

Mayor & Council

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RESOLUTION NO. 1795

WHEREAS, it is necessary that views of petitioners or their designated representatives for zone changes, vacations, annexations, and other requests as determined by the Albany City Council are adequately heard before being able to render a decision, and

WHEREAS, such concern on the part of the Albany City Council to have petitioners or their designated representatives present when their requests are to be heard before Council has previously been expressed by motion, ^{be} now, therefore, *(see attached)*

BE IT RESOLVED by the Mayor and the City Council of Albany that all petitioners or their designated representatives for zone changes, vacations, annexations, and such other requests as determined by the Council be required to be present at the public hearing at such time the petitioner's request is to be heard, and

BE IT FURTHER RESOLVED that should the petitioner or his designated representative not appear before Council at such time the public hearing is to be held, that the matter be tabled until such time as the petitioner or his designated representative is able to present his request and views to support his request.

DATED THIS 23RD DAY OF JUNE, 1976.

David C. Hayes
MAYOR

ATTEST:

Ernest W. Isham
CITY RECORDER

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Mr. Leedom pointed out that Mr. Bolles has also requested that he be allowed to move mobile homes on and off non-conforming mobile home site for 20 years or until the property is sold. He is asking \$2,500 in addition to the \$610 agreed upon for the right-of-way. Mayor Davis said he could understand Mr. Bartlett's concern. He suggested that the Planning Commission could consider his position. Mr. Leedom, Public Works Director, stated that this was a priority matter from the engineering standpoint. "If we do not get the rights-of-way, we cannot do the street improvement." The City Attorney suggested that the Planning Commission be directed to hold the public hearings on these properties. Mrs. Pontius moved that public hearings be held concerning the properties of Gerig, Bragg, and Bartlett and a report given to the City Council within 24 hours after the public hearing by the Planning and Zoning Commission because of pending construction. Mr. Hubert seconded the motion. The motion carried unanimously.

Concerning the Bolles' property, the City Attorney said, "Let's condemn if we are going to. Forget about (the request) for the mobile home pad." Mrs. Pontius moved to proceed with the condemnation proceedings on this property. Mr. Hayne seconded the motion. The motion carried unanimously. It was understood by Council members that this is a "friendly suit to determine the value of the property."

The Cooley request was held over until the rezone came up (later in the meeting).

PUBLIC HEARING ON REZONING SANTIAM AND AIRPORT ROAD TO C-2

The public hearing was declared open. There was no one present to speak for or against this rezone. Mr. Rhodaback said the Commission based their action on the following reasons: (1) The Comprehensive Land Use Plan shows the general area adjacent to the north side of Santiam Highway as present and future Commercial development. (2) The area requested for rezone is adjacent to C-2 Commercial zoning on two sides. (3) The Business and Professional Buildings are designed in such a manner as to provide an excellent buffer or transitional area between the existing commercial and residential classifications. (4) The additional traffic generated will have access to Airport Road between two major interchanges.

Mr. Hayes said he felt that at least one of the petitioners for rezone, vacation, etc. requests should be required to come to the public hearings before the City Council. He said he would like to see this become Council policy. Mr. Rhodaback pointed out that the petitioner felt this request was urgent. Mr. Rhodaback further pointed out that the Planning Commission already has such a policy of requiring a petitioner to be present at the public hearing before that body.

Mr. Hayes then moved to consider the request and hereafter make it Council policy to make petitioners be present. Mr. Olsen seconded the motion. The motion carried with Council man Jones voting "no". The ordinance was read for the first time entitled, "ZONE CHANGE AMENDMENT NO. , UNDER ORDINANCE NO. 2916, REZONING A PARCEL OF PROPERTY LOCATED NORTH OF SANTIAM HIGHWAY AND ON THE WEST SIDE OF AIRPORT ROAD FROM R-1 (6) RESIDENTIAL TO C-2 COMMERCIAL." The findings of the Planning Commission at their June 6th meeting were also adopted.

PUBLIC HEARING ON REZONING COOLEY SUBDIVISION

The request is for a realignment of zoning classification boundaries: R-1 (6), R-A (2) and C-2 Commercial. In May 1972, the Council approved annexation and zoning of the property. The zoning was to allow development of a PUD in the future. The petitioners, Cooleys, are submitting a request to alter the original application. The C-2 area will be moved to the east along the south side of Queen Avenue. The R- (2) land will replace the existing C-2 area located at the southeast corner of Queen and Geary. The R-1 (6) zone will replace a portion of the R-A (2) property along its extreme south boundary. The reason for this adjustment is to allow for property development of the Periwinkle Creek Project which runs the entire length of the property. The Planning Commission...