

ORDINANCE NO. 3912

B

AN ORDINANCE ANNEXING AN AREA LOCATED AT A POINT SOUTH OF GRAND PRAIRIE ROAD AND EAST OF GEARY STREET AS BP-1, R-2, AND R-1(6) AND DECLARING AN EMERGENCY.

WHEREAS, on the 25th day of February, 1976, at a regular Council meeting, the Council of the City of Albany, Oregon, did duly pass Ordinance No. 3900, wherein it was provided that a public hearing would be held on the 10th day of March, 1976, concerning the advisability of annexing

an area located at a point south of Grand Prairie Road and east of Geary Street as BP-1, R-2, and R-1(6)

WHEREAS, the hearing was duly held on the 10th day of March, 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 as an area located at a point south of Grand Prairie Road and east of Geary Street as BP-1, R-2, and R-1(6) should be annexed, and

WHEREAS, the Planning Commission's findings of facts will be included as part of this ordinance (See Exhibit A); and subject to the following condition as recommended by the Planning Commission:

1. All final development plans for the BP-1 property shall be submitted for Hearings Board review and approval.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS

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

(See Exhibit B)

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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: March 17, 1976

Approved by the Mayor: March 17, 1976

Effective Date: March 17, 1976


Mayor

ATTEST:



City Recorder

EXHIBIT A

B

FINDINGS OF FACT

1. The entire parcel being recommended for annexation--R-2 and BP-1 zoning is presently County Commercial.
2. The Comprehensive Land Use Plan Goal Statements address the need for controlled and compact neighborhood Commercial service areas, to include Business and Professional uses.
3. The Comprehensive Land Use Plan allows for future Urban Residential and Commercial which could permit both the R-2 and BP-1 zoning, as recommended.
4. The proposed development scheme would be totally compatible with existing development patterns within the area.
5. The property is part of an island area which allows the City to initiate annexation and zoning by their own motion and adoption of an ordinance.
6. The property fronts on a major arterial and can easily be served by sanitary and storm sewers.

Foley's property

Annex: Portion of Lot 1 of the Jason Wheeler's Home Farm of Linn County, more particularly described as follows:

BP-1

Beginning at a point which is S 76°35' E, 202.20 ft. and N 03°07' E, 661.42 ft. from the southwest corner of Lot 1 of Jason Wheeler's Home Farm in Linn County, Oregon,

S 65°58' E, 165.00 ft.; thence
S 26°30' W, 209.43 ft.; thence
West, 71.11 ft.; thence
N 03°07' E, 255.00 ft. to the point of beginning.

R-2

Beginning at a point which is S 76°35' E, 202.20 ft. and N 03°07' E, 106.72 ft. from the southwest corner of Lot 1 of Jason Wheeler's Home Farm in Linn County, Oregon,

N 03°07' E, 299.70 ft.; thence
East, 71.11 ft.; thence
N 26°30' E, 209.43 ft.; thence
S 65°58' E, 280.44 ft.; thence
S 13°17' W, 465.00 ft.; thence
N 76°35' W, 341.13 ft. to the point of beginning.

R-1(6)

Beginning at a point which is also the southeast corner of Lot 1 of the Jason Wheeler's Home Farm in Linn County, Oregon,

N 13°17' E, 105.00 ft.; thence
N 76°35' W, 341.13 ft.; thence
S 03°07' W, 106.72 ft.; thence
S 13°25' W, 40.00 ft.; thence
S 76°35' E, 322.05 ft.; thence
N 13°25' E, 40.00 ft. to the point of beginning.

ok as corrected
Had

Foley annexation and zoning request

NTS

Mar 76

