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ORDINANCE NO. 3940

TITLE: ZONE CHANGE AMENDMENT NO. 130 , UNDER ORDINANCE NO. 2916, REZONING APPROXIMATELY 2.64 ACRES OF LAND LOCATED AT 2750 SE SANTIAM HIGHWAY FROM R1(6) SINGLE FAMILY RESIDENTIAL TO C2 LOCAL COMMERCIAL AND BP-1 BUSINESS AND PROFESSIONAL AND ALL BUILDING PERMITS ISSUED ON THIS PROPERTY WILL BE SUBJECT TO APPROVAL BY THE CITY OF ALBANY ON ALL SITE PLANS FOR THIS PROPERTY.
THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: ZONE CHANGE AMENDMENT NO.

An area described as follows:

Assessor's Parcel Map 11-3W-8AD, Tax Lots 800 and 1300

is hereby rezoned as C-2 Local Commercial and BP-1 Business and Professional

and this amendment shall be known as Zone Change Amendment No.

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

Section 3: This zone change is granted based on the following findings:

SEE ATTACHED SHEET

and is subject to the following condition

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

Passed by the Council : May 26, 1976

Approved by the Mayor : May 26, 1976

Effective Date: June 25, 1976

ATTEST: Ernest W. Lohan
City Recorder

David K. Hayes 65
Mayor 3940

FINDINGS OF FACT

1. The request conforms to the Comprehensive Land Use Plan and Goal statements.
2. The County has classified Tax Lot 800 as Commercial and Tax Lot 1300 as UMF Urban Multiple Family.
3. The requested C-2 and BP-1 zones are compatible with adjoining zones and various existing commercial uses established under County zoning and development controls.
4. The properties (including area requested for annexation and zoning) are bounded on two sides by major arterial streets, which will eliminate traffic impacts on adjoining residential areas.
5. Utility systems are in the area and are of a large enough size to serve commercial development.
6. The petitioners have provided supportive reasons to justify a need and proposed change.

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LEGAL DESCRIPTION - Fulton-Kauffman Zone Change - 11-3W-8AD, TL 800

Beginning at a point S 70°17' E, 237.51 ft. from the northwest corner of the Sunnyside Fruit Farm by G. W. Maston in Sec. 8, T 11 S, R 3 W, Linn County, Oregon; thence

- S 1°22' E., 466.82 ft.; thence
- S 70°17' E, 200.00 ft.; thence
- N 1°22' E., 466.82 ft.; thence
- N 70°17' W., 200.00 ft. to the point of beginning.

Note: Northwest corner of Sunnyside Fruit Farm is also on the west boundary line of the Alexander Cox DLC #49 and is N 1°22' W., 6140.64 feet more or less from the southwest corner of said DLC #49.

Zone Change from R-1(6) to C-2

11-3W-8AD, TL 1300

Beginning at a point which is S 70°17' E., 237.51 ft. and S 1°22' E., 466.82 ft. from the northwest corner of the Sunnyside Fruit Farm by G. W. Maston in Sec. 8, T 11 S, R 3 W in Linn County, Oregon; thence

- S 1°22' E., 79.36 ft.; thence
- S 70°17' E., 331.25 ft.; thence
- N 1°22' E., 79.36 ft.; thence
- N 70°17' W., 331.25 ft. to the point of beginning.

Note: Northwest corner of Sunnyside Fruit Farm is also on the west boundary line of the Alexander Cox DLC #49 and is N 1°22' W., 6140.64 feet more or less from the southwest corner of said DLC #49.

Zone Change from R-1(6) to BP-1

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