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ORDINANCE NO. 4036

TITLE: ZONE CHANGE AMENDMENT NO. 139, UNDER ORDINANCE NO. 2916 REZONING PROPERTY LOCATED AT THE NORTHWEST CORNER OF SOUTH SHORE DRIVE AND AIRPORT ROAD FROM C-2 COMMERCIAL TO R-A(2) MULTIPLE FAMILY.

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 Attachment A)

and,

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

All future development plans for the property, regardless of ownership, shall be submitted for Hearings Board approval prior to the City issuing any building permits.

now, therefore,

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

Section 1: ZONE CHANGE AMENDMENT NO. 139

An area described as follows:

Assessor's Parcel Map 11-3W-4DD, Tax Lot 1900

is hereby rezoned as R-A(2) and this amendment shall be known as zone change amendment number 139 .

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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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: June 22, 1977

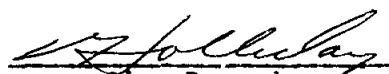
Approved by the Mayor: June 22, 1977

Effective Date: June 22, 1977



\_\_\_\_\_  
Mayor

ATTEST:

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

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## ATTACHMENT A

1. The request conforms to the Comprehensive Land Use Plan, which designates the property as future urban residential development.
2. All utility systems within the area are properly located and of adequate size to serve the proposed residential use.
3. The proposed increase in residential densities will not have an adverse impact on student capacities at South Shore Elementary School.
4. The surrounding area is an established single family residential neighborhood with existing multiple family units located along the north side of Swan Lake west of Airport Road.
5. The proposed R-A(2) Multiple Family zoning will serve as a "buffer" or "transitional" land use between the south neighborhood and the Interstate 5 Freeway.
6. The existing street pattern of South Shore Drive and Airport Road is adequate to accommodate the increased traffic loads created by multiple family development.



**PIONEER NATIONAL  
TITLE INSURANCE**

Order No. 22-62-376  
April 26, 1977

Metcalf Realty  
2121 Santiam Hwy.  
Albany, OR 97321

Gentlemen;

Following is an amended legal description for our Order No. 22-62-376, dated April 1, 1977;

Lots 16 & 17, Block 6, FREEWAY ADDITION to the City of Albany, Linn County, Oregon.

ALSO beginning at the Northwest corner of Lot 17, Block 6, FREEWAY ADDITION to the City of Albany, Linn County, Oregon; thence North 7° 21' West to the centerline of Cox Creek; thence Easterly following the centerline of Cox Creek to its intersection with the West line of Airport Road; thence South along the West line of Airport Road to the Northeast corner of said Lot 17; thence Northwesterly along the North line of said Lot 17 to the place of beginning.

AND ALSO, beginning at the Northwest corner of Lot 16, Block 6, FREEWAY ADDITION to the City of Albany, Linn County, Oregon; thence Northwesterly following a straight line between the Northwest corner of said Lot 16, and the Southwest corner of Lot 12, Block 5, in said subdivision to a point equal distance from the Northwest corner of Lot 16, Block 6, and the Southwest corner of Lot 12, Block 5, said point being the most Southerly corner of that tract of land conveyed to May W. Lee, General Contractor, Inc., by deed recorded April 22, 1969 in Book 338, page 511, Deed Records; thence Northeasterly along the Southerly line of said May W. Lee tract to a point which bears North 7° 21' West from the Northeast corner of said Lot 16, Block 6; thence South 7° 21' East to the Northeast corner of said Lot 16, Block 6; thence Westerly along the North line of said Lot 16, Block 6, to the place of beginning.

There are no futher changes in our preliminary title report, dated April 1, 1977, as a result of the change of this legal description.

Very truly yours,

Greg H. Mullen  
Linn Benton Manager

cc: Escrow

GHM:rb  
Pioneer National Title Insurance Company 218 W. 5th P.O. Box 608 Albany, Oregon 97321 503 928 3301