

ORDINANCE NO. 4114

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TITLE: ZONE CHANGE AMENDMENT NO. 144, UNDER ORDINANCE NO. 4067 REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF KNOX BUTTE ROAD AND TIMBER STREET FROM R-1(6) SINGLE FAMILY TO R-2 LIMITED MULTIPLE FAMILY RESIDENTIAL.

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 attached findings)

and,

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

Property development is subject to site plan approval by the Hearings Board in accordance with Article 17 of the Zoning and Land Use Regulations.

now, therefore,

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

Section 1: ZONE CHANGE AMENDMENT NO. 144

An area described as follows: southeast corner of Knox Butte Road and Timber Street Lot 8, Blk 1 Timber Linn Addition.

Limited Multiple  
is hereby rezoned as R-2 Family and this amendment shall be known as  
zone change amendment number 144 .

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.

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4114

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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.

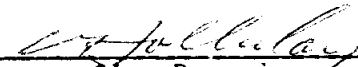
Passed by the Council: April 12, 1978

Approved by the Mayor: April 12, 1978

Effective Date: April 12, 1978

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Recorder

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## FINDINGS OF FACT

1. This parcel does have unique characteristics which dictate the need for some type of development other than conventional single family residential.
2. The Planning Commission recently approved the Timber Linn Sub-division plat with the understanding that the property owner intended to request a zone change for this parcel to utilize its unique feature.

Our request for a "Zone Change" of this subject property is consistent with the Objectives of the latest edition of the "City of Albany Zoning and Land Use Regulations" (October 1977) and the Ammended - Comprehensive Plan of Albany.

The Comprehensive Plan of Albany Classifies this subject property "Urban Residential" with which our request complies.

Oregon Land Conservation and Development Commissions Goals and Guidelines are met in the following ways:

- #1 Citizens Involvement: Public Hearings have been held with regard to this area and use. The Comprehensive Plan was ammended to Urban Residential with which our proposal complies.
- #2 Land Use Planning: See #1 above.
- #3 Agricultural Lands: See #1 above.
- #4 Forest Lands: See #1 above and our proposal to save, or as much as possible, a stand of Oak Trees.
- #5 Open Spaces: Not Applicable.
- #6 Air, Water and Land Resources: Not Applicable.
- #7 Natural Disasters and Hazards: Not Applicable.
- #8 Recreational Needs: Not Applicable.
- #9 Economy of the State: Housing on this land and at this location will permit the orderly growth of our City, Commerce, and Industry.
- #10 Housing: This type of housing is needed in this area to satisfy the need of young married couples working locally.

# DAVID FRANCIS COSTA JR. & ASSOCIATES

ARCHITECTS · PLANNERS · ■ ■ ■ ■ ■ A.I.A.  
LICENSED: CALIFORNIA, OREGON, WASHINGTON



## ZONE CHANGE APPLICATION - Page 2

210 ELLSWORTH STREET  
ALBANY, OREGON 97321  
TELEPHONE 503-928-2263

- #11 Public Facilities and Services: Are all available in this Property.
- #12 Transportation: The location of this property minimizes the need for transportation of these inhabitants.
- #13 Energy Conservation: See #9, #10, #11 & #12 above.
- #14 Urbanization: This subject property has been recognized by the City of Albany in the Urban Growth Area.
- #15 Willamette River Greenway: Not Applicable.
- #16 Estuarine Resources: Not Applicable.
- #17 Coastal Shorelands: Not Applicable.
- #18 Beaches and Dunes: Not Applicable.
- #19 Ocean Resources: Not Applicable.

The Zoning and Land Use Regulations classify this subject property R-1 (6) Single Family Residential - 6000 square foot lots. Therefore, we are requesting a Zone Change.

There is a "Public Need" for Multiple Residential Housing in this area. The growth of commerce and industry in the East side of Albany and Millersburg has created this need. The present need is stimulated by Fred Meyer Store, K-Mart Store, McDonalds, Willamette Industries, Duraflake, Georgia Pacific, Wah Chang - Teledyne, and Western Kraft.

This need for multiple residential can best be served at this location, due to its close proximity to places of employment, recreation and shopping. Presently, there is no multiple residential areas available East of the I-5 Freeway.

Good Planning dictates "The Highest and Best Use of our Lands". Our land is one of our most valuable natural resources.

First, R-2 Zoning of this subject property is the highest and best use of this land.



# DAVID FRANCIS COSTA JR. & ASSOCIATES

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LICENSED: CALIFORNIA, OREGON, WASHINGTON



210 ELLSWORTH STREET  
ALBANY, OREGON 97301  
TELEPHONE 503-928-2260

April 4, 1978

Albany Planning Commission  
City Hall Building  
Albany, Oregon 97321

Att: Mr. Steve Bryant

Re: Zone Change - Hoag & Welker

Dear Mr. Bryant;

Per your request, this letter is being written to provide supplemental data on specific LC DC Goals and Guidelines.

GOAL #5 Open Space: We are saving the natural beauty of this site - Oak Grove. Plus, we are further enhancing the project by adding Recreational Areas. Our project has 73% of its Total Area in Open Spaces.

GOAL #6 Air, Water & Land: Our project will not generate any adverse effects upon Air, Water, Quality and Land. In fact, it will afford the tenants and their friends the use of the Oak Woods and Recreational Areas on the site.

GOAL #8 Recreational Needs: We are providing "On-Site Recreation" for the tenants - Community Building, Jacuzzi, Pool, Picnic and Wooded Areas. Plus Timber Linn Park is about 1/4 mile away.

GOAL #10 Housing: There is a need for Low Rent - Efficiency Apartment Units, that is presently not available in Albany.

GOAL #11 Public Facilities & Services: Water, Sewer, Power, Telephone, Natural Gas and Public Streets serve this property. Therefore, no public funds will be required for these uses.

GOAL #12 Transportation: The location of this property minimizes the need for public transportation. The subject property is adjacent to Knox Butte Road, a major arterial and I-5 Freeway.

# DAVID FRANCIS COSTA JR. & ASSOCIATES

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210 ELLSWORTH STREET  
ALBANY, OREGON 97001  
TELEPHONE 503-825-2293

GOAL # 13 Energy Conservation: See 9, 10, 11, & 12 above. Also, by "Clustering "these Apartment Units"; we reduce the Energy needed for the "Construction" and the future "Habitation" of this project.

Thank you and the Commission for their assistance with this Re-Zone Application.

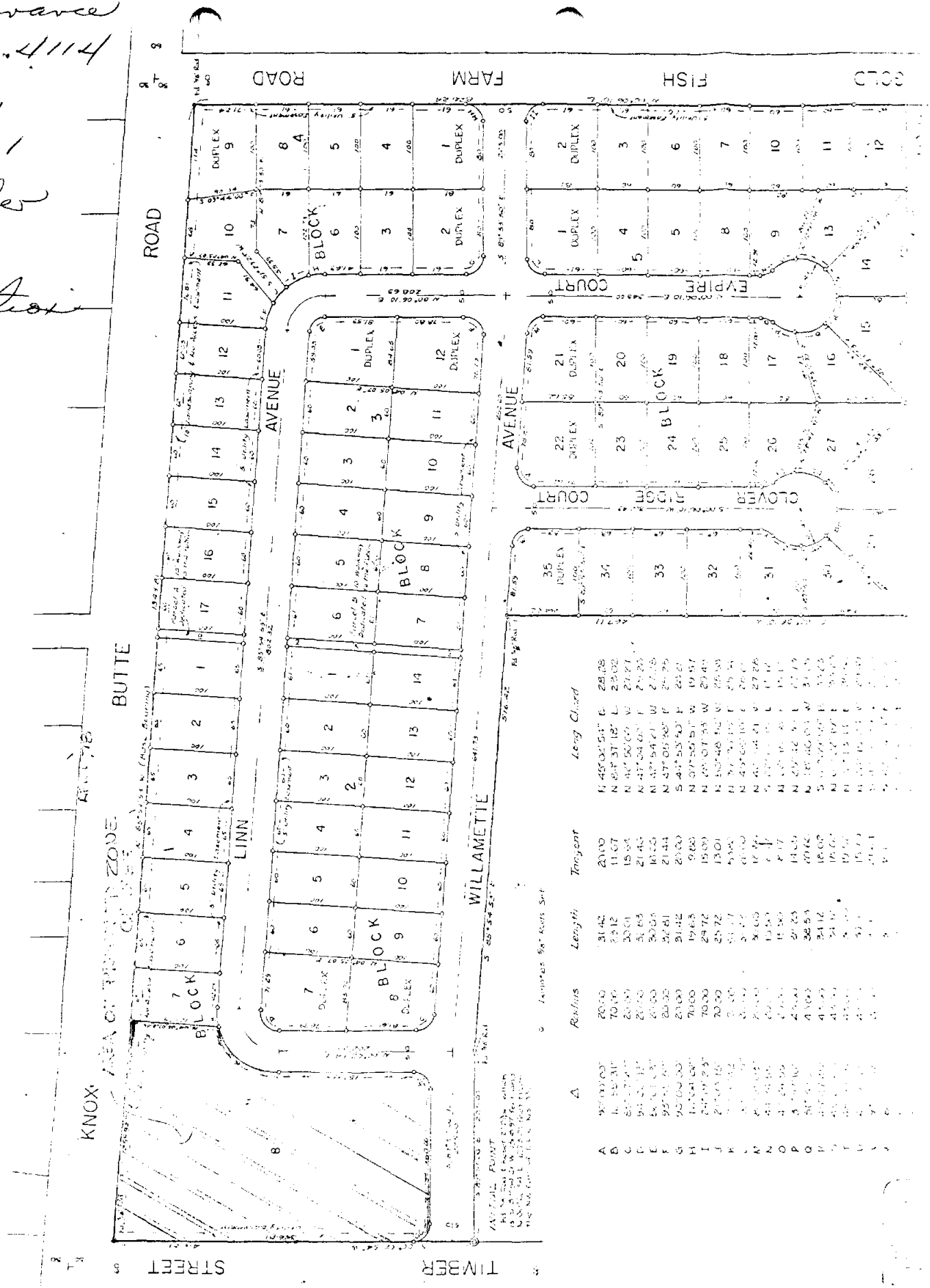
Very truly yours,

David Francis Costa, Jr.

DFC/pb

cc: Hoag and Welker

Ordinance  
 No. 4114  
 Vol 8,  
 Blk. 1  
 Timber  
 Linn  
 Addition



Block	Radius	Length	Tangent	Long Chord
1	20.00	31.42	20.00	41.4504517 C 25.05
2	70.00	23.12	11.67	N 82° 37' 18" E 25.02
3	20.00	30.00	15.54	N 47° 50' 00" W 27.71
4	20.00	31.85	21.45	N 47° 54' 21" W 27.25
5	20.00	30.00	15.54	N 47° 05' 30" E 27.25
6	20.00	32.61	21.44	S 47° 53' 50" E 25.02
7	20.00	31.42	20.00	N 37° 50' 51" W 19.97
8	70.00	19.65	9.28	N 25° 07' 55" W 25.40
9	70.00	24.72	15.00	N 53° 48' 50" E 25.00
10	70.00	25.72	13.00	N 71° 53' 10" E 25.34
11	70.00	31.77	9.50	N 47° 00' 00" E 26.00
12	20.00	31.42	12.50	N 47° 00' 00" E 27.26
13	20.00	31.42	12.50	S 27° 00' 00" E 11.17
14	20.00	31.42	12.50	N 27° 00' 00" E 11.17
15	20.00	31.42	12.50	N 27° 00' 00" E 11.17
16	20.00	31.42	12.50	N 27° 00' 00" E 11.17
17	20.00	31.42	12.50	N 27° 00' 00" E 11.17
18	20.00	31.42	12.50	N 27° 00' 00" E 11.17
19	20.00	31.42	12.50	N 27° 00' 00" E 11.17
20	20.00	31.42	12.50	N 27° 00' 00" E 11.17
21	20.00	31.42	12.50	N 27° 00' 00" E 11.17
22	20.00	31.42	12.50	N 27° 00' 00" E 11.17
23	20.00	31.42	12.50	N 27° 00' 00" E 11.17
24	20.00	31.42	12.50	N 27° 00' 00" E 11.17
25	20.00	31.42	12.50	N 27° 00' 00" E 11.17
26	20.00	31.42	12.50	N 27° 00' 00" E 11.17
27	20.00	31.42	12.50	N 27° 00' 00" E 11.17
28	20.00	31.42	12.50	N 27° 00' 00" E 11.17
29	20.00	31.42	12.50	N 27° 00' 00" E 11.17
30	20.00	31.42	12.50	N 27° 00' 00" E 11.17
31	20.00	31.42	12.50	N 27° 00' 00" E 11.17
32	20.00	31.42	12.50	N 27° 00' 00" E 11.17
33	20.00	31.42	12.50	N 27° 00' 00" E 11.17
34	20.00	31.42	12.50	N 27° 00' 00" E 11.17
35	20.00	31.42	12.50	N 27° 00' 00" E 11.17

ADDITIONAL POINT  
 HAS BEEN SET AT THE CORNER OF THE  
 SECTION 10 W. 24.97' S. 10.00' E.  
 TO THE CORNER OF THE SECTION 10 W.  
 THE NE CORNER OF THE SECTION 10 W.