

ALBANY CITY COUNCIL AGENDA

Wednesday, February 25, 2026
6:00 p.m.

Council Chambers, City Hall
333 Broadalbin Street SW

Watch on YouTube: <https://www.youtube.com/user/cityofalbany>

Please help us get Albany’s work done.
Be respectful and refer to the rules of conduct posted by the main door to the Chambers and on the website.

1. Call to order and pledge of allegiance

2. Roll call

3. Adoption of consent agenda

- a. Appointments [Pages 3-8]
 - 1) Appointments to Citizen Advisory Groups (CAGS)
- b. Approval of minutes [Pages 9-15]
 - 1) February 09, 2026 city council meeting
 - 2) February 11, 2026 city council meeting
 - 3) December 08, 2025 city council joint meeting with Greater Albany Public Schools (GAPS)
- c. Recommendation(s) to OLCC [Page 16]
 - 1) Approve Retail on Premises sales and consumption liquor license Sybaris Inc., DBA Sybaris Bistro, Located at 133 5th Avenue SE
- d. Adoption of resolution(s)
 - 1) Certification of Annual Tax Exempt Properties – Jeanna Yeager [Pages 17-33]
 - Lifeskills Geary-RES NO. _____
 - Lifeskills Oak- RES NO. _____
 - Parkrose- RES NO. _____
 - Periwinkle Place- RES NO. _____
 - Songbird Village- RES NO. _____

MOTION: _____

4. Public hearing(s)

Persons wanting to provide testimony during public hearings at city council meetings may:

- 1- *Email written comments to the staff contact, listed below, including your name and subject of the public hearing, before **noon on the day of the meeting.***
- 2- *To testify virtually during the public hearing, register by emailing the staff contact, listed below, before **noon on the day of the meeting,** with your name; phone number; and if you*



are speaking for, against, or neutral on the project/subject. The mayor will call upon those who have registered to speak.

3- *Appear in person at the meeting and register to speak using the sign-up sheet on the table.*

- a. Zoning Map Amendment Planning File ZC-04-25 530 Columbus Street SE and 2150 5th Avenue SE – David Martineau [Pages 34-67]

ORD NO. _____

The staff contact for this public hearing is: David.Martineau@albanyoregon.gov

- b. East Albany Town Center-EATC Annexations with Concurrent Map Amendments planning files AN-01-25, CP-03-25, and ZC-03-25 – David Martineau [Pages 68-147]

ORD NO. _____

ORD NO. _____

The staff contact for this public hearing is: David.Martineau@albanyoregon.gov

5. Public Comment

6. Action Items(s)

- a. **Ordinances/Resolutions** – Amendment to AMC 15.08.030 – Economic Improvement District Assessment Duration, and setting public hearings for EID formation - Jeanna Yeager [Pages 148-154]

ORD NO. _____

RES NO. _____

- b. **Ordinances** Proposed Amendments to the Albany Municipal Code (AMC) 2.27 - Community Development Commission – Kaitlin Martin [Pages 155-159]

ORD NO. _____

- c. **Resolutions**- Award of Contract WWTP-26-02, AM-WRF Disinfection Study- Staci Belcastro [Pages 160-162]

RES NO. _____

7. Business from the Council

8. City Manager Reports

9. Next meeting dates

Monday, March 09, 2026; 4:00 p.m. work session

Wednesday, March 11, 2026; 6:00 p.m. meeting

10. Adjournment

This meeting is accessible to the public via video connection. The location for in-person attendance is accessible to people with disabilities. If you have a disability that requires accommodation, please notify city staff at least 48 hours in advance of the meeting at: cityrecorder@albanyoregon.gov

Testimony provided at the meeting is part of the public record. Meetings are recorded, capturing both in-person and virtual participation, and are posted on the City website.



TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Makenna Kackley, Deputy City Recorder/Executive Administrative Assistant

DATE: February 13, 2026, for the February 25, 2026, City Council Meeting

A handwritten signature in blue ink, appearing to be "Makenna Kackley".

SUBJECT: Appointment to Citizen Advisory Groups

Purpose:

To appoint representatives to vacancies on Citizen Advisory Groups.

Background/Discussion:

Mayor and councilors are tasked with ensuring the Citizen Advisory Groups are filled in order for them to fulfill their respective missions.

Council ratification of the following appointment to the Citizen Advisory Group:

Human Relations Commission:

- Amanda Cooper, Ward 1 (Councilor McGhee's appointment to fill a vacancy; term expires 12/31/27)
- Anita Carsten, Ward 1 (Councilor Smith's appointment to fill a vacancy; term expires 12/31/27)

Strategic Plan Impact:

An Effective Government

Budget/Staff Impact:

None.

Staff Recommendation:

Ratify the Councilmember recommended appointments.

Alternatives:

1. Do not ratify the appointments.

Attachments:

1. Attachment 1-2



Citizen Advisory Group Application

Applying To **Human Relations Commission**

Received **January 14, 2026**

Name **Amanda Cooper**

In City Limits? **Yes (Ward 1)**

Are you currently employed? **Yes (Oregon State University)**

List current or most recent occupation, business, trade, profession, or area of study:

I have attached my resume to provide as much detail on this question as possible. It also includes my education, and all trainings i have up to this point.

Please summarize what qualifications and experience you have that would apply to this position:

I have been in the Higher Education field since 2014, and within that time I began taking any training I could that related to human relations, communications, poverty, access to basic needs, and DEI. I have education in Speech Communications as a Bachelors of Arts, and a Masters degree in Psychology. I have teaching experience, task force experience, and meetings at the Capitol in Salem to advocate for students in Linn and Benton counties.

List community/civic activities in which you are or have been active:

I serve on the Executive Board of Directors with the Opal Creek Ancient Forest, I volunteer at Greenbelt Land trust, I became a certified yoga teacher, I have volunteered at Horses of Hope working with adults and children with disabilities, I volunteer at the local theater ACT, and at OSU's research forests where I love to get my hands dirty.

(Optional) If you would like to provide more information related to your qualifications and experience, please attach a file:

[cooper_amanda_resume_2025.pdf \(https://cityofalbany.wufoo.com/cabinet/12496e73-0f1b-480f-bc65-8bb5a4353b0a\)](https://cityofalbany.wufoo.com/cabinet/12496e73-0f1b-480f-bc65-8bb5a4353b0a)

How many Human Relations Commission meetings have you attended/viewed?

None

What is your understanding of the role of a Human Relations Commission member and what contributions do you hope to make to the commission?

My understanding is that it's goal is to help to foster a city that is stable, safe, and just. And that the philosophy of acceptance, inclusion, equal opportunity accessibility, dignity, and fair treatment for all is center. Which is wonderful, because as you can see from my included resume, DEI work and inclusivity has been very center to my growth, career and personal life as well. I have served on my committees that revolve around DEI, and have taken any training that

is presented to me, sometimes becoming the trainer that helps an organization move towards more just and equitable practices for all. It would be an honor to serve my city in this capacity.

As part of its mission, the Human Relations Commission strives to reach out to the Albany community. Please describe your affiliations within the community that may aid the commission in this mission.

I have grown up here in Albany, and have many connections whether it be through community work through things like doing theater at ACT, or my work for years at Linn-Benton Community College. I know many folks who are connected to other organizations, and I am very driven to be out and creating connections with others. I started looking for ways to connect with my community, and found these advisory groups which I did not know about before. I am excited at the idea of serving at the city level, and not just within a higher education framework.

Why are diversity, equity, and inclusion important to the community?

As our society continues to become more diverse, the ability to work towards equity and inclusion is critically important, ensuring everyone has the respect and economic opportunity that enables people to succeed and our country to thrive. Key benefits I feel are important are social harmony and belonging, equity and opportunity, and cultural enrichment.

Have you reviewed the meeting schedule for this commission and can you commit to regular meeting attendance?

Yes

I have read and understand the following: Members receive notice of meetings via email. Agendas and communications regarding the group are sent out via email. When unable to attend in person, meetings may be attended virtually via Zoom Videoconferencing. Absenteeism (excused and unexcused) or non-preparation for meetings could result in removal.

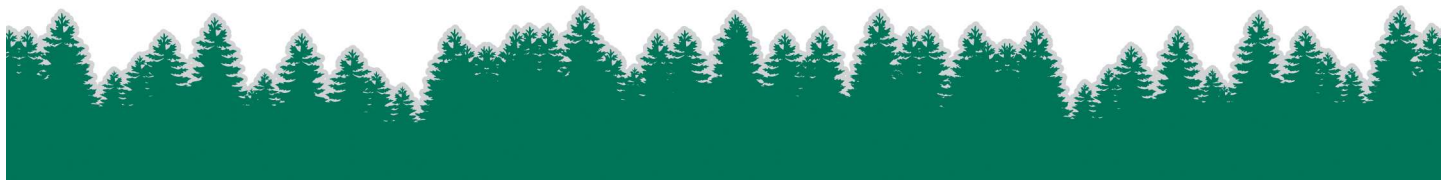
Yes

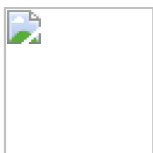
If there are currently no vacancies for this commission, would you like your application kept on file for the remainder of this recruitment period?

Yes

How did you hear about this opportunity? If from social media, please specify which site.

I googled City Council, and found the Advisory Groups.





Citizen Advisory Group Application

Applying To **Human Relations Commission**

Received **November 12, 2025**

Name **Anita Carsten**

In City Limits? **Yes (Ward 1)**

Are you currently employed? **Yes (Central Welding Supply)**

List current or most recent occupation, business, trade, profession, or area of study:

Branch Manager

Please summarize what qualifications and experience you have that would apply to this position:

I am a first generation Pakistani and third generation German. My father is the original owner of Ciddici's Pizza. He moved to this community with nothing and was able to not only make a living, but also provided jobs to multiple generations here. I have two daughters that are part of the LGBTQIA+ community and are also Pakistani, German, and Black. When we first moved to Albany in 2010, my oldest daughter was the only black student at NAMS. My family has personally dealt with being underrepresented on multiple levels and have found ways to persevere and succeed.

My previous two jobs in Albany were at Oregon Cascades West Council of Government where I worked as a Customer Service Rep (CSR) for Non-Emergent Medical Transportation and as a Program Supervisor for Meals on Wheels for Linn, Benton, and Lincoln Counties. While in these positions, I worked very closely with those that were marginalized due to income and age.

I have a Bachelor's degree in Health Care Management in Public Health. I graduated from OSU in 2015 at the age of 38. I was pretty much old enough to be the mother of most of the people in my cohort and yet was accepted and embraced by all.

I served 18 years in the Army as a Combat Medic with one deployment to Iraq. I have had the opportunity to travel all over the US and the world. During my time in the military I worked with a very diverse and often opinionated population. This was instrumental in learning how to work with others that had differing perspectives while still accomplishing the task at hand.

List community/civic activities in which you are or have been active:

100 Who Care Linn County
Stand By Me Advisory Council
Meals on Wheels
United States Army

How many Human Relations Commission meetings have you attended/viewed?

None

What is your understanding of the role of a Human Relations Commission member and what contributions do you hope to make to the commission?

A Human Relations Commission Member engages in activities designed to aid in the elimination of prejudice, intolerance, and discrimination against individuals or groups because of race, color, religion, national origin, language, citizenship status, sex, sexual orientation, gender identity, gender expression, or cultural background.

As a person of color, a disabled war veteran, and a mother of LGBTQIA+ children I have personal experience in what others who fit these categories face.

While working with Meals on Wheels I wrote numerous grants to help feed the aging population in Albany to include feeding their pets to ensure they were able to keep them.

Many of the consumers that I worked with while working as a CSR were on Medicaid due to low income, medical conditions, or a combination of both. Some of those consumers were undocumented women that were pregnant trying to seek care to have a healthy child.

I have much to learn and I am willing to hear other's experiences and ideas.

As part of its mission, the Human Relations Commission strives to reach out to the Albany community. Please describe your affiliations within the community that may aid the commission in this mission.

I moved back to Albany from Portland last year and I am trying to establish myself in the community.

As of right now, I am only a member of the 100 Who Care for Linn County and the Stand By Me Advisory Commission.

Why are diversity, equity, and inclusion important to the community?

DEI helps build a sense of belonging for all citizens especially those that have not experienced that in the past. It can help boost economics through having diverse and new ideas.

Have you reviewed the meeting schedule for this commission and can you commit to regular meeting attendance?

Yes

I have read and understand the following: Members receive notice of meetings via email. Agendas and communications regarding the group are sent out via email. When unable to attend in person, meetings may be attended virtually via Zoom Videoconferencing. Absenteeism (excused and unexcused) or non-preparation for meetings could result in removal.

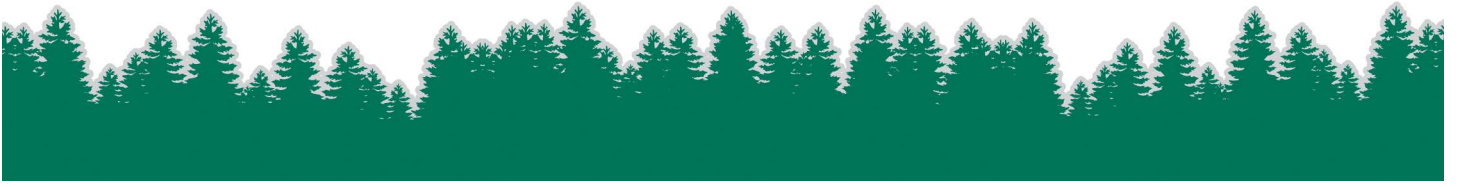
Yes

If there are currently no vacancies for this commission, would you like your application kept on file for the remainder of this recruitment period?

Yes

How did you hear about this opportunity? If from social media, please specify which site.

Albany Chamber of Commerce





MINUTES

Monday, February 9, 2026
Meeting
Council Chambers, City Hall
Approved: Draft

Call to Order

Mayor Alex Johnson called the meeting to order at 4:00 p.m.

Roll Call

Councilors present: Mayor Alex Johnson, Carolyn McLeod, Marilyn Smith, Chris Van Drimmelen, Steph Newton (remote), Ramycia McGhee (remote), Michael Thomson (4:02 p.m.)

Councilors absent:

Public Comment

4:00 p.m.

There was no public comment.

Department Strategy Discussions Presentation

4:02 p.m.

City Manager Peter Troedsson told council tonight and Wednesday evening department directors will be sharing presentations highlighting the primary functions of their departments, recent accomplishments, emerging trends, and the way ahead.

Community Development

4:06 p.m.

Director of Community Development Matthew Ruetters presented a PowerPoint presentation* giving an overview of the Community Development department.

Council provided comments and feedback. Questions from council were answered or will be followed up on later.

Public Works

4:23 p.m.

Interim Public Works Director-Operations Kristin Preston and Interim Public Works Director-Engineering Staci Belcastro presented a PowerPoint presentation* giving an overview of the Public Works department.

Council provided comments and feedback. Questions from council were answered or will be followed up on later.

Finance

4:55 p.m.

Finance Director Jeanna Yeager presented a PowerPoint presentation* giving an overview of the Finance department.

Break: An intermission was called at 5:10 p.m.

Reconvene: The council reconvened the meeting at 5:18 p.m.

Library

5:18 p.m.

Library Director Eric Ikenouye presented a PowerPoint presentation* giving an overview of the Library.

Council provided comments and feedback. Questions from council were answered.

Parks & Recreation

5:38 p.m.

Parks & Recreation Director presented a PowerPoint presentation* giving an overview of the Parks & Recreation Department.

Council provided comments and feedback. Questions from council were answered or will be followed up on later.

Information Technology

5:55 p.m.

Chief Information Officer Sean Park presented a PowerPoint presentation* giving an overview of the IT department.

Council provided comments and feedback.

Troedsson concluded the presentations at 6:07 p.m. He said the remaining departments including Police, Fire, Human Resources and City Manager's Office will present on Wednesday.

Business from the Council

6:08 p.m.

McGhee asked about HB4148 and said a letter that was written and signed by Mayor Johnson in support of that bill. She said she doesn't recall council speaking about that. Johnson said that was a part of the strategic goals that were set up for TLT. Troedsson said this will be discussed further in the City Manager's Report. Newton said she is also concerned about the letter supporting HB4148 because she does not support that bill and a heads up would have been nice.

Newton asked if Scott Lepman is current and still paying monthly for the Wells Fargo property. Kidd and Yeager confirmed he is still paying monthly.

Thomson said he wanted some documents shared at the dais, but they were not distributed since it was Albany Revitalization Agency related business.

City Manager Report

6:11 p.m.

City Manager Peter Troedsson said ARA items do have to be discussed at an advertised ARA meeting. He said Councilor Thomson's item will be looked at and staff will do an analysis then send it to ARA members for review.

Troedsson asked Deputy City Manager Kayla Barber to give an update on the legislative session that started the 2nd of February. He said the council prior to new council members on this council established a legislative agenda and TLT reform was part of that. Troedsson said HB4148 provides flexibility to cities to spend transient lodging tax dollars in the way they need; to address the impacts of tourism within the city. He said this was the reason the Mayor signed the letter.

Next meeting dates

Wednesday, February 11, 2026; 6:00 p.m. meeting
Monday, February 23, 2026; 4:00 p.m. work session
Wednesday, February 25, 2026; 06:00 p.m. meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 6:18 p.m.

Respectfully submitted,

Reviewed by,

Erik Glover
City Recorder

Peter Troedsson
City Manager

**Documents discussed at the meeting that are not in the agenda packet are archived in the record. Documents from staff are posted to the website after the meeting. Documents submitted by the public are available by emailing cityrecorder@albanyoregon.org.*



MINUTES

Wednesday, February 11, 2026

Meeting

Council Chambers, City Hall

Approved: DRAFT

Call to Order and Pledge of Allegiance

Mayor Johnson called the meeting to order at 6:00 p.m. The Mayor led the pledge of allegiance.

Roll Call

Councilors present: Mayor Johnson, and Councilors Carolyn McLeod, Marilyn Smith, Ramycia McGhee, Chris Van Drimmelen, Steph Newton, Michael Thomson

Councilors absent:

- 3. Adoption of consent agenda 6:02 p.m.**
 - a. Approval of minutes
 - 1) January 26, 2026 city council minutes
 - 2) January 28, 2026 city council minutes
 - b. Appointments
 - 1) Appointments to citizen advisory groups (CAGS)

MOTION: was made by Smith and seconded by Thomson to move to adopt the consent agenda. The motion passed 6-0.

- 4. Public hearing(s) 6:26 p.m.**
 - a. Resolution Approving Issuance of Senior Living Revenue Bonds for Mennonite Home of Albany (TEFRA Approval)

Johnson opened the public hearing at **6:26 p.m.**

Finance Director Jeanna Yeager spoke. She said a TEFRA hearing is required. There is no city liability or responsibility for any of the costs. No city revenues are pledged, this action as the local governing body says the tax-exempt bonds can be issued.

Smith asked for clarification on what TEFRA meant? Yeager said it is the Tax Equity and Fiscal Responsibility Act of 1982.

Public Comment

None

Johnson closed the public hearing at **6:29 p.m.**

MOTION: was made by Smith and seconded by Thomson to move to adopt the resolution on page 27 of the packet, to approve for purposes of Section 147(f) of the Internal Revenue Code, the issuance of senior living revenue bonds by the Hospital Facility Authority of the City of Albany for the benefit of Mennonite Home of Albany, Inc. The motion passed 6-0, and was designated RES NO. 7485.

- 5. Public Comment 6:31 p.m.**

Peter Kenagy said he was in attendance to follow up to his previous public comment. He said the problem of homeless camping adjacent to Tadena Landing has not gotten better, there is more people and trash down there. He said at the last meeting McLeod asked questions about expenditures related to homeless camp cleanup, and weed cleanup. He said he would like that report to be made public. Kenagy said that during his last public comment period the Mayor offered to come visit Kenagy for a tour of the area, but he has not done so yet. Kenagy said in conjunction with his last public comment he provided pictures and a video that he expected to be displayed when he was speaking. Photos were distributed to councilors via email and placed at the dais.



Tresha Maveland - said she moved to Albany in 2008. She recently went for a walk and saw a posting at Thurston and 19th, at Sunrise Elementary/CTI trade school. Maveland said the posting indicated that from February 2 to February 6 from 6am to 3pm Glyphosate would be sprayed. A time when kids would be in school. She said there were no weeds and questions why the toxic chemical was sprayed. She said her family doesn't believe in chem trails, but they are real.

Christopher Glover- said he resides at Latitude 44 apartments in Albany. He has called code compliance multiple times, but after 15-20 minutes on hold it hangs up. He said the parking lot lights are dark and he has asked the apartment manager about it multiple times. Glover said kids play there, and he has almost been hit while walking a few times because the property manager won't take action on the lights.

Mark Stewart- submitted written comment* pertaining to Immigration and Customs Enforcement (ICE) nationally and in Albany. He also spoke and said he understands the council has his written public comment, but would like to request time on a future agenda to read his letter. Stewart said attention spans are so divided no matter what is going on, life still seems to go on. At the last meeting, it was a packed house. He said with what happened to Senator Mark Kelly who is a veteran and astronaut, he feels that he is taking a great personal risk by attempting to speak about this and putting it in writing. However he would like to read it aloud. Stewart said he would be happy to work with council to set a time.

Stephen Meyer- said he grew up in North Bend as the son of German Jewish immigrants. He said tonight he is Alex Pretti. How sad this could happen in this country; it could happen in Albany, and to be aware.

6. Informational Briefings/Staff Reports

a. Department Strategy Discussions – Executive Leadership Team

6:44 p.m.

This item was continued from the February 09, 2026 work session.

Police Chief Marcia Harnden presented a PowerPoint* presentation giving an overview of the Police Department. Council provided comments and feedback. Questions from council were answered.

Fire Chief Chris LaBelle presented a PowerPoint* presentation giving an overview of the Fire Department. Council provided comments and feedback. Questions from council were answered.

Human Resources Director Holly Roten presented a PowerPoint* presentation giving an overview of the Human Resources Department. Council provided comments and feedback. Questions from council were answered.

Deputy City Manager Kayla Barber presented a PowerPoint* presentation giving an overview of the City Managers Office. Council provided comments and feedback. Questions from council were answered.

7. Business from the Council

8:01 p.m.

Smith said she provided testimony at the state legislature in support of HB 4008, which would establish a short taskforce to look at transit.

McGhee said she has a question about HB4148 regarding Transient Lodging Tax. She said she recalls the item being a priority for previous council's but doesn't recall it as a priority since she has been on council. She said it would be beneficial to have a refresher on what the legislative priorities are. Troedsson said an update on the legislative priorities will be provided.

McLeod said she would agree with Councilor McGhee on legislative priorities. She requested more frequent reminders, and more information to make sure everyone is on the same page. She said she attended a session about affordable and accessible solutions for communities. McLeod said she appreciated seeing immigration and support services information added to the city website.

VanDrimmelen said he would also echo the sentiments about legislative priorities, and wanting to ensure everyone is on the same page before things are sent in the name of the city.

Thomson said he appreciated Peter Kenagy coming to talk to council. He said the council hasn't worked with this topic in any real way, homeless and homeless camps in a big picture way. He said he is in favor of cleaning up as quick as we can, and being aggressive. He said he thinks the city needs to talk to groups about what can be done, as it's growing as an issue.

Newton said the exterior street lighting issue mentioned earlier may be the power company Pacific Power or Consumers Power, but would like to look into dropped calls at code compliance. Newton shared that it would be helpful for the council and public to have an idea about cleanup schedule and next steps. She said a council site visit may make sense. She said she is frustrated about the legislative testimony without the full council being polled, or a discussion or vote on it. She said she talked to friends who are on other councils in Oregon, and legislative priorities are discussed and voted upon. She said she expects the city to have that process going forward. She said new members joined council after August 5, 2024 when they were voted upon and may not have agreed with the priorities voted upon then. She said prior to a legislative session the council should have a session on legislative priorities. Troedsson said historically the short session was designed to do cleanup, but the process at the city can be changed if it's not enough.

Smith said the transit lodging tax discussion came up many times in discussions about the ORLA-Oregon Restaurant and Lodging Association litigation. She said she also wanted to clarify she was speaking on her own behalf at the state legislature.

VanDrimmelen said he feels the process is wrong. Especially when there is a new council member, it is prudent to have a refresher on priorities and if council feels adjustments are necessary they can be made. It makes sense before every session, but especially a short session.

Johnson responded to Kenagy's comments and said he was at a family members funeral and Kenagy was on his list to call, and he apologized for the delay. He added that the League of Oregon Cities is having a regional meeting in Albany soon.

8. City Manager Reports

8:19 p.m.

Troedsson shared that he provided the information on camp cleanups to the council on January 26th. It was mentioned then that more than half of the budget for that activity had been expended and bad weather was not conducive to cleanups. He said Parks and Recreation Director Kim Lyddane said a cleanup will happen when drier conditions come, the budget goes further when it is not done in muddy conditions. He added the Adopt a Parks volunteers have a cleanup on their radar as well, there is no exact date yet, but it will be announced when available.

9. Next meeting dates

Monday, February 23, 2026; 4:00 p.m. work session

Wednesday, February 25, 2026; 6:00 p.m. meeting

ADJOURNMENT

There being no other business, the meeting was adjourned at 8:21 p.m.

Respectfully submitted,

Reviewed by,

Erik Glover
City Recorder

Peter Troedsson
City Manager

**Documents discussed at the meeting that are not in the agenda packet are archived in the record. Documents from staff are posted to the website after the meeting. Documents submitted by the public are available by emailing cityrecorder@albanyoregon.org.*

BOARD WORK SESSION w/ City of Albany

Greater Albany Public Schools
718 SW 7th AVE
Albany, OR 97321



Minutes

December 8, 2025 4:00 p.m.

Andy Gardner, Superintendent

CALL TO ORDER

Chair Mattingly called the Regular Board Meeting of the School Board to order at 4:00 pm.

Ryan Mattingly	Chair
Brad Wilson	Vice Chair
Stephanie Lunceford	Director
Kris McLaughlin	Director
Sean Taylor	Director
Andy Gardner	Superintendent
Chris Green	Board Secretary
Alex Johnson II	Mayor
Peter Troedsson	City Manager
Erik Glover	City Recorder
Steph Newton	Councilor, Ward 1a
Michael Thomson	Councilor, Ward 1b
Chris Van Drimmelen	Councilor, Ward 2a
Carolyn McLeod	Councilor, Ward 2b
Ramycla McGhee	Councilor, Ward 3a
Marilyn Smith	Councilor, Ward 3b
Matt Harrington	City of Albany, Communications and Engagement Manager
Kristin Preston	City of Albany, Public Works Operation Manager
Staci Belcastro	City of Albany, City Engineer
Kim Lyddane	City of Albany, Parks and Recreation
Marcia Harnden	City of Albany, Chief of Police

PLEDGE OF ALLEGIANCE

Chair Mattingly led the audience in the pledge of allegiance.

INTRODUCTIONS

School Board Members

Board members introduced themselves.

City Council Members

City Council members introduced themselves.

DISCUSSION TOPICS

Long Range Facility Advisory Committee (LRFAC)

Andy Gardner shared information about the Long Range Facility Advisory Committee that included Bond Levy, LRFAC Timeline, information, Discussion ensued regarding staff input, enrollment (kindergarten), survey.

Community Newsletter

Andy Gardner shared information about joining the Community Newsletter.

If I Were A Mayor Contest

Alex Johnson II shared information about the "If I Were A Mayor" contest. He encouraged participation and stated is willing to come to schools. He expressed appreciation to Matt Harrington. Matt shared information about the contest.

Civic Academy with High School Participation

Matt Harrington shared information about the Civic Academy reviewing the first academy, feedback from participants and plans for future academy.

City Transportation Planning Process

Kristin Preston (Public Works Operation Manager) and Staci Belcastro (City Engineer) presented information. Staci provided information about the Transportation System Plan (TSP) including plans to update the plan next year. TSP will include a list of projects that will end up in the capital improvement program (CIP). CIP is updated every 2 years with projects over a 5 year period covering multiple departments. First two years are included in the city budget. Kristin shared information about field trips and presentations. Discussion ensued about school staff awareness of presentations/field trips.

Albany Community Pool Partnership

Kim Lyddane shared about partnership and Inter Governmental Agreement (1996 IGA - 5 year lease - current 2029), swim lessons provided by SHARK foundation (\$58,000 per year), Therapeutic Spa update, and building improvements (\$800,000 - \$6 million). Discussion regarding bond, grants, impact of Corvallis pool closure on attendance,

School Resource Officer Partnership

Chief Harnden shared information about the School Resource Officer Partnership including history, goals, cost sharing, calls/cases and notable successes (two active threat skills per school year), and immigration (ICE).

Steph Newton shared information about a student at West Albany High School receiving a ticket and the confusion about the ticket process.

ADJOURN

Chair Mattingly adjourned the meeting at 4:58 pm.

Board meeting minutes submitted by Chris Green, Board Secretary

Approved at board meeting: January 26, 2026



MEMO



TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Marcia Harnden, Chief of Police

DATE: February 9, 2026, for the February 25, 2026, City Council Meeting

SUBJECT: Retail On-Premises Sales and Consumption, Liquor License Application for Sybaris Inc., DBA Sybaris Bistro, Located at 133 5th Avenue SE

Action Requested:

I recommend the retail on-premises sales and consumption, liquor license application for Sybaris Inc., DBA Sybaris Bistro, located at 133 5th Avenue SE, be approved.

Discussion:

Sybaris Inc. has applied for a retail on-premises sales and consumption liquor license. Based on the completed application and approval from the Albany Police Department, Sybaris Inc., should be approved for the license.

Budget Impact:

None

ML:rj



TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Jeanna Yeager, Finance Director

DATE: February 4, 2026, for the February 25, 2026, City Council Meeting

SUBJECT: Certifying Properties Exempt from Taxes

Purpose:

Approve annual tax exemptions for qualifying low-income housing properties and submit the certifications to the Linn County Assessor.

Background/Discussion:

In 1993, the Council adopted the provisions of ORS 307.540 to 307.547 which allow low-income housing owned by a non-profit corporation to be considered for property tax exemption (Ordinance 5030).

Each year, the City Council reviews applications from non-profit providers for low-income housing properties to determine if the properties qualify for a property tax exemption under state law (ORS 307.543).

The Albany Partnership for Housing and Community Development (APHCD) owns and manages approximately 133 affordable housing units plus 3 permanent supportive housing units in Albany, Oregon - for a total of 136 units dedicated to affordable and supportive housing.

APHCD is currently receiving tax exemptions for five of its six properties, covering 96 units, and is requesting renewal of those exemptions for the upcoming tax year. For 2026, these include Songbird Village, Periwinkle Place, Park Rose, Lifeskills Oak, and Lifeskills Geary.

Household incomes are verified when residents move in, and again each year. All households met the income limits at move-in, as required by state law, and most continue to qualify. Under Fair Housing laws, residents are allowed to remain in income-restricted housing even if their income later rises above the limit. The application materials provided show that the properties meet all state requirements to serve predominantly low-income households for the requested tax exemptions.

Strategic Plan Impact:

This action supports the *Great Neighborhoods* theme by promoting housing stability and affordability for low-income residents.

Budget/Staff Impact:

Approving the exemptions will reduce City property tax revenues by about \$46,350 in total. There are no staffing impacts associated with this action.

Staff Recommendation:

Adopt the resolutions certifying the qualifying Albany Partnership properties as exempt from property taxation and authorize transmittal to the Linn County Assessor.

Alternatives:

1. Adopt the resolutions as proposed.
2. Decline to certify one or more properties for tax exemption.
3. Repeal Ordinance 5030 to cease the program.

Attachments:

1. Tax exemption applications and supporting materials
2. Draft resolutions for each property

City of Albany
Nonprofit Corporation Low Income Housing Property Tax Exemption Application

Non-Profit Agency Name: Albany Partnership for Housing and Community Development (APHCD)

Background: In 1993, the Council adopted the provisions of ORS 307.540 to 307.547 which allow low-income housing owned by a non-profit corporation to be considered for property tax exemption (Ordinance 5030). [A property is exempt from taxation as provided under ORS 307.540 to 307.548 if it meets the eligibility criteria and the application is provided.](#) In 2000, the Council established that it would not consider requests for property tax exemption from owners of long-term care facilities (per HB 2079).

Eligibility Criteria (ORS 307.541): [All of the following must apply to the subject property. The Authorized representative of the housing development must initial next to each eligibility threshold the housing development meets.](#)

sk Property is owned or being purchased by a 501(c) (3) or (4) corporation. If a corporation has a leasehold interest, they are defined as a purchaser if they are obligated to pay ad valorem taxes on the property, or their rent paid reflects savings from taxation exemption.

sk Corporate assets on liquidation must be designated to be distributed first to debt, then to a tax-exempt religious, charitable, scientific, literary, or education corporation or to the State.

sk Property is occupied by low-income persons or was purchased to provide low-income housing within one year. Low-income is defined as household income being at or below 60 percent of the area median income (AMI) as determined by the Oregon Housing stability Council based on annual information from HUD, for the initial year. For every subsequent year, incomes must be at or below 80 percent of the AMI, except housing units on property awarded tax credits through the federal Low-Income Housing Tax Credit program, the average median income is at or below 60 percent AMI.

sk The property to be exempted must be exclusively used for 501(c)(3) or (4) purpose defined in 26 U.S.C.

Application Contents (ORS 307.545):

[In a separate word document or letter to the Albany City Council, please provide the following information and attachments for the applicable property\(ies\).](#)

- Describe the property for which exemption is requested. Provide the address and assessor's map number and tax lot, or a description of the development of the property if being held for a future low-income housing development.

See attached applications for Songbird Village, Periwinkle Place, ParkRose, and Lifeskills Oak and Geary properties.

- Describe the charitable purpose of the project and whether all or a portion of the project is being used for that purpose. (Provide the total number of units and how many units are affordable to households earning 80% or less of AMI.)

The purpose of 100% of all units at all of APHCD's properties is to provide affordable housing to Albany residents.

- How will the property tax exemption will benefit project residents.

See the descriptions in each attached application.

- Provide certification of income levels of the low-income occupants and verify the incomes are at or below 80% of the current median income as published annually by HUD. Explain how the incomes of residents are verified and frequency and provide documentation.

- **Tenant income ranges are provided in each property application.**
- **Income Certification Process: Each household is recertified annually, up to 120 days prior to the anniversary of their move-in date. All move-in certifications and first year recertifications are**



2078 6th Ave SE, Albany OR 97321---(541) 926-5451

Date: January 21, 2026

To: Albany City Council

From: Albany Partnership for Housing and Community Development

Regarding: Applications for Annual Renewal of the Low-Income Housing Property Tax Exemptions

Albany Partnership for Housing and Community Development (APHCD) is a non-profit community development corporation formed in 1991 to provide housing for low-income individuals and households. The need for low-income rental housing was a strategy identified by Albany's former city manager and community development director. The City of Albany has continually supported APHCD's properties through property tax exemption, except for one property is reduced by the assessors' office per county resolution. APHCD's original funding packages for each property was contingent upon tax exemption to keep the rents low.

The majority of APHCD's tenants do not hold a housing voucher. The rents are very affordable for tenants' income of social security, disability benefits or employment. 100% of APHCD's revenues are from rents. The majority of APHCD's tenants were previously homeless or in shared housing. APHCD's waiting lists for all properties are very long and the tenants are grateful for having the housing they can afford. APHCD properties serve a diverse population, and many tenants are disabled and/or under mental health management.

APHCD has been a self-supporting non-profit without the need for grants to support operations. APHCD fully complies with Fair Housing Laws and are under OHCS annual compliance review. *(note: more info stated in APHCD History of Properties Flier, attached)*

Also, APHCD's supportive services are vital in assisting tenants to retain their housing and this service is self-supporting through rental incomes. Albany only has a few non-profit housing providers that truly provide housing for extremely low-income residents. It is important for our city to make sure they are supporting our local non-profits.

Therefore, please support our application for continued property tax exemption (attached) for the following APHCD properties.

- Songbird Village Apartments – 48 units
- Periwinkle Place Apartments – 32 units
- ParkRose Apartments – 13 units
- Lifeskills Oak Duplex – 2 units, and
- Lifeskills Geary House – 1 unit

Sincerely,

Sharon Konopa, President
Albany Partnership for Housing Board of Directors

Property: Songbird Village Apartments

Address: 215 21st SE, Albany 97322

Tax lot number: 11S03W07-CD-00901; **Tax Account #**841789

Property Description: Songbird Village is a 48-unit multi-dwelling property with a community building built in 2000, under the Low-Income Housing Tax Credit program. There are 8 one-bedrooms, 13 two-bedrooms, 23 three-bedrooms and 4 four-bedrooms. Twenty percent of the 3.79 acres are non-buildable protected wetlands. The community building is 1513 sq ft. and consists of an 821 sq ft. community room with a small kitchen, two office spaces, laundry room and outdoor covered patio with 238 sq ft. Community meetings have been held in the building, including Adult Service Team meetings. The community room is also used as a cooling center.

Songbird Village is under annual compliance review with Oregon Housing and Community Services and must stay affordable **until Sept. 30, 2059**. Compliance reviews consist of annual tenant certifications, asset management, physical inspections, resident services, financial compliance and capital improvements. Songbird Village must provide Resident Services for its tenants through 2059. Resident Services require an updated annual plan, and an Affirmative Fair Housing Marketing Plan submitted to OHCS. OHCS charges a fee for annual compliance reviews.

All of Songbird Village units are Low-Income Housing Tax Credit (LIHTC) units, mixed with HOME funded units. Incomes cannot exceed the 50-60% area median income limit upon the tenant’s move-in. Tax credits expired for the 40% LIHTC units in 2015. Approximately 22 households currently (December 31, 2025) are at or under the 40% income level. Out of 48 units at Songbird Village only 7 units currently hold a housing voucher. Many residents work, yet their income cannot afford market rate housing. By providing low rents for rent burdened households, APHCD is filling a high need for tenants who would otherwise not qualify for a housing voucher.

Songbird Tenant Certifications:

At tenant move in:

Below 30% AMI: 30 households

30-60% AMI: 18 households

100% below 60% AMI at tenant move in

As of 1/2026: 48 units, 135 residents

Below 30% AMI: 18 households - 38%

30-60% AMI: 17 households – 35%

60-80% AMI: 9 households -19%

Over 80% AMI*: 4 households -8%

Average incomes are below 60% AMI

***A rent-restricted low-income housing provider must follow HUD’s Fair Housing Laws when a tenant’s income increases over the 80% AMI and allow the tenant to stay in their unit.**

In a tax credit (LIHTC) only unit, a household’s income can increase above the 80% limit and not have their rent increased.

In a HOME unit (either HOME or mixed with tax credits), if a tenant is over the 80% limit, their rent will increase to the lessor of either 30% of their adjusted annual income or the Fair Market Rent for the county.

Songbird Village Unit Details

8 one-bedroom units: One bath each, size = 645 sq ft. each; 1 ADA unit
2026 Rents: \$641-\$741 a month*

13 two-bedroom units: One bath each and one ADA accessible.

Unit Sizes: 11 are 924 sq ft. and 2 units are 645 sq ft.

2026 Rents: \$666-\$899 a month*

23 three-bedroom units: 19 are one and half bath, 4 have two baths

Unit size = 1219 sq ft. each; 5 ADA accessible units.

2026 Rents: \$722-\$964 a month*

4 four-bedroom units: Two baths, inside laundry each, size = 1395 sq ft.

2026 Rents: \$830-\$1,027 a month*

*Rents include city water, wastewater, stormwater, city service fee and garbage. Tenants pay for electricity.

- City utilities average =\$108 per unit/month;
- Other utilities and community room: \$11 per unit/per month
- Garbage Service averages = \$32 per unit/month; Insurance averages \$121 per unit/per month.
- Debt = \$205 per unit/per month

Total above= \$477 per unit/per month.

Not included are staffing costs, maintenance, interior rehab and more.

Property: Periwinkle Place Apartments

Address: 1700 Periwinkle Circle, Albany 97322

Tax lot #11S03W08-DB-05200; Tax Account #106506

Property Description: Periwinkle Place has 32 units, and a community building was built in 1995. There are 2-two-bedroom apartments above a community room. 30 manufactured homes originally were placed on-site. All manufactured homes are 700 sq ft with a carport and storage for each unit. One manufactured unit was removed, and a new site-built 800 sq. ft. ADA unit was completed in spring of 2026.

Community Building is one of 31 buildings on 3.03 acres. The community building consists of a 600 sq ft. community room with a small kitchen, one office space, restroom, and a laundry room for a total of 1237 sq ft.

Periwinkle Place is under annual compliance review with Oregon Housing and Community Services and must stay affordable **until Dec. 18, 2045**. Compliance reviews consist of annual tenant certifications, asset management, physical inspections, resident services, financial compliance and capital improvements. Periwinkle Place must provide Resident Services until Oct. 30, 2044. Resident Services require an updated annual plan, and an Affirmative Fair Housing Marketing Plan submitted to OHCS. OHCS charges a fee for annual compliance reviews.

Periwinkle Place was originally funded through OHCS with Oregon Affordable Housing Tax Credits (OAHTC), HOME and Trust funds, including 10 Low HOME units and 22 units High HOME units. Incomes cannot exceed the 50-60% area median income. Out of 32 units at Periwinkle Place only 12 units currently hold a housing voucher. Many residents work, yet their income cannot afford market rate housing. By providing low rents for rent burdened households, APHCD is filling a high need for tenants who would otherwise not qualify for a housing voucher.

Periwinkle Tenant Certifications:

At tenant move in:

Below 30% AMI: 17 households

30-60% AMI: 12 households

100% below 60% AMI at tenant move-in

As of 1/2026: 32 units, 63 residents

Below 30% AMI: 18 households—58%

30-60% AMI: 9 households-29%

60-80% AMI: 4 households-13%

Over 80% AMI: 0

100% below 80% AMI

***A rent-restricted low-income housing provider must follow HUD’s Fair Housing Laws when a tenant’s income increases over the 80% AMI and allow the tenant to stay in their unit.**

In a tax credit (LIHTC) only unit, a household’s income can increase above the 80% limit and not have their rent increased.

In a HOME unit (either HOME or mixed with tax credits), if a tenant is over the 80% limit, their rent will increase to the lessor of either 30% of their adjusted annual income or the Fair Market Rent for the county.

Periwinkle Place Unit Details

32 two-bedroom units, one bath each, 700 square feet each; 2 units are ADA accessible

2 units above community room.

*2026 Rents: \$635-\$740

*Manufactured homes-Low HOME rents are \$635 a month and High HOME rents are \$740

*Rents include city water, wastewater, stormwater, city service fee and garbage.

City utilities average \$88 unit/per month; Other utilities and community room: \$9 per unit/per month

Garbage Service averages \$33 unit/ per month; Insurance averages \$49.40 per unit/per month.

Total above= \$179 per unit/per month. Not included are staffing costs, interior rehab, maintenance and more.

Property: Parkrose Apartments

Address: 1948-2078 6th Ave SE and 650 Burkhart St SE

Tax lot #11S03W08-BA-03101; **Tax Account #** 841589

Property Description: Parkrose Apartments has 13 dwelling units, four garages, and an office building on 1.07 acres. The housing was built in 1998 as a low-income tax credit property under annual compliance review with Oregon Housing and Community Services. There are three single-dwellings consisting of two historic homes with two bedrooms each, one bath and one single dwelling is ADA accessible with two-bedrooms and one bath. Four attached duplex/townhome buildings with three bedrooms and two baths each. One duplex/town home with four bedrooms and two baths each. Four garage buildings are available for the tenants to rent.

Parkrose Apartments are under annual compliance review with Oregon Housing and Community Services and must stay affordable **until December 01, 2029**. Compliance reviews consist of annual tenant certifications, asset management, physical inspections, resident services, financial compliance and capital improvements. Parkrose must provide Resident Services through 2029. Resident Services require an updated annual plan, and an Affirmative Fair Housing Marketing Plan submitted to OHCS. OHCS charges a fee for annual compliance reviews.

Parkrose Apartments are HOME and Trust funded units. Rents cannot exceed the 50-60% median income upon the tenant’s move-in. Out of 13 units at Parkrose only 3 units currently hold a housing voucher. Many residents work, yet their income cannot afford market rate housing. By providing low rents for rent burdened households, APHCD is filling a high need for tenants who would otherwise not qualify for a housing voucher.

ParkRose Tenant Certifications:

At tenant move in:

Below 30% AMI: 8 households - 61.5%

30-60% AMI: 5 households – 38.5%

100% below 60% AMI at tenant move in

As of 1/2026: 13 units, 47 residents

Below 30% AMI: 3 households -23%

30-60% AMI: 7 households-54%

60-80% AMI: 3 households-23%

100% below 80% AMI

Parkrose Apartments Unit Details

3- two-bedroom units: One bath each, laundry and one ADA accessible.

Square footage= 806, 823 and 1084 sq ft.

2026 Rents: \$662-\$778 a month*

8- three-bedroom units: two baths each and inside laundry.

Square footage=1087 and 1140 sq ft.

2026 Rents: \$737-\$933 a month*

2- four-bedroom units: Two baths and all inside laundry.

2026 Rents: \$807-\$1059 a month*

Square footage= 1260 sq ft. each

*Rents include city water, wastewater, stormwater, city service fee and garbage. Tenants pay for electricity.

***A rent-restricted low-income housing provider must follow HUD’s Fair Housing Laws when a tenant’s income increases over the 80% AMI and allow the tenant to stay in their unit.**

In a tax credit (LIHTC) only unit, a household’s income can increase above the 80% limit and not have their rent increased.

In a HOME unit (either HOME or mixed with tax credits), if a tenant is over the 80% limit, their rent will increase to the lessor of either 30% of their adjusted annual income or the Fair Market Rent for the county.

- City utilities average =\$119 per unit/per month; Other utilities: \$3 per unit/ month
- Garbage Service average = \$46 per unit/per month
- Insurance averages \$139 per unit/per month.
- Debt = \$192 per unit/per month

Total above= \$499 per unit/per month. Not included are staffing costs, maintenance, interior rehab and more.

Property: Lifeskills Oak Street

Address: 1680-82 Oak St SE, Albany 97322

Tax lot # 11S03W07-DA-04000; **Tax Account #** 96160

Property Description: 2 attached units/a one-level duplex, built in 1971—A federal grant program to provide permanent supportive housing for the life of the property. APHCD was granted a fully renovated property in 2010 through Community Services Consortium. APHCD partners with Linn County Mental Health to provide supportive services for their clients.

The lot size is 13,020 sq. ft. The living space of each unit is 1056 square feet-3bedrooms and one bath. Each unit has a single car garage.

Lifeskills units are set by a declaration that requires the units to be low-income affordable and used as permanent supportive housing, for the life of the property. Compliance review is every five years. APHCD has an agreement with Linn County Mental Health to provide supportive services. Shared housing tenants are not eligible for a housing voucher. Lifeskills tenants' income are 30% or below the median income, except 1682 is 50%.

Oak Street Tenant Certifications:

At tenant move in:

Below 30% AMI: 3 tenants

30-60% AMI: 1 household

100% below 60% AMI at tenant move in

As of 1/2026: 2 units, 9 residents (3 individuals and one family)

Below 30% AMI: 3 tenants-75%

30-60% AMI- 0

60-80% AMI- 1 household-25%

100% below 80% AMI

OAK Unit Details:

One duplex: 3 bedrooms and one bath each; 1056 square feet each.

*2026 Rents: Unit #1680-\$376 a month/Unit #1682- \$842 month

*Rents include city water, wastewater, stormwater, city service fee and garbage.

1682 pays for electricity. Electricity is included in 1680 rents.

City utilities average \$147 per unit/ per month; Other utilities average \$112 per unit/per month

Garbage Service averages = \$38 per unit/per month; Insurance averages \$122.60 per unit/per month.

Non-city property taxes: 133.55 per dwelling.

Total above= \$554 per dwelling/per month. Not included are staffing costs, interior rehab, maintenance and more. Plus, the costs to provide supportive services with Linn County Mental Health.

Property: Lifeskills Geary Street

Address: 515 Geary St SE, Albany 97321

Tax lot #11S03W05-CD-03200; Tax Account # 77384

Property Description: Lifeskills Geary is a single dwelling built in 1995. A federal grant program provides permanent supportive housing for the life of the property. APHCD was granted this fully renovated property in 2010 through Community Services Consortium. APHCD partners with Linn County Mental Health to provide supportive services for their clients.

The lot size is 6050 sq. ft. The living space is 1176 square feet house with 3 bedrooms and two baths. Plus, a double car garage.

Lifeskills units are set by a declaration that requires the units to be low-income affordable and used as permanent supportive housing, for the life of the property. Compliance review is every five years. APHCD has an agreement with Linn County Mental Health to provide supportive services. Shared housing tenants are not eligible for a housing voucher. Lifeskills tenants' incomes are 30% or below the median income.

Geary Street Tenant Certifications:

At tenant move in:

Below 30% AMI- 3 tenants

30-60% AMI- 0

100% below 60% AMI at tenant move in

As of 1/2026:

Below 30% AMI: 3 tenants—100%

30-60% AMI: 0

60-80% AMI: 0

Over 80%: 0

100% below the 30% AMI

Geary Street Unit Details:

Currently 3 residents as of January 01, 2026

Single dwelling: 3 bedrooms and two baths.

Square footage=1176 sq ft

2026 rents: \$400 a month rent each.

*Rents include city water, wastewater, stormwater, city service fee and garbage.

City utilities average =\$147 per unit/per month; Other utilities average \$112 per unit/per month

Garbage Service averages \$38 per unit/per month; Insurance averages \$233 per unit/per month.

Non-city property taxes: 133.55 per dwelling.

Total above= \$664 per dwelling/per month. Not included are staffing costs, interior rehab, maintenance and more. Plus, the costs to provide supportive services with Linn County Mental Health.



2078 6th Ave SE, Albany OR 97321—(541) 926-5451

Albany Partnership for Housing and Community Development (APHCD) was established in 1991 to provide affordable housing for Albany residents. Albany's former city manager and community development director, along with community members, sought out housing for rent burdened households.

- **Parkside Court Apartments** was APHCD's first project in 1994. APHCD purchased this HUD apartment complex, consisting of 40 units -one, two and three bedrooms.
- **1995 Periwinkle Place** was built and consists of 32 two-bedroom units and a community room.
- **1998 ParkRose Apartments** includes 9- three- and four-bedroom townhomes, two historic single dwellings and a two-bedroom ADA dwelling, plus an office building.
- **2000 Songbird Village** was built and has 48 one-, two-, three- and four-bedroom units, plus a community room. Songbird Village mitigated the wetlands as a condition of approval and the vacant property on the west side of the complex are still part of Albany's wetland inventory.
- **Permanent Supportive Housing:** APHCD acquired a duplex and house in 2010 in partnership with Community Services Consortium for one dollar each. The funds to

purchase and renovate the units were federal recovery act funds. These units are lifetime restricted for permanent supportive housing.

The tenants in these units are managed in partnership with Linn County Mental Health. The tenants receive behavioral health management and share their unit with other tenants. This program has been very successful in providing housing for homeless people needing behavioral health management.

APHCD provides management services for Linn Benton Housing Authority and Linn County Mental Health with a single-dwelling owned by LBHA. This dwelling is tax-exempt also.

Our Lifeskills tenants do not receive a housing voucher, their SSI applies towards their rent. Our Lifeskills tenants were previously homeless prior to entering APHCD's shared housing program.

The rents at all APHCD properties have always been less than half of market rate rents.

Example: 2024 rents for a two-bedroom single dwelling with a carport is \$566-659.00 a month, which includes water, sewer, storm, city services fee and garbage. Lifeskills residents pay less.

Most rental properties in Albany require a tenant to have their rent no more than 33% of their income. APHCD only requires 50%.

All but one of the properties are rent restricted at or below 50-60% maximum income. Parkside Court may allow up to 80%. Most APHCD tenants are 30% or below the area median income (AMI).

The original funding packages with Oregon Housing Community Services was subject to property tax exemption to keep rents low for long-term affordability. In order for low-income rent-restricted new housing to be built and be financially sustainable- they need grants, tax credits and property tax exemptions. Songbird Village, ParkRose Apartments and Periwinkle Place were all packaged with financing incentives at that time prior to being built.

It is challenging to get a loan on existing rent-restricted properties for improvements today. Example, one of APHCD property was appraised in 2021 and its value was one-third of the market rate value, due to its cumbersome rent-restrictions.

APHCD properties provide a total of 137 units and 94 are fully property tax-exempt, 3 are city tax exempt only, and 40 units pay city taxes.

The majority of APHCD tenants are non-housing voucher holders and their income would not support market rate rents. Many non-housing voucher holders would not qualify for a voucher, because they do not have children, or they have a job, and their income is just above the 30% AMI or they cannot pay more than 30% of their income for rent.

Non-profit housing providers under compliance review with Oregon Housing and Community Services (OHCS) incur additional costs than for-profit market rate property owners. OHCS requires annual compliance reporting and inspections, and they charge for their time to oversee the compliance. We also are required to have qualified staff to meet the reporting compliance requirements. OHCS requires CPA financial audits, which adds to the cost. All state requirement costs are passed on to the tenant. Short and long-term interior and exterior capital assessment improvement plans are required. These assessments must be updated every three years. Residents Services are required, and a plan must be updated every three years. Also, an Affirmative Fair Housing Marketing Plan must be updated every five years. It takes additional staffing for OHCS annual compliance reviews, which a market rate housing provider does not have to absorb those administrative costs.

APHCD owns two community buildings.

These buildings are available for community meetings and events for tenants. OHCS does not allow APHCD to charge a fee for the use of these buildings. There is no revenue source for the maintenance and long-term capital needs for these buildings, other than tenant rents to subsidize the costs.

Neighbors Creating Neighborhoods, Stability, and Hope.

Albany Partnership for Housing's Tax-Exempt Status Reference from the assessor's office:

Since APHCD rents out our units, we do not qualify according to state law, unless a local jurisdiction grants an exemption.

In 1993, the City of Albany adopted the Nonprofit Low-income Housing tax exemption provisions in ORS 307.540-548, to enable eligible nonprofits like APHCD to apply for city tax exemptions each year.

Songbird Village, ParkRose, and Periwinkle Place properties all received full tax exemption from all taxing districts when the projects were built. These three projects had to receive approval from 51% of the taxing district at the time of construction and then with state legislature approval. This was a very cumbersome process at the time.

Annually, APHCD requests the City of Albany pass a resolution granting tax exemption for Songbird Village, ParkRose, Periwinkle Place, and Oak and Geary (Lifeskills). APHCD has not requested tax exemption for Parkside Court.

The Oak and Geary Lifeskills properties are only exempt from city taxes because the agency did not seek exemption from another taxing district.



Neighbors Creating Neighborhoods, Stability, and Hope.

*2078 6th Ave SE
Albany, OR 97321
(541) 926-5451*

Revised January 2025



RESOLUTION NO. _____

A RESOLUTION CERTIFYING TO THE LINN COUNTY ASSESSOR THAT THE LIFESKILLS GEARY PROPERTY SHALL BE EXEMPT FROM PROPERTY TAXATION.

WHEREAS, the Albany City Council in 1993 adopted the provisions of ORS 307.540 to 307.548, which allow for a low-income housing tax exemption when specific standards are met; and

WHEREAS, the Albany Partnership for Housing and Community Development is the owner of Lifeskills Geary, an affordable transitional housing project located at 515 Geary Street SE (Assessor's Map No. 11S-3W-5CD, Tax Lot 3200); and

WHEREAS, the Albany Partnership has submitted an application for property tax exemption; and

WHEREAS, the owner meets the requirements of ORS 307.541 and their application meets the requirements of ORS 307.545.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council certifies to the Linn County assessor that the property on which the Lifeskills Geary project is located (Map No. 11S-3W-5CD, Tax Lot 3200) shall be exempt from taxation under the City's tax levy as provided in ORS 307.543.

DATED AND EFFECTIVE THIS 25TH DAY OF FEBRUARY 2026.

Mayor

ATTEST:

City Recorder



RESOLUTION NO. _____

A RESOLUTION CERTIFYING TO THE LINN COUNTY ASSESSOR THAT THE LIFESKILLS OAK PROPERTY SHALL BE EXEMPT FROM PROPERTY TAXATION.

WHEREAS, the Albany City Council in 1993 adopted the provisions of ORS 307.540 to 307.548, which allow for a low-income housing tax exemption when specific standards are met; and

WHEREAS, the Albany Partnership for Housing and Community Development is the owner of Lifeskills Oak, an affordable transitional housing project located at 1680-1682 Oak Street SE (Assessor's Map No. 11S-3W-7DA, Tax Lot 4000); and

WHEREAS, the Albany Partnership has submitted an application for property tax exemption; and

WHEREAS, the owner meets the requirements of ORS 307.541 and their application meets the requirements of ORS 307.545.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council certifies to the Linn County assessor that the property on which Lifeskills Oak is located (Map No. 11S-3W-7DA, Tax Lot 4000) shall be exempt from taxation under the City's tax levy as provided in ORS 307.543.

DATED AND EFFECTIVE THIS 25TH DAY OF FEBRUARY 2026.

Mayor

ATTEST:

City Recorder



RESOLUTION NO. _____

A RESOLUTION CERTIFYING TO THE LINN COUNTY ASSESSOR THAT THE PARKROSE PROPERTIES SHALL BE EXEMPT FROM PROPERTY TAXATION.

WHEREAS, the Albany City Council in 1993 adopted the provisions of ORS 307.540 to 307.548, which allow for a low-income housing tax exemption when specific standards are met; and

WHEREAS, the Albany Partnership for Housing and Community Development is the owner of ParkRose, an affordable housing project associated with the Pacific Boulevard/9th Avenue couplet project of the Oregon Department of Transportation located at 1948-2078 6th Ave SE and 650 Burkhart St SE; and

WHEREAS, the Albany Partnership has submitted an application for property tax exemption; and

WHEREAS, the owner meets the requirements of ORS 307.541 and their application meets the requirements of ORS 307.545.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council certifies to the Linn County assessor that the properties on which the ParkRose project is located (Map No. 11S-3W-8BA Tax Lot 3101) shall be exempt from taxation under the City's tax levy as provided in ORS 307.543.

DATED AND EFFECTIVE THIS 25TH DAY OF FEBRUARY 2026.

Mayor

ATTEST:

City Recorder



RESOLUTION NO. _____

A RESOLUTION CERTIFYING TO THE LINN COUNTY ASSESSOR THAT THE PERIWINKLE PLACE PROPERTY SHALL BE EXEMPT FROM PROPERTY TAXATION.

WHEREAS, the Albany City Council in 1993 adopted the provisions of ORS 307.540 to 307.548, which allow for a low-income housing tax exemption when specific standards are met; and

WHEREAS, the Albany Partnership for Housing and Community Development is the owner of Periwinkle Place, an affordable housing project located at 1700-1860 Periwinkle Circle (Assessor's Map No. 11S-3W-8DB, Tax Lot 5200); an

WHEREAS, the Albany Partnership has submitted an application for property tax exemption; and

WHEREAS, the owner meets the requirements of ORS 307.541 and their application meets the requirements of ORS 307.545.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council certifies to the Linn County assessor that the property on which the Periwinkle Place project is located (Map No. 11S-3W-8DB, Tax Lot 5200) shall be exempt from taxation under the City's tax levy as provided in ORS 307.543.

DATED AND EFFECTIVE THIS 25TH DAY OF FEBRUARY 2026.

Mayor

ATTEST:

City Recorder



RESOLUTION NO. _____

A RESOLUTION CERTIFYING TO THE LINN COUNTY ASSESSOR THAT THE SONGBIRD VILLAGE PROPERTY SHALL BE EXEMPT FROM PROPERTY TAXATION.

WHEREAS, the Albany City Council in 1993 adopted the provisions of ORS 307.540 to 307.548, which allow for a low-income housing tax exemption when specific standards are met; and

WHEREAS, the Albany Partnership for Housing and Community Development is the senior partner of Albany Family Housing Limited Partnership, the owner of Songbird Village, an affordable housing project located at 215-245 21st Avenue SE and 2020-2040 Lyon Street SW (Assessor's Map No. 11S-3W-7CD, Tax Lot 901); and

WHEREAS, the Albany Partnership has submitted an application for property tax exemption; and

WHEREAS, the owner meets the requirements of ORS 307.541 and their application meets the requirements of ORS 307.545.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council certifies to the Linn County assessor that the property on which the Songbird Village project is located (Map No. 11S-3W-7CD, Tax Lot 901) shall be exempt from taxation under the City's tax levy as provided in ORS 307.543.

DATED AND EFFECTIVE THIS 25TH DAY OF FEBRUARY 2026.

Mayor

ATTEST:

City Recorder



TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Matthew Ruetters, Community Development Director
David Martineau, Current Planning Manager

DATE: February 13, 2026, for the February 25, 2026, City Council Meeting

SUBJECT: Public Hearing for a Zoning Map Amendment Planning File ZC-04-25

Purpose:

Hold a public hearing to hear comments, deliberate, and consider an ordinance for adoption.

Background/Discussion:

The applicant owns a duplex built around 1950 on a 5,730 square foot lot at Columbus Street SE and SE 5th Avenue. Each unit is 748 square feet with two bedrooms, one bathroom, a single-car garage, and laundry. The property is currently zoned Community Commercial (CC), so the duplex doesn't fit the zoning regulations. While the existing use does not fit with current regulations, it is a legally created non-conforming use and that use is allowed to continue under either the existing or proposed zoning. However, any new development of the property would need to comply with the development code and zoning. The applicant wants to change the zoning to Neighborhood Commercial (NC) to make the duplex an outright allowed use. The NC zoning is more compatible with the adjacent residential neighborhood and adjacent local street infrastructure than the existing CC zoning.

Table 2.760-1 of the Albany Development Code (ADC) shows all Comprehensive Plan map designations and the respective zones that implement each designation. As Table 2.760-1 shows, there are multiple potential zones that implement the current Comprehensive Plan map designation of General Commercial applied to the property. These zones include Neighborhood Commercial (NC), Community Commercial (CC), Regional Commercial (RC), and Office Professional (OP). The CC zone doesn't allow duplexes, which creates the potential for non-conformity should the duplex be destroyed. The NC zone allows duplexes through a Site Plan Review thus avoiding the potential non-conforming situation or a comprehensive plan map amendment.

On February 2, 2026, the Planning Commission held a duly advertised public hearing. At the conclusion of the hearing, the Planning Commission voted 6-0 to recommend that City Council approve the application under planning file ZC-04-25.

Strategic Plan Impact:

The retention of a pre-existing duplex preserves the units as occupied dwellings rather than removing the structure for commercial uses. This is consistent with the Great Neighborhoods vision.

Budget/Staff Impact:

None.

Planning Commission Recommendation:

Approve the proposed zoning map amendment, as described in the attached ordinance.

Council Options:

The City Council has several options with respect to the proposed Zoning Map amendment:

Option 1: Approve the proposed zoning map amendment as presented; or

Option 2: Approve the proposed zoning map amendment as presented, and as modified by the City Council, or

Option 3: Deny the proposed zoning map amendment and direct staff on how to proceed and provide findings for denial.

Attachments:

1. Ordinance



ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 4441, WHICH ADOPTED THE CITY OF ALBANY ZONING MAP, BY THE ALBANY ZONING MAP AND ADOPTING FINDINGS FOR THE PROPERTY LOCATED AT LINN COUNTY ASSESSOR’S MAP NO. 11S-03W-05CD; TAX LOT 9400

WHEREAS, on July 10, 2024, the Albany Community Development Department received an application for a zoning map amendment for the property located at 530 Columbus Street SE and 2150 5th Avenue SE and identified as Linn County Assessor’s Map No. 11S-03W-05CD, Tax Lot 9400 (Planning File ZC-04-25); and

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

WHEREAS, the application is for a zoning map amendment to change 0.13 acres from CC (Community Commercial) to NC (Neighborhood Commercial); and

WHEREAS, the proposed zoning map amendment is discussed in detail in the January 16, 2026, staff report; and

WHEREAS, on February 2, 2026, the Albany Planning Commission held a public hearing, considered public testimony, deliberated on the proposed zoning map amendment, partition, and recommended approval of the proposal based on evidence presented in the staff report and during the public hearing; and

WHEREAS, the analysis and findings of fact and conclusions as provided in the staff report dated January 16, 2026, are presented as an attachment to this ordinance as Exhibit C; and

WHEREAS, on February 25, 2026, 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 zoning map is hereby amended from CC (Community Commercial) to NC (Neighborhood Commercial).

Section 2: The findings of fact and conclusions included in the staff report dated January 16, 2026, in Exhibit C of this ordinance, are hereby adopted in support of the decision.

Section 3: A copy of this ordinance shall be filed in the Office of the city recorder of the City of Albany and these changes shall be made on the official City of Albany zoning map.

Passed by the Council: _____

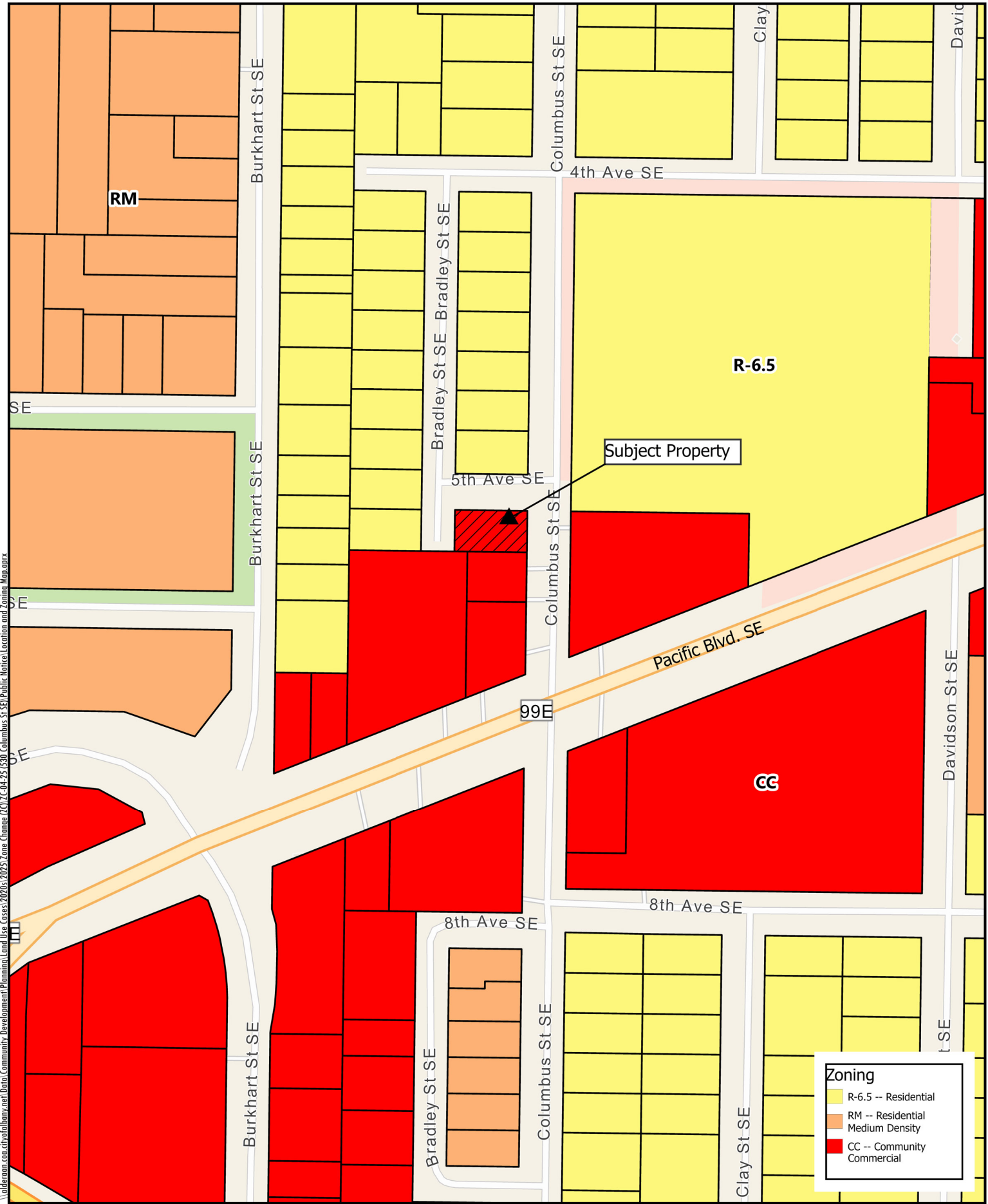
Approved by the Mayor: _____

Effective Date: _____

Mayor

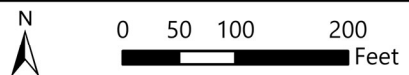
ATTEST:

City Recorder



\\alderaan.com.civofalbanymn.net/Data/Community_Development/Plannin/Land_Use/Cases/2026/2025/Zone_Change_(C)ZC-04-25-6530_Columbus_St_SE/Public_Notice_Location_and_Zoning_Map.aprx

Zoning	
	R-6.5 -- Residential
	RM -- Residential Medium Density
	CC -- Community Commercial



Date: 1/6/2026 Map Source:

530 Columbus Street SE

Location and Zoning Map

Grantor's Name and Address:

Kenneth D. Gaver
7604 Oak Leaf Drive
Santa Rosa, CA 95409

Dona L. Gaver
1340 NE 2nd Street
Corvallis, OR 97330

Grantee's Name and Address:

Dona Gaver, Trustee
Nancy Bush O'Callaghan, Trustee
1340 NE 2nd Street
Corvallis, OR 97330

After recording, return to:

Marek & Lanker, LLP
810 SW Madison Avenue
Corvallis, OR 97333

Send all tax statements to:

Dona Gaver, Trustee
Nancy Bush O'Callaghan, Trustee
1340 NE 2nd Street
Corvallis, OR 97330

Consideration - \$0, Division of Property

BARGAIN and SALE DEED

GRANTORS: Kenneth D. Gaver and Dona L. Gaver

do hereby convey all of our interest unto

GRANTEES: Dona Gaver and Nancy Bush O'Callaghan, Trustees or their successors in trust under the Dona Gaver Trust dated February 1, 2013

in the following described property located in Linn County, State of Oregon:

TRACT I: Lot 13, Block 5, SUPPLEMENTAL PLAT OF PORTION OF BURKHART ADDITION.
TRACT II: Lot 12, Block 5, SUPPLEMENTAL PLAT OF A PORTION OF BURKHART ADDITION EXCEPT the West 46.2 feet deeded to City of Albany by deed recorded July 1, 1949 in Book 209, page 279, Deed Records.

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

The true and actual consideration paid for this transfer is zero. This transaction is to carry out an agreement among the Grantors to transfer the subject property to Dona Gaver which is the whole of the consideration.

LINN COUNTY OREGON 2015-01638
D-BS
Unit=1 Size=38 S WILSON 02/09/2015 10:31:38 AM
\$15.00 \$11.00 \$20.00 \$19.00 \$10.00 \$75.00



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

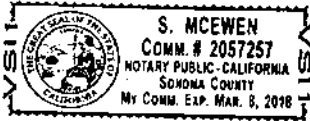
State of California)
County of Sonoma)

On Jan. 15, 2015 before me, S. McEwen Notary Public
(here insert name and title of the officer),

personally appeared Kenneth D. Gaver
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature] (Seal)



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING & PLANNING 541-917-7550

Staff Report

Zoning Map Amendment

ZC-04-25

January 16, 2026

Hearing Information

Review Body: **Planning Commission**

Hearing Date and Time: **Monday, February 2, 2026, at 5:15 p.m.**

Hearing Locations: This hearing will be conducted in person and virtually:

In Person: Albany City Hall, Council Chambers, 333 Broadalbin Street SW

Virtual: At 5:15 p.m., join the meeting using the link below:

<https://council.albanyoregon.gov/groups/plc/zoom>

Phone: 1-253-215-8782 (long distance charges may apply)

Meeting ID: 837-8633-4863; Passcode: 464432

Review Body: **City Council**

Hearing Date and Time: **Wednesday, February 25, 2026, at 6:00 p.m.**

Hearing Locations: This hearing will be conducted in person and virtually:

In Person: Albany City Hall, Council Chambers, 333 Broadalbin Street SW

Virtual: To comment/testify, please email cdaa@albanyoregon.gov with your name, address, phone number, and if you are speaking for, against, or neutral on the topic.

Watch on YouTube: <http://www.youtube.com/user/cityofalbany>

The applicant owns a duplex on a 5,730 square foot lot at Columbus Street SE and SE 5th Avenue. Each unit is 748 square feet with 2 bedrooms, 1 bathroom, a single-car garage, and laundry. The property is currently zoned Community Commercial, so the duplex doesn't fit the zoning rules. The applicant wants to change the zoning to Neighborhood Commercial to make the duplex an allowed use. To the south are two restaurants. To the east is an office complex and Waverly Elementary School. To the north is another duplex, and to the west are single-family homes.

Table 2.760-1 of the Albany Development Code (ADC) shows all Comprehensive Plan map designations and the respective zones that implement each designation. As Table 2.760-1 shows, there are multiple potential zones that implement the current Comprehensive Plan map designation of General Commercial applied to the property. These zones include Neighborhood Commercial (NC), Community Commercial (CC), Regional Commercial (RC), and Office

Professional (OP). The CC zone doesn't allow duplexes, which creates the potential for non-conformity should the duplex be destroyed. The NC zone allows duplexes through a Site Plan Review thus avoiding the potential non-conforming situation.

Application Information

Proposal:	A Zoning Map Amendment from Community Commercial (CC) to Neighborhood Commercial (NC) on a developed 5,730-square-foot lot.
Review Body:	Planning Commission and City Council (Type IV-Q Review)
Staff Report Prepared By:	David Martineau, project planner
Applicant/Property Owner:	Nancy O'Callaghan, Trustee; 123 Edgewood Avenue; San Francisco, CA 94117; mjoc@pacbell.net ; 415-819-3390
Applicant Representative:	David Dodson, Willamette Valley Planning; 5020 NW Highway 99; Corvallis, OR 97330; david@wvporegon.com ; 541-231-6111
Address/Location:	530 Columbus Street SE and 2150 5 th Avenue SE
Map/Tax Lot:	Linn County Assessor's Map No. 11S-03W-05CD; Tax Lot 9400
Zoning:	Community Commercial (CC)
Comprehensive Plan:	Commercial-General
Overlay Districts:	None
Total Land Area:	5,730 square feet (0.13 acre)
Easements:	None
Existing Land Use:	Residential Duplex
Neighborhood:	Willamette
Surrounding Zoning:	North: Residential Single Dwelling Unit (R-6.5) South: Community Commercial (CC) East: Community Commercial (CC) West: Residential Single Dwelling Unit (R-6.5)
Surrounding Uses:	North: Duplex development South: Commercial development East: Commercial development West: Single dwelling unit development

Notice Information

Public notice was issued in accordance with development code requirements. A notice was issued to the Oregon Department of Land, Conservation, and Development (DLCD) on November 14, 2025, prior to the first public hearing. A notice of public hearing was mailed to property owners located within 300 feet of the subject property on January 12, 2026, at least 20 days prior to the first public hearing. The notice of public hearing was posted on the subject property by January 23, 2026. The staff report was posted on the City's website January 26, 2026. At the time this staff report was completed, no comments had been received.

Appeals

The City's decision may be appealed to the Oregon Land Use Board of Appeals (LUBA). Per Oregon Revised Statute (ORS) 197.830, a notice of intent to appeal the plan and/or zoning map amendments shall be filed with LUBA no later than 21 days after notice of the decision is mailed or otherwise submitted to parties entitled to notice.

Analysis of Development Code Criteria

Quasi-Judicial Zoning Map Amendment File (ZC-04-25)

Section 2.740 of the ADC includes the following review criteria, which must be met for this application to be approved. Code criteria are followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Criterion 1

The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for.

Findings of Fact

- 1.1 The application request includes a proposal to change the zoning of a lot measuring 5,730 square feet, from Community Commercial (CC) to Neighborhood Commercial (NC) district.
- 1.2 The current Comprehensive Plan Map designation of the subject site is Commercial-General (CG). Both the current CC zoning and the proposed NC zoning are consistent with the CG Comprehensive Plan Map designation of the site.
- 1.3 As shown on the Plan Designation Zoning Matrix (ADC 2.760, Table 1), the NC zone designation is consistent with the GC designation of the property.

Conclusions

- 1.1 The proposed NC zone designation is consistent with the Commercial-General (CG) Comprehensive Plan Map designation.
- 1.2 This criterion is satisfied.

Criterion 2

Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation (ADC 2.740 (2)).

Findings of Fact

- 2.1 The 5,730-square-foot site is located south of 5th Avenue SE, between Columbus Street SE and Bradley Street SE (Attachment A). The application would change the zoning of the parcel from Community Commercial (CC) to Neighborhood Commercial (NC).
- 2.2 The site is currently developed with a 1,496 square foot duplex constructed in 1950, according to Linn County Assessor's records. Each unit is 748 square feet and consists of 2 bedrooms, 1 bath, with a 1 car garage and laundry (see Attachment B.2). The duplex is a non-conforming use in the existing zone.
- 2.3 Albany's Transportation System Plan includes improvements necessary to accommodate anticipated development through the year 2030 and does not identify any capacity or level of service problems occurring adjacent to the development.
- 2.4 Zone amendments are required to comply with the Transportation Planning Rule (TPR). The rule holds that a "significant affect" occurs and must be mitigated if a proposed zone change would result in an existing or planned transportation facility either failing to meet an

adopted performance standard or degrading the performance of an already failing facility. The TPR refers to Action 1F.05 in the Oregon Highway Plan, which states that if there is a small increase in daily traffic (less than 400 trips) between the existing plan and the proposed amendment, it can be determined that the proposed zone amendment will cause “no further degradation” to the surrounding roadway network.

- 2.5 The applicant did not submit trip generation information with the application.
- 2.6 For trip generation purposes, staff believe that the most intense use that could reasonably be expected to occur on the site under the current CC zone designation and requested NC zone would be the same with uses like restaurants and retail services uses. The CC zone does not allow residential middle housing uses and the NC does allow middle housing, and the existing duplex would be compliant with the requested NC zone.
- 2.7 The CC zone allows for commercial uses such as vehicle service, RV parks, self-storage, industrial offices, parking lots and entertainment/recreation uses. These uses are considered more intense than uses that are allowed in the NC zone. These would not be more intensive uses on the transportation system according to the ITE Trip Generation Manual when compared to restaurants and retail services that are allowed in the CC and NC zones.
- 2.8 Uses allowed in NC and CC zones are ITE PM Peak trip rate as follows: a fast-food restaurant is 32.21 trips for 1,000 square feet, General Office 1.44 trips per 1,000 square feet, and Shopping Centers 3.40 trips per 1,000 square feet. Uses allowed in CC and not NC have the following ITE PM Peak trip rates: RV park 0.27 per camp site, athletic club 6.29 trips per 1,000 square feet, automobile parts and services 2.06 trips per 1,000 square feet, and quick lubrication shop 4.85 trips per service position.

Conclusions

- 2.1 The proposed zone change would change the designation of a 5,730-square-foot parcel from CC to NC.
- 2.2 Albany’s Transportation System Plan includes improvements necessary to accommodate anticipated development through the year 2030 and does not identify any capacity or level of service problems occurring adjacent to the development.
- 2.3 The TPR requires that zone changes be evaluated to see if the vehicle trip generation that could occur under the new zone designation is more than could have occurred under current designation, and if so, if the additional trips would result in a “significant effect”.
- 2.4 The reasonable worst case uses allowed on the site under the requested zone designation would generate the same average day and PM peak hour trips on the street system than would the reasonable worst-case use allowed under the current zone designation. Because it would result in the same trip generation in vehicle trip generation, the requested zone designation would not have a significant effect on the transportation system.
- 2.5 This criterion is satisfied.

Criterion 3

Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area (ADC 2.740 (3)).

Findings of Fact

Sanitary Sewer

- 3.1 City utility maps show a 12-inch public sanitary sewer main in the Columbus Street SE right-of-way and an 8-inch public sanitary sewer main along the southwest portion of the property line. The property is currently served by sewer service laterals that connect to the public main at the property's southwest corner.
- 3.2 While different types of commercial development can have different wastewater discharge characteristics, the City's Wastewater Facility Plan does not distinguish between different types of commercial developments when estimating the wastewater discharge from those uses for design purposes. The City's Wastewater Facility Plan does not indicate significant deficiencies downstream of the subject property and the system should be adequate for neighborhood commercial development.
- 3.3 It is anticipated that the existing public sanitary sewer system in this area can serve any development that would be allowed under the proposed zoning designation.

Water

- 3.4 City utility maps show an 8-inch public water main in the 5th Avenue SE right-of-way. The existing duplex on the property is connected to the public water system with two separate meters served from the line in 5th Avenue SE.
- 3.5 The public water system design and adequacy are typically dictated by the fire flow needs within an area or zone. The City of Albany groups all commercial uses in the same fire flow requirement category (3,500 gpm minimum), so the proposed zone change would not affect the overall water needs of the site.

Storm Drainage

- 3.6 City utility maps show a 10-inch and 12-inch public storm drainage main in the Columbus Street SE right-of-way. The line captures stormwater from the catch basins at the intersection of 5th Avenue SE and Columbus Street SE and directs it south along Columbus Street SE.
- 3.7 Storm water runoff from a development is generally dependent on the total area of impervious surfaces on the property. The Albany Development Code determines the maximum amount of "lot coverage" (buildings and parking areas) in any particular zone. The greatest percentage of lot coverage that would be allowed within the Community Commercial zone would be 90% (See ADC Table 4.090-1). The greatest percentage of lot coverage that would be allowed within the Neighborhood Commercial zone would be 80%. Although the applicant intends to retain the existing duplex, a change from Community Commercial to Neighborhood Commercial would allow for future redevelopment that would result in slightly less storm water runoff. Staff concur.

Schools

- 3.8 The property is currently zoned for community commercial (CC) development. The requested zone change from CC to NC would have no impact on the number of children attending school in this area.

Police and Fire Protection

- 3.9 The Albany Police Department and Fire Department provide services to all development in Albany. No deficiencies in providing police and fire protection for this property have been identified.

Conclusions

- 3.1 Public sanitary sewer, water systems, and storm drainage facilities are available to the subject property.
- 3.2 Existing or anticipated services can accommodate potential development within this area without adverse impact on the affected service area.
- 3.3 This criterion is satisfied without conditions.

Criterion 4

The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan (ADC 2.740 (4)).

Findings of Fact

- 4.1 The current zoning designation of the property where the Zoning Map amendment is proposed is Community Commercial (CC). The proposed zoning is Neighborhood Commercial (NC), (See Attachments B10 & B11).
- 4.2 Prior to its current zoning designation, the subject property was zoned C-2 (Local Business) District. The zoning designation changed from C-2 to CC in 1998, but the name of the district continued to be "Community Commercial."

Zoning District Purposes

- 4.3 According to Section 4.020(3) of the Albany Development Code, the CC (Community Commercial) District "recognizes the diversity of small to medium-scale businesses, services and sites mostly located on arterial streets and highways. Design guidelines, building location and front-yard landscaping will provide a coordinated and enhanced community image along these major transportation corridors as they develop or redevelop. Sound and visual buffers should be used to mitigate impacts on nearby residential areas." It is noted that 5th Avenue SE and Columbus Street SE are designated as local streets, however Pacific Boulevard SE (Highway 99E) to the south is designated as a principal arterial roadway.
- 4.4 Allowable uses that are permitted in the CC district include some small-scale manufacturing activities, indoor and outdoor entertainment and recreation, offices, restaurants including drive-thru, retail sales and service, self-serve storage, taverns and bars, religious institutions, vehicle repair, vehicle service, and parking lots. Uses allowed conditionally include recycling centers, RV parks, schools, parks, assisted living, telecommunications towers, and community services.
- 4.5 According to Section 4.020(2) of the Albany Development Code, the NC (Neighborhood Commercial) District is "intended primarily for small areas of retail establishments serving nearby residents' frequent needs in convenient locations. The NC District is typically appropriate for small clusters or service centers located at intersections within residential neighborhoods. Businesses should fit into the residential pattern of development and not create land use, architectural or traffic conflicts. Generally, uses located within NC Districts should have as their primary market area the population within a one-half mile radius."
- 4.6 Allowable uses that are permitted in the NC district include traditional offices, restaurants, small-scale retail sales and services that are convenience or personal services-oriented, community services, and single-family and two-family dwelling units. Taverns, bars, drive-

thru restaurants, daycare centers, religious institutions and assisted living facilities are allowed conditionally.

- 4.7 The applicant asserts that the subject property is more consistent with the NC zoning designation. The subject property which fronts along local streets is more suitable for its current use as a duplex verses a more intensive commercial use. The property in its present state is better suited for the NC zone.

Conclusions

- 4.1 The NC zone best satisfies the applicable goals and policies of the Albany Comprehensive Plan.
- 4.2 This criterion has been met.

Criterion 5

The land use and transportation pattern recommended in any applicable City-contracted or funded land use or transportation plan, or study has been followed, unless the applicant demonstrates good cause for the departure from the plan or study (ADC 2.740 (5)).

Findings of Fact

- 5.1 Albany’s Transportation System Plan (TSP) was developed with the assumption that this site would be occupied by permitted uses in the commercial zone. The proposed zone change is consistent with the allowable uses and does not alter that assumption.
- 5.2 The proposed zone change will not result in any changes to the road system and will not alter the transportation pattern in the TSP.
- 5.3 The TSP does not identify any capacity or level of service problems associated with the proposed Zone Map amendment.
- 5.4 There are no other applicable City-contracted or funded land use, transportation plan, or study that applies to the subject area.

Conclusions

- 5.1 The proposal will not conflict with the transportation system as shown in the TSP.
- 5.2 The proposal is in accordance with the transportation pattern as shown in the TSP.
- 5.3 This criterion is met.

Overall Conclusion

Staff conclude that the proposed zoning map amendment from CC to NC meets all the applicable review criteria. The NC zoning is more compatible with the adjacent neighborhood and adjacent local street infrastructure than the existing CC zoning. The existing duplex is considered an existing non-conforming use in the CC zone, while duplexes are an allowed use through site plan review in the NC zone. Staff recommend approval without conditions.

Staff Recommendation

With respect to the proposed **Zoning Map Amendment**, the Planning Commission has two options:

- Option 1: Recommend that the City Council approve the Zoning Map Amendment request; or
- Option 2: Deny the Zoning Map Amendment request. The City Council will only consider the proposal on appeal by the applicants.

Based on the analysis in this report, staff recommend that the Planning Commission recommend that the City Council approve the Zoning Map Amendment request.

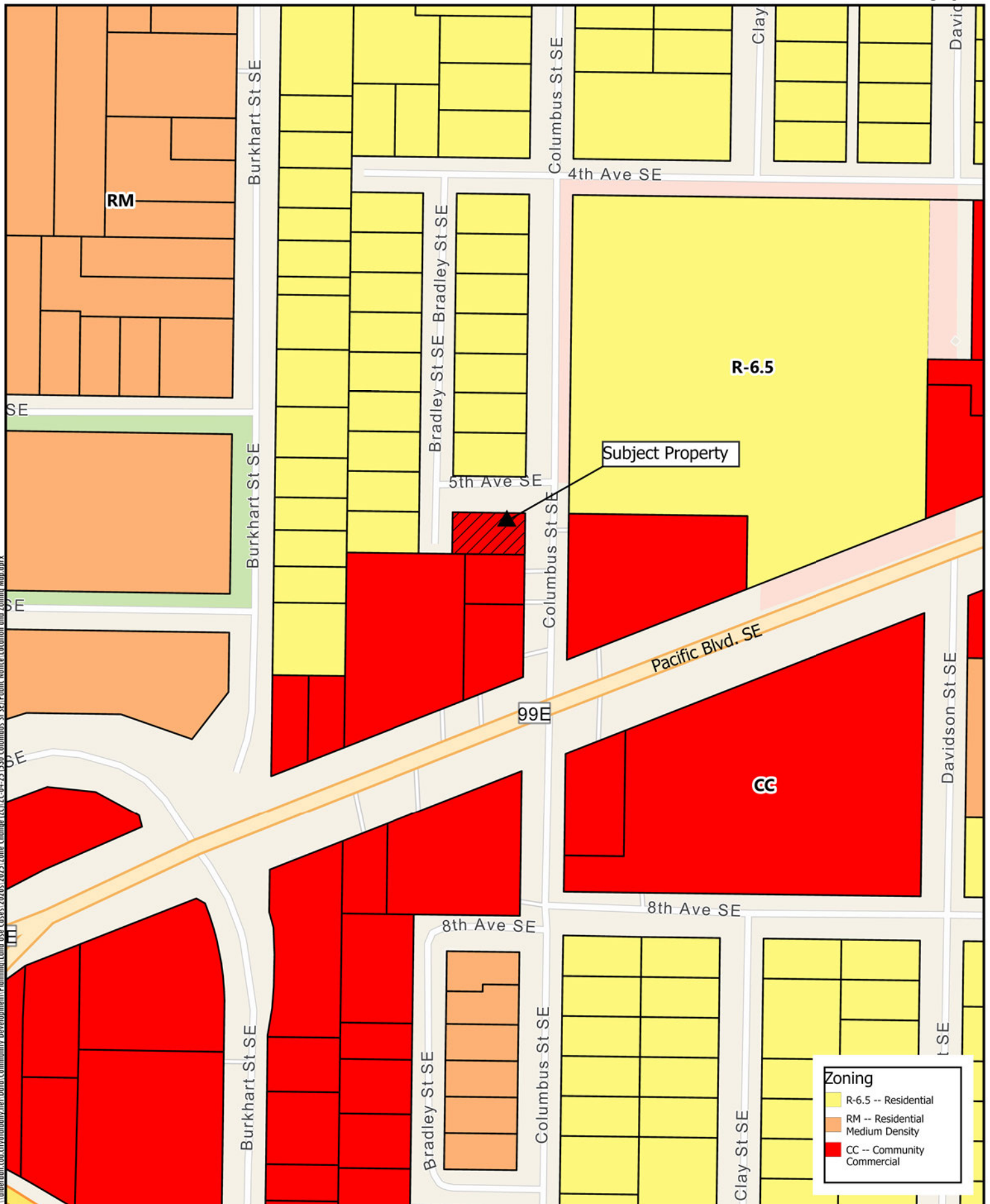
I move that the planning commission recommend that the city council approve the proposed Zoning Map Amendment, under planning file ZC-04-25. This motion is based on the findings and conclusions in the January 16, 2026, staff report and the findings in support of the application made by the planning commission during deliberations on this matter.

Attachments

- A. Location Map
- B. Applicant’s Narrative

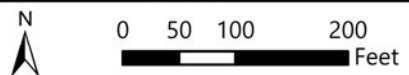
Acronyms

ADC	Albany Development Code
ADT	Average Daily Traffic
AMC	Albany Municipal Code
CC	Community Commercial Zoning Designation
DLCD	Oregon Department of Land Conservation and Development
GC	General Commercial Comprehensive Plan Designation
ITE	Institute of Transportation Engineers
LOS	Level of Service
LUBA	Oregon Land Use Board of Appeals
NC	Neighborhood Commercial Zoning District
ODOT	Oregon Department of Transportation
RM	Residential Medium Density Zoning District
R-6.5	Residential Single Dwelling Unit
TPR	Transportation Planning Rule
TSP	Transportation Systems Plan
ZC	Zone Change File Designation



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Zoning	
	R-6.5 -- Residential
	RM -- Residential Medium Density
	CC -- Community Commercial



Date: 1/6/2026 Map Source:

530 Columbus Street SE

Location and Zoning Map

Gaver Rezone

An Application for a Zoning Map Amendment

On Behalf of:

Dona Gaver Trust
1340 NE 2nd Street
Corvallis, OR 97330

Prepared by:



October 30, 2025

Applicant/Property Owner: Nancy O’Callaghan, Trustee
 123 Edgewood Avenue
 San Francisco, CA 94117
 [REDACTED]

Applicant’s Representative: David Dodson - Willamette Valley Planning
 5020 NW Hwy 99
 Corvallis, OR 97330
 [REDACTED]

Site Location: 530 Columbus Street SE
 2150 SE 5th Avenue
 Albany, OR 97321

Linn County Assessor’s Map: 11-03-05CD, Tax Lot 9400

Site Size: 5,730 square feet

Comprehensive Plan Designation: Commercial - General

Zone Designation: Community Commercial

INTRODUCTION

The applicant owns a duplex on a 5,730 square foot lot at Columbus Street SE and SE 5th Avenue. Each unit is 748 square feet and contains 2 bedrooms, 1 bath, a single car garage and laundry. The property is currently zoned Community Commercial, making the duplex a non-conforming use. The applicant is interested in making it a conforming use by rezoning the property to Neighborhood Commercial. South of the site are two existing restaurants. To the east there is an office complex and Waverly Elementary School. North of the site is another duplex while single family homes are to the west.

REQUEST

The applicant wishes to rezone the property from Community Commercial to Neighborhood Commercial.

LIST OF EXHIBITS

- Attachment A Surrounding Uses
- Attachment B Existing Comprehensive Plan Designations
- Attachment C Existing Zoning Designations
- Attachment D Proposed Zoning Designations
- Attachment E Certification of Trust
- Attachment F Legal Description

Quazi-Judicial Zoning Map Amendment

QUASI-JUDICIAL ZONING MAP AMENDMENT

Section 2.740 of the Albany Development Code (ADC) includes the following review criteria, which must be met for this application to be approved. Code criteria are followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Criterion 1

The proposed base zone is consistent with the Comprehensive Plan map designation for the entire subject area unless a Plan map amendment has also been applied for.

Findings of Fact

- 1.1 The applicant proposes to change the zoning of the 5,730 square foot lot from Community Commercial (CC) to the Neighborhood Commercial (NC) district.
- 1.2 The current Comprehensive Plan map designation of the subject site is Commercial - General. The proposed NC zoning is consistent with the Commercial - General Comprehensive Plan designation for the site, (See Attachment B).

Conclusions

- 1.3 The proposed NC zone designation is consistent with the Commercial - General Plan map designation.
- 1.4 This criterion is satisfied.

Criterion 2

Existing or anticipated transportation facilities are adequate for uses that are permitted under the proposed zone designation (ADC 2.740 (2)).

Findings of Fact

- 2.1 The site is located south of 5th Avenue SE, between Columbus Street SE and Bradley Street SE. The application would change the zoning of the parcel from Community Commercial (CC) to Neighborhood Commercial (NC). The site is currently developed with a 1,496 square foot duplex. Each unit is 748 square feet and consists of 2 bedrooms, 1 bath, with a 1 car garage and laundry, (See Attachment A).
- 2.2 Zone changes are required to comply with the Transportation Planning Rule (TPR). The rule holds that a “significant affect” occurs and must be mitigated if a proposed zone change would result in an existing or planned transportation facility either failing to meet an adopted performance standard or degrading the performance of an already failing facility. The TPR refers to Action 1F.05 in the Oregon Highway Plan, which states that if there is a small increase in daily traffic (less than 400 trips) between the existing plan and proposed amendment, it can be

determined that the proposed zone change will cause “no further degradation” to the surrounding roadway network.

- 2.3 The applicant intends to retain the existing duplex. A TPR Analysis would find that the uses allowed under the existing CC zone result in more vehicle trips than the proposed NC zone.
- 2.4 The net increase in daily trips that would result from the zone change is less than the 400-trip threshold identified in the OHP, the applicant concludes that the requested change could be approved without having any significant effect on the transportation system.

Conclusions

- 2.5 The proposed zone change would change the zone designation of the site from CC to NC, (See Attachment D).
- 2.6 The TPR requires that zone changes be evaluated to see if the vehicle trip generation that could occur under the new zone designation is more than could have occurred under the current designation, and if so, if the additional trips would result in a “significant affect.”
- 2.7 The TPR refers to Action 1F.05 in the Oregon Highway Plan, which states that small increases in daily traffic (less than 400 trips) between the existing plan and a proposed amendment can be determined to cause “no further degradation” to the surrounding roadway network.
- 2.8 A TPR Analysis was not submitted by the applicant as the analysis would conclude the change in potential site trip generation would be reduced and therefore not have a significant effect on the transportation system.
- 2.9 This criterion is satisfied.

Criterion 3

Existing or anticipated services (water, sanitary sewers, storm sewers, schools, police and fire protection) can accommodate potential development within the subject area without adverse impact on the affected service area (ADC 2.740 (3)).

Findings of Fact

Sanitary Sewer

- 3.1 City utility maps show a 12-inch public sanitary sewer main in the Columbus Street SE right-of-way and an 8-inch public sanitary sewer main along the southwest portion of the property line. The property is currently served by sewer service laterals that connect to the public main at the property’s southwest corner.
- 3.2 While different types of commercial development can have much different wastewater discharge characteristics, the City’s Wastewater Facility Plan does not distinguish between different types of commercial developments when estimating the wastewater discharge from those uses for design purposes. The City’s Wastewater Facility Plan does not indicate significant deficiencies downstream of the subject property and the system should be adequate for neighborhood commercial development.

Water

- 3.3 City utility maps show an 8-inch public water main in the 5th Avenue SE right-of-way. The existing duplex on the property is connected to the public water system with two separate meters served from the line in 5th Avenue SE.
- 3.4 Public water system design and adequacy are typically dictated by the fire flow needs within an area or zone. The City of Albany groups all commercial uses in the same fire flow requirement category (3,500 gpm minimum), so the proposed zone change would not affect the overall water needs of the site.

Storm Drainage

- 3.5 City utility maps show a 10-inch and 12-inch public storm drainage main in the Columbus Street SE right-of-way. The line captures stormwater from the catch basins at the intersection of 5th Avenue SE and Columbus Street SE and direct it south along Columbus Street SE.
- 3.6 Storm water runoff from a development is generally dependent on the total area of impervious surfaces on the property. The Albany Development Code determines the maximum amount of “lot coverage” (buildings and parking areas) in any particular zone. The greatest percentage of lot coverage that would be allowed within the Community Commercial zone would be 90% (See ADC Table 4.090-1). The greatest percentage of lot coverage that would be allowed within the Neighborhood Commercial zone would be 80% . Although the applicant intends to retain the existing duplex, a change from Community Commercial to Neighborhood Commercial would allow for future redevelopment that would result in slightly less storm water runoff.

Schools

- 3.7 The property is currently zoned for community commercial development. The requested zone change to NC would have no impact on the number of children attending school in this area.

Police and Fire Protection

- 3.8 The Albany Police Department and Fire Department provide services to all development in Albany, whether it is residential or commercial.

Conclusions

- 3.9 The existing public utility systems (sanitary sewer, water, storm drainage) are expected to be adequate to serve development in both the existing and proposed zones.
- 3.10 The Albany Police and Fire Departments will provide service to development on the property regardless of the zoning.
- 3.11 Existing or anticipated services can accommodate potential development within this area without adverse impact on the affected service area.
- 3.12 This criterion is satisfied.

Criterion 4

The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan (ADC 2.740 (4)).

Findings of Fact

- 4.1 The current zoning designation of the property where the Zoning Map amendment is proposed is Community Commercial (CC). The proposed zoning is Neighborhood Commercial (NC), (See Attachments C & D).
- 4.2 Prior to its current zoning designation, the subject property was zoned C-2 (Local Business) District. The zoning designation changed from C-2 to CC in 1998, but the name of the district continued to be "Community Commercial."

Zoning District Purposes

- 4.3 According to Section 4.020(3) of the Albany Development Code, the CC (Community Commercial) District "recognizes the diversity of small to medium-scale businesses, services and sites mostly located on arterial streets and highways. Design guidelines, building location and front-yard landscaping will provide a coordinated and enhanced community image along these major transportation corridors as they develop or redevelop. Sound and visual buffers should be used to mitigate impacts on nearby residential areas." It is noted that 5th Avenue SE and Columbus Street SE are designated as local streets, however Pacific Boulevard SE (Hwy 99) to the south is designated as a principal arterial roadway.
- 4.4 Allowable uses that are permitted in the CC district include some small-scale manufacturing activities, indoor and outdoor entertainment and recreation, offices, restaurants including drive-thru, retail sales and service, self-serve storage, taverns and bars, religious institutions, vehicle repair, vehicle service, and parking lots. Uses allowed conditionally include recycling centers, RV parks, schools, parks, assisted living, telecommunications towers, and community services.
- 4.5 According to Section 4.020(2) of the Albany Development Code, the NC (Neighborhood Commercial) District is "intended primarily for small areas of retail establishments serving nearby residents' frequent needs in convenient locations. The NC District is typically appropriate for small clusters or service centers located at intersections within residential neighborhoods. Businesses should fit into the residential pattern of development and not create land use, architectural or traffic conflicts. Generally, uses located within NC Districts should have as their primary market area the population within a one-half mile radius."
- 4.6 Allowable uses that are permitted in the NC district include traditional offices, restaurants, small-scale retail sales and services that are convenience or personal services-oriented, community services, and single-family and two-family dwelling units. Taverns, bars, drive-thru restaurants, daycare centers, religious institutions and assisted living facilities are allowed conditionally.

- 4.7 The applicant asserts that the subject property is more consistent with the NC zoning designation. The subject property which fronts along local streets is more suitable for its current use as a duplex verses more intensive commercial uses. The property in its current state is better suited for the NC zone.

Conclusions

- 4.8 The NC zone best satisfies the applicable goals and policies of the Albany Comprehensive Plan.
4.9 This criterion has been met.

Criterion 5

The land use and transportation pattern recommended in any applicable City-contracted or funded land use or transportation plan or study has been followed, unless the applicant demonstrates good cause for the departure from the plan or study (ADC 2.740 (5)).

Findings of Fact

- 5.1 Albany's Transportation System Plan (TSP) was developed with the assumption that this site would be occupied by permitted uses in the commercial zone. The proposed zone change is consistent with the allowable uses and does not alter that assumption.
5.2 The proposed zone change will not result in any changes to the road system and will not alter the transportation pattern in the TSP.
5.3 The TSP does not identify any capacity or level of service problems associated with the proposed Zoning Map amendment.
5.4 There are no other applicable City-contracted or funded land use or transportation plan or study that applies to the subject area.

Conclusions

- 5.5 There are no applicable land use or transportation plans or studies for this area.
5.6 The proposal is in accordance with the land uses and transportation pattern in the TSP.
5.7 This criterion is met.

OVERALL CONCLUSIONS FOR THE ZONING MAP AMENDMENT

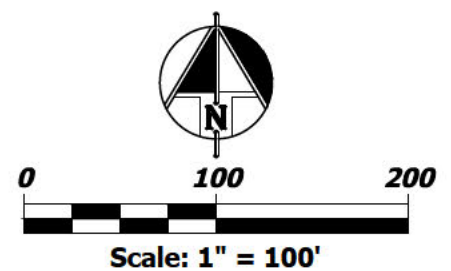
The applicant believes the proposed zoning map amendment from CC to NC meets all the applicable review criteria. The NC zoning is more compatible with the adjacent neighborhood and adjacent local street infrastructure than the existing CC zoning. The existing duplex is considered an existing non-conforming use in the CC zone, while duplexes are an allowed use in the NC zone.

SURROUNDING USES

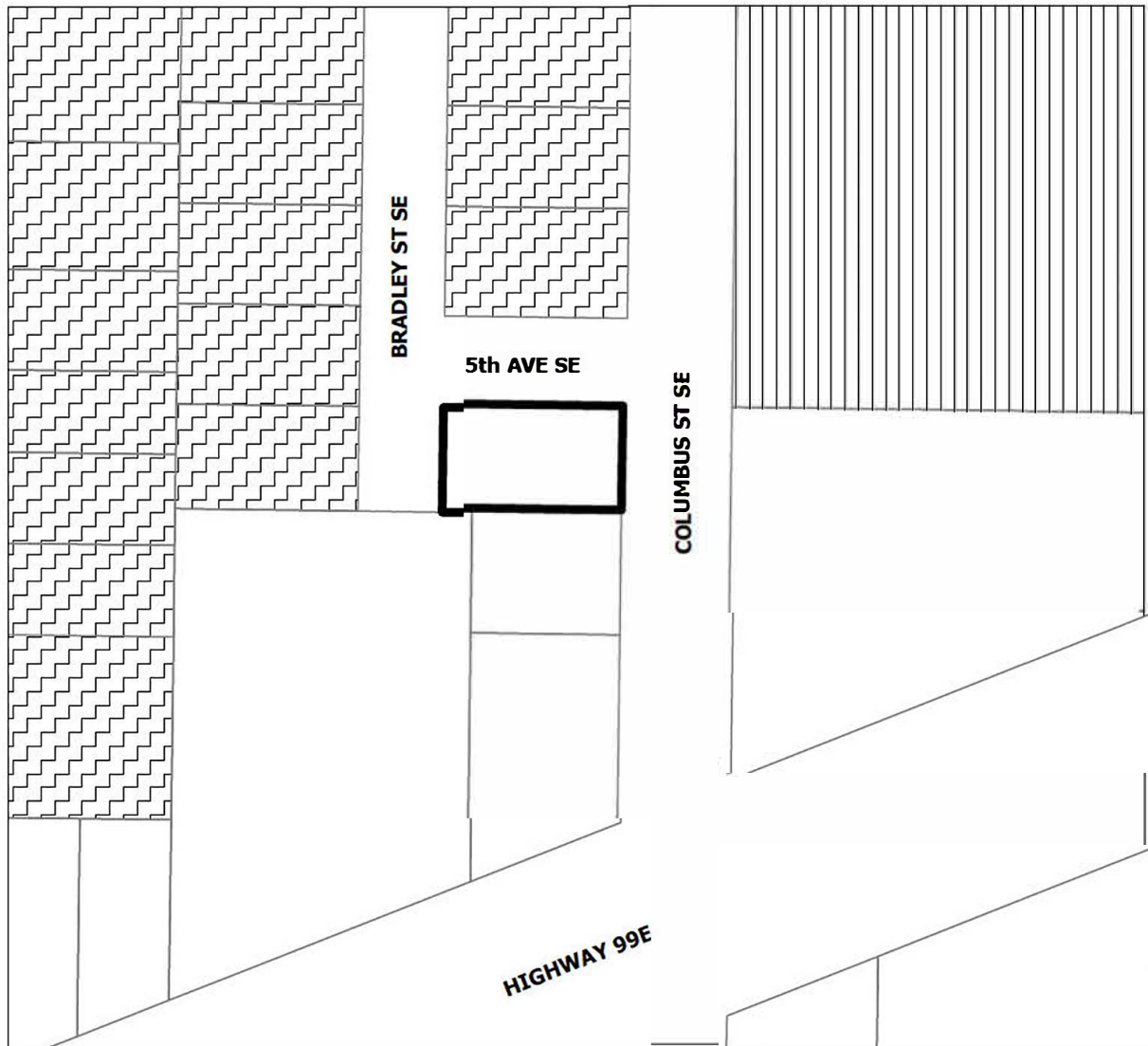


 Subject Site

ATTACHMENT A



EXISTING COMPREHENSIVE PLAN DESIGNATIONS



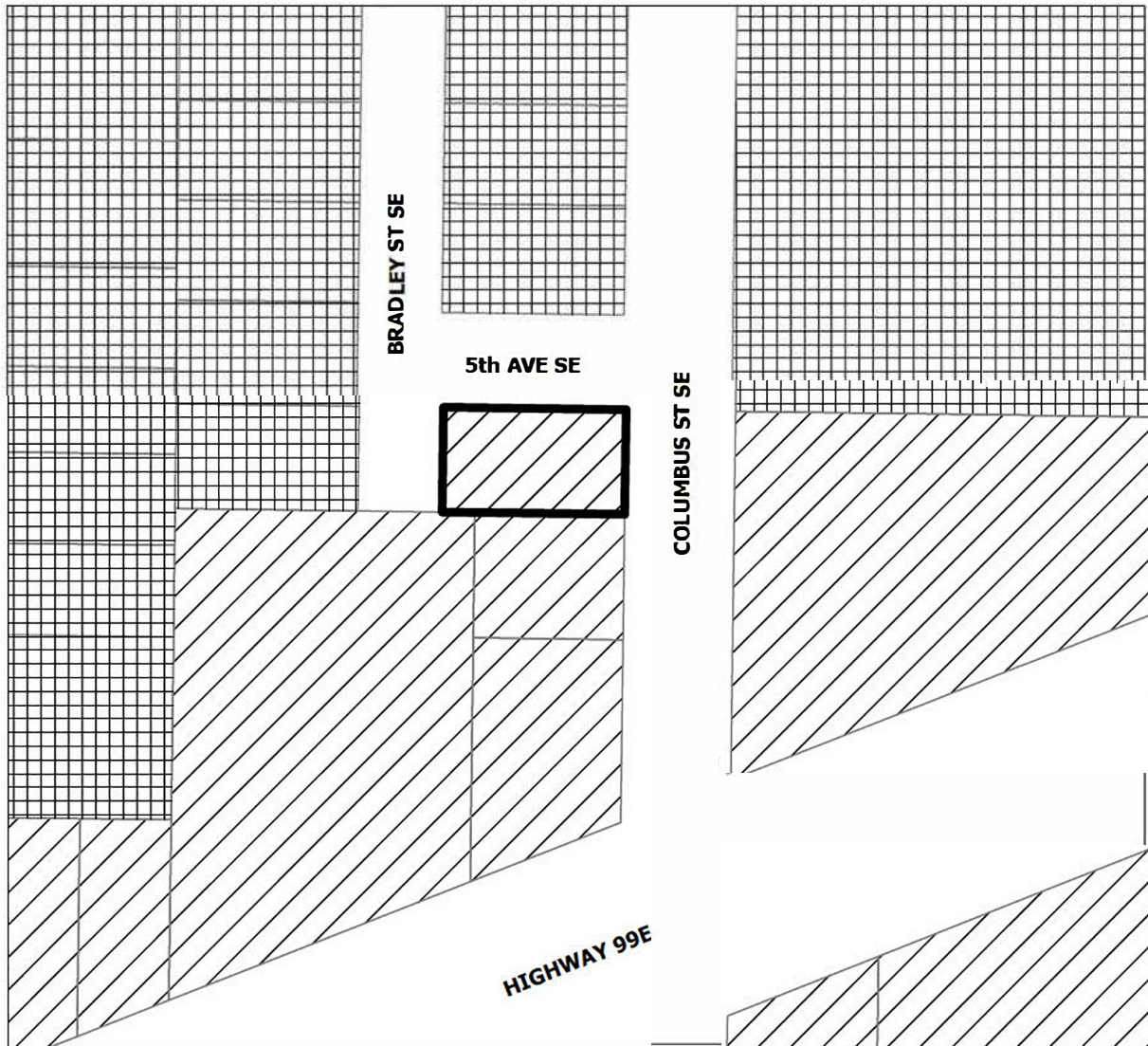
-  **Subject Site**
-  **RES. LOW DENSITY**
-  **COMMERCIAL - GENERAL**
-  **PUBLIC AND SEMI-PUBLIC**



Scale: 1" = 100'

ATTACHMENT B

EXISTING ZONING DESIGNATIONS



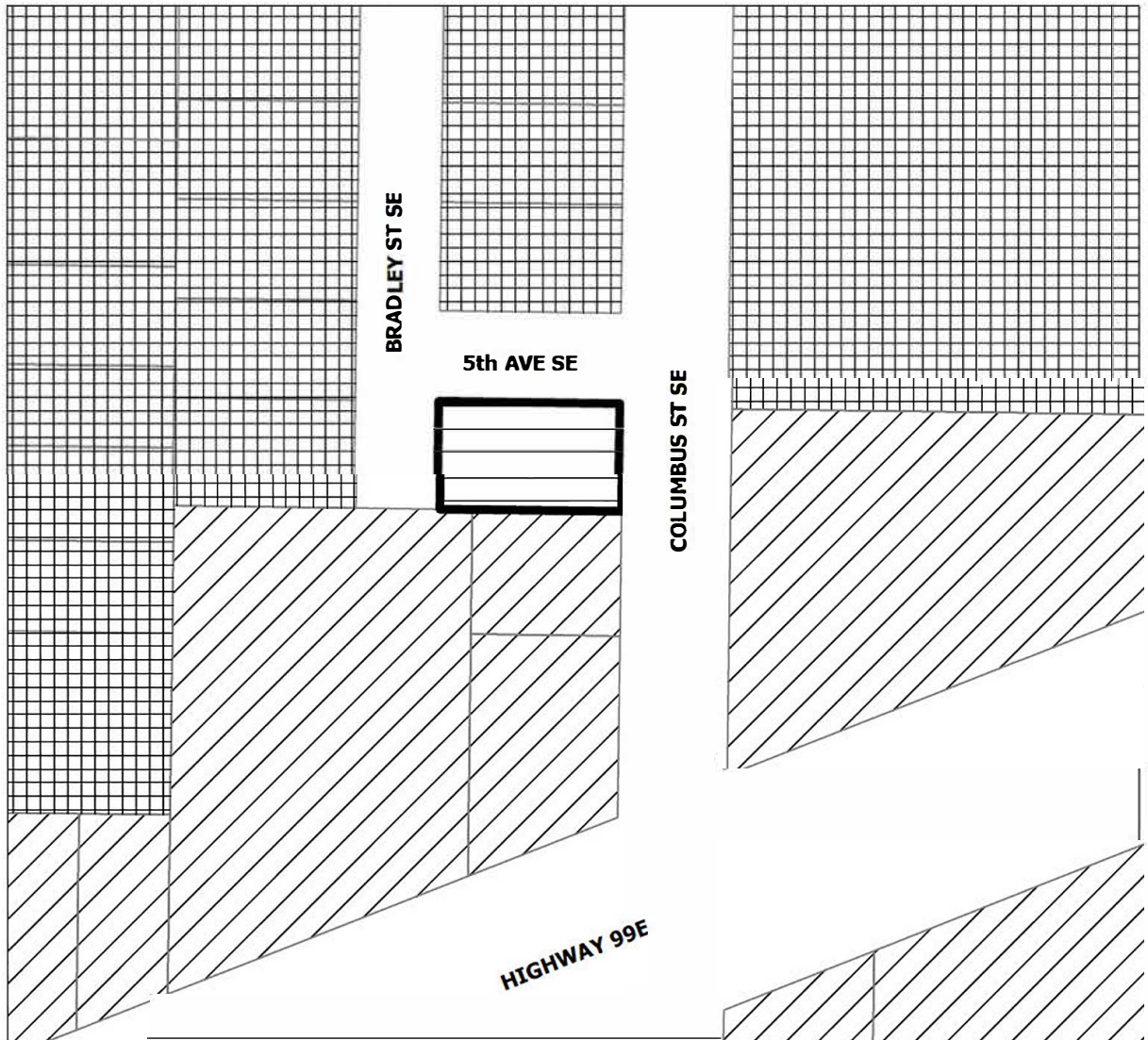
-  **Subject Site**
-  **R-6.5 (RES. DISTRICT)**
-  **CC (COMMUNITY COMMERCIAL)**


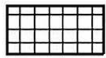
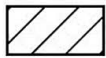
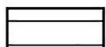


Scale: 1" = 100'

ATTACHMENT C

PROPOSED ZONING DESIGNATIONS



-  **Subject Site**
-  **R-6.5 (RES. DISTRICT)**
-  **CC (COMMUNITY COMMERCIAL)**
-  **NEIGHBORHOOD COMMERCIAL**



Scale: 1" = 100'

ATTACHMENT D

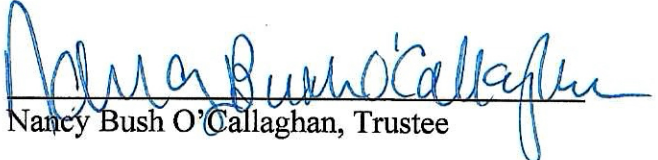
CERTIFICATION OF TRUST

I, Nancy Bush O'Callaghan, Trustee of the Dona Gaver Trust dated February 1, 2013, hereby certify as follows:

1. The Dona Gaver Trust is presently in existence. It was executed on February 1, 2013. The Trustmaker, Dona Gaver, died March 8, 2023.
2. The Trustmaker of the trust was Dona Gaver, and the currently acting Trustee of the trust is Nancy Bush O'Callaghan.
3. Under the terms of the trust agreement, the Trustees are given powers granted a trustee under the Oregon Uniform Trust Code set forth in ORS 130.720 through 130.725.
4. The mailing addresses of the currently acting Trustee is:

Nancy Bush O'Callaghan
123 Edgewood Avenue
San Francisco, CA 94117
5. The trust is irrevocable.
6. The Trustee may act alone and has authority to exercise trust powers alone.
7. The trust taxpayer identification number is **93-6392070**.
8. Trust property is to be titled as follows: Nancy Bush O'Callaghan, Trustee of the Dona Gaver Trust dated February 1, 2013, including any amendments thereto.
9. The trust has not been revoked, modified, or amended in any manner that would cause the representations contained in this certification to be incorrect.

I hereby certify the above to be true as of this 24th day of January, 2024.


 Nancy Bush O'Callaghan, Trustee

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of San Francisco)

On January 24, 2024, before me, PRITI PARIKH, Notary Public, personally appeared Nancy Bush O'Callaghan, as acting Trustee, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity(ies), and that by her signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Priti Parikh



CERTIFICATION OF TRUST

COPY

We, Dona Gaver and Nancy Bush O'Callaghan, Trustees of the Dona Gaver Trust dated February 1, 2013, hereby certify as follows:

1. The Dona Gaver Trust is presently in existence. It was executed on February 1, 2013.
2. The Trustmaker of the trust is Dona Gaver, and the currently acting Trustees of the trust are Dona Gaver and Nancy Bush O'Callaghan.
3. Under the terms of the trust agreement, the Trustees are given powers granted a trustee under the Oregon Uniform Trust Code set forth in ORS 130.720 through 130.725.
4. The mailing addresses of the currently acting Trustees are:

Dona Gaver	Nancy Bush O'Callaghan
1340 NE 2 nd Street	123 Edgewood Avenue
Corvallis, OR 97330	San Francisco, CA 94117
5. The trust can be modified, amended, or revoked by the Trustmaker.
6. Either Trustee may act alone and has authority to exercise trust powers alone without the consent of the other Trustee.
7. The trust taxpayer identification number is the social security number of the Trustmaker: xxx-xx-7543.
8. Trust property is to be titled as follows: Dona Gaver and Nancy Bush O'Callaghan, Trustees of the Dona Gaver Trust dated February 1, 2013, including any amendments thereto.
9. The trust has not been revoked, modified, or amended in any manner that would cause the representations contained in this certification to be incorrect.

We hereby certify the above to be true as of this 1st day of February, 2013.

Dona Gaver
Dona Gaver, Trustee

Nancy Bush O'Callaghan
Nancy Bush O'Callaghan, Trustee

STATE OF OREGON)
) ss.
County of Benton)

This instrument was acknowledged before me on February 1, 2013, by Dona Gaver and Nancy Bush O'Callaghan, as acting Trustees.



Emily J. Miller
NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/1/2013

Grantor's Name and Address:

Kenneth D. Gaver
7604 Oak Leaf Drive
Santa Rosa, CA 95409

Dona L. Gaver
1340 NE 2nd Street
Corvallis, OR 97330

Grantee's Name and Address:

Dona Gaver, Trustee
Nancy Bush O'Callaghan, Trustee
1340 NE 2nd Street
Corvallis, OR 97330

After recording, return to:

Marek & Lanker, LLP
810 SW Madison Avenue
Corvallis, OR 97333

Send all tax statements to:

Dona Gaver, Trustee
Nancy Bush O'Callaghan, Trustee
1340 NE 2nd Street
Corvallis, OR 97330

Consideration - \$0, Division of Property

BARGAIN and SALE DEED

GRANTORS: Kenneth D. Gaver and Dona L. Gaver

do hereby convey all of our interest unto

GRANTEES: Dona Gaver and Nancy Bush O'Callaghan, Trustees or their successors in trust under the Dona Gaver Trust dated February 1, 2013

in the following described property located in Linn County, State of Oregon:

TRACT I: Lot 13, Block 5, SUPPLEMENTAL PLAT OF PORTION OF BURKHART ADDITION.
TRACT II: Lot 12, Block 5, SUPPLEMENTAL PLAT OF A PORTION OF BURKHART ADDITION EXCEPT the West 46.2 feet deeded to City of Albany by deed recorded July 1, 1949 in Book 209, page 279, Deed Records.

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

The true and actual consideration paid for this transfer is zero. This transaction is to carry out an agreement among the Grantors to transfer the subject property to Dona Gaver which is the whole of the consideration.

Page 1 of 3
Bargain and Sale Deed

LINN COUNTY OREGON 2015-01638
D-BS
Cnt#1 Str#38 S WILSON 02/09/2015 10:31:38 AM
\$15.00 \$11.00 \$20.00 \$19.00 \$10.00 \$75.00



I, Steve Druckenmiller, County Clerk for Linn County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Steve Druckenmiller - County Clerk



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Sonoma)

On Jan. 15, 2015 before me, S. McEwen Notary Public
(here insert name and title of the officer),

personally appeared Kenneth D. Gaver
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature] (Seal)



TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Matthew Ruetters, Community Development Director
David Martineau, Current Planning Manager

DATE: February 13, 2026, for the February 25, 2026, City Council Meeting

SUBJECT: Public Hearing Regarding EATC Annexations with Concurrent Map Amendments planning files AN-01-25, CP-03-25, and ZC-03-25

Purpose:

Conduct a public hearing and take action on the two attached ordinances that would annex 11 properties with concurrent comprehensive plan zoning map amendments and removing the properties from the Albany Rural Fire Protection District (ARFPD).

Background/Discussion:

On June 11, 2025, City Council directed staff to proceed with a City-initiated annexation of 11 properties for the East Albany Town Center (EATC) project. The EATC concept envisions a new town center co-developed by strategic partners to provide housing, jobs and accessible services with a vision to catalyze and revitalize community-wide investment consistent with the adopted East Albany Plan (EAP).

The EATC project area encompasses key street infrastructure improvements around the extension of Timber Street (a minor arterial) as identified in the Transportation System Plan (TSP) and the EAP. The TSP and EAP are the City’s guiding documents for future development and transportation projects, including street expansions, new roadway connections, and pedestrian and bicycle infrastructure.

Annexations, comprehensive plan and zoning map amendments are a Type IV land use procedure subject to the review criteria in Albany’s Development Code. Under the Type IV Procedure, an annexation application is reviewed at public hearing before the Planning Commission. The Planning Commission held a public hearing on February 2, 2026, and made a recommendation to the City Council to approve the annexations together with concurrent comprehensive plan and zoning map amendments under planning files AN-01-25, CP-03-25, and ZC-03-25.

Strategic Plan Impact:

City-initiated annexation would align with the City’s Strategic Plan themes by completing a critical first step in a conceptual development that would further the themes of creating great neighborhoods, a safe city, and economic development through investment in and implementation of the adopted East Albany Plan (EAP). It also ensures that growth benefits all residents and aligns with the long-term goals of the City as also identified in the EAP.

Budget/Staff Impact:

None.

Planning Commission Recommendation:

Approve the proposed annexations together with legislative amendments to the Albany comprehensive plan and zoning map, as described in the attached ordinance exhibits.

Council Options:

The City Council has several options with respect to the proposed Comprehensive Plan, Zoning Map and Development Code amendments:

Option 1: Approve the proposed annexations, comprehensive plan and zoning map amendments as presented; or

Option 2: Approve the proposed annexations, comprehensive plan and zoning map amendments as presented, and as modified by the City Council, or

Option 3: Deny the proposed annexations, comprehensive plan and zoning map amendments and direct staff on how to proceed and provide findings for denial.

Attachments:

1. Ordinance for Annexations with Map Amendments
2. Ordinance to remove the properties from the ARFPD



ORDINANCE NO. _____

AN ORDINANCE PROCLAIMING ANNEXATION OF PROPERTIES IDENTIFIED ON LINN COUNTY ASSESSOR'S MAP NO. 11S03W09D TAX LOTS 600, 700, 701, 702, 800, 801, 901, 902, 1402, 1403, 2500, 2700, AND 2800; 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 ZONING MAP AND ADOPTING FINDINGS OF FACT AND CONCLUSIONS.

WHEREAS, on June 11, 2025, the Albany City Council directed staff to proceed with a city-initiated annexation of 11 properties for the East Albany Town Center (EATC) project; and

WHEREAS, legal descriptions, comprehensive plan maps and zoning district maps for the subject properties are provided in ordinance Exhibits A, C, and D, respectively; and

WHEREAS, the application for comprehensive plan map amendments to change 8.10 acres from GC (General Commercial) to VC (Village Center); 6.00 acres from RM (Residential Medium Density) to VC; and 1.37 acres from URR (Urban Residential Reserve) to RM; and

WHEREAS, the application for zoning map amendments to change 20.72 acres from UGA-UGM-5 (Urban Growth Area-Urban Growth Management-5) to MUC (Mixed-Use Commercial); 2.59 acres from UGA-UGM-5 to RMA (Residential Medium Density Attached); 6.24 acres from UGA-UGM-5 to OP (Office Professional); and 1.37 acres of UGA-RR-1 (Urban Growth Area-Residential Reserve) to RMA; and

WHEREAS, a notice of the proposed amendments and planning commission and city council public hearings was sent to the Oregon Department of Land Conservation and Development on December 18, 2025, published in the Albany Democrat-Herald on January 17, 2026, and sent to Linn County on December 1, 2025.

WHEREAS, on February 2, 2026, the Albany Planning Commission held a public hearing, considered public testimony, deliberated on the proposed annexations, comprehensive plan map and zoning map amendments, and recommended approval of the proposal based on evidence presented in the staff report and during the public hearing; and

WHEREAS, the analysis and findings of fact and conclusions as provided in the staff report dated February 13, 2026, are presented as an attachment to this ordinance as Exhibit E; and

WHEREAS, on February 25, 2026, the Albany City Council held a public hearing on the proposal, reviewed the findings of fact and conclusions of the staff report, and testimony presented at the public hearings, and then deliberated.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The territories described in Exhibits A.1 – A.8 and shown on the map in Exhibit B of this ordinance are hereby proclaimed to be annexed to the City of Albany.

Section 2: The comprehensive plan map for the subject properties identified on Linn County Assessor's Map No. 11S03W09D Tax Lots 600, 801, 1402, 1403, and 2500 are hereby amended to Village Center; and properties identified on Linn County Assessor's Map No. 11S03W09D Tax Lots 700, 701, 702, 2700, and 2800 are hereby amended to Residential Medium Density, as shown in Exhibit C of this ordinance.

Section 3: The zoning district map for the subject properties identified in Linn County Assessor’s Map No. 11S03W09D Tax Lots 600, 801, 1402, 1403, and 2500 are hereby amended to the Mixed-Use Commercial (MUC) zoning district; properties identified on Linn County Assessor’s Map No. 11S03W09D Tax Lots 700, 701, 702, 2700, and 2800 are hereby amended to Residential Medium Density Attached (RMA); and properties identified on Linn County Assessor’s Map No. 11S03W09D Tax Lots 800, 901, and 902 are hereby amended to the Office Professional (OP) zoning district, as shown in Exhibit D of this ordinance.

Section 4: The findings of fact and conclusions included in the staff report dated February 13, 2026, in Exhibit E of this ordinance, are hereby adopted in support of the decision.

Section 5: A copy of this ordinance shall be filed in the office of the city recorder of the City of Albany, and these changes shall be made on the official City of Albany zoning map.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Recorder



LEGAL DESCRIPTION OF
EATC PROPERTY

Beginning in the center line of the Old Albany-Lebanon County Road, being South 6°00' East 37.64 feet and South 58° 24' East 122.49 feet from the Southeast corner of Tract 23, of EAST ALBANY WALNUT Tracts in Linn County, Oregon: and running thence North 3° 08' West 278.67 feet; thence South 58° 24' East 140.19 feet to a 3/4" iron bolt at the Northwest corner of tract described in deed to Elton Jarstad, recorded August 28, 1951 in Book 223, Page 91, Deed Records; thence South 0° 02' East 268.97 feet to a 3/4" iron bolt in the center line of the aforementioned County Road; thence North 58° 24' West 122.49 feet to the place of beginning.



LEGAL DESCRIPTION OF
ROPP TRUST & STUTZMAN TRUST PROPERTIES

PARCEL 1:

A tract of land situated in the Southeast Quarter of Section 9, Township 11 South, Range 3 West of the Willamette Meridian, in the County of Linn, State of Oregon, more particularly described as follows:

Beginning South 0°06' East 752.74 feet from a point on the North line of and North 89°54' East 2346.44 feet from the Northwest corner of the Edward N. White Donation Land Claim No. 48 in Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, and running thence South 0°06' East 214.99 feet to a 3/4 inch iron rod; thence South 89°54' West 439.47 feet to a 1/2 inch iron pipe at the Southeast corner of Lot 15, Block 4, East Albany Walnut Tracts; thence North 6°00' West, along the East line of said Block 4, a distance of 216.34 feet to a point South 6°00' East 27.56 feet from the Northeast corner of Lot 12; thence North 89°54' East 461.71 feet to the place of beginning.

EXCEPTING THEREFROM, the following:

Beginning at a 1/2 inch iron rod South 0°06' East 752.74 feet from a point on the North line of and North 89°54' East 2346.44 feet from the Northwest corner of the Edward N. White Donation Land Claim No. 48 in Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, and running thence South 0°06' East 107.49 feet to a 1/2 inch iron rod; thence South 89°54' West 450.49 feet to a 1/2 inch iron rod on the Easterly line of and South 6°00' East 13.82 feet from the Northeast corner of Lot 14, Block 4, East Albany Walnut Tracts; thence North 6°00' West, along the Easterly lines of Lots 14, 13 and 12, a distance of 108.16 feet to a 1/2 inch iron rod on the Easterly line of and South 6°00' East 27.66 feet from the Northeast corner of said Lot 12; thence North 89°54' East 461.71 feet to the point of beginning.

FURTHER EXCEPTING THEREFROM, that portion deeded to Linn County for road purposes by deed recorded May 7, 1958 in Book 259, page 336, Deed Records for Linn County, Oregon.

PARCEL 2:

Parcel 1 of PARTITION PLAT NO. 2021-54, recorded June 25, 2021 as Document No. 2021-15364, in the County of Linn, State of Oregon.



LEGAL DESCRIPTION OF
EATC & WLM PROPERTIES

Beginning North 89°54' East 2346.44 feet and South 00°06' East 690.95 feet from the Northwest corner of the E.M. White Donation Land Claim No. 48, Township 11 South, Range 3 West; thence South 00°06' East 907 feet more or less to the North line of that property conveyed to Raymond E. Thogerson and Frances D. Thogerson by deed recorded November 21, 1951 in Book 224, Page 445, Deed Records for Linn County, Oregon; thence North 89°58' East 345.85 feet; thence North 01°25' West 910 feet, more or less, to the South line of that property conveyed to Linn Post No. 584 Veterans of Foreign Wars of the United States by deed recorded May 28, 1958 in book 259, Page 577, Deed Records for Linn County, Oregon; thence South 89°54' West 331.51 feet to the point of beginning.

EXCEPT THEREFROM that portion deeded to Linn County for road purposes by deed recorded May 7, 1958, Book 259, Page 336, Deed Records for Linn County, Oregon.

ALSO:

Beginning at the Northeast corner of Lot 23, Block 4, east Albany Walnut Tracts in Section 9, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, being the Northwest corner of that property conveyed to Alvia F. Morris by deed recorded August 3, 1964 in Book 304, Page 42, Deed Records; thence along said North line South 74°04' East 119.65 feet to the Northwest corner of that property conveyed to William A. Matlock by deed recorded July 3, 1957 in Book 255, Page 121, Deed Records; thence along said North line and North line prolonged South 58°24' East to the Northeast corner of that property to Eldon Jarstad et ux, by deed recorded August 28, 1951 in Book 223, Page 91 Deed Records; thence North to the Southeast corner of that property conveyed to Frank J. Plattner by deed recorded September 16, 1948 in Book 204, Page 57, Deed Records; thence following said South line to the Southeast corner of Lot 15, Block 4, East Albany Walnut Tracts; thence South along the East line of East Albany Walnut Tracts to the point of beginning.

EXCEPTING THEREFROM that portion deeded to Linn County for road purposes by deed recorded May 7, 1958, Book 259, Page 336, Deed Records.



LEGAL DESCRIPTION OF
EATC & LANGE ESTATE PROPERTY

THAT PART OF THE EDWARD N. WHITE DONATION LAND CLAIM NO. 48 IN TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, COUNTY OF LINN, STATE OF OREGON, DESCRIBED AS FOLLOWS; BEGINNING SOUTH 6° 00' EAST 37.64 FEET AND SOUTH 58° 24' EAST 244.98 FEET FROM THE SOUTHEAST CORNER OF THE EAST ALBANY WALNUT TRACTS AND SAID BEGINNING BEING IN THE CENTER OF THE COUNTY ROAD; THENCE SOUTH 58° 24' EAST ALONG THE CENTER OF LINN COUNTY ROAD, 189.0 FEET; THENCE NORTH 0° 02' WEST 268.97 FEET; THENCE NORTH 58° 24' WEST 189.0 FEET; THENCE SOUTH 0° 02' EAST 268.97 FEET TO THE POINT OF BEGINNING.

EXCEPT A STRIP 20 FEET WIDE ALONG THE EAST LINE OF THE ABOVE DESCRIBED REAL PROPERTY FOR ROAD PURPOSES, AS DISCLOSED BY DEED FROM ROPP TO JARSTAD RECORDED IN BOOK 223, PAGE 91, DEED RECORDS IN LINN COUNTY, OREGON.

APN: 0110862

Property Address: 3949 SPICER DR SE, ALBANY, OR 97322



LEGAL DESCRIPTION OF
M. ROPP PROPERTY

Beginning at a 5/8" iron rod at the intersection of the East line of the West half of the Edward N. White Donation Land Claim No. 48 in Township 11 South, Range 3 West of the Willamette Meridian, in the County of Linn and State of Oregon, and the center line of the county road, said rod being also South 6°00' East 37.64 feet and South 58°24' East 840.19 feet from the Southeast corner of Tract 23 of East Albany Walnut Tracts; and running thence North 0°02' West, along the East line of said West half of Donation Land Claim No. 48, a distance of 482 feet to a 3/4" pipe; thence South 89°58' West 345.85 feet to a 3/4" bolt in the center line of proposed road; thence South 0°02' East 268.97 feet to a 3/4" rod in the center of the aforementioned county road; thence South 58°24' East, along said center line, 406.21 feet to the place of beginning.

EXCEPT the West 20 feet of the above described tract to be used for a roadway.



LEGAL DESCRIPTION OF
G. ROPP PROPERTY

Parcel 2 of PARTITION PLAT NO. 2022-68, recorded July 22, 2022 as Document No. 2022-13165, in the County of Linn, State of Oregon.



LEGAL DESCRIPTION OF
REDIGER PROPERTIES

PARCEL 1, PARTITION PLAT 2022-68, Partition Plat Records of Linn County, Oregon.

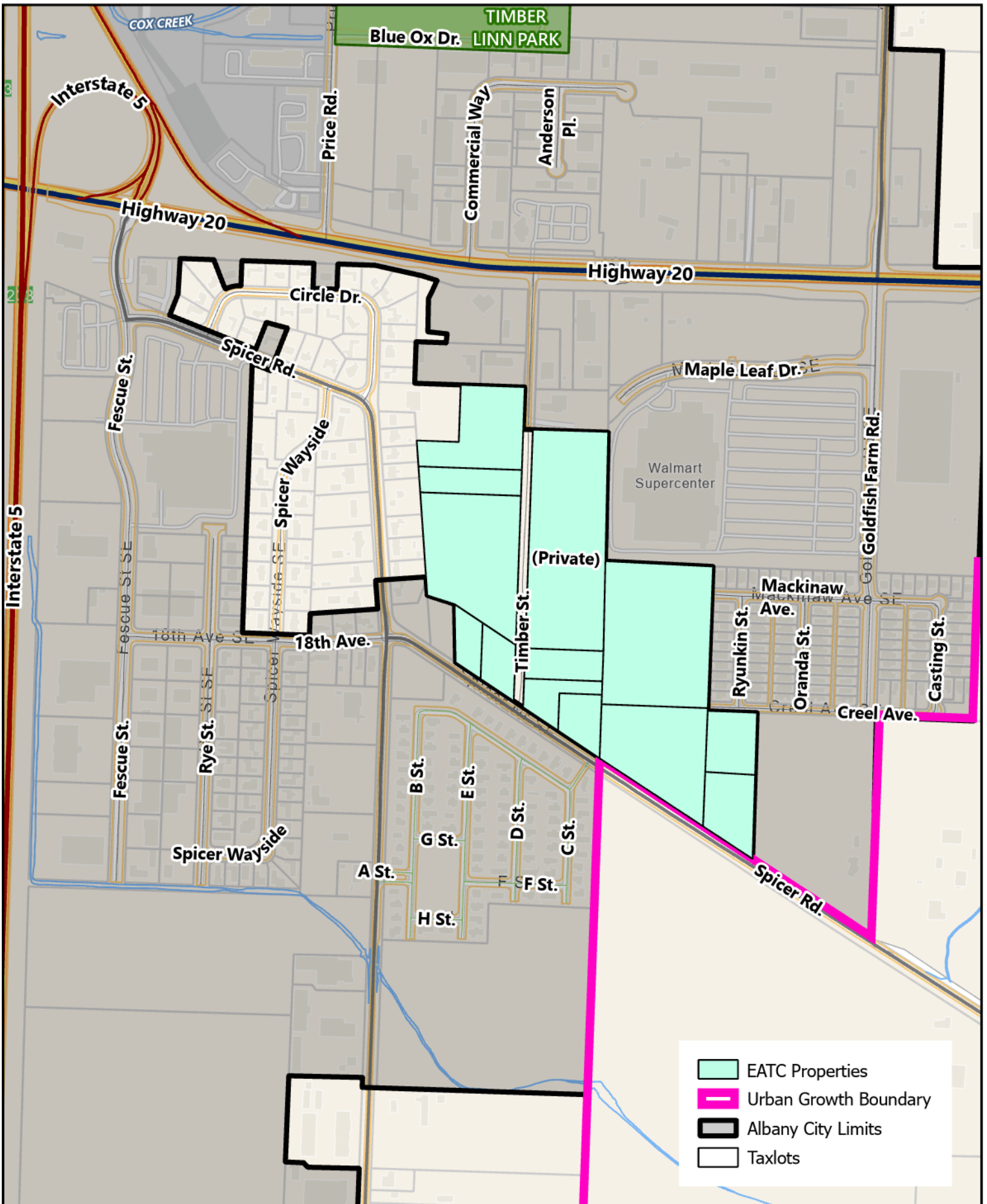
ALSO:

PARCEL 1, PARTITION PLAT 1998-38, Partition Plat Records of Linn County, Oregon.



LEGAL DESCRIPTION OF
AERNI PROPERTY

Parcel 2 located on partition plat no. 1998-38
which is in the southeast quarter of section 9,
township 11 south, range 3 west, Willamette
Meridian, in Linn County, Oregon



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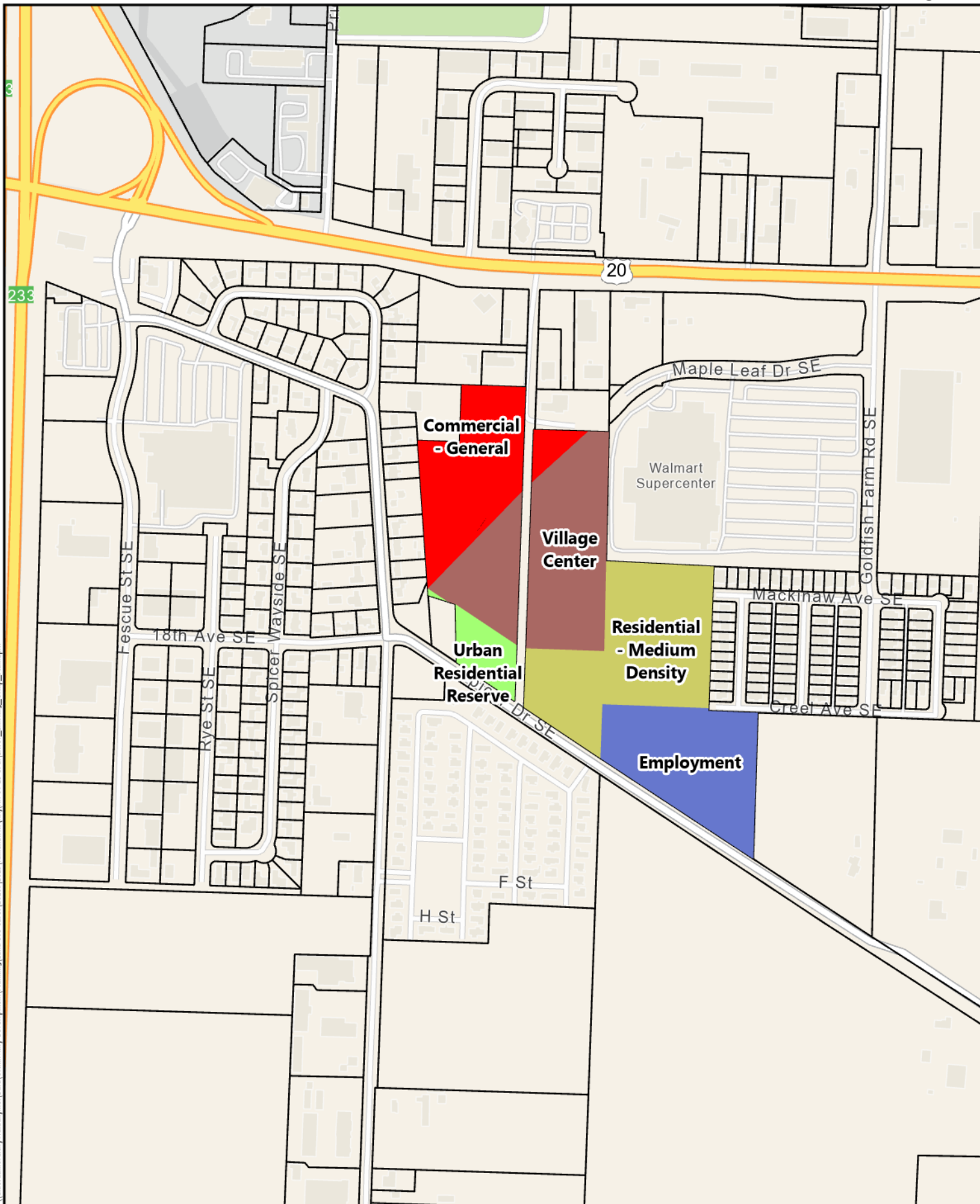


0 250 500 1,000 Feet

Date: 1/21/2026 Map Source:

East Albany Town Center

Location Map



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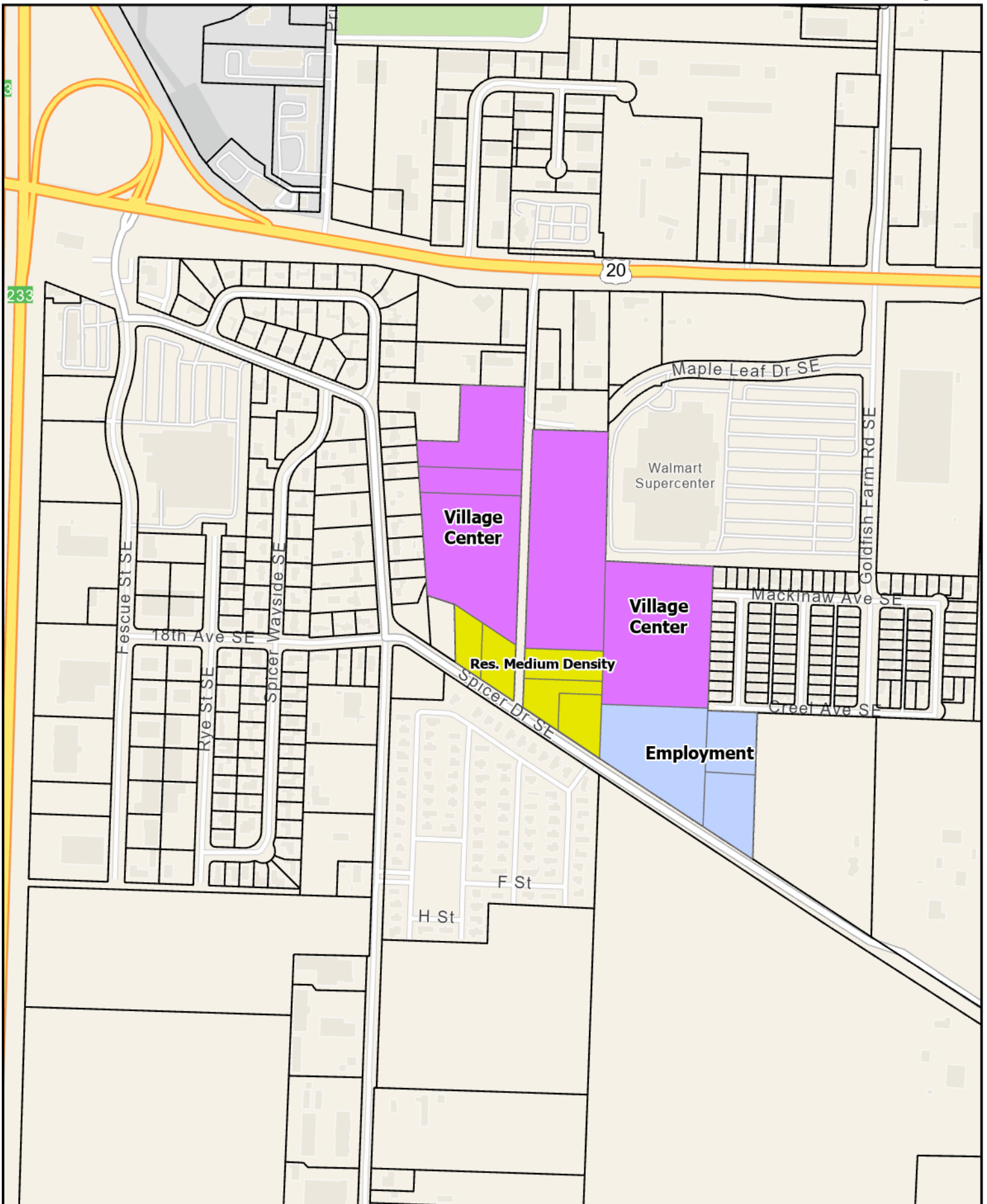


0 250 500 1,000 Feet

Date: 1/20/2026 Map Source:

East Albany Town Center

Existing Comprehensive Plan Map



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0 250 500 1,000
Feet

Date: 1/20/2026 Map Source:

East Albany Town Center



G:\Community Development\Planning\Land Use Cases\2020s\Amendment (AN)\AN.01.25 et al\EAICL_Current_Zoning.aprx

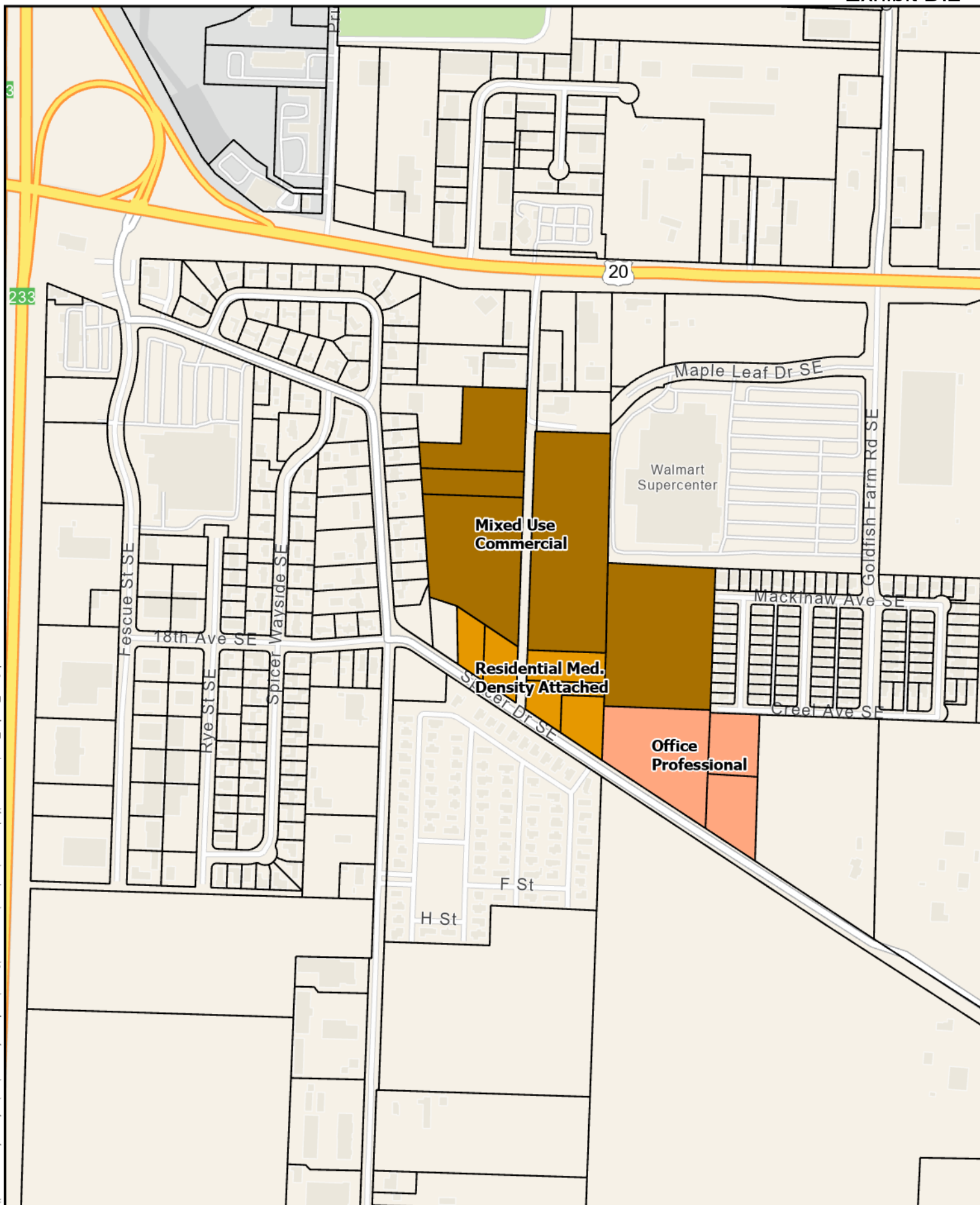


0 250 500 1,000
Feet

Date: 1/20/2026 Map Source:

East Albany Town Center

Current Zoning (Linn⁸³ County)



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Date: 1/20/2026 Map Source:

East Albany Town Center

Proposed Zoning



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Community Development 541-917-7550

Staff Report

Annexations with Comprehensive Plan & Zoning Map Amendments

AN-01-25, CP-03-25, and ZC-03-25

February 13, 2026

Hearing Information

Review Body: **Planning Commission**

Hearing Date and Time: **Monday, February 2, 2026, at 5:15 p.m.**

Hearing Locations: This hearing will be conducted at the Albany City Council Chambers

Virtual: At 5:15 p.m., join the meeting using the link below:

<https://council.albanyoregon.gov/groups/plc/zoom>

Phone: 1-253-215-8782; meeting ID: 837-8633-4863; passcode: 464432

In-Person: Appear in person at the meeting and register to speak using the sign-up sheet.

Review Body: **City Council**

Hearing Date and Time: **Wednesday, February 25, 2026, at 6:00 p.m.**

Hearing Location: This hearing will be conducted at the Albany City Council Chambers

Virtual: To comment/testify, please email cdaa@albanyoregon.gov with your name, address, phone number, and if you are speaking for, against, or neutral on the topic.

Watch Livestream at 6:00 p.m.: <http://www.albanyoregon.gov/livestream>

In-Person: Appear in person at the meeting and register to speak using the sign-up

Summary

This application is a request to annex eleven (11) separate parcels of land that are outside the City limits along with adjacent right-of-way; amend the Comprehensive Plan designation of General Commercial to Village Center with concurrent Zoning Map Amendments from Linn County's UGA-UGM-5 zoning designation to Mixed-Use Commercial (MUC), Office Professional (OP), and Residential Medium Density Attached (RMA), and change Linn County's UGA-RR-1 zoning designation, to Residential Medium Density Attached (RMA).

The subject properties are eligible for annexation as they are contiguous to the City limits, located within the Albany Urban Growth Boundary (UGB), and can be served by public services.

With the annexation, the subject properties will also be removed from the taxing district of the Albany Rural Fire Protection District (ARFPD). Public notice will be published prior to the City Council public hearing, in accordance with Oregon Revised Statutes (ORS) 222.524.

The criteria for annexation are found in ADC 2.110, criteria for amending comprehensive plan map designations are found in ADC 2.220(3), and criteria for zoning map amendments are found in ADC 2.740. These criteria are addressed in the staff report and must be satisfied to grant approval for this application.

As shown in this report, the proposal satisfies all applicable review criteria; therefore, the staff recommendation for the proposal is to grant APPROVAL with ONE CONDITION.

Application Information

Proposal: Annexation of eleven (11) parcels of land that are outside the city limits along with adjacent right-of-way together with concurrent Comprehensive Plan and Zoning Map Amendments.

Review Body: Planning Commission and City Council (Type IV, Legislative and Quasi-Judicial Decision)

Report Prepared By: David Martineau, Project Planner

Applicant: City of Albany, Community Development Department,
333 Broadalbin Street SE, Albany, OR 97321.

On behalf of:

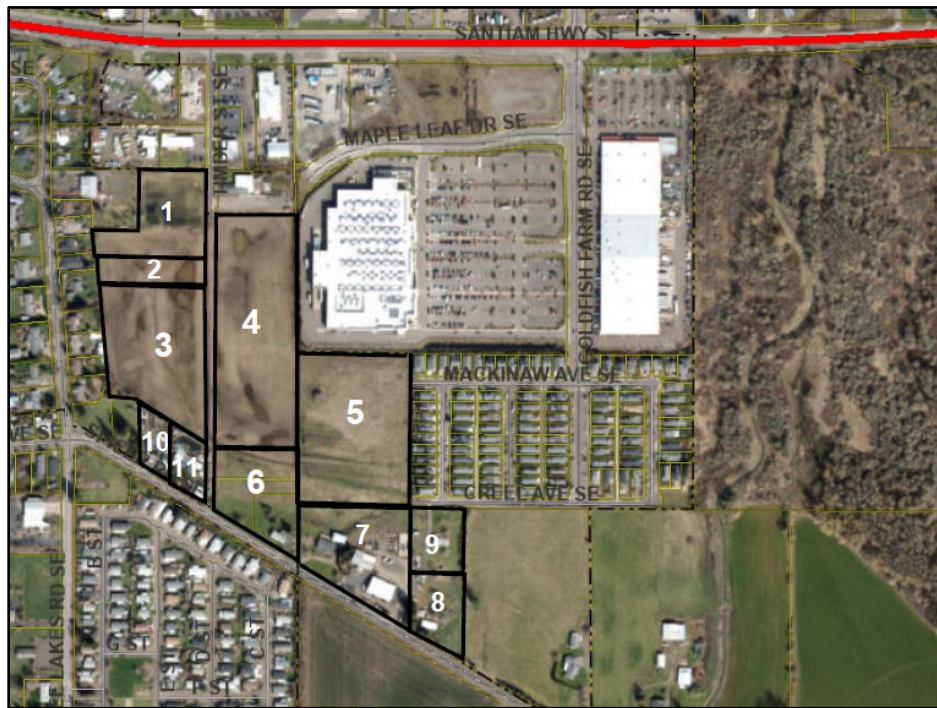
Damon Olsen; East Albany Town Center LLC; 1860 Crocker Lane
NW; Albany, OR 97321

Table 1: Properties Proposed for Annexation

No.	Name	Address	Map/Tax Lot	Acreage	Current Comp Map	Proposed Comp Map	Current Zone	Proposed Zone
1	Howard & Judy Ropp Trust	Unassigned	11S-03W-09D-01403	2.53	General Commercial	Village Center	UGA-UGM-5	MUC
2	Howard & Judy Ropp Trust	Unassigned	11S-03W-09D-01402	1.06	General Commercial	Village Center	UGA-UGM-5	MUC
3	Waverly Land Management	Unassigned	11S-03W-09D-02500	4.51	General Commercial	Village Center	UGA-UGM-5	MUC
4	AVR Properties LLC et al	Unassigned	11S-03W-09D-00600	6.62	Village Center	Village Center	UGA-UGM-5	MUC
5	Greg Ropp	Unassigned	11S-03W-09D-00801	6.00	Residential Medium Density	Village Center	UGA-UGM-5	MUC
6	Mervin W. Ropp	4055 Spicer Road SE	11S-03W-09D-0700, 0701, 0702	2.59	Residential Medium Density	Residential Medium Density	UGA-UGM-5	RMA
7	Kevin & Carolyn Rediger	4185 Spicer Road SE	11S-03W-09D-00800	3.65	Employment	Employment	UGA-UGM-5	OP

8	Kevin & Carolyn Rediger	4291 Spicer Road SE	11S-03W-09D-00901	1.38	Employment	Employment	UGA-UGM-5	OP
9	Connie R. & Bernard D. Aerni	4312 Creel Avenue SE	11S-03W-09D-00902	1.21	Employment	Employment	UGA-UGM-5	OP
10	Zachery Dale Melcher	3925 Spicer Road SE	11S-03W09D-02700	0.62	Urban Residential Reserve	Residential Medium Density	UGA-RR-1	RMA
11	Brian Lange	3949 Spicer Road SE	11S-03W-09D-02800	0.75	Urban Residential Reserve	Residential Medium Density	UGA-RR-1	RMA

Figure 1: Map of Lots Proposed to Annex



Review Process and Appeals

The proposal for annexations concurrent with comprehensive plan map and zoning map amendments are processed through a Type IV quasi-judicial and legislative land use review process. The planning commission will hold a public hearing to consider proposed amendments and will make a recommendation to the city council. The city council will hold a subsequent public hearing to consider the proposed annexations and amendments. After closing the public hearing, the city council will deliberate and make a final decision.

Within five days of the city council’s final decision on this application, the Community Development Director will provide written notice of decision to the applicant and any other parties entitled to notice. The city council’s decision may be appealed to the Oregon Land Use Board of Appeals (LUBA) if a person with standing files a Notice of Intent to Appeal not later than 21 days after the notice of decision is mailed [ADC 1.250(8) and (9)].

Public Notice

Public notice was provided in accordance with Type IV legislative and quasi-judicial procedures. Notice was provided to the Oregon Department of Land Conservation and Development (DLCD) on December 18, 2025, at least 35 days before the first evidentiary hearing, in accordance with Oregon Administrative Rule (OAR) 660-018-0020 and ADC 1.250(4) and 1.260(2).

Public notices were mailed to 90 property owners within 300 feet of each of the subject properties being annexed on January 12, 2026, in accordance with ADC 1.250(3) and ADC 1.260(2). Public notices were posted in proximity to the subject properties by January 23, 2026, in accordance with ADC 1.410. Notice of the public hearings was published in the *Albany Democrat-Herald* on January 17, 2026, in accordance with ADC 1.250(4) and 1.260(2).

The staff report for the proposed annexations with concurrent comprehensive plan and zoning map amendments was posted on the City's website on January 26, 2026, at least seven days before the first evidentiary public hearing. At the time this report was prepared, the Albany Planning Division received one written comment.

Albany residents Richard and Denise Hernandez expressed concern about how future development could affect area wetlands abutting their property and structural stability of their foundation (Attachment J). The review criteria for the annexations, comprehensive plan and zoning map amendments were not addressed. Abutting property owners will be notified at the time a development application is submitted for review.

Analysis of Development Code Criteria

The ADC includes the following review criteria, which must be met for this application to be approved. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

Annexation (ADC 2.110)

The review body shall make a quasi-judicial land use decision as to whether the proposed annexation complies with all of the following criteria:

Criteria 1

Eligibility Criteria: The City shall determine that property is eligible for annexation based on the following criteria:

- (a) The property is contiguous to the existing city limits; and***
- (b) The property is located within the Albany Urban Growth Boundary as established by the Albany Comprehensive Plan.***

Findings of Fact

- 1.1 The proposed annexations consist of eleven (11) properties, and a section of right-of-way along Timber Street.
- 1.2 The subject properties are each contiguous to the current city limits or are contiguous when the adjoining right-of-way is also annexed.
- 1.3 The subject properties are located within the Albany Urban Growth Boundary (Attachment A).

Conclusions

- 1.1 The subject properties are contiguous to the existing Albany city limits and located within the UGB as established by the Albany Comprehensive Plan.
- 1.2 The subject properties are eligible for annexation and these criteria are satisfied.

Criteria 2

Infrastructure Criteria: *The City shall determine that it is timely to annex property based on the following criterion:*

- (a) **An adequate level of urban services and infrastructure is available or will be made available in a timely manner.**
- (b) **As used in this section:**
 - i. **“Adequate level” means conforms to adopted plans and ordinances.**
 - ii. **“Urban services” means police, fire, and other City-provided services.**
 - iii. **“Infrastructure” means sanitary sewer, water, storm drainage, and streets.**
 - iv. **“Be made available in a timely manner” means that improvements needed for an adequate level of urban services and infrastructure will be provided at the time and place needed to serve the anticipated development. Improvements may be secured by a development agreement, annexation agreement, or other funding mechanism that will place the primary economic burden on the territory proposed for annexation and not on the City of Albany generally.**

Findings of Fact

- 2.1 **Fire:** Adequate public water for fire protection is currently available for these areas. The Albany Fire Department currently provides fire protection to both properties and right-of-way. With the annexation, the subject properties will be removed from the taxing district of the Albany Rural Fire Protection District (ARFPD).
- 2.2 **Police:** Police service to these properties would be a logical expansion of the current service boundaries.
- 2.3 **Sanitary Sewer:** City utility maps show a 12-inch public sanitary sewer main in Timber Street. This public sanitary sewer system is available to the subject properties to serve the subject properties.
- 2.4 ADC 12.470 requires all new development to extend and/or connect to the public sanitary sewer system if the property is within 300 feet of a public sewer line. The subject properties will need to extend and connect to public sanitary sewer at the time of development.
- 2.5 **Water:** City utility maps show a 12-inch public water main in Timber Street, a 16-inch public water main in Spicer Drive and a 12-inch public water main in Maple Leaf Drive. The public water system is available to serve subject properties.
- 2.6 ADC 12.410 requires all new development to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main. The subject properties will need to extend and connect to public water at the time of development.
- 2.7 **Storm Drainage:** City utility maps show a 15-inch public storm drainage facility in Spicer Drive along the subject property frontage. There is a natural drainageway the conveys runoff from this property to the north toward Santiam Highway that crosses under the highway with three 60-inch culvert pipes. Timber Street, Maple Leaf, and Spicer Drive are currently not improved to City standards with curb and gutter.
- 2.8 When the subject properties develop, they will need to construct stormwater management facilities.

Conclusion

- 2.1 Existing public utilities (sanitary sewer, water, and storm drainage) are adequate to accommodate future development on the subject properties.

2.2 This criterion is satisfied.

Criteria 3

Planning Criteria: The City shall determine that adequate planning has occurred based on the following criterion:

Sufficient planning and engineering data have been provided, and necessary studies and reviews have been completed such that there are no significant unresolved issues regarding appropriate Comprehensive Plan and implementing ordinances. Examples of needed studies may include public infrastructure plans, buildable lands inventories, area refinement plans, or any task in an approved work program for Periodic Review.

Findings of Fact

- 3.1 Public infrastructure facility plans in this area include the City's Capital Improvement Program, Water Facility Plan, Wastewater Facility Plan, Storm Drainage Master Plan, and the Transportation System Plan.
- 3.2 The proposed annexations consist of eleven (11) properties together with existing Timber Street right-of-way.
- 3.3 The existing Comprehensive Plan map designations of the subject properties are General Commercial towards the northwest, Village Center to the northeast, Residential Medium Density and Employment towards the southeast, and Urban Residential Reserve to the south (see Attachment B).
- 3.4 The applicants propose to change the Comprehensive Plan map designations to Village Center to the north and east, and Residential Medium Density to the south. The Employment designation will remain unchanged (Attachment C).
- 3.5 Public facilities required to serve future development on the subject properties are available at or near each site.
- 3.6 As discussed under Criterion 2 (above), an adequate level of urban services and infrastructure are available to serve the subject properties; those findings are included here by reference.

Conclusions

- 3.1 As discussed under Criterion 2, an adequate level of urban services and infrastructure are available to serve the subject properties.
- 3.2 This criterion is satisfied because the proposed annexation is consistent with various studies and plans covering these areas.

Criteria 4

Reasonableness: The city council shall determine that the proposed annexation is reasonable.

Findings of Fact

- 4.1 The subject properties abut the existing city limits, and the properties proposed for annexation lie within the UGB. Because the property proposed for annexation is within the UGB, the area is intended to be served by City services.
- 4.2 An adequate level of urban services and infrastructure is currently available to serve the properties proposed for annexation.
- 4.3 The owners of all properties submitted Consent for Annexation Forms whereby they acknowledged that the annexation may have property tax implications, that it's a voluntary act on behalf of the owners, and that city zoning designations will be applied to the properties.

- 4.4 The proposed annexations and zoning designations are consistent with the Comprehensive Plan provided that the proposed Comprehensive Plan designations are approved.

Conclusions

- 4.1 The proposed annexations are reasonable because the properties abut the city limits, they are located within the UGB, they can be served by City services and infrastructure, and the proposed annexations are consistent with the Comprehensive Plan.
- 4.2 This criterion is satisfied.

Comprehensive Plan Map Amendments (ADC 2.225)

Comprehensive Plan Map amendments will be approved if the council finds that the applicant has shown that all of the following criteria are met.

Criterion 1

The requested designation for the site has been evaluated against relevant Comprehensive Plan policies and on balance is more supportive of the Comprehensive Plan as a whole than the old designation.

Findings of Fact

- 1.1 The following Comprehensive Plan goals and policies are relevant in considering whether the proposed Comprehensive Plan map changes to add more Village Center designated land satisfies the goals and policies of the Comprehensive Plan. Each of the relevant goals and policies are listed below in bold italic print.

Statewide Planning Goal 1: Citizen Involvement (Chapter 9)

Goal: Ensure that local citizens and other affected groups, neighborhoods, agencies, and jurisdictions are involved in every phase of the planning process.

Policy 2: When making land use and other planning decisions:

- a. Actively seek input from all points of view from citizens and agencies and assure that interested parties from all areas of the Urban Growth Boundary have the opportunity to participate.***
- b. Utilize all criteria relevant to the issue.***
- c. Ensure the long-range interests of the general public are considered.***
- d. Give particular attention to input provided by the public.***
- e. Where opposing viewpoints are expressed, attempt to reach consensus where possible.***

Policy 3: Involve the general public in the use, evaluation, and periodic review and update of the Albany Comprehensive Plan.

Policy 4: Ensure information is made available to the public concerning development regulations, land use, and other planning matters including ways they can effectively participate in the planning process.

Findings of Fact

- 1.2 The ADC sets forth provisions for citizen involvement at public hearings before the planning commission and city council. In accordance with the Type IV legislative and quasi-judicial process for annexations together with comprehensive plan and zoning map amendment, notice was mailed to surrounding property owners within 300 feet of the subject properties and affected government agencies. Notice of the public hearings was also posted in five

places surrounding the subject properties and published in the *Albany Democrat Herald*. People who were notified of the public hearings were invited to submit comments or questions about the application prior to or at the hearing.

At the public hearings, the application is reviewed based on all criteria relevant to the proposal. Public hearings provide the opportunity for people to express their opinion about the proposed annexations and map changes, and where opposing viewpoints are expressed, to try to reach consensus. The planning commission and city council facilitate this process at the public hearings. Based on these provisions, citizens have ample opportunity to review and comment on the proposed zoning map amendment.

- 1.3 The subject properties are located in the East Albany Plan (EAP) boundaries. The EAP was developed over almost two years of working with the community to plan for the future of East Albany. The EAP was prepared through a collaborative process involving City staff, a consulting team, a broad range of City advisors and decision-makers, and extensive guidance from property owners and the community at large.
- 1.4 The EAP citizen involvement included focus groups, online and in person open houses, a community conversation, one-on-one meetings, public hearings, and the use of a technical advisory committee with representation from Greater Albany Public Schools, Albany Bike/Pedestrian Committee, Cascades West Council of Governments, Oregon Department of Transportation, Linn County, real estate agents, property owners, and City Public Works and Parks and Recreation Departments.

Statewide Planning Goal 2: Land Use Planning-Land Use Designations (Chapter 9)

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

Goal: Ensure that local citizens and other affected groups, neighborhoods, agencies, and jurisdictions are involved in every phase of the planning process.

Policies include involving the public in the evaluation and update of the Plan; seek input from citizens, agencies, and interested parties; and ensuring information is made available to the public.

Findings of Fact

- 1.5 The East Albany Plan process began with identifying community visions and goals for how this part of Albany can develop to create vibrant new neighborhoods that will appeal to residents and businesses as the City grows and expands east. The vision for the area includes neighborhoods with a variety of housing types, significant employers, regional facilities and destinations, services, commercial areas close to neighborhoods, and a network of trails and pathways that provide recreational opportunities and connectivity throughout the area and multimodal roadways. East Albany's significant creeks, wetlands and other natural areas are protected and enhanced and serve as an open space amenity that also helps to manage stormwater and water quality.
- 1.6 A gap analysis evaluated baseline future conditions to the project's vision and goals. Baseline projections result in auto-oriented development, lack of variety in housing types, single use commercial development, lack of public connections along creek corridors, and lack of identity and character.

- 1.7 The EAP process involved evaluation of infrastructure and land use needs to ensure adequate facilities are provided to support multi-modal connectivity, more commercial, employment and housing opportunities to meet the plan's visions and goals.

Statewide Planning Goal 10: Housing (Chapter 4)

Goal 1: Provide a variety of development and program opportunities that meet the housing needs of all Albany's citizens.

Goal 2: Create a city of diverse neighborhoods where residents can find and afford the values they seek.

Policy 1: Ensure an adequate supply of residentially zoned land in areas accessible to employment and public services.

Policy 2: Provide a variety of choices regarding type, location, density and cost of housing units corresponding to the needs and means of city residents.

Policy 6: Encourage residential development on already serviced vacant residential lots or in areas where services are available or can be economically provided.

Policy 7: Require residential densities to be commensurate with the availability and adequacy of public facilities and services.

Policy 14: Encourage a mix of housing types and residential densities within the Urban Residential Reserve area which conform to the population and density projections adopted by the City of Albany and where infrastructure is available or can be made available.

Policy 16. Provide opportunities for higher density residential and mixed-use developments within a quarter mile of public transportation.

Findings of Fact

- 1.8 Residential Land Supply and Capacity: the Albany City Council adopted the 2020 Buildable Land Inventory (BLI) and the 2020 Housing and Residential Land Needs Analysis (HNA) on November 2, 2020. The HNA reflects the coordinated population forecast prepared by the Oregon Population Forecast Program at the Population Research Center at Portland State University (PSU) in 2017 that projects Albany will experience an annual average growth rate (AAGR) of 1.27 percent to 2040. The HNA was based on the 20-year need assessment requirements of ORS and OAR 660 Division 8 for statewide planning Goal 10, Housing. The HNA projected the number and types of needed housing units by tenure and cost based on the PSU population projections to 2040 and compared housing demand to residential land supply.
- 1.9 The HNA calculated Albany is projected to add between 6,700 and 9,300 new households between 2020 and 2040. The analysis concluded Albany will need 1,328 acres to accommodate projections to 2040 in a mix of low-, medium- and high-density housing types and zoning districts.
- 1.10 The 2020 BLI estimated the city had 1,397 buildable acres for residential development within the city limits and 1,278 acres in the urban growth boundary (UGB) assuming all land in the urban residential reserve Plan designation were to develop at lower densities.
- 1.11 The HNA estimated capacity for 8,214 housing units within the City limits and 6,454 units outside City limits in the UGB (assuming all urban reserve land becomes residential) for a total capacity of roughly 14,500 units. These calculations were based on residential density trends and to account for future middle housing allowances, an increased capacity of two

percent was applied to lower density zones and comprehensive plan designations. A three percent increased density factor results in additional capacity of 136 additional units in the city and another 171 units in the county.

- 1.12 The 2020 HNA and BLI concluded that Albany and its UGB have enough lower density land in the city and UGB, exactly enough high-density land, but a lack of medium density land within the city limits to accommodate housing needs to 2040.
- 1.13 The proposed CP map amendments to add more mixed-use land will enable the development of more dense housing in an area close to major highways, some existing services, and transit.
- 1.14 Higher density housing may help address the need for more affordable housing thereby supporting the City's ability to meet the housing needs of all residents and also support more diverse and affordable neighborhoods.
- 1.15 The proposed map amendments are located in an area already served by infrastructure and surrounded by development on most sides thereby encouraging infill development and an efficient land development and pattern.

Statewide Planning Goal 14: Urbanization (Chapter 8): To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

Goal 1: Achieve stable land use growth which results in a desirable and efficient land use pattern.

Goal 3: Maintain an adequate supply of appropriately zoned land to provide for the full range of economic development opportunities in Albany, including commercial, professional, and industrial development.

Goal 4: Create village centers that offer housing and employment choices.

Policy 1: Encourage industry and employment centers, regional shopping centers, and urban level development to locate within the Albany city limits.

Policy 6: Require annexations to be logical and efficient extensions of city limit boundaries to facilitate the economic provision of services.

Policy 9: Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase energy, land, and infrastructure efficiency.

Policy 10: Encourage compact, mixed use, and multi-story developments that support walkability, reduce auto-dependency for access to goods and services, and promote efficient use of land and public infrastructure.

Policy 11: Designate enough land in a variety of parcel sizes and locations to meet future housing, employment and commercial needs, and designate new mixed use Village Centers and Climate Friendly Areas near transit.

Policy 12: The size and type of future commercial development shall be commensurate with the area to be served and located to be easily accessible by those in the service area and designed to be compatible with surrounding residential uses when applicable.

Policy 13: Discourage strip commercial development and promote clustered commercial and mixed-use opportunities and infill and redevelopment of existing commercial areas to foster:

Findings of Fact

- 1.16 Goal 14 requires the City to forecast future growth needs and establish an urban growth boundary to separate land needed for urbanization from rural land. Goal 14 further states *“land within the boundaries separating urbanizable land from rural land shall be considered available over time for urban uses.”* The subject properties are located within the Urban Growth Boundary.
- 1.17 The proposed annexation consists of eleven (11) properties. All public facilities and services are available to serve further development on the subject properties.
- 1.18 The proposed annexation and map amendments provide an efficient and logical land use pattern between existing developments and will add vacant ‘infill’ land to the city enabling an efficient extension of infrastructure. This annexation and proposed map amendments will help further delay the need to expand Albany’s UGB.
- 1.19 The extension of Timber Street will facilitate the efficient provision of services and housing and will support access to additional employment lands.
- 1.20 The proposed map amendments will allow for more varieties of medium- and high-density housing close to existing transit and existing and new commercial uses and amenities.
- 1.21 The proposal will add more mixed-use Village Center land that will encourage more compact, higher density, multi-story, mixed-use developments that will support walkability and easy access to goods and services. The site also has direct access to US 20, and is close to Interstate 5 and transit, which may reduce vehicle miles traveled and reliance on automobiles.
- 1.22 The proposed MUC zoning will enable commercial uses to be commensurate with the existing and new residents in the area.
- 1.23 The amendments will discourage strip commercial by creating opportunities for more compact and clustered commercial development that can take advantage of existing infrastructure, proximity density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase the efficiency of energy use.

Conclusions

- 1.1 Goal 1, Citizen Involvement. The proposed CP map amendments adhere to Goal 1 by following the provisions for conducting legislative and quasi-judicial public hearings and the public engagement process for developing the East Albany Plan.
- 1.2 Goal 2, Land Use Planning. The proposed Comprehensive Plan Map designation amendments are consistent with the East Albany Plan and comprehensive plan goals and policies.
- 1.3 Goal 10, Housing. The proposed CP map amendments the proposed amendments will support Statewide Planning Goal 10 to provide for the housing needs of residents by enabling higher density housing and new housing choices to meet the needs of a wider range of Albany residents including affordable and workforce housing. The annexation and additional capacity for housing will help the city meet its housing needs to year 2040 and beyond.

- 1.4 Goal 14, Urbanization. The amendments support Statewide Planning Goal 14, Urbanization, to achieve stable land use growth which results in a desirable and efficient land use pattern and discourage low-density sprawl by enabling a pattern of mixed uses with higher density residential near goods and services, and employment with access to transportation choices.
- 1.5 The proposed annexation and map amendments are consistent with the Comprehensive Plan policies and the Statewide Planning Goals.
- 1.6 This criterion is satisfied.

Criterion 2

The requested designation is consistent with any relevant area plans adopted by the City Council.

Findings of Fact

- 2.1 The subject cluster of 11 properties are east of Interstate 5 and south of US 20 and were evaluated with development of the East Albany Plan (EAP), which was adopted by council as a supporting document to the Comprehensive Plan, effective July 1, 2023.
- 2.2 The following EAP goals and policies below are relevant in considering the proposed map amendments to increase the Village Center plan designation and move the Medium Density designation.

Land Use

Policy 1: Establish a development pattern of diverse, connected neighborhoods through an appropriate mix of zoning designations.

Policy 2: Provide mixed use village centers and neighborhood nodes that provide a mix of retail, services, employment, and residential uses.

Housing

Policy 1: Increase the variety of housing types, densities, and mixed-use developments to accommodate the needs of current and future residents, including housing that is affordable and accessible to all Albany residents at all income levels.

Policy 2: Create high density village residential areas to provide an opportunity for high density housing adjacent to new mixed use and employment centers.

Economic Development

Policy 1: Support the City's economic development and employment goals and address barriers to achieving those objectives.

- 2.3 The proposed adjustments to the CP map designations will continue to provide a pattern of diverse neighborhoods connected to existing infrastructure. The VC designation and MUC zone will enable a mix of residential, retail, services and employment in an area lacking these amenities and housing variety.
- 2.4 The proposed map changes will create high density residential adjacent to new mixed use and employment.
- 2.5 The proposed annexation and map amendments will enable the extension of Timber Street to the south, which has been a barrier to development of industrial land in East Albany.

Conclusion

- 2.1 The proposed map amendments are consistent with the adopted East Albany Plan and associated CP goals and policies. This criterion is satisfied.

Criterion 3

The requested designation is consistent with the Comprehensive Plan Map pattern.

Findings of Fact

- 3.1 The proposed changes to the Comprehensive Plan (CP) map would add more Village Center land and change some land from URR to Residential Medium Density. The overall changes are relatively minor and provide a land use pattern consistent and supportive of the goals in the East Albany Plan.

Conclusion

- 3.1 The proposed CP map changes are compatible with the CP map pattern. This criterion is satisfied.

Criterion 4

The requested designation is consistent with the statewide planning goals.

Findings of Fact

- 4.1 The Albany Comprehensive Plan is organized and aligned to follow Oregon's statewide planning goals. The findings provided under Criterion 1 are hereby incorporated here and demonstrate the requested map amendments are consistent Statewide Planning Goals 1, Citizen Involvement; Goal 2, Land Use Planning; Goal 10, Housing; and Goal 14, Urbanization.

Conclusion

- 4.1 The proposed CP map designations are compatible with Statewide Planning Goals 1, 2, 9, 10, and 14. This Criterion is satisfied.

Zoning Map Amendments (ADC 2.740)

Zoning Map amendments will be approved if the council finds that the applicant has shown that all of the following criteria are met.

Criterion 1

The proposed base zone is consistent with the Comprehensive Plan Map Designation for the entire subject area unless a Plan map amendment has also been applied for.

Findings of Fact

- 1.1 The proposed annexations consist of eleven (11) properties. The parcels are identified on Linn County Assessor's Map No. 11S-03W-09D, Tax Lots 600, 700, 701, 702, 800, 801, 901, 902, 1402, 1403, 2500, 2700, and 2800. Tax lots 700, 701 and 702 are owned by the same property owner (see Attachment D).
- 1.2 All but two of the subject properties are zoned Linn County's Urban Growth Area – Urban Growth Management UGA-UGM-5. Two lots located to the southwest are zoned UGA-RR-1 (see Attachment E).
- 1.3 The proposal is for a zoning map amendment from Linn County's zoning to the Albany's Mixed-Use Commercial (MUC), Residential Medium Density Attached (RMA), and Office Professional (OP) upon annexation, as shown on the proposed zoning map (Attachment F). The annexation criteria are addressed earlier in this report; those findings are included here by reference.

- 1.4 The existing Comprehensive Plan map designations of the subject properties are General Commercial towards the northwest, Village Center to the northeast, Residential Medium Density and Employment towards the southeast, and Urban Residential Reserve to the south (see Attachment B).
- 1.5 The applicants propose to change the Comprehensive Plan map designations to Village Center to the north and east, and Residential Medium Density to the south. The Employment designation will remain unchanged (Attachment C).
- 1.6 According to the Plan Designation Zoning Matrix (ADC Table 2.760-1), the MUC zoning district is consistent with the Village Center Comprehensive Plan Map designation. The RMA zone is consistent with the Residential Medium Density designation. Likewise, the OP zone is consistent with the Employment Comprehensive Plan Map designation.

Conclusion

- 1.1 The proposed MUC, RMA, and OP zones are consistent with the Comprehensive Plan Map Designations provided the request to amend the Comprehensive Plan Map is approved.
- 1.2 This criterion is satisfied.

Criterion 2

Existing or anticipated transportation facilities are adequate for uses permitted under the proposed zone designation.

Findings of Fact

- 2.1 This criterion is addressed under Criterion 2 of the Annexation review criteria; those findings and conclusions are included here by reference.
- 2.2 The transportation system can support further development of the properties under the proposed Mixed-Use Commercial (MUC), Residential Medium Density Attached (RMA), and Office Professional (OP) zoning districts.

Conclusions

- 2.1 Existing or anticipated transportation facilities are adequate for the proposed MUC, RMA, and OP zoning districts.
- 2.2 This criterion is satisfied.

Criterion 3

Existing or anticipated services (water, sanitary sewers, storm sewers, schools, and police and fire protection) can accommodate potential development in the subject area without adverse impact on the affected service area.

Findings of Fact

- 3.1 This criterion is addressed under Criterion 2 of the Annexation review criteria; those findings and conclusions are included here by reference.
- 3.2 Public services and infrastructure are available to accommodate potential development of the sites, as permitted under the proposed MUC, RMA, and OP zoning districts.
- 3.3 Any specific infrastructure requirements for future development would be determined at the time of land use application for the development.
- 3.4 The Greater Albany School District was informed of the proposed annexation, and no comments were received as of the time this staff report was published. Any new residential development on the sites may be obligated to pay school system development charges to support the school system infrastructure and services.

Conclusions

- 3.1 Public services and utilities (sanitary sewer, water, and storm drainage) are adequate to serve potential development on the subject property under the proposed MUC, RMA, and OP zoning districts.
- 3.2 This criterion is satisfied.

Criterion 4

The intent and purpose of the proposed zoning district best satisfies the goals and policies of the Comprehensive Plan.

Findings of Fact

- 4.1 The current zone on nine of the subject properties is Linn County's UGA-UGM-5; two others are zoned UGA-RR-1 and the proposed zoning for the properties is Albany's Mixed-Use Commercial (MUC), Residential Medium Density Attached (RMA), and Office Professional (OP) zoning districts (see Attachments E and F).
- 4.2 According to ADC 5.030(10), the **MUC zoning district** is *"intended primarily to provide a mix of convenience commercial, personal services, offices and medium density residential uses. The district would typically be anchored by a grocery store and may include a mix of smaller retailers, offices, live-work units, and residences. The MUC district is easily accessible to nearby residences, and commercial uses are compatible in scale and design with adjacent neighborhoods."* The intent and purpose of the MUC zone is consistent with the Village Center Comprehensive Plan Map Designation.
- 4.3 According to ADC 3.020(6), The **RMA zoning district** is *"intended primarily for medium- to high-density urban residential development consisting of attached housing types, including duplexes, triplexes, fourplexes, and apartments up to 60 feet tall. New RMA districts should be located on a collector or arterial street or in Village Centers."* The intent and purpose of the RMA zone is consistent with the Residential Medium Density Comprehensive Plan Map Designation.
- 4.4 According to ADC 4.020(1), the **OP zoning district** is *"intended to provide a vertical or horizontal mix of professional offices, personal services, live-work, residential and limited related commercial uses in close proximity to residential and commercial districts. The limited uses allowed in this district are selected for their compatibility with residential uses and the desired character of the neighborhood. OP is typically appropriate along arterial or collector streets as a transitional or buffer zone between residential and more intense commercial or industrial districts."* The intent and purpose of the OP zone is consistent with the Employment Comprehensive Plan Map Designation.
- 4.5 The following Comprehensive Plan goals and policies are relevant in considering whether the proposed MUC, RMA, and OP zoning designations best satisfies the goals and policies of the Comprehensive Plan. Each of the relevant goals and policies are listed below in bold italic print.

Statewide Planning Goal 1: Citizen Involvement (Chapter 9)

Goal: Ensure that local citizens and other affected groups, neighborhoods, agencies, and jurisdictions are involved in every phase of the planning process.

Policy 2: When making land use and other planning decisions:

- a. ***Actively seek input from all points of view from citizens and agencies and assure that interested parties from all areas of the Urban Growth Boundary have the opportunity to participate.***
- b. ***Utilize all criteria relevant to the issue.***

- c. **Ensure the long-range interests of the general public are considered.**
- d. **Give particular attention to input provided by the public.**
- e. **Where opposing viewpoints are expressed, attempt to reach consensus where possible.**

Policy 3: Involve the general public in the use, evaluation, and periodic review and update of the Albany Comprehensive Plan.

Policy 4: Ensure information is made available to the public concerning development regulations, land use, and other planning matters including ways they can effectively participate in the planning process.

- 4.6 The ADC sets forth provisions for citizen involvement at public hearings before the planning commission and city council. In accordance with the Type IV legislative and quasi-judicial process for annexations together with comprehensive plan and zoning map amendment, notice was mailed to surrounding property owners within 300 feet of the subject properties and affected government agencies. Notice of the public hearings was also posted in five places surrounding the subject properties and published in the *Albany Democrat Herald*. People who were notified of the public hearings were invited to submit comments or questions about the application prior to or at the hearing.

At the public hearings, the application is reviewed based on all criteria relevant to the proposal. Public hearings provide the opportunity for people to express their opinion about the proposed annexations and map changes, and where opposing viewpoints are expressed, to try to reach consensus. The planning commission and city council facilitate this process at the public hearings. Based on these provisions, citizens have ample opportunity to review and comment on the proposed zoning map amendment.

- 4.7 Findings 1.1 through 1.7 provided under Comprehensive Plan Map amendment Criterion 1 are hereby incorporated for Goal 1 and Goal 2.

Statewide Planning Goal 2: Land Use Planning-Land Use Designations (Chapter 9)

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

- 4.8 According to the Albany Comprehensive Plan, “*The relationship of the Plan designations to the zoning districts is summarized graphically in the ‘Plan Designation Zoning Matrix’. This matrix is for determining the compatibility of a particular zoning district with any given Plan designation. The matrix shows what zoning districts are compatible with each Plan designation.*” The matrix can be found in ADC Table 2.760-1. It is also attached to this report (Attachment G). The Village Center Comprehensive Plan Map Designation includes the MUC zoning district, the Residential Medium Density Comprehensive Plan Map Designation includes the RMA zoning district, and the Employment Designation includes the OP zoning district.

Statewide Planning Goal 10: Housing (Chapter 4)

Goal 1: Provide a variety of development and program opportunities that meet the housing needs of all Albany’s citizens.

Goal 2: Create a city of diverse neighborhoods where residents can find and afford the values they seek.

Policy 1: Ensure an adequate supply of residentially zoned land in areas accessible to employment and public services.

Policy 2: Provide a variety of choices regarding type, location, density and cost of housing units corresponding to the needs and means of city residents.

Policy 6: Encourage residential development on already serviced vacant residential lots or in areas where services are available or can be economically provided.

Policy 7: Require residential densities to be commensurate with the availability and adequacy of public facilities and services.

- 4.9 As discussed under Annexation Criterion 2, the subject properties are located in an area accessible to employment and public services. All City services are available to serve residential development on the subject properties; those findings and conclusions are included here by reference.
- 4.10 The proposed zone amendments from UGA-UGM-5 to MUC and OP are the type of zoning anticipated by the Comprehensive Plan. The proposed zone amendment from UGA-RR-1 to RMA is also consistent with the zoning anticipated by the Comprehensive Plan.
- 4.11 Findings 1.8 through 1.15 provided under Comprehensive Plan Map amendment Criterion 1 are hereby incorporated in support of Statewide Planning Goal 10, Housing.

Statewide Planning Goal 14: Urbanization (Chapter 8)

Goal 1: Achieve stable land use growth which results in a desirable and efficient land use pattern.
Policy 1: Encourage industry and employment centers, regional shopping centers, and urban level development to locate within the Albany city limits.

Policy 6: Require annexations to be logical and efficient extensions of city limit boundaries to facilitate the economic provision of services.

Policy 9: Encourage land use patterns and development plans which take advantage of density and location to reduce the need for travel and dependency on the private automobile, facilitate energy-efficient public transit systems, and permit building configurations which increase energy, land, and infrastructure efficiency.

Policy 11: Designate enough land in a variety of parcel sizes and locations to meet future housing, employment and commercial needs, and designate new mixed use Village Centers and Climate Friendly Areas near transit.

Policy 12: The size and type of future commercial development shall be commensurate with the area to be served and located to be easily accessible by those in the service area and designed to be compatible with surrounding residential uses when applicable.

- a. **Approvals of additional regional and community commercial sites may be predicated upon studies requested by the City which assess public need, impacts upon competing commercial areas, traffic impacts, and impacts upon other public services.**
- b. **Zone change applications for new neighborhood commercial and mixed-use Village Center sites must demonstrate that the chosen site is superior or equal to viable alternative sites within the same market area based on exposure to traffic flows and other market indicators, accessibility and convenience to the market area, and compatibility with surrounding uses.**
- c. **The commercial component of Village Center zoning districts should be sized to meet the neighborhood needs. Village Centers are generally located at least**

one mile in travel distance from any other commercial site that serves or is available to serve similar commercial needs.

Policy 13: Discourage strip commercial development and promote clustered commercial and mixed-use opportunities and infill and redevelopment of existing commercial areas to foster:

- a. Efficient and safe utilization of transportation facilities.**
 - b. A variety of accessible and pedestrian-friendly shopping and housing opportunities to reduce auto use.**
 - c. Compatibility between land uses, particularly adjacent residential neighborhoods.**
 - d. Efficient extension of public facilities and services.**
- 4.11 Goal 14 requires the City to forecast future growth needs and establish an urban growth boundary to separate land needed for urbanization from rural land. Goal 14 further states *“land within the boundaries separating urbanizable land from rural land shall be considered available over time for urban uses.”* The subject properties are located within the Urban Growth Boundary.
- 4.12 Public facilities that would be required to serve future development on the subject properties are available at or near the site.
- 4.13 The proposed zoning designations will ensure that development potential is known, and the properties are subject to the applicable City development regulations. By annexing, land can be developed more intensely in this case, allowing for residential and commercial development at urban-level densities, discouraging low-density sprawl, and supporting the logical and efficient extension of public facilities and City services consistent with Comprehensive Plan Policies 1, 6, 9, 11, 12, and 13.
- 4.14 The proposed annexation consists of eleven (11) properties. All City services are available to serve further development on the subject properties.
- 4.15 Finding 1.16 through 1.23 under Comprehensive Plan map amendment Criterion 1 are hereby incorporated by reference in support of Goal 14, Urbanization.

Conclusions

- 4.1 Goal 1, Citizen Involvement. The proposed zoning map amendments adhere to Goal 1 by following the provisions for conducting legislative and quasi-judicial public hearings.
- 4.2 Goal 2, Land Use Planning. If the concurrent Comprehensive Plan Map Designations are approved, the proposed zoning map amendments to MUC, RMA, and OP will be compatible with the Village Center, Residential Medium Density and Employment Comprehensive Plan Map designations respectively.
- 4.3 Goal 10, Housing. The proposed zoning map amendments will make the proposed land use consistent with the intent of the housing policies of the Comprehensive Plan.
- 4.4 Goal 14, Urbanization. The proposed zones are consistent with policies contained in the Comprehensive Plan. The logical extension of public facilities allows development at urban level densities, consistent with Goal 14, Urbanization.
- 4.5 The intent and purpose of the proposed MUC, RMA, and OP zoning districts best satisfy the goals and policies of the Comprehensive Plan.
- 4.6 This criterion is satisfied.

Criterion 5

The land use and transportation pattern recommended in any applicable City-contracted or funded land use or transportation plan, or study has been followed, unless the applicant demonstrates good cause for the departure from the plan or study.

Findings of Fact and Conclusion

- 5.1 The subject properties are located at the south terminus of Timber Street, west terminus of Maple Leaf Drive, and along Spicer Drive.
- 5.2 The Albany Transportation System Plan (TSP) shows Spicer Drive (L11), Maple Leaf Drive (L12), and Timber Street (L4) extending through the site. The TSP shows a new roundabout (I36) at the new intersection of Timber Street and Spicer Drive at the southwest corner of the site. The East Albany Plan shows a new roundabout on the subject property at the intersection of Spicer Drive extension, Timber Street extension, and Maple Leaf Drive extension.
- 5.3 Comprehensive Plan and Zone changes are required to comply with the Transportation Planning Rule (TPR) under OAR 660-012-0060. The rule holds that a “significant affect” occurs and must be mitigated if a proposed zone change would result in an existing or planned transportation facility either failing to meet an adopted performance standard or degrading the performance of an already failing facility.
- 5.4 Chapter 3.2 of the ODOT Development Review Guidelines (p. 33) excludes amendments generating less than 400 ADT from a TPR impact analysis:
- “If an amendment subject to TPR Section 0060 increases the volume to capacity ratio further, or degrades the performance of a facility so that it does not meet an adopted mobility target at the planning horizon, it will significantly affect the facility unless the change in trips falls below the thresholds listed:*
- “The threshold for a small increase in traffic between the existing plan and the proposed amendment is defined in terms of the increase in total average daily trip volumes as follows:*
- *Any proposed amendment that does not increase the average daily trips by more than 400.”*
- 5.5 The applicants submitted a Transportation Planning Rule (TPR) Analysis by Clemow Associates, LLC (Attachment H). The analysis compares the existing General Commercial Comprehensive Plan to Village Center for approximately 10 acres of the site and the remaining approximate 1 acre is proposed to be Medium Density Residential which corresponds with the current comprehensive plan designation.
- 5.6 The current General Commercial comprehensive plan allowed zones include Neighborhood Commercial, Office Professional, Community Commercial, and Regional Commercial. The applicant’s proposed comprehensive plan designation is Village Center with a corresponding zone change to Mixed Use Commercial. The traffic impact study compared the highest trip generating categories within the allowed zones in the General Commercial Comprehensive Plan designation and the proposed Mixed-use Zone. The comparison shows that the uses allowed in each zone were similar, which would not increase trip generating potential and which would not significantly affect current or planned transportation facilities.
- 5.7 The current Urban Residential Reserve comprehensive plan allowed zones include Single-Family Dwelling Unit Zones, and Residential Medium Density Attached. The applicant’s proposed comprehensive plan designation is Village Center with a corresponding zone

change to Mixed-Use Commercial. The traffic impact study compared the highest trip generating categories within the allowed zones in the General Commercial Comprehensive Plan designation and the proposed mixed-use zone. The comparison shows that the uses allowed in each zone were similar, which would not increase the trip generating potential which would not significantly affect current or planned transportation facilities. Compared uses between the existing and proposed zones include indoor entertainment and recreation, traditional offices, restaurants, retail sales and services, vehicle service, and multi-dwelling residential.

- 5.8 The analysis compared the proposed building height allowances, maximum lot coverage, and ADC development code standards are similar between the existing and proposed zones. The mixed-use commercial has more strict development standards and with this zone restriction would result in a slight decreased trip-generation potential.
- 5.9 At the time of development of the subject properties, the proposed development would need to provide Traffic Studies for development that creates over 50 AM or PM peak trips meeting City of Albany Standards.

Conclusions

- 5.1 The proposed comprehensive plan change from General Commercial to Village Center with corresponding zone change to Mixed-Use Commercial for approximately 10 acres of the site. The remaining 1 acre of the site would retain the existing comprehensive plan designation which is proposed to be Medium Density Residential which corresponds with the current comprehensive plan designation.
- 5.2 The TPR requires that zone changes be evaluated to see if the vehicle trip generation that could occur under the new zone designation is more than could have occurred under current designation, and if so, if the additional trips would result in a “significant affect”. The analysis submitted by the applicant showed that the reasonable highest trip generating potential development between the existing and proposed zones are similar. The Mixed-Use Commercial (MUC) zone has stricter development standards and with this zone restriction would result in a slight decrease in trip-generation potential.
- 5.3 Based on ODOT Development Review Guidelines, the zone change would not result in a potential increase of more than 400 ADT in site generated trips and as a result is not subject to TPR Section 0060. The ODOT Review Development Guidelines are based on and mirror the TPR review standards contained in Oregon Highway Plan Action 1F.5.
- 5.4 The proposed annexation would not negatively impact the subject property from being compliant with the TSP. At the time of development, the subject properties will need to incorporate the TSP and East Albany Plan transportation projects.
- 5.5 At the time of development of the subject properties, the proposed development would need to provide Traffic Studies for development that creates over 50 AM or PM peak trips meeting City of Albany Standards.
- 5.6 This criterion is satisfied without conditions.

Overall Conclusion

As proposed and conditioned, the applications for Annexation concurrent with Comprehensive Plan and Zoning Map Amendments satisfy all applicable review criteria outlined in this report.

Conditions

Condition 1: At the time of annexation, the subject properties shall be removed from the taxing

district of the Albany Rural Fire Protection District (ARFPD) into the Albany Fire District.

Options for the City Council

The city council has three options with respect to the proposed annexation with zone change:

- Option 1: Approve the request as proposed.
- Option 2: Approve the request with conditions; or
- Option 3: Deny the request.

Motion

Based on findings and conclusions presented in this report, staff and the planning commission recommend approval of the annexation, comprehensive plan and zoning map amendments as conditioned under Option 2. If the city council follows this recommendation, the following motion is suggested:

I move that the city council approve the land use applications for annexation with concurrent comprehensive plan and zoning map amendments under planning files AN-01-25, CP-03-25, and ZC-03-25, as described in the February 13, 2026, staff report as conditioned. This motion is based on the findings and conclusions in the staff report and the findings in support of the application made by the city council during deliberations on this matter.

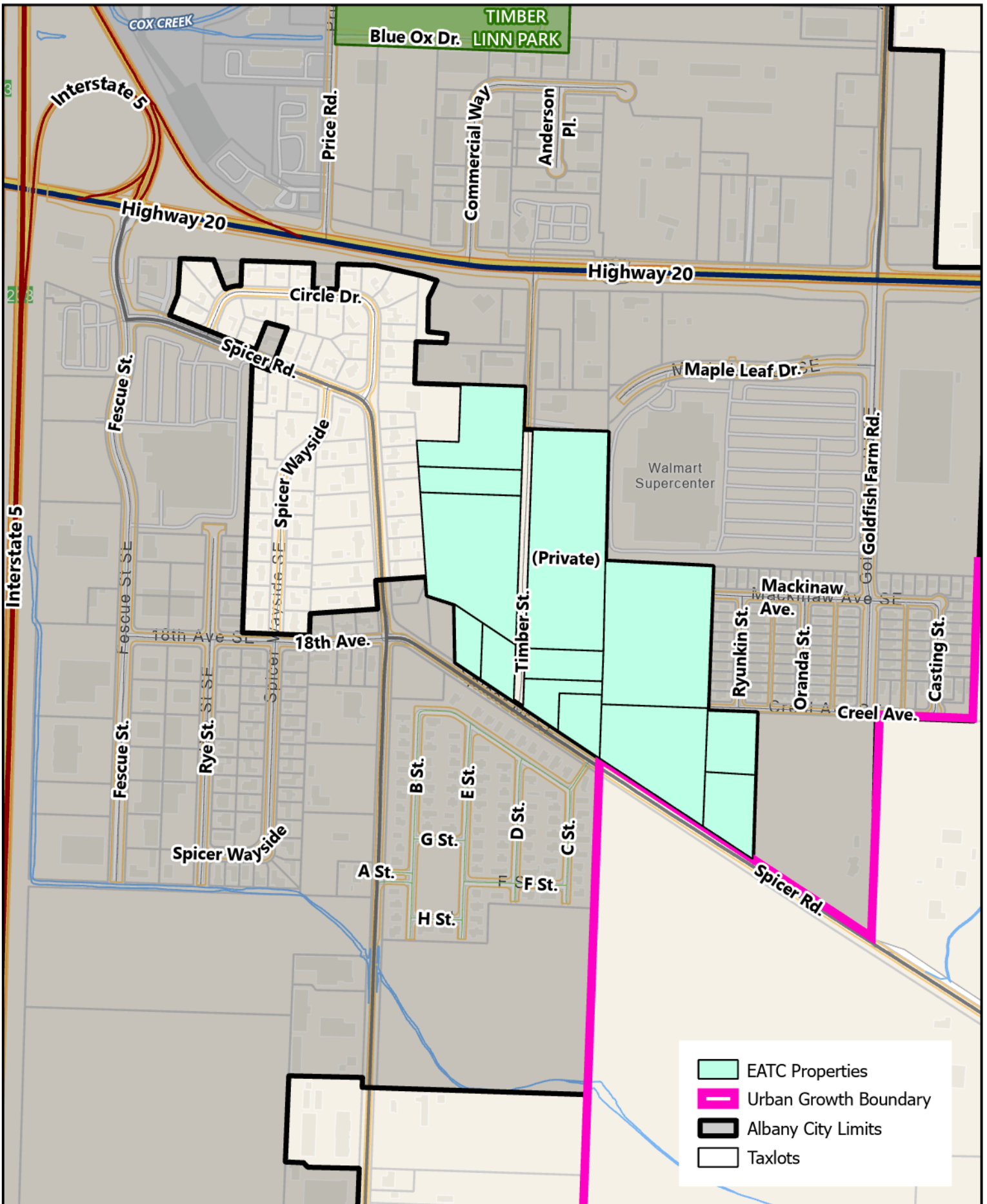
Acronyms

ADC	Albany Development Code
ADT	Average Daily Traffic
AMC	Albany Municipal Code
AN	Annexation File Designation
CC	Community Commercial Zoning District
CP	Comprehensive Plan File Designation
DLCD	Oregon Department of Land Conservation and Development
EMP	Employment Land Comprehensive Plan Designation
GC	General Commercial Comprehensive Plan Designation
ITE	Institute of Transportation Engineers
LOS	Level of Service
LUBA	Oregon Land Use Board of Appeals
MUC	Mixed-Use Zoning District
OAR	Oregon Administrative Rules
ODOT	Oregon Department of Transportation
OP	Office Professional Zoning District
RMA	Residential Medium Density Attached Zoning District
TPR	Transportation Planning Rule
TSP	Transportation Systems Plan
UGA-UGM	Urban Growth Area – Urban Growth Management (Linn Co.)
VC	Village Center Comprehensive Plan Designation
ZC	Zone Change File Designation

Attachments

- A. Location Map
- B. Existing Comprehensive Plan Map
- C. Proposed Comprehensive Plan Map
- D. Tax Lot Map

- E. Current Zoning
- F. Proposed Zoning
- G. Zoning Matrix
- H. Transportation Planning Rule Analysis
- I. Written Comments from Agencies
- J. Written Comments from Residents



Legend:

- EATC Properties
- Urban Growth Boundary
- Albany City Limits
- Taxlots

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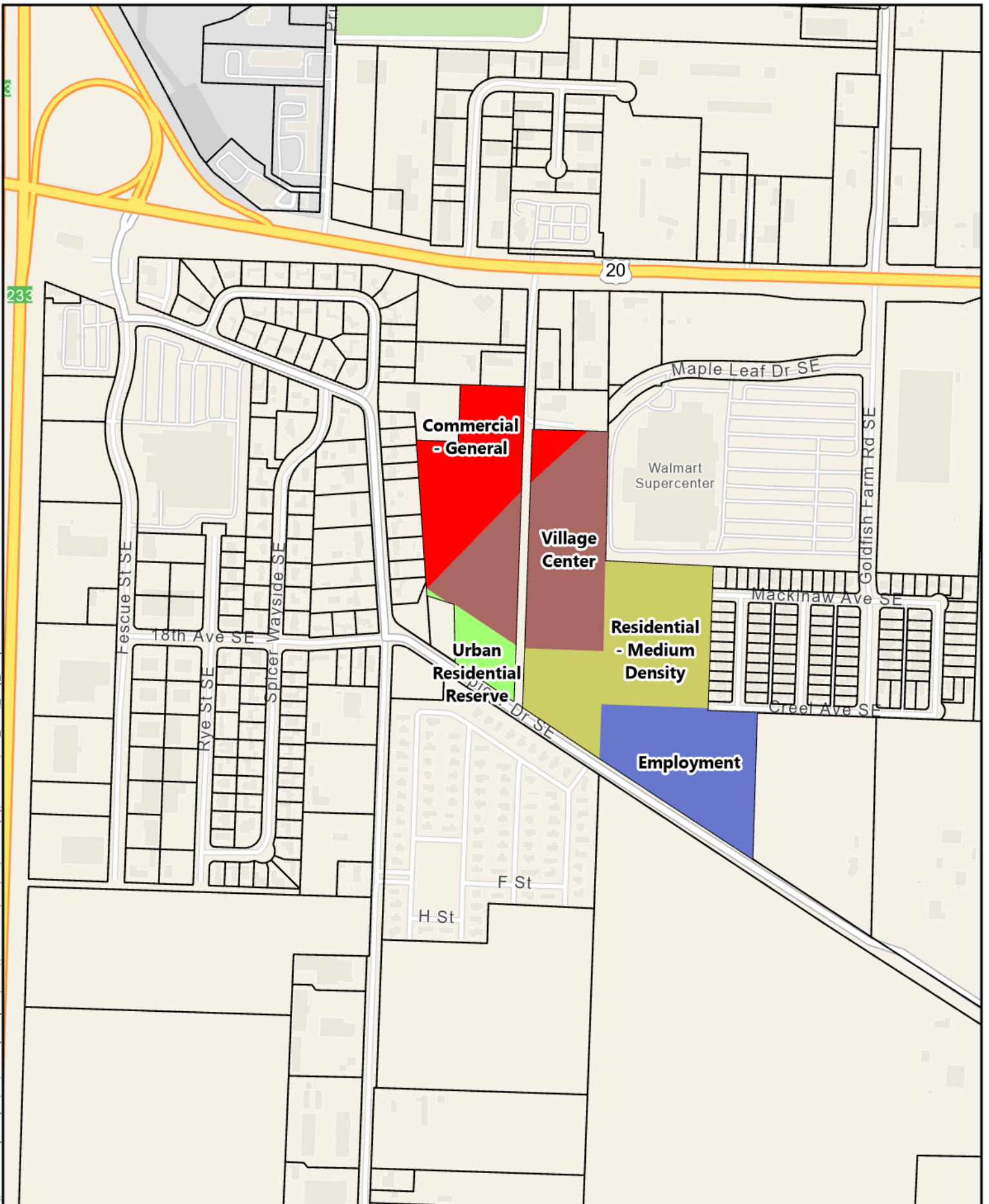


0 250 500 1,000 Feet

East Albany Town Center

Date: 1/21/2026 Map Source:

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Location Map



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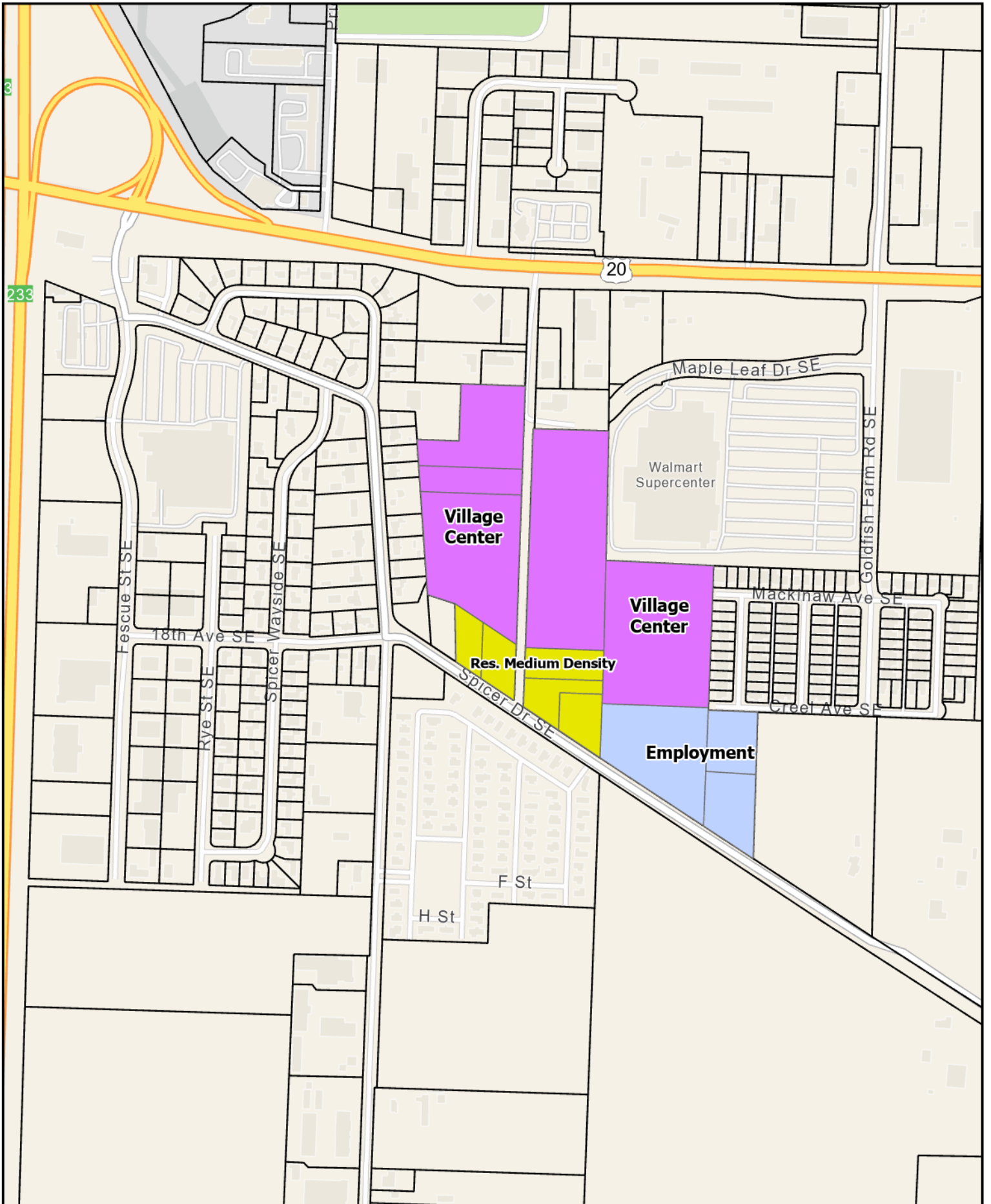


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Date: 1/20/2026 Map Source:

East Albany Town Center

Existing Comprehensive Plan Map



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Date: 1/20/2026 Map Source:

East Albany Town Center

Proposed Comprehensive Plan Map

Linn County, Oregon

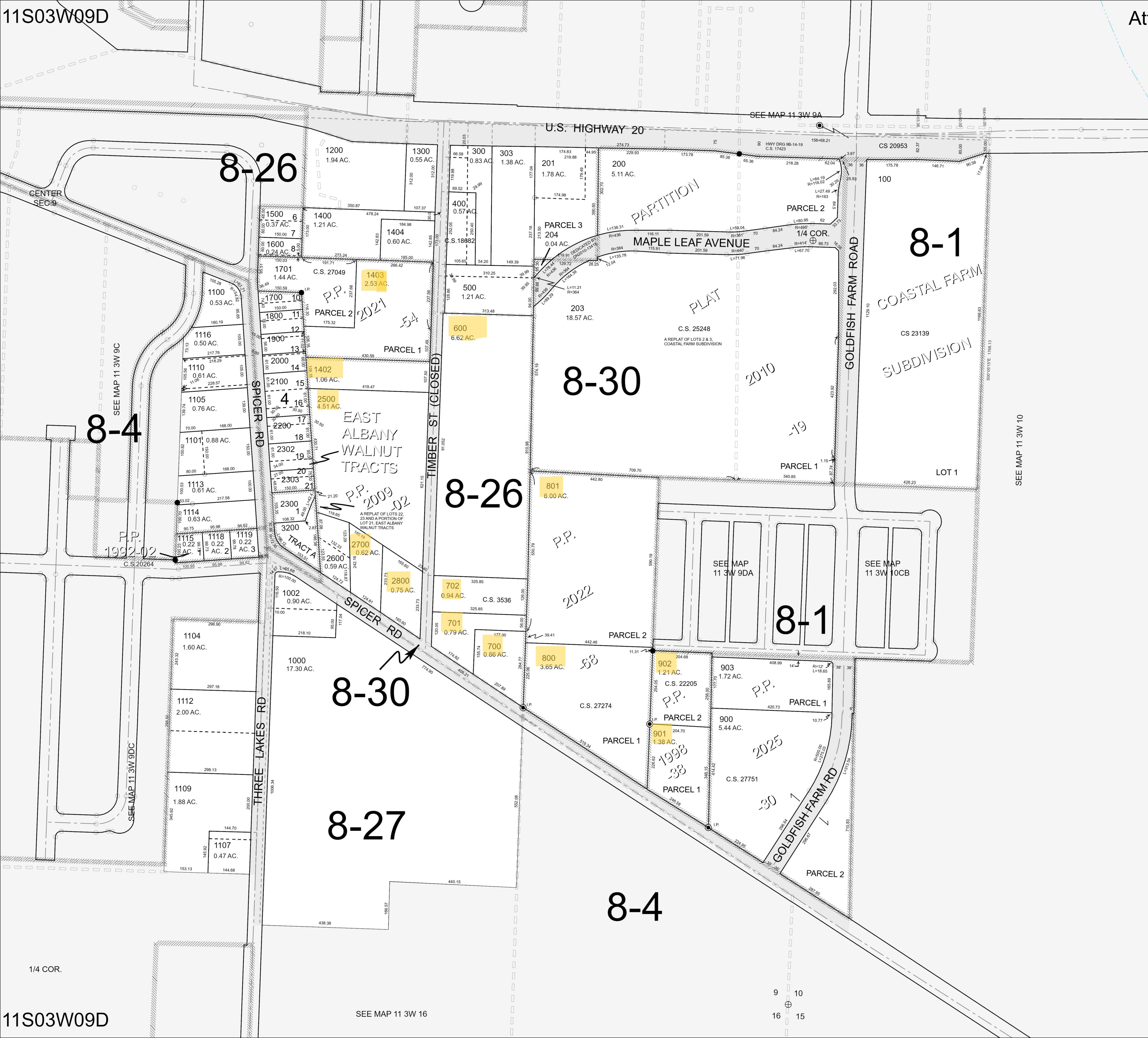
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Scale 1"=200'

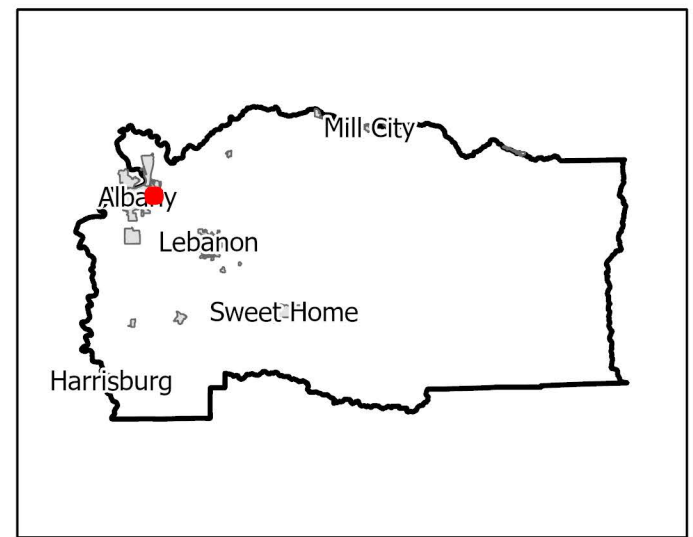


- Legend
- PublicRoadCL
 - RailroadCL
 - Subdivision
 - TaxCodeLines
 - Historical Boundary

- Canceled taxlots
- 2501
 - 202
 - 3100
 - 3101
 - 2304
 - 2900
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Printed on: 11/10/2025



MAP FOR ASSESSMENT PURPOSES ONLY



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G:\Community Development\Planning\Land Use Cases\2020s\Amendment (AN)\AN.01.25 et al\EAICL_Current_Zoning.aprx

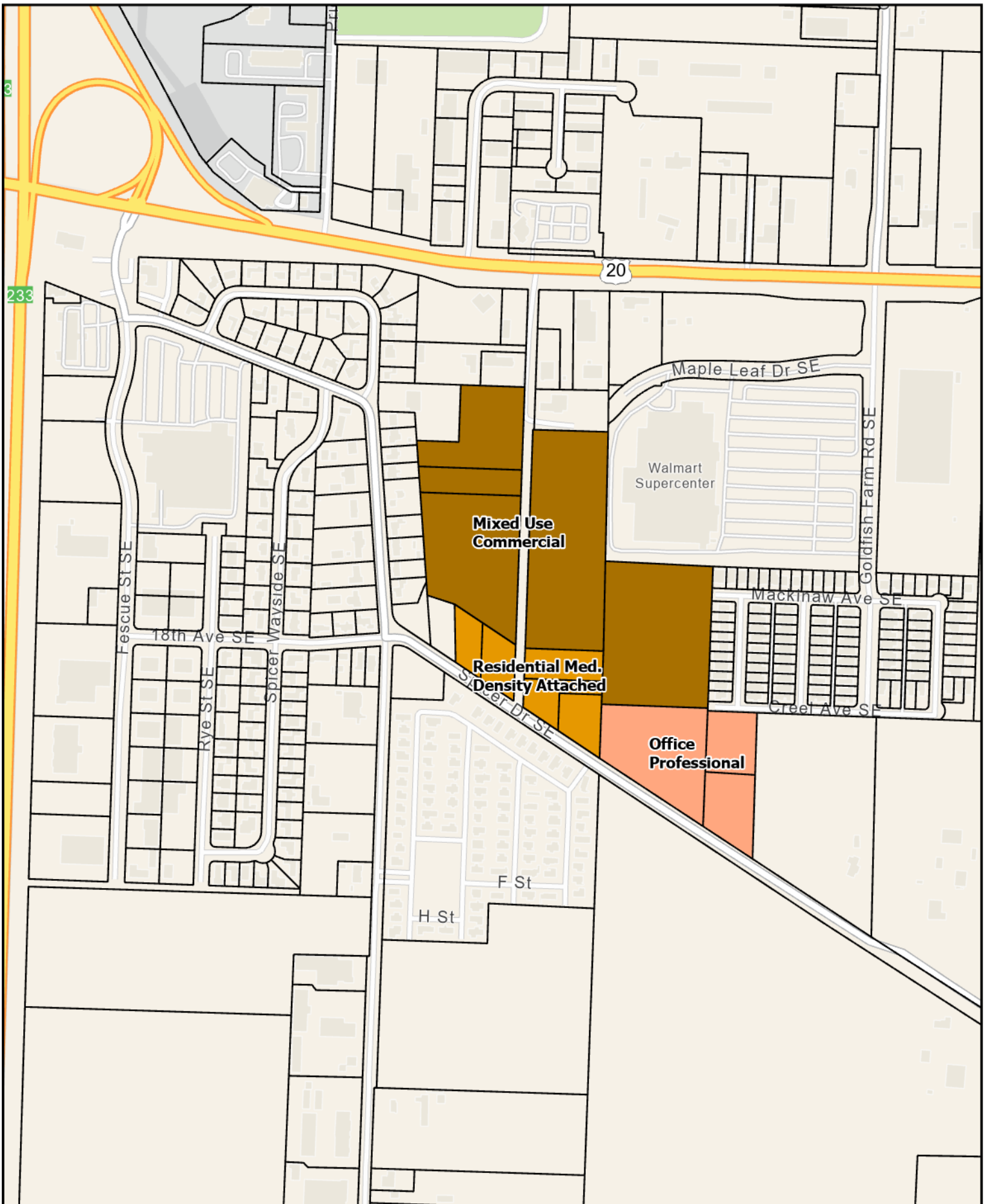


0 250 500 1,000
Feet

Date: 1/20/2026 Map Source:

East Albany Town Center

Current Zoning (Lincoln County)



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0 250 500 1,000 Feet

Date: 1/20/2026 Map Source:

East Albany Town Center

Proposed Zoning

**TABLE 2.760-1
PLAN DESIGNATION ZONING MATRIX**

Comprehensive Plan Designation	Compatible Zoning Districts
Employment*	Employment (EMP), Industrial Park (IP), Office Professional (OP), and land zoned Light Industrial (LI)* in the East Albany Plan area prior to June 30,
Light Industrial	Industrial Park (IP), Light Industrial (LI), Transit District (TD)
Heavy Industrial	Light Industrial (LI)*, Heavy Industrial (HI)
General Commercial	Neighborhood Commercial (NC), Community Commercial (CC), Regional Commercial (RC), Office Professional (OP)
Neighborhood Village	Neighborhood Commercial (NC), Office Professional (OP), Mixed Use Residential (MUR)
Village Center	Historic Downtown (HD), Downtown Mixed Use (DMU), Central Business (CB), Lyon-Ellsworth (LE), Pacific Boulevard (PB), Elm Street (ES), Main Street (MS), Waterfront (WF), Mixed Use Commercial (MUC), Residential Medium Density (RM), Residential Medium Density Attached (RMA), Mixed Use Residential (MUR), Office Professional (OP), Community Commercial
Village Center – East (East Albany Plan Area only)	Mixed Use Commercial (MUC), Mixed Use Residential (MUR)
High Density Residential**	High Density Residential (HDR), Residential Medium Density Attached (RMA), Mixed Use Residential (MUR), and land zoned Residential Medium Density (RM) in East Albany prior to June 30, 2023**
Medium Density Residential	R-5 Residential (R-5), Residential Medium Density (RM), Residential Medium Density Attached (RMA), Mixed Use Residential (MUR), Office Professional (OP), Neighborhood Commercial (NC)
Low Density Residential	R-10, R-6.5, and R-5 Residential (R-10, R-6.5, R-5), Hackleman-Monteith (HM), Residential Reserve (RR), Office Professional (OP), Neighborhood Commercial (NC)
Urban Residential Reserve	R-10, R-6.5, and R-5 Residential (R-10, R-6.5, R-5), Residential Reserve (RR), Residential Medium Density Attached (RMA), Residential Medium Density (RM), Mixed Use Residential (MUR), Neighborhood Commercial (NC), Office Professional (OP)
Public and Semi- Public	All zones
Open Space	Open Space (OS)

*Light Industrial – Properties in the East Albany Plan area that were zoned Light Industrial on June 30, 2023, may remain zoned Light Industrial, including those designated Employment on the Comprehensive Plan map.

**Residential Medium Density (RM) – Properties in the East Albany Plan area that were zoned RM on June 30, 2023, may remain zoned RM, including those designated High Density Residential on the Comprehensive Plan Map.

[Ord. 5555, 2/7/03; Ord. 5556, 2/21/03; Ord. 5673, 6/27/07; 10/12/17; Ord. 5947, 1/1/21; Ord. 6004, 12/28/22; Ord. 6010, 7/1/23; Ord. 6059, 3/14/25]



January 12, 2026, *Revised January 18, 2026*

East Albany Town Center, LLC
Attention: Damon A. Olsen
1860 Crocker Lane NW
Albany, Oregon 97312

*Sent via email to:
darren@nicholswood.com*

**Re: East Albany Town Center – Annexation, Comprehensive Plan Amendment, and Zone Change
Albany, (Linn County), Oregon**
Transportation Planning Rule Analysis

Albany File Number AN-01-25
C&A Project Number 20251202.00

Dear Mr. Olsen,

This Transportation Planning Rule (TPR) analysis supports the proposed annexation, Comprehensive Plan amendment, and zone change for the East Albany Town Center in Albany, Oregon. The following items are presented:

1. Property Description and Proposed Land Use Actions
2. Study Parameters
3. Development Potential
4. Summary

1. PROPERTY DESCRIPTION AND PROPOSED LAND USE ACTIONS

The proposed City-initiated Combined Type IV Quasi-Judicial Land Use Application includes annexing the East Albany Town Center property from Linn County into the City of Albany.

For approximately 1 acre of the property, land use actions also include an Albany Comprehensive Plan (Plan) amendment changing the designation from *Urban Residential Reserve*, which implements the *Residential Single Dwelling Unit (R10, R6.5, and R5)*, *Residential Medium Density Attached (RMA)*, *Residential Medium Density (RM)*, *Mixed Use Residential (MUR)*, *Neighborhood Commercial (NC)*, and *Office Professional (OP)* zones, to *Medium Density Residential*, with a corresponding zone change to RMA.

For approximately 10 acres of the property, land use actions also include a Plan amendment changing the designation from *General Commercial*, which implements the *Neighborhood Commercial (NC)*, *Office Professional (OP)*, *Community Commercial (CC)*, and *Regional Commercial (RC)* zones, to *Village Center - East*, with a corresponding zone change to *Mixed Use Commercial (MUC)*.

East Albany Town Center – Annexation, Comprehensive Plan Amendment, and Zone Change Albany,
 (Linn County), Oregon
 C&A Project Number 20251202.00
 January 12, 2026, Revised January 18, 2026
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2. STUDY PARAMETERS

Criteria to be Addressed

The combined Type IV Quasi-Judicial Land Use Application includes an annexation, a Plan amendment, and a zone change. Therefore, the TIS addresses the following criteria:

- Transportation Planning Rule (TPR) criteria outlined in Oregon Administrative Rule (OAR) 660-012-0060
- The City of Albany, *October 2019 Department of Public Works Division I Traffic Impact Study Guidelines and Engineering Standards*

Transportation Planning Rule (TPR) Criteria

OAR 660-012-0060 (1) states, *“If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.”

East Albany Town Center – Annexation, Comprehensive Plan Amendment, and Zone Change Albany,
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C&A Project Number 20251202.00
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OAR 660-012-0060 (9) states, *“Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.*

(a) The proposed zoning is consistent with the existing comprehensive plan map designation, and the amendment does not change the comprehensive plan map;

(b) The local government has an acknowledged TSP, and the proposed zoning is consistent with the TSP; and

(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule, but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.”

City of Albany, October 2019 Department of Public Works Division I Traffic Impact Study Guidelines and Engineering Standards

Section 3 – Criteria for Warranting a Traffic Impact Study states:

“A Level I “Trip Generation and Distribution Study” is required for all projects that generate at least 50 vehicular trips within the a.m. or p.m. peak traffic periods. The purpose of this study is to assist staff in determining whether a complete TIA is required and to what level of detail it should be prepared. Projects generating less than 50 peak-hour trips may still be required, at the discretion of staff, to prepare a traffic study if there are specific capacity or safety issues that need to be addressed, or if certain conditions of approval require a rough proportionality finding. A Trip Generation and Distribution Study must be expanded to a full TIA if any of the following criteria are met:

- 1. If there exists any current traffic problems, such as a high-accident location, poor roadway alignment, or capacity deficiency, that are likely to be compounded as a result of the proposed development.*
- 2. If staff anticipates the current or projected level of service of the roadway system in the vicinity of the development will exceed minimum standards.*
- 3. If staff anticipates that adjacent neighborhoods or other areas will be adversely impacted by the proposed development. A Level II - “Traffic Impact Analysis” is required for all projects that generate at least 100 vehicular trips within the a.m. or p.m. peak traffic periods.”*

East Albany Town Center – Annexation, Comprehensive Plan Amendment, and Zone Change Albany,
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Summary of Traffic Impact Study Criteria

1-Acre of Property

The current Linn County *Urban Residential Reserve* designation is an ‘intermediate/holding’ designation applied to areas between the developed urban area and the Urban Growth Boundary, within which a variety of residential zones may be permitted to accommodate all needed housing types without a Plan change. As identified in the Plan, land within the *Urban Residential Reserve* designation will be changed to low- and medium-density Plan designations if such changes are needed to develop accurate 5-year capital improvement plans involving any such area or, in some cases, upon annexation to the City. As such, the proposed annexation and Plan amendment to change the designation from *Urban Residential Reserve* to *Medium Density Residential*, with a corresponding zone change to RMA, are consistent with the Plan.

Overall, for the 1-acre property, the proposed Plan amendment is consistent with the existing Plan map designation and the East Albany Plan designation, and it does not change the Comprehensive Plan. The proposed zoning is also consistent with the Albany Transportation System Plan (TSP). As such, the proposed land use actions are consistent with the Albany TSP assumptions, and they do not significantly affect an existing or planned transportation facility.

The TPR and the Albany Traffic Impact Study criteria are satisfied for the 1-acre of property without additional analysis.

10-Acres of Property

The applicant is proposing a Plan amendment changing the designation from *General Commercial*, which implements the NC, OP, CC, and RC zones, to *Village Center – East* with a corresponding zone change to MUC.

The proposed land use actions do not include a specific development application. As such, the following analysis identifies reasonable worst-case development scenarios specific to trip generation in the current and proposed zoning to determine whether additional transportation analysis is necessary.

3. DEVELOPMENT POTENTIAL

Development Assumptions

Specific to the proposed and current zones, Albany planning staff reviewed the Albany Development Code and prepared a summary of the zone descriptions and development standards. A copy of this material is attached to this letter for reference.

As previously identified for the 10-acre property, the proposed land use actions do not include a specific development application. As such, this transportation analysis evaluates the impacts of reasonable worst-case development scenarios in the proposed and current zones.

East Albany Town Center – Annexation, Comprehensive Plan Amendment, and Zone Change Albany,
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C&A Project Number 20251202.00
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Proposed MUC Zone

Based on a review of Albany Development Code Section 5.060 – *Mixed Use Zoning Districts – Schedule of Permitted Uses*, the highest trip-generating uses that are permitted outright or with site plan approval include:

- Indoor Entertainment and Recreation
- Traditional Offices
- Restaurants without a Drive-thru
- Retail Sales and Service
- Vehicle Service, Quick (gas/oil/wash)
- Multi-Dwelling Residential
- Multi-Dwelling Residential Above or Attached to a Business.

The MUC zone also has a maximum lot coverage of 80% and a maximum building height of 85 feet.

Current NC, CC, RC, and OP Zones

Based on a review of Albany Development Code Section 4.050 – *Commercial and Industrial Zoning Districts – Schedule of Permitted Uses*, the highest trip-generating uses that are permitted outright or with site plan approval include:

- Indoor Entertainment and Recreation
- Traditional and Industrial Offices
- Restaurants without a Drive-thru
- Taverns, Bars, Brewpubs, Nightclubs
- Retail Sales and Service
- Vehicle Service, Quick (gas/oil/wash)
- Multi-Dwelling Residential Above or Attached to a Business.

Of the four current zones, permitted uses in the RC zone result in the reasonable worst-case development scenario. The RC zone also has a maximum lot coverage of 90% and no maximum building height limit.

Trip Generation

The lists of the highest trip-generating uses in both the proposed and current zones are similar; however, the maximum lot coverage and maximum building height standards in the proposed MUC zone are slightly more restrictive than those in the current zones, e.g., the RC zone. As such, it is concluded that the proposed zone change will result in a slight decrease in trip-generation potential.

Overall, for the 10-acre property, the proposed Plan amendment and corresponding zone change do not increase trip-generating potential, are consistent with the Albany TSP assumptions, and will not significantly affect an existing or planned transportation facility.

The TPR and the Albany Traffic Impact Study criteria are satisfied for the 10-acre property without additional analysis.

East Albany Town Center – Annexation, Comprehensive Plan Amendment, and Zone Change Albany,
 (Linn County), Oregon
 C&A Project Number 20251202.00
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4. SUMMARY

The following conclusions and recommendations are made based on materials contained in this analysis:

1. The proposed City-initiated Combined Type IV Quasi-Judicial Land Use Application includes annexing the East Albany Town Center property from Linn County into the City of Albany.
2. For approximately 1 acre of the property, land use actions also include an Albany Comprehensive Plan (Plan) amendment changing the designation from *Urban Residential Reserve*, which implements the *Residential Single Dwelling Unit* (R10, R6.5, and R5), *Residential Medium Density Attached* (RMA), *Residential Medium Density* (RM), *Mixed Use Residential* (MUR), *Neighborhood Commercial* (NC), and *Office Professional* (OP) zones, to *Medium Density Residential*, with a corresponding zone change to RMA.
3. For approximately 10 acres of the property, land use actions also include a Plan amendment changing the designation from *General Commercial*, which implements the *Neighborhood Commercial* (NC), *Office Professional* (OP), *Community Commercial* (CC), and *Regional Commercial* (RC) zones, to *Village Center - East*, with a corresponding zone change to *Mixed Use Commercial* (MUC).
4. For the 1-acre property, the proposed Plan amendment is consistent with the existing Plan map designation and the East Albany Plan designation, and it does not change the Comprehensive Plan. The proposed zoning is also consistent with the Albany Transportation System Plan (TSP). As such, the proposed land use actions are consistent with the Albany TSP assumptions, and they do not significantly affect an existing or planned transportation facility.
5. For the 10-acre property, the lists of the highest trip-generating uses in both the proposed and current zones are similar; however, the maximum lot coverage and maximum building height standards in the proposed MUC zone are slightly more restrictive than those in the current zones, e.g., the RC zone. As such, the proposed zone change will result in a slight decrease in trip-generation potential.
6. For the 10-acre property, the proposed Plan amendment and corresponding zone change do not increase trip-generating potential, are consistent with the Albany TSP assumptions, and will not significantly affect an existing or planned transportation facility.
7. The TPR and the Albany Traffic Impact Study criteria are satisfied for the 10-acre property without additional analysis

Sincerely,

Christopher M. Clemow, PE, PTOE
 Transportation Engineer



Attachments: East Albany Town Center Zoning Review

Renews 31 December 2027

Comp Plan Designation

Potential Zoning

Employment

EMP, IP, OP, LI if prior to 6/30/23. **OP most favorable zone.** Allows single dwellings outright, middle housing & multiple dwelling units through CU. Maximum height = 30 feet. Should be sufficient for duplexes & Townhomes. Lot coverage = 70%. Sports courts are allowed through CU.

Residential Med. Density

R5, RM, RMA, MUR, OP, NC. The RM, RMA & MUR zones allow assisted living facilities through SPR. R5, OP & NC zones allowed through CU. Max heights in RM and MUR = 45 feet, RMA = 60 feet. R5, OP & NC max height = 30 feet. Heights in OP, NC, MUR & RM zones within Climate Friendly Areas up to 50 feet. Lot coverage in R5 = 60%, RM, MUR & OP = 70%, RMA = 75%, NC = 80%. New NC zones may be no more than 50,000 sq. ft. of contiguous land. Based on this, the **RMA zone may be most favorable** given maximum height, allowable uses and lot coverage.

Residential Low Density

R10, R6.5, R5, OP, NC. The proposed development lists townhomes as a use in the pre-existing R-6.5 zone. Townhouses are allowed outright along with all other middle housing types. Maximum height is 30 feet, maximum lot coverage = 60%. Minimum lot area for townhomes is 1,500 sq. ft. per unit. The **R-6.5 zone is acceptable** for townhomes. CFA maximum height bonus does not include the R10, R6.5, or R5.

Village Center (East of I-5)

MUC, MUR. Commercial and multiple dwelling units are allowed through SPR in the MUC, and outright in the MUR zones. There are more restrictions on certain commercial uses in the MUR zone. In both zones, new development must have a primary use from each residential use and nonresidential use category. Maximum height in MUC is 85 feet. The MUR is 45 feet. Lot coverage in MUC is 80%, and 70% in MUR. **The MUC zone is most flexible.** Parks are allowed through CU.

Comp Plan Designation

Commercial General

Potential Zoning

NC, CC, RC, OP. affordable housing developments subject to an affordable housing covenant as provided in ORS 456.270 to 456.295 are permitted through Site Plan Review when the standards in ADC 4.060(28) or (29) are met. OP allows single dwellings outright, middle housing & multiple dwelling units through CU. Maximum height = 30 feet, except 50 feet in climate friendly areas. In the NC zone, single-dwelling units, individual SRO dwellings, duplexes, and townhouses require Site Plan Review. All other middle housing and multi-dwelling units are prohibited. The only retail uses allowed in the OP & NC are convenience-oriented retail and personal services-oriented retail intended to serve nearby residences and employees. Businesses in OP & NC are limited to a 5,000-square-foot maximum business footprint. Maximum lot coverage in OP = 70%, NC = 80%. Parks allowed through CU in OP, NC, and through SPR in climate friendly areas.

In the RC and CC zones, residential units above or attached to a business are allowed through SPR in CC, and CU in RC, subject to footnote (29). Affordable housing developments subject to an affordable housing covenant as provided in ORS 456.270 to 456.295 are permitted through Site Plan Review when the standards in ADC 4.060(28) or (29) are met. Maximum height in CC = 50 feet, RC = None. Maximum lot coverage in both zones is 90%. The CC and RC zones allow entertainment, offices, restaurants, retail sales and service, self storage, nightclubs, vehicle repair and service, and community services.

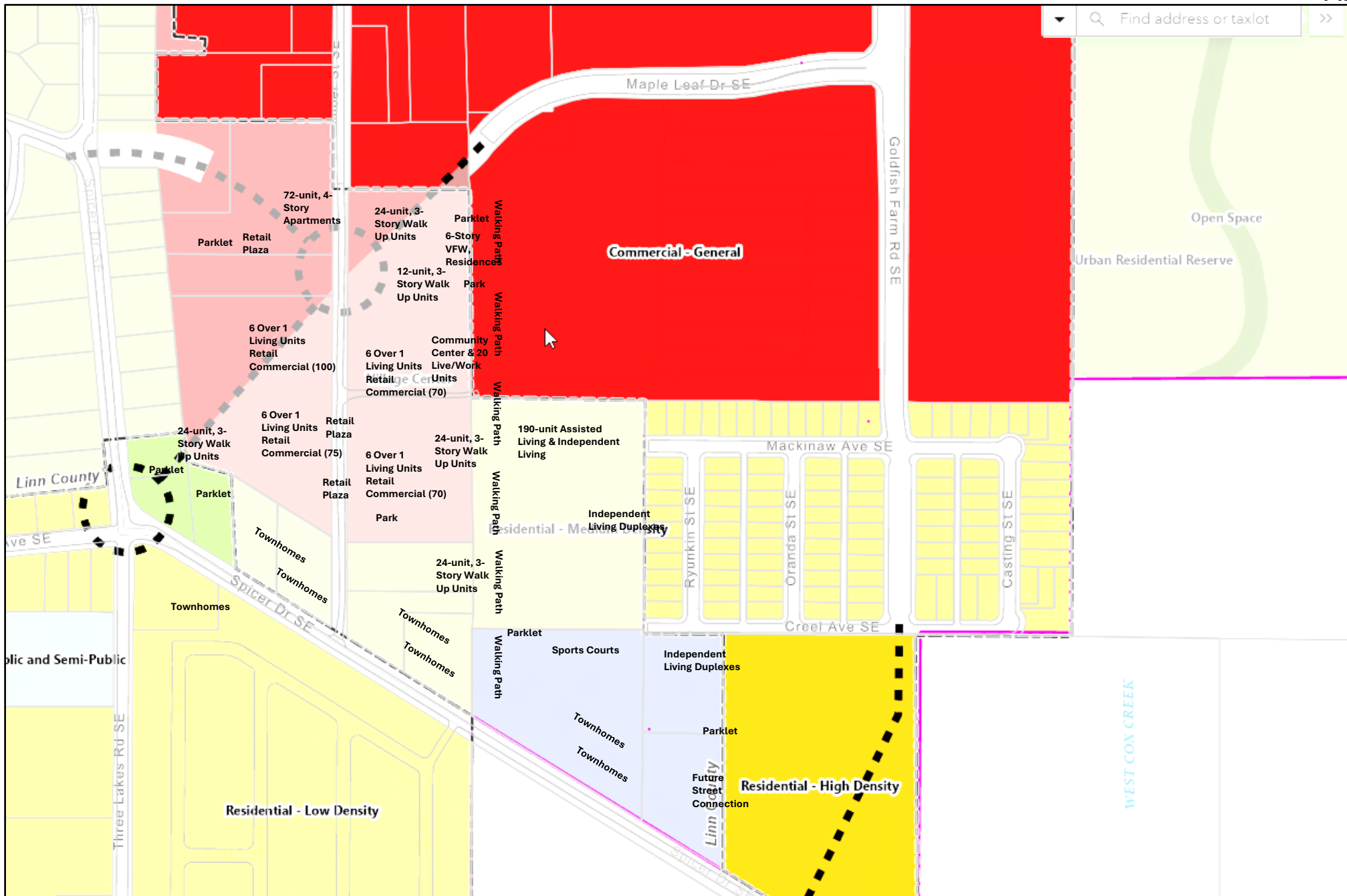
Best option: Change comprehensive plan designation to Village Center together with a zone change to MUC or MUR.

There are more restrictions on certain commercial uses in the MUR zone. In both zones, new development must have a primary use from each residential use and nonresidential use category. Maximum height in MUC is 85 feet. The MUR is 45 feet. Lot coverage in MUC is 80%, and 70% in MUR. Middle housing is allowed outright in both zones. Multiple dwelling units and units above or attached to a business are allowed through SPR in both zones. **The MUC zone is most flexible.** If no comp plan map amendment desired, consider shifting more of the residential uses to Village Center and moving strictly retail uses to Commercial area.

Urban Res. Reserve

R10, R6.5, R5, RMA, RM, MUR, NC, OP. Multiple dwelling units are allowed through SPR in the RM, RMA, and MUR zones. They are allowed conditionally in the OP zone, and not allowed in NC unless they are subject to an affordable housing covenant. Maximum height in RM and MUR = 45 feet, RMA = 60 feet. If in a CFA, maximum height in OP, NC, MUR and RM zones is 50 feet. Minimum density is 15 units/acre in CFA. Parks allowed in CFA through SPR, CU if not within CFA. Maximum lot coverage in RM and MUR = 70%, RMA = 75%. Minimum density in RM = 12 units/acre, RMA = 20 units/acre. Minimum lot size in MUR = 1,600 sq. ft. per unit. **The RMA zone is most flexible.**

The above data represent uses permitted in various zoning districts without the need for comprehensive map amendments, unless otherwise specified.





TO: David Martineau, Planning Supervisor
 FROM: Lora Ratcliff, Fire Marshal
 DATE: December 5, 2025
 SUBJECT: AN-01-25 – East Albany Town Center – Annexation & Development – Fire Department Comments

The fire department has reviewed the above project for conformance to the 2025 Oregon Fire Code (OFC) per your request and has the following comments.

****Land Use permit will include a Fire Plans Review fee****

1. Street names need to be approved at the time of the Final Plat. Please submit any new proposed names for approval to Lora Ratcliff (541-917-7728) at the Fire Department as early as possible in the process.
2. Approved fire apparatus roadways must extend to within 150 feet of all exterior portions of any structure that will be built on the property as measured by an approved route of travel around the exterior of the structure. (OFC 503.1.1)
3. Dead-end fire apparatus roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus (OFC 503.2.5 and D103.4)
4. The road surface for all private fire apparatus access roads shall be all weather and capable of supporting an imposed load from fire apparatus of at least 75,000 pounds as verified by a qualified State of Oregon licensed design professional. (OFC 503.2.3 & Appendix D, 102.1). The Designer of Record shall provide written certification to the Fire Department upon completion of all private access road construction.
5. This proposed project is located within a "Protected Area" as defined by Oregon Fire Code (OFC) Appendix B, Section B102 and this area is currently served by a public water system. The Fire Flow required shall be as specified in Appendix B of the fire code. (OFC 507.3).

Lora Ratcliff
 541-917-7728
Lora.ratcliff@albanyoregon.gov

LAR/lar

From: [LINER Duane J](#)
To: [Martineau, David](#)
Cc: james.feldmann@odot.oregon.gov
Subject: AN-01-25, CP-03-25, & ZC-03-25 ODOT Vic of US20 Hwy 016 MP1.48vic DRS13876
Date: Monday, December 8, 2025 11:43:10 AM
Attachments: [image001.png](#)
[AN-01-25 et al.pr.dm.docx](#)

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David,

Thank you for this notice of Project Review: Annexations with Concurrent Comprehensive Plan and Zoning Map Amendments regarding the 11 properties between US 20 and Spicer Drive in east Albany.

Please find ODOT's comments below:

- From ODOT's Region 2 Senior Planner James Feldmann: At this time, we do not have comments because the application appears to be consistent with the recently adopted East Albany Plan and that traffic impacts have been considered as part of the application. If this is not the case, or if during the quasi-judicial adoption process the application changes, please consider us an interested party for the opportunity to provide further comment.

Thank you

- duane

Duane James Liner, P.E.
 Development Review Coordinator
 ODOT - Region 2
 541-757-4140

From: Martineau, David <David.Martineau@albanyoregon.gov>
Sent: Monday, December 1, 2025 10:19 AM
To: Development Review Team <DevelopmentReviewTeam@cityofalbany.net>; Catlin, Anne <Anne.Catlin@albanyoregon.gov>; jasoto@bpa.gov; dxsmith@bpa.gov; cmdavis@bpa.gov; damogstad@bpa.gov; Romeo, Robb <Robb.Romeo@albanyoregon.gov>; Hawkins, Laura <Laura.Hawkins@albanyoregon.gov>; Adams, Sophie <sophie.adams@albanyoregon.gov>; Jacobus,

Dave <Dave.Jacobus@albanyoregon.gov>; Lyddane, Kim <Kim.Lyddane@albanyoregon.gov>; Snyder, Matthew <Matthew.Snyder@albanyoregon.gov>; Willis-Lujan, Jolene <Jolene.Willis-Lujan@albanyoregon.gov>; Bliss, Candy <Candy.Bliss@albanyoregon.gov>; Lance_Roth@comcast.com; 'Michael_Allen@comcast.com' <michael_allen@comcast.com>; 'engineering@cpic.coop' <engineering@cpic.coop>; weyer@jbhwlaw.com; andy.gardner@albany.k12.or.us; EXTERNAL - Linn Co., Assessor <assessor@co.linn.or.us>; aboles@co.linn.or.us; roads@co.linn.or.us; Stocker, Dustin <dstocker@co.linn.or.us>; tcasey@co.linn.or.us; 'travis.vaughn@lumen.com' <travis.vaughn@lumen.com>; 'nwnalbanyengineering@nwnatural.com' <nwnalbanyengineering@nwnatural.com>; ODOT Reg 2 Planning Manager <ODOTR2PLANMGR@odot.oregon.gov>; Willis, Nicole (PacifiCorp) <nicole.willis@pacificorp.com>; Clevenger, Wayne (PacifiCorp) <wayne.clevenger@pacificorp.com>; Vath, Elke (PacifiCorp) <elke.vath@pacificorp.com>; Steiner, Eddie (PacifiCorp) <eddie.steiner@pacificorp.com>; EXTERNAL - Morgan, Amie <AMorgan2@republicservices.com>
Subject: DRS_Olsen

This message was sent from outside the organization. Treat attachments, links and requests with caution. Be conscious of the information you share if you respond.

Good morning,

The City of Albany has received an application for annexations together with comprehensive plan map amendments and zoning map amendments. Please provide any comments or completeness issues by **December 17, 2025**.

Thank you,

David



David Martineau, AICP

Current Planning Manager
 541-917-7555

Community Development - Planning

City of Albany, Oregon
 333 Broadalbin St SW, Albany, Oregon 97321
www.albanyoregon.gov

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Martineau, David

From: Romeo, Robb
Sent: Monday, December 1, 2025 10:53 AM
To: Martineau, David
Subject: RE: Project Review - East Albany Town Center Annexations

David,

The only thing I would see is properties 1,2,3,10,11,4, and 6 would need a 7460 Notice of Proposed Construction or Alteration. if they were going to be two stories or higher to determine if they need obstruction lighting.

Robb

**Robb Romeo**

Transportation Manager
 541-917-7605

Public Works

City of Albany, Oregon
 310 NE Waverly Dr, Albany, Oregon
 97321



From: Martineau, David <David.Martineau@albanyoregon.gov>
Sent: Monday, December 1, 2025 10:19 AM
To: Development Review Team <DevelopmentReviewTeam@cityofalbany.net>; Catlin, Anne <Anne.Catlin@albanyoregon.gov>; jasoto@bpa.gov; dxsmith@bpa.gov; cmdavis@bpa.gov; damogstad@bpa.gov; Romeo, Robb <Robb.Romeo@albanyoregon.gov>; Hawkins, Laura <Laura.Hawkins@albanyoregon.gov>; Adams, Sophie <sophie.adams@albanyoregon.gov>; Jacobus, Dave <Dave.Jacobus@albanyoregon.gov>; Lyddane, Kim <Kim.Lyddane@albanyoregon.gov>; Snyder, Matthew <Matthew.Snyder@albanyoregon.gov>; Willis-Lujan, Jolene <Jolene.Willis-Lujan@albanyoregon.gov>; Bliss, Candy <Candy.Bliss@albanyoregon.gov>; Lance_Roth@comcast.com; 'Michael_Allen@comcast.com' <michael_allen@comcast.com>; 'engineering@cpi.coop' <engineering@cpi.coop>; weyer@jbhwlaw.com; andy.gardner@albany.k12.or.us; EXTERNAL - Linn Co., Assessor <assessor@co.linn.or.us>; aboles@co.linn.or.us; roads@co.linn.or.us; Stocker, Dustin <dstocker@co.linn.or.us>; tcasey@co.linn.or.us; 'travis.vaughn@lumen.com' <travis.vaughn@lumen.com>; 'nwnalbanyengineering@nwnatural.com' <nwnalbanyengineering@nwnatural.com>; EXTERNAL - ODOT Planning <odotr2planmgr@odot.state.or.us>; Willis, Nicole (PacifiCorp) <nicole.willis@pacificorp.com>; Clevenger, Wayne (PacifiCorp) <wayne.clevenger@pacificorp.com>; Vath, Elke (PacifiCorp) <elke.vath@pacificorp.com>; Steiner, Eddie (PacifiCorp) <eddie.steiner@pacificorp.com>; EXTERNAL - Morgan, Amie <AMorgan2@republicservices.com>
Subject: Project Review - East Albany Town Center Annexations

Good morning,

The City of Albany has received an application for annexations together with comprehensive plan map amendments and zoning map amendments. Please provide any comments or completeness issues by **December 17, 2025**.

Thank you,

David



David Martineau, AICP

Current Planning Manager

541-917-7555

Community Development - Planning

City of Albany, Oregon

333 Broadalbin St SW, Albany, Oregon 97321

www.albanyoregon.gov

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From: [Richard Hernandez](#)
To: [Martineau, David](#)
Subject: Annexation of Lot 5, Albany, OR
Date: Monday, January 19, 2026 2:44:07 PM

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To the Relevant Planning Authorities,

I am writing to you today, on behalf of my wife Denise Hernandez, and myself Richard Hernandez. We are deeply concerned residents residing at 3831 Ryunkin St SE in Albany, and we wish to formally express our apprehensions regarding the proposed annexation and subsequent development of the land directly bordering our property, specifically referring to property number five.

Our primary concern stems from the inherent ecological sensitivity of the adjacent land, which is recognized as wetlands. The potential for substantial alterations to the natural ground structure and hydrological patterns is significant. We are apprehensive about how such changes could impact the stability and integrity of our own property.

We have made a considerable personal investment in our home, including the construction of a robust retaining wall to protect our property line. We are concerned about how any new development might compromise the integrity of this existing structure or necessitate further costly interventions. Additionally, the prospect of development so close to our residence raises serious questions about the preservation of our privacy and the potential for a diminished quality of life. We anticipate significant disruption from construction noise, especially for individuals, like ourselves, who may require daytime rest due to their work schedules.

Furthermore, we have significant concerns regarding the long-term structural stability of our home's foundation. Any ground movement, settlement, or uplift induced by development activities on wetland soil could result in costly and extensive damage. We seek clear assurances regarding accountability and mechanisms for redress should such an unfortunate event occur.

When we acquired our property, it was with the understanding and expectation that the land immediately behind us would remain undeveloped, forming a crucial part of our long-term retirement planning. The proposed annexation directly conflicts with these foundational expectations.

In light of these pressing concerns, we respectfully request comprehensive information regarding the detailed plans for this annexation and development. We are eager to understand what mitigation strategies are being considered to address the potential impacts on existing residents, particularly concerning privacy, noise reduction, and structural protection for neighboring properties. We also wish to understand what avenues are available for residents to actively participate in the planning process and to have our specific concerns heard and genuinely considered. We are seeking clarification on all available options and resources to navigate this situation.

Thank you for your time and attention to this critical matter. We look forward to your prompt response and the opportunity for further dialogue.

Sincerely,

Richard & Denise Hernandez

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From: [Tarrigon VanDenburg](#)
To: [Martineau, David](#); [CD AA](#)
Subject: SE Albany Village Plan AN-01-025
Date: Friday, January 30, 2026 9:38:51 AM
Attachments: [image001.png](#)

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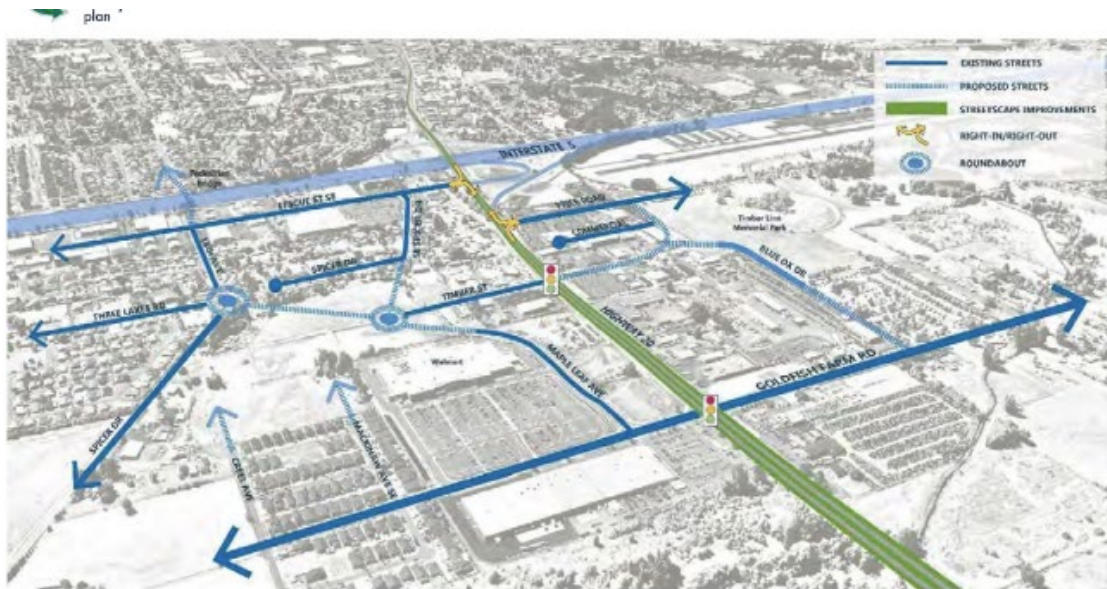
Good morning David,

Thank you for taking the time to speak with me last and I know these comments may be too late for the next meeting but I would like to receive updates.

I'm a resident on Mackinaw Ave and I have a couple of concerns specifically about rezoning, specifically plot 5 rezoning, and its impact to the existing low density single unit housing adjacent to plot 5.

My overall concern with the rezoning as it has been proposed is that local residential neighborhoods have been significantly reduced by the conversion of medium density areas to additional village zoning areas and employment by this proposal. The Village Center is to serve surrounding neighborhoods. Who does this village center area now serve? The original zoning of plot 5 medium density would have served as a transition area between low-density to village center density. By changing the zoning to Village Center this buffer is gone and the low density area has the potential to become an island within tall buildings.

My second concern is that Mackinaw Ave will become the shortest path of travel between the commercial area of Walmart and Coastal Farms and the proposal new village center zoning change. Mackinaw Ave is designated as a "Local road". While the village center designation includes housing, there are no guarantees on the percentage of housing to commercial. If the village center leans heavily on light commercial development then Mackinaw Ave will be the shortest route for potential drivers coming from the Walmart/coastal commercial area out of the their respective south parking driveways. Currently, the south driveway is the preferred path of travel for commercial trucks for Walmart. This includes drivers looking for efficiency. With increasing traffic and potentially larger delivery vehicles, this road will become unsafe. The original zoning for medium density housing provided a buffer that would make the new routes proposed, like the Maple Leaf Way extension, the more efficient path of travel.



Finally, when I purchased my house, the comprehensive plan had the land under discussion zoned as Urban residential reserve. This changed in 2023 and impacted my housing value but the changes still left some hope that this neighborhood wouldn't become an island of houses surrounded by other zoned uses. The proposed rezoning changes this and could potentially create significant negative impact to both my and my neighbors housing values. Leaving plot 5 as medium residential still meets the various goals of the Albany Comprehensive master plan. Please reconsider changing the zone of plot 5 or ensure that there are mitigations included to prevent Mackinaw Ave from becoming the quickest way into the new village center and to prevent tall buildings from completely backing up into the neighborhood.

Thank you for your consideration.
 Tarrigon Van Denburg
 714.390.5313

[https://albanyoregon.gov/images/stories/cd/planning/comp_plan/09-Chapter%209-Land%20Use%20Planning%20\(Goals%20and%20\).pdf](https://albanyoregon.gov/images/stories/cd/planning/comp_plan/09-Chapter%209-Land%20Use%20Planning%20(Goals%20and%20).pdf)

VILLAGE CENTER: Provides for a mixture of uses to serve **nearby neighborhoods**. These uses must include retail and residential uses and may include offices, community and personal services, and live-work units. Development within a Village Center will be pedestrian friendly, fit the desired scale and character of nearby neighborhoods and prevent the appearance of strip commercial development. Within the Village Center Plan designation there will be at least two zones. One is a mixed-use commercial zone, the other is a medium- to high-density residential zone that provides a mix of housing choices. Sub-categories of this designation may further specify the compatible zoning districts and intended purpose and character of village centers located in particular areas of the city, such as in East Albany. In order for additional land to be designated Village Center, applicants must demonstrate the need for the Village Center in a particular location and what residential populations it is intended to

serve. • **Village Center - East**: This designation is specific to the East Albany Plan Area. The Village East designation is considered a sub-category of the Village Center designation; its compatible zoning districts are limited to those identified for the East Albany Plan area. This designation provides for a mixture of uses to serve nearby neighborhoods, including residential uses, retail, office, community and personal services, live-work units, and similar uses. Development within the Village East designation will be pedestrian friendly, fit the desired scale and character of nearby neighborhoods, and prevent the appearance of strip commercial development.

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From: [Randy Vogl](#)
To: [Martineau, David](#)
Subject: Public Comment – Annexation and Zoning Map Amendments (AN-01-25 / CP-03-25 / ZC-03-25)
Date: Monday, February 2, 2026 11:13:18 AM

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To the Planning Commission and City Council,

I am the owner of a business property immediately adjacent to Parcel #1 included in the proposed annexation and concurrent Comprehensive Plan and Zoning Map amendments.

While I am not opposed to annexation in concept, I have concerns regarding the scale and intensity of development enabled by the proposed Comprehensive Plan and zoning changes across the subject properties. Based on my understanding, many of the parcels proposed for rezoning would be permitted at densities and intensities significantly higher than those contemplated in prior area planning and master planning efforts. This raises important questions about whether the supporting transportation network, access points, and circulation assumptions remain appropriate.

Of particular concern are the cumulative impacts of increased density on major connection points serving the area, including traffic distribution, turning movements, emergency access, and the pressure such development may place on adjacent properties that were not part of the original master planning assumptions. These issues are especially relevant for existing businesses and nearby residential communities—particularly those still located in the county—that rely on safe, predictable access for employees, patients, residents, customers, and service providers, and that may experience indirect impacts from urban-level development occurring immediately adjacent to non-annexed areas.

During prior planning discussions related to the East Albany Town Center, the City's Director of Community Development, Matthew Ruetters, confirmed in writing on September 4, 2025, that a street connection through my existing building—an alignment I opposed during the master planning process—is not required for development of the area, and that the City is not considering eminent domain related to my property now or in the future. I have relied on those representations in continuing to operate and invest in my business at this location. Any material increase in density or intensity beyond prior planning assumptions should be carefully evaluated to ensure that those commitments and underlying transportation conclusions remain valid.

As this annexation and zoning action moves forward, I respectfully request that the City carefully evaluate whether the proposed increases in allowable density and intensity are adequately supported by the existing and planned transportation framework, and that future transportation planning, infrastructure analysis, and development approvals remain consistent with prior determinations regarding roadway alignments and access assumptions. Any new or revised transportation concepts that materially differ from those written statements should be evaluated through a separate land use process with full notice and opportunity for public input.

I appreciate the opportunity to comment and the City's continued engagement with affected property owners. Thank you for considering these concerns as part of your deliberations.

Sincerely,
Randy Vogl
Owner, Sensible Rehab
3615 Spicer Drive SE
Albany, Oregon

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From: [Mathew Hogan from Fair Housing Council of Oregon](#)
To: [Martineau, David](#)
Subject: RE: PAPA file AN-01-25, CP-03-25, & ZC-03-25
Date: Wednesday, January 28, 2026 9:45:39 AM
Attachments: [image001.png](#)

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Good morning David,

In reading through the staff report for cases AN-01-25, CP-03-25, & ZC-03-25, we see This action may well be consistent with the plan, but the city should actually say it in terms of the numbers. I've attached a [guidance document](#) which, while not all the information applies, it may be helpful for producing supplemental findings.

Particularly relevant is the "3% rule" which states that cities can assume an up to 3% increase in housing capacity as a result of the legalization of middle housing. Our request is that you cite your current adopted BLI or HNA figures before this amendment and then apply the 3% rule.

Thank you,
 Mathew Hogan

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On Tue, Jan 27, 2026 at 8:44 AM, Martineau, David <david.martineau@albanyoregon.gov> wrote:

Good morning Mathew,

A copy of the staff report is attached to this email. Here is a link to our website for Projects in Review for an electronic version. [SR_AN-01-25.pdf](#)

Let me know if you have any questions.

Thank you,

David



David Martineau, AICP

Current Planning Manager
 541-917-7555

Community Development - Planning

City of Albany, Oregon

333 Broadalbin St SW, Albany, Oregon 97321

www.albanyoregon.gov

From: Mathew Hogan from Fair Housing Council of Oregon <mathew.jamesfhco@gmail.com>
Sent: Tuesday, January 27, 2026 8:37 AM
To: Martineau, David <David.Martineau@albanyoregon.gov>
Subject: PAPA file AN-01-25, CP-03-25, & ZC-03-25

[WARNING! This email came from outside our organization. Do NOT click unknown attachments or links in email.]

Good morning David,

My name is Mathew Hogan and I am project lead for the Fair Housing Council of Oregon's (FHCO) PAPA project. I was hoping to obtain the staff report and all corresponding attachments for AN-01-25, CP-03-25, & ZC-03-25 the “Proposed annexation of eleven (11) parcels of land that are outside the city limits along with adjacent right-of-way; application of comprehensive plan map amendments; and application of City zoning designation(s) to said parcels.” when available. We will be reviewing the staff report predominantly for Statewide Planning Goal 10 compliance.

If we do have any commentary or concerns my colleagues and I will be in touch to advise. We hope this can be a collaborative process. Please confirm receipt of this e-mail, and I look forward to hearing from you soon.

Very Respectfully,

Mathew Hogan

Fair Housing Council of Oregon

Phone: (503) 928-8597

E-mail: Mathew.JamesFHCO@gmail.com

For the latest on the PAPA Project and our feedback & technical advice methodology, please read the PAPAs section at our partner website, [here](#).



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ORDINANCE NO. _____

AN ORDINANCE WITHDRAWING TERRITORY IDENTIFIED ON LINN COUNTY ASSESSOR'S MAP NO. 11S03W09D TAX LOTS 600, 700, 701, 702, 800, 801, 901, 902, 1402, 1403, 2500, 2700, AND 2800 FROM THE ALBANY RURAL FIRE PROTECTION DISTRICT.

WHEREAS, on June 11, 2025, the Albany City Council directed staff to proceed with a city-initiated annexation of 11 properties for the East Albany Town Center (EATC) project; and

WHEREAS, annexation of the subject properties results in withdrawal of the territory from the Albany Rural Fire Protection District (ARFPD); and

WHEREAS, on February 2, 2026, the Albany Planning Commission held a public hearing, considered public testimony, deliberated on the proposed annexations and zoning map amendments, and recommended approval of the proposal based on evidence presented in the staff report and during the public hearing; and

WHEREAS, on February 25, 2026, the Albany City Council held a public hearing during which time interested persons were given an opportunity to be heard on this matter; and

WHEREAS, the City Council, following said public hearing, determined that the withdrawal of territory from the ARFPD is in the best interests of the citizens of Albany.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1: The territory described in Exhibit A.1 – A.8 and shown on the map in Exhibit B of this ordinance is hereby proclaimed to be withdrawn from the ARFPD.

Section 2: The City Recorder shall, within 10 days of the effective date of this ordinance, file a copy of the ordinance with the county assessor of Linn County, Secretary of State of Oregon, State of Oregon Department of Revenue, and the Albany Rural Fire Protection District.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Recorder



LEGAL DESCRIPTION OF
EATC PROPERTY

Beginning in the center line of the Old Albany-Lebanon County Road, being South 6°00' East 37.64 feet and South 58° 24' East 122.49 feet from the Southeast corner of Tract 23, of EAST ALBANY WALNUT Tracts in Linn County, Oregon: and running thence North 3° 08' West 278.67 feet; thence South 58° 24' East 140.19 feet to a 3/4" iron bolt at the Northwest corner of tract described in deed to Elton Jarstad, recorded August 28, 1951 in Book 223, Page 91, Deed Records; thence South 0° 02' East 268.97 feet to a 3/4" iron bolt in the center line of the aforementioned County Road; thence North 58° 24' West 122.49 feet to the place of beginning.

[REDACTED]

LEGAL DESCRIPTION OF
ROPP TRUST & STUTZMAN TRUST PROPERTIES

PARCEL 1:

A tract of land situated in the Southeast Quarter of Section 9, Township 11 South, Range 3 West of the Willamette Meridian, in the County of Linn, State of Oregon, more particularly described as follows:

Beginning South 0°06' East 752.74 feet from a point on the North line of and North 89°54' East 2346.44 feet from the Northwest corner of the Edward N. White Donation Land Claim No. 48 in Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, and running thence South 0°06' East 214.99 feet to a 3/4 inch iron rod; thence South 89°54' West 439.47 feet to a 1/2 inch iron pipe at the Southeast corner of Lot 15, Block 4, East Albany Walnut Tracts; thence North 6°00' West, along the East line of said Block 4, a distance of 216.34 feet to a point South 6°00' East 27.56 feet from the Northeast corner of Lot 12; thence North 89°54' East 461.71 feet to the place of beginning.

EXCEPTING THEREFROM, the following:

Beginning at a 1/2 inch iron rod South 0°06' East 752.74 feet from a point on the North line of and North 89°54' East 2346.44 feet from the Northwest corner of the Edward N. White Donation Land Claim No. 48 in Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, and running thence South 0°06' East 107.49 feet to a 1/2 inch iron rod; thence South 89°54' West 450.49 feet to a 1/2 inch iron rod on the Easterly line of and South 6°00' East 13.82 feet from the Northeast corner of Lot 14, Block 4, East Albany Walnut Tracts; thence North 6°00' West, along the Easterly lines of Lots 14, 13 and 12, a distance of 108.16 feet to a 1/2 inch iron rod on the Easterly line of and South 6°00' East 27.66 feet from the Northeast corner of said Lot 12; thence North 89°54' East 461.71 feet to the point of beginning.

FURTHER EXCEPTING THEREFROM, that portion deeded to Linn County for road purposes by deed recorded May 7, 1958 in Book 259, page 336, Deed Records for Linn County, Oregon.

PARCEL 2:

Parcel 1 of PARTITION PLAT NO. 2021-54, recorded June 25, 2021 as Document No. 2021-15364, in the County of Linn, State of Oregon.



LEGAL DESCRIPTION OF
EATC & WLM PROPERTIES

Beginning North 89°54' East 2346.44 feet and South 00°06' East 690.95 feet from the Northwest corner of the E.M. White Donation Land Claim No. 48, Township 11 South, Range 3 West; thence South 00°06' East 907 feet more or less to the North line of that property conveyed to Raymond E. Thogerson and Frances D. Thogerson by deed recorded November 21, 1951 in Book 224, Page 445, Deed Records for Linn County, Oregon; thence North 89°58' East 345.85 feet; thence North 01°25' West 910 feet, more or less, to the South line of that property conveyed to Linn Post No. 584 Veterans of Foreign Wars of the United States by deed recorded May 28, 1958 in book 259, Page 577, Deed Records for Linn County, Oregon; thence South 89°54' West 331.51 feet to the point of beginning.

EXCEPT THEREFROM that portion deeded to Linn County for road purposes by deed recorded May 7, 1958, Book 259, Page 336, Deed Records for Linn County, Oregon.

ALSO:

Beginning at the Northeast corner of Lot 23, Block 4, east Albany Walnut Tracts in Section 9, Township 11 South, Range 3 West of the Willamette Meridian, Linn County, Oregon, being the Northwest corner of that property conveyed to Alvia F. Morris by deed recorded August 3, 1964 in Book 304, Page 42, Deed Records; thence along said North line South 74°04' East 119.65 feet to the Northwest corner of that property conveyed to William A. Matlock by deed recorded July 3, 1957 in Book 255, Page 121, Deed Records; thence along said North line and North line prolonged South 58°24' East to the Northeast corner of that property to Eldon Jarstad et ux, by deed recorded August 28, 1951 in Book 223, Page 91 Deed Records; thence North to the Southeast corner of that property conveyed to Frank J. Plattner by deed recorded September 16, 1948 in Book 204, Page 57, Deed Records; thence following said South line to the Southeast corner of Lot 15, Block 4, East Albany Walnut Tracts; thence South along the East line of East Albany Walnut Tracts to the point of beginning.

EXCEPTING THEREFROM that portion deeded to Linn County for road purposes by deed recorded May 7, 1958, Book 259, Page 336, Deed Records.



LEGAL DESCRIPTION OF
EATC & LANGE ESTATE PROPERTY

THAT PART OF THE EDWARD N. WHITE DONATION LAND CLAIM NO. 48 IN TOWNSHIP 11 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, COUNTY OF LINN, STATE OF OREGON, DESCRIBED AS FOLLOWS; BEGINNING SOUTH 6° 00' EAST 37.64 FEET AND SOUTH 58° 24' EAST 244.98 FEET FROM THE SOUTHEAST CORNER OF THE EAST ALBANY WALNUT TRACTS AND SAID BEGINNING BEING IN THE CENTER OF THE COUNTY ROAD; THENCE SOUTH 58° 24' EAST ALONG THE CENTER OF LINN COUNTY ROAD, 189.0 FEET; THENCE NORTH 0° 02' WEST 268.97 FEET; THENCE NORTH 58° 24' WEST 189.0 FEET; THENCE SOUTH 0° 02' EAST 268.97 FEET TO THE POINT OF BEGINNING.

EXCEPT A STRIP 20 FEET WIDE ALONG THE EAST LINE OF THE ABOVE DESCRIBED REAL PROPERTY FOR ROAD PURPOSES, AS DISCLOSED BY DEED FROM ROPP TO JARSTAD RECORDED IN BOOK 223, PAGE 91, DEED RECORDS IN LINN COUNTY, OREGON.

APN: 0110862

Property Address: 3949 SPICER DR SE, ALBANY, OR 97322



LEGAL DESCRIPTION OF
M. ROPP PROPERTY

Beginning at a 5/8" iron rod at the intersection of the East line of the West half of the Edward N. White Donation Land Claim No. 48 in Township 11 South, Range 3 West of the Willamette Meridian, in the County of Linn and State of Oregon, and the center line of the county road, said rod being also South 6°00' East 37.64 feet and South 58°24' East 840.19 feet from the Southeast corner of Tract 23 of East Albany Walnut Tracts; and running thence North 0°02' West, along the East line of said West half of Donation Land Claim No. 48, a distance of 482 feet to a 3/4" pipe; thence South 89°58' West 345.85 feet to a 3/4" bolt in the center line of proposed road; thence South 0°02' East 268.97 feet to a 3/4" rod in the center of the aforementioned county road; thence South 58°24' East, along said center line, 406.21 feet to the place of beginning.

EXCEPT the West 20 feet of the above described tract to be used for a roadway.



LEGAL DESCRIPTION OF
G. ROPP PROPERTY

Parcel 2 of PARTITION PLAT NO. 2022-68, recorded July 22, 2022 as Document No. 2022-13165, in the County of Linn, State of Oregon.



LEGAL DESCRIPTION OF
REDIGER PROPERTIES

PARCEL 1, PARTITION PLAT 2022-68, Partition Plat Records of Linn County, Oregon.

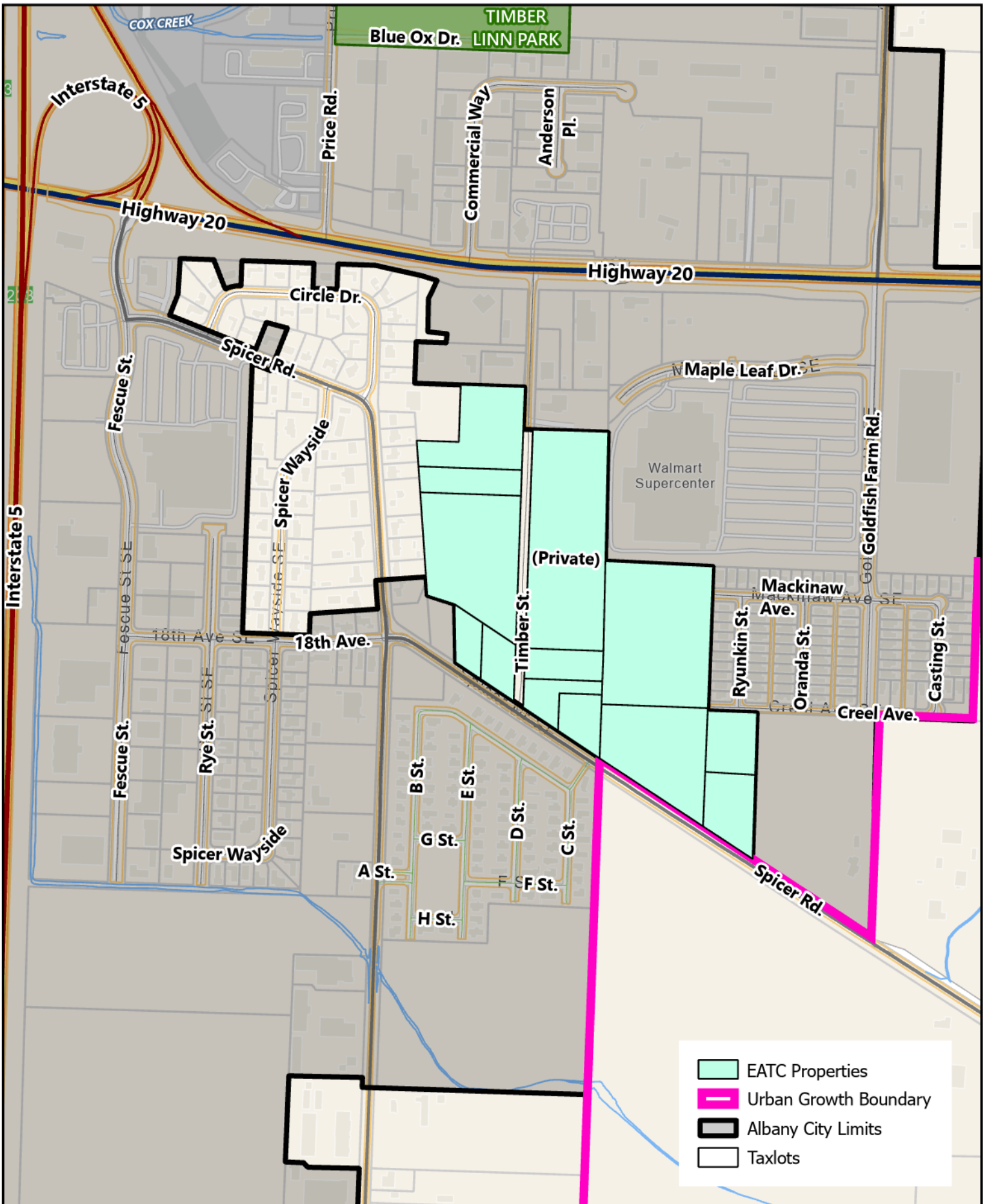
ALSO:

PARCEL 1, PARTITION PLAT 1998-38, Partition Plat Records of Linn County, Oregon.



LEGAL DESCRIPTION OF
AERNI PROPERTY

Parcel 2 located on partition plat no. 1998-38
which is in the southeast quarter of section 9,
township 11 south, range 3 west, Willamette
Meridian, in Linn County, Oregon



G:\Community Development\Planning\Land Use Cases\2025\Amecation (AN)\AK-01-25 et al\Location_Map.aprx



0 250 500 1,000 Feet

East Albany Town Center

Date: 1/21/2026 Map Source:

147
Location Map



TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Jeanna Yeager, Finance Director

DATE: January 15, 2026, for the February 25, 2026, City Council Meeting

SUBJECT: Amendment to AMC 15.08.030 – Economic Improvement District Assessment Duration

Purpose:

The purpose of this item is to amend Albany Municipal Code Section 15.08.030 to allow economic improvement district assessments to be levied for a duration consistent with state law under ORS Chapter 223.

Background/Discussion:

ORS Chapter 223 authorizes cities to establish economic improvement districts and levy assessments for a period of up to five years, subject to statutory notice and remonstrance requirements. Albany Municipal Code Section 15.08.030(4) currently limits such assessments to a maximum of three years, which is more restrictive than state law.

The proposed amendment removes the fixed three-year limitation and instead allows the City Council to specify an assessment term up to the maximum allowed by ORS Chapter 223. This change aligns the Albany Municipal Code with state law and provides additional flexibility for long-term planning and administration of economic improvement districts, while maintaining all required procedural protections for affected property owners.

Strategic Plan Impact:

This amendment supports the City’s economic vitality goals by providing flexibility in the planning and funding of economic improvement activities.

Budget/Staff Impact:

Implementation and administration of an economic improvement district require a significant investment of staff time across multiple departments. Allowing assessment terms consistent with state law may reduce the frequency with which districts must be reestablished, providing additional time between districts and improving administrative efficiency. There is no direct budgetary impact associated with this code amendment.

Staff Recommendation:

Staff recommends that the City Council adopt the ordinance amending Albany Municipal Code Section 15.08.030(4) to allow assessment durations up to the maximum permitted by ORS Chapter 223.

Alternatives:

1. Adopt the ordinance as proposed.
2. Decline to amend the code and retain the existing three-year limitation.

Attachments:

1. Ordinance Amending AMC 15.08.030



ORDINANCE NO. _____

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE SECTION 15.08.030 TO MODIFY THE DURATION OF ECONOMIC IMPROVEMENT DISTRICT ASSESSMENTS.

WHEREAS, the City of Albany is authorized under ORS Chapter 223 to establish economic improvement districts and levy assessments on property specially benefited by economic improvement activities; and

WHEREAS, ORS Chapter 223.117 permits such assessments to be levied for a period of up to five years, subject to applicable notice and remonstrance requirements; and

WHEREAS, amending Albany Municipal Code Section 15.08.030(4) to align with state law provides the City Council additional flexibility while preserving all statutory protections for affected property owners.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. Amendment to AMC 15.08.030.

Albany Municipal Code Section 15.08.030, entitled "Assessments authorized," is hereby amended to read as follows (new text **bolded**, deleted text ~~stricken~~):

15.08.030 Assessments authorized.

The assessment ordinance authorized by Section 15.08.010 shall:

- (1) Describe the economic improvement project to be undertaken or constructed.
- (2) Contain a preliminary estimate of the probable cost of the economic improvement and the proposed formula for apportioning cost to specially benefited property.
- (3) Describe the boundaries of the district in which property will be assessed.
- (4) Specify the number of years, ~~to a maximum of three~~ **up to the maximum allowed by ORS Chapter 223**, in which assessments will be levied.

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: _____

Mayor

ATTEST:

City Recorder



TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Jeanna Yeager, Finance Director

DATE: February 11, 2026, for the February 25, 2026, City Council Meeting

A handwritten signature in blue ink, appearing to be "Peter Troedsson".

SUBJECT: Resolution Setting Public Hearings – Economic Improvement District

Purpose:

The attached resolution sets two public hearings for the purpose of considering formation of a Downtown Voluntary Economic Improvement District (EID) pursuant to ORS 223.112–223.132. The hearings will allow the City Council to receive public testimony and written objections regarding the proposed district and assessments.

Background/Discussion:

The City has had an Economic Improvement District (EID) in place for more than 17 years. The current EID began on July 1, 2023, and runs through June 30, 2026. This spring, the City will begin the process to establish the next EID, which would start on July 1, 2026. This is not a new program - rather, it is a continuation of the existing EID that allows the downtown area to continue benefiting from enhanced services provided by the Albany Downtown Association. Not authorizing the new district would result in a reduction of these services.

ORS 223.112–223.132 authorize cities to establish an Economic Improvement District to fund improvements and services that provide special benefit to properties within a defined area. Costs of those improvements or services are assessed to benefitted properties based on a method adopted by the governing body.

The proposed Downtown Voluntary Economic Improvement District would be effective July 1, 2026, through June 30, 2031. The district is intended to fund services and activities that enhance and promote the downtown area, consistent with the statutory authority provided in ORS 223.112.

In accordance with ORS 223.117 and 223.119, the City must:

- Describe the district boundaries, proposed improvements or services, estimated costs, and method of assessment;
- Provide mailed or personally delivered notice to each property owner proposed to be assessed, stating the amount of the proposed assessment and the time and place of the hearings; and

- Conduct public hearings to receive written and oral testimony.

If written objections are filed by owners representing more than 33 percent of the total proposed assessments, the district may not be formed. If objections do not exceed that threshold, the Council may proceed with formation of the district following the hearing process.

The proposed resolution schedules public hearings for April 22, 2026, and May 27, 2026, consistent with statutory requirements.

Budget/Staff Impact:

If approved following the public hearing process, assessments would be levied annually on properties within the district for the five-year term. Revenue generated must be used solely for the improvements and services described in the formation documents, as required by ORS 223.112–223.132. Administrative oversight would be managed within existing staff resources.

Staff Recommendation:

Staff recommends adoption of the resolution setting public hearings to consider establishment of a Downtown Voluntary Economic Improvement District.

Alternatives:

1. Adopt the resolution as presented.
2. Modify the hearing dates or direct staff to revise the proposal.
3. Take no action.

Attachments:

1. Resolution Setting Public Hearings for Economic Improvement District



RESOLUTION NO. _____

A RESOLUTION SETTING PUBLIC HEARINGS FOR THE PURPOSE OF CONSIDERING A DOWNTOWN VOLUNTARY ECONOMIC IMPROVEMENT DISTRICT

WHEREAS, it is the intention of the Albany City Council to consider a voluntary economic improvement district in the downtown district as of July 1, 2026; and

WHEREAS, ORS 223.112-223.132 establishes requirements for implementing an economic improvement district; and

WHEREAS, two public hearings will be held to receive approval of, or objections to, the proposed assessments; and

WHEREAS, the two public hearings shall be scheduled for the purpose of considering an economic improvement district.

NOW THEREFORE BE IT RESOLVED by the Albany City Council that public hearings on the matter of establishing an economic improvement district for the period beginning July 1, 2026, and expiring on June 30, 2031, will be held by the Albany City Council on April 22, 2026, and May 27, 2026.

BE IT FURTHER RESOLVED that the City of Albany shall give notice of the hearing and of the proposed assessments by mailing or personally delivering to the owner of each lot to be assessed a notice stating the amount of the assessment proposed on the property.

DATED AND EFFECTIVE THIS 25th DAY OF FEBRUARY 2026.

Mayor

ATTEST:

City Recorder



February 13, 2026

Dear Property Owners,

The Downtown Albany Economic Improvement District is up for renewal this year. Our downtown continues to evolve, becoming an increasingly vibrant destination for specialty shopping and entertainment. Since its establishment in 1986, the Economic Improvement District has served as a vital funding source for the Albany Downtown Association (ADA). This program enables the ADA to fulfill its mission of promoting economic growth and preserving the vitality of historic Downtown Albany.

The EID automatically renews, so you don't need to take any action to continue to help our efforts to promote economic development and community-centered activities Downtown. No changes to the assessment methodology are proposed.

- The rate for all commercial and multi-family properties will remain at \$0.80 per \$1,000 of total real market value.
- Each property will have a minimum fee of \$50 and a maximum fee of \$500.
- For owners with multiple properties, the total fee will be capped at \$750 per ownership.
- Owner-occupied residential properties are exempt (rate is \$0).

If you own an owner-occupied residential property, please contact our office to have it removed from the list.

The ADA has played a key role in recent revitalization efforts, working diligently to attract new businesses and services to the area. In addition, the ADA organizes numerous events and programs that enhance the downtown experience, including:

- Flower Basket Program
- Building & Business Mixers with City Officials
- Small Business Training and Seminars
- Downtown Halloween Trick or Treat
- Unwrapped Holiday Window Program
- Community Christmas Tree
- Twice Around the Block Christmas Parade
- Snowflakes & Street Lighting Program
- Patriotic Flag Displays
- Downtown Parklets
- Biannual Downtown Clean-Ups
- Crazy Daze Sidewalk Sale
- Summer Flower Baskets
- Small Business Saturday Events
- Easter Scavenger Hunt
- Trick or Treat Scavenger Hunt

Thank you for your support of Historic Downtown. We look forward to continuing to work with you as the revitalization of the Downtown Albany Business district continues. If you have any questions, please feel free to call me or email.

Sincerely,

Kristi Crawford
Board President, Albany Downtown Association
President@AlbanyDowntown.com

126 Ferry Street SW, Albany, Oregon 97321 | www.AlbanyDowntown.com | (541)928-2469



TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Kaitlin Martin, Development Programs Analyst
Anne Catlin, Comprehensive Planning Manager

DATE: February 13, 2026, for the February 25, 2026, City Council Meeting

SUBJECT: Proposed Amendments to the Albany Municipal Code (AMC) 2.27 - Community Development Commission.

Purpose:

Request council approval, by ordinance, to amend AMC 2.27 to update the Community Development Commission (CDC) membership structure, establish term limits, and include conflict of interest provisions.

Background/Discussion:

The City of Albany has received Community Development Block Grant (CDBG) funds as an entitlement community since 2013. That same year, the Community Development Commission (CDC) was established by Ordinance 5822 to enhance citizen participation and provide recommendations on community development policies and programs.

On December 10, 2025, staff presented potential amendments to AMC 2.27 for council's consideration, including:

- reducing commission membership;
- streamlining the membership structure;
- establishing term limits; and
- adding conflict of interest provisions.

At council's request, staff returned to the January 26, 2026, work session with changes to the membership structure to include only at-large appointments and additional options related to:

- commission size (seven or nine members, with each councilor appointing one member and the mayor appointing one or three members); and
- term limits (two or three consecutive three-year terms).

The attached ordinance for council's consideration reflects council's direction and includes the options receiving the greatest support.

Reducing membership to seven will enable an odd number of voting members and lower the quorum requirement, improving meeting scheduling. Transitioning to all at-large appointments aligns the CDC with the structure of most other City commissions and is expected to improve the City's ability to recruit members. Establishing a three-term limit will help prevent prolonged

incumbency, encourage broader community participation, and support a diverse and balanced representation.

Currently, AMC 2.27 does not include conflict of interest provisions consistent with federal regulations, including restrictions related to service on boards of potential CDBG subrecipients. Adding conflict of interest language will enhance transparency, reduce the risk of federal compliance issues, and streamline the annual CDBG allocation process by clearly prohibiting participation by individuals associated with potential applicants.

Strategic Plan Impact:

This item supports the Great Neighborhoods theme by strengthening community engagement and supporting equitable participation.

It also supports Effective government by improving transparency and increasing efficiency.

Budget/Staff Impact:

No significant budget impact. These changes will optimize operational processes.

Attachments:

1. Ordinance



ORDINANCE NO. _____

AN ORDINANCE AMENDING ALBANY MUNICIPAL CODE CHAPTER 2.27, COMMUNITY DEVELOPMENT COMMISSION

WHEREAS, the City of Albany created the Community Development Commission on September 11, 2013, by Ordinance 5822 to provide recommendations regarding Community Development Block Grant and housing programs and policies; and

WHEREAS, amendments to the composition of the Commission are proposed to make it easier for residents to serve on the Commission and avoid potential conflicts of interest.

NOW, THEREFORE, THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

PROPOSED AMENDMENTS:

2.27.020 Terms of Office and Appointments: To align with most citizen advisory groups, reduce the number to 7 members, with each councilor and the mayor having one appointment.

Term limits: Staff recommend setting a limit of three consecutive terms. Members serve three-year terms.

2.27.030 Conflict of Interest: Add language to ensure fair and equitable consideration of needs within the city.

2.27.040 Composition: Replace the CDC's specific composition in 2.27.040 with more general non-binding language to make it easier to find and appoint members.

Section 1: The Albany Municipal Code Chapter 2.27 is hereby amended to read as follows:

~~2.27.010 Creation of Community Development Commission. The Community Development Commission for the city of Albany is created pursuant to provisions of this chapter.~~

~~2.27.0210 Purpose. The Community Development Commission is established to review and recommend housing, neighborhood revitalization, and community development policies, actions and programs to the City Council that could be supported primarily with Community Development Block Grant (CDBG) funding provided by the Department of Housing and Urban Development (-HUD) and other sources of revenue such as the Housing Fund.~~

~~2.27.0320 Terms of Office and Appointments. The Community Development Commission shall consist of seven members, each having their principal place of residence within the jurisdictional limits of the City of Albany. Each councilor and mayor shall have a counterpart, with appointments ratified by the City Council. The initial membership of the Community Development Commission shall be established by the Mayor and approved by the City Council. Four of the initially appointed members shall serve a three-year term, three of the initially appointed members shall serve a two-year term, and three of the initially appointed members shall serve for a one-year term. Initial terms of appointment will be staggered according to the alphabetical order of the appointee's surname, beginning with three-year terms for those closest to the beginning of the alphabet. Thereafter, as the terms expire, the Mayor shall appoint replacement members with City Council ratification. Members shall be appointed for three-year terms or until their successors are appointed and qualified. Members are not permitted to serve more than three consecutive three-year terms. All members of the Community Development Commission will serve at the pleasure of the Council and may be removed from their position by the Council at any time without cause. Any vacancies in the Commission shall be filled by the respective council member Mayor and ratified by the City Council. Members shall serve without compensation.~~

2.27.030 Conflict of Interest. No member of the Community Development Commission may apply for, receive, or be a beneficiary of any Community Development Block Grant funding, either directly or through an organization in which the member is associated, or one year after their association ceases. For the purpose of this section, a person is “associated” with an organization if they serve as an employee, officer, director, board member, owner, consultant, or any role that receives financial benefit from the organization.

2.27.040 Community Development Commission Composition. ~~All Community Development Commissioners shall have their principal residence within the jurisdictional limits of the City of Albany. It is expected that each appointee will be committed to the purpose of the Community Development Commission as stated in AMC 2.27.010.~~ The City Council shall endeavor to ensure ~~the interests of low- and moderate-income residents or under-served populations persons and minorities~~ are represented on the Commission. Knowledge of local nonprofit services, the housing and/or financial or business markets is desired but not required.

~~The Commission shall consist of at least ten (10) members as follows:~~

- ~~(a) Three at-large members from the general public~~
- ~~(b) One representative from the financial industry~~
- ~~(c) One representative from the housing industry~~
- ~~(d) One representative with experience in economic development~~
- ~~(e) One representative from the social services or affordable housing industries~~
- ~~(f) One representative from the Human Relations Commission~~
- ~~(g) One representative from the Planning Commission~~
- ~~(h) One representative from the City Council~~

2.27.050 Duties and Responsibilities. The Community Development Commission shall have the following responsibilities related to the City’s CDBG program and other programs as directed by the City Council:

- (a) Review and consider policy, programming and funding recommendations to the City Council regarding the City’s needs related to community development and affordable housing that primarily benefit low- and moderate-income, minority, and special needs populations.
- (b) Review and make recommendations regarding City applications for federal, state or other funding sources related to the purpose of the Commission as the Council may direct including the five-year Consolidated Plan, Annual Action Plan and any substantial amendments proposed to those plans.
- (c) Review the Consolidated Annual Performance Evaluation Report (CAPER) each year to examine the performance of the projects funded in whole or in part with CDBG funds.
- (d) Review proposals for funding from CDBG funds; and make recommendations to the Council for final action.
- (e) Serve as the review and appeal body for CDBG housing loan and grant programs.
- (f) Monitor and evaluate planning, programming, and implementation of housing and community development activities related to the City’s CDBG programs.

2.27.060 Procedures. The Community Development Commission shall elect a chair and a vice chair at its first meeting of each year. A majority of the members shall constitute a quorum. The Commission shall keep minutes of its proceedings which shall be kept on file in the office of the City Recorder. The Commission’s meeting shall be open to the public and held within the

corporate limits of the city of Albany subject to customary state and City requirements for public access and notice. The Commission shall meet at least quarterly and at such other times as the Commission shall determine what is useful to the conduct of its business.

Staff Comments: The proposed effective date of July 1, 2026, will enable the current commissioners to complete the evaluation of applications for CDBG funding for the 2026-2027 fiscal year, which began in the fall of 2025.

~~Section 2: This ordinance shall take effect July 1, 2026. Emergency Clause. In as much as this ordinance is necessary for the immediate preservation of the public peace, health, and safety of the city of Albany, or to facilitate the prompt and timely completion of important City business, an emergency is hereby declared to exist; and this Ordinance shall take effect and be in full force and effect when signed by the Mayor.~~

Passed by the Council: _____

Approved by the Mayor: _____

Effective Date: July 1, 2026

Mayor

ATTEST:

City Recorder



TO: Albany City Council

VIA: Peter Troedsson, City Manager
Staci Belcastro, P.E., City Engineer

FROM: Nolan Nelson, P.E., Civil Engineer III

DATE: February 9, 2026, for the February 25, 2026, City Council Meeting

Public Works Director, Engineering

SUBJECT: Award of Contract for WWTP-26-02, AM-WRF Disinfection Study

Purpose:

Approve, by resolution, a professional services agreement in the amount of \$200,763 with Kennedy/Jenks Consultants, Inc., to complete the AM-WRF Disinfection Study (WWTP-26-02).

Background/Discussion:

The City of Albany owns and operates a wastewater collection and treatment system serving residential, commercial, and industrial customers within the City and its Urban Growth Boundary. Wastewater is conveyed to the Albany-Millersburg Water Reclamation Facility (WRF), which is jointly owned with the City of Millersburg and operated by Albany under an intergovernmental agreement.

The Albany-Millersburg WRF uses sodium hypochlorite to treat wastewater prior to discharge to the Willamette River. The disinfection process protects public health by disinfecting the Albany-Millersburg WRF effluent prior to its discharge to the Willamette River. Disinfection is accomplished currently by dosing the effluent with sodium hypochlorite and allowing a “contact” time for the disinfectant to kill bacteria prior to discharging to the river. Improvements to the disinfection system are needed to meet new regulations on effluent chlorine limits imposed by the Oregon Department of Environmental Quality (DEQ) and outlined in the City’s new National Pollutant Discharge Elimination System (NPDES) permit.

A formal Request for Proposal (RFP) solicitation process complying with Oregon Administrative Rules 137-048- 0220 was used to select a consultant to provide engineering services for the Albany-Millersburg WRF Disinfection Study project. The RFP was publicly advertised on November 12, 2025. Proposals were due December 17, 2025, and one proposal was received in response from Kennedy/Jenks Consultants of Portland, Oregon. An evaluation committee comprised of department representatives from Public Works Operations and Engineering reviewed and scored the proposal based on criteria outlined in the RFP and determined that Kennedy/Jenks meets the project requirements and offers a highly qualified team with relevant experience specific to Albany and the plant.

The scope of services provided under this contract award is for predesign services needed to evaluate disinfection system alternatives and identify a recommended system using criteria such as initial construction costs, long term operating costs, operation complexity, operator safety, and future environmental responsibility. Improvements will need to meet requirements outlined in the City's new National Pollutant Discharge Elimination System (NPDES) permit requirements for effluent chlorine limits. Once a viable system is identified, staff will negotiate a scope of work and cost with Kennedy/Jenks for consultant services needed to design and construct the selected disinfection system and will bring an amendment to add these services to Council for approval at a future date.

The professional services contract for the predesign services is \$200,763. Under standard practices, contracts of this size are awarded administratively. However, because the design will be completed in phases, Council approval is needed now to allow future phases to be awarded to Kennedy/Jenks without issuing a new RFP.

Strategic Plan Impact:

Completion of a comprehensive AM-WRF Disinfection Study aligns with the City's Strategic Plan Themes under Safe City, Healthy Economy, and Effective Government by providing safe, reliable, and compliant wastewater infrastructure and disposal. The plan supports public health, economic development, and efficient long-term capital investment.

Budget/Staff Impact:

This contract is estimated to cost \$200,763 and was included in the adopted budget.

Staff Recommendation:

1. Approve, by motion, the attached resolution awarding a contract to Kennedy Jenks for the AM-WRF Disinfection Study consulting services; and
2. Authorizing the interim public works director to enter into a contract with Kennedy Jenks for AM-WRF Disinfection Study consulting services.

Alternatives:

1. Award the contract as recommended.
2. Do not award the contract.

Attachments:

1. Resolution



RESOLUTION NO. _____

A RESOLUTION AWARDING A CONTRACT TO KENNEDY JENKS FOR WRF DISINFECTION STUDY CONSULTING SERVICES; AND AUTHORIZING THE INTERIM PUBLIC WORKS DIRECTOR TO ENTER INTO A CONTRACT WITH KENNEDY JENKS FOR WRF DISINFECTION STUDY CONSULTING SERVICES

WHEREAS, the City of Albany owns and operates a wastewater collection and treatment system that serves customers within the City and its Urban Growth Boundary and conveys flows to the jointly owned Albany-Millersburg Water Reclamation Facility; and

WHEREAS, the City requires a change to our current wastewater treatment system due to regulatory compliance, and infrastructure needs; and

WHEREAS, the City of Albany requested proposals through a competitive Request for Proposals (RFP) for the AM-WRF Disinfection Study Consulting Services; and

WHEREAS, the objective was to enter into a professional services contract with a qualified consultant to provide services resulting in the development of a Disinfection Predesign Report; and

WHEREAS, the City's selection review committee was comprised of department representatives from Operations and Engineering, who reviewed and scored the proposal based on experience and qualifications of the project team; the approach, coordination and schedule; and references; and

WHEREAS, Kennedy Jenks was determined to be responsive, responsible, and meet the requirements of the RFP and the needs of the City; and

WHEREAS, the selection review committee recommends the City Council award a contract to Kennedy Jenks for consulting services to complete the AM-WRF Disinfection Study.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council hereby accepts the proposal and awards a contract to Kennedy Jenks for the AM-WRF Disinfection Study consulting services; and

BE IT FURTHER RESOLVED that the Interim Public Works Director is hereby authorized to enter into a contract between the City of Albany and Kennedy Jenks for the AM-WRF Disinfection Study consulting services for \$200,763.

DATED AND EFFECTIVE THIS 25TH DAY OF FEBRUARY 2026.

Mayor

ATTEST:

City Recorder