



ORDINANCE NO. 5970

AN ORDINANCE AMENDING ORDINANCE NO. 4836, WHICH ADOPTED THE CITY OF ALBANY COMPREHENSIVE PLAN MAP AND AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP, BY AMENDING THE ALBANY COMPREHENSIVE PLAN AND ZONING MAP AND ADOPTING FINDINGS FOR THE PROPERTY LOCATED AT LINN COUNTY ASSESSOR'S MAP NO. 11S-03W-16 TAX LOT 2500.

WHEREAS, on November 18, 2021, the Albany Community Development Department received an application for a comprehensive plan and zoning map amendment for unaddressed property located on Three Lakes Road SE and identified as Linn County Assessor's Map No. 11S-03W-16, Tax Lot 2500 (Planning Files CP-04-21 and ZC-04-21); and

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

WHEREAS, the application is a comprehensive plan map amendment to change 14.18 acres from LDR (Low Density Residential) to MDR (Medium Density Residential); and a zoning map amendment to change 14.18 acres from RS-6.5 (Residential Single Family) to RM (Residential Medium Density); and

WHEREAS, the proposed comprehensive plan and zoning map amendment is discussed in detail in the March 7, 2022, staff report; and

WHEREAS, on March 14, 2022, the Albany Planning Commission held a public hearing, considered public testimony, deliberated on the proposed map amendments, and recommended approval of the proposal based on evidence presented in the staff report and during the public hearing; and

WHEREAS, on April 13, 2022, 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 comprehensive plan map is hereby amended from LDR (Low Density Residential) to MDR (Medium Density Residential).

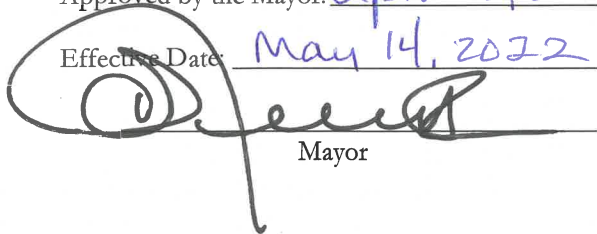
Section 3: The zoning map is hereby amended from RS-6.5 (Residential Single Family) to RM (Residential Medium Density).

Section 4: 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.

Passed by the Council: April 13, 2022

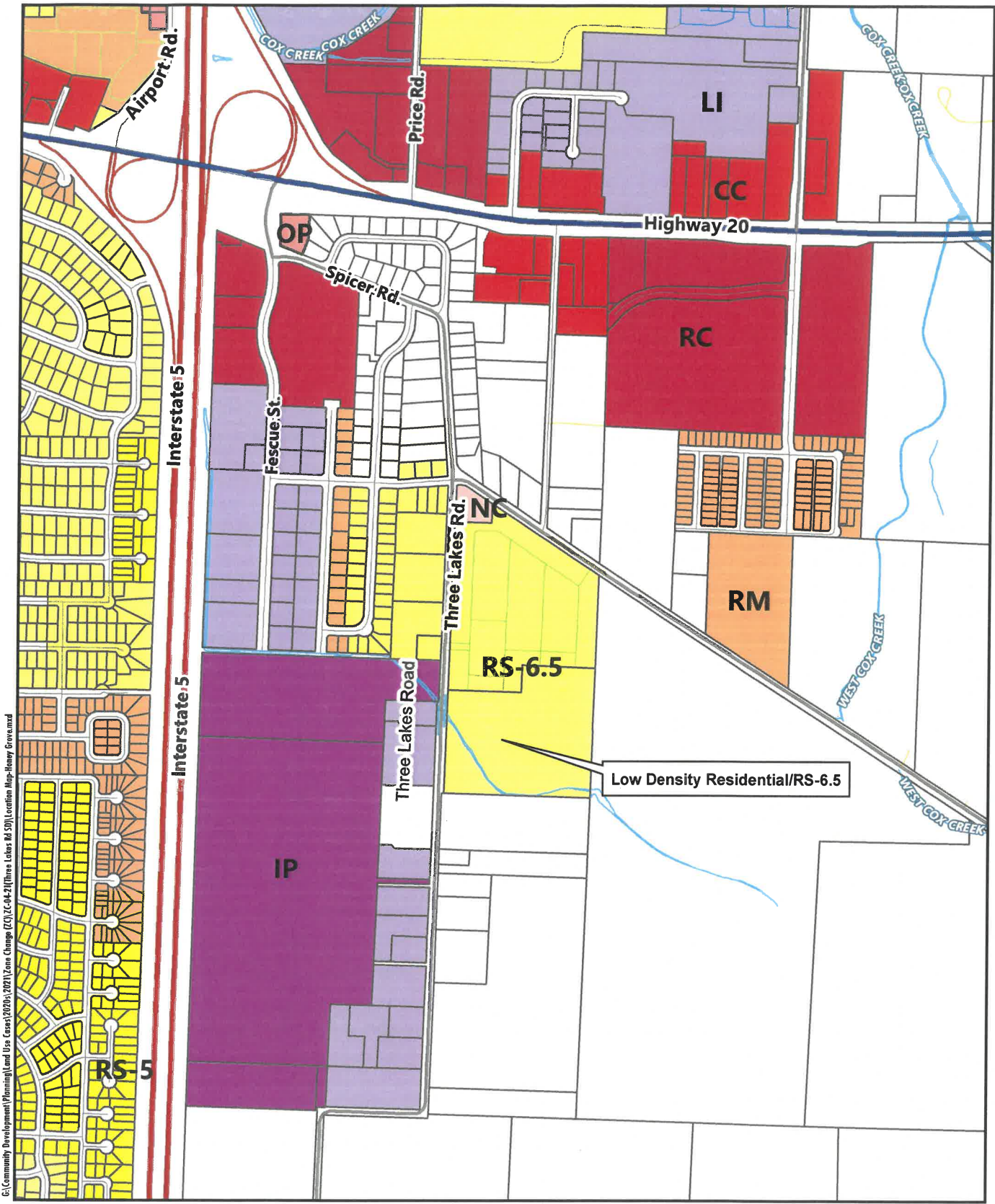
Approved by the Mayor: April 13, 2022

Effective Date: May 14, 2022

  
Mayor

ATTEST:   
\_\_\_\_\_  
City Clerk





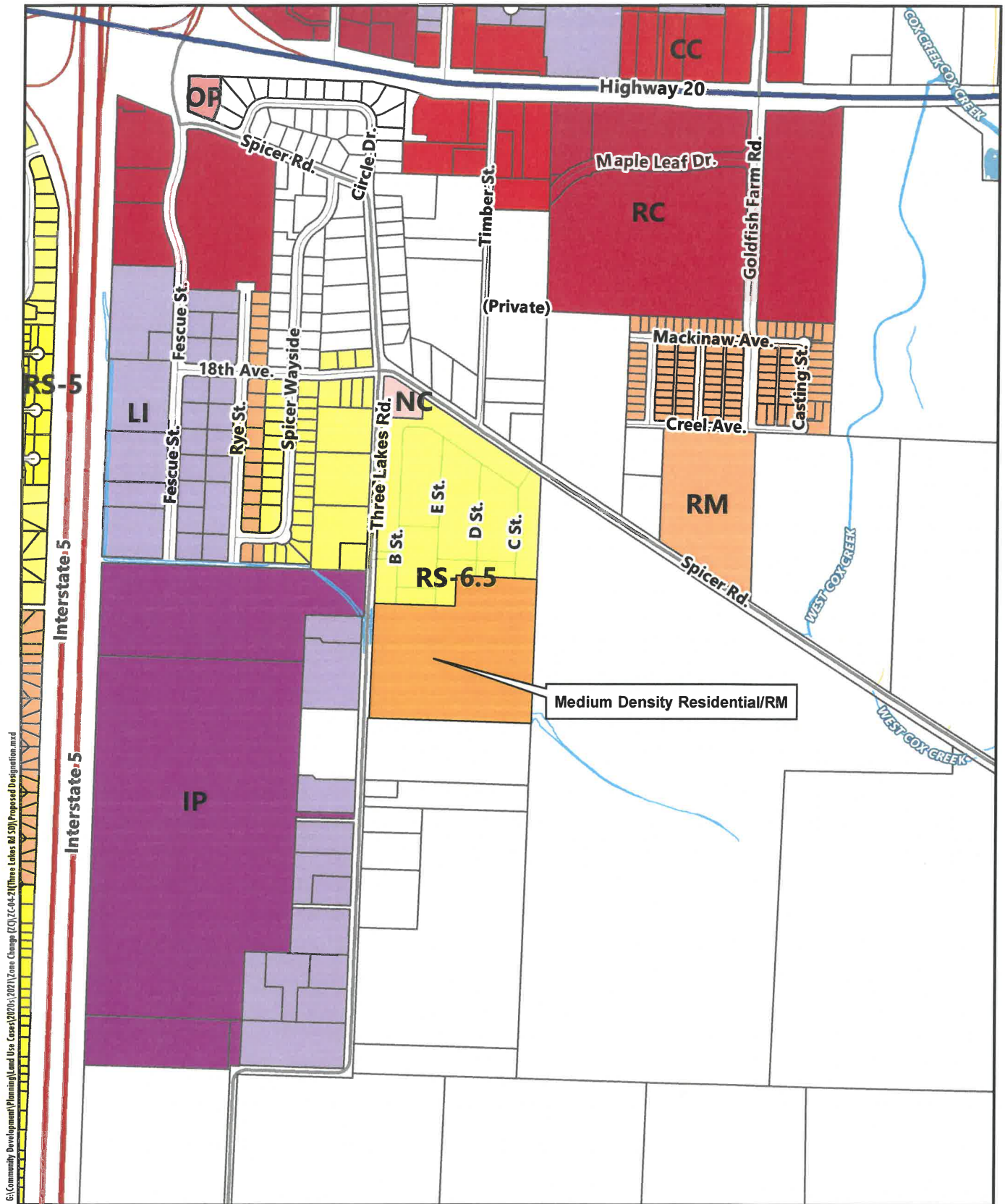
G:\Community Development\Planning\Land Use\_Cases\2020s\2021\Zone Change (CZ)\ZC-04-21\Three Lakes RD 50\Location Map-Henry Grove.mxd



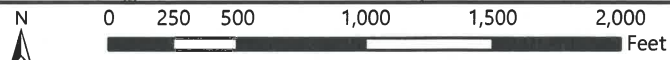
Date: 2/16/2022 Map Source: City of Albany

**Current Designation**

**Location / Zoning Map**



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Date: 2/16/2022 Map Source: City of Albany

### Proposed Designation

### Location / Zoning Map

**EXHIBIT "A"**  
Legal Description

Being a parcel of land situated in Section 16, Township 11 South, Range 3 West, in Donation Land Claim No. 48, Willamette Meridian, in the City of Albany, County of Linn and State of Oregon, being more particularly described as follows: Beginning at a point 31.20 chains South of the Northeast corner of the West half of the Donation Land Claim of Edward N. White and wife, Notification No. 695 and Claim No. 48 in Township 11 South, Range 3 West of the Willamette Meridian, Linn County Oregon, and running thence South 20.60 chains; thence West 13.75 chains; thence North 29.03 chains to the center of a county road; thence South 60° East along the center of said County Road, 16.26 chains to the place of beginning, all lying and being in Linn County, Oregon.

**EXCEPTING THEREFROM:** Beginning at a point on the West line of that parcel conveyed to Floyd Zumwalt by deed recorded in Microfilm Volume 513, Page 695, Linn County Microfilm Records which is 13.75 chains West, and 3544.29 feet North 0° 17' East of the Southeast corner of the West half of the Edward N. White Donation Land Claim Number 48, Township 11 South, Range 3 West of the Willamette Base and Meridian, Linn County, Oregon; thence along the lines of said parcel North 0° 17' East 305 feet, and South 58° 06' 46" East 291.26 feet; thence South 0° 15' 39" West 152.27 feet to a 5/8 inch iron rod; thence North 89° 44' 21" West 348.12 feet to the point of beginning.

**ALSO EXCEPTING THEREFROM:** Being a parcel of land situated in Section 15 of Township 11 South, Range 3 West of the Willamette Meridian, in the City of Albany, County of Linn and State of Oregon, being more particularly described as follows:

Beginning at a point on the East line of that tract of land conveyed to Gary Redfield et al, as recorded in Volume 600, Page 7 of the Official Records of Linn County, Oregon, said point being North 00°00'00" East a distance of 771.21 feet from the Southeast corner of said Redfield tract, and being the Southeast corner of the parcel being described; thence North 00°00'00" East a distance of 552.08 feet to a point in the South right of way line of Spicer Road; thence North 58°06'46" West along said South right of way line of Spicer Road a distance of 774.90 feet to a point; thence South 00°15'39" West a distance of 117.04 feet to a point; thence North 89°44'21" West a distance of 218.10 feet to a point in the East right of way line of Three Lakes Road; thence South 00°00'00" East along said East right of way line a distance of 1006.34 feet to a point, said point being the Southwest corner of the parcel being described; thence North 90°00'00" East a distance of 438.38 feet to a point; thence North 00°20'44" West a distance of 166.57 feet to a point; thence South 89°16'10" East a distance of 439.25 to the point of beginning.