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ORDINANCE NO. 3969

TITLE: ZONE CHANGE AMENDMENT NO. 134, UNDER ORDINANCE NO. 2916 REZONING PROPERTY LOCATED NORTH OF WATER AVENUE BETWEEN MONTGOMERY AND JACKSON STREETS FROM M-2 TO C-1.

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 attached exhibit for findings of fact

and,

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

1. The owner shall sign a petition for improvements and a waiver of remonstrance for future improvements to Water Avenue.

now, therefore,

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

Section 1: ZONE CHANGE AMENDMENT NO. 134

An area described as follows: Assessor's Parcel Map 11-3W-6CD, Tax Lots 6200, 11500 (property located north of Water Avenue between Montgomery and Jackson Streets (see attached description)

is hereby rezoned as C-1 and this amendment shall be known as zone change amendment number 134.

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: October 13, 1976

Approved by the Mayor: October 13, 1976

Effective Date: May 2, 1977



Mayor

ATTEST:



City Recorder

FINDINGS OF FACT

1. The proposed joint commercial usage is in conformance with the Comprehensive Plan and Goal Statements.
2. The proposed use will provide a stimulus for additional commercial development versus expanded industrial development within the downtown core area.
3. The proposed use will allow greater public usage and enjoyment of the Willamette River frontage.
4. The strict intent of the Willamette River Greenway goal is to allow, by control, compatible versus noncompatible uses that are oriented to the Greenway area (commercial versus industrial zoning and development).
5. Recent action by the Planning Commission has reclassified other property in the same area from M-2 Industrial to C-1 Commercial.

BOUDREAU ZONE CHANGE

Beginning at a point 100 ft. east of the southwest corner of Block 100 of Hackleman's Addition, and on the south boundary of said block; Proceed thence

Easterly, 476.00 ft. along the south property line of Blocks 100 and 107; thence

Northerly 160 ft., more or less, to the Willamette River; thence

Southwesterly along the south bank of said river to a point directly north of the point of beginning; thence

Southerly 120 ft., more or less, to the point of beginning.

More specifically described as the easterly 80 ft. of Block 100 and all of Block 107, Hackleman's Addition.

TO BE ZONED C-1.

