

A₃

ORDINANCE NO. 3997

TITLE: ZONE CHANGE AMENDMENT NO. 136, UNDER ORDINANCE NO. 2916 REZONING
PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GEARY STREET AND GRAND PRAIRIE
ROAD FROM R-1(6) SINGLE FAMILY RESIDENTIAL TO C-2 LOCAL BUSINESS DISTRICT
AND DECLARING AN EMERGENCY.

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 of fact)

and,

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

All development plans shall be reviewed and approved
by the Hearings Board prior to any building permits
being issued by the City

now, therefore,

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

Section 1: ZONE CHANGE AMENDMENT NO. 136

An area described as follows:

Assessor's Parcel Map 11-3W-17BD, Tax Lots 3100, 3101, and 3200

(see attached legal descriptions)

is hereby rezoned as C-2 Local Busin. and this amendment shall be known as
zone change amendment number 136 .

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.

26
3997

Section 3: EMERGENCY CLAUSE

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 rezoning be disposed of at the earliest possible moment; 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: February 23, 1977

Approved by the Mayor: February 23, 1977

Effective Date: February 23, 1977



MAYOR

ATTEST:



CITY RECORDER

FINDINGS OF FACT

1. The change conforms to the Comprehensive Land Use Plan and General Goal Statements for the establishment of neighborhood commercial service centers.
2. The properties are presently occupied by two commercial uses (Exxon Service Station and Food Spot Market).
3. The properties are immediately adjacent to two major four-lane arterial streets (Grand Prairie Road and Geary Street), which provide excellent frontage, access, and maximum traffic control.

PARCEL A - TRIPP & TRIPP property located at Geary & Good Prairie

Beginning at a point North $65^{\circ} 55'$ West 445.44 feet and South $3^{\circ} 07'$ West 5.35 feet from the Northwest corner of Lot 4, Jason Wheeler's Home Farm, Linn County, Oregon; thence North $65^{\circ} 55'$ West 188.91 feet; thence on a curve to the left (the long chord of which bears South $56^{\circ} 13'$ West 97.0 feet), 115.74 feet; thence South $1^{\circ} 36'$ East along the East line of Geary Street to a 1-inch iron pipe which bears North $88^{\circ} 24'$ East 30.0 feet from a point on the West line of and South $1^{\circ} 36'$ East 811.20 feet from the Northwest corner of the John Burkhart Donation Land Claim No. 51 in Township 11 South, Range 3 West; thence continuing South $1^{\circ} 36'$ East 392.53 feet; thence South $76^{\circ} 35'$ East 219.63 feet to a $\frac{1}{2}$ inch bolt; thence North $3^{\circ} 07'$ East 452.80 feet to the point of beginning.

PARCEL B - TRIPP & TRIPP property located at Geary & Grand Prairie

Beginning at a point North $65^{\circ} 55'$ West 445.44 feet and South $3^{\circ} 07'$ West 5.35 feet from the Northwest corner of Lot 4, Jason Wheeler's Home Farm, Linn County, Oregon; thence North $65^{\circ} 55'$ West 188.91 feet; thence on a curve to the left (the long chord of which bears South $56^{\circ} 13'$ West 97.0 feet), 115.74 feet; thence South $1^{\circ} 36'$ East along the East line of Geary Street to a 1-inch iron pipe which bears North $88^{\circ} 24'$ East 30.0 feet from a point on the West line of and South $1^{\circ} 36'$ East 811.20 feet from the Northwest corner of the John Burkhart Donation Land Claim No. 51 in Township 11 South, Range 3 West; thence continuing South $1^{\circ} 36'$ East 392.53 feet; thence South $76^{\circ} 35'$ East 219.63 feet to a $\frac{1}{2}$ inch bolt; thence North $3^{\circ} 07'$ East 452.80 feet to the point of beginning.