. 3959, wherein it was provided that a public hearing would be held on the 11th day of August, 1976, concerning the advisability of annexing

properties located north of Queen Avenue and east of Oak Street containing approximately one-half acre to be zoned R-2 Limited Multiple Family (Linn County Tax Lot 11-3W-8BC, 1300) and containing approximately 33 acres to be zoned R-2 PUD, Limited Multiple Family Planned Unit Development, and

WHEREAS, the hearing was duly held on the 11th day of August, 1976, and at that time the Council determined that the Notices of Hearing had been given as provided in the said Ordinance, and pursuant to the terms of ORS 222.111, 222.120, and 222.170, and

WHEREAS, the Council after said hearing determined that the area described herein (see attached legal description) should be annexed as R-2 (Linn County Tax Lot 11-3W-8BC, 1300, and as R-2 PUD. Now, therefore,

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

Section 1: That the following described property be and is hereby annexed to the City of Albany, to-wit:

(see attached legal description)

Section 2: That the property annexed as R-2 PUD be subject to the following conditions: 1) a strip of property beginning at the south line of Linn County Tax Lot 11-3W-8BC, 1300, and east of Oak Street extending down to 14th Street with a 100-foot depth shall be developed as single family density and with single family dwellings and 2) a group of surrounding neighbors shall be actively involved in dicussions of the development plans for the R-2 PUD property.

B1

Section 2: That a copy of this ordinance shall be filed in the office of the City Recorder and the number of the ordinance shall be noted on the official zoning map of the City of Albany.

Section 3: WHEREAS, it is in the betterment of the public health, interest, safety and general welfare of the citizens of the City of Albany that this matter of annexation of the property described herein be disposed of at the earliest possible moment, and that the City facilities be made available to this property; therefore, an emergency is hereby declared to exist and this Ordinance shall become immediately effective upon its passage by the Council and approval by the Mayor.

Passed by the Council: September 22, 1976

Approved by the Mayor: September 22, 1976

Effective Date: September 22, 1976

David K. Hayes
Mayor

ATTEST:

Regina R. Lawers
Deputy City Recorder

13

FINDINGS OF FACT

B1

1. The proposed annexation and urban residential zoning classification is in compliance with the Comprehensive Land Use Plan and Goal Statements.
2. The property is presently part of an island area which allows the City to initiate annexation and zoning by their own motion and adoption of an ordinance.
3. The properties are adjacent to or in close proximity to an improved major arterial street system which will accommodate increased traffic loads.
4. The County has zoned the property UMF Urban Multiple Family, with the exception of the property along the north side of Queen Avenue, which is zoned County commercial.
5. The existing utility systems have been located and sized to accommodate increased residential densities.
6. The proposed zoning classification fulfills some of the additional need for higher density residential development within the core area of the community.
7. The property owners are in favor of annexation and application or urban zoning.
8. The proposed zoning classification is consistent with prior land use decisions for the surrounding area.

Teuscher Annexation
An Area Between Oak & Geary
11th to Queen Avenue

Beginning S 79°05' W 897.56' and S 7°15' E 151.06' and S 6°56' E 130.06'
from the southwest corner of Lot 4, Block 2, Prices 2nd Addition; thence

N 79°01' E 170'; thence
S 6°56' E 180'; thence
N 72°27' E 590'; thence
S 4°25' E 62.48'; thence
N 72°27' E 95' more or less to a point which is S 72°27' W 458.70'
from the centerline of Geary Street; thence
S 1°35' E 1285.64' parallel to Geary Street to a point which is 95'
south of the north line of the Eastern Addition to Oak Grove Acres; thence
N 89°50' E 200.22' to the southwest corner of Lot 1, Block 1, Eastern
Addition to Oak Grove Acres; thence
S 0°29' E 345.0' to the southwest corner of Lot 2, Block 2 of Eastern
Addition to Oak Grove Acres; thence
N 89°50' E 210' to the west line of Geary Street; thence
S 1°35' E 523.60' along the west line of Geary Street to the north line
of Queen Avenue; thence
N 88°53' W 690' more or less along the north line of Queen Avenue to
the intersection of the west line of Oak Street if extended from the
north; thence
N 25°50' W 1389.20' along the west line of Oak Street to an angel point
of Oak Street; thence
N 0°02' E 554.17' along the west line of Oak Street to the northeast
corner of Lot 8, Tripp Addition; thence
N 5°40' W 359.98' along the west line of Oak Street to a point which
is S 79°01' W 60.25' from the point of beginning; thence
N 79°01' E 60.25' to the point of beginning.

Assessor's Parcel Map 11-3W-8BC, Tax Lots 1400, 1500, 1900. Also, Assessor's
Parcel Map 11-3W-8CB, Tax Lots 102, 200, 601, 900, 1000, 1100, 1200, 1202.
TO BE ZONED R-2 PUD

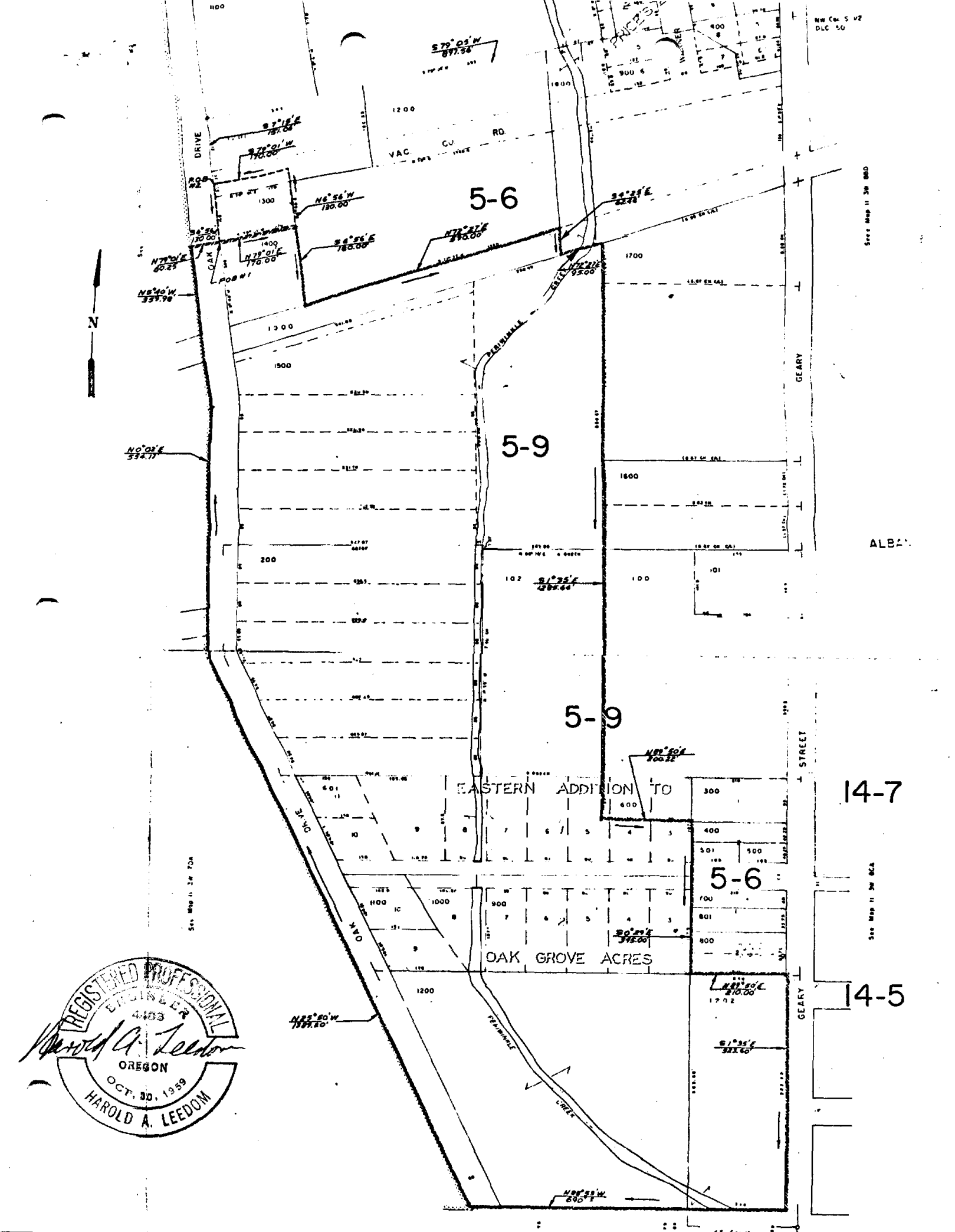
Legal Description of Mrs. Loy's Property

Beginning S 79°05' W 897.56' and S 7°15' E 151.06' E from the southwest
corner of Lot 4, Block 2, Prices 2nd Addition; thence

S 6°56' E, 130.00 ft.; thence
N 79°01' E, 170.00 ft.; thence
N 6°56' W, 130.00 ft.; thence
S 79°01' W, 170.00 ft. to the point of beginning.

More specifically described as Linn County Tax Lot 11-3W-8BC, 1300.

TO BE ZONED R-2



NW Cor. S 12
DLC 50

See Map 11 3W 080

ALBA

See Map 11 3W 080

ALBA



SE Cor. of
A. MARSHMAN