



NOTICE OF PUBLIC MEETING  
CITY OF ALBANY  
CITY COUNCIL  
SPECIAL MEETING  
Council Chambers  
333 Broadalbin Street SW  
Monday, August 31, 2015  
4:00 p.m.

OUR MISSION IS

"Providing quality public services  
for a better Albany community."

OUR VISION IS

"A vital and diversified community  
that promotes a high quality of life,  
great neighborhoods, balanced  
economic growth, and quality public  
services."

AGENDA

Rules of Conduct for Public Meetings

1. No person shall be disorderly, abusive, or disruptive of the orderly conduct of the meeting.
2. Persons shall not testify without first receiving recognition from the presiding officer and stating their full name and residence address.
3. No person shall present irrelevant, immaterial, or repetitious testimony or evidence.
4. There shall be no audience demonstrations such as applause, cheering, display of signs, or other conduct disruptive of the meeting.

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE TO THE FLAG
3. ROLL CALL
4. SCHEDULED BUSINESS
  - a. Business from the Public
  - b. Approval of Agreement
    - 1) Infrastructure funding agreement with MBBH Development, LLC, for ST-16-02, Crocker Lane LID (from Valley View Drive to Meadow Wood Drive). [Pages 2-5]  
Action: \_\_\_\_\_
5. BUSINESS FROM THE COUNCIL
6. NEXT MEETING DATE: Work Session: ~~September 7, 2015~~ *canceled, Labor Day observed*  
September 21, 2015

Regular Session: September 9, 2015

7. ADJOURNMENT

City of Albany Web site: [www.cityofalbany.net](http://www.cityofalbany.net)

The location of the meeting/hearing is accessible to the disabled. If you have a disability that requires accommodation, advanced notice is requested by notifying the City Manager's Office at 541-917-7508, 541-704-2307, or 541-917-7519.

**AN INFRASTRUCTURE FUNDING AGREEMENT  
BETWEEN  
THE CITY OF ALBANY, OREGON, AND MBBH DEVELOPMENT, LLC**

**PARTIES:**

MBBH Development, LLC (“MBBH”)  
123 NW 7<sup>th</sup> Street  
Corvallis, OR 97330

City of Albany (“City”)  
333 SW Broadalbin Street  
Albany, OR 97321

**RECITALS:**

A. MBBH has received tentative subdivision approval from the City for an 82-lot residential subdivision (Albany Heights Phase II), Planning file SI-101-14, on Benton County Tax Lot 10S-04W-25-01900;

B. Conditions of approval require NW Crocker Lane frontage along the subdivision and the adjacent stormwater detention facility parcel to the south to be improved to City standards, or that MBBH participate in an assessment district to make the Crocker Lane improvements;

C. The MBBH frontage improvement area includes Tract 1 on the tentative plan, an area of 10.65 acres more or less. As of the date of the signing of this Agreement, Benton County holds from MBBH an option to purchase the Tract 1 and Tract 3 acreage, being about 10.65 acres and 1.99 acres respectively, which can be exercised when final plats including the Tract 1 and Tract 3 acreage are recorded by Benton County;

D. On April 22, 2015, the City formed a Local Improvement District (LID) to make the Crocker Lane improvements, from Valley View Drive to Meadow Wood Drive, which includes the area of the improvements required in paragraph B above;

E. The Initial Engineer’s Report and Financial Investigation determined that the total LID assessment for the NW Crocker Lane frontage along the Albany Heights Phase II subdivision and the adjacent stormwater detention facility parcel to the south would be fixed at \$400,000, as long as certain conditions were met;

F. Also in the LID are 58 North Creek subdivision lots that were developed and sold by MBBH/Hayden Homes. MBBH has offered to contribute up to \$1000 per lot for said 58 North Creek subdivision lots, for a total of up to \$58,000, provided the City implements the general funding strategy it approved for the LID following the public hearing on April 22, 2015, which would cap the LID assessment for the 58 lots at \$1,000 per lot, resulting in no net assessments for those lots;

G. MBBH Development LLC wishes to Plat 9 of the 82 approved lots in the near future and prior to paying the full LID assessment;

H. An infrastructure funding agreement is necessary to secure funding strategies, to facilitate near-term platting of the 9 lots, and to secure LID payments prior to platting of new lots.

**TERMS:**

1. The City agrees to fix MBBH Development, LLC's assessment for NW Crocker Lane frontage improvements along the Albany Heights Phase II subdivision and the adjacent stormwater detention facility parcel to the south at \$400,000.
2. The City agrees to cap the assessment on the 58 North Creek properties previously developed and sold by MBBH/Hayden Homes at \$1,000 per lot.
3. MBBH will pay the assessment for the 58 North Creek properties previously developed and sold by MBBH/Hayden Homes, not to exceed \$1,000 per property as specified above.
4. The City will approve a final plat for the initial 9 lots of Albany Heights Phase II upon MBBH satisfying all related conditions of land use approval, meeting related development and permit requirements, and payment of all required fees and charges, including \$43,902.43 toward the Crocker Lane LID (9/82 of \$400,000).
5. Except for Tracts 1 & 3 and the initial nine lots identified above, no additional lots shall be platted, created, or divided prior to total payment of MBBH's LID commitments of \$458,000 as outlined herein, or as otherwise levied through LID assessments.
6. The City acknowledges that MBBH may make payment of \$458,000 toward the LID prior to final assessments being determined. Should this occur, the City will refund to MBBH the difference between the final assessment and the \$1,000 paid for each of the 58 lots North Creek properties discussed above. This refund shall only occur as long as all other conditions of this agreement are met such that the final assessment for Albany Heights Phase II (Benton County Tax Lot 10S-04W-25-01900) is \$400,000.

**IT IS SO AGREED:**

Dated: \_\_\_\_\_, 2015

MBBH Development, LLC

\_\_\_\_\_  
By Myles Breadner, Managing Manager

STATE OF OREGON )  
County of \_\_\_\_\_) ss.  
City of \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by Myles Breadner, Managing Member, as a representative of MBBH, LLC, as his voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
Commission Expires: \_\_\_\_\_

Dated: \_\_\_\_\_, 2015

City of Albany

\_\_\_\_\_  
By Wes Hare, Albany City Manager

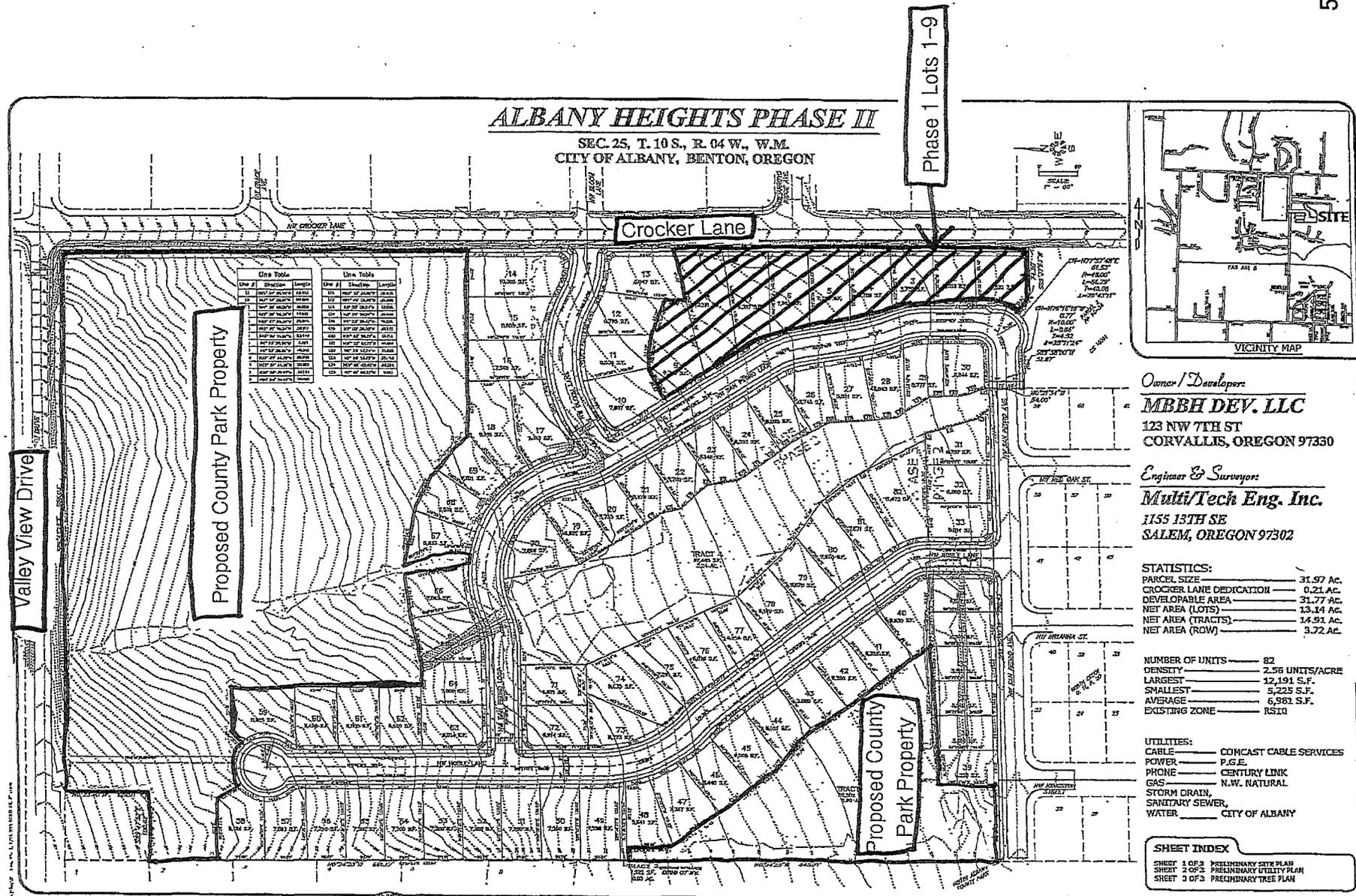
STATE OF OREGON )  
County of \_\_\_\_\_) ss.  
City of \_\_\_\_\_)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by  
Wes Hare, City Manager for the City of Albany, as his voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon  
Commission Expires: \_\_\_\_\_

# ALBANY HEIGHTS PHASE II

SEC. 25, T. 10 S., R. 04 W., W.M.  
CITY OF ALBANY, BENTON, OREGON



Proposed County Park Property

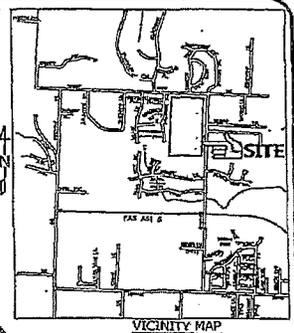
Proposed County Park Property

Phase 1 Lots 1-9

Valley View Drive

Crocker Lane

Line Table	Line Table
Line #	Line #
Direction	Direction
Length	Length
Notes	Notes



Owner / Developer  
**MBBH DEV. LLC**  
 123 NW 7TH ST  
 CORVALLIS, OREGON 97330

Engineer & Surveyor  
**Multi/Tech Eng. Inc.**  
 1155 13TH SE  
 SALEM, OREGON 97302

STATISTICS:

PARCEL SIZE	31.97 AC.
CROCKER LANE DEDICATION	0.21 AC.
DEVELOPABLE AREA	31.77 AC.
NET AREA (LOTS)	13.14 AC.
NET AREA (TRACTS)	14.91 AC.
NET AREA (ROW)	3.72 AC.

NUMBER OF UNITS	82
DENSITY	2.56 UNITS/ACRE
LARGEST	12,191 S.F.
SMALLEST	5,225 S.F.
AVERAGE	6,981 S.F.
EXISTING ZONE	RS10

UTILITIES:

CABLE	COMCAST CABLE SERVICES
POWER	P.G.E.
PHONE	CENTURY LINK
GAS	N.W. NATURAL
STORM DRAIN	
SANITARY SEWER	
WATER	CITY OF ALBANY

SHEET INDEX

SHEET 1 OF 3	PRELIMINARY SITE PLAN
SHEET 2 OF 3	PRELIMINARY UTILITY PLAN
SHEET 3 OF 3	PRELIMINARY TREE PLAN

**MULTI/TECH**  
 ENGINEERING & SURVEYING, INC.  
 1155 13TH SE, SALEM, OR 97302  
 TEL: (503) 325-1000 FAX: (503) 325-1001  
 WWW.MULTITECHINC.COM

MULTITECH ENGINEERING & SURVEYING, INC.  
 PREPARED FOR THE CLIENT'S USE ONLY  
 NOT TO BE USED FOR ANY OTHER PURPOSES



NO CHANGES, MODIFICATIONS OR  
 REVISIONS TO BE MADE TO  
 THESE DRAWINGS WITHOUT THE  
 APPROVAL OF THE DESIGN  
 ENGINEER.  
 DIMENSIONS & NOTES TAKE  
 PRECEDENCE OVER GRAPHICAL  
 REPRESENTATION.

DATE: 08/20/2019  
 DRAWN: J.M.C.  
 CHECKED: J.M.C.  
 TITLE: ALBANY HEIGHTS  
 SERIAL: 25-2019-001  
 A-BULK:

**ALBANY HEIGHTS  
 PHASE II**

**PRELIMINARY  
 SITE PLAN**

Project Number  
**5727**  
 Sheet Number  
**1 OF 3**