

RESOLUTION NO. 2868

A RESOLUTION PROCLAIMING THE ANNEXATION AND ZONING OF PROPERTY LOCATED NORTH OF DAVID STREET NE AND EAST OF CENTURY DRIVE NE, MORE COMMONLY KNOWN AS 1650 CENTURY DRIVE NE AND CONTAINING APPROXIMATELY 3.59 ACRES MORE OR LESS (FILE NO. AN-02-89) AND SETTING A PUBLIC HEARING FOR THE REMOVAL OF TERRITORY FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT.

WHEREAS, the City Council has proposed to annex in accordance with the provisions of ORS 222.750 certain property described by attached Exhibit A and more commonly known as 1650 Century Drive NE which is adjacent to the City of Albany; and

WHEREAS, provisions of state law and the Albany Development Code waive requirements for Planning Commission review and public hearings for such annexations; and

WHEREAS, the Albany Development Code provides for the application of specific zoning districts upon annexation of territory under these circumstances; and

WHEREAS, a public hearing should be held concerning the withdrawal of said territory from the Albany Rural Fire Protection District under the provisions of ORS 222.524.

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the territory described by attached Exhibit A is hereby proclaimed to be annexed to the city of Albany and zoned ML (Light Industrial).

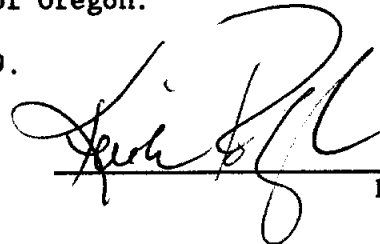
BE IT FURTHER RESOLVED that the findings, attached Exhibit B, are hereby adopted in support of this annexation and zoning action.

BE IT FURTHER RESOLVED by the Albany City Council that a public hearing on the matter of removal of the territory described in Exhibit A from the Albany Rural Fire Protection District be held by the City Council on June 28, 1989, 7:15 p.m.

BE IT FURTHER RESOLVED that the City Recorder shall give notice of the hearing by publication once each week for two (2) successive weeks prior to the day of said hearing in a newspaper of general circulation within the city. The City Recorder shall further cause notice of this hearing to be posted in four (4) public places within the city for a like time.

BE IT FURTHER RESOLVED that the property described by attached Exhibit A shall be effectively annexed to the City of Albany on the date that the complete abstract of the annexation proceedings described above is filed with the Secretary of State of the State of Oregon.

DATED THIS 14TH DAY OF JUNE, 1989.



\_\_\_\_\_  
Mayor

ATTEST:

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



**EXHIBIT B**  
**FINDINGS**  
**CASE NO. AN-02-89**

1. Annexation of the subject property is a logical and efficient extension of the city limits boundaries to facilitate the functional and economic provision of services as the property to the east and south are currently within the city limits and the annexation of the subject property will take the city limits to the north boundary of the Urban Growth Boundary on Century Drive NE.
2. The subject property is within the Urban Growth Boundary and will provide for coordinated planning efforts for extension of streets and utilities.
3. Annexation and zoning of the subject property are in conformance with the acknowledged Albany Comprehensive Plan.
4. The conflicts between the City and County applications of development standards and requirements for this property will be eliminated through annexation.
5. The annexation of the subject property was initiated by 100% of the property owners and no other electors reside on the property; thus, annexation may occur without a public hearing or Planning Commission review under the provisions of ORS 222.125 and Albany Development Code Sections 3.010(5) and (7).
6. The Albany Development Code Annexation Zoning Matrix (Section 3.030(2)) provided for application of the ML (Light Industrial) zoning designation for properties with a Light Industrial Comprehensive Plan designation.
7. The proposed zoning designation of ML (Light Industrial) is in conformance with the Albany Comprehensive Plan designation of Light Industrial. As such, the property may be developed applying the standards for the ML (Heavy Commercial) zoning district as provided for in the Albany Development Code.
8. Urban services can be extended to the subject property without adversity to other properties in the city.
9. The future use and development of the property will be subject to Site Plan Review approval which will assure the provision of adequate public improvements and enhancement of the property through appropriate landscaping.