



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

Notice of Decision

File: ZC-06-19

May 13, 2020

DATE OF NOTICE: May 13, 2020

FILE: ZC-06-19

TYPE OF APPLICATION: Zoning Map Amendment from the RM (Residential Medium Density) zoning district to the RMA (Residential Medium Density Attached) zoning district.

REVIEW BODY: Planning Commission and City Council (Type IV, Quasi-Judicial Process)

PROPERTY OWNER/APPLICANT: Spies Real Estate Group, LLC; PO Box 2590, Corvallis, OR 97330

APPLICANT'S REPRESENTATIVE: MSS Engineering, Peter Seaders; 215 NW 4th Street, Corvallis, OR 97330

ADDRESS/LOCATION: 2710 Grand Prairie Road SE

ASSESSOR MAP & TAX LOT: Linn County Assessor's Map No. 11S-03W-17D; Tax Lot 101

On May 13, 2020, the Albany City Council adopted Ordinance No. 5940 to amend the zoning map as described above.

A Copy of Ordinance No. 5940 is available on request. The supporting documentation relied upon by the City in making this decision is available for review at the Community Development Department, City Hall, 333 Broadalbin Street SW, on the second floor. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. For more information, please contact David Martineau, planning manager, at 541-917-7561.

The City's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). Per ORS 197.830, a Notice of Intent to Appeal the plan and/or zoning map amendments shall be filed with LUBA no later than 21 days after Notice of Decision is mailed or otherwise submitted to parties entitled to notice.

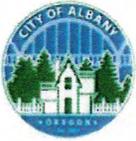

City of Albany Mayor

Attachment:
Ordinance No. 5940 with Associated Exhibit

Mail Date: May 14, 2020

Appeal Period Expiration: June 4, 2020

cd.cityofalbany.net



ORDINANCE NO. 5940

AN ORDINANCE AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP, BY AMENDING THE ALBANY ZONING MAP AND ADOPTING FINDINGS FOR THE PROPERTY LOCATED AT 2710 GRAND PRAIRIE ROAD SE; LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-17D TAX LOT 101.

WHEREAS, on December 24, 2019, the Albany Community Development Department received an application for a zoning map amendment for a property located at 2710 Grand Prairie Road SE (Planning File ZC-06-19); and

WHEREAS, a zoning district map and legal description for the subject property are provided in Ordinance Exhibits A and B, respectively; and

WHEREAS, the application is to amend the zoning map from residential medium density (RM) to residential medium density attached (RMA) for the same property; and

WHEREAS, the proposed zoning map amendment is discussed in detail in the March 9, 2020, staff report; and

WHEREAS, on March 16, 2020, the Albany Planning Commission held a public hearing, considered public testimony, deliberated on the proposed map amendment, and recommended approval of the proposal based on evidence presented in the staff report and during the public hearing; and

WHEREAS, on April 22, 2020, the Albany City Council held a public hearing on the proposal, reviewed the findings of fact and testimony presented at the public hearing, and then deliberated.

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

Section 1: The findings of fact and conclusions included in the staff report are hereby adopted in support of the decision.

Section 2: The zoning district map is hereby amended from residential medium density (RM) to residential medium density attached (RMA) on the property located in the City of Albany, Linn County, Oregon, as shown in Exhibit A and described in Exhibit B of this ordinance.

Section 3: A copy of this ordinance shall be filed in the Office of the City Clerk of the City of Albany and these changes shall be made on the official City of Albany zoning map.

Section 4: A copy of this ordinance shall be filed with the Linn County Assessor's Office within 90 days of the effective date of this ordinance.

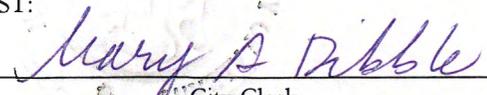
Passed by the Council: May 13, 2020

Approved by the Mayor: May 13, 2020

Effective Date: June 12, 2020

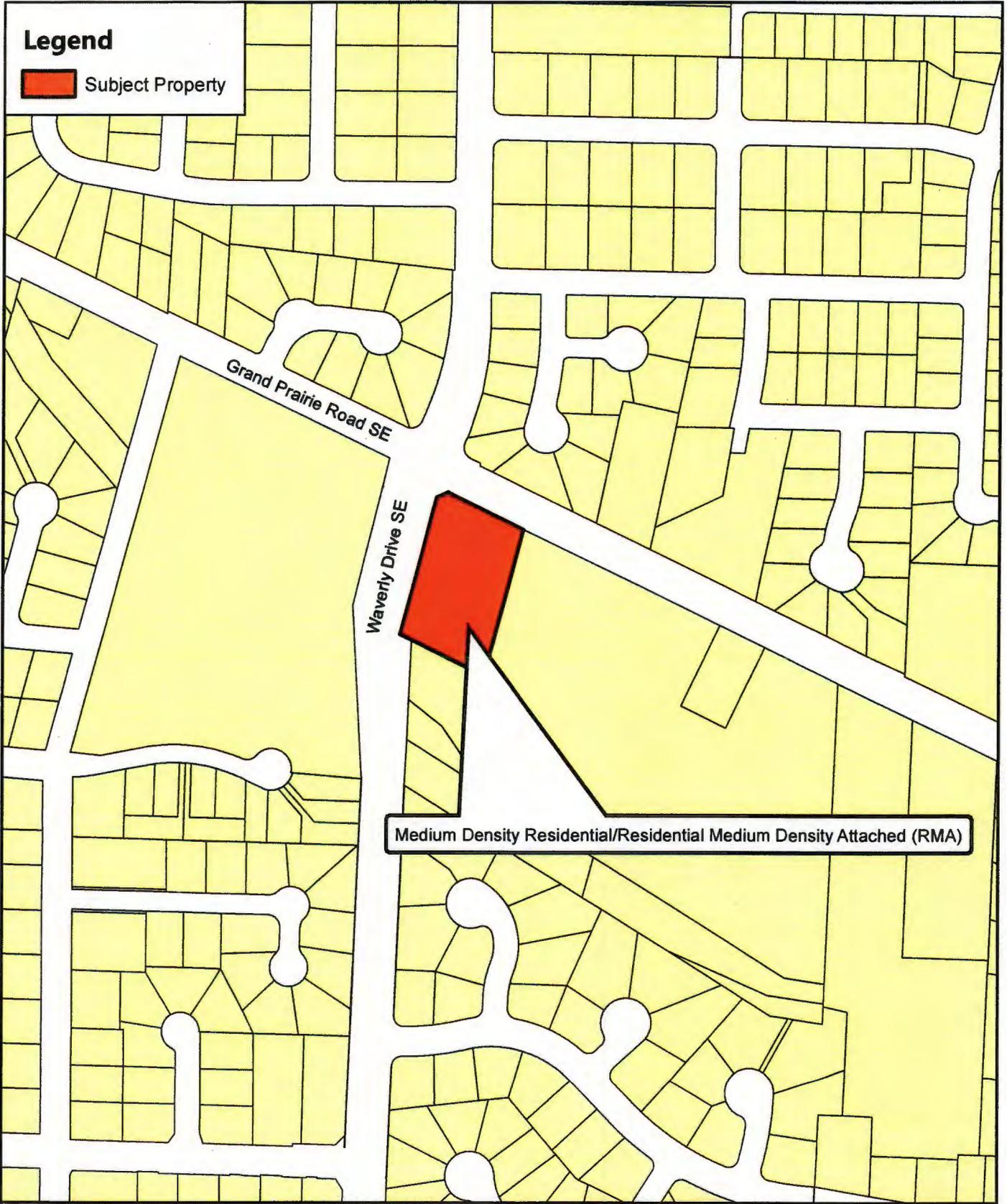

Mayor

ATTEST:


City Clerk

Legend

 Subject Property



G:\Community Development\Planning\Land Use Cases\2016\2019\Zone Change (CZ)\C-06-19 (Rezone 2718 Grand Prairie)\ZC_06_19_01.mxd



0 50 100 200
Feet

Date: 2/20/2020 Map Source: City of Albany

2710 Grand Prairie Road SE



Proposed Comprehensive Plan and Zoning Designation

Legal Description

A tract of land being situated in the Southeast Quarter of Section 17, Township 11 South, Range 3 West of the Willamette Meridian, in the City of Albany, County of Linn, State of Oregon, more particularly described as follows:

Beginning in the center line of the county road South 369.65 feet from the Southwest corner of the Anderson Cox Donation Land Claim No. 49, in Township 11 South, Range 3 West of the Willamette Meridian; thence North 65°58' West, along the centerline of said county road, 45.71 feet to the Northerly extension of the Easterly line of Lot 7 of Jason Wheeler's Home Farm; thence South 13°02' West, along the Easterly line of Lot 7, a distance of 345.0 feet to a 1/2 inch iron; thence South 65°56' East 191.0 feet to a 1/2 inch iron; thence North 13°02' East, parallel to the Easterly line of said Lot 7, a distance of 345.0 feet to the centerline of the county road; thence North 65°55' West, along said centerline, 145.29 feet to the point of beginning.

EXCEPTING THEREFROM that portion conveyed to the City of Albany by deed recorded July 24, 1973 in Volume 63, page 767, Microfilm Records for Linn County Oregon.

FURTHER EXCEPTING THEREFROM that portion conveyed to the City of Albany by deed recorded April 24, 1998 in Volume 938, page 988, Microfilm Records for Linn County, Oregon.

TOGETHER WITH an easement for ingress and egress created by instrument recorded March 12, 2007 as 2007-6104, Microfilm Records for Linn County, Oregon.