

A RESOLUTION APPROVING)
 COMPREHENSIVE PLAN AND ZONE) RESOLUTION NO. 81
 MAP AMENDMENTS TO)
 REDESIGNATE 82.74 ACRES FROM)
 MIXED DENSITY RESIDENTIAL AND)
 SPECIAL DEVELOPMENT DISTRICT)
 TO SPECIAL DEVELOPMENT)
 DISTRICT.)

WHEREAS, the Lebanon Planning Commission on September 20, 1995, conducted a public hearing on File No. CPA-95-1 which was a request to redesignate a certain vacant 82.74 acre site (12 adjacent parcels), more particularly described hereafter, from Mixed Density Residential and Special Development District to Special Development District, Comprehensive Plan Map Designations; and

WHEREAS, the Lebanon Planning Commission unanimously approved said request; and

WHEREAS, the Lebanon City Council has conducted a public hearing on September 27, 1995, upon the same request and File Number; and

WHEREAS, the Lebanon City Council finds that appropriate notice has been made to all parties according to the provisions of the Oregon Revised Statutes; and

WHEREAS, the Lebanon City Council at said hearing considered the following Comprehensive Plan criteria:

- 1) Section 9.010 of the Lebanon Zoning Ordinance identifies the procedures by which a property owner may petition a zone map change or amendment;
- 2) Section 9.020 of the Lebanon Zoning Ordinance identifies the procedures to be followed by the Planning Commission and City Council regarding public hearings on proposed Zone Map (and text) amendments;
- 3) Sections 4.020 (2-5) of the Lebanon Zoning Ordinance identify the permitted uses in the Residential Mixed Density (RM) Zone;

- 4) Section 4.310(3) of the Lebanon Zoning Ordinance identify the permitted uses in the Mixed Use (MU) Zone;
- 5) Lebanon Comprehensive Plan, Land Use Element, Residential Land Use Section, Policy No. 1, which encourages the City to provide efficient land utilization;
- 6) Lebanon Comprehensive Plan, Land Use Element, Residential Land Use Section, Policy No. 5, which encourages the maintenance of a Mixed-Density Residential Zone to allow locational flexibility and an intermix of housing types and densities within locational criteria which would direct traffic from higher density developments onto highways, arterials, or collector streets;
- 7) Lebanon Comprehensive Plan, Land Use Element, Commercial Land Use Section, Policy No. 8, which provides that future commercial centers should be allowed within the Mixed-Density Residential District under certain circumstances and providing certain access;
- 8) Lebanon Comprehensive Plan, Land Use Element, Commercial Land Use Section, Policy No. 10, which encourages commercial development as compact centers; and
- 9) Lebanon Comprehensive Plan, Transportation Element, Streets and Highways Section, Policy No. 9, which provides that the use of land adjacent to arterials shall not be allowed to conflict with the safe and efficient movement of traffic; and

WHEREAS, the City Council has considered the testimony, staff report and criteria of said request;

NOW, THEREFORE, the City Council having considered the testimony, staff report, and criteria identified above, BE IT RESOLVED:

By the Lebanon City Council as follows:

Section 1. The City Council, considering all of the above, hereby finds:

- a) The request for a Comprehensive Plan Map Amendment complies with Zoning Ordinance Section 9.010 in that the applicant is the City who followed the procedures of Section 9.010;

b) The proposed Mixed Use Zoning upon annexation requires that the existing Comprehensive Plan Map Designation of the subject property (Residential Mixed Density) be redesignated to Special Development District;

c) The subject property remains vacant and inactive in the existing zone (and permitted uses) apparently does not permit a viable use, and therefore, does not serve the best interests of the property, neighborhood, vicinity or the City;

d) The proposed Comprehensive Plan Map Amendment from Mixed Density Residential to Special Development District will still allow a variety of potential residential uses at the subject property. The uses permitted in the proposed MU Zone are compatible with existing residential uses in the immediate vicinity;

e) The proposed Comprehensive Plan Map Amendments comply with Policy #1, Residential Land Use Section, Land Use Element, of the Lebanon Comprehensive Plan in that it will encourage compact residential development in proximity to needed services, employment opportunities and transportation facilities;

f) The subject property can successfully accommodate a variety of MU zone permitted uses in a manner that will not conflict with and will be compatible with the adjacent hospital and vacant lands, adjacent and nearby residential uses, and the abutting highway and infrastructure;

g) The proposed Comprehensive Plan Amendment complies with the Lebanon Comprehensive Plan, Land Use Element, Residential Land Use Section, Policies #5 and #8, and Commercial Land Use Section, Policy #10 in that 1) flexible housing opportunities and densities with direct highway access will be permitted; and 2) future commercial development will have highway access, potentially permitted now in the Mixed Density Residential District, and implementing the highway access controls will encourage compact Commercial centers rather than strip commercial development; and

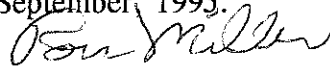
h) The development of highway access plans for large vacant parcels adjacent to the highway complies with the Lebanon Comprehensive Plan, Transportation Element, Streets and Highways Section, Policy #9 in that such access plans will help to assure that the development of these sites will be designed so as not to conflict with highway operations and safety.

Section 2. The City Council hereby approves the recommendation of the Lebanon Planning Commission and does hereby amend the Comprehensive Plan Map of that certain real property located South of Albany-Santiam Canal, West of Highway 20, East of Hansard Avenue, and North of Mary Street, Lebanon, Linn County, Oregon, and more particularly described on the attached Exhibit "A" and incorporated herein by reference, involving acreage in the approximate size of 82.74 acres, from the current Comprehensive Plan Designation of Mixed Density Residential and Special Development District to Special Development District for the entire parcel.

Section 3. Appropriate notice of this action shall be made as provided by law to the Department of Land Conservation and Development and the appropriate parties herein.

Passed by the Council of the City of Lebanon by a vote of 5 for and 0

against, and approved by the Mayor this 27th day of September, 1995.



Ron Miller, Mayor Pro Tem

~~Robert Cox Smith~~

~~Mayor for the City of Lebanon~~

ATTEST:



Joseph A. Windell
City Recorder

EXHIBIT "A"

1)	T12S - R2W - 3D, Tax Lot 100	(12.91 acres)
2)	T12S - R2W - 3D, Tax Lot 103	(1.89 acres)
3)	T12S - R2W - 3D, Tax Lot 116	(1.50 acres)
4)	T12S - R2W - 3C, Tax Lot 100	(15.00 acres)
5)	T12S - R2W - 3A, Tax Lot 1900	(6.16 acres)
6)	T12S - R2W - 3A, Tax Lot 1200	(23.27 acres)
7)	T12S - R2W - 3A, Tax Lot 1800	(18.11 acres)
8)	T12S - R2W - 3A, Tax Lot 2000	(0.97 acre)
9)	T12S - R2W - 3A, Tax Lot 2001	(1.00 acre)
10)	T12S - R2W - 3A, Tax Lot 2101	(0.88 acre)
11)	T12S - R2W - 3A, Tax Lot 2100	(0.52 acre)
12)	T12S - R2W - 3A, Tax Lot 2003	(0.53 acre)
	Total area proposed for Amendment	<u>82.74 acre</u>