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Planning

ORDINANCE NO. 3914

TITLE: ZONE CHANGE AMENDMENT NO. 128 , UNDER ORDINANCE NO. 2916, REZONING A SINGLE LOT AND 100 FEET IN DEPTH ALONG THE SOUTH LINE OF THE FAIRGROUNDS PROPERTY TO R-1 (6) RESIDENTIAL, WITH THE REMAINDER OF THE FAIRGROUNDS PROPERTY REZONED AS R-2 LIMITED MULTIPLE FAMILY.

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

Section 1: ZONE CHANGE AMENDMENT NO. 128

An area described as follows:

Description attached.

(SEE EXHIBIT A)

is hereby rezoned as R-1(6) (Single Lot and 100' deep along south line of the Fairgrounds property) and R-2 Limited Multiple Family (for the remainder of the Fairgrounds property).

and this amendment shall be known as Zone Change Amendment No. 128 .

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 rezone is subject to the following findings: (SEE EXHIBIT B)

Passed by the Council : April 14, 1976

Approved by the Mayor : April 14, 1976

Effective Date: May 14, 1976

ATTEST:

Ernest Isham
City Recorder

Clarence Hayes
Mayor

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EXHIBIT A

Full

Beginning at a point which is the S. E. corner of Tract 15 Waverly Fruit Farm proceed thence:

S 88°14'W, 305.70'; thence
 S 1°46' E, 42.03'; thence
 N 88°01' E, 50'; thence
 S 1°59' E, 41.12' to the N. E. corner of Lot 7, Block 2
 Freeway Add.; thence
 S 88°14' W, 272.43' to the N. W. corner of Lot 6, Block 2,
 Freeway Add.; thence
 N 16°43' W, 85.92' to the N. E. corner of Lot 5, Block 2,
 Freeway Add.; thence
 N 1°48' W, 18.5' to a 1/2" Rod; thence
 S 88°14' W, 127.87'; thence
 S 1°48' E, 18.5' ; thence S 88°14' W, 308.41 thence
 N 1°44' W, 436.41' to a 1/2" Rod; thence
 around a 90.7 curve left 40.92' (the long chord of which is
 N 12°17.42' W, 40.68') to a 1/2" Rod; thence
 N 88°13' 30" E, 1323.85' to a 1/2" Rod; thence
 S 2°55' 30" E, 475.67' to a 1/2" Rod on the North R. O. W.
 line of Oakwood Avenue; thence
 S 88°01' W, 339.50' to the point of beginning.

Parcel containing 15 acres more or less.

EXHIBIT B

WHEREAS the Planning and Zoning Commission has heard the evidence concerning whether or not this area should be zoned urban residential and has examined the wording and complete narrative statements of the Comprehensive Land Use Plan, as well as the Comprehensive Land Use map, and

WHEREAS this area does not have access to arterial streets but only to urban collector-type streets and is not, under the basis that is covered in the Comprehensive Land Use Plan, suitable for commercial type zoning, and that under the Comprehensive Land Use Plan, in fact, should be treated under its basic definition, as being a residential--urban residential area.

NOW, THEREFORE, IT IS HEREBY determined to be findings of fact that this area is zoned a commercial zone and it is in direct conflict with the Comprehensive Land Use Plan as found by the hearing here tonight and should be designated and is hereby designated under the definition of the Comprehensive Plan as an urban residential area;

It has been further considered and is found that there is no damaging economic effect as far as the Comprehensive Plan is concerned by treating this as an urban residential area;

And it is further found that this is used as a fairgrounds facility under a conditional use permit and will be continued to be used as such and can be used even for the expansion of the present fairgrounds use; and

It is further found that a petition has been submitted and signed by 171 property owners requesting that this area be zoned to urban residential and there have been other exhibits that have been read by the Chairman and considered by the Planning Commission, and a complete and detailed staff report has been further considered, and a letter from 1000 Friends of Oregon submitted to the Planning Commission under a date of October 31, 1975, has been received and considered, and all of the previous matters that have been presented at the neighborhood meetings have been considered by the Planning Commission in making these current findings.

