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TITLE: ZONE CHANGE AMENDMENT NO. 141, UNDER ORDINANCE NO. 2916 REZONING TWO LOTS ON EAST SIDE OF SHORTRIDGE LANE SOUTH OF SANTIAM HIGHWAY FROM R-1(6) TO BP-1 BUSINESS AND PROFESSIONAL.

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 Attachment A

and,

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

none

now, therefore,

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

Section 1: ZONE CHANGE AMENDMENT NO. 141

An area described as follows: Assessor's Parcel Map 11-3W-9BC, Tax Lot 400

(see attached legal description)

is hereby rezoned as BP-1, Bus. & Professional and this amendment shall be known as zone change amendment number 141 .

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.

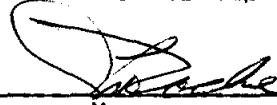
Section 3: CERTIFICATE OF COMPLIANCE

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: August 24, 1977

Approved by the Mayor: August 24, 1977

Effective Date: September 23, 1977

  
\_\_\_\_\_  
Mayor

ATTEST:

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

TO: ALBANY CITY COUNCIL

RE: ZONE CHANGE REQUEST, 1209 + 1215 Shortridge

ATTACHMENT A

FINDINGS OF FACT

1. The proposed zone is supported by a public need for further BP1 property. Testimony presented substantiated a scarcity in available office space in the Albany metropolitan area. The public demand for such property exceeds the supply of suitable property.
2. The public need can best be served by the change requested on this particular property as compared to other properties. Testimony presented shows this property is located adjacent to the Santiam Highway Commercial Corridor, an area of particular scarcity of office space. Demand for office space in this location is higher than in other areas because of this area's proximity to the interstate freeway.
3. The degree of change requested is commensurate with the identified public need. The requested zone is the least intensive use which would allow the proposed use.
4. The request conforms to the Comprehensive Land Use Plan and General Goal Statements. The policy of the Plan is to encourage business and professional uses to locate in conjunction with other commercial uses as opposed to locating individually, or in small numbers, in predominately residential neighborhoods. The property considered here is in the area of the commercial development along the Santiam Highway. The requested change would be a minimal intrusion into the adjoining residential area, and would not materially affect the density of existing uses of the area. The availability of the requested zone would complement the commercial uses in this neighborhood. Evidence presented supports the receptiveness of residents surrounding this property for the proposed use.

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS, That Per H. Sjogren

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Scharpf's Twin Oaks Builders Supply Co.

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Linn and State of Oregon, described as follows, to-wit:

122-1-10-11-12-13-14-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100

The North 70 feet of the South 140 feet of the following described tract, to wit: Beginning North 1°39' West 56.59 chains, North 88°45' East 15.79 chains and North 1°22' West 30.60 chains from the Southwest corner of the Anderson Cox DLC #49 in Section 17, Township 11 South, Range 3 West of the Willamette Meridian, said beginning point being the old center of the county road (now Santiam Highway); thence South 1°22' East 27.25 rods; thence North 88°45' East 6 rods; thence North 1°22' West 23.25 rods; thence North 70°25' West 6.4 rods to the place of beginning. And situate in Section 9 of said Township and Range.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except conditions, restrictions and easements of record