

A.

ORDINANCE NO. 4041

AN ORDINANCE ANNEXING AN AREA LOCATED EAST OF WAVERLY DRIVE BETWEEN 28TH AVENUE AND GRAND PRAIRIE ROAD AS R-1(6) SINGLE FAMILY AND DECLARING AN EMERGENCY.

WHEREAS, on the 22nd day of June, 1977, at a regular Council meeting, the Council of the City of Albany, Oregon, did duly pass Ordinance No. , wherein it was provided that a public hearing would be held on the 13th day of July, 1977, concerning the advisability of annexing property located east of Waverly Drive between 28th Avenue and Grand Prairie Road as R-1(6) single family, and

WHEREAS, the hearing was duly held on the 13th day of July 1977, and at that time the Council determined that the Notices of Hearing had been given as provided in the said Ordinance, and pursuant to the terms of ORS 222.111, 222.120 and 222.170, and

WHEREAS, the Council after said hearing determined that the area described herein as an area located east of Waverly Drive between 28th Avenue and Grand Prairie Road should be annexed, now, therefore,

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

Section 1: That the following described property be and is hereby annexed to the City of Albany, to-wit:

Assessor's Parcel Map 11-3W-17A, Tax Lot 3001

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Section 2: That a copy of this ordinance shall be filed in the office of the City Recorder and the number of the ordinance shall be noted on the official zoning map of the City of Albany.

Section 3: 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 annexation of the property described herein be disposed of at the earliest possible moment, and that the City facilities be made available to this property; 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: July 13, 1977


Approved by the Mayor: July 13, 1977

Effective Date: July 13, 1977



\_\_\_\_\_  
Mayor

ATTEST:

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

## FINDINGS OF FACT

1. The request conforms to the Comprehensive Land Use Plan, which designates the area as future urban residential development.
2. The property is presently zoned County UR Urban Residential (Single Family Residential).
3. The requested R-1(6) Single Family Residential zoning is desirable from the standpoint of establishing a proper development trend and density pattern in the general area.
4. The petitioner has not provided justification or shown need for the R-2 Multiple Family zoning portion of the request.
5. The annexation/R-1(6) zoning and subsequent development will have a lesser degree of impact on the Grand Prairie School District than R-2 and R-1(6) zoning.

## FINDINGS OF FACT FOR DENIAL OF R-2 ZONING

1. Based on the area's current land use pattern, there does not appear to be a clear need or justification for allowing additional R-2 zoning for the purpose of buffering or screening the property presently being requested for R-1(6) zoning from the already existing R-2 zoned property located immediately to the west.
2. The property owners on 27th and 28th Avenues have continued to voice strong concerns about multiple family zoning and its impact on the neighborhood area from the standpoint of increased traffic on substandard streets, school capacity, and property values.
3. A continued trend towards allowing additional multiple family zoning could create a pattern or establish a precedent for multiple family zoning of remaining larger parcels of land within the same neighborhood area.



Beginning at a one inch pipe on the South Line of and North  $89^{\circ}21'$  East 464.95 feet from the Southwest corner of Anderson Cox Donation Land Claim No. 49 in Township 11 South, Range 3 West of the Willamette Meridian in Linn County, Oregon; and running thence North  $89^{\circ}21'$  East along the South line of Claim 49 a distance 434 feet to a 3/4 inch pipe on the East line of Section 17 in said Township and Range; thence South  $0^{\circ}08'$  East along the East line of Section 17 a distance of 520.93 feet to the Southeast corner of the Northeast quarter of said Section 17; thence South  $0^{\circ}22'$  West along the East line of said Section 17 a distance of 228.90 feet to the North right-of-way of Grand Prairie Road, thence North  $65^{\circ}55'$  West along said North right-of-way of Grand Prairie Road 335.60 feet; thence north  $10^{\circ}04'$  East 357.13 feet; thence South  $89^{\circ}21'$  West 235.01 feet; thence North  $10^{\circ}04'$  East 262.73 feet to the point of beginning.