

# ALBANY CITY COUNCIL AGENDA

**Monday, June 08, 2026**  
**4:00 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 roll call

## 2. Public hearing

*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.*

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

a. Appeal of a Planning Commission's Decision for land use cases SP-15-25, RL-08-25, and NR-03-25– David Martineau/Jennifer Cepello [Pages 3-209]

*The staff contact for this public hearing is: [cd.testimony@albanyoregon.gov](mailto:cd.testimony@albanyoregon.gov)*

## 3. Adoption of consent agenda

a. Award of contract(s) / bid(s)

1) Award of Contract for Next Generation Firewall Systems to Structured Communication Systems, Inc. in the amount of \$248,036.32 – Sean Park [Pages 210-213] RES NO. \_\_\_\_\_

4. Public Comment

5. Grant Application Support– DLCD UGB Technical Assistance Grant – Anne Catlin [Pages 214-216]

RES NO. \_\_\_\_\_

6. Approval of Intergovernmental Agreement with Linn County Regarding Simpson Timber Property – Kim Lyddane [Pages 217-220]
7. Business from the council
8. City Manager report
9. 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](mailto: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:** David Martineau, Planning Supervisor  
Jennifer Cepello, Planner III

**DATE:** May 26, 2026, for the June 8, 2026, City Council Meeting

A handwritten signature in blue ink, appearing to be "D. Martineau".

**SUBJECT:** Appeal of a Planning Commission's Decision for land use cases SP-15-25, RL-08-25, and NR-03-25

### Background/Discussion:

Public Hearing regarding an appeal of the Planning Commission's decision to approve concurrent land use applications consisting of a Site Plan Review, Replat, and Natural resource Impact Review for the construction of a multi-dwelling development project (planning files SP-15-25, RL-08-25, and NR-03-25). The subject properties are located at 1190 53rd Avenue SW, 1122 53rd Avenue SW and 5310 Pacific Boulevard SW. The subject properties of where the development is to occur are split zoned Mixed-Use Commercial (MUC) and Open Space (OS).

On April 27, 2026, two separate requests to appeal the Planning Commission's decision to City Council were received by the Community Development Department in accordance with the Albany Development Code (ADC) 1.420. Copies of both Notices of Appeal are included as Attachment 1.

The application package under review was vested under ADC effective May 23, 2025, with the following decision criteria: Site Plan Review Criteria 2.450; Tentative Plat Review criteria ADC 11.180, and Natural Resource Impact Review Criteria 6.310.

A complete analysis of the application package including the Planning Commission's findings are contained in the April 24, 2026, Staff Report and is included as Attachment 2.

### Staff Recommendation:

The attached staff reports finds the submitted application satisfies or could satisfy all applicable review criteria with the proposed conditions of approval.

### Attachments:

1. Notices of Appeal
2. Staff Report, dated April 14, 2026
3. Written Testimony Received by May 28, 2026.



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# ATTACHMENT 1



COMMUNITY DEVELOPMENT

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# Notice of Appeal or Request for Public Hearing

The undersigned, who believe they have standing to appeal, or request a public hearing as the case may be, hereby request consideration by the

Albany City Council of a decision made on 4/15/2026  
*(Name of board/ commission, or city council) (Date)*

by the Albany Planning Commission  
*(Community Development Director, Hearings Board, Planning Commission, Landmarks Commission)*

Relating to a request for Schneider Homes Inc, SP-15-25, RL-08-25, & NR-03-25 *(case file name and number)*

I am/we are appealing this decision because of the following defect(s) in the hearing process and/or interpretation of the criteria set forth in the Albany Development Code sections, which are applicable to the previously stated land use request *(Attach your findings of fact):* Please see the attached document.

I (we) understand that a hearing will be set for this appeal, and I (we) will be present at that time to answer questions regarding this appeal.

Name: Amanda Fee

Name: \_\_\_\_\_

Address: [Redacted]

Address: \_\_\_\_\_

Albany, OR 97321

\_\_\_\_\_

Signature: [Redacted]

Signature: \_\_\_\_\_

Date: 4/27/2026

Date: 4/27/2026

See Fee Schedule Filing Fee: *Varies (fees subject to change every July 1)*

- Request for public hearing
- Appeal to City Council
- Appeal to Planning Commission
- Appeal to Hearings Referee (expedited land division only)

\*The fee for a public hearing on a tentative decision shall be paid by the applicant, not the person requesting the hearing.

**TO BE FILLED OUT BY STAFF**

CASE NO. (SAME AS APPLICATION REQUEST): SP15-25 et al

DATE FILED: 04/27/2026 FEE PAID: \$1,147

RECEIPT NO: \_\_\_\_\_ RECEIVED BY: gm



## **Appeal of Planning Commission Decision – Case No. SP-15-25**

I am submitting this appeal of the Planning Commission's approval of Case No. SP-15-25 in Albany, Oregon. This appeal is based on issues raised in the record and the City's obligation to adopt findings supported by substantial evidence addressing those issues. The decision is not supported by substantial evidence in the whole record, does not comply with applicable Albany Development Code standards, and lacks adequate findings addressing key issues raised during the review process.

### **1. Procedural Concerns and Inadequate Findings**

During the Planning Commission's final appeal meeting, the record does not clearly reflect substantive deliberation on the issues raised throughout the proceedings. The decision does not demonstrate meaningful evaluation of concerns identified between the initial and continued hearings, nor does it include findings that respond to those concerns.

The City is required to base its decision on substantial evidence in the whole record and to adopt findings that explain how conflicting evidence was considered and resolved. The absence of such findings raises procedural concerns and undermines the basis for approval.

Without findings addressing key issues raised in the record, the decision does not demonstrate reasoned decision-making supported by substantial evidence.

### **2. Neighborhood Safety and Emergency Access**

The proposed apartment development is located at the only entry and exit for the surrounding neighborhood of over 600 homes, at SW 53rd Street and Pacific. Duplexes under development near Willetta Street and 53rd Avenue will further increase local traffic and reduce available overflow parking.

The apartments include only 145 parking spaces for 108 units and provide no on-street parking. This is likely to result in overflow parking extending into Lakeshore Lanes, Willetta Street, and the surrounding neighborhood. Because the area is served by a single point of ingress and egress, these conditions raise significant safety concerns in the event of an emergency, including the potential for delayed or obstructed access for emergency responders.

These concerns have been consistently raised in the record, including in written testimony, appeal materials, and during the Planning Commission hearing. The decision does not demonstrate that the Planning Commission meaningfully evaluated this evidence or addressed its implications for emergency access and neighborhood safety.

The lack of analysis and findings addressing these issues means the approval is not supported by substantial evidence and does not demonstrate compliance with Albany Development Code provisions related to safe circulation and protection of the public health, safety, and welfare.

### **3. Impacts to Wetlands, Riparian Corridor, and Sensitive Environmental Areas**

The site contains jurisdictional wetlands and areas identified as Significant Wetlands and within the Riparian Corridor Overlay, as acknowledged in the staff report. While the City notes that no development is proposed within the Significant Wetland Overlay District and that a wetland delineation has been completed, the record does not demonstrate that indirect impacts from the proposed development have been adequately evaluated or mitigated.

The project places multi-dwelling residential development immediately adjacent to a slope leading into the wetland area. Even where direct encroachment is avoided, development at this intensity and proximity can reasonably be expected to have indirect impacts on adjacent natural resources through increased runoff, altered drainage patterns, edge effects, and long-term disturbance from residential use.

Although the application includes a Natural Resource Impact Review and mitigation plan for encroachments into the Riparian Corridor Overlay, the record does not demonstrate that the analysis fully accounts for long-term cumulative impacts associated with building placement, grading adjacency, and increased human activity immediately adjacent to sensitive areas. The designation of limited “open space” does not, on its own, establish that sufficient buffering or protection is provided given the scale and intensity of the development.

Testimony in the record raised concerns regarding the long-term impacts of development intensity adjacent to wetlands and steep transitions. The decision does not include findings that meaningfully address these concerns or explain how indirect impacts to protected natural resources are avoided or sufficiently mitigated.

In the absence of substantial evidence demonstrating that indirect impacts to wetlands and the Riparian Corridor have been fully considered and mitigated, the approval does not demonstrate compliance with applicable Natural Resource Impact Review standards under the Albany Development Code.

### **4. Intensity Conflict and Compatibility**

The project places higher-density residential buildings directly adjacent to a high-activity commercial and recreational use at Lakeshore Lanes. The record does not demonstrate that the City adequately considered how these uses will interact, particularly with respect to noise, traffic, hours of operation, and overall livability. Applicable development standards require consideration of impacts on surrounding properties and whether site design and operating characteristics are compatible with adjacent uses.

The introduction of residential units in close proximity to an existing late-operating recreational business creates a foreseeable risk of conflict. Such conflicts commonly result in noise complaints or other livability concerns, which can lead to pressure to impose operational limitations on existing lawful uses. The record does not show that the City evaluated these potential conflicts or considered their implications for the continued operation of the adjacent business.

Testimony in the record reflects concern that the project could place a long-standing, lawfully operating neighborhood business at risk of complaints or legal challenges arising from incompatibility with new residential uses. This concern is directly relevant to the City's obligation to ensure that new development does not create avoidable conflicts with surrounding uses and that adequate mitigation is provided where necessary.

Mitigation measures are identified in the record; however, they do not appear sufficient to address foreseeable conflicts between the proposed residential use and the adjacent high-activity commercial use. The City does not demonstrate that these measures will reduce impacts to a level that ensures compatibility.

## **5. Setback Compliance**

The staff report concludes that the application complies with all applicable development standards, including setbacks. However, this conclusion is presented in a conclusory manner and is not supported by detailed findings demonstrating how setback compliance was verified across the entire site plan.

Table 5.090-1 identifies a minimum front setback requirement of 5 feet for the MUC zoning district, with the staff report identifying a front setback of 15.5 feet. While this indicates compliance on its face, the record does not include sufficient detail explaining how setbacks were measured across all building elevations, architectural projections, or areas where structures are in close proximity to pedestrian pathways and internal circulation areas.

Concerns have also been raised in the record regarding whether certain portions of the development maintain adequate separation between building elements and adjacent pedestrian areas. Although not resolved in the findings, these concerns highlight the need for clear, plan-based verification of setback compliance at a level of detail sufficient to ensure enforceability.

Given the importance of setback standards in regulating building intensity, privacy, and pedestrian safety, the City is required to demonstrate that compliance is supported by substantial evidence in the record, not merely stated in summary form.

In the absence of clear findings demonstrating how setback compliance was verified throughout the project, the approval does not adequately demonstrate compliance with applicable development standards.

## **6. Inadequate Traffic Analysis**

The traffic impact analysis for this project was conducted in June 2023, immediately after the school year ended. This timing does not reflect typical weekday conditions and fails to capture peak traffic associated with active school operations. Standard professional practice, including guidance from the Institute of Transportation Engineers, calls for traffic data to be collected under representative conditions, typically during the school year for locations affected by school-related traffic, and often across multiple weekdays or with adjustments to reflect average conditions.

By relying on data collected during a non-representative period, the analysis likely underestimates peak-hour congestion. Since the return to in-person instruction following COVID-19, the area has experienced consistently elevated traffic volumes during school-related peak periods.

In addition, the analysis does not account for variability caused by school bus service disruptions, which can significantly increase vehicle traffic on short notice. These concerns were raised in the record but do not appear to have been meaningfully addressed in the City's findings. As a result, the approval is not supported by substantial evidence with respect to actual traffic conditions.

## **7. Long-Term Traffic and Street Extension**

The approved development does not demonstrate that sufficient land has been provided to accommodate the City's planned extension of the street across Pacific Boulevard as part of the Village Center. Even if final design details have not been established, the City is obligated to consider reasonably foreseeable transportation needs and ensure that development does not preclude necessary future improvements.

By approving the project without reserving adequate right-of-way or addressing potential future circulation needs, the decision does not demonstrate that long-term transportation planning considerations have been adequately addressed in the record.

## **Conclusion**

For all of these reasons, the Planning Commission's approval of Case No. SP-15-25 is not supported by substantial evidence in the whole record, does not comply with applicable Albany Development Code standards, and lacks adequate findings addressing key issues raised during the review process.

I respectfully request that the City Council reverse or remand the decision for further analysis, additional findings, and full consideration of the issues presented in the record.



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# Notice of Appeal or Request for Public Hearing

The undersigned, who believe they have standing to appeal, or request a public hearing as the case may be, hereby request consideration by the

City Council of a decision made on 4/15/2026  
*(Name of board/ commission, or city council) (Date)*

by the Albany Planning Commission concerning an appeal of the Community Development Director Decision  
*(Community Development Director, Hearings Board, Planning Commission, Landmarks Commission)*

Relating to a request for Schneider Homes Inc., SP-15-25, RL-08-25, & NR-03-25 *(case file name and number)*

I am/we are appealing this decision because of the following defect(s) in the hearing process and/or interpretation of the criteria set forth in the Albany Development Code sections, which are applicable to the previously stated land use request *(Attach your findings of fact):* Please see attached.

I (we) understand that a hearing will be set for this appeal, and I (we) will be present at that time to answer questions regarding this appeal.

Name: Roger Nyquist  
Address: [REDACTED]  
Albany OR 97322  
Signature: [REDACTED]  
Date: 4/27/26

Name: Elaine Albrich  
Address: [REDACTED]  
[REDACTED]  
Signature: [REDACTED]  
Date: 4/27/2026

See Fee Schedule Filing Fee: Varies *(fees subject to change every July 1)*

- Request for public hearing
- Appeal to City Council
- Appeal to Planning Commission
- Appeal to Hearings Referee (expedited land division only)

\*The fee for a public hearing on a tentative decision shall be paid by the applicant, not the person requesting the hearing.

**TO BE FILLED OUT BY STAFF**

CASE NO. (SAME AS APPLICATION REQUEST): SP-15-25 et 1

DATE FILED: 4/22/26 FEE PAID: \$1147

RECEIPT NO: \_\_\_\_\_ RECEIVED BY: [Signature]



**Nyquist Ventures LLC  
Notice of Intent to Appeal  
City of Albany Planning Commission Decision  
(SP-15-25, RL-08-25, NR-03-25)**

**Requirements for Notice of Intent to Appeal, ADC 1.420**

*(1) Identification of the decision sought to be reviewed, including the date of the decision.*

Response: Appellant seeks review of City of Albany Planning Commission Decision, SP-15-25, RL-08-25, NR-03-25, dated April 15, 2026 (Notice of Decision). A copy of the Notice of Decision and Staff Report are included in this submittal (“Decision”).

*(2) A statement of the interest of the person seeking review and that they were a party to the initial proceedings.*

Response: Appellant owns the adjacent property, described as

Taxlot Number: 11S04W24DA01401  
Taxlot Number: 11S04W24DA01402  
Taxlot Number: 11S04W24DA01400  
Taxlot Number: 11S04W24DA01500  
Taxlot Number: 11S04W24DA01501

Appellant owns and operates Lakeshore Lanes on the property, a family-friendly bowling center with an 18-hole outdoor mini-golf course.

Appellant is adversely affected by the Decision that approves a large development on adjacent property. Appellant was a party to the appeal before the Planning Commission.

*(3) The specific policy or criteria relied upon for review.*

Response: Appellant challenges that the Planning Commission failed to adopt adequate findings to support its resolution of the appeal issues presented by appellants in the underlying proceeding. The Planning Commission also adopted requirements that are inconsistent with its findings (e.g., ODOT #12 on page 6 of notice of decision).

*(4) If de novo review is requested or required, a statement summarizing the new evidence that will be offered and the criteria to which it will relate.*

Response: Appellant respectfully requests that the Planning Commission hear this appeal de novo on the merits and expects to introduce new evidence related to arguments under the ADC, identified under ADC 1.420(3) above.

*(5) Decisions appealed to circuit court or LUBA must follow those body's appeal procedures and criteria. N/A.*

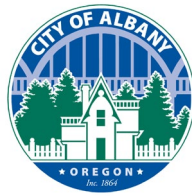


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# ATTACHMENT 2



## COMMUNITY DEVELOPMENT

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# Staff Report

## Site Plan Review for New Construction, Replat, and Natural Resource Impact Review

SP-15-25, RL-08-25, & NR-03-25

April 14, 2026

### Summary

The proposal is a concurrent Site Plan Review application for the construction of a 108-unit multi-dwelling development; a Natural Resource Impact Review for encroachments into the Riparian Corridor Overlay; and a Replat application to consolidate three lots into one unit of land.

The site is composed of three separate properties located at 1190 53rd Avenue SW, 1122 53rd Avenue SW, and 5310 Pacific Boulevard. The three lots together are 8.29-acres and are split zoned Mixed-Use Commercial (MUC) and Open Space (OS). A location and zone map are included as Attachment A.

The following criteria are addressed in this report: Site Plan Review criteria contained in Albany Development Code (ADC) 2.450; Natural Resource Impact Review criteria contained in ADC 6.310; and Tentative Plat Review criteria contained in ADC 11.180. These criteria must be satisfied to grant approval for these applications.

The Planning Commission found the proposed development application satisfies all applicable review criteria; therefore, this land use application APPROVED with CONDITIONS.

### Application Information

|                           |  |
|---------------------------|--|
| Type of Application:      | Concurrent Site Plan Review application for the construction of a 108-unit multi-dwelling development; a Natural Resource Impact Review for encroachments into the Riparian Corridor Overlay; and a Replat application to consolidate three lots into one unit of land |
| Review Body:              | Planning Commission (Type IV Review)   |
| Staff Report Prepared By: | Jennifer Cepello, project planner  |
| Property Owner/Applicant: | Schneider Homes Inc.; 650 Southcenter Blvd, Ste. 1, Tukwila, WA 98188  |
| Applicant's Architect:    | Roger Newell AIA; 1102 19th Avenue E., Seattle, WA 98112   |
| Address/Location:         | 1190 53rd Avenue SW; 1122 53rd Avenue SW; and 5310 Pacific Boulevard   |
| Map/Tax Lot:              | Linn County Assessor's Map No. 11S-04W-24 Tax Lot 00606; 11S-04W-24DA Tax Lots 01200, and 01300  |
| Zoning:                   | Mixed Use Commercial (MUC) and Open Space (OS)   |
| Comprehensive Plan:       | Village Center & Open Space  |



|                     |   |
|---------------------|---|
| Overlay Districts:  | Floodplain (/FP); Riparian Corridor (/RC); Significant Wetlands (/SW)   |
| Total Land Area:    | 8.29 acres  |
| Existing Land Use:  | Undeveloped; Telecommunications Tower   |
| Neighborhood:       | South Albany  |
| Surrounding Zoning: | North: Community Commercial (CC) / Residential Medium Density (RM)<br>East: Mixed Use Commercial (MUC)<br>South: Residential (R-6.5)<br>West: Residential (R-6.5) |
| Surrounding Uses:   | North: Commercial<br>East: Undeveloped (currently farmed)<br>South: Low Density Residential<br>West: City owned park/open space                                   |

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## Notice Information

A notice of filing was mailed to property owners located within 1,000 feet of the subject property on December 19, 2025. Property owners were given 14 days to respond to the notice. At the time the comment period ended on January 2, 2026. Fifty-one comments were received on the proposed land use action. Comments received during the Public Notice period can be found under Attachment I.

**COMMENTS:** Public comments received during the public noticing period expressed concerns on the additional traffic upon 53rd Avenue SW, the construction and limitation of 53rd Avenue SW, impacts to wetlands upon the subject property, flooding in the area, drainage runoff, public notice requirements, criminal activity, and property values.

### **STAFF RESPONSE:**

**Traffic:** Comments received expressed concerns about the additional traffic expected with the construction of a 108-unit apartment complex. Findings addressing traffic impacts to 53rd Avenue are addressed under Site Plan Review criterion 8 in this staff report.

**Construction and Limitations of 53rd Avenue SW:** Comments received express concerns on the use of 53rd Avenue as the primary access for the proposed development and the impacts upon 53rd Avenue SW as it is the only access out of the existing neighborhood for hundreds of homes. Comments questioned the capacity of 53rd Avenue in the case of a mass evacuation where individuals were to leave their homes. Fifty-third Avenue is classified as a minor arterial right-of-way. A Local Improvement District (LID) was formed to improve 53rd Avenue. Fifty-third Avenue was designed so that both east and west bound lanes act as separate emergency accesses. This provides two emergency access routes to serve all development west of Oak Creek. Additional findings addressing the capacity of 53rd Avenue and the impacts of the proposed development are located within criterion 8 under the Site Plan Review in this staff report.

**Wetlands:** The subject property contains multiple natural resource overlays including Open Space zoning, a tributary to Oak Creek, Significant Wetlands, Riparian Corridor, and the Special Flood Hazard Area. Findings addressing impacts to natural resources are addressed under Tentative Plat criterion 3 and under the Natural Resource Impact Review criterion and standards in this staff report.

**Drainage:** Concerns were raised regarding potential stormwater runoff from the proposed development into the wetlands and the floodplain on the western portion of the subject property.

The application submitted a stormwater report which demonstrates that post development run off will be collected and treated in a private storm infrastructure system. The City's stormwater requires all post storm runoff to match pre-development runoff. Findings further addressing stormwater are located in Site Plan Review criterion 7 and 9 of this staff report.

Flooding: Comments were submitted expressing concerns of the existing flooding potential of Oak Creek and its tributaries. The subject property contains portions within the Special Flood Hazard Area, but all development is located outside of the Special Flood Hazard Area, also known as the 100-year floodplain.

Public Notice Requirements: ADC 1.220(3)(a) states that written notice of the land use application must be sent to all property owners and designated representatives of City Council recognized neighborhood associations within a minimum notice area as specified for the land use review type.

Criminal Activity: The subject properties are served by the Albany Police Department. Criminal activity is not a decision criterion for approval of land development applications.

Property Values: Concerns were expressed about the effect of apartment development upon the property values of the surrounding neighborhoods. Property values are not a decision criterion and are not addressed within this staff report.

## Analysis of Development Code Criteria

Sections 2.450, 11.180, and 6.310, 6.400 and 6.410 of the ADC include the following review criteria, which must be met for this application to be approved. Development code criteria are written in bold followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

### Tentative Plat Review Criteria (ADC 11.180)

#### Criterion 1

**The proposal meets the development standards of the underlying zoning district, and applicable lot and block standards of this section.**

#### Findings of Fact

- 1.1 The applicant proposes to consolidate three parcels into one single unit of land. The subject properties are identified on Linn County Assessor Map No. 11S-04W-24 Tax Lot 00606 and 11S-04W-24DA Tax lots 01200 and 01300 and have been assigned the addresses of 1190 53rd Avenue SW, 1122 53rd Avenue SW, and 5310 Pacific Boulevard SW (Attachment A).
- 1.2 Two of the properties, 1122 53rd Avenue and 5310 Pacific Boulevard SW, have an underlying zoning district of Mixed-Use Commercial (MUC). The property at 1190 53rd Avenue is split-zoned Mixed-Use Commercial (MUC) and Open Space (OS).
- 1.3 The Open Space zoning district is intended for the continuation and preservation of existing agricultural uses, park and recreation areas, wildlife habitats, wetlands, natural areas, flood conveyance, and uses that do not involve the construction of structures other than minor accessory facilities required to conduct the principal use.
- 1.4 The OS zoning district does not have a minimum lot size, or minimum/maximum widths or depths. The proposed development does not encroach into the OS zoning district.
- 1.5 The Mixed-Use Commercial 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. Uses in the MUC zone will serve area residents and should not draw from the region.
- 1.6 Lot size in the MUC zone depends on the proposed use. The applicant has applied for a concurrent review of a replat, site plan review for the construction of a 108-unit multi-dwelling development, and a natural resource impact review for proposed encroachment into the Riparian Corridor overlay. Based upon Table 5.090-1 the MUC zoning district does not have a minimum lot size nor a minimum lot width or depth for multi-dwelling development
  - 1.7 According to ADC Table 5.090-1, the minimum front setback standard is five feet and a maximum front setback of 25 feet. The MUC does not have a minimum side or rear setback.
  - 1.8 Land divisions must conform to the lot and block standards found in ADC 11.090 and other applicable provisions of the Code. Standards relevant to this proposed partition are addressed below.
  - 1.9 ADC 11.090(1) states lots must be arranged such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all proposed lots in compliance with the requirements of the Code. The applicant is seeking to consolidate three separate parcels into one 8.29- acre unit of land. There are no foreseeable difficulties in securing building permits to build on the proposed parcel, provided applicable development standards are followed.
  - 1.10 According to ADC 11.090(2), when lots are more than double the minimum area designated by the zoning district, those lots must be arranged to allow further subdivision and the opening of future streets where it would be necessary to serve potential lots. An urban conversion plan may be required in conjunction with submittal of tentative subdivision or partition plat. The proposed replat does not create a lot that is more than double the minimum area in the MUC and OS zoning districts. This standard is met.
  - 1.11 ADC 11.090(3) states double frontage lots shall be avoided except when necessary to provide separation of residential developments from streets of collector or arterial street status or to overcome specific disadvantages of topography and/or orientation. Tax Lot 1300 is currently a double frontage lot. The replat will consolidate three lots into one 8.29-acre unit of land with double frontage to 53rd Avenue and Pacific Boulevard. The applicant is not creating a new double frontage lot with the replat but will continue to contain a double lot. This standard is met.
  - 1.12 ADC 11.090(4) states side yards of lots shall run at right angles to the street the property faces. The proposed property line will result in side yards that will run at right angles to the street frontage. This standard is met.
  - 1.13 ADC 11.090(5) lists dimensional requirements when street blocks are created as part of the land division. The proposed replat does not create any new streets or blocks. This standard is not applicable.
  - 1.14 ADC 11.090(6) states off-street pedestrian pathways shall be connected to the street network and used to provide pedestrian and bicycle access in situations where a public street connection is not feasible. All three lots have frontage onto 53rd Avenue SW, a public right-of-way. Tax lot 01300 has additional frontage onto Pacific Boulevard, a public right-of-way managed by the Oregon Department of Transportation (ODOT). The proposed replat will not alter the existing access to the public rights-of-way. This standard is met.
  - 1.15 ADC 11.090(7) provides recommendations for the minimum distance between arterial street intersections. No new streets or intersections are proposed; therefore, this standard

is not applicable. Findings addressing the proposed access upon 53rd Avenue an arterial street, are located under Site Plan Review criterion 8 and are incorporated herein by reference.

- 1.16 ADC 11.090(8) regards developments located on a cul-de-sac lot. The subject properties are not a part of a cul-de-sac, and the applicants do not propose creating a cul-de-sac as a part of the future development. This standard is not applicable.
- 1.17 ADC 11.090(9) pertains to flag lots. The subject properties each have independent access to the public right-of-way that is not via an existing flag lot. The proposed replat will consolidate the three properties into one 8.29-acre unit of land and will not create a new flag lot. This standard is met.
- 1.18 ADC 11.090(10) regards street intersections and minimum curb radius. No street intersections are created or impacted by the proposed replat; therefore, this standard is not applicable.

### Conclusions

- 1.1 The proposal meets the standards of the underlying zoning districts.
- 1.2 The proposed replat does not propose to create new blocks, intersections, or cul-de-sacs.
- 1.3 The proposal meets the underlying development and lot and block standards of the MUC and OS zoning districts.
- 1.4 This criterion is satisfied without conditions.

### Criterion 2

**Development of any remainder of property under the same ownership can be accomplished in accordance with this Code.**

#### Findings of Fact

- 2.1 The applicant proposes to consolidate three parcels into one 8.29-acre unit of land. There is no remainder of property to consider.

#### Conclusion

- 2.1 The above criterion is satisfied, as there is no remainder property to consider.

### Criterion 3

**Adjoining land can be developed, or is provided access that will allow its development, in accordance with this Code.**

#### Findings of Fact

- 3.1 This review criterion has been interpreted by the city council to require only that adjoining land either has access or be provided with access, to public streets.
- 3.2 ADC 12.060 requires that development must have frontage on, or approved access to, a public street currently open to traffic.
- 3.3 ADC 12.110 states new streets may be required to be located where the City Engineer determines additional access is needed to relieve, or avoid, access deficiencies on adjacent or nearby properties.
- 3.4 The subject properties and all adjoining lots have access to public streets. No new streets are proposed by this application.

### Conclusions

- 3.1 All the adjoining land has, and will continue to have, access to public streets.

3.2 This criterion is met without conditions.

#### Criterion 4

#### **The proposed street plan affords the best economic, safe, and efficient circulation of traffic possible under the circumstances.**

##### Findings of Fact

- 4.1 ADC 12.060 requires public streets adjoining new development to be improved to City standards. The applicant has submitted for concurrent review a Replat to consolidate three parcels into one, 8.29-acre unit of land, a Site Plan Review for the construction of a 108-unit multi-dwelling development, and a Natural Resource Impact Review for encroachments into the Riparian Corridor overlay. The proposed development does not include the creation of new public streets.
- 4.2 Findings addressing site circulation and public right-of-way connections are located within the staff report under Site Plan Review criteria 6 and 8. Those findings are incorporated herein by reference.
- 4.3 No new or interior streets are proposed with the replat.

##### Conclusions

- 4.1 No new development or new interior streets are proposed with the replat.
- 4.2 This criterion is satisfied without conditions.

#### Criterion 5

#### **The location and design allow development to be conveniently served by various public utilities.**

##### Findings of Fact

##### *Sanitary Sewer*

- 5.1 City utility maps show an 8-inch public sanitary sewer main in 53rd Avenue. The subject properties are not connected to City sewer.
- 5.2 Additional findings addressing sanitary sewer are in Criterion 7 under the Site Plan Review and are incorporated herein by reference.

##### *Water*

- 5.3 City utility maps show a 12-inch public water main in 53rd Avenue. The subject properties are not connected to City water.
- 5.4 Additional findings addressing public water for this development are located in Criterion 7 under the Site Plan Review and are incorporated herein by reference.

##### *Storm Drainage*

- 5.5 City utility maps show a 12-inch, 15-inch, and 18-inch public storm drainage mains in 53rd Avenue. The public right-of-way, 53rd Avenue, is constructed to City standards with curb and gutter.
- 5.6 Additional finding addressing storm water for this development are located in Criterion 7 and 9 of the Site Plan Review and are incorporated herein by reference.

##### Conclusions

- 5.1 The proposed replat will not negatively affect public utilities.
- 5.2 Additional findings addressing the proposed development upon the consolidated parcel are addressed later in this staff report and are incorporated herein by reference.

## Criterion 6

**Activities and developments within special purpose districts must comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.**

### Findings of Fact

- 6.1 Article 4: Airport Approach District. Figure 4.410-1 of the ADC shows the subject property is not located within the Airport Approach District.
- 6.2 Article 6 Floodplain Overlay District: Comprehensive Plan Plate 5: Based on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM# 41043C0526G, dated September 29, 2010) portions of the subject property are located within a Special Flood Hazard Area (SFHA), otherwise known as the 100-year floodplain. The proposed development will not encroach into the SFHA.
- 6.3 Article 6 Hillside Development Overlay District: According to Chapter 11, Plate 7 of the Comprehensive Plan, the subject property contains slopes that are protected within the Hillside Development District. The proposed development does not encroach into the area of steep slopes.
- 6.4 Article 6 Significant Wetlands Overlay District: Portions of the subject property are within the Significant Wetlands Overlay District. The proposed development has completed a wetland delineation upon the subject properties. Findings addressing the wetland delineation are located under the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference.
- 6.5 Article 6 Riparian Corridor Overlay District: Portions of the subject property are within the Riparian Corridor. The proposed site improvements will include three separate encroachments into the Riparian Corridor Overlay district. Permanent alterations within the Riparian Corridor Overlay district require a Natural Resource Impact Review and mitigation. Findings addressing the proposed encroachments and required on-site mitigation are located under the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference.
- 6.6 Article 6 Habitat Assessment Overlay District: The subject property is not located within a Habitat Assessment Overlay District.
- 6.7 Historic and Archaeological Resources. According to Chapter 11, Plate 9 of the Comprehensive Plan, shows the property is not located in a historic district. The subject property is bordered by a tributary to Oak Creek to the west and south, which has a high likelihood of containing archaeological resources. The proposed development is located approximately 120 feet from the top of bank of the Oak Creek tributary. Notice of the proposed development was submitted to the Oregon Department of Parks and Recreation, Oregon Heritage/State Historic Preservation Office and to the Confederated Tribes of the Grand Ronde Community of Oregon for review and comments. It is a requirement within the City of Albany's Comprehensive Plan that an Inadvertent Discovery Plan (IDP) be in place and if archaeological and/or cultural resources are discovered the Grand Ronde Community of Oregon be contacted. As a condition of approval, prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.

### Conclusions

- 6.1 The proposed development is not located within the Airport Approach district as described in Article 4.

- 6.2 According to the FEMA Flood Insurance Rate Map, portions of the subject property are located within the Special Flood Hazard Area (SFHA). The proposed development is not located within the SFHA upon the property.
- 6.3 Portions of the subject property are located within the Hillside Development Overlay District described in Article 6. The proposed development is not located within the Hillside Development Overlay upon the property.
- 6.4 Portions of the subject property contain inventoried jurisdictional wetlands, Significant Wetlands, and the Riparian Corridor. Findings addressing impacts and encroachments are found in the Natural Resource Impact Review portion of this staff report and incorporated herein by reference.
- 6.5 The subject property is not located within a Historic District but is located within the vicinity of archaeological resources. As a condition of approval, the property owner shall establish an Inadvertent Discovery Plan if any archaeological resources are discovered.

### Condition

- Condition 1: Prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.

### Site Plan Review Criteria (2.450)

#### Criterion 1

**The application is complete in accordance with the applicable requirements.**

#### Findings of Fact and Conclusions

- 1.1 In accordance with ADC 1.170, the application was deemed complete as of November 26, 2025.
- 1.2 This criterion is met without conditions.

#### Criterion 2

**The application complies with all applicable provisions of the underlying zoning district including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.**

#### Findings of Fact

- 2.1 Zoning. The project site includes three parcels which are under concurrent review to be consolidated into one unit of land. Two of the subject properties, 1122 53rd Avenue and 5310 Pacific Boulevard, are located within the Mix Use Commercial (MUC) zoning district. The third property, 1190 53rd Avenue, is split-zoned Mix Use Commercial (MUC) and Open Space (OS). After the consolidation the subject property will consist of 8.29 acres, 3.75 acres zoned MUC and the remaining 4.54 acres zoned OS. The development, as proposed, will be located entirely within the MUC zoning district.
- 2.2 The applicant is proposing to construct a 108-unit apartment style multi-dwelling development. The development will consist of seven apartment buildings, an office/clubhouse building, two covered bicycle storage facilities, a children's play area, active and passive outdoor open spaces, parking and other associated site improvements.
- 2.3 Lot Size, Dimensional Requirements, and Lot Coverage. Table 5.090-1 within the ADC contains the development standards for the MUC zoning district. The chart below details the minimum and maximum development standards for the RM zoning district in comparison to the proposed development.

|   |   | <b>Development Standard</b>      | <b>Proposal</b>                                |
|---|---|----------------------------------|--|
| <b>Lot Size</b>                                   | Minimum   | None                             | 8.29 acres                                     |
| <b>Lot Width</b>                                  | Minimum   | None                             | No change                                      |
| <b>Lot Depth</b>                                  | Minimum   | None                             | No change                                      |
| <b>Setbacks (Minimum)</b>                         | Front (North)<br>Interior (East)<br>Interior (West)<br>Rear (South) | 5 feet<br>None<br>None<br>None   | 15.5 feet<br>10 feet<br>~245 feet<br>~257 feet |
| <b>Setbacks (Maximum)</b>                         | Front   | 25 feet (residential)            | 15.5 feet                                      |
| <b>Open Space</b>                                 | Minimum   | 250 square feet of useable area* |  |
| <b>Landscaped Area (within required setbacks)</b> |   | 100%                             | 100%   |
| <b>Height</b>                                     | Maximum   | 85 feet                          | 36 feet  |
| <b>Lot Coverage</b>                               | Maximum   | 80%                              | 68%**  |

\* Development must meet the open space requirements of ADC 8.220; \*\*Proposed development will have a lot coverage of 68% of the MUC zoning district (30% of the entire property)

- 2.4 Landscaping, Buffering, and Screening. See finding under Criterion 6 below pertaining to Article 9. Landscaping, buffering, and screening standards are incorporated herein by reference.
- 2.5 Screening of Refuse Containers. See finding under Criterion 6 below pertaining to Article 9. Screening of refuse container standards are incorporated herein by reference.
- 2.6 Supplemental Village Center and Climate Friendly Area. The subject property has a comprehensive plan map designation of Village Center and is located within a Secondary Climate Friendly Area. Multi-unit development within a secondary Climate Friendly Area has a minimum density of 12 units per net acre. The proposed development has approximately 3.75 acres of developable land outside of protected natural resources. The applicant proposes to create 108 units which exceeds the minimum density.
- 2.7 The supplemental residential design standards in Village Centers and Climate Friendly Areas are intended to promote the design of an urban environment that is built to human scale and to foster a mixed-use character for village centers with an emphasis on a high-quality pedestrian environment, high-quality and attractive building materials, and architectural details that reduce exterior building mass. These supplemental design standards are addressed below under Criterion 4 and 5 in this staff report and are incorporated herein by reference.

**Conclusions**

- 2.1 The proposal meets all applicable development standards.
- 2.2 This review criterion is met without conditions.

**Criterion 3**

**Activities and developments within special purpose districts comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.**

## Findings of Fact

- 3.1 Article 4 Airport Approach district. According to Figure 4.410-1 of the ADC, the subject property is not located within the Albany Airport Approach district.
- 3.2 Article 6 Significant Natural Vegetation and Wildlife Habitat. *Comprehensive Plan Plate 3: Natural Vegetation and Wildlife Habitat*, does not show any areas of vegetation or wildlife habitat on the property.
- 3.3 Article 6: Floodplains. *Comprehensive Plan Plate 5: Floodplains*. The effective FEMA Flood Insurance Rate Map (FIRM), Community Panel No. 41043C0526G, dated September 29, 2010, indicates portions of the subject property are located within the Special Flood Hazard Area (SFHA), (aka 100-year floodplain). The area of the proposed development is located within an unshaded Zone X, areas determined to be outside the 500-year flood level and is not subject to the additional requirements of floodplain development.
- 3.4 Article 6: Wetlands. *Comprehensive Plan Plate 6: Wetland Sites*. The subject property contains jurisdictional wetlands as well as areas inventoried as Significant Wetlands and the Riparian Corridor. Prior to application submittal the applicant had a wetland study conducted upon the subject property to delineate the extent of the wetlands upon the subject property. The wetland study found the upland boundary of the wetland to be located further east upon the property than indicated upon the city's maps. District boundary corrections and refinements are allowed pursuant to ADC 6.430. The Riparian Corridor overlay district was estimated by measuring the edge of the water/wetland, which was based upon aerial photography. A district boundary refinement is an alteration made, based on professional analysis, to refine the boundary of the Significant Natural Resource Overlay Districts. When a DSL-approved wetland delineation or determination results in a change to the boundary of the significant wetland adjacent to the Riparian Corridor, the Riparian Corridor Overlay boundary will be adjusted accordingly.
- 3.5 The provided site plan reflects a wetland study upon the property and incorporated the location of the delineated wetlands and the amended reach of the Riparian Corridor Overlay Wetlands upon the subject property. As a part of the application package the applicant has applied for a Natural Resource Impact Review and an associated Mitigation Plan for proposed encroachments into the recently corrected Riparian Corridor Overlay District. Findings addressing permanent impacts and encroachments into the Riparian Corridor Overlay district are addressed under the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference. The proposed development does not propose any development including grading within the Significant Wetland Overlay District.
- 3.6 Article 6: Topography. *Comprehensive Plan, Plate 7: Slopes*. Portions of the subject property are identified as containing steep slopes. The proposed development is not located within the areas identified as containing steep slopes.
- 3.7 Article 7: Historic and Archaeological Resources. *Comprehensive Plan, Plate 9: Historic Districts*, shows the property is not located in a historic district. The subject property is bordered by Oak Creek to the west and south, which has a high likelihood of containing archaeological resources. Findings addressing Article 7 compliance are found under Criterion 6 of the Replat portion of this staff report and are incorporated herein by reference.

## Conclusions

- 3.1 The proposed development is not located within the Airport Approach district as described in Article 4.
- 3.2 According to the FEMA Flood Insurance Rate Map, portions of the subject property are

- located within the Special Flood Hazard Area (SFHA). The proposed development is not located within the SFHA upon the property.
- 3.3 Portions of the subject property are located within the Hillside Development Overlay District described in Article 6. The proposed development is not located within the Hillside Development Overlay upon the property.
- 3.4 Portions of the subject property contain inventoried jurisdictional wetlands, Significant Wetlands, and the Riparian Corridor. Findings addressing impacts and encroachments are found in the Natural Resource Impact Review portion of this staff report and incorporated herein by reference.
- 3.5 The subject property is not located within a Historic District but is located within the vicinity of archaeological resources. Findings and a condition of approval are addressed under criterion 6 of the Replat review in this staff report and are incorporated herein by reference.

**Criterion 4**

**The application complies with all applicable Design Standards of Article 8.**

**Findings of Fact and Conclusion**

- 4.1 Applicability. The applicant proposes to construct a 108-unit apartment complex with associated site improvements. The Design Standards under ADC 8.200-8.305 “Multiple-Dwelling Unit Development” apply to this development.
- 4.2 Relationship to Historic Overlay Districts. As previously stated, the subject property is not located within a historic district and does not contain a historic resource. Accordingly, this standard is not applicable.
- 4.3 Recreation and Open Space Areas. ADC 8.220 states that the purpose of the open space areas is to ensure that new multiple dwelling unit developments provide spaces for recreation and relaxation that are adequately sized, located, and functional. The standards also intend to ensure that a development project’s open space is an integral part of the overall development design, not merely leftover space. Table 8.220-1 within the ADC contains the recreation and Open Space Requirements by Zoning District. The chart below details the recreation and Open Space standards for the MUC zoning district.

|                              | <b>Required</b>                  |
|------------------------------|----------------------------------|
| <b>Common Open Space</b>     | 250 square feet of useable area* |
| <b>Children’s Play Areas</b> | Not Required                     |
| <b>Private Open Space</b>    | Not Required                     |

- 4.4 Common Open Space in All Zoning Districts. ADC 8.220(1) requires the dedication and construction of any multi-use paths upon the subject property if they are identified in the Parks Master Plan, the Transportation System Plan, and adopted area plan, or any other plan adopted by the City of Albany. There is no master plan identified multi-use paths upon the subject properties. This standard is not applicable.
- 4.5 Private Open Space. ADC 8.220(4) is not required for developments within the MUC zoning district. The applicant proposes to provide private open space for the majority of the dwelling units. The standards of ADC 8.220(4) only apply to required private open space, therefore the provided open space is not subject to the dimensional requirements of ADC 8.220(4). This standard is not applicable.

- 4.6 Setbacks and Building Orientation. The purpose of ADC 8.240 is to create and maintain street frontages that are attractive, create an environment that is conducive to walking, and provide natural surveillance of public spaces. Building orientation standards promote building and site design that contribute positively to a sense of neighborhood and to the overall streetscape by carefully relating building mass, entries, and yards to public streets. Development site with frontage on a collector or arterial public street has an option to either meet the Street Orientation Option or the Enhanced Landscaping Option in Table 8.240-1.
- 4.7 Street Orientation Option ADC 8.240(3)(a). Sites with 100 feet or more of frontage on a public street, at least 50 percent of the site width must be occupied by a building(s) placed no farther than 20 feet from the front lot line. The primary entrance(s) of at least 50 percent of the ground floor units of residential building(s) located within 25 feet of a public street must face the street. Ground floor entries to individual units must provide a covered front porch, or a front entry that is recessed a minimum of two feet behind the front building façade. No off-street parking or circulation may be located between the front of the building and the street.
- 4.8 The subject property's frontage, not including significant natural resources and other similar non-buildable areas, is approximately 613 feet. The proposed development will locate four apartment buildings, totaling 316 feet (52%), along the site's 53rd Avenue frontage. The four apartment buildings are located 15.5 feet from the front property line. Three of the four apartment buildings have ground floor units with a main entrance oriented to 53rd Avenue and are provided with a covered front porch. The site has been designed with the parking and travel aisles located to the side and rear of the apartment buildings. There are no parking or travel aisles between the apartment buildings and 53rd Avenue. This standard is met.
- 4.9 Façade design, articulation, and windows. ADC 8.225 contains the requirements for façade design, articulation, and windows. The standards apply to any façade that faces toward a front lot line and must include at least two architectural features as listed in ADC 8.225(2). Three apartment buildings are oriented with the main facade facing north (front property line). This regulated faced will include eaves with an overhand greater than 12 inches, offsets of two feet that extend for at least four feet, and balconies with a minimum depth of three feet. This standard is met.

The application materials included glazing calculations (Attachment D) for each of the apartment buildings abutting a public right-of-way. Building 1 will have a total of 31.2 percent transparency along the regulated façade. Buildings 2 and 3 will each have a total of 35.2 percent transparency along the regulated façade. All transparent material must have a minimum visible transmittance of 0.4; be located in any part of the building except garages and parking areas; and face toward or within 45 degrees of the front lot line. Based upon the submitted materials this standard is met.

- 4.10 Pedestrian Connections. To ensure that pedestrian circulation systems are designed to provide clear, identifiable, safe, and convenient connections within a development and to adjacent uses and public street/sidewalks. Each development shall contain an internal pedestrian circulation system that makes connections between structures, parking areas, common open space areas, and public rights-of-way.

The submitted site plan (Attachment B) indicates that the apartment facility will provide paved pedestrian connections to parking areas, community spaces, to surrounding development, and connections to the 53rd Avenue and Pacific Boulevard right-of-way. Additional findings concerning pedestrian connections are addressed in Criterion 6 and are incorporated herein by reference.

- 4.11 Parking Location. Parking must be located within 100 feet of the building entrance. Based upon the submitted site plan, there are provided parking areas located within 100 feet of the building entrances. This standard is met.
- 4.12 Supplemental Residential Design Standards in Climate Centers and Climate Friendly Areas. Residential development within the Village Center Comprehensive Plan designation and within the Climate Friendly Area overlay districts are subject to the additional design standards in ADC 8.485. The provisions of these additional standards are intended to promote the design of an urban environment that is built to human scale and to foster a mixed-use character for village centers.
- 4.13 The subject property is zoned MUC with a Village Center Comprehensive Plan designation and is located within the Climate Friendly Area overlay district. Based upon these facts, 50 percent of the building’s street-facing and front facades must be surfaced with wood, brick, stucco, stone, masonry, cement or fiber cement, or synthetic versions of these materials. The roof line must provide at least one of the following elements: parapets, cornices, gables, dormers, varied roof heights, or top-level balconies. All exterior HVAC equipment must be screened from street-level view. The application materials indicate the street facing facades will be sided with MCU mutual materials to replicate stone, and cementitious panels (Hardie Plank) replicating wood panels. The structures will provide top-level balconies and varied roof heights, and no mechanical equipment will be visible at street-level view. These standards are met.

**Conclusions**

- 4.1 As proposed, all applicable design standards in Article 8 are met.

**Criterion 5**

**The application complies with all applicable Design Standards of Article 10.**

**Findings of Fact and Conclusion**

- 5.1 Article 10 pertains to manufactured homes, manufactured home parks, RV parks, and temporary uses. The applicant does not propose to develop the site with a manufactured home, manufactured home park, RV park, or any temporary uses.
- 5.2 This standard is not applicable.

**Criterion 6**

**The application complies with all applicable On-Site Development and Environmental Standards of Article 9.**

**Findings of Fact**

- 6.1 Bicycle Parking. ADC Table 9.030-1 requires the following:

| Proposed Use                       | Required                     | Total Dwelling Units | Calculation | Total            |
|------------------------------------|------------------------------|----------------------|-------------|------------------|
| Multiple Dwelling Unit Development | 0.5 spaces per dwelling unit | 108                  | 108*0.5=    | <b>54 spaces</b> |

The applicant proposes to construct two bike shelters, one with 30 stalls and the other with 24 stalls. This standard is met.

- 6.2 Bicycle Parking Standards. ADC 9.030(4) contains the minimum standards for required bicycle parking spaces.

- 6.3 **Access and Lighting.** ADC 9.030(4)(a) requires that bicycle parking areas have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and barriers, such as curbs or stairs. Bicycle parking areas must be well lit.
- 6.4 **Sheltered.** ADC 9.030(4)(d) requires all bicycle parking spaces for new multi-dwelling unit development to be sheltered. Spaces must be protected from precipitation by a roof overhang or a separate roof at least seven feet tall.
- 6.5 **Space and Access Dimensions:** Bicycle parking spaces and access dimensions must comply with the standards in Table 9.030-2 (above), except that at least 25 percent of bicycle parking spaces must be 3 feet wide by 8 feet long, with a 5-foot-wide access aisle and on the ground to accommodate cargo bicycles, including family and cargo bicycles.
- 6.6 **Bicycle Racks.** Each bicycle parking space must have a parking rack securely fastened to the ground except for vertically tipped spaces. Bicycle parking racks must support each bicycle at a minimum of two points. The racks must be durable and difficult to cut material and must not restrict the length, dight, or width of bikes.

| Vertical Spaces   |                  |                   |                   |                            |                                       |
|---|------------------|-------------------|-------------------|----------------------------|---------------------------------------|
| Standard  | 2 ft.            | 6 ft.             | 4 ft.             | 5 ft.                      | N/A                                   |
| Side-by-side <sup>(2)</sup>   | 1.5 ft.          |                   |                   |                            |                                       |
|   |                  |                   |                   |                            |                                       |
| Limitations and Qualifications  |                  |                   |                   |                            |                                       |
| Space Type  | Space Width<br>A | Space Length<br>B | Space Height<br>C | Access Aisle<br>Width<br>D | Clearance Between<br>Rack & Wall<br>E |
| (1) For horizontal spaces, the bike rack shall be centered along the long edge of the bicycle parking space.  |                  |                   |                   |                            |                                       |
| (2) Applies where bike racks are located side-by-side. For vertical spaces, the alternative 1.5 ft. space width requires a minimum vertical stagger of 8 inches between each space. |                  |                   |                   |                            |                                       |

6.7 The applicant proposes to construct two bicycle shelters, one to the north of the development site and one further south between Buildings 4 and 5. The northern bicycle shelter is located between Pacific Boulevard (OR99E), and apartment building #1. The site plan indicates a striped pedestrian and bicycle path connecting Building #1, across the secondary eastern driveway to 53rd Avenue and through a parking area, to the bicycle parking structure. The site plan also depicts a durable surfaced connection from the bicycle parking structure to Pacific Boulevard. This bicycle structure will contain 16 vertical stalls, and 8 cargo sized horizontal stalls, for a total of 24 bicycle stalls. The southern bicycle shelter is accessible via durable surfaced sidewalk that connects to the surrounding apartment buildings. This bicycle storage does not have direct access to a public right-of-way since it is located internally to the proposed development. This bicycle shelter will contain 24 vertical bicycle stalls, and 6 cargo sized horizontal stalls. All vertical stalls are proposed at 2 feet wide by 4 feet long with a height of 6 feet and an aisle width of 5 feet. The cargo stalls are proposed at 3 feet wide by 8 feet long with a roof height of 7 feet. The submitted materials did not provide construction details of the location of lighting within the bicycle shelters or the location of curb cuts to ensure there are no access barriers between the parking/travel aisles and the bicycle shelters. As a condition of approval, the applicant

shall submit lighting details and the location of the curb cuts at access points to the bicycle shelters prior to the issuance of building permits.

6.8 Maximum Parking. ADC Table 9.020-1 allows the following:

| Proposed Use                                    | Maximum Permitted                                       | Total Units | Calculation                               | Additional 30 Percent Calculation | Maximum Allowed |
|---|---|-------------|---|-----------------------------------|-----------------|
| Multi-Dwelling Unit: Studio and 1-bedroom units | 1 space per unit, plus 1 visitor space every 4 units    | 66          | 66*1=66<br>66/4=16.5<br>66+16.5=82.5      | 82.5*1.30=107.25                  |                 |
| Multi-Dwelling Unit: 2-bedroom units            | 1.5 spaces per unit, plus 1 visitor space every 4 units | 42          | 42*1.5=63<br>63/4=15.75<br>63+15.75=78.75 | 78.75*1.30=102.38                 | <b>209</b>      |

The site plan shows a total of 143 parking spaces, which is less than the maximum allowed parking for the development. This standard is met.

6.9 Carpool/Vanpool Spaces. Parking is not required for residential development. This standard is not applicable.

6.10 Accessible Space: Off-street parking is not required, but when provided ADC 9.040 requires parking spaces compliant with the Americans with Disabilities Act (ADA) to be provided in accordance with ORS 477.233. The amount and location of required ADA spaces are reviewed at the time of building permits.

6.11 Electrical Vehicle Charging Capacity. Off-street parking is not required, but when provided no less than 40 percent of all vehicle parking spaces serving newly constructed residential buildings to be served by electrical service capacity for a level 2 electric vehicle charging station (ADC 9.050). The applicant’s site plan shows a total of 143 parking spaces, five of which are reserved for ADA. The applicant did not provide details on which parking stalls will be served by the required electrical vehicle charging stations. As a condition of approval, prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.

6.12 Parking Area Improvement Standards: All public or private parking areas must be improved to the standards found in ADC 9.100. When the total parking area for development sites exceeds 10,890 square feet, parking area improvements must comply with the additional standards in ADC 9.130.

6.13 The applicant proposes to provide 143 off-street parking spaces with a total parking area of more than 10,890 square feet. The applicant’s site plan (Attachment B) shows the proposed parking lot is designed with one main driveway and multiple two-way travel aisles connecting to the main driveway. Provided parking is located along the driveways and within two separated parking clusters. All proposed parking areas will be paved and individual parking stalls striped. Each parking stall provides a wheel bumper to prevent vehicles encroaching upon provided pedestrian facilities, landscaping areas, and property lines.

6.14 Surfacing. ADC 9.100(3) requires parking, including travel aisles and access shall have a durable, dust-free surface. The submitted site plan shows the entirety of the parking lot will be surfaced with a durable, dust-free surface. This standard is met.

- 6.15 Drainage. ADC 9.100(4) requires all parking lots to provide a drainage system to dispose of stormwater runoff. Findings regarding the proposed stormwater system are found below under Criterion Seven and incorporated here by reference.
- 6.16 Perimeter Curb. ADC 9.100(5) requires perimeter curbing around all parking areas. The applicant's site plan indicates perimeter curbing will be provided around all parking areas and pedestrian paths bordering parking areas and driveways. This standard is met.
- 6.17 Wheel Bumper. ADC 9.100(6) requires wheel bumpers to be used when parking stalls abut a sidewalk, alleyway, street, or property line. Wheel bumpers must be installed in parking spaces facing the building unless the adjacent sidewalk is at least seven feet six inches wide to accommodate vehicle encroachment. The submitted site plan depicts the use of wheel bumpers for all parking stalls along sidewalks. This standard is met.
- 6.18 Turnaround. ADC 9.100(7) requires groups of more than two parking spaces to be located and served by an aisle or turnaround so that their use will require no backing movements or other maneuvering in a street right-of-way other than an alley. The proposed parking area has been designed to ensure no backing movement or other maneuvering in a street right-of-way will be required. This standard is met.
- 6.19 Striping. ADC 9.100(8) requires all provided off-street parking stalls to be permanently and clearly striped. When motorcycle parking, compact, or ADA parking spaces are provided, they must be designated within the stall. The applicant's site plan indicates the parking lot will be striped and accessible pavement markings to be provided for all designated ADA spaces. This standard is met.
- 6.20 Connecting to Adjacent Parking Areas. ADC 9.100(9) requires parking lots to connect to adjacent existing or future parking areas. This requirement for connections to adjacent parking areas can be waived when it is deemed impractical or inappropriate due to the nature of the adjoining uses. The subject properties abut four properties to the east and one property to the west. The properties to the east are located within the MUC zoning district and are partially developed with an entertainment center and mini-golf course. The site plan shows a driveway connecting the proposed development to the existing developed driveway to the east. The remaining properties to the east are undeveloped. The site plan shows a parking lot abutting the undeveloped sites with travel aisles that could be connected when the properties are developed. The singular property to the west is located within the R-6.5 zoning district and is separated from the proposed development by the OS zone and protected natural features. A connection to the western property would be both impractical and inappropriate. Additional findings and conditions of approval addressing site connectivity are located under criterion 8 of the Site Plan Review and are incorporated herein by reference.
- 6.21 Parking Lot Landscaping. ADC 9.100(10) requires parking lots over 1,000 square feet (contiguous) to conform with the parking lot landscaping standards found in ADC 9.150. A more detailed finding is provided further below.
- 6.22 Compact Car Parking. ADC 9.100(11) allows up to 40 percent of the required parking stalls to be compact. The applicant proposes to provide 55 compact stalls; this would make up 38.5 percent of all provided parking. This standard is met.
- 6.23 Accessible Parking. ADC 9.040 and 9.100(12) requires accessible parking be provided in conformance with the Oregon Structural Specialty Code. As indicated in the proposed site plan, the applicant has provided accessible parking and an accessible route to the building. Conformance with the Oregon Structural Specialty Code will be assessed at the time of building permit application.

- 6.24 Lighting. ADC 9.100(13) requires all provided lighting to be arranged to reflect light away from any abutting or adjacent properties. All outdoor lighting shall provide glare shields as required to ensure light intrusion does not occur on adjacent properties or within the public right-of-way. The application materials provided site lighting details including the locations of all sconces, path lighting, post lighting, and accent lighting. As a condition of approval, all lighting must be arranged to reflect light away from abutting or adjacent properties prior to the issuance of final occupancy.
- 6.25 Pedestrian Access. ADC 9.100(14) requires walkways and accessways to be provided for all new off-street parking lots and additions to connect sidewalks adjacent to new development to the entrances of new buildings. The site plan indicates that a durable surfaced walkway will be provided from each new building to the provided off-street parking and connections to the public right-of-way. This standard is met.
- 6.26 Off-Street Parking Lot Design. ADC 9.120 states that all off-street parking lots over 1,000 square feet (contiguous) must be designed in accordance with City standards for stalls and aisles set forth in Table 9.120-1. The proposed development will include 143 off-street parking spaces. Provided off-street parking will be located along the site's driveway and within two separate parking areas. The driveway, which provides the main circulation through the site, has a width of 26 feet and will support two-way traffic through the development. The parking area, including driveways and drive aisles, will exceed 10,890 square feet and will be subject to the standards in ADC 9.130 in addition to the standards in 9.120. Findings addressing the standards in ADC 9.130 are located elsewhere in this staff report and are incorporated herein by reference.
- 6.27 Driveways. ADC 9.120 (3) requires interior driveways to meet specific standards, unless the driveway is lined with angled or perpendicular parking stalls. The applicant proposes to provide parking stalls perpendicular to the interior driveways; therefore, the standards of 9.120(3) are not applicable.
- 6.28 Minimum Driveway and Drive Aisle Widths. ADC 9.120(4) a minimum of a 24-foot-wide driveway for two-way traffic and emergency vehicles. One-way driveways and one-way emergency vehicle access must be at least 20 feet wide. Drive aisles dimensions must comply with the standards in Table 9.120-1. The site plan shows 26-foot-wide driveway and drive aisles throughout the site. This standard is met.
- 6.29 Parking Lot Design. ADC 9.120(5) and 9.120 (6) "Compact Spaces" requires parking stalls and aisles to comply with Table 9.120-1. The site plan shows a total of 143 off-street parking stalls. Of the 143 parking spaces, 55 are to be compact stalls and the remaining 88 spaces will be standard sized. All provided parking will be at a 90-degree angle and are served by a 26-foot-wide travel aisle. The following are the dimensions of provided parking stalls: standard parking spaces are approximately 8.5 feet wide with a depth of 18.5; compact spaces are 8 feet wide and depth of 16 feet. Parking stalls fronting a sidewalk, street, or property line will be equipped with a wheel bumper to be located no closer than 3 feet from the curb. This standard is met.
- 6.30 Accessible Spaces. According to ADC 9.120, accessible spaces shall be a minimum of nine feet wide and 17 feet long and designed in accordance with the Oregon Structural Specialty Code (OSSC). An adjacent aisle must be provided that is at least eight feet wide and 17 feet long for a van-accessible space, and 6 feet wide for a standard accessible space. The dimensions for ADA spaces are reviewed for compliance at the time of building permit review.

- 6.31 Stall Width. ADC 9.120(8) requires long term parking spaces to be at least 8.5 feet wide. Parking stalls for grocery stores or adjacent to planter islands to be at least 9.5 feet wide. The proposed development does not offer long-term parking spaces and is not part of a grocery development. The spaces next to the planter bays will be at least 9.5 feet wide. This standard is met.
- 6.32 Surface Parking Areas. ADC 9.130 requires parking areas of more than 0.25 acres (10,890 square feet) to comply with standards to minimize visual impact of surface parking and improve environmental and climate impacts. The required standards for parking areas greater than 10,890 square feet consisting on complying with one of the following options: the installation of solar panels with a generation capacity of at least a 0.5 kilowatt per new parking space; public buildings, as defined in ORS 270c.527, meeting the requirements with OAR 330-135-00100; or the planting and maintaining of a tree canopy that is at least 40 percent of all parking surface areas.
- The proposed parking area will exceed 10,890 square feet and must meet one of the standard options under ADC 9.130.
- 6.33 The applicant proposes to meet this requirement by providing tree canopy that will cover at least 40 percent of all parking surface areas within 15 years of planting. The applicant provided a landscaping plan (Attachment E) which includes a list of trees to be planted and the canopy calculations. Per the landscaping plan the total proposed surface parking area is 54,213 square feet, which would require a minimum tree canopy of 21,685 square feet. Based upon the landscaping plan the applicant proposes to have a canopy area of 21,685 square feet (40 percent) over the surface parking area. This standard is met.
- 6.34 Walkways. ADC 9.130(5) requires that parking lots be designed to separate pedestrians from vehicles and include protected pedestrian walkways from parking areas to building entrances. Walkways must be protected by landscaping, curbs, or parking bumpers. Walkways may cross a vehicle aisle if distinguished by a color, texture, or elevation different from the parking and driving areas. Walkways must not share a vehicle aisle. The proposed parking lot design shows a two-way vehicle aisles between the parking spaces provided and the entrances of the apartment buildings. The applicant's site plan (Attachment B) shows that walkways are protected by curbs and parking bumpers and the pedestrian crossing of the drive aisle demarcated by striping. As a condition of approval, the applicant must demarcate the pedestrian crossing by a different color, texture or elevation from the parking and driving areas prior to the issuance of any occupancy.
- 6.35 Parking Lots with More than 75 Spaces. ADC 9.130(6) contains additional standards for parking lots with more than 75 parking spaces. The proposed development will not create a single parking lot with more than 75 parking spaces. This standard is not applicable.
- 6.36 Street Bicycle and Pedestrian Connectivity. The standards of ADC 9.133 are intended to promote efficient circulation between properties, convenient pedestrian and bicycle access to nearby streets, adjacent uses, and transit stops, and improve safety for both drivers and pedestrians. These standards apply to all zoning districts except HD, DMU, CB and WF. The subject property is located within the MUC zoning district; therefore, the standards of ADC 9.133 apply and are addressed below.
- 6.37 Connectivity Between Sites. To promote connectivity and dispersal of traffic and efficient circulation between properties, new development may be required to provide street or driveway stubs and reciprocal access easements to, and for, adjacent properties. The subject property has a Comprehensive Plan Map designation of Village Center and is located within a secondary Climate Friendly Area overlay, both of which have additional

requirements for interconnectivity between properties. The submitted site plans show a direct connection to the developed property to the east, Lakeshore Lanes. The site plan also provides travel aisles that terminate at the property line to the undeveloped lots north of Lakeshore Lanes. [The applicant provided an updated site plan at the March 30, 2026, Planning Commission public hearing \(Attachment J\). The updated site plan shows removable bollards to be located across the vehicular connection to the neighboring property to prevent vehicular traffic through the Lake Shore Lanes.](#) Additional findings and conditions of approval addressing the requirements for reciprocal access and parking easements for this development are addressed under criterion 9 within this staff report and are incorporated herein by reference.

- 6.38 Pedestrian and bicycle connections. ADC 9.133(4) requires pedestrian and bicycle connections to be provided via a direct route between the building's main entrance and the nearest sidewalk or the roadway where there is no sidewalk. The site plan shows direct five-and-half-foot-wide pedestrian walkway connections throughout the proposed development connecting to the public right-of-way and the abutting commercial uses. [The original site plan did not delineate direct bicycle paths through the site to adjoining right-of-way or adjacent properties and uses. At the March 30, 2026, Planning Commission public hearing the applicant had provided an updated site plan \(Attachment J\) which included a 10-foot-wide pedestrian and bicycle path connecting 53<sup>rd</sup> Avenue to the neighboring property to the east.](#)
- 6.39 The subject property is located within a secondary Climate Friendly Area overlay and is subject to the standards of ADC Article 14. The Lot and Block standards of ADC 14.040(4)(a) has a maximum block length of 500 feet. Where block lengths exceed 350 feet a public through block accessway must be provided to facilitate a safe and convenient pedestrian and bicycle connectivity. Due to the existing site conditions, and the fact that the proposed development is not creating new lots or blocks, the proposed development meets the exceptions as defined in ADC 14.040(4)(d)i, 14.040(4)(d)iii, and 14.040(4)(d)vii. Additionally, the site constraints also include access constraints to the public right-of-way. The City Engineer finds the standards found within ADC 8.280, and here in ADC 9.133(4) together with the exemption under ADC 14.040, the site will not be required to provide a public access way for pedestrian and bicycle connectivity. The development will be required to provide direct and convenient bicycle and pedestrian access through the site per ADC 14.040(4) *"When approving an exception, the City Engineer may require pedestrian and/or bicycle connectivity through the development when warranted."* [The original site plan did not delineate direct bicycle paths through the site to adjoining right-of-way or adjacent properties and uses. As such, there was a condition of approval imposed in the Director's Decision requiring an updated site plan delineating direct and convenient pedestrian and bicycle access through the site and connecting to adjacent properties. At the March 30, 2026, Planning Commission public hearing the applicant had provided an updated site plan \(Attachment J\) which included a 10-foot-wide pedestrian and bicycle path connecting 53<sup>rd</sup> Avenue to the neighboring property to the east. The Planning Commission found the updated site plan met this standard and included the removal of the condition for an updated site plan.](#)
- 6.40 Major Transit Stops. ADC 9.133(5) contains additional site improvements for sites at major transit stops. A major transit stop is not located at the site. This standard is not applicable.
- 6.41 Pedestrian and bicycle connections standard. All pedestrian and bicycle accessways must be constructed of concrete, asphalt, brick or masonry pavers, or other hard surface, and not less than five feet wide. The submitted site plans demonstrates all pedestrian and

- bicycle connections will be at least five feet wide and constructed of concrete. This standard is met.
- 6.42 Landscaping Required –Residential. ADC 9.140(1) requires all front and interior setbacks (exclusive of accessways and other permitted intrusions) must be landscaped, or have landscaping guaranteed in accordance with ADC 9.190 before an occupancy permit will be issued. The subject property is located within the MUC zoning district which has front setback of 5 feet. The subject property abuts two arterial rights-of-way, 53rd Avenue and Pacific Boulevard (OR99E) and is subject to the buffering standards for multi-dwelling unit development abutting an arterial right-of-way. The application materials included a detailed landscaping plan, which exceeds the minimum landscaping requirements for residential development. This standard is met.
- 6.43 Planter Bays. ADC 9.150(1) states parking areas shall be divided into bays of not more than 12 parking stalls, and the end of each parking bay shall be a curbed planter at least 6 feet wide, excluding the curb. The submitted site plan shows planter bays at least six feet in width at the end of each parking bay. The submitted landscaping plan provided planter bay details and generally meet the standard of ADC 9.150(1). There are three parking areas that appear to be missing planter bays, the parking area between the existing communications tower and the bike shelter, the parking area to the north of building #7, and a parking aisle to the east of building #1. As a condition of approval, prior to the issuance of building permits, an updated landscaping plan meeting the requirements of ADC 9.150 for all parking areas must be submitted and approved.
- 6.44 Entryway Landscaping. ADC 9.150(2) requires both sides of the parking lot entrance to be bordered by a minimum five-foot-wide landscape planter strip meeting the same landscaping provision as planter bays. The proposed development will consist to two parking lot entrances onto 53rd Avenue. Based upon the submitted landscaping plan (Attachment E) both entrances will have landscaped planters that are at least five feet wide.
- 6.45 Parking Space Buffers. ADC 9.150(3) requires parking areas to be separated from the exterior wall of a structure by pedestrian walkways or loading areas or by a five-foot strip of landscaping. As shown on the applicant’s site plan, the proposed buildings are separated from parking areas by a five-and-half foot-wide pedestrian walkway. This standard is met.
- 6.46 Stormwater Collection System. ADC 9.150(4) requires vegetated post-construction stormwater quality facilities to be considered as the initial stormwater collection system. This standard is addressed in Criterion 7 and 9 within this staff report and is incorporated herein by reference.
- 6.47 Landscaping Protection. ADC 9.150(5) requires all landscaped areas adjacent to graveled areas to be protected. The proposed development does not include any gravel areas. This standard is not applicable.
- 6.47 Irrigation of Required Landscaping. ADC 9.165 requires all required landscaped areas to be provided with an irrigation system unless a licensed landscape architect, landscape construction professional, or certified nurseryman provides documentation that the plants do not require irrigation. The applicant proposes installing an automatic irrigation system for all landscape areas. As a condition of approval, an irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.
- 6.48 Tree Protection. ADC 9.202 through 9.206 contain the tree protection standards that apply to any proposed development. The applicant does not propose to remove 5 or more trees from the subject properties. This standard is met.

- 6.49 **Buffering and Screening.** Table 9.210-1, ADC 9.240 requires a 10-foot-wide landscape buffer when a development abuts an arterial street. The subject site abuts 53rd Avenue, a minor arterial, to the north and Pacific Boulevard, a principal arterial, to the east. The north property line adjacent to an arterial street, for the reach of this project, is approximately 661 feet which requires 6,610 square feet of landscaped buffer area. The eastern property line adjacent to Pacific Boulevard is approximately 116 feet, requiring 1,160 square feet of landscaping area. The following landscaping is required along 53rd Avenue: At least one row of either 10-foot-tall deciduous trees spaced not more than 30 feet apart or 5-foot-tall evergreen trees spaced not more than 15 feet apart; 35, 5-gallon shrubs or 60, 1-gallon shrubs; and the remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, or evergreen shrubs). The following landscaping is required along Pacific Boulevard: least one row of either 10-foot-tall deciduous trees spaced not more than 30 feet apart or 5-foot-tall evergreen trees spaced not more than 15 feet apart; six, 5-gallon shrubs or 12, 10-gallon shrubs; and the remaining area treated with ground cover (e.g., lawn, bark, rock, ivy, or evergreen shrubs).
- 6.50 [According to Table 9.210-1 a 10-foot-wide landscape buffer is required between multiple dwelling units and commercial uses. The applicant's submittal did not include landscape details addressing this buffering standard. Buffer areas may be occupied by screening, sidewalks, bikeways, landscaping, and approved vegetated post-construction stormwater quality facilities. The March 30, 2026, site plan shows a 10-foot-wide bicycle and pedestrian facility bordered by one-and-a-half landscaping strip. The details did not include landscaping details to meet this standard.](#)
- 6.51 The submitted landscaping plan detailed the location of trees and shrubs proposed to meet the buffering standards along 53rd Avenue and Pacific Boulevard. As a condition of approval, all required buffering landscaping must be installed prior to the issuance of final occupancy.
- 6.52 **Screening of Refuse Containers.** ADC 9.255 requires any refuse container or disposal area that would otherwise be visible from a public street, customer or resident parking area, any public facility, or any residential area must be screened from view by a sight-obscuring fence, wall or hedge at least 6 feet tall. The location of the refuse containers will not be visible from a public right-of-way but will be visible from the on-site residential parking areas. The submittal included elevations for the screening of the refuse containers. This standard is met.
- 6.53 **Environmental Standards.** ADC 9.435, 9.440 - 9.500 includes environmental standards related to neighborhood compatibility, noise, visible emissions, vibrations, odors, glare, heat, insects, rodents, and hazardous waste. The applicant states that there will be no unusual noise, vibration, odors, degraded water quality, or glare caused by the development and residential use.

## Conclusions

- 6.1 The proposal conforms with the applicable site development standards, as conditioned.

## Conditions

- Condition 2 **Bicycle Parking Shelter.** Prior to the issuance of building permits, the applicant must provide the lighting details within each of the bicycle shelters and the location of all curb cuts providing access to the bicycle parking areas.
- Condition 3 **Electrical Vehicle Charging.** Prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.

- Condition 4 **Lighting Details.** Prior to any issuance of occupancy, all exterior lighting must be arranged to reflect light away from abutting or adjacent properties.
- Condition 5 **Walkways.** Prior to the issuance of any occupancy the applicant must demarcate the pedestrian crossing within the travel aisle by a different color, texture or elevation from the parking and driving areas.
- ~~Condition 6 **Pedestrian and Bicycle Connectivity.** Prior to the issuance of building permits, the developer shall provide to Public Works and the Planning Department a site circulation plan with a direct and convenient pedestrian and bicycle access through the site to adjacent properties, uses, and public right-of-way. **Repealed by the Planning Commission.**~~
- Condition 7 **Buffering Standards.** Prior to any occupancy, all required buffering landscaping must be installed.
- Condition 8 **Landscaping.** Prior to the issuance of final occupancy, all landscaping must be installed or financially insured under ADC 9.190(1)
- Condition 9 **Irrigation of Required Landscaping.** An irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.

### Criterion 7

**The Public Works Director has determined that public facilities and utilities are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.**

#### Findings of Fact

##### *Sanitary Sewer*

- 7.1 City utility maps show an 8-inch public sanitary sewer main in 53rd Avenue. The subject properties are not connected to City sewer.
- 7.2 The objectives contained in ADC 10.01.010(1) are to facilitate the orderly development and extension of the wastewater collection and treatment system, and to allow the use of fees and charges to recover the costs of construction, operation, maintenance, and administration of the wastewater collection and treatment system. 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. ADC 12.490 requires that sewer collection mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion.
- 7.3 AMC 10.01.080(2) states that before the City will issue a Building Permit, the applicant must pay to the City and necessary System Development Charges and any other applicable fees for connection to the public sanitary sewer system.
- 7.4 The applicant's preliminary utility plan indicates the project will connect to existing sanitary sewer main with a new lateral. An Encroachment Permit from the City of Albany's Public Works Engineering Division is required for any work in the public right-of-way and connecting to public sanitary sewer. New sewer lateral(s) must comply with the City's Engineering Standards.

### Water

- 7.5 City utility maps show a 12-inch public water main in 53rd Avenue. The subject properties are not connected to City water.
- 7.6 ADC 12.410 requires all new developments to extend and/or connect to the public water system if the property is within 150 feet of an adequate public main. ADC 12.430 requires that water distribution mains must be extended along the full length of the property's frontage along the right-of-way or to a point identified by the City Engineer as necessary to accommodate likely system expansion.
- 7.7 The applicant's preliminary utility plan shows installation of new water service and fire line. The applicant proposed a new water service to serve the proposed development. The developer must obtain a Water Meter Permit through the City of Albany's Engineering Division for a new water service with meter. The developer must obtain a Permit for Private Construction of Public Improvements through the City of Albany's Engineering Division for the installation of a fire line.

### Storm Drainage

- 7.8 City utility maps show 12-inch, 15-inch, and 18-inch public storm drainage mains in 53rd Avenue. Fifty-third Avenue is constructed to City standards with curb and gutter.
- 7.9 It is the property owner's responsibility to ensure that any proposed grading, fill, excavation, or other site work does not negatively impact drainage patterns to, or from, adjacent properties. In some situations, the applicant may propose private drainage systems to address potential negative impacts to surrounding properties. Private drainage systems that include piping will require the applicant to obtain a plumbing permit from the Building Division prior to construction. In addition, any proposed drainage systems must be shown on the construction drawings. The type of private drainage system, as well as the location and method of connection to the public system must be reviewed and approved by the City of Albany's Engineering Division.
- 7.10 ADC 12.530 state that a development will be approved only where adequate provisions for storm and flood water run-off have been made, as determined by the City Engineer.
- 7.11 The applicant provided a preliminary drainage plan and storm report for the project. The applicant's preliminary site improvement plans show constructing a private piped system on site to convey the building's runoff and site runoff through an underground detention pipe and the vegetated water quality swale that discharges to an existing onsite stormwater system.
- 7.12 AMC 12.01.090 the Public Works Director may require best management practices (BMPs) for any activity, operation, or facility which may cause or contribute to the introduction of pollutants to rights-of-way, wetlands, drainage ways, the municipal stormwater system, receiving waters, and/or areas that include or contribute directly to the Waters of the State. Where BMP requirements are promulgated by the Director, the owner or operator of such activity, operation, or facility shall provide, at their own expense, reasonable protection from the discharge of pollutants, as described above, through the use of these structural and/or nonstructural BMPs. An erosion prevention and sediment control (EPSC) permit shall be obtained for land-disturbing activities affecting an area of 2,000 square feet or greater, cumulatively (AMC 12.40.030).

### Conclusions

- 7.1 Public utilities (water, sanitary sewer and storm) are available to serve the proposed development.

- 7.2 The applicant must obtain an Encroachment Permit through the City's Public Works Department for the proposed sewer lateral.
- 7.3 The applicant must obtain a Water Meter permit from the City's Public Works Department for a new water service with meter.
- 7.4 The applicant must obtain a Permit for Private Construction of Public Improvements Permit from the Publics Works Department prior to connecting to the public water system for the proposed fire line.
- 7.5 The applicant's preliminary drainage plans show the installation of onsite detention for flood control and discharges to the public storm drainage system. The applicant must obtain an Encroachment Permit through the City's Public Works Department for the proposed storm drainage lateral.
- 7.6 The applicant shall install Best Management Practices prior to any ground disturbing activities under Public Work's Erosion Prevention and Sediment Control Permit.

### Conditions

- Condition 10 Prior to connecting to the public sanitary sewer for a new sanitary sewer service an Encroachment Permit must be obtained from the Public Works Department.
- Condition 11 Prior to connecting to the public water main for proposed fire line, the applicant must obtain a Site Improvement permit from Public Works Department.
- Condition 12 Prior to connecting to the public storm drainage system for a new storm service an Encroachment Permit must be obtained from the Public Works Department.
- Condition 13 Prior to any ground disturbing activities, the applicant must obtain an Erosion Prevention and Sediment Control Permit for Public Works Department and install Best Management Practices.

### Criterion 8

**The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.**

### Findings of Fact

- 8.1 The proposed development includes a replat to consolidate three parcels into an 8.29-acre unit of land; a Site Plan Review for the construction of 108-unit apartment complex. The subject properties are located at 1190 53rd Avenue, 1122 53rd Avenue, and 5310 Pacific Boulevard.
- 8.2 The subject property takes access off 53rd Avenue and Pacific Boulevard (Highway 99E). The applicant proposes two new accesses off of 53rd Avenue to serve the site. The eastern access must be a restricted right-in and right-out only access. The existing accesses off of 53rd Avenue the Pacific Boulevard are to be removed.
- 8.3 Fifty-third Avenue is classified as a major collector street and is fully improved to city standards along the site's frontage. Existing improvements include: a vehicle travel lane in each direction, two-way center turn lane, on street bike lanes, and sidewalk along the subject property frontage.
- 8.4 The applicant submitted a Traffic Impact Analysis (TIA) with the application. The study was performed by Clemow Associates LLC and is dated September 24, 2025. The development is projected to generate approximately 768 vehicle trips per day, of which 67 would occur during the peak PM traffic hour. [The applicant submitted an updated TIA ahead of the March](#)

[30, 2026, Planning Commission public hearing.](#)

- 8.5 The Clemow Associates LLC TIA analyzed the operation of the street system at build-out of the development at year 2026, and at year 2031 (build-out + 5 years) meeting ODOT standards. ODOT intersection performance standards are: a volume to capacity (v/c) ratio of 0.95 for the worst-case movement at two-way, stop-controlled intersections and driveway approaches to a public street. The study performed a queuing analysis to evaluate storage adequacy. The traffic distribution was analyzed with 70 percent of trips generated using 53rd Avenue and 30 percent of trips using a shared access via Lakeshore Lane's driveway. Based upon these assumptions, the submitted TIA demonstrates the site development meets all mobility standards and there is adequate queuing storage. [The updated TIA amended the traffic distribution to analyze the operational capacity of 53rd Avenue and Highway 99E with all new trips going to 53rd Avenue. This included an updated queuing lengths analysis. The updated TIA demonstrates that with all traffic going to 53rd Avenue that the intersection still meets all mobility standards for ODOT and the City.](#)
- 8.6 The traffic study evaluated the performance of the following intersections:
- Fifty-third Avenue at Willetta Street. This intersection is controlled by a stop sign on Willetta Street as a "tee-intersection". The site proposes a new access point at this intersection, west access. At year 2026 the intersection was projected to operate at LOS A, V/C of 0.01 during both the AM and PM peak traffic hours. At year 2031 projected to operate at LOS A, V/C of 0.02 during the AM and PM peak traffic hours. The intersection will meet City of Albany operational standards and can accommodate the development with no mitigation. Queuing analysis showed a TIA recommendation that the center turn lane be used for westbound left-turn movements into the site. The recommendation provided is 75 feet of storage for the site.
  - September 24, 2025 TIA divided trips to the development with 70 percent utilizing the 53rd Avenue access and the remaining 30 percent accessing Highway 99E. The original TIA showed an access to 53<sup>rd</sup> Avenue through Lakeshore Lanes via a reciprocal access easement. Lakeshore Lakes [The updated TIA referenced that at this time the subject property does not have a shared access easement across Lakeshore Lanes to Highway 99E that benefits the subject property. The TIA modeled the traffic as worst-case scenario that all trips would go to 53rd Avenue. The proposed development includes a driveway which could be connected to the neighboring commercial property. To prevent trespassing traffic, the applicant will install bollards along the property line where the driveways could be connected.](#)
  - Pacific Blvd. at 53rd Ave. This intersection is controlled by a traffic signal. At year 2026 projected to operate at LOS A, V/C of 0.46 during the AM and V/C of 0.49 during the PM peak traffic hours. At year 2031 projected to operate at LOS A, V/C of 0.51 during the AM and V/C of 0.54 during the PM peak traffic hours. The intersection will meet ODOT operational standards and can accommodate the development with no mitigation. Queuing analysis performed on this intersection did not show an increase in queuing length at this intersection at 2026 or 2031 build-out.
  - Existing shared Lakeshore Lanes Access at Pacific Blvd. This was evaluated for separate turn lane analysis and queuing analysis. At year 2026 it was projected to operate at LOS A, V/C of 0.01 during the AM and V/C of 0.10 during the PM peak traffic hours. At year 2031 it was projected to operate at LOS A, V/C of 0.07 during the AM and V/C of 0.13 during the PM peak traffic hours. The intersection will meet ODOT operational standards

and can accommodate the development with no mitigation. Queuing analysis did not show an increase in queuing length at this intersection at year 2026 or 2031 build-out.

- New access to 53rd Avenue, east access. This was evaluated for separate turn lane analysis and queuing analysis. This site access is located approximately 95 feet from Pacific Blvd and 53rd Avenue intersection. The TIA shows due to the proximity to this intersection and the eastbound left-turn queues, that left-turn movements into the site should be restricted for safe and efficient operations.

8.7 The subject property was part of a Comprehensive Plan Map Amendment and Zone change (CP-01-04 et al). The previous land use had a Traffic Impact Study performed by Lancaster Engineering that evaluated the “Village Center” properties owned by the Schneiders, Martins, and Nyquist. The Village Center overlay was intended to create a fully interconnected neighborhood of mixed uses (commercial, office, recreation, residential units). All the properties within the “Village Center” overlay proposed this designation and were applicants for the proposed amendments. The land use review of the Comprehensive Plan Map Amendment and Zone Amendments included seven separate properties, four owned by Schneider Homes; two owned by Nyquist Ventures, LLC; and one owned by the Martin family. All properties included in the combined applications, CP-01-04 et al, were evaluated together in a traffic impact study with 70 percent of trips generated going to 53rd Avenue and 30 percent going to Highway 99E (Pacific Boulevard). This distribution was used for the increase in generated vehicle trips from the development potential of the site based upon a “worse-case” scenario as an impact under a transportation planning rule (TPR) analysis OAR-660-12-060(1). The evaluated site included an internal connection between 53rd Avenue and Highway 99E. The TPR analysis showed that the trips generated were split between the two approaches and reducing the impacts on 53rd Avenue and Highway 99E intersection. The TPR analysis shows, as analyzed with the trip distribution, that the increase in trips did not cause the need for mitigation. Findings from the staff report for CP-01-04 reference this shared common interior circulation pattern that results in shared access to Highway 99E and 53rd Avenue (see directly below).

- 1.18 In addition to the review criteria above, Oregon Administrative Rule (OAR) 660-12-060(1) states that ***“Amendments to functional plans, acknowledged comprehensive plans, and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and level of service of the facility.”***

The site is located on the southwest corner of Highway 99E and 53rd Avenue, and has frontage on both roads. Highway 99E is classified as a principal arterial street and is under the jurisdiction of ODOT. The street is improved to City standards and includes: curb, gutter, and sidewalk; two travel lanes in each direction; a two-way center left-turn lane; and bike lanes. The speed limit is 50 MPH. 53rd Avenue is classified as a major collector street.

53rd Avenue is in the process of being improved to City standards with a Local Improvement District (LID). Improvement will include: curb, gutter and sidewalk; a travel lane in each direction; bike lanes; and installation of a traffic signal at the intersection of Highway 99E and 53rd Avenue. Tax lots 602, 603 and 604 are not within the LID boundary. When the 53rd Avenue LID was formed, the parcels involved in this zone change were zoned for single-family residential development. The assessment methodology developed with the LID was based upon the assumption that future development of these parcels would be single-family development.

The applicant submitted a traffic study with the application. The study was performed by Lancaster Engineering and is dated June, 2004. ODOT and City staff have reviewed the study. The study assumed the site would be developed with uses permitted under the requested zone designation, and that those uses would have a shared common interior circulation pattern that resulted in shared access to both Highway 99E and 53rd Avenue. Anticipated uses included: a 16-lane bowling alley, 33,560 square feet of retail space, 11,160 square feet of office space, a 4,500-square-foot restaurant, and 18 apartment units. Trip generation estimates were then calculated for the proposed uses and the public street system was analyzed at year 2019 to determine capacity and the extent of any needed improvements.

8.8 Previous land use cases and traffic studies were approved with a common shared

accessway between Highway 99E and 53rd Avenue. SP-14-04 Condition 6.1 required shared reciprocal access and parking easement for all properties in the Village Center to promote efficient circulation between uses and to promote connectivity and dispersal of traffic. The proposed development will need to provide a reciprocal access and parking easement for the benefit of all properties within the Village Center to promote connectivity and dispersal of traffic. The required easement will be located over all driveways and connect to Lakeshore Lanes' shared accessway and provide connection to vacant properties identified upon the Linn County Tax Assessment Map as 11S04W24DA01401 and 11S04W24DA01402. [The appellant provided to the Planning Commission documentation and a letter stating that there was no reciprocal assess easement provided to the benefit of the subject property.](#)

- 8.9 Albany's Transportation System Plan (TSP) does not identify any level of service or congestion issues adjacent to the proposed development.

## Conclusions

- 8.1 The development's frontage on 53rd Avenue is improved to city standards.
- 8.2 The project will construct a 108-unit multi-family apartment complex.
- 8.3 The development will create new accesses to 53rd Avenue. The design and location of the driveways comply with the standards contained in ADC 12.100. The east driveway shall be restricted to right-in and right-out movements. Existing access to the site along 53rd Avenue and Pacific Boulevard will be removed and replaced with standard curb, gutter and sidewalk.
- 8.4 The applicant submitted a traffic impact study with the application. The development is projected to generate approximately 768 vehicle trips per day, of which 67 would occur during the peak PM traffic hour. All studied intersections and driveways were found to meet ODOT and City of Albany performance standards at buildout of the development. The TIA recommended that the center turn lane be used for westbound left-turn movements into the site.
- 8.5 The development is consistent with previous traffic studies for new trip impacts to adjacent streets. The proposed development is to maintain the internal connection between adjacent uses and properties to disperse traffic between 53rd Avenue and Highway 99E with 30 percent of the trips generated going to the access on Highway 99E and 70 percent going to the 53rd Avenue access. ODOT may require a new access agreement for Highway 99E for further development of the Village Center. The applicant shall coordinate with ODOT for any work or modifications for access onto Highway 99E. [The proposed development does not have an access easement across Lakeshore Lanes to Highway 99E. The TIA showed the 53rd Avenue and Highway 99E intersection is able to handle all the new trips created by the development and meet ODOT and City operational standards. The proposed development provides a stubbed driveway to the neighboring property which could be connected at a later date. To prevent traffic trespassing upon the neighboring property the updated site plan indicated the use of removable bollards along the property line.](#)
- 8.6 [The development will need to provide a reciprocal access and parking easement for the benefit of the following properties: 11S04W24DA01400; 11S04W24DA01402; 11S04W24DA01500, and 11S04W24DA01501.](#)
- 8.7 Albany's Transportation System Plan does not identify any level of service or congestion issues adjacent to the proposed development.

## Condition

- Condition 14 Prior to the issuance of any occupancy, the applicant shall construct a new driveway approach to 53rd Avenue at the size and location shown on the approved site plan. The existing driveways along 53rd Avenue and upon Pacific Boulevard must be removed. All work shall be constructed to City Standards under a Public Works encroachment permit. The applicant shall restrict left turn movements leaving the site including the following:
- Right-in/Right-out restriction at eastern 53rd Avenue access. This access shall have a “pork-chop” style restriction meeting City of Albany standards.
  - Western 53rd Avenue access shall include median transition restriping of center-turn lane to be a left-turn pocket of approximately 75 feet as shown on the approved site plan.
  - Remove and replace driveways not being used with standard curb and gutter. Work in Highway 99E/Pacific Boulevard will require an ODOT permit.
- Condition 15 [Prior to final plat, the developer shall provide a reciprocal access and parking easement across the consolidated subject property benefitting the following properties: 11S04W24DA01400; 11S04W24DA01402; 11S04W24DA01500, and 11S04W24DA01501.](#)
- Condition 16 Prior to any occupancy the developer shall construct all shared vehicle, pedestrian, and bicycle connections to adjacent properties within the Village Center.

## Criterion 9

**The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.**

### Findings of Fact and Conclusion

- 9.1 AMC 12.45.030 requires that a post-construction stormwater quality permit is obtained for all new development and/or redevelopment projects on a parcel(s) equal to or greater than 5,000 square feet or more of impervious surface area, including all phases of the development. (Ord. 6012 § 2, 2023; Ord. 5841 § 3, 2014).
- 9.2 The proposed development will create or replace more than 5,000 square feet of impervious surface. The applicant provided a preliminary drainage plan and storm report for the project. The applicant’s preliminary site improvement plan shows constructing a private piped system on site to convey the building’s runoff and site runoff through vegetated water quality swale discharging to an existing onsite stormwater system.

## Conclusions

- 9.1 The applicant must provide stormwater quality and detention facilities for the proposed development as generally shown on the preliminary utility plans.

## Condition

- Condition 17 Prior to issuance of any building permits, the applicant must apply for stormwater quality permit through the City’s Public Works Department. Prior to final occupancy the applicant must construct stormwater quality and detention facilities that comply with the City’s Engineering Standards.

## Criterion 10

**The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.**

### Findings of Fact and Conclusion

- 10.1 The subject properties were approved for a concurrent Comprehensive Plan Map Amendment and Zone Map Amendment under land use case numbers CP-01-04 & ZC-01-04. The proposal changed the Comprehensive Plan from Urban Residential Reserve (URR) to Village Center (VC) and amend the zoning map to increase the Open Space zone to include the entirety of the floodplain as well as possible wetlands and re-zone the remaining land as Mixed Use Commercial (MUC).
- 10.2 This criterion is met.

## Criterion 11

**Sites that have lost their nonconforming status must be brought into compliance and may be brought into compliance incrementally in accordance with Section 2.370.**

### Findings of Fact and Conclusion

- 11.1 The existing development (communication tower) is not considered nonconforming. This criterion is not applicable.

## Natural Resource Impact Review Standards (ADC 6.310(A))

### Criterion 1

**The proposed activity is allowed under the requirements of the base zone.**

#### Findings of Fact

- 1.1 The subject property is split zoned Mixed-Use Commercial (MUC) and Open Space (OS). The proposal is to develop a 108-unit multi-dwelling upon the MUC zoned portion of the subject property. Multi-dwelling development is an allowed use within the MUC zoning district. The proposed development does not include any encroachments into the OS overlay zone.
- 1.2 This criterion is met without conditions.

### Criterion 2

**There are no other reasonably feasible options or locations outside the Significant Natural Resource overlay districts for the proposed activity on the subject parcel.**

#### Findings of Fact

- 2.1 The subject property consists of 8.49 acres and contains approximately 4.9 acres within a natural resource overlay district such as the Special Flood Hazard Area, Significant Wetlands along a tributary of Oak Creek, and an associated Riparian Corridor which extends 50 feet from the upland edge of the Significant Wetlands. Prior to submitting the applications for development of the site, the property owner had a Wetland study conducted in order to delineate the upland extent of the wetlands upon the property (Attachment G). The wetland study found the edge of the wetland extended further upland than indicated upon the City's significant natural resources maps.
- 2.2 ADC 6.430 "District Boundary Corrections and Refinements" states the boundaries for Significant Natural overlay districts are approximate. District boundary corrections/refinements is an alteration made, based on professional analyses, to refine the boundary line of the Significant Natural Resource overlay districts. In the case of adjustments to the Riparian Corridor, when an approved wetland delineation or determination results in a change to the boundary of the significant wetland adjacent to the riparian corridor, the Riparian Corridor overlay boundary will be adjusted accordingly.

- 2.3 The boundary correction and refinement of both the Significant Wetlands and the associated Riparian Corridor reduced the amount of development land upon the already constrained property. The applicant adjusted the locations of proposed buildings and the location of other site improvements to limit the total square footage of encroachments into the Riparian Corridor. The applicant's proposal will encroach into the refined Riparian Corridor at three locations, a portion of Building 4, a portion of Building 5, and a portion of provided parking next to Building 5. All encroachments are less than 25 feet into the Riparian Corridor and total 2,703 square feet.
- 2.4 This criterion is met without conditions.

### Criterion 3

**The proposed activity is designed, located, and constructed to minimize excavation, grading, structures, impervious surfaces, loss of native vegetation, erosion, and adverse hydrological impacts on water resources. All activities are located as far from the water resources and use as little of the surface area of the Significant Natural Resource overlay districts, to the extent reasonably feasible.**

#### Findings of Fact

- 3.1 The subject property consists of 8.49 acres and contains approximately 4.9 acres within a natural resource overlay such as the Special Flood Hazard Area, Significant Wetlands along a tributary of Oak Creek, and an associated Riparian Corridor which extends 50-feet from the upland edge of the Significant Wetlands. Prior to submitting applications for development of the site the property owner had a Wetland study conducted in order to delineate the upland extent of the wetlands upon the property (Attachment G). The wetland study found the edge of the wetland extended further upland than indicated upon the City's significant natural resources maps.
- 3.2 As previously mentioned, the applicant had completed a wetland delineation which found the upland edge of the significant wetlands were more expansive than upon the City's mapped inventory. The district boundary corrections and refinements provisions of ADC 6.430 amended the location of the Riparian Corridor to extend 50 feet from the delineated significant wetland boundary. The development, as proposed, will contain three encroachments into the amended Riparian Corridor overlay; none of which will encroach further than 25 feet and come to a total of 2,703 square feet of impervious area. The proposed development will not encroach into the delineated Significant Wetlands or the Special Flood Hazard Areas upon the subject property.
- 3.2 When a request is made to develop or impact the Riparian Corridor overlay district area per ADC 6.310(B)(2)(b), a mitigation plan is required for enhancement of the remaining area per ADC 6.410.
- 3.3 The mitigation plan must document the location of the impact, the existing conditions of the resource prior to impact, presence of invasive species, the location of the proposed mitigation area, a detailed planting plan of the proposed mitigation area with species and density, and a narrative describing how the resource will be replaced, and how debris and invasive species will be removed.
- 3.4 The applicant's consultant, Zion Natural Resources Consulting, characterized existing conditions as a forested riparian area with the drainage and wetland areas dominated by *Fraxinus latifolia* and *Carex obnupta*. The upland areas, development site, as "remnant pasture containing non-native grasses and forbs long with patches of Himalayan blackberry". The consultant concluded the impact areas are considered Degraded Quality as defined in Table 6.410-1 for Riparian Corridor Overlays.

- 3.5 Staff agrees with the applicant that the impact areas upon the site are consistent with the “Degraded” classification found in Table 6.410-1 of the ADC. The submitted mitigation plan includes mitigation strategies to enhance the mitigation site within the riparian buffer area to “Marginal Quality.” The mitigation plan also provided recommendations for the removal and control of invasive non-native grasses, weeds, and blackberries from the site (Attachment F).
- 3.6 The property owner subject to an approved mitigation plan must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director’s approval to allow for another replanting strategy.
- 3.7 A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. The City may arrange an on-site inspection to verify information contained in the report. If the survival rate for tree and shrub species is below 80 percent, a replanting strategy shall be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Community Development Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80 percent, the bond will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80 percent, the bond will be forfeited.
- 3.8 This criterion can be met through conditions of approval.

### Conditions

- Condition 18 The applicant or property owner must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.
- Condition 19 A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation.

### Criterion 4

**Any proposed impacts to significant natural resources will be mitigated per the standards in Sections 6.400 and 6.410.**

## Findings of Fact

- 4.1 The application submittal included Riparian Corridor Local Mitigation Plan for the Loren at Brookside Project report prepared by Zion Natural Resources Consulting dated November 2025.
- 4.2 The provided mitigation plan documents the impacts of the proposed encroachments into the Riparian Corridor. The report notes a total of three encroachments are proposed as part of the development plan which comes to a total of 2,703 square feet of encroachment areas.
- 4.3 The submitted report details the existing condition of the site as a forested riparian area along the tributary to Oak Creek. The drainage and wetland area is dominated by Oregon Ash (*Fraxinus latifolia*) and slough sedge (*Carex obnupta*) with the uplands consisting of a mosaic of non-native grasses and forbs along with patches of Himalayan blackberry (*Rubus armeniacus*). The riparian corridor expands 50 feet upland of the edge of the delineated wetland boundary and is part of the uplands conditions. Based upon the site survey of the property the consultant concluded the impact areas are of Degraded Quality as defined in Table 6.410-1 for Riparian Corridor Overlays.
- 4.4 The submitted mitigation report noted that using the undisturbed vegetation upon the site is limited based on the concern of the Emerald ash borer primarily hosts on all species of ash. Based upon this limitation and the presence of invasive species, the mitigation plan proposes to reintroduce the Willamette Valley Ponderosa Pine, which was once a dominant species throughout the Willamette Valley, and bitter cherry. The proposed herbaceous layer is to be a native grass seed mix.
- 4.5 ADC 6.310(2)(b) allows disturbance or development within the Riparian Corridor overlay district under specific circumstances. ADC 6.310(2)(b)(ii) requires the applicant to demonstrate that equal or better protection will be ensured through riparian corridor restoration and enhancement within the remaining overlay district area. The local mitigation standards require on-site enhancement where the Riparian Corridor overlay district is impacted (ADC 6.400(2)(a)). The applicant has requested to utilize the standards under ADC 6.400(2)(b) where mitigation will occur upon the site and as close to the impact area as reasonably feasible, taking into consideration the existing natural and human-made features of the site.
- 4.6 Guidance from the Oregon Department of State Lands and the U.S. Army Corps of Engineers recommends placing mitigation sites in areas that are removed from potential future human disturbances and that provide access to irrigation. Based upon these facts the applicant proposes on-site mitigation in the southeast corner of the site, south of Building #6. This location is within a degraded portion of the riparian corridor, the same Significant Resource overlay district, in the same drainage system.
- 4.7 Based upon the submitted mitigation plan the mitigation site consists of a 1:1 ratio of 2,703 square feet of mitigation area to compensate for the 2,703 square feet of encroachment areas. The preliminary landscape plan indicates the planning of four Willamette Valley Ponderosa Pines and three bitter cherry trees and 2,703 square feet of river refuge seed grass mix
- 4.8 This criterion is met with the following condition.

### Condition

Condition 20 Tree replacements must have a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed.

### Criterion 5

**Any applicable local, state, and federal permits are secured.**

#### Findings of Fact

- 5.1 Staff routed the proposed development to the Oregon Department of State Lands (DSL). DSL submitted a response to the proposed development requesting the referenced wetland delineation be submitted to DSL for concurrence. Received comments indicated a federal permit may be required by the Army Corps of Engineers (Attachment H).
- 5.2 As a condition of approval, the applicant must obtain a DSL concurrence of the performed wetland delineation prior to the issuance of any development permits.
- 5.3 This criterion can be met with the following condition.

### Condition

Condition 21 Prior to the issuance of a development permit, the submitted wetland delineation must receive concurrence from the Oregon Department of State Lands.

### Criterion 6

**The additional requirements of ADC 6.310(B) will be met.**

#### Findings of Fact

- 6.1 Findings addressing ADC 6.310(B)(2)(b), Permanent Alteration Within the Riparian Corridor are addressed below and incorporated herein by reference.
- 6.2 This criterion is met without conditions.

### Natural Resource Impact Review Standards (ADC 6.310(B)(2)(b))

**Structures and Land Altering Activities. The placement of structures and other impervious surfaces, as well as grading, excavation, placement of fill, and vegetation removal, are prohibited. Exceptions may be made for the purposes identified in items a-f of this Section, provided they are necessary to accommodate an approved activity and comply with any stated requirements for the activity or use.**

**Permanent Alteration Within the Riparian Corridor. Disturbance or development within the Riparian Corridor overlay district shall be allowed under the following circumstances:**

### Criterion (i)

**The resource is characterized as 'marginal' or 'degraded' using the standards found in 6.410(5).**

#### Findings of Fact

- i.1 According to the applicant's consultant, the resource adjacent to the Oak Creek tributary is classified as "degraded," using the quality levels for riparian corridors in Table 6.410-1. Degraded Quality is defined as having "less vegetation and canopy coverage than Marginal Quality, and/or greater than 10 percent coverage of any non-native species." Marginal Quality is defined as having a "combination of native trees, shrubs, and groundcover are at least 80 percent of the overlay area, and there will be 25 percent-50 percent tree canopy coverage at maturity."

- i.2 Mitigation requirements for a resource that is considered “degraded” is as follows: “Enhance to at least Marginal Quality with an approved plan (mature overlay area coverage will be estimated); A smaller ratio of 1.0 (impact area) to 0.5 (mitigation area) may be allowed for restoration to Good Quality.”

### Conclusions

- i.1 The riparian corridor where impacts are proposed are classified as degraded quality.
- i.2 The resource must be restored to marginal quality with an approved mitigation plan.
- i.3 A condition of approval will require the removal of invasive Himalayan blackberry and nonnative grasses and forbs using the method described by the consultant.

### Conditions

- Condition 22 Nonnative grasses and forbs will be removed with a broad-spectrum herbicide such as Roundup (glyphosate) applied at labeled rates in late spring and thereafter as required to prepare the site for seeding.
- Condition 23 The invasive Himalayan blackberry must be removed from the mitigation planting area.

### Criterion (ii)

**Demonstration that equal or better protection will be ensured through riparian corridor restoration and enhancement within the remaining overlay district area per the mitigation requirements in Sections 6.400 and 6.410. If the site is encumbered by easements or rights-of-way that would preclude onsite restoration or enhancement, an "in-lieu of payment" may be made to the City in the amount equal to the cost of onsite mitigation.**

### Findings of Fact

- ii.1 The mitigation plan will consist of installing native plant materials as indicated on the Mitigation Plan (Attachment F). By installing these plants in their proposed quantities, the natural resource area would be improved to a marginal quality riparian corridor area after successful completion of the Mitigation Plan. The selected plant species are native to western Oregon.
- ii.2 Ground cover will consist of an herbaceous stratum “River Refuge Seed” grass mix which is composed of native riparian grasses.
- ii.3 The findings, conclusions and conditions provided under Criterion 3 above are hereby incorporated by reference.

### Conclusion

- ii.1 This criterion can be satisfied through the conditions of approval provided under Criterion 3 above.

### Criterion (iii)

**In no case shall the site improvements be any closer than 25 feet from the Ordinary High Water mark or upland edge of the wetland, unless the improvements are otherwise allowed or exempted per this Section of the Code.**

### Findings of Fact

- iii.1 The proposed development will contain three separate permanent encroachments into the Riparian Corridor overlay district. The three encroachments, together, come to a total of 2,703 square feet, and do not encroach more than 25 feet into the amended Riparian Corridor overlay district.

- iii.2 The riparian buffer will only be improved with a landscape mitigation plan that will restore the riparian corridor from “degraded” to “marginal” quality if the plan is followed.

## Conclusion

- iii.1 This criterion is met without conditions.

### Natural Resource Mitigation Standards (ADC 6.400)

**Mitigation is a way of compensating for adverse impacts to the functions and values of natural resources caused by development. In many cases, mitigation may result in resource area restoration or enhancement.**

**If a State or Federal agency has jurisdiction regarding development impacts within the Riparian Corridor and Significant Wetland overlay districts, and they require mitigation for those impacts, the City will not impose additional mitigation requirements over the same area. Those portions of development impacts not mitigated through a State or Federal agency will be subject to local mitigation requirements. Mitigation for impacts to turtle habitat in the Habitat Assessment overlay district will be solely managed by ODFW.**

**The need for mitigation, restoration, or enhancement will be determined during the Natural Resource Impact Review process. The Director may allow some degree of flexibility to the standards based on the specific location and level of impact.**

**(1) When Mitigation is Required: Mitigation will be required under the following circumstances:**

- (a) Removal of one or more native trees greater than 25 inches in circumference, which requires replacement per section (2)(c).**
- (b) Disturbance of more than 2,000 square feet of vegetated surface area. This level of impact will require a mitigation plan per 6.410.**
- (c) When a request is made to develop or impact the Riparian Corridor overlay district area per 6.310(B)(2)(b), a mitigation plan will be required for enhancement of the remaining area per 6.410.**

### Findings of Fact

- 1.1 The proposed development consists of a 108-unit multi-dwelling development and associated site improvements. Due to the existing configuration of the subject property and the location of natural resources the proposed development will include encroachments into the Riparian Corridor overlay district. As proposed, the development includes a total of three encroachments totaling 2,703 square feet of impact. A mitigation plan is required for enhancement of the remaining area per ADC 6.410.
- 1.2 The applicant submitted a mitigation plan for enhancing a mitigation area within the Riparian Corridor area located on the subject property (Attachment F).

## Conclusion

- 1.1 This standard is met without conditions.

**(2) Local Mitigation Standards:**

- (a) On-site enhancement is required when the 50-foot area of the Riparian Corridor overlay district is impacted per 6.310(B)(2)(b), unless the activity is otherwise exempted per this section of the Code.**
- (b) For other mitigation options, on-site mitigation shall occur within the relevant Significant Resource overlay district as close to the impact area as reasonably**

**feasible, taking into consideration the existing natural and human-made features of the site.**

**If on-site mitigation is not reasonably feasible, off-site mitigation shall be permitted in other locations inside the city in the following priority order:**

- (i) Within the impacted Significant Resource overlay district in the same drainage system; or**
  - (ii) Outside the impacted Significant Resource overlay district, but within 100 feet of a Significant Resource overlay district in the same drainage system; or**
  - (iii) Outside the same drainage system, but within a Significant Resource overlay district.**
- (c) Tree replacement requires planting a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed. The replanted tree shall be of a species that will eventually equal or exceed the removed tree in size if appropriate for the new location.**
- (d) Mitigation for impacts shall require a mitigation area ratio of 1:1; however, if the quality of the resource is enhanced or restored per 6.410(5) the ratio may be lowered with Director approval.**
- (e) Planting densities and species composition shall be consistent with native wetland and riparian area plant communities currently or historically found in the drainage basin. Use of a reference site as guidance for developing a revegetation plan is recommended.**
- (f) Any mitigation requirements resulting from a proposed land division, shall require a mitigation plan concurrent with the land division process.**

### Findings of Fact

- 2.1 Onsite enhancement is being proposed due to the impacts of three separate encroachments, totaling 2,703 square feet into the Riparian Corridor on the subject property. The proposed encroachments do not encroach more than 25 feet into the Riparian Corridor and will not impact the Significant Wetlands or the Special Flood Hazard Areas upon the subject property.
- 2.2 Findings addressing this standard are located within Criterion 4 of the Natural Resource Impact Review and are incorporated herein by reference.

### Conclusion

- 2.1 Findings addressing this standard are located within Criterion 4 of the Natural Resource Impact Review portion of this staff report and are incorporated herein by reference.
- 2.2 This standard is met through conditions of approval addressed within this staff report and incorporated herein by reference.

### Natural Resource Mitigation Standards (ADC 6.410)

**Local Mitigation Plan. When a local mitigation plan for impact to a significant natural resource is proposed or required as part of a development application, the applicant shall submit a mitigation plan prepared by a qualified professional with demonstrated experience in developing mitigation plans for the specific impacted resource.**

- (1) The mitigation plan shall document the location of the impact, the existing conditions of the resource prior to impact, presence of invasive species, the location of the proposed mitigation area, a detailed planting plan of the proposed mitigation area with species and**

- density, and a narrative describing how the resource will be replaced, and how debris and invasive species will be removed.
- (2) The mitigation plan shall comply with all applicable State and Federal regulations, in addition to the City's standards. The City may approve a development but shall not issue a building permit until all required State and Federal permit approvals have been granted and copies of those approvals have been submitted to the City.
  - (3) The applicant or property owner of a development subject to an approved mitigation plan shall provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance shall be in place before the issuance of development permits to ensure the success of mitigation improvements and the survival of the plants. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented per (4) below. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy. When the City of Albany, or another unit of government, is the applicant, it must adhere to the standards in this section, but an assurance is not required.
  - (4) A report on the survival and health of planted vegetation, and the status of invasive species, shall be performed by a qualified professional at the expense of the applicant, and will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. The City may arrange an on-site inspection to verify information contained in the report. If the survival rate for tree and shrub species is below 80 percent, a replanting strategy shall be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80 percent, the bond described in (3) will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80 percent, the bond will be forfeited.
  - (5) Table 6.410-1 below summarizes the quality levels, mitigation requirements and expected condition of the significant wetlands and riparian corridor areas after successful completion of the mitigation plan; ODFW will solely determine the requirements for mitigation of significant wildlife habitat.

#### Findings of Fact

- 1.1 Onsite enhancement is being proposed due to the impacts of three separate encroachments, totaling 2,703 square feet into the Riparian Corridor on the subject property. The proposed encroachments do not encroach more than 25 feet into the Riparian Corridor and will not impact the Significant Wetlands or the Special Flood Hazard Areas upon the subject property. As such, the project requires a Natural Resource Impact Review and compliance with mitigation standards in accordance with ADC 6.400 and 6.410.
- 1.2 The condition of the buffer along the east side of the subject property is characterized as "degraded," using the quality levels for riparian corridors in Table 6.410-1 of the Albany Development Code.

- 1.3 Findings addressing assurances of completion are located within Criterion 3 and 4 of the Natural Resource Impact Review portions of this staff report and are hereby incorporated by reference.
- 1.4 Conditions of approval listed above and are hereby incorporated by reference.

### Conclusion

- 1.1 The proposed mitigation plan satisfies the requirements listed in the local mitigation standards.
- 1.2 This criterion is met through conditions of approval listed above and are hereby incorporated by reference.

## Overall Conclusion

As proposed and conditioned, the application for a Replat, Site Plan Review, and Natural Resource Impact Review satisfies all applicable review criteria as outlined in this report.

### Conditions of Approval

- Condition 1 Archeological Discovery.** Prior to any ground disturbing work the applicant must complete an Inadvertent Discovery Plan (IDP) and submit a copy of said plan to City of Albany's Community Development Department.
- Condition 2 Bicycle Parking.** Prior to the issuance of building permits, the applicant must provide lighting details within each of the bicycle shelters and the location of all curb cuts providing access to the bicycle parking areas.
- Condition 3 Electrical Vehicle Charging.** Prior to the issuance of building permits, the applicant must provide an updated parking lot plan demonstrating compliance with ADC 9.050.
- Condition 4 Lighting Details.** Prior to any issuance of occupancy, all exterior lighting must be arranged to reflect light away from abutting or adjacent properties.
- Condition 5 Walkways.** Prior to the issuance of any occupancy the applicant must demarcate the pedestrian crossing within the travel aisle by a different color, texture or elevation from the parking and driving areas.
- ~~**Condition 6 Pedestrian and Bicycle Connectivity.** Prior to the issuance of building permits, the developer shall provide to Public Works and the Planning Department a site circulation plan with a direct and convenient pedestrian and bicycle access through the site to adjacent properties, uses, and public right-of-way. **Repealed by Planning Commission.**~~
- Condition 7 Buffering Standards.** Prior to the issuance of any occupancy, all required buffering landscaping must be installed.
- Condition 8 Landscaping.** Prior to the issuance of final occupancy, all landscaping must be installed or financially insured under ADC 9.190(1)
- Condition 9 Irrigation of Required Landscaping.** An irrigation system must be installed or written verification that the proposed landscaping does not require irrigation must be submitted in compliance with ADC 9.160 prior to the issuance of final occupancy.
- Condition 10 Sanitary Sewer.** Prior to connecting to the public sanitary sewer for a new sanitary sewer service an Encroachment Permit must be obtained from the Public Works Department.

- Condition 11 Public Water.** Prior to connecting to the public water main for proposed fire line, the applicant must obtain a Site Improvement permit from the Public Works Department.
- Condition 12 Encroachment Permit.** Prior to connecting to the public storm drainage system for a new storm service an Encroachment Permit must be obtained from the Public Works Department.
- Condition 13 Erosion Control.** Prior to any ground disturbing activities, the applicant must obtain an Erosion Prevention and Sediment Control Permit for Public Works Department and install Best Management Practices.
- Condition 14 Transportation.** Prior to the issuance of any occupancy, the applicant shall construct a new driveway approach to 53rd Avenue at the size and location shown on the approved site plan. The existing driveways along 53rd Avenue and upon Pacific Boulevard must be removed. All work shall be constructed to City Standards under a Public Works encroachment permit. The applicant shall restrict left turn movements leaving the site including the following:
- Right-in/Right-out restriction at eastern 53rd Avenue access. This access shall have a “pork-chop” style restriction meeting City of Albany standards.
  - Western 53rd Avenue access shall include median transition restriping of center-turn lane to be a left-turn pocket of approximately 75 feet as shown on the approved site plan.
  - Remove and replace driveways not being used with standard curb and gutter. Work in Pacific Boulevard will require an ODOT permit.
- Condition 15 Transportation.** [Prior to final plat, the developer shall provide a reciprocal access and parking easement across the consolidated subject property benefitting the following properties: 11S04W24DA01400; 11S04W24DA01402; 11S04W24DA01500, and 11S04W24DA01501.](#)
- Condition 16 Transportation.** Prior to any occupancy the developer shall construct all shared vehicle, pedestrian, and bicycle connections to adjacent properties within the Village Center.
- Condition 17 Stormwater.** Prior to issuance of any building permits, the applicant must apply for stormwater quality permit through the City’s Public Works Department. Prior to final occupancy the applicant must construct stormwater quality and detention facilities that comply with the City’s Engineering Standards
- Condition 18 Natural Resources Mitigation.** The applicant or property owner must provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120 percent of the value of the improvements installed pursuant to the plan for a 2-year period. If mitigation improvements fail during the 2-year period, the assurance shall both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.
- Condition 19 Natural Resources Mitigation.** A report on the survival and health of planted vegetation, and the status of invasive species, must be performed by a qualified professional at the expense of the applicant, and will be provided to the Community

Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation.

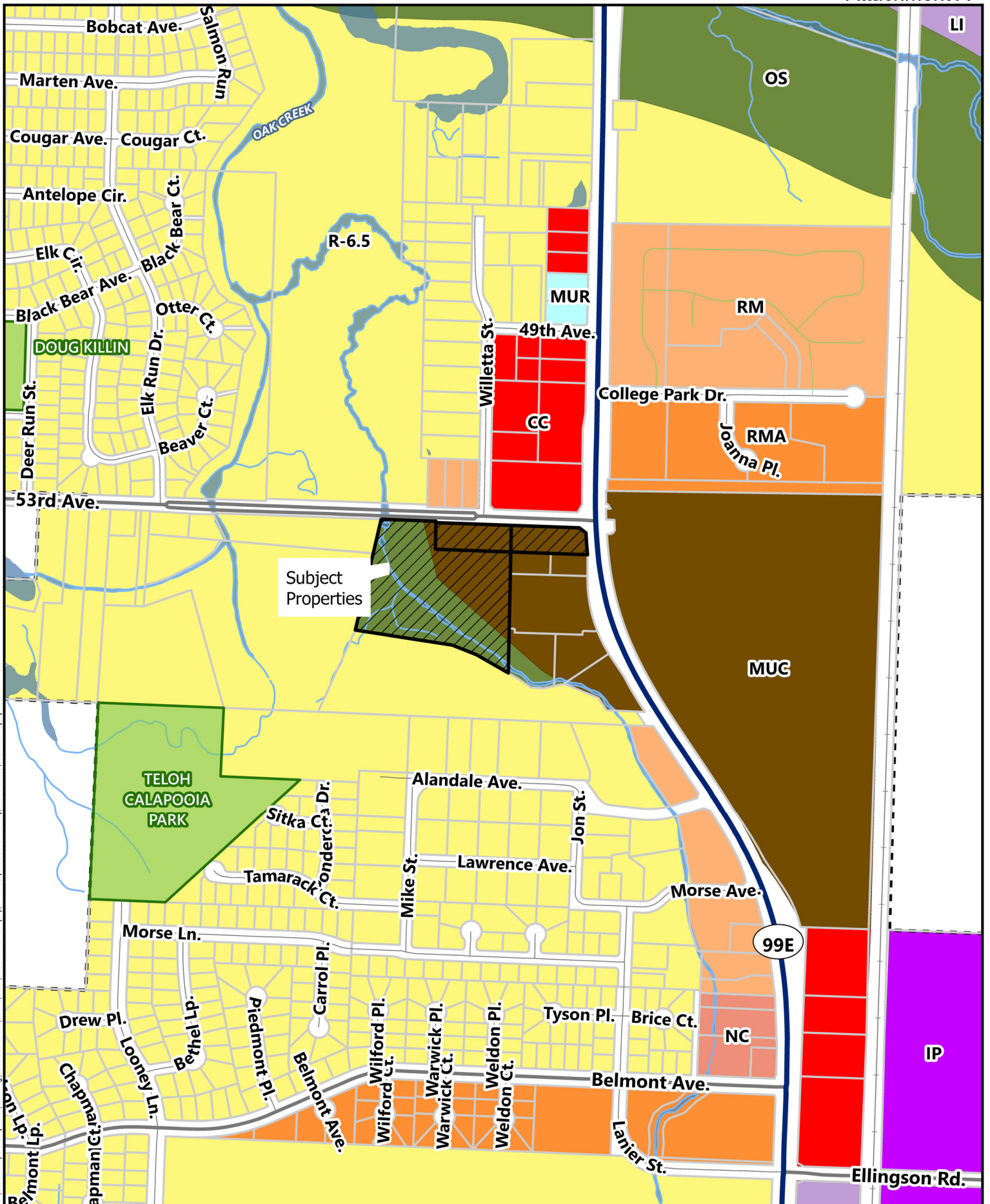
- Condition 20 Natural Resources Mitigation.** Tree replacements must have a minimum 1½-inch caliper healthy and well-branched native deciduous tree or a 5-6-foot-tall native evergreen tree for each tree removed.
- Condition 21 Natural Resources Mitigation.** Prior to the issuance of a development permit, the submitted wetland delineation must receive concurrence from the Oregon Department of State Lands.
- Condition 22 Natural Resources Mitigation.** Nonnative grasses and forbs will be removed with a broad-spectrum herbicide such as Roundup (glyphosate) applied at labeled rates in late spring and thereafter as required to prepare the site for seeding.
- Condition 23 Natural Resources Mitigation.** The invasive Himalayan blackberry must be removed from the mitigation planting area.

#### Attachments

- A. Location Map
- B. Site Plan
- C. Applicant’s Narrative
- D. Building Elevations
- E. Landscaping Plan
- F. Mitigation Plan
- G. Wetland Delineation
- H. Comments from Affected Agencies
- I. Submitted Comments
- J. March 30, 2026, Site Plan

#### Acronyms

|       |   |
|-------|---|
| ADA   | Americans with Disabilities Act               |
| ADC   | Albany Development Code                       |
| ADT   | Average Daily Trip                            |
| AMC   | Albany Municipal Code                         |
| CP    | Comprehensive Plan Amendment file designation |
| DSL   | Oregon Department of State Lands              |
| FEMA  | Federal Emergency Management Agency           |
| FIRM  | Flood Insurance Rate Map                      |
| ITE   | Institute of Transportation Engineers         |
| MUC   | Mixed-Use Commercial                          |
| ODOT  | Oregon Department of Transportation           |
| OS    | Open Space                                    |
| R-6.5 | Residential Low Density                       |
| RC    | Riparian Corridor                             |
| SP    | Site Plan Review file designation             |
| SW    | Significant Wetlands                          |
| TIA   | Traffic Impact Analysis                       |
| TSP   | Transportation Systems Plan                   |



G:\Community Development\Planning\Land Use\Cases\2025\Site Plan Review (SP)\SP-15-25 (1122-53rd Ave SW)\Public Notice Location Map.aprx

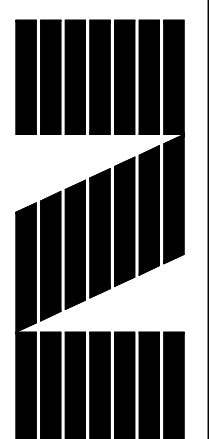


0 210 420  
Feet

Date: 8/25/2025 Map Source:

**5310 Pacific Blvd. SW**

53  
Location Map

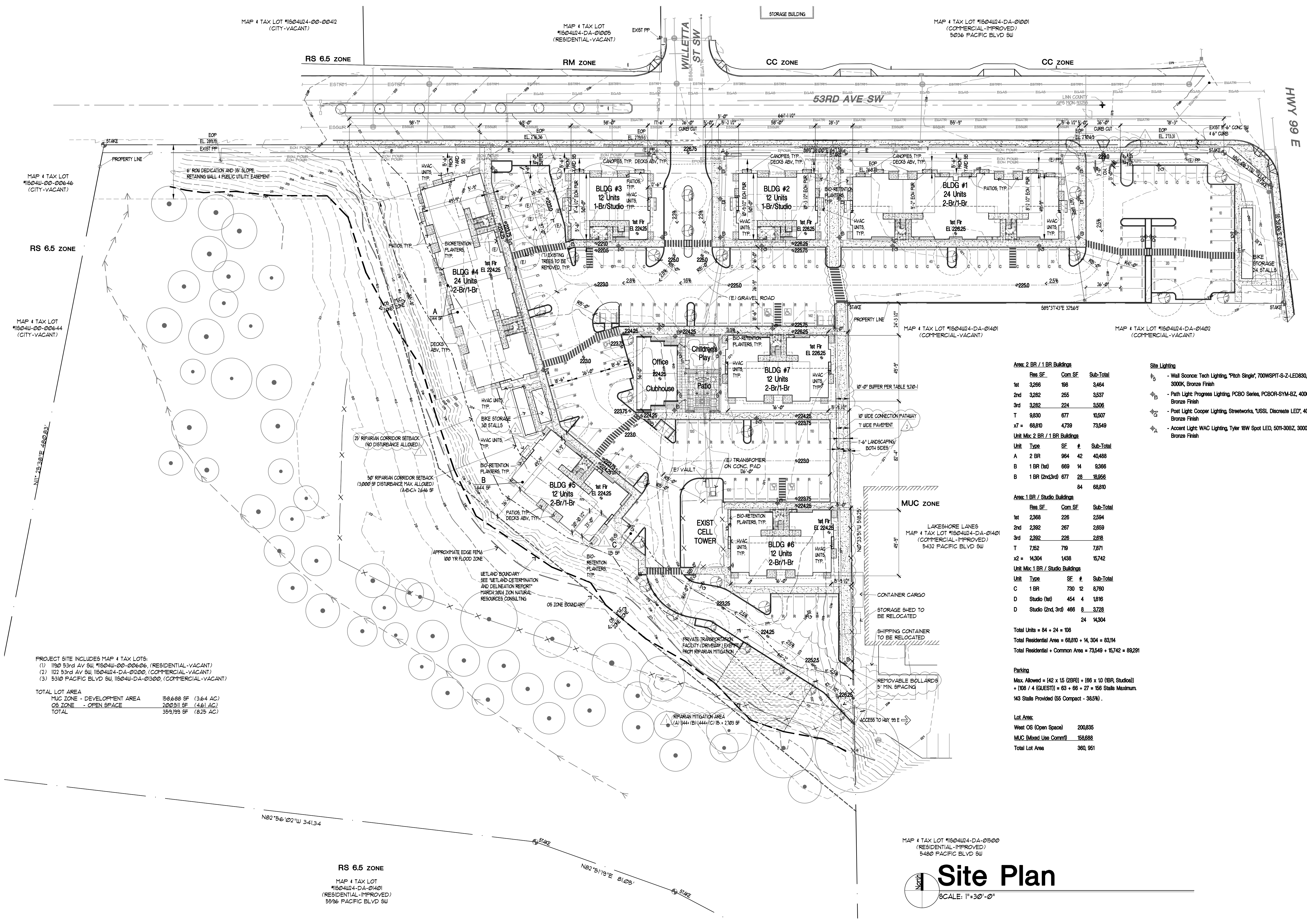


*Handwritten signature*

The Loren at Brookside  
Schneider Homes  
Albany, OR

A100

PROJECT NO.  
20204



**Area: 2 BR / 1 BR Buildings**

|      | Res SF | Com SF | Sub-Total |
|------|--------|--------|-----------|
| 1st  | 3266   | 198    | 3464      |
| 2nd  | 3282   | 255    | 3537      |
| 3rd  | 3282   | 224    | 3506      |
| T    | 9830   | 677    | 10507     |
| x7 = | 68,810 | 4,739  | 73,549    |

**Unit Mix: 2 BR / 1 BR Buildings**

| Unit | Type           | SF  | #  | Sub-Total |
|------|----------------|-----|----|-----------|
| A    | 2 BR           | 964 | 42 | 40,488    |
| B    | 1 BR (1st)     | 669 | 14 | 9,366     |
| B    | 1 BR (2nd/3rd) | 677 | 26 | 18,956    |
|      |                |     | 84 | 68,810    |

**Area: 1 BR / Studio Buildings**

|      | Res SF | Com SF | Sub-Total |
|------|--------|--------|-----------|
| 1st  | 2368   | 226    | 2594      |
| 2nd  | 2392   | 267    | 2659      |
| 3rd  | 2392   | 226    | 2618      |
| T    | 7152   | 719    | 7871      |
| x2 = | 14,304 | 1438   | 15,742    |

**Unit Mix: 1 BR / Studio Buildings**

| Unit | Type              | SF  | #  | Sub-Total |
|------|-------------------|-----|----|-----------|
| C    | 1 BR              | 730 | 12 | 8,760     |
| D    | Studio (1st)      | 454 | 4  | 1,816     |
| D    | Studio (2nd, 3rd) | 466 | 8  | 3,728     |
|      |                   |     | 24 | 14,304    |

Total Units = 84 + 24 = 108  
 Total Residential Area = 68,810 + 14,304 = 83,114  
 Total Residential + Common Area = 73,549 + 15,742 = 89,291

**Parking**  
 Max. Allowed = (42 x 15 (2BR)) + (66 x 10 (1BR Studios))  
 + (108 / 4 (GUEST)) = 63 + 66 + 27 = 156 Stalls Maximum.  
 143 Stalls Provided (55 Compact - 38.5%)

**Lot Area:**

|                      |         |
|----------------------|---------|
| West OS (Open Space) | 200,835 |
| MUC (Mixed Use Comm) | 156,688 |
| Total Lot Area       | 360,951 |

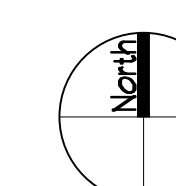
PROJECT SITE INCLUDES MAP 4 TAX LOTS:  
 (1) 1120 53rd AV SW, 11504U-00-00600, (RESIDENTIAL-VACANT)  
 (2) 1122 53rd AV SW, 11504U24-DA-01000, (COMMERCIAL-VACANT)  
 (3) 5310 PACIFIC BLVD SW, 11504U-DA-01300, (COMMERCIAL-VACANT)

**TOTAL LOT AREA**

|                             |                      |
|-----------------------------|----------------------|
| MUC ZONE - DEVELOPMENT AREA | 150,688 SF (3.64 AC) |
| OS ZONE - OPEN SPACE        | 200,811 SF (4.61 AC) |
| TOTAL                       | 359,199 SF (8.25 AC) |

MAP 4 TAX LOT 11504U24-DA-01500  
 (RESIDENTIAL-IMPROVED)  
 5480 PACIFIC BLVD SW

**Site Plan**  
 SCALE: 1" = 30'-0"

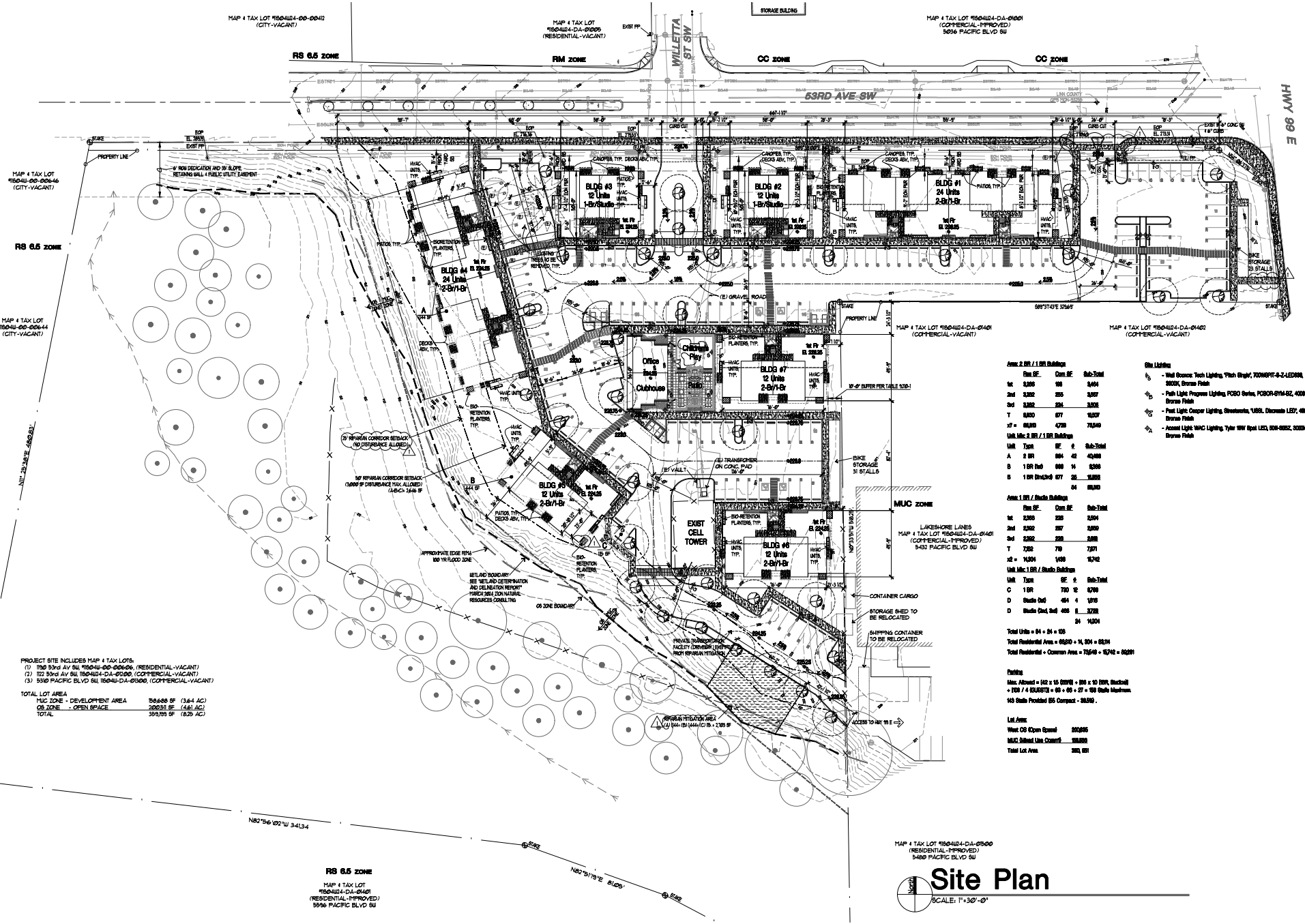


RS 6.5 ZONE  
 MAP 4 TAX LOT 11504U24-DA-01401  
 (RESIDENTIAL-IMPROVED)  
 5536 PACIFIC BLVD SW

N82°56'02"W 341.34'

N82°51'19"E 81.05'





PROJECT SITE INCLUDES MAP 4 TAX LOTS:  
 (1) 730 33rd AV SW, 160412-00-00066 (RESIDENTIAL-VACANT)  
 (2) 122 33rd AV SW, 160412-DA-00000 (COMMERCIAL-VACANT)  
 (3) 5340 PACIFIC BLVD SW, 160412-DA-00000 (COMMERCIAL-VACANT)

TOTAL LOT AREA  
 1/2 AC ZONE - DEVELOPMENT AREA 386,658 SF (3.64 AC)  
 OS ZONE - OPEN SPACE 280,931 SF (4.61 AC)  
 TOTAL 667,589 SF (8.25 AC)

**Area 2 BR / 1 BR Buildings**

| Unit | Count | Area (SF) | Area (AC) |
|------|-------|-----------|-----------|
| 1st  | 3,262 | 988       | 2,274     |
| 2nd  | 3,262 | 988       | 2,274     |
| 3rd  | 3,262 | 988       | 2,274     |
| T    | 9,826 | 2,964     | 6,822     |
| 1st  | 6,826 | 2,046     | 4,716     |
| 2nd  | 1,999 | 594       | 1,362     |
| 3rd  | 1,001 | 298       | 0,684     |
| T    | 9,826 | 2,938     | 6,762     |

**Area 1 BR / 2 BR Buildings**

| Unit | Count | Area (SF) | Area (AC) |
|------|-------|-----------|-----------|
| 1st  | 2,262 | 678       | 1,542     |
| 2nd  | 2,262 | 678       | 1,542     |
| 3rd  | 2,262 | 678       | 1,542     |
| T    | 6,786 | 2,034     | 4,626     |
| 1st  | 4,524 | 1,356     | 3,084     |
| 2nd  | 1,262 | 378       | 0,858     |
| 3rd  | 1,000 | 298       | 0,684     |
| T    | 6,786 | 2,034     | 4,626     |

Total Units = 84 + 24 = 108  
 Total Residential Area = 6650 + 14,304 = 20,954  
 Total Residential + Common Area = 25,548 + 5,712 = 31,260

**Permits**  
 Max Allowed = 142 + 10 (200) = 242 + 10 (20), Max Allow  
 = 100 + 14 (200) = 114 + 10 + 27 = 151 (20) Max Allow  
 143 Units Permitted RS Contract - 24,210

Lot Area  
 West OS Open Space 200,935  
 MUC Shared Unit Count 30,825  
 Total Lot Area 300,000

MAP 4 TAX LOT 160412-DA-00000  
 (RESIDENTIAL-IMPROVED)  
 5480 PACIFIC BLVD SW

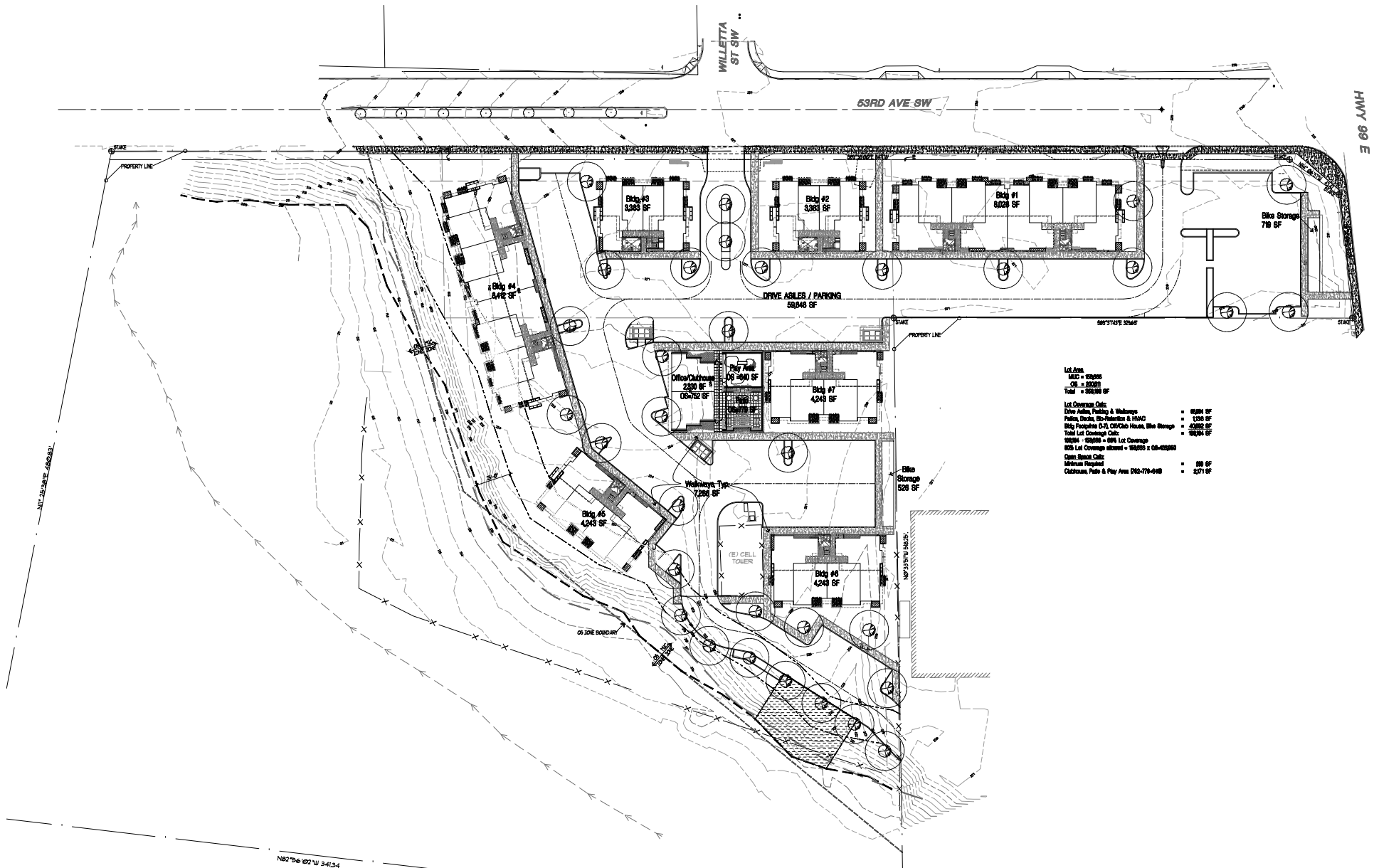
**Site Plan**  
 SCALE: 1" = 30'-0"

DATE: 07/27/23  
 DRAWN: TV  
 CHECKED: N  
 CALCULATED: N

PROJECT NO. 202204

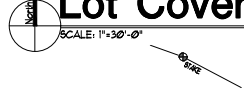
**The Loren at Brookside**  
 Schneider Homes  
 Albany, OR

A100



|  |                  |
|--|------------------|
| <b>Lot Area</b>                                |                  |
| MUC = 98288                                    |                  |
| CR = 30000                                     |                  |
| <b>Total = 128288 SF</b>                       |                  |
| <b>Lot Coverage Calc:</b>                      |                  |
| Drive Aisle, Parking & Walkways                | = 6584 SF        |
| Plaza, Deck, Bio-Pavement & HVAC               | = 1350 SF        |
| 80% Footprint (2.0) CR Calc Area, Bike Storage | = 42982 SF       |
| <b>Total Lot Coverage Calc:</b>                | <b>50916 SF</b>  |
| 98288 - 50916 = 47372 Lot Coverage             |                  |
| 80% Lot Coverage                               | 37898 ± CR-40000 |
| <b>Open Space Calc:</b>                        |                  |
| Minimum Required                               | = 88 SF          |
| Clubhouse, Park & Play Area (762-776-494)      | = 2371 SF        |

**Lot Coverage and Common Open Space Calcs.**



DATE: 07/23  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NO: 2022-4  
 A101  
 The Loren at Brookside  
 Schneider Homes  
 Albany, OR  
 PROJECT NO. 2022-4  
 A101  
 SCHNEIDER HOMES  
 1000 NE 10TH AVE  
 ALBANY, OR 97317  
 (503) 861-1000  
 www.schneiderhomes.com

July 31, 2025

REVIEW CRITERIA AND DEVELOPMENT STANDARDS RESPONSES – SITE PLAN REVIEW

Community Development Department  
City of Albany, Oregon  
333 Broadalbin St SW  
Albany, Oregon 97321

RE: Loren at Brookside Apartments,  
1122 – 53<sup>rd</sup> Av SW, 1190 – 53<sup>rd</sup> Av SW & 5310 Pacific Blvd SW  
Albany, Oregon 97321

Community Development Staff:

Please find the following responses to the Review Criteria as required by ADC 2.450:

Criterion 1: The application is complete in accordance with the applicable requirements.

Facts: The narrative herein and accompanying documents represent our best effort to respond to and answer all requirements for a complete application.

Conclusion: This submittal is complete and in accordance with these requirements.

Criterion 2: The application complies with all applicable provisions of the underlying zoning district, including but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.

Facts:

- The subject property is zoned MUC (Mixed-Use Commercial) and under the Ellington Street Secondary Climate Friendly Area overlay. The proposed 108-unit multi-family apartment project is allowed with Site Plan Review.
- Density: By ADC 14.040(2)(b), minimum density 15 units/ac. x 3.75 ac = 56.25 units. Project proposes 108 units.
- Height: By ADC Table 5.090-1, max. 85'. Proposed 30'.
- Setbacks: By ADC Table 5.090-1 & 8.240-1  
Front: min. 15', max. 25'. Proposed 15'-6".  
Side & Rear: min. 0', max. 15'. Proposed 12'-6" to 13'-3"
- Landscaping: By ADC Table 5.090-1 & 8.240-1  
100% enhanced street frontage required. Complete and enhanced landscaping for all street frontage proposed.
- Block Length & Pedestrian/Bike Accessways: By ADC 14.040(4 & 5), 350' max. Street access is provided within the prescribed maximum.
- Common Open Space: By ADC Table 8.220-1, 250 sf of common open space is required. The proposed Clubhouse will provide approx. 730 sf common open space that qualifies under this section.
- Lot Coverage: By ADC Table 5.090-1, 80% (x 158,688 sf x 80% = 126,950 sf) max. Proposed development area of MUC zoning including pavement and buildings is 68,495 sf (43.2%). Note this table also specifies 100% landscaping.

Conclusion: This submittal is complete and in accordance with the requirements of the applicable zone and overlay districts.

Criterion 3: Activities and developments within special purpose districts comply with the regulations described in Articles 4 (Airport Approach), 6 (Natural Resources), and 7 (Historic), as applicable.

Facts:

- Albany Airport Approach District: The subject property is outside of the Albany Airport Approach District (ADC 4.410) and does not apply to this project.

- Floodplain: The project development area lies outside the mapped areas as described in ADC 6.080 and are not subject to the requirements of the floodplain portions of Article 6.
- Riparian Corridor: By ADC 6.450, up to 3,000 sf of encroachment into the riparian corridor may be permitted with a Minor Variance. The proposal will encroach 2,270 sf into the 50' riparian corridor. A minor variance for this encroachment has been submitted as part of this Site Plan Review.
- Mitigation: Per ADC 6.400(1)(b) mitigation is required when there is disturbance of more than 2,000 sf of vegetated surface area. The proposed encroachment will meet the conditions of ADC 6.310(B)(2)(b). Mitigation plan recommendations per ADC 6.410 have been prepared by Zion Consulting and is submitted with this Site Plan Review. These recommendations have been integrated into the Site and Landscape Plan and are reflected there (See sheets A100, L1.2).
- Exemptions for Specific Activities in Riparian Corridor: By ADC 6.310(B)(2)(d), location and private construction of public non-master planned transportation facilities is permitted in riparian corridor overlay districts meeting the requirements of this section. The connecting access at the south end of the development encroaches into the Riparian Corridor. The proposed road and pedestrian access is the minimum required. No actual crossings of the corridor are made.
- Historic Overlay District: The project is not subject to the regulations of the Historic Overlay District (Article 7).

Conclusion: With application and approval of the Minor Variance and Riparian Corridor Mitigation Plan the proposed design conforms to the requirements of these Articles of the ADC.

Criterion 4: The application complies with all applicable Design Standards of Article 8.

Facts:

- Common Open Space: By ADC Table 8.220-1, 250 sf of common open space is required. The proposed Clubhouse will provide approx. 730 sf common open space that qualifies under this section.
- Private Open Space and Children's Play Areas are not required under the MUC zoning.
- Street Orientation: The project provides only 275 lf of the 609 lf along 53<sup>rd</sup> Avenue SW. This does not meet the 50% of street frontage required for this option. The project will meet the Enhanced Landscaping requirements (ADC 8.240)
- Enhanced Landscaping: Minimum 10' front setback in addition to base zoning (base 5' + 10' = 15'). Proposed front setback 15'-6" with enhanced landscaping per 8.240(3)(b).
- Façade Articulation: Per ADC 8.225(2), street-facing facades are to provide two of the listed features including: recessed entries must be three to six feet deep, eaves not less than 12 inches, wall and roof offsets of two feet for a minimum of four feet among others. The street-facing building elevations do exhibit these three features.
- Street-facing Windows: ADC 8.225(3) requires at least 15% of the total area of the regulated facades contain windows and doors meeting the glazed area requirement as described. The elevations of these street-facing buildings conform to this requirement. See front elevations for calculations.
- Pedestrian Connections: ADC 8.280 prescribes pedestrian circulation systems such as walkways, sidewalks and crosswalks provide all residents with connection to all adjacent uses and public right-of-ways. Walkways are provided to all buildings in conformance with the requirements of ADC 8.280, with regard to materials, dimensions, pavement marking, connections to adjacent right-of-ways and the Americans with Disabilities Act. Pedestrian crossings within the parking areas will be a minimum of 5-foot wide and marked with reflective stripping. Concrete walkways will be separated from vehicle circulation areas with a minimum 6" high curb. Pedestrian connections to adjacent streets/sidewalks are required for every 200' of street frontage. The site has approximately 792.5' of frontage along 53<sup>rd</sup> St SW and Pacific Blvd. Three pedestrian connections from the site to adjacent streets/sidewalks are provided.
- Parking: Per ADC 8.300 & 8.305 parking must be provided convenient to residents. Parking must be provided within 100 feet of each building entry for 50% of that building's residents. No parking is permitted between the buildings and the front lot line and spacing between driveways must be a minimum of 25 feet apart. The proposed Site Plan allows for the prescribed number of parking spaces to be provided that meets this requirement. Driveway access will be exclusively from 53<sup>rd</sup> St SW with additional access to

adjacent property to the southeast as directed by City staff. Driveway width of 26' will comply with ADC 12.100.

- Residential Design Standards: A minimum of 50% of the street-facing facades must comply with the material requirements of ADC 8.485. Materials proposed include brick and fiber-cement panels and siding. Gabled roofs will be incorporated and exterior HVAC will be screened from street view to conform to this paragraph.

Conclusion: This submittal complies with the requirements of the Design Standards of Article 8.

Criterion 5: The application complies with all applicable Design Standards of Article 10.

Facts: The project does not propose any manufactured housing. The project will be site-built.

Conclusion: This project complies with the requirements of the Design Standards of Article 10 as it does not apply.

Criterion 6: The application complies with all applicable On-Site Development and Environmental Standards of Article 9.

Facts:

- Off-Street Parking and Loading: By ADC Table 9.020-1 maximum off-street parking for Multi-Dwelling units studio and 1-bedroom units and 2-bedroom units apply to this project. There are 66 studio and 1-bedroom units and 42 2-bedroom units proposed. The maximum number of parking spaces allowed would be  $(66 \times 1.0 \text{ space/du} + 42 \times 1.5) = 120$ . Additionally 27 visitor spaces are allowed  $(108 / 4)$  for a total of maximum 156 spaces allowed. 145 parking spaces are provided.
- Bicycle Parking: There must be a minimum of 54 bicycle parking spaces provided for the 108 dwelling units (50%) according to ADC Table 9.030-1. 54 bicycle storage lockers that conform to the requirements of ADC 9.030(4) are provided in this plan.
- Accessible Spaces: Per ORS 447.233, five accessible spaces, of which one is a wheelchair user only space, are required. These spaces are shown on the Site Plan.
- Electric Vehicle Charging Capacity: Per ADC 9.050 electric vehicle charging capacity will be provided for 40% of all vehicle parking spaces (58 spaces) and 25% of all ADA parking spaces (2 spaces) provided for the project.
- Parking Plan & Standards: The information required by ADC 9.080 is included on the Site Plan. The parking area will conform to the standards of ADC 9.100 and are noted on the plan.
- Parking Lot Design: Per ADC 9.120, interior driveways reflect the orientation of the adjacent right-of-ways. Traffic calming will be provided by locating trees on both sides of the full length of the driveways where possible. Dimensions of parking stalls (standard, compact and accessible) and aisles will comply with the requirements of this section.
- Compact spaces comprise 38.6% of the total parking spaces provided, within the 40% limit (56/145). Wheel bumpers will be provided. Parking lot lighting fixtures will reflect away from adjacent properties per ADC 9.100(13). Pedestrian accessways are provided and offer complete circulation to all residents and facilities. Public walkways and parking spaces will meet requirements of the the OSSC.
- The parking lot and property perimeters will be landscaped to comply with General Residential Requirements (9.140), Parking Lots (9.150) and Village Centers (9.160) as shown in the Landscape Plan.
- Tree Canopy: Trees will be planted to meet the requirements of ADC 9.130(2-4) in lieu of providing any solar panels. This is reflected in the Landscape Plan.
- Walkways: As prescribed in ADC 9.130(5) pedestrian walkways and accessways will meet these provisions including those regarding dimension of width and height, surface material and markings and separation from parking and driving areas.
- Landscaping: As noted under the response to Criterion 2, complete (100%) enhanced landscaping is required along the street frontages and for the full depth of the front setback as noted under Article 5. Irrigation will be provided as described by the Landscape Plan. The Landscape Plan has been prepared by a licensed landscape architect.
- Tree Protection: Two trees of qualifying circumference within the development envelope have been identified for removal. This does not require additional Tree Felling review. Removal of these trees are a part of this Site Plan Review application. No other trees on the property will be affected by the construction.

- Buffering and Screening: Per Table 9.210-1 landscape buffering will be required along the arterial street (Pacific Blvd. SW). This is shown on the Landscape Plan.
- Environment: No other environmental impact to the site or neighboring properties as described under ADC 9.400-500 are anticipated.

Conclusion: This submittal complies with the requirements of the Design Standards of Article 9.

Criterion 7: The Public Works Director has determined that the public facilities and utilities are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.

Facts: The development proposal is under review by the Public Works Department and will make that determination as a part of this Site Plan Review.

Conclusion: This submittal is to be reviewed by the Public Works Director.

Criterion 8: The Public Works Director has determined that the transportation improvements are available to serve the proposed development in accordance with Article 12 or will be made available at the time of development.

Facts: The development proposal is under review by the Public Works Department and will make that determination as a part of this Site Plan Review.

Conclusion: This submittal is to be reviewed by the Public Works Director.

Criterion 9: The proposed post-construction stormwater quality facilities (private and/or public) can accommodate the proposed development, consistent with Title 12 of the Albany Municipal Code.

Facts: The development proposal is under review by the Public Works Department and will make that determination as a part of this Site Plan Review.

Conclusion: This submittal is to be reviewed by the appropriate government entity.

Criterion 10: The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

Facts: Prior land-use approvals include:

- CU-01-14; New Wireless Communication Facility
- DC-01-04; Text Amendment
- CP-01-04; Comp. Plan Amendment to change tax lot 606 from URR to VC, MDR and OS
- ZC-01-04; Zone Amendment to change tax lot 606 from RS-6.5 to MUR and OS

This proposal is consistent with the land-use changes in effect.

Conclusion: This submittal meets this requirement.

Criterion 11: Sites that have lost their nonconforming status must be brought into compliance and may be brought into compliance incrementally in accordance with Section 2.370.

Facts: The development proposal is consistent with the current regulations and policies of the Albany Development Code.

Conclusion: This submittal complies and conforms to the ADC.

Respectfully submitted,

Rob Okazaki  
Project Architect

[End Response]

November 24, 2025

Planning Director  
City of Albany  
333 Broadalbin St SW  
Albany, OR 97321

City of Albany Planning files: SP-15-25, NR-03-25, RL-08-25  
Loren at Brookside Apartments  
1122, 1190 - 53<sup>rd</sup> Av SW, 5310 Pacific Blvd SW  
RE: Tentative Plat Review Criteria [ADC 11.180]

Director:

We request a review of Tentative Plat for the above mentioned project. This proposal meets the criteria of the Albany Development Code for Tentative Plat Review as follows:

(1) Development Standards: The underlying MUC zoning specifies maximum building footprint, maximum and minimum yard setbacks, maximum height limit, maximum lot coverage and landscaping. This project conforms to all these Development Standards.

Lot and block standards are exceeded but due to the unique situation of the parcel and development area adjacent to wetland these standards are requested to be exempted.

Open space provided by this project comply with standards for this zoning.

(2) Ownership: This proposal will merge all parcels under the same ownership. No portion of the property under the same ownership will remain.

(3) Access for adjoining property: This proposal will not prevent access or development to any adjoining parcel.

(4) Transportation Improvements: We request the Public Works Director to determine what, if any, transportation improvements are available this proposed consolidation as part of this review.

(5) Utility Improvements: We request the Public Works Director to determine what, if any, public facilities and utilities improvements are available this proposed consolidation as part of this review.

(6) Conformance with ADC: This project is consistent with the regulations of Article 6 (Natural Resources) of the ADC. Articles 4 and Article 7 do not apply.

Should any additional information or elaboration be needed, please contact us immediately.

Respectfully submitted,

Rob Okazaki  
Project Architect

[End Narrative]

November 24, 2025

Public Works Director  
City of Albany  
333 Broadalbin St SW  
Albany, OR 97321

City of Albany Planning files: SP-15-25, NR-03-25, RL-08-25  
Loren at Brookside Apartments  
1122, 1190 - 53<sup>rd</sup> Av SW, 5310 Pacific Blvd SW  
RE: Block Length Accessway Exception Request

Director:

We request an exception from the requirement listed herein:

ADC 14.040(4) Maximum Block Length:

The stated intent of this chapter is to facilitate pedestrian and bicycle connectivity for parcels and blocks that exceed 500 feet of width. Per paragraph (d) the City Engineer may grant an exception to this standard when one or more listed conditions exist on the development site.

Accessways are defined as a paved surface of 10' width with 5' of landscaping on either side – a 20' wide accessway.

The location of this site is constrained by wetland and riparian corridor (natural features) to the west and south, private property to the south and east, and provides no public access (available access) to the south. The configuration of the parcel is largely fronting the north along 53<sup>rd</sup> Av SW with the south portion behind neighboring private property fronting Pacific Blvd on the east (parcel orientation, shape).

We assert that for these reasons this project be allowed an exception to this regulation for a required accessway.

No public right-of way exists to the south or west of the development site.

Any accessway provided bisecting the property would not connect to any existing public right-of-way.

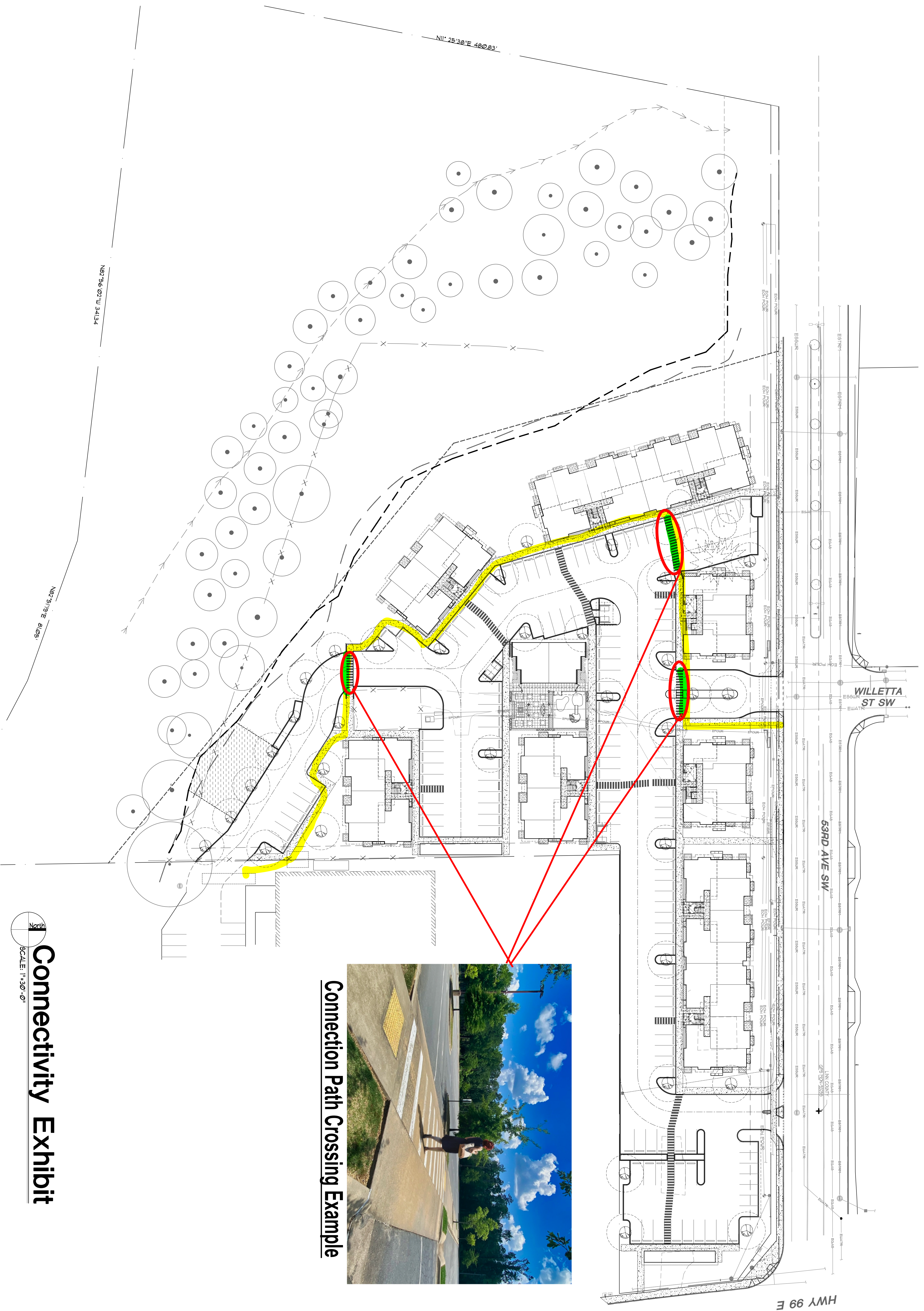
Due to the nature of a residential community, and for security of the residents, transient and public egress through the middle of this private residential development would not be encouraged. However, a new bicycle and pedestrian connection through the property would be established via the required southern access and proposed pathways and driveways.

We request the City Engineer except this project from the Block Length requirements of ADC 14.040(4) including pedestrian and bicycle accessway through the development.

We are including a site plan exhibit with the pathway through the property highlighted and with proposed enhancement of the proposed connection. Please contact us if there are any other questions or documentation needed for your evaluation. Thank you.

Respectfully submitted,

Rob Okazaki, Project Architect  
Roger H. Newell AIA

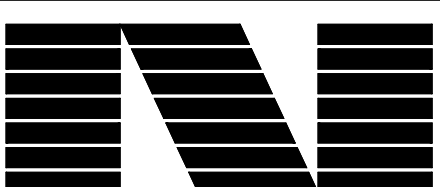


**Connection Path Crossing Example**



North  
 SCALE: 1" = 30'-0"  
**Connectivity Exhibit**

*Signature*



ROGER H. NEWELL AIA  
 ARCHITECT (206) 322-1192  
 FACSIMILE (206) 322-5161  
 102 NINETEENTH AVENUE EAST  
 SEATTLE, WASHINGTON 98112

08-05-25 SITE PLAN REVIEW  
 11-24-25 RESPONSE TO COMMENTS

DATE: 03/26/23  
 DRAWN: MV  
 CHECKED: RN





Side Elevation

SCALE: 1/8" = 1'-0"

BUILDINGS 1, 4



Rear Elevation

SCALE: 1/8" = 1'-0"

BUILDINGS 1, 4



Front Elevation

SCALE: 1/8" = 1'-0"

BUILDINGS 1, 4

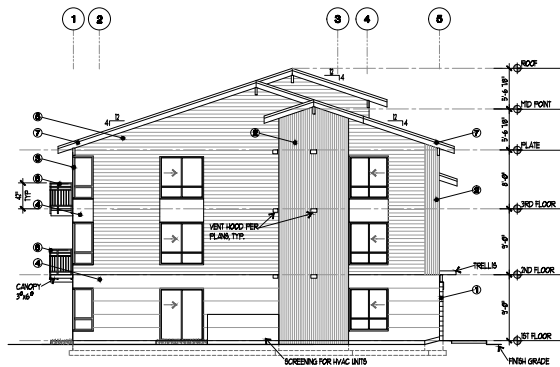


Side Elevation

SCALE: 1/8" = 1'-0"

BUILDINGS 1, 4

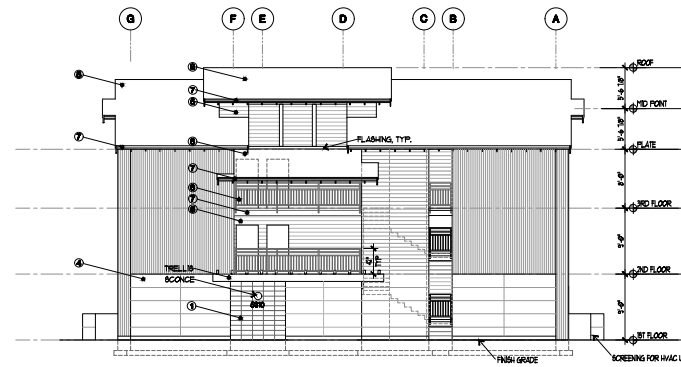
DATE: 09/03/23  
 DRAWN BY:  
 CHECKED BY:  
 PROJECT NO. 2020-4  
 PROJECT NAME: The Loren at Brookside  
 Schneider Homes  
 Albany, OR  
 A301  
 PROJECT NO. 2020-4



**Side Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 2 & 3



**Front Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 2 & 3

**MATERIALS**

1. CHUNIAL MATERIALS "VERASTONE"
2. HARDE PANEL  
6" VERTICAL CHANNEL SIDING
3. WINDOWS QUALITY VINYL
4. CELESTIOUS PANELS HARDE
5. HORIZONTAL SIDING HARDE PLANK  
SELECT CED-ARILL, SMOOTH
6. DECK RAILS
7. DECKS + ROOF FASCIA
8. ROOFING GAF "TIMBERLINE"

**COLOR**

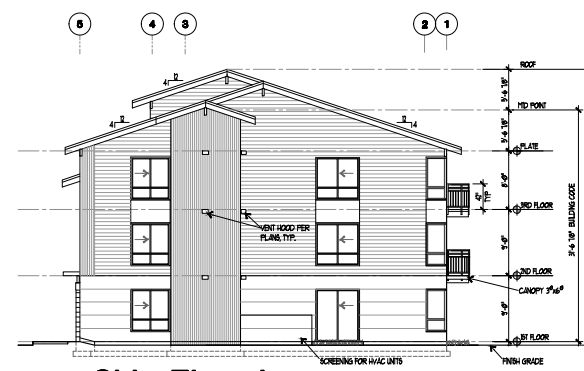
- "CHANTI" STACKED BOND
- "COOL COLONIAL RED"
- "BLACK ONYX"
- PAINTED SHERWIN WILLIAMS SW 1019  
"SAUNTLET GRAY" @ BLACK TRIMS
- "YAKI BROWN"
- POUNDER COAT TO MATCH  
SHERWIN WILLIAMS 1019 "SAUNTLET GRAY"
- SHERWIN WILLIAMS SW 6385 "DOVER WHITE"
- WEATHERED WOOD COMPOSITION ASPHALT SHINGLE



**Rear Elevation**

SCALE: 1/8" = 1'-0"

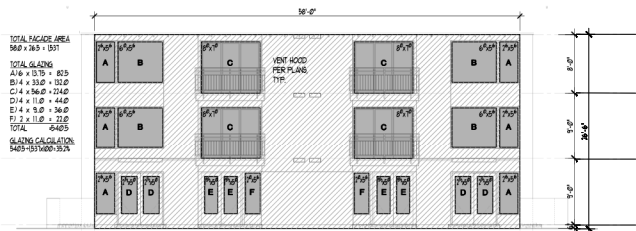
BUILDINGS 2 & 3



**Side Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 2 & 3



TOTAL PACKAGE AREA  
5403-031500-3024

TOTAL GLAZING  
A 16 x 13.75 = 825  
B 14 x 13.00 = 182  
C 14 x 14.00 = 196  
D 14 x 11.00 = 154  
E 14 x 13.00 = 182  
F 2 x 11.00 = 22  
TOTAL 1465

GLAZING CALCULATION  
5403-031500-3024

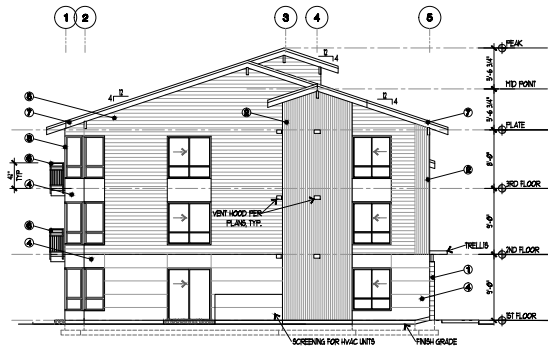
**Glazing Calculation @ 53rd Ave SW**

SCALE: 1/8" = 1'-0"

BUILDINGS 2 & 3

DATE: 07/26/23  
 DRAWN BY: J. SCHNEIDER  
 PROJECT NO: 2020-04  
 PROJECT: The Loren at Brookside  
 Schneider Homes  
 Albany, OR  
 A302  
 PROJECT NO: 2020-04

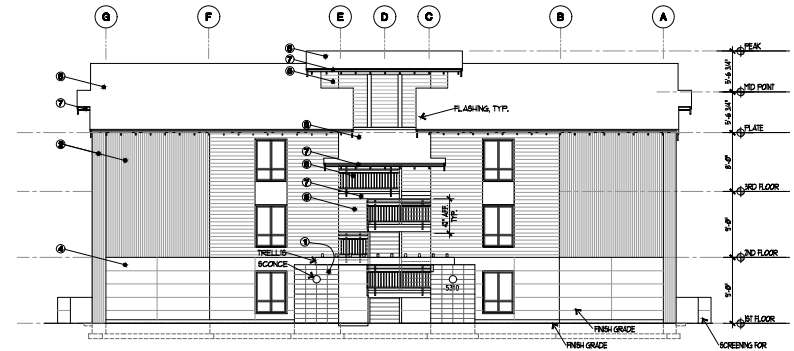




**Side Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 5, 6, 7



**Rear Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 5, 6, 7

**MATERIALS**

1. CHU MUTUAL MATERIALS "VERASTONE"
2. HARDIE PANEL
3. 6" VERTICAL CHANNEL SIDING
4. WINDOWS QUALITY VINYL
5. CEMENTIOUS PANELS, HARDIE
6. HORIZONTAL SIDING, HARDIE PLANK SELECT CEDAR/PINE, SMOOTH
7. DECK RAILS
8. DECKS 4 ROOF FASCIA
9. ROOFING GAF "TYPHENLINE"

**COLOR**

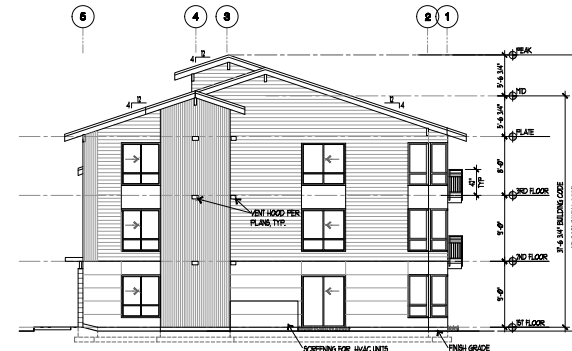
- "CHARM" STACKED BOND
- "COOL COLONIAL RED"
- "BLACK ONYX"
- PAINTED SHERWIN WILLIAMS "SU 109" "GAUNTLET GRAY" W/BLACK TRIM
- "CHARG BROWN"
- POULDER COAT TO MATCH SHERWIN WILLIAMS "SU 6385" "DOVER WHITE"
- SHERWIN WILLIAMS SU 6385 "DOVER WHITE"
- WEATHERED WOOD COMPOSITION ASPHALT SHINGLE



**Front Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 5, 6, 7



**Side Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 5, 6, 7

DATE: 07/26/23  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 PROJECT NO: 2023-04  
 PROJECT: The Loren at Brookside  
 Schneider Homes  
 Albany, OR  
 A304  
 PROJECT NO: 2023-04



**Side Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 5, 6, & 7



**Front Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 5, 6, & 7



**Rear Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 5, 6, & 7



**Side Elevation**

SCALE: 1/8" = 1'-0"

BUILDINGS 5, 6, & 7

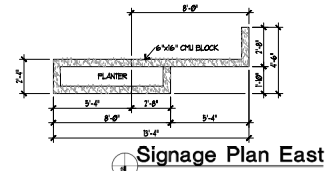
DATE: 09/24/23  
 DRAWN BY: [Redacted]  
 CHECKED BY: [Redacted]  
 PROJECT NO: 2020-4  
 PROJECT NAME: The Loren at Brookside  
 LOCATION: Albany, OR  
 ARCHITECT: Schneider Homes  
 SCALE: 1/8" = 1'-0"



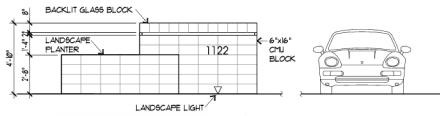
*Schneider*

The Loren at Brookside  
 Schneider Homes  
 Albany, OR

A305  
 PROJECT NO:  
 2020-4

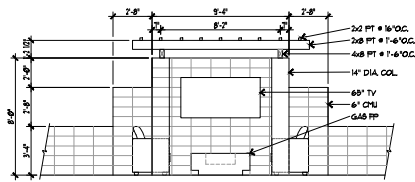


Signage Plan East



Entrance Signage

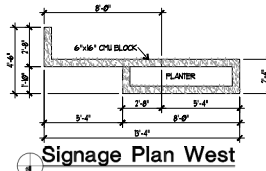
SCALE: 1/4" = 1'-0"



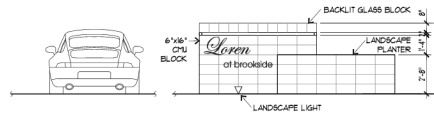
TV Gazebo

Patio Elevations

SCALE: 1/4" = 1'-0"

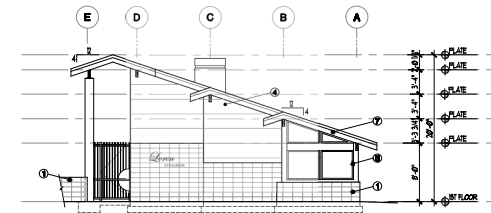


Signage Plan West



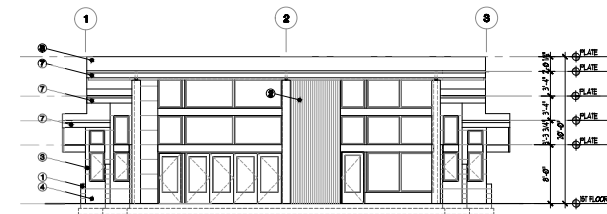
BBQ Elevation

- | MATERIALS                            | COLOR                                      |
|--------------------------------------|--|
| 1. CPU (MURAL MATERIALS "VERASTONE") | "CHANTI" STACKED BOND                      |
| 2. HARDIE PANEL                      | "COOL COLONIAL RED"                        |
| 6" VERTICAL CHANNEL SIDING           | "BLACK ONYX"                               |
| 3. UNDOUS QUALITY VINYL              | PAINTED WILHELM'S SUI 1019                 |
| 4. CERAMITICUS PANELS, HARDIE        | "SLANTLET GRAY" W/BLACK TRIPS              |
| 5. HORIZONTAL SIDING, HARDIE PLANK   | "KANGI BROWN"                              |
| SELECT CEDAR/PL. SMOOTH              |  |
| 6. DECK RAILS                        | POUNDER COAT TO MATCH                      |
| 7. DECKS + ROOF FASCIA               | SHERWIN WILLIAMS 1019 "SLANTLET GRAY"      |
| 8. ROOFING GAF "THERM-A-SEAL"        | SHERWIN WILLIAMS SUI 6385 "DOVER WHITE"    |
|                                      | WEATHERED WOOD COMPOSITION ASPHALT SHINGLE |



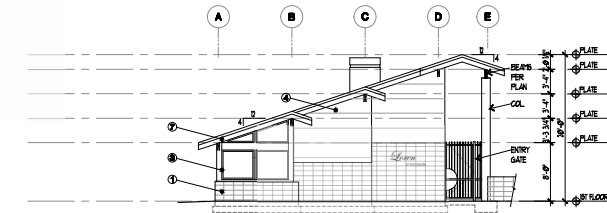
North Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"



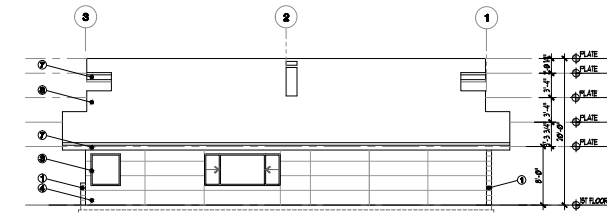
East Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"



South Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"



West Elevation Clubhouse/Office

SCALE: 1/8" = 1'-0"

DATE: 07/26/23  
 DRAWN BY: J. SCHNEIDER  
 PROJECT: 202304  
 PROJECT NO: 202304  
 PROJECT NAME: The Loren at Brookside  
 ARCHITECT: Schneider Homes  
 ALBANY, OR  
 PROJECT NO: 202304



**North Elevation** Clubhouse/Office

SCALE: 1/8" = 1'-0"



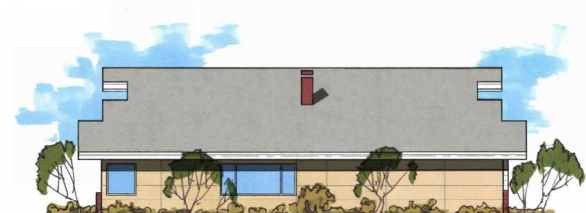
**East Elevation** Clubhouse/Office

SCALE: 1/8" = 1'-0"



**South Elevation** Clubhouse/Office

SCALE: 1/8" = 1'-0"



**West Elevation** Clubhouse/Office

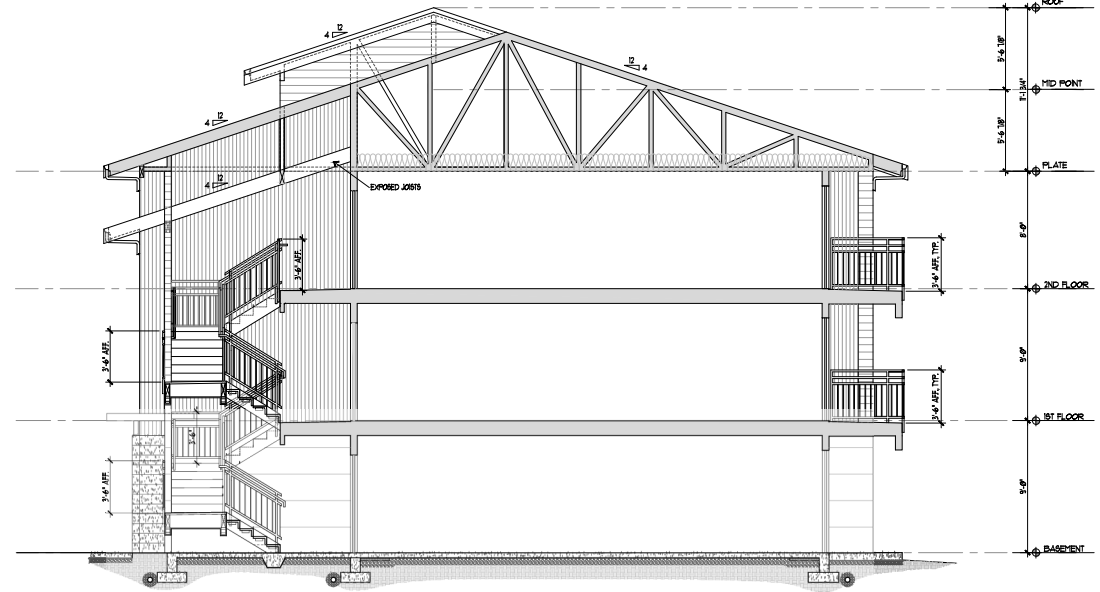
SCALE: 1/8" = 1'-0"

DATE: 07/26/23  
 DRAWN BY: [Redacted]  
 CHECKED BY: [Redacted]  
 PROJECT NO: 2022-4  
 PROJECT NAME: The Loren at Brookside  
 ARCHITECT: Schneider Homes  
 ADDRESS: Albany, OR  
 PROJECT LOCATION: [Redacted]

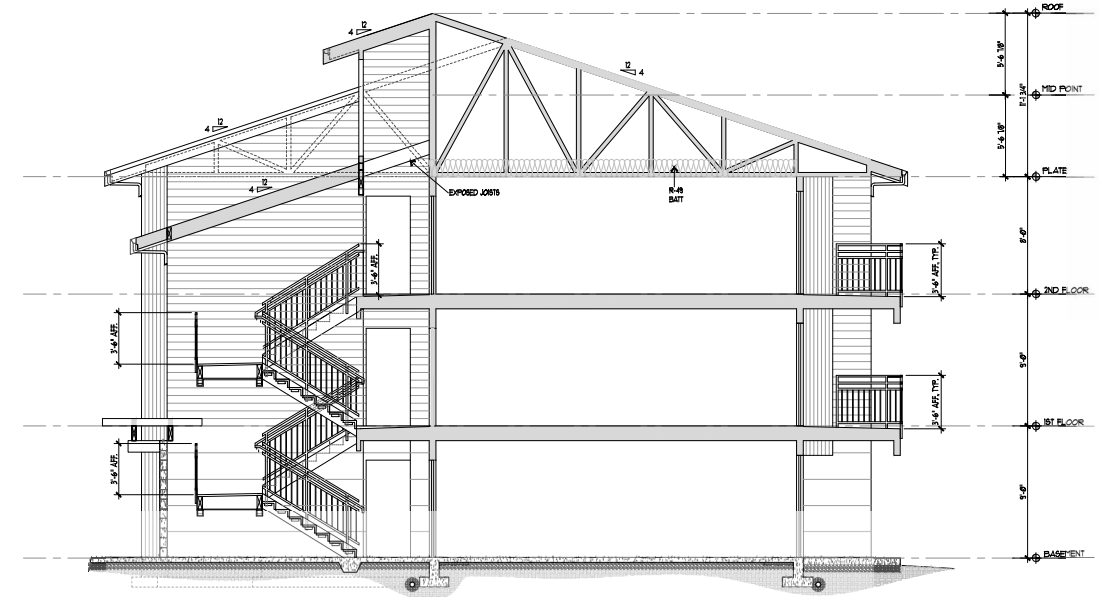


*Bush*

**A307**



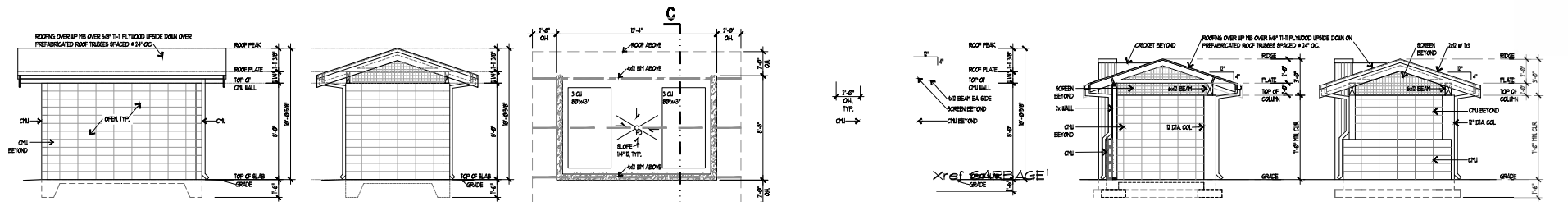
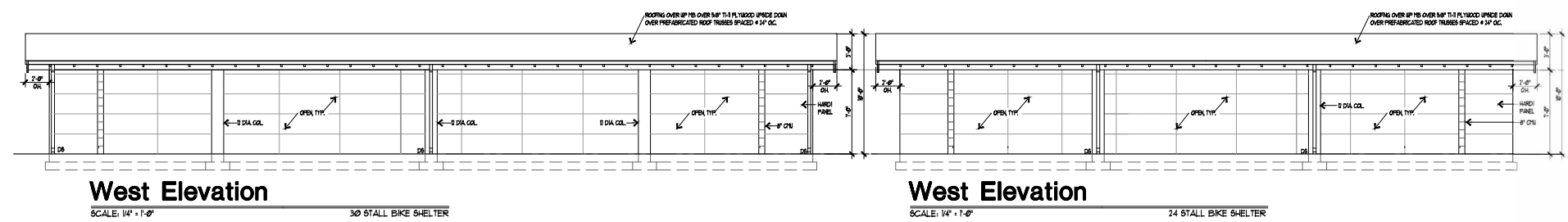
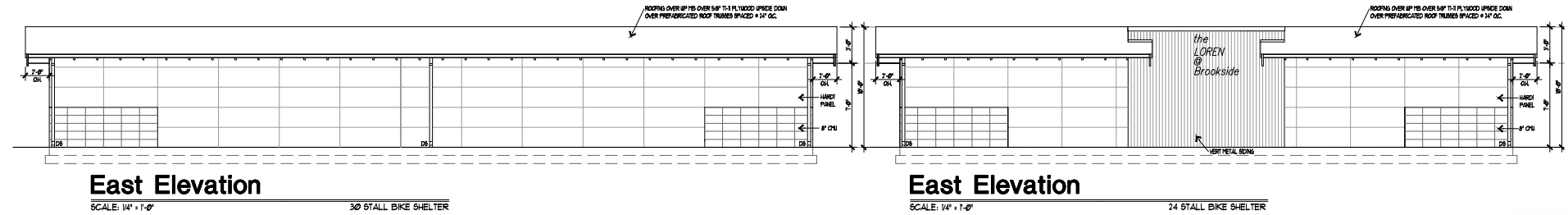
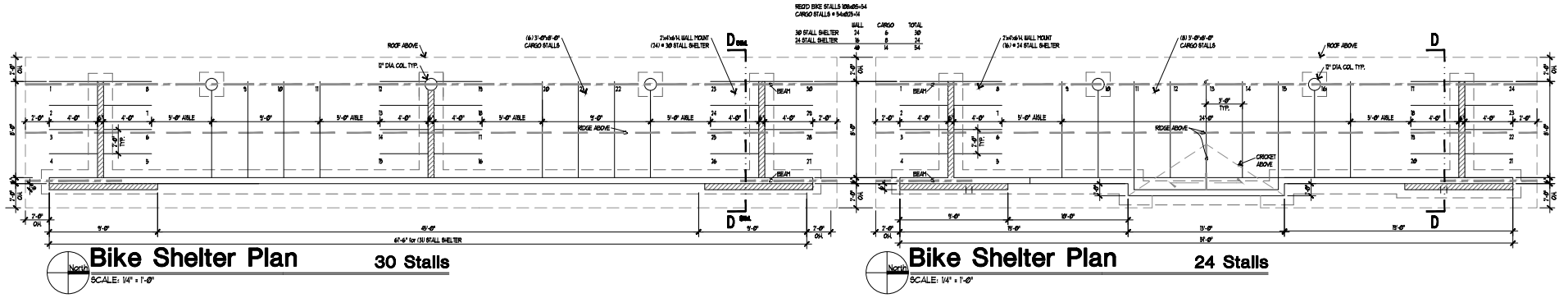
**Section AA** Buildings 2, 3  
SCALE: 1/4" = 1'-0"



**Section BB** Buildings 5, 6, 7  
SCALE: 1/4" = 1'-0"

DATE: 07/26/23  
 DRAWN BY: [Redacted]  
 CHECKED BY: [Redacted]  
 PROJECT NO: 202304  
 PROJECT NAME: The Loren at Brookside  
 SCHNEIDER HOMES  
 ALBANY, OR  
 A308  
 PROJECT NO: 202304  
 ALL RIGHTS RESERVED  
 ALL RIGHTS RESERVED TO CONTENTS  
 CONTRACT NO. [Redacted]





DATE: 05/03/23  
 PROJECT: THE LOREN AT BROOKSIDE  
 ALL RIGHTS RESERVED  
 PROJECT NO. 2023-04  
 THE LOREN AT BROOKSIDE  
 SCHNEIDER HOMES  
 ALBANY, OR  
 A310

# SCHNEIDER FAMILY HOMES: THE LOREN AT BROOKSIDE

53RD AVENUE SW  
ALBANY, OREGON

## DRAWINGS FOR:

SCHNEIDER FAMILY HOMES  
CONTACT: ZACH SCHNEIDER  
206 . 450 . 8330

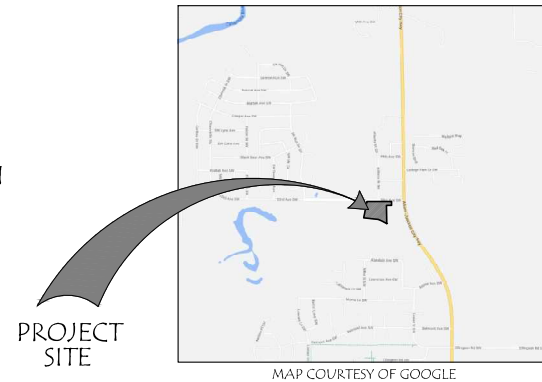
## LANDSCAPE ARCHITECT:

LAURUS DESIGNS, LLC  
LAURA ANTONSON, RLA, ASLA  
1012 PINE STREET  
SILVERTON, OREGON 97381  
503 . 784 . 6494  
LAURA@LAURUSDESIGNS.COM

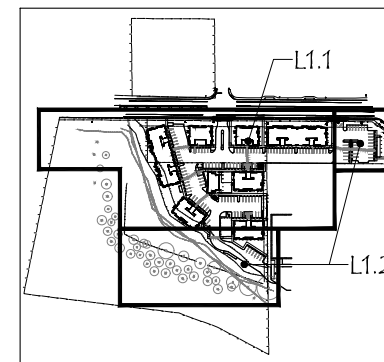
## SHEET INDEX:

- LO.0 COVER SHEET
- L1.1 PRELIMINARY PLANTING PLAN
- L1.2 PRELIMINARY PLANTING PLAN
- L1.3 PARKING LOT TREE CANOPY PLAN

## VICINITY MAP:



## KEY MAP:



Laurus Designs, LLC



1012 Pine Street  
Silverton, Oregon 97381  
503.784.6494  
laurusdesigns.com

THE LOREN AT  
BROOKSIDE

53RD AVENUE SW  
ALBANY, OREGON



COVER SHEET



NOVEMBER 17TH, 2025

### REVISIONS

| # | DATE | NOTES | INITIALS |
|---|------|-------|----------|
|   |      |       |          |

LO.0

SHEET 1 OF 4

PROJECT # 15078

**LANDSCAPE REQUIREMENTS:**

TOTAL MAC SITE AREA: 158,723 SF  
 REQUIRED LANDSCAPE: 15% (23,808 SF)  
 PROPOSED LANDSCAPE: 52% (81,014 SF)

FRONT SETBACK: 5RD AVENUE SW  
 TOTAL LINEAR FEET LOT: 590 LF  
 TREES: (1) TREE MIN. 4" HT. PER 50 LF = 12 TREES  
 SHRUBS: (4) SHRUBS MIN. 1 GAL. PER 50 LF = 48 SHRUBS  
 GROUND COVER: REMAINING AREA

CHILDREN'S PLAY AREA  
 500 SF MINIMUM  
 20' MINIMUM DIMENSION

**BUFFER TREES:** DECIDUOUS @ 30' O.C.  
 EVERGREEN @ 15' O.C.  
**SHRUBS:** (5) 5 GAL. SHRUBS OR (10) 1 GAL. SHRUBS PER 1000 SF OF BUFFER AREA  
**GROUND COVER:** REMAINING AREA

**SCREENING:** CONTINUOUS EVERGREEN HEDGE

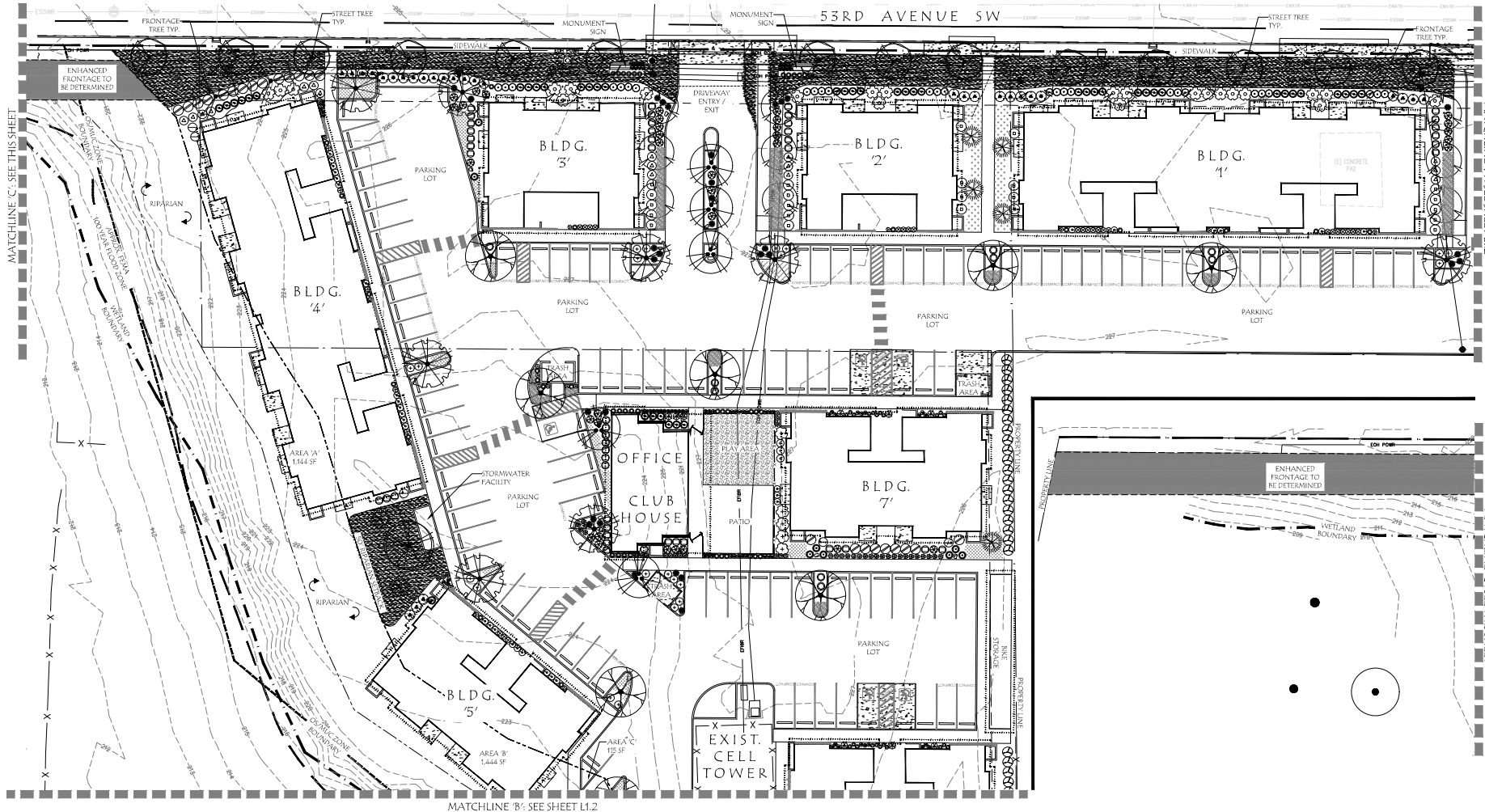
**PARKING PARKING PLANTERS:** (1) TREE PER PLANTER  
 (2) SHRUBS PER 100 SF GROUND COVER

**LEGEND:**

- EXISTING TREE TO REMAIN
- OS/MUC ZONE BOUNDARY
- FEMA 100 YEAR FLOODPLAIN
- INETLAND BOUNDARY
- LANDSCAPE BOULDERS: 1'-5' DIA.
- 2"-6" ROUND ROCK, GRAY, 6" DEPTH
- STORMWATER PLANTER
- PLAY AREA SURFACE. SEE NOTES FOR SAFETY INFORMATION

**GENERAL NOTES:**

1. DRAWINGS ARE PRELIMINARY. NOT FOR CONSTRUCTION OR BIDDING.
2. SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN AND AREA CALCULATIONS.
3. SEE CIVIL DRAWINGS FOR GRADING, UTILITIES, AND STORMWATER INFORMATION.
4. PLANTS TO BE SIZED ACCORDING TO ALBANY REQUIREMENTS FOR GENERAL PLANTING.
5. STORMWATER FACILITY PLANTINGS TO FOLLOW ALBANY STORMWATER PLANTING REQUIREMENTS. PLANTS TO BE SELECTED FROM APPROVED PLANT LIST.
6. STREET TREES LOCATED ALONG BACK OF SIDEWALK. TREES SELECTED FROM ALBANY APPROVED STREET TREES BENEATH OVERHEAD LINES.
7. FRONTAGE SETBACK LANDSCAPE TREES SELECTED FROM APPROVED STREET TREES BENEATH OVERHEAD LINES.
8. CHILDREN'S PLAY AREA AND WOODCHIP PLAY SURFACE TO CONFORM TO CPC AND ASTM PLAYGROUND STANDARD AND GUIDELINES. PLAY EQUIPMENT TO BE SELECTED.
9. PARKING LOT TREE CANOPY PLAN SEE SHEET L1.5.
10. PRELIMINARY PLANT SCHEDULE AND MITIGATION SCHEDULE SEE SHEET L1.2.
11. SITE TO BE IRRIGATED BY A PERMANENT AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY THE LANDSCAPE ARCHITECT.



Laurus Designs, LLC



1012 Pine Street  
 Silverton, Oregon 97581  
 503.784.6494  
 laurusdesigns.com

THE LOREN AT  
 BROOKSIDE

53RD AVENUE SW  
 ALBANY, OREGON



PRELIMINARY  
 PLANTING  
 PLAN



SCALE: 1" = 20' - 0"  
 0' 10' 20' 40'  
 SCALE

NOVEMBER 17TH, 2025

REVISIONS  
 # DATE NOTES INITIALS

L1.1  
 SHEET 2 OF 4  
 PROJECT # 15078

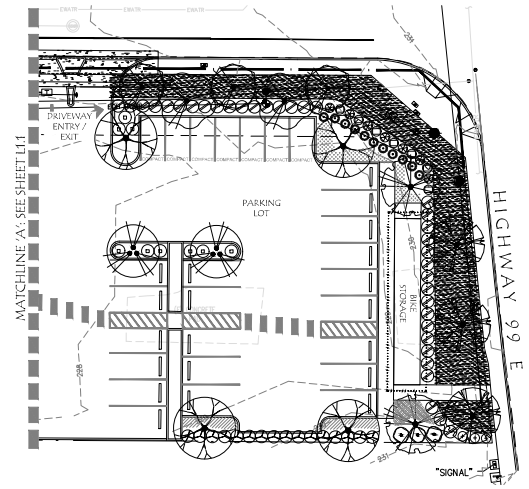
PRELIMINARY PLANT SCHEDULE

| TREES | QTY | ROTANICAL / COMMON NAME   | SIZE             | NOTES            |
|-------|-----|---|------------------|------------------|
|       | 5   | ACER GRiseum / PAPERBARK MAPLE  | 2" CAL. B&B      | STREET TREE      |
|       | 15  | ACER TRUNCATUM X PLATANOIDES 'WARRENRED' TM / PACIFIC SUNSET MAPLE        | 6" HT. MIN. B&B  | FRONTAGE TREE    |
|       | 8   | QHAMAECYPARIS NOOTKATENSIS 'GLAUCA PENDULA' / WEEPING NOOTKA FALSE CYPRUS | 6" HT. MIN. B&B  | GENERAL TREE     |
|       | 4   | CORNUS KOUSA 'RUTGAN' / STELLAR PINK KOUSA DOGWOOD                        | 6" HT. MIN. B&B  | FRONTAGE TREE    |
|       | 7   | LAGERSTROEMIA INDICA X FAURIEI 'NATCHEZ' / NATCHEZ CRAPE MYRTLE           | 10" HT. MIN. B&B | PARKING LOT TREE |
|       | 3   | NYSSA SYLVATICA 'WILDFIRE' / BLACK GLIM                                   | 10" HT. MIN. B&B | PARKING LOT TREE |
|       | 14  | TILIA TOMENTOSA 'STERLING' / STERLING SILVER LINDEN                       | 10" HT. MIN. B&B | PARKING LOT TREE |
|       | 11  | ZELKOVA SERRATA 'GREEN VASE' / SAWLEAF ZELKOVA                            | 10" HT. MIN. B&B | PARKING LOT TREE |
|       | 17  | ZELKOVA SERRATA 'SJS-KW1' / CITY SPRITE JAPANESE ZELKOVA                  | 2" CAL. B&B      | STREET TREE      |

| SHRUBS | QTY | ROTANICAL / COMMON NAME  | SIZE        |
|--------|-----|--|-------------|
|        | 30  | ABELLIA X GRANDIFLORA 'SHERWOODDII' / SHERWOOD GLOSSY ABELIA     | 2 GAL.      |
|        | 6   | CHOISYA TERINATA 'SUNDANCE' / SUNDANCE MEXICAN MOCK ORANGE       | 5 GAL.      |
|        | 82  | CORNUS SERICEA 'KELSEY' / KELSEY'S BWARF RED TWRG DOGWOOD        | 2 GAL.      |
|        | 47  | EUONYMUS JAPONICUS / JAPANESE EUONYMUS                           | 5 GAL.      |
|        | 19  | EUONYMUS JAPONICUS 'GREEN SPIKE' / GREEN SPIKE JAPANESE EUONYMUS | 24"-30" HT. |
|        | 62  | ILEX CRENATA 'SOFT TOUCH' / SOFT TOUCH JAPANESE HOLLY            | 2 GAL.      |
|        | 25  | LEUCOTHOE FONTANESIANA 'RAINBOW' / RAINBOW LEUCOTHOE             | 3 GAL.      |
|        | 16  | LONICERA NITIDA 'LEMON BEAUTY' / BOKLEAF HONEYSUCKLE             | 2 GAL.      |
|        | 27  | LONICERA PILEATA / PRIVET HONEYSUCKLE                            | 2 GAL.      |
|        | 22  | MAHONIA REPENS / CREEPING MAHONIA                                | 1 GAL.      |
|        | 84  | NANDINA DOMESTICA 'ATROPURPUREA NANA' / BWARF NANDINA            | 2 GAL.      |
|        | 18  | NANDINA DOMESTICA 'FIREPOWER' / FIREPOWER HEAVENLY BAMBOO        | 2 GAL.      |
|        | 11  | OSMANTHUS HETEROPHYLLUS 'GOSHIKI' / GOSHIKI HOLLY OLIVE          | 5 GAL.      |
|        | 7   | PHYSCARPUS OPALEFOLIUS 'DONNA MAY' / DONNA MAY NINEBARK          | 5 GAL.      |
|        | 25  | PRUNUS LAUROCEARUS 'MOUNT VERNON' / MOUNT VERNON LAUREL          | 1 GAL.      |
|        | 30  | PRUNUS LAUROCEARUS 'OTTO LUYKEN' / OTTO LUYKEN ENGLISH LAUREL    | 5 GAL.      |
|        | 67  | RHAPHIOLIS UNIBELLATA 'SNOW WHITE' / YEDDA HAWTHORN              | 3 GAL.      |
|        | 45  | ROSA X 'RADTKOPINK' / PINK DOUBLE KNOCK OUT ROSE                 | 2 GAL.      |
|        | 45  | SARCOCOCCA CONFUSA / FRAGRANT SARCOCOCCA                         | 2 GAL.      |

| GRASSES/ PERENNIALS | QTY | ROTANICAL / COMMON NAME   | SIZE   |
|---------------------|-----|---|--------|
|                     | 21  | BOULEDOIA GRACILIS 'BLONDE AMBITION' / BLONDE AMBITION BLUE GRAMA | 1 GAL. |
|                     | 54  | CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER' / FEATHER REEF GRASS   | 1 GAL. |
|                     | 6   | CAREX COMANS 'BRONZE' / BRONZE HAIR SEDGE                         | 1 GAL. |
|                     | 9   | HAKONECHLOA MACRA 'AUREOLA' / GOLDEN VARIEGATED FOREST GRASS      | 1 GAL. |
|                     | 45  | HEMEROCALLIS X 'BIG BIRD' / BIG BIRD DAYLILY                      | 1 GAL. |
|                     | 75  | LIRIOPE MUSCARI 'BIG BLUE' / BIG BLUE LILYTURF                    | 1 GAL. |
|                     | 21  | PENNISETUM ALOPECUROIDES 'HAMELN' / HAMELN FOUNTAIN GRASS         | 1 GAL. |

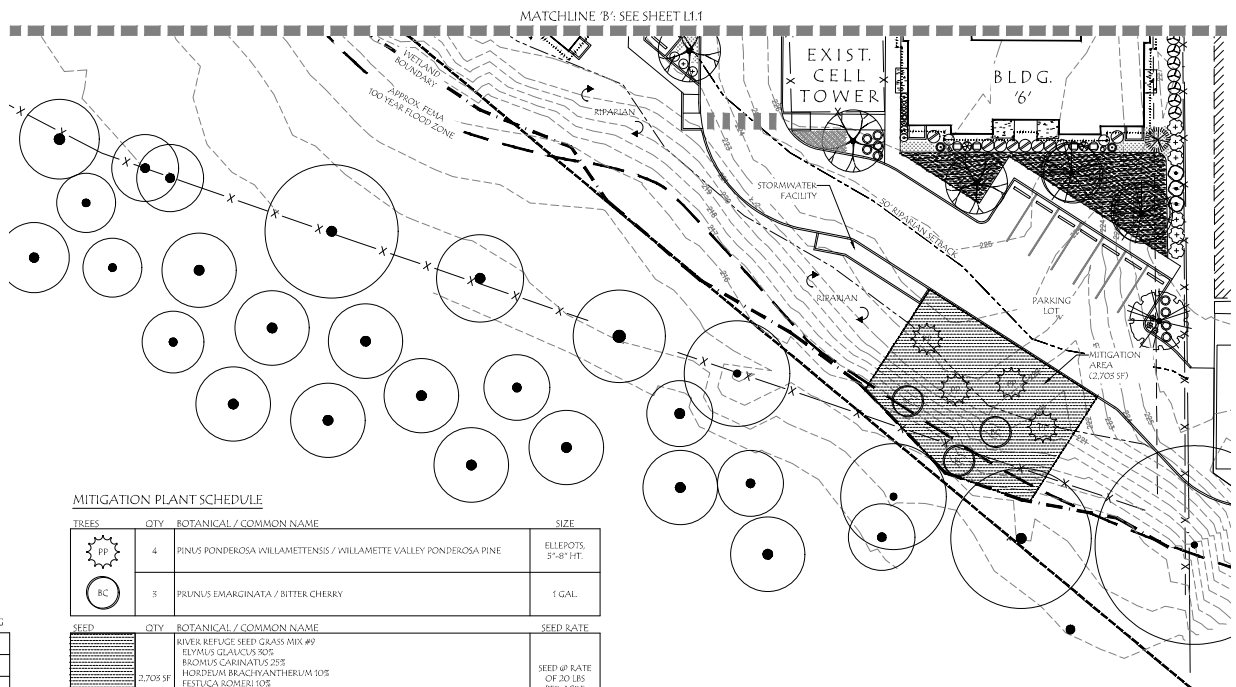
| GROUND COVERS | QTY       | ROTANICAL / COMMON NAME   | SIZE   | SPACING     |
|---------------|-----------|---|--------|-------------|
|               | 84        | ARCTOSTAPHYLOS LIVA-VIRI 'MASSACHUSETTS' / MASSACHUSETTS MANZANITA      | 1 GAL. | 30" sp.c.   |
|               | 94        | GENISTA LYMA 'SELECT' / BANGLE 'PYERS GREENWOOD                         | 1 GAL. | 36" sp.c.   |
|               | 102       | RUBUS CALYCONOIDES 'EMERALD CARPET' / EMERALD CARPET CREEPING RASPBERRY | 1 GAL. | 48" sp.c.   |
|               | 10.158 SF | PROTOME PITRUI WATER SMARTER FESCUE                                     |        | SEED OR SOD |
|               | 16 SF     | ANNUAL COLOR  |        | 4" POTS     |



**LEGEND:**

- EXISTING TREE TO REMAIN
- OS/MUC ZONE BOUNDARY
- FEMA 100 YEAR FLOODPLAIN
- WETLAND BOUNDARY
- LANDSCAPE BOULDERS, 1'-3' DIA.
- 2"-6" ROUND ROCK, GRAY, 6" DEPTH
- STORMWATER PLANTER
- PLAY AREA SURFACE. SEE NOTES FOR SAFETY INFORMATION

- GENERAL NOTES:**
- DRAWINGS ARE PRELIMINARY. NOT FOR CONSTRUCTION OR BIDDING.
  - SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN AND AREA CALCULATIONS.
  - SEE CIVIL DRAWINGS FOR GRADING, UTILITIES, AND STORMWATER INFORMATION.
  - PLANTS TO BE SIZED ACCORDING TO ALBANY REQUIREMENTS FOR GENERAL PLANTING.
  - STORMWATER FACILITY PLANTINGS TO FOLLOW ALBANY STORMWATER PLANTING REQUIREMENTS. PLANTS TO BE SELECTED FROM APPROVED PLANT LIST.
  - STREET TREES LOCATED ALONG BACK OF SIDEWALK. TREES SELECTED FROM ALBANY APPROVED STREET TREES BENEATH OVERHEAD LINES.
  - FRONTAGE SETBACK LANDSCAPE TREES SELECTED FROM APPROVED STREET TREES BENEATH OVERHEAD LINES.
  - CHILDREN'S PLAY AREA AND WOODCHIP PLAY SURFACE TO CONFORM TO CPSC AND ASTM PLAYGROUND STANDARD AND GUIDELINES. PLAY EQUIPMENT TO BE SELECTED.
  - PARKING LOT TREE CANOPY PLAN SEE SHEET L1.8
  - PRELIMINARY PLANT SCHEDULE AND MITIGATION PLANT SCHEDULE SEE THIS SHEET.
  - SITE TO BE IRRIGATED BY A PERMANENT AUTOMATIC UNDERGROUND IRRIGATION SYSTEM DESIGNED BY THE LANDSCAPE ARCHITECT.



MITIGATION PLANT SCHEDULE

| TREES | QTY | ROTANICAL / COMMON NAME   | SIZE                |
|-------|-----|---|---------------------|
|       | 4   | PINUS PONDEROSA WILLAMETTENSIS / WILLAMETTE VALLEY PONDEROSA PINE | ELLERPOTS 3'-8" HT. |
|       | 3   | PRUNUS EMARGINATA / BITTER CHERRY                                 | 1 GAL.              |

| SEED | QTY      | ROTANICAL / COMMON NAME   | SEED RATE                      |
|------|----------|---|--------------------------------|
|      | 2,705 SF | RIVER REFUGE SEED GRASS MIX #9<br>ELYMUS GLAUCCUS 50%<br>BROMUS CARINATUS 25%<br>HORDEUM BRACHYANTHERUM 10%<br>FESTUCA ROMESI 10%<br>DESCHAMPsia ELONGATA 10%<br>DESCHAMPsia CESPITOSA 5%<br>FESTUCA RURIA 5%<br>JUGCA 'INOLATE' 5% | SEED @ RATE OF 20 LBS PER ACRE |

Laurus Designs, LLC

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Silverton, Oregon 97381  
503.784.6494  
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THE LOREN AT BROOKSIDE

55RD AVENUE SW  
ALBANY, OREGON

REGISTERED 643  
PRELIMINARY  
LAURA A. ANTONSON  
OREGON  
11/16/2021  
LANDSCAPE ARCHITECT

PRELIMINARY PLANTING PLAN

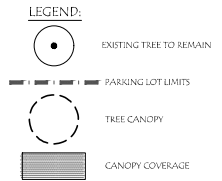
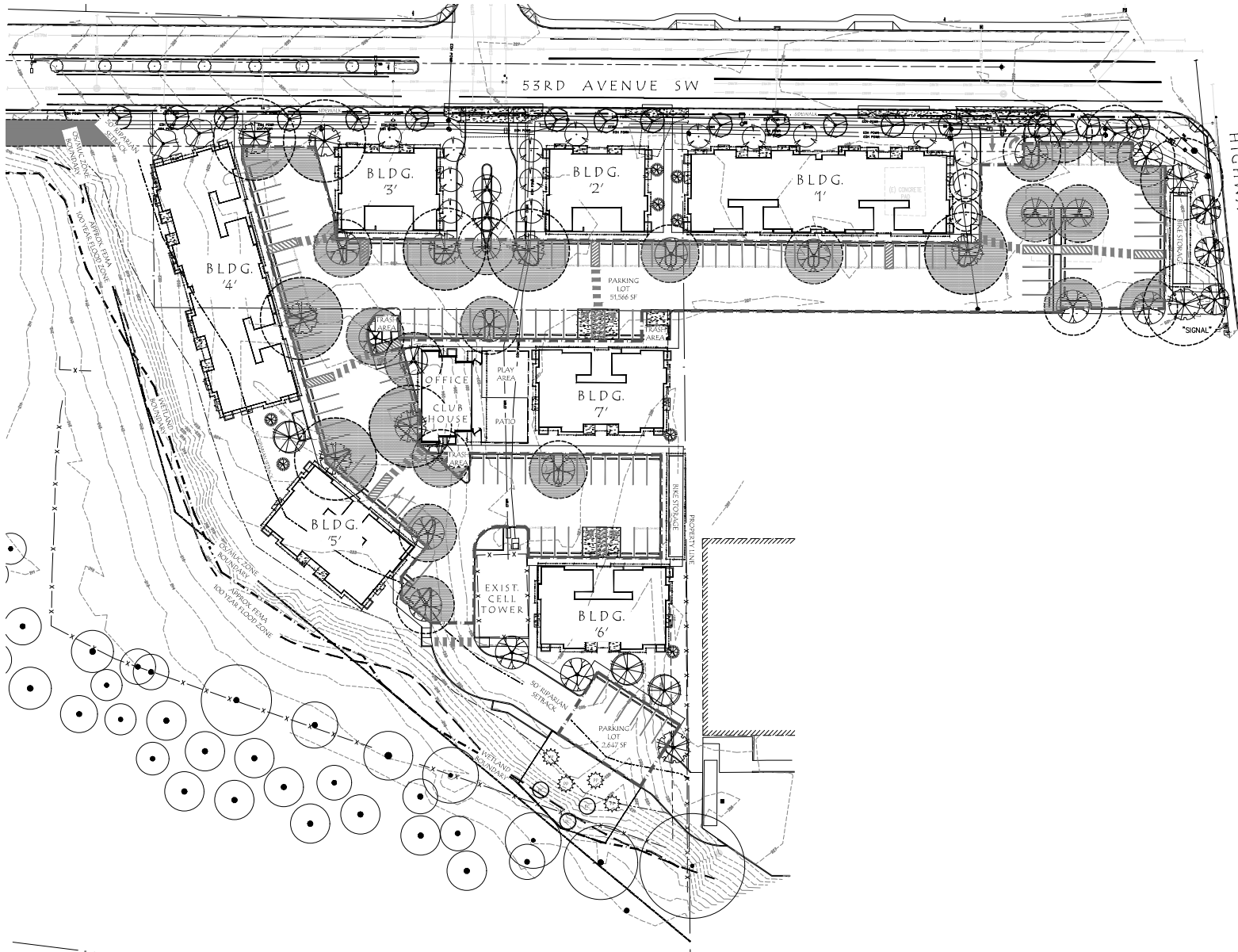
SCALE: 1" = 20' - 0"  
0' 10' 20' 40'  
SCALE

NOVEMBER 17TH, 2025

REVISIONS

| # | DATE | NOTES | INITIALS |
|---|------|-------|----------|
|   |      |       |          |

L1.2  
SHEET 3 OF 4  
PROJECT # 1507



- GENERAL NOTES:**
1. DRAWINGS ARE PRELIMINARY, NOT FOR CONSTRUCTION OR BIDDING.
  2. SEE ARCHITECTURAL DRAWINGS FOR SITE PLAN AND AREA CALCULATIONS.
  3. SEE CIVIL DRAWINGS FOR GRADING, UTILITIES, AND STORMWATER INFORMATION.
  4. PRELIMINARY PLANTING PLAN SEE SHEETS L1.1 AND L1.2.

**TREE CANOPY REQUIREMENTS:**  
 PARKING: PARKING LOTS SF: 54,215 SF  
 REQUIRED 40% TREE CANOPY: YES  
 40% TREE COVERAGE = 21,689 SF CANOPY

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THE LOREN AT BROOKSIDE  
 53RD AVENUE SW  
 ALBANY, OREGON

REGISTERED  
 643  
 PRELIMINARY  
 LAURA A. ANTONSON  
 OREGON  
 11/16/2017  
 LANDSCAPE ARCHITECT

PARKING LOT TREE CANOPY PLAN

SCALE: 1" = 30' - 0"  
 0' 15' 30' 60'  
 SCALE

NOVEMBER 17TH, 2025

**REVISIONS**

| # | DATE | NOTES | INITIALS |
|---|------|-------|----------|
|   |      |       |          |

L1.3  
 SHEET 4 OF 4  
 PROJECT # 15178

# RIPARIAN CORRIDOR LOCAL MITIGATION PLAN

for the

Loren at Brookside Project

City of Albany

Linn County, Oregon



*Prepared for:*

Schneider Homes  
c/o Zach Schneider  
5310 Pacific Blvd SW  
Albany, OR 97321

*Submitted by:*

**ZION Natural Resources Consulting**

P.O. Box 545  
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ZNR Project #: 1837

November 2025

## A. INTRODUCTION

At the request of Schneider Homes, Zion Natural Resources Consulting has created the following mitigation plan in order to comply with the City of Albany Development Code Natural Resource Impact Review Standards for Significant Natural Resource overlay districts including Riparian Corridors (/RC) (ADC 6.310). The Riparian Corridor is located south of SW 53<sup>rd</sup> Avenue and west of Pacific Blvd SW in Albany, OR (T11S, R4W, Sec. 24DA, Tax Lots 1200 and 1300 as well as Sec. 24 tax lot 606). These proposed impact areas are for the placement of Loren at Brookside apartment complex with associated parking and amenities.

## B. OBJECTIVES

The objective of this plan is to be based on the Local Mitigation Standards (6.400). “On-site enhancement is required when the 50-foot area of the Riparian Corridor overlay district is impacted per 6.310(B)(2)(b), unless the activity is otherwise exempted per this section of the Code”. Mitigation will occur based on the existing resource quality and the mitigation requirements expected for future resource quality. The proposed impact areas are considered Degraded Quality which will be enhanced to Marginal Quality at maturity as defined in Table 6.410-1 for Riparian Corridor Overlays.

TABLE 6.410-1

Quality levels, mitigation requirements and expected condition of the significant wetlands and riparian corridor areas after successful completion of the mitigation plan.

| Existing Resource Quality   | Mitigation Requirements/Expected Future Resource Quality   |
|---|--|
| <u>Waterways &amp; Significant Wetlands (riparian and isolated)</u>   |  |
| <i>Good Quality:</i> Little enhancement potential per the Local Wetland Inventory assessment or other wetland assessment by a qualified professional. City staff will verify existing condition.                                  | Preserve or enhance per approved mitigation plan; Invasive species are removed and are not persisting.   |
| <i>Marginal Quality:</i> Moderate enhancement potential per the Local Wetland Inventory assessment or other wetland assessment by a qualified professional. City staff will verify existing condition.                            | Restore to Good Quality per approved mitigation plan; Invasive species are removed and are not persisting.   |
| <i>Degraded Quality:</i> High enhancement potential per the Local Wetland Inventory assessment or other wetland assessment by a qualified professional; Farmed or otherwise converted. City staff will verify existing condition. | Enhance to at least Marginal Quality; A smaller ratio of 1.0 (impact area) to 0.5 (mitigation area) may be allowed for restoration to Good Quality.  |
| <u>Riparian Corridor Overlay</u>  |  |
| <i>Good Quality:</i> Combination of native trees, shrubs, and groundcover are at least 80% of the overlay area, and there will be more than 50% tree canopy coverage at maturity.   | Preserve or enhance per approved mitigation plan; Invasive species are removed and are not persisting.   |
| <i>Marginal Quality:</i> Combination of native trees, shrubs, and groundcover are at least 80% of the overlay area, and there will be 25%-50% tree canopy coverage at maturity.   | Restore to Good Quality with an approved plan (mature overlay area coverage will be estimated); Invasive species are removed and are not persisting;   |
| <i>Degraded Quality:</i> Less vegetation and canopy coverage than Marginal Quality, and/or greater than 10% coverage of any non-native species.   | Enhance to at least Marginal Quality with an approved plan (mature overlay area coverage will be estimated); A smaller ratio of 1.0 (impact area) to 0.5 (mitigation area) may be allowed for restoration to Good Quality. |

[Ord. 5947, 1/01/21]

## C. MITIGATION PLAN

### Impact Location

There are three riparian corridor impact areas (A-C) being proposed as part of this development plan (Figure 4A-C). These encroachment areas are for the placement of apartment buildings 4 and 5 and a small portion for associated public parking next to building 5.

### Existing Conditions

The existing condition of the site consists of vacant land with a gravel road and a cell tower (placed in 2016) in the center of the site with a forested riparian area along the tributary to Oak Creek. This drainage and wetland area is dominated by *Fraxinus latifolia* and *Carex obnupta*. The uplands consist of remnant pasture containing non-native grasses and forbs along with patches of Himalayan blackberry (*Rubus armeniacus*) a non-native invasive species. The 50-foot riparian corridor has been defined based on the delineated wetland boundary.

### Mitigation Location

The mitigation location is in the southeast corner of the site, south of building 6 (Figure 4B). This location is within a degraded portion of the riparian corridor. Guidance from the Oregon Department of State Lands and the U.S. Army Corps of Engineers recommends placing mitigation sites in areas that are removed from potential future human disturbances and that provide access to irrigation. The mitigation site consists of a 1:1 ratio of 2,703 square feet of mitigation area to compensate for the 2,703 square feet of encroachment areas (A-C).

### Reference Site

The reference site is based on the existing undisturbed riparian corridor. The tree stratum consists of Oregon ash (*Fraxinus latifolia*), with the shrub stratum consisting of Himalayan blackberry (*Rubus armeniacus*). The herbaceous stratum is a mosaic of non-native grasses and forbs. Utilizing this undisturbed corridor as a reference site is limited based on the concern of the Emerald ash borer primarily hosts on all species of ash. Based on this limitation and the presence of invasive species the mitigation plan proposes to reintroduce Willamette Valley Ponderosa Pine, which was once a dominant species throughout the Willamette Valley, and bitter cherry. A native grass seed mix is proposed for the herbaceous layer.

### Planting Plan

This mitigation plan will restore suitable conditions for a high diversity of native species. The entire mitigation area will be seeded with the native seed mix which will be obtained from seed suppliers of native NW species. Planting will occur over a period of several months as the plants become available and at the recommended planting times.

#### **Tree Stratum**

- Willamette Valley Ponderosa Pine (*Pinus ponderosa* var. *benthamiana willamettensis*) = 4 elle pots 5-8" tall
- Bitter Cherry (*Prunus emarginata*) = 3 one-gallon pots

#### **Herbaceous Stratum**

River Refuge Seed grass mix #9 (20lbs per acre)

*Elymus glaucus* 30%  
*Bromus carinatus* 25%  
*Hordeum brachyantherum* 10%  
*Festuca romeri* 10%  
*Deschampsia elongata* 10%  
*Agrostis exarata* 5%  
*Deschampsia cespitosa* 5%  
*Festuca rubra* ssp. *Jucea* "Molate" 5%

### Management

#### *Removal and control of exotic species*

Maintenance will occur as needed and will coincide with monitoring events. The removal of non-native, invasive weeds is necessary throughout the maintenance period, or until a healthy stand of desirable vegetation is established. Removal and control of exotic species of plants will be conducted at a minimum of two times per year. Removal may include the use of power tools or through the application of herbicides by a licensed professional.

Containerized stock should be installed only from February 1 through May 1 and October 1 through November 15. Bare root stock should be installed only from December 15 through April 15.

Plant placement should be consistent with naturally occurring plant communities. Shrubs should be placed in singles or clusters of the same species to provide a natural planting scheme. This arrangement may follow curved rows to facilitate maintenance. Distribution and relative abundance will be dependent on the plant species and on the size of the revegetation area. Plant placement and seeding will promote maximum vegetative cover to minimize weed establishment.

#### *Installation recommendations for plant material*

Till the sub-grade in these areas to a depth of at least four inches and add at least 12 inches of clean compost-amended topsoil. Where appropriate and necessary for erosion control or to enhance organic matter, leaf compost may be placed uniformly on topsoil. Other amendments, conditioners, and bioamendments may be added as needed to support the specified plants or adjust the soil pH. Traditional fertilization techniques (applying N-P-K) are not necessary for native plants. Trees, shrubs, and groundcovers planted in upland areas should be mulched a minimum of three inches in depth and 18 inches in diameter, to retain moisture and discourage weed growth around newly installed plant material. Appropriate mulches are made from composted bark or leaves that have not been chemically treated.

#### *Irrigation*

Appropriate plant selection, along with adequate site preparation and maintenance, reduces the need for irrigation. However, an irrigation system should be used during the two-year plant establishment period. Watering should be at a minimum rate of at least one inch per week from June 15 through October 15.

#### **D. MONITORING AND MAINTENANCE**

A monitoring report detailing the survival and health of planted vegetation, and the status of invasive species, will be provided to the Community Development Department between 18 and 24 months from the initial planting that describes the health of all vegetation and shows pictures of the vegetation. Monitoring fieldwork will be conducted annually in the spring and will include ground level photos of the mitigation area.

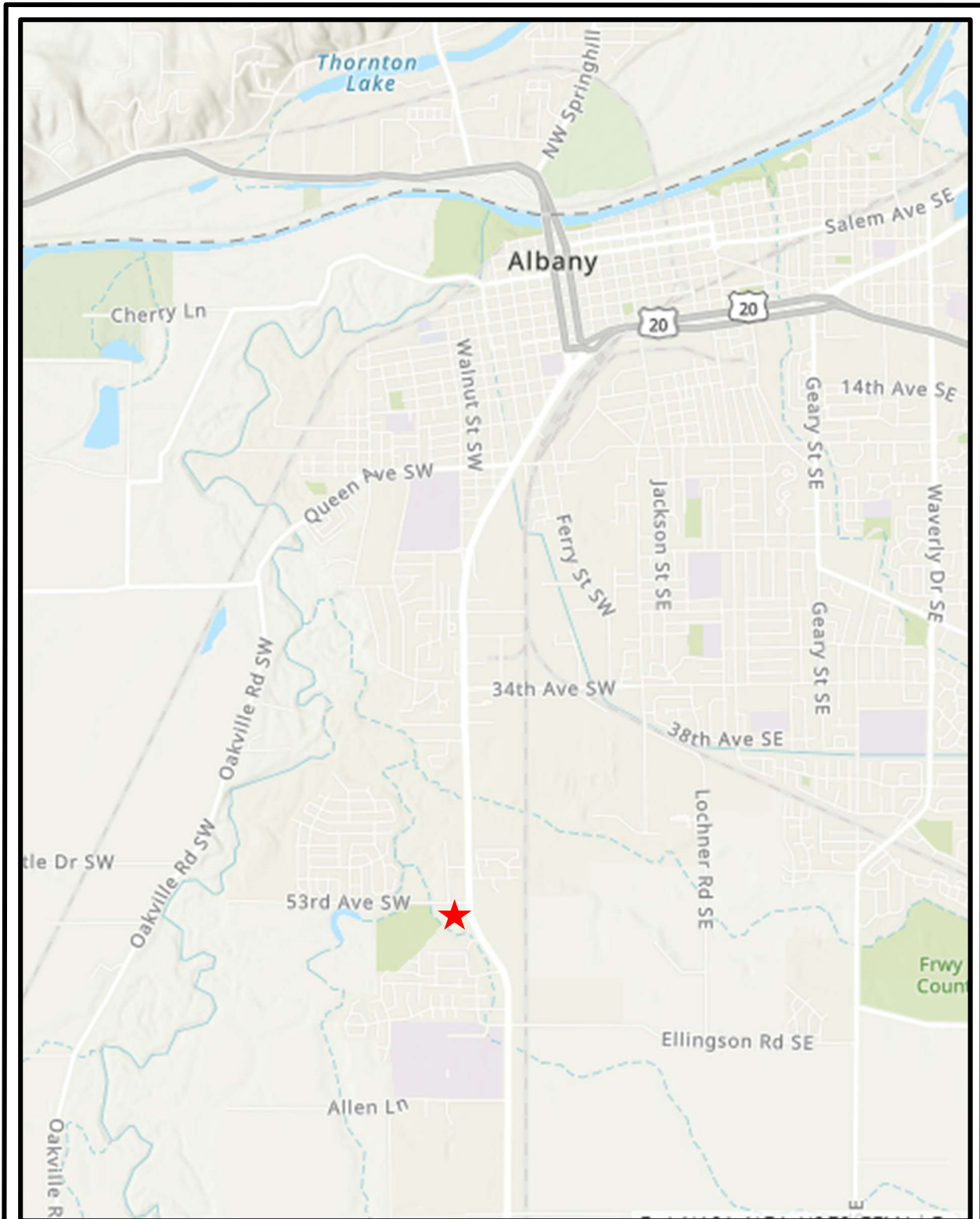
If the survival rate for tree and shrub species is below 80%, a replanting strategy will be prepared, approved, and executed within 6 months of the report, with a subsequent report on survival provided to the Department between 12 and 18 months from the time of the second planting. At this point, if the survival rate is still below 80%, the bond described in (3) will either be forfeited or extended for a 2½-year period with Director's approval. If at the end of the extension period, the survival rate is still less than 80%, the bond will be forfeited.

#### **E. FINANCIAL ASSURANCES**

According to 6.410(3), Schneider Homes will provide assurance of completion in the form of a surety or performance bond, cash, negotiable security deposit, letter of credit, or other guarantees approved by the City Attorney that is equal to 120% of the value of the improvements installed pursuant to the plan for a 2-year period. The assurance shall be in place before the issuance of development permits to ensure the success of mitigation improvements and the survival of the plants. The assurance will be released by the City upon receiving satisfactory proof that the mitigation measures have been successfully implemented per (4) below. If mitigation improvements fail during the 2-year period, the assurance will both be forfeited and used by the City to correct the problem pursuant to the approved mitigation plan, or the bond period may be extended for a 2½-year period with Director's approval to allow for another replanting strategy.

## **APPENDIX A:**

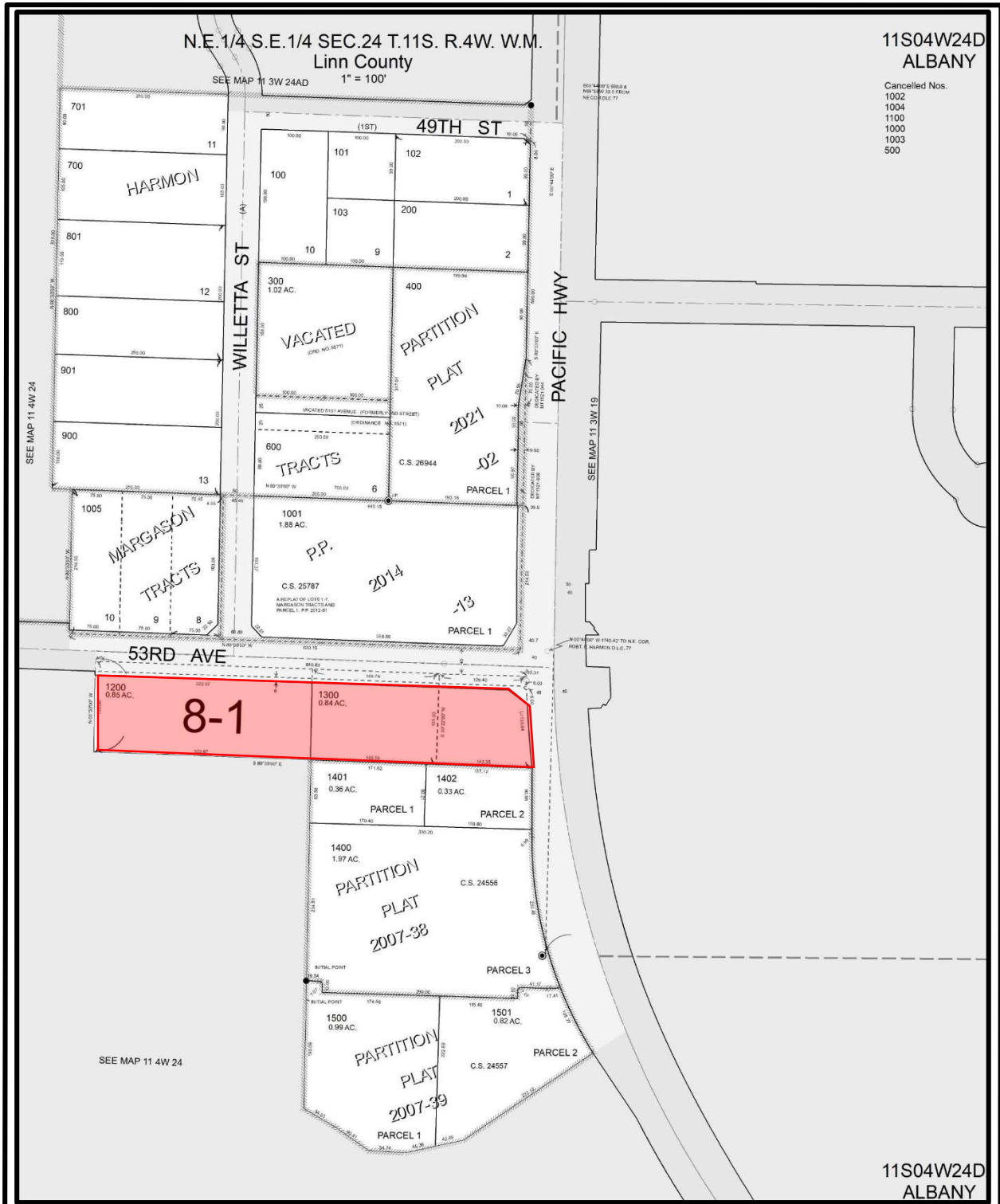
### **Site Figures**



**FIGURE 1**  
**Vicinity Map**

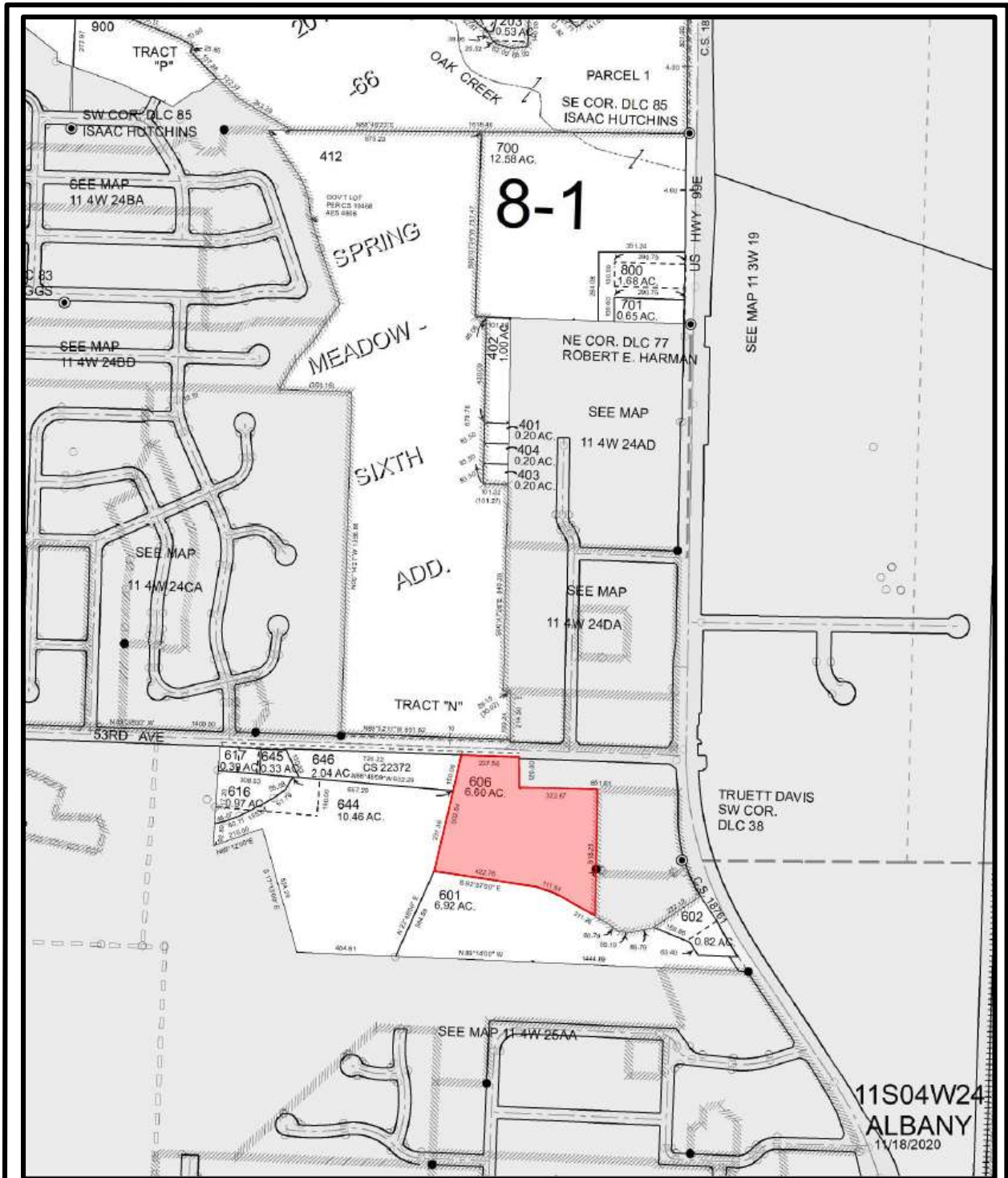
**Project: Loren at Brookside**





**FIGURE 2a**  
**Tax Lot Map**

**Project: Loren at Brookside**



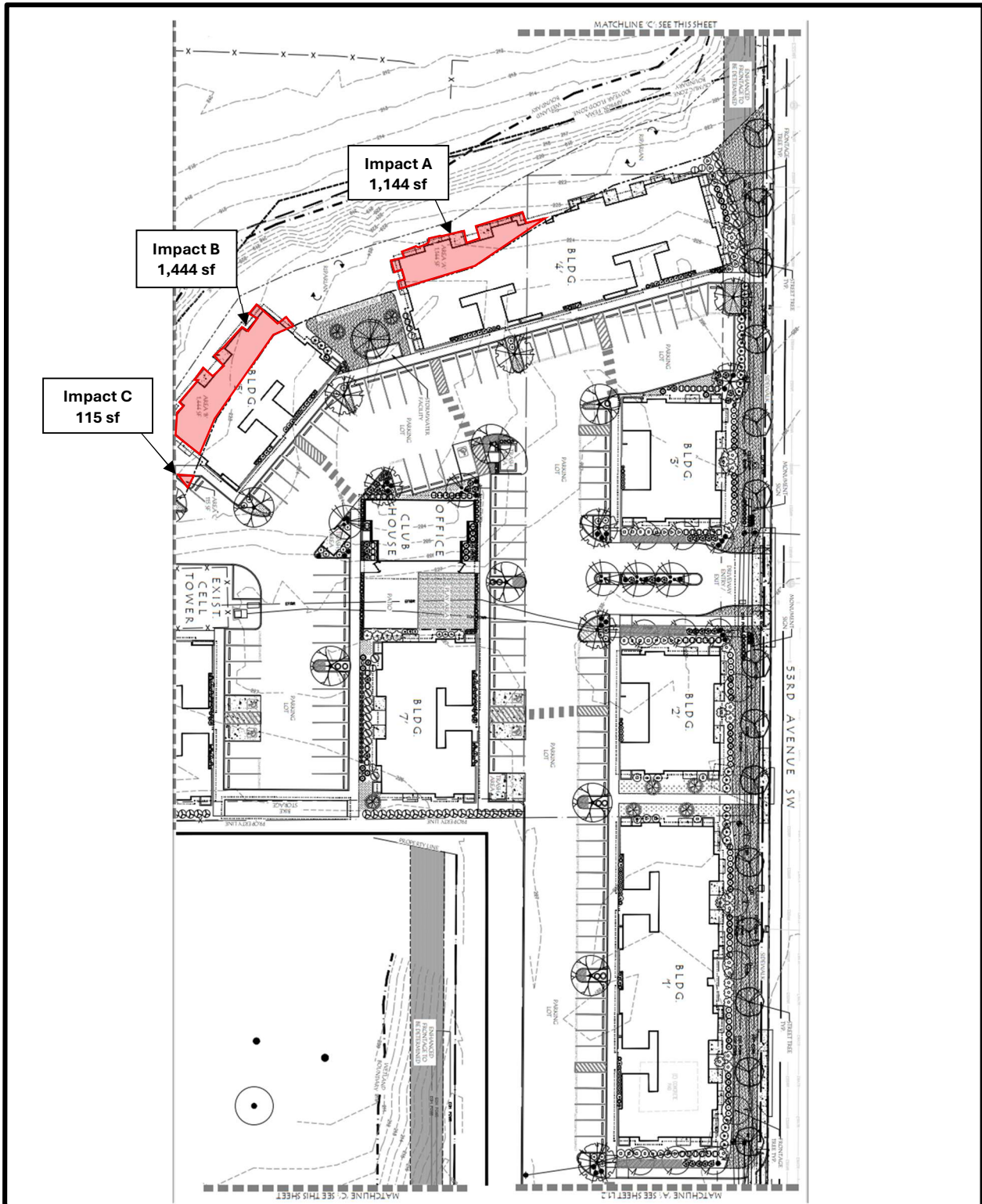
**FIGURE 2b**  
**Tax Lot Map**  
 Project: Loren at Brookside





**FIGURE 3**  
Google Earth Aerial - July 8<sup>th</sup>, 2023  
Project: Loren at Brookside

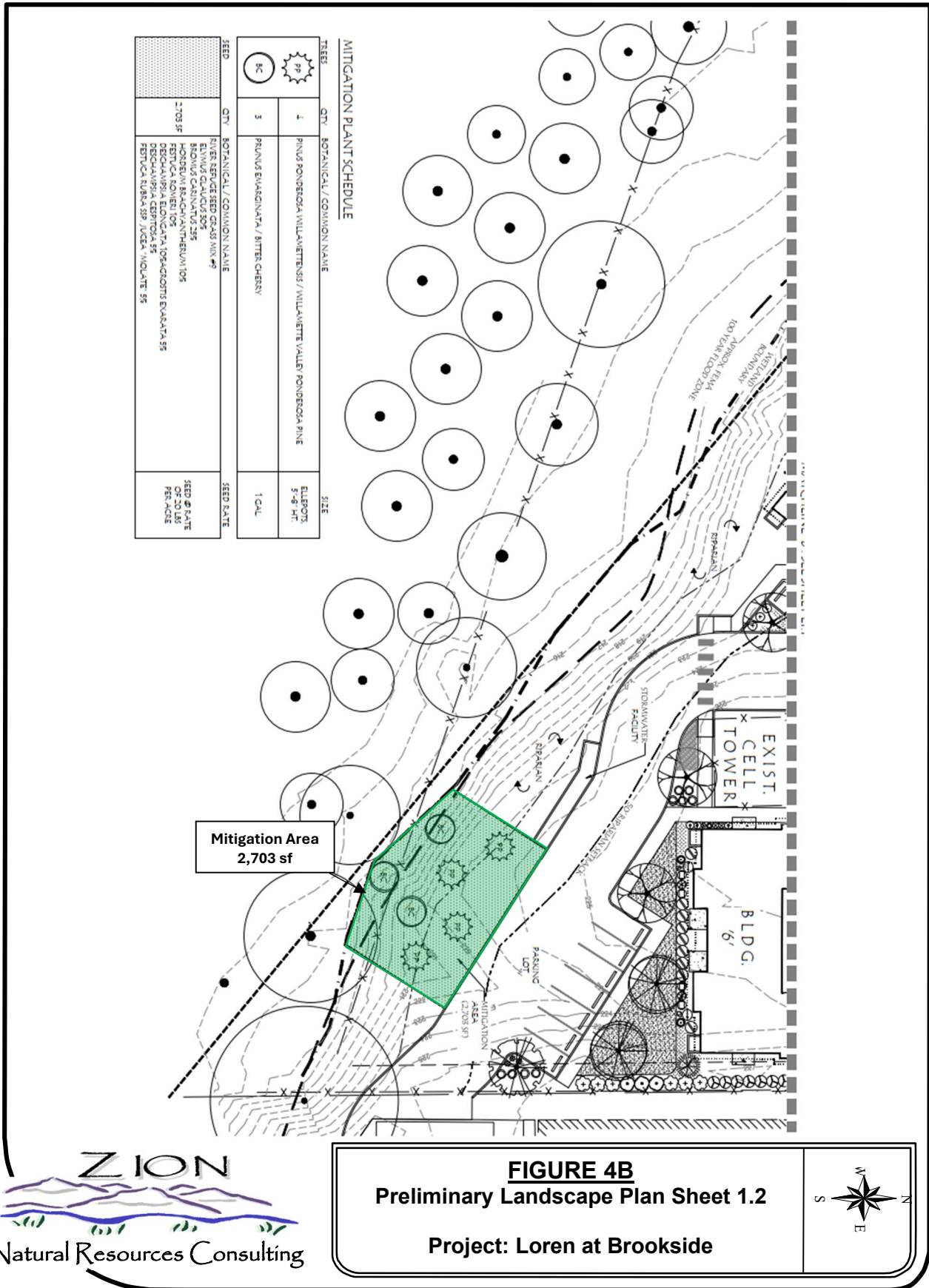




**FIGURE 4A**  
**Preliminary Landscape Plan Sheet 1.1**

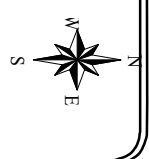
**Project: Loren at Brookside**





**FIGURE 4B**  
Preliminary Landscape Plan Sheet 1.2

Project: Loren at Brookside





## **APPENDIX B:**

### **Site Photographs**



**Photo Point #1** – Located in the northeastern corner of the study area looking west across tax lot 1300.



**Photo Point #2** – Located in the northwest corner of the study area viewing west along the wetland boundary.



**Photo Point #3** – Located in the northwest corner of the study area viewing south along the wetland boundary.



**Photo Point #4** – Located in the center of the study area looking east across the wetland area.

# WETLAND DETERMINATION AND DELINEATION REPORT

for the

Loren at Brookside Project

City of Albany

Linn County, Oregon



*Prepared for:*

Schneider Homes  
c/o Zach Schneider  
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*Submitted by:*

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ZNR Project #: 1837

March 2024

## TABLE OF CONTENTS

### EXECUTIVE SUMMARY

|    |   |   |
|----|---|---|
| A. | Landscape Setting and Use .....                           | 2 |
| B. | Site Alterations .....                                    | 2 |
| C. | Precipitation Data and Analysis .....                     | 2 |
| D. | Site-Specific/Field Methodology .....                     | 2 |
| E. | Wetland / Waters of the State .....                       | 3 |
| F. | Deviation From Local or National Wetlands Inventory ..... | 3 |
| G. | Mapping Method and Estimated Accuracy .....               | 4 |
| H. | Additional Information .....                              | 4 |
| I. | Results and Conclusions .....                             | 4 |
| J. | Limitations and Required Disclaimer .....                 | 4 |

### APPENDICES

|            |   |    |
|------------|---|----|
| Appendix A | Criteria, Methodology, & Definitions .....          | 5  |
|            | A. Wetland and Waters of the State Definition ..... | 6  |
|            | B. Criteria 1 – Wetland Hydrology .....             | 6  |
|            | C. Criteria 2 – Hydric Soils .....                  | 6  |
|            | D. Criteria 3 – Wetland Vegetation .....            | 7  |
|            | E. Delineation Methodology .....                    | 8  |
|            | F. Regulatory Jurisdiction .....                    | 8  |
| Appendix B | Literature and Data Sources .....                   | 9  |
| Appendix C | Site Figures .....                                  | 11 |
| Appendix D | Site Photographs .....                              | 18 |
| Appendix E | Climatological Data .....                           | 21 |
| Appendix F | Wetland Determination Data Sheets .....             | 24 |

### LIST OF FIGURES

|           |                                       |    |
|-----------|---------------------------------------|----|
| Figure 1  | Vicinity Map for Site .....           | 12 |
| Figure 2a | Tax Lot Map .....                     | 13 |
| Figure 2b | Tax Lot Map .....                     | 14 |
| Figure 3a | National Wetlands Inventory Map ..... | 15 |
| Figure 3b | Local Wetlands Inventory Map .....    | 16 |
| Figure 4  | County Soils Survey Map .....         | 17 |
| Figure 5  | Aerial .....                          | 18 |
| Figure 6  | Wetland/Site Plot Location Map .....  | 19 |

## A. LANDSCAPE SETTING AND LAND USE

At the request of Schneider Homes, Zion Natural Resources Consulting performed a wetland delineation on a 8.29 acres property located south of SW 53<sup>rd</sup> Avenue and west of Pacific Blvd SW in Albany, OR (T11S, R4W, Sec. 24DA, Tax Lots 1200 and 1300 as well as Sec. 24 tax lot 606). The study area is defined by the three tax lots. The study area consists of a vacant lot with a gravel road and a cell tower (placed in 2016) in the center of the site with a forested riparian area along the tributary to Oak Creek. Prior to 2006 the site contained a rural home site with field fencing indicating the site was likely historically grazed.

## B. POSSIBLE SITE ALTERATIONS

Based on the 2005 and 2006 aerial photographs fill and grading took place within the study area. These site alterations may have affected the presence or absence of wetlands or waters of the state within the study area.

## C. PRECIPITATION DATA AND ANALYSIS

The precipitation on the day of site investigation and the precipitation approximately 1-2 weeks before the dates of the field investigation are listed below.

| Station                                    | December 11 <sup>th</sup> , 2023 | 11/26-12/11 |
|--|----------------------------------|-------------|
| OSU Hyslop Weather Station – Corvallis, OR | 0.34 inches                      | 6.26 inches |

The percent of normal precipitation for the water year to date and the monthly percent of normal precipitation were obtained through the NRCS WETS table for the OSU Hyslop Weather Station in Benton County. The precipitation for the three months preceding the field investigation was obtained for the Corvallis area through the OSU Hyslop Weather Station in Benton County and is listed below.

**Since October 1<sup>st</sup>: 14.42 inches**

*Table 1.* Comparison of recorded monthly precipitation to the WETS Tables.

| Month     | Average | WETS Rainfall Percentile (in) |                  | Measured Rainfall | Departure from Normal |
|-----------|---------|-------------------------------|------------------|-------------------|-----------------------|
|           |         | 30 <sup>th</sup>              | 70 <sup>th</sup> |                   |                       |
| September | 1.57    | 0.70                          | 1.92             | 2.83              | Above Normal          |
| October   | 3.48    | 2.28                          | 4.18             | 3.06              | Normal                |
| November  | 6.45    | 4.32                          | 7.72             | 5.15              | Normal                |

## D. SITE-SPECIFIC / FIELD METHODOLOGY

Site observations were made using the “Routine Onsite” delineation method from the 1987 U.S. Army Corps of Engineers Wetland Delineation manual along with the Regional

Supplement for Western Mountains, Valleys, and Coast. The study area is defined by the proposed development of the three tax lots. A total of 8 sample plots were established on December 11<sup>th</sup>, 2023, to document wetland and upland conditions within the project area. Plot locations were placed on all sides of the contiguous wetland area. The number of sample plots documented is believed to be representative of the change in plant communities, soil features, or level of groundwater hydrology found within the study area.

Subtle topographic features and other visible features such as vegetation density, plant stress, and surface saturation were also used in determining the location of the wetland boundaries. After the soil pits were excavated and soil data was recorded, the pits were left open long enough to allow the water table to equilibrate within the hole.

The wetland boundaries were based on the microtopography of the site and taking informal soil probes and/or checking for water table between paired plots to help verify the wetland boundary. Soils with redox features within 10” were cross referenced with oxidized rhizophores and/or level of saturation. This was done for each wetland boundary flag placed in the field.

#### E. WETLAND / WATERS OF THE STATE DESCRIPTION

The USDA Natural Resource Conservation Service has mapped the following soil series within the study area.

| Soil Series                                    | Drainage Class          | Hydric | Hydric Inclusions |
|--|-------------------------|--------|-------------------|
| Amity silt loam (3)                            | Somewhat poorly drained | No     | Concord, Dayton   |
| Woodburn silt loam, 0 to 3% slopes (106A)      | Moderately well drained | No     | Concord, Dayton   |
| Woodburn silt loam, 3 to 12% slopes (106C)     | Moderately well drained | No     | Concord, Dayton   |
| Conser silty clay loam, 0 to 3% slopes (2205A) | Poorly drained          | Yes    | Awbrig, Courtney  |

#### **Wetland A (PFO 3.65 and PEM 0.89 ac)**

These palustrine emergent wetlands are located at the lowest elevation within the southwest portion of the study area. The wetland is contiguous with an unnamed tributary to Oak Creek that flows through the study area offsite in a northerly direction. This drainage is dominated by *Fraxinus latifolia* and *Carex obnupta*. The boundaries of the wetlands were defined by hydric soil features with a noticeable difference in topography. Vegetation along the wetland boundary consists of field mowed pasture grasses. Hydrology appears to come from precipitation, groundwater, contributing waters upstream to the southeast, and runoff from the upland areas in the northeast portion of the site.

#### F. DEVIATION FROM NATIONAL AND/OR LOCAL WETLANDS INVENTORY

There are wetland/waters of the state associated with this site as depicted on the National Wetland Inventory (NWI) Map (Figure 3a). These wetlands consist of PEM1C (palustrine,

emergent, persistent, seasonally flooded) and PFOC (palustrine, forested, seasonally flooded) and waters identified as R4SBC (riverine, intermittent, streambed, seasonally flooded). The Local Wetland Inventory (LWI) Map (Figure 3b) also depicts PEMC wetlands and PFOC wetlands within the study area. These maps depict similar features as delineated in the field.

## **G. MAPPING METHOD AND ESTIMATED ACCURACY**

Wetland boundaries and sample plots were established and flagged by Zion Natural Resources Consulting and were field surveyed by Devco Engineering Inc. using a Leica TS16 Robotic Total Station accurate to within 0.5 ft.

## **H. ADDITIONAL INFORMATION TO HELP ESTABLISH STATE JURISDICTION**

There is no additional information to help establish state jurisdiction.

## **I. RESULTS AND CONCLUSIONS**

Based upon our site reconnaissance and sampling of the three required wetland criteria (wetland hydrology, hydric soils, and hydrophytic vegetation), ZNR has identified one potentially jurisdictional wetland classified as 3.65 acres of forested wetlands and 0.89 ac of palustrine emergent wetlands (PEM). Figure 6 depicts the location of the potentially jurisdictional wetlands and sample sites. Upland in most instances is quite apparent and well defined topographically (Photos 1-4).

## **J. LIMITATIONS AND REQUIRED DISCLAIMER**

*This report was prepared for the use of the client, its affiliates, lenders and assigns, their consultants and various governmental agencies. Any results and conclusions within this report represent our professional judgment based on the most recent information provided from publications, maps aerial photos, and field investigations as defined within the scope of services.*

*This report documents the investigation, best professional judgment and conclusions of the investigator. It is correct and complete to the best knowledge of ZNR. It should be considered a Preliminary Jurisdictional Determination of wetlands and other waters and used at your own risk unless it has been reviewed and approved in writing by the Oregon Department of State Lands in accordance with OAR 141-090-0005 through 141-09-0055. The review process must be completed and the boundary concurred with, prior to any detailed site planning or construction activities take place.*

## **APPENDIX A:**

### **Criteria, Methodology, and Definitions**

## **I. CRITERIA, METHODOLOGY, AND DEFINITIONS**

### **A. WETLAND AND WATERS OF THE STATE DEFINITION**

The ACOE (Federal Register 1982) and the Environmental Protection Agency (EPA) (Federal Register 1980) jointly define wetlands as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Except under certain situations defined in the ACOE Wetlands Delineation Manual, evidence of a minimum of one positive wetland indicator from each parameter (hydrology, soil, and vegetation) must be found in order to make a positive wetland determination”.

Waters of the State are defined as “natural waterways including all tidal and non-tidal bays, intermittent streams, continually flowing streams, lakes, wetlands and other bodies of water in this state, navigable and non-navigable...” “Natural waterways” is further defined as waterways created naturally by geological and hydrological processes, waterways that would be natural but for human-caused disturbances (i.e. channelized or culverted streams, partially drained wetlands or ponds created in wetlands)...” (DSL 1995).

### **B. CRITERIA 1 - WETLAND HYDROLOGY**

Wetland hydrology encompasses all hydrologic characteristics of areas that are periodically inundated or have soils saturated to the surface or within the major portion of the root zone (usually above 12 inches) at some time (typically at least 12.5%) during the growing season.

1987 Manual defines the “growing season” as the portion of the year when soil temperature (measured 20 inches below the surface) is above biological zero (5 degrees Celsius, or 41 degrees Fahrenheit). This period can be approximated by the number of frost free days based on air temperature. Data for the growing season can be acquired via the Natural Resources Conservation Service (NRCS).

Indicators of hydrologic conditions that occur in wetlands may include, but are not limited to: drainage patterns, drift lines, sediment deposits, watermarks, stream gage data and flood predictions, historic records, visual observation of saturated soils, visual observation of inundation, and oxidized rhizospheres with living roots. Oxidized rhizospheres are defined as yellowish-red zones around the roots and rhizomes of some plants that grow in frequently saturated soils.

### **C. CRITERIA 2 - HYDRIC SOILS**

The definition of a hydric soil is a soil that formed under conditions of saturation, flooding or ponding long enough during the growing season to develop anaerobic conditions in the upper part. The concept of hydric soils includes soils developed under sufficiently wet conditions to support the growth and regeneration of hydrophytic vegetation. Soils that are sufficiently wet because of artificial measures are included in the concept of hydric soils.

Also, soils in which the hydrology has been artificially modified are hydric if the soil, in an unaltered state, was hydric. Some series, designated as hydric, have phases that are not hydric depending on water table, flooding, and ponding characteristics.

Soil field indicators are characteristics which are documented to be strictly associated only with hydric soils and are an efficient on-site means to confirm the presence of hydric soil. The indicators are designed to identify soils which meet the hydric soil definition without further data collection. Some hydric soils exist for which no field indicators have yet been recorded and documented, and to identify these soils as hydric, evidence must be gathered to demonstrate that the definition is met.

Soil field indicators include: organic content of greater than 50% by volume, sulfidic material or “rotten egg” odor, and/or presence of redoximorphic features and dark soil matrix as determined by the use of a Munsell Soil Color Chart. This chart establishes chroma, value, and hue of soils based on comparison with the color chips. The field data is then brought in-house and compared to the site-specific soils data mapped by the NRCS.

#### D. CRITERIA 3 - WETLAND VEGETATION

Wetland vegetation is more specifically termed hydrophytic vegetation. This type of plant life occurs in areas where the frequency and duration of inundation or soil saturation produce permanently or periodically saturated soils to influence the plant species present. Vegetation that is not hydrophytic lack the morphological and physiological adaptations to grow, effectively compete, or persist in areas that are subject to prolonged inundation or saturated soil conditions.

Plant indicators, along with their definitions and indicator codes are listed in Table 2. Once plants are identified in the field they are researched through the U.S. Fish and Wildlife Service Region 9 (encompasses all of Oregon) Plant list to identify their corresponding indicator status. Wetland vegetation criteria are met when the percent dominant species is OBL, FACW, and/or FAC.

Table 2. Plant Indicator categories and definitions.

| Indicator Symbol | Indicator Category  | Definition  |
|------------------|---------------------|---|
| OBL              | Obligate wetland    | Plants that occur almost always in wetlands (>99%).                 |
| FACW             | Facultative wetland | Plants that occur usually in wetlands (67-99%).                     |
| FAC              | Facultative         | Plants that occur in equally in wetlands and non-wetlands (34-66%). |
| FACU             | Facultative upland  | Plants that occur sometimes in wetlands (1-33%).                    |
| UPL              | Obligate upland     | Plants that occur rarely in wetlands (>99%).                        |
| NOL              | Not on list         | Has not yet received a wetland indicator status.                    |

## **E. DELINEATION METHODOLOGY**

Prior to beginning field work, Zion Natural Resources Consulting will review available information in order to ascertain where potential wetlands may exist on-site and to facilitate the gathering of data. This review includes the U.S. Geological Survey (USGS) topographic quadrangle, the Natural Resource Conservation Service soil series maps, the list of Oregon hydric soils by County, and the U.S. Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) map. If available, a Local Wetland Inventory map (LWI) will also be obtained as well as any public records for prior wetland determinations at or near the property.

Zion Natural Resources Consulting evaluated the site utilizing the routine on-site method as described in the *U.S. Army Corps of Engineers Wetland Delineation Manual* (Environmental Laboratory, 1987). Data sheets were completed at each sample plot documenting the vegetation, soils, and hydrology. Areas in which wetland hydrology, hydric soils, and hydrophytic vegetation were all simultaneously present would likely be considered wetlands by the U.S. Army Corps of Engineers (ACOE) or Oregon Department of State Lands (DSL).

Approximately one-foot diameter soil pits were excavated to a depth of 16 inches in selected locations. The soil profiles were examined for wetland hydrology and hydric soil field indicators. In addition, a visual percent-cover estimate of the dominant species of the plant community was performed using the soil pit locations as the center of reference. Dominant plant species are based on estimates of percent cover for shrub/scrub and herbaceous species within a 5-foot radius of the sample point and a basal area cover for tree species within a 30-foot radius of the sample point. Plant species in each vegetative layer, which are estimated at less than 20%, are not considered to be dominant. The wetland indicator status is then used to determine if there is an overall dominance (greater than 50%) of wetland or upland plant species.

## **F. REGULATORY JURISDICTION**

Wetlands and waters of the State are regulated by the U.S. Army Corps of Engineers (ACOE) under Section 404 of the Clean Water Act and by the Oregon Department of State Lands (DSL) under the Removal-Fill Law (ORS 196.800-196.990).

The principal regulatory reference material for wetland delineations within Oregon is the Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1 (Environmental Laboratory 1987) which is recognized by both ACOE and DSL.

## **APPENDIX B:**

### **Literature and Data Sources**

## **LITERATURE AND DATA SOURCES**

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe, 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S.D.I. Fish and Wildlife Service. FWS/OBS-79/31.45 pp.

Environmental Laboratory. 1987. Corps. of Engineers Wetlands Delineation Manual. Technical Report Y-87-1, US Army Corps of Engineers Waterway Experiment Station, Vicksburg, MS.

Hitchcock, C.L. and A. Cronquist, 1973. Flora of the Pacific Northwest. University of Washington Press. Seattle, WA. 730 pp.

Munsell Color. 1990, revised 1994. Munsell Soil Color Charts. Macbeth Division of Kollmorgen Corporation. Baltimore, MD.

Natural Resource Conservation Service, USDA, 2022 (Soil Survey Data and Hydric Soils by County). Soil Data Mart, <http://soildatamart.nrcs.usda.gov>.

NOAA National Weather Service Forecast Office, Portland OR, 2022 (Climatological Data). <http://newweb.wrh.noaa.gov/climate/index.php?wfo=pqr>.

Oregon Department of Revenue, The Oregon Map, 2022 (County Tax Lot Maps). ORMAP Online Maps <http://www.ormap.org/maps/maps.htm>.

Reed, P.B. Jr. 1988. National List of Plant Species That Occur in Wetlands: Northwest (Region 9). USDI Fish and Wildlife Service, Biological Report 88 (26.9). 89 pp.

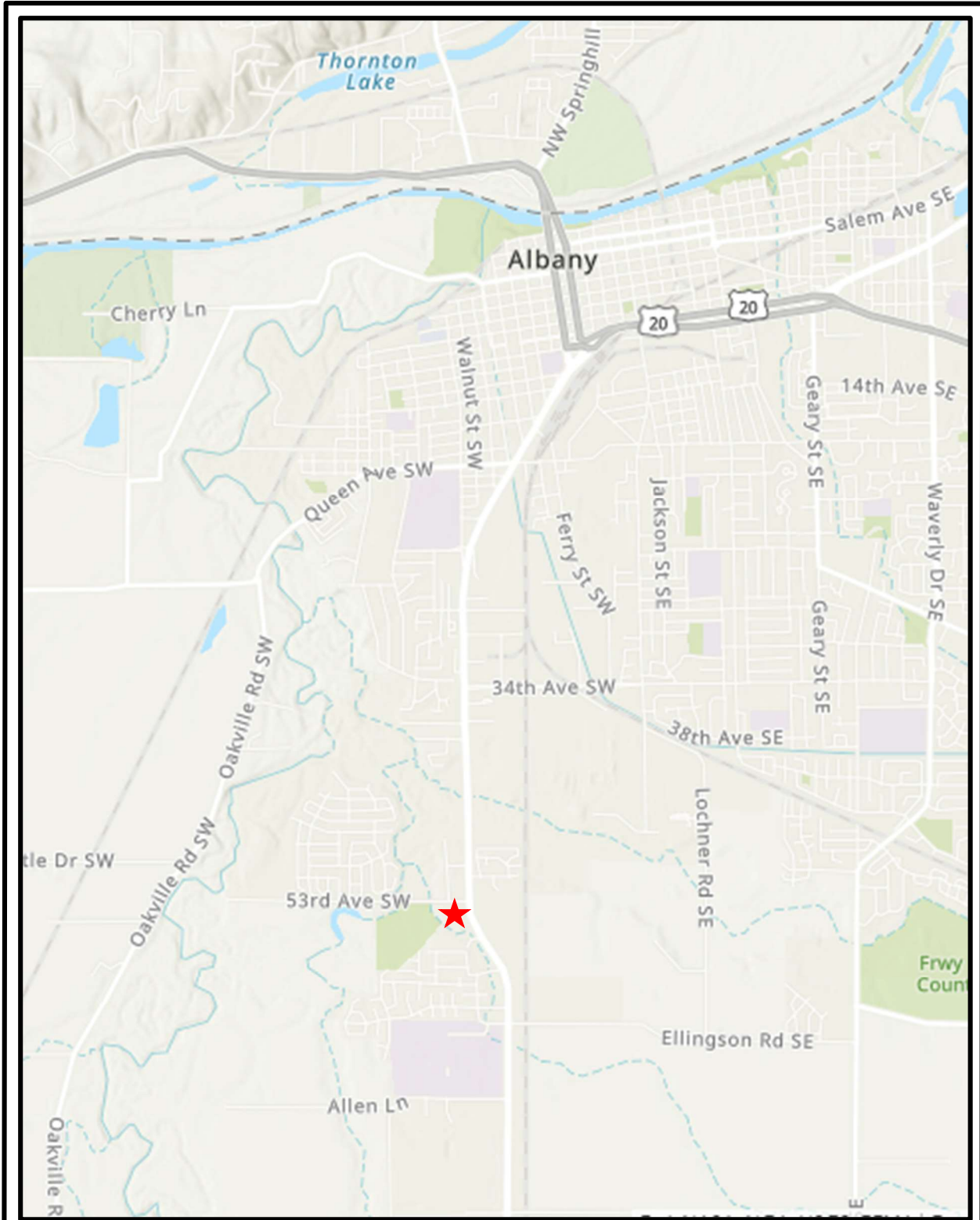
Reed, P.B. Jr. 1993. 1993 Supplement to List of Plant Species that Occur in Wetlands: Northwest (Region 9). U.S.D.I. Fish and Wildlife Service, Supplement to Biological Report 88 (26.0). 11 pp.

TerraServer USA, Microsoft Corporation, 2022 (USGS topographic maps and USGS aerial imagery). TerraServer 6.0 <http://terraserver.microsoft.com/>.

US Fish and Wildlife Service, Branch of Wildlife Habitat Assessment, National Wetlands Inventory, 2022. NWI Wetlands Mapper <http://wetlandsfws.er.usgs.gov/>.

## **APPENDIX C:**

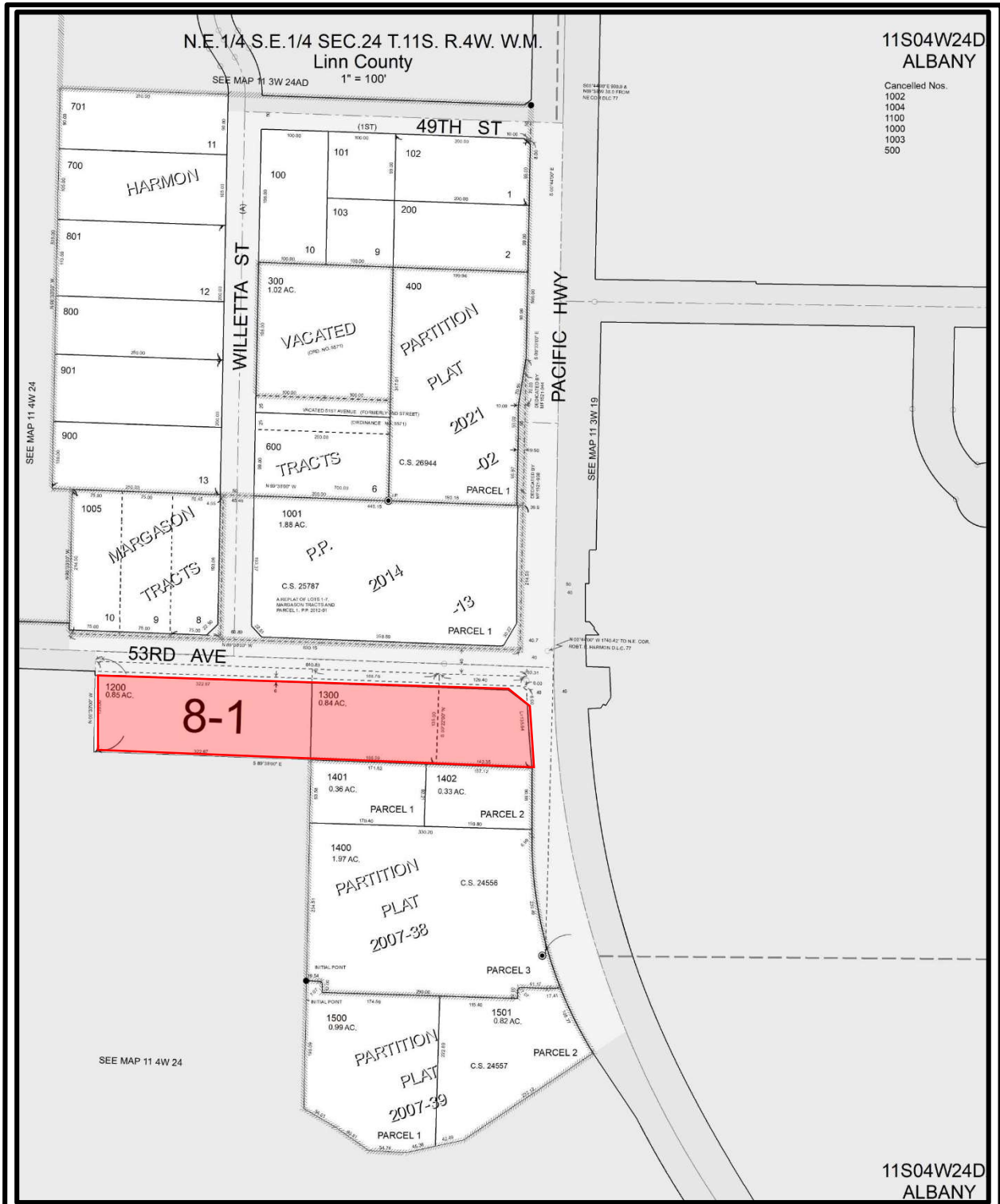
### **Site Figures**



**FIGURE 1**  
Vicinity Map

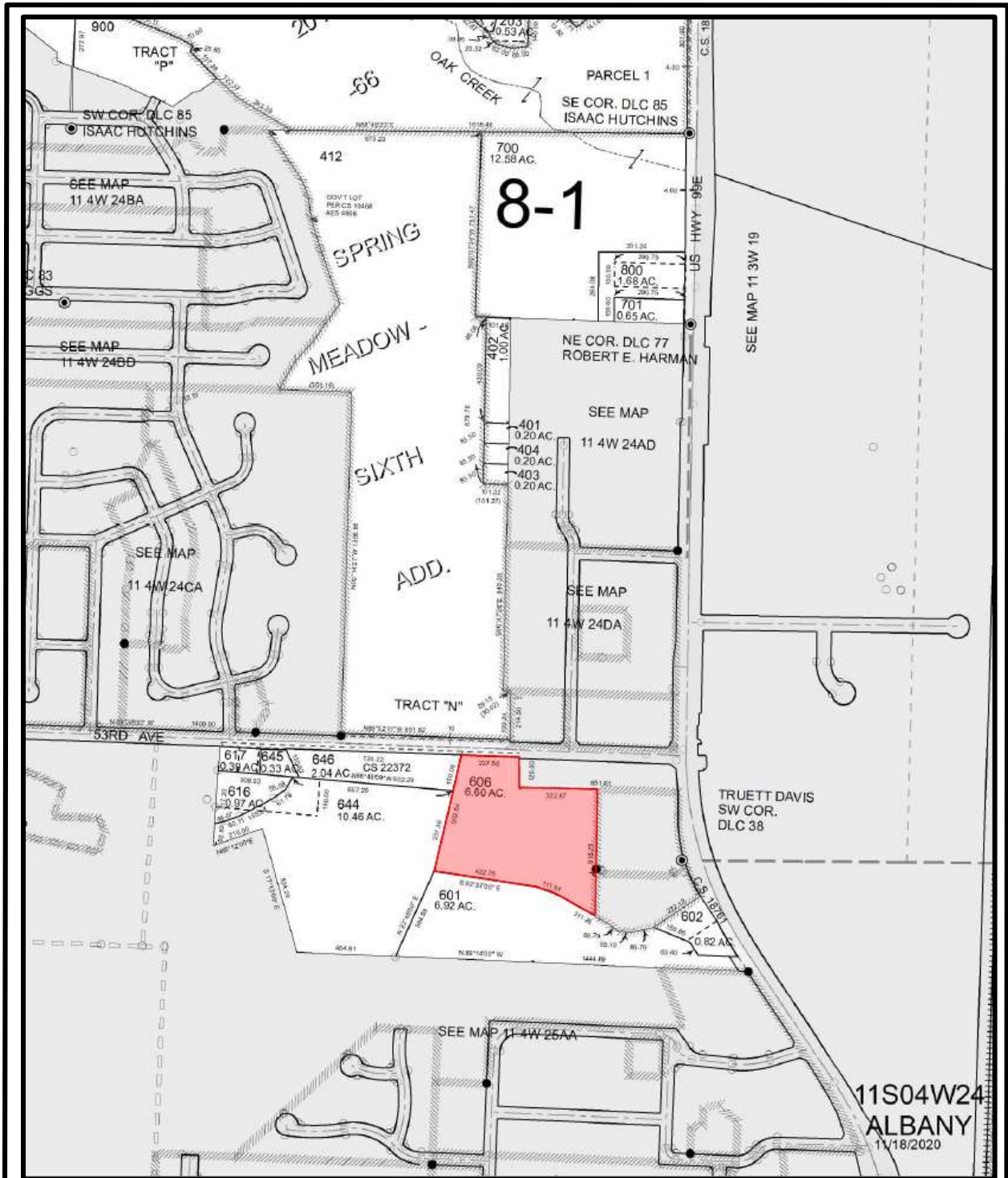
Project: Loren at Brookside





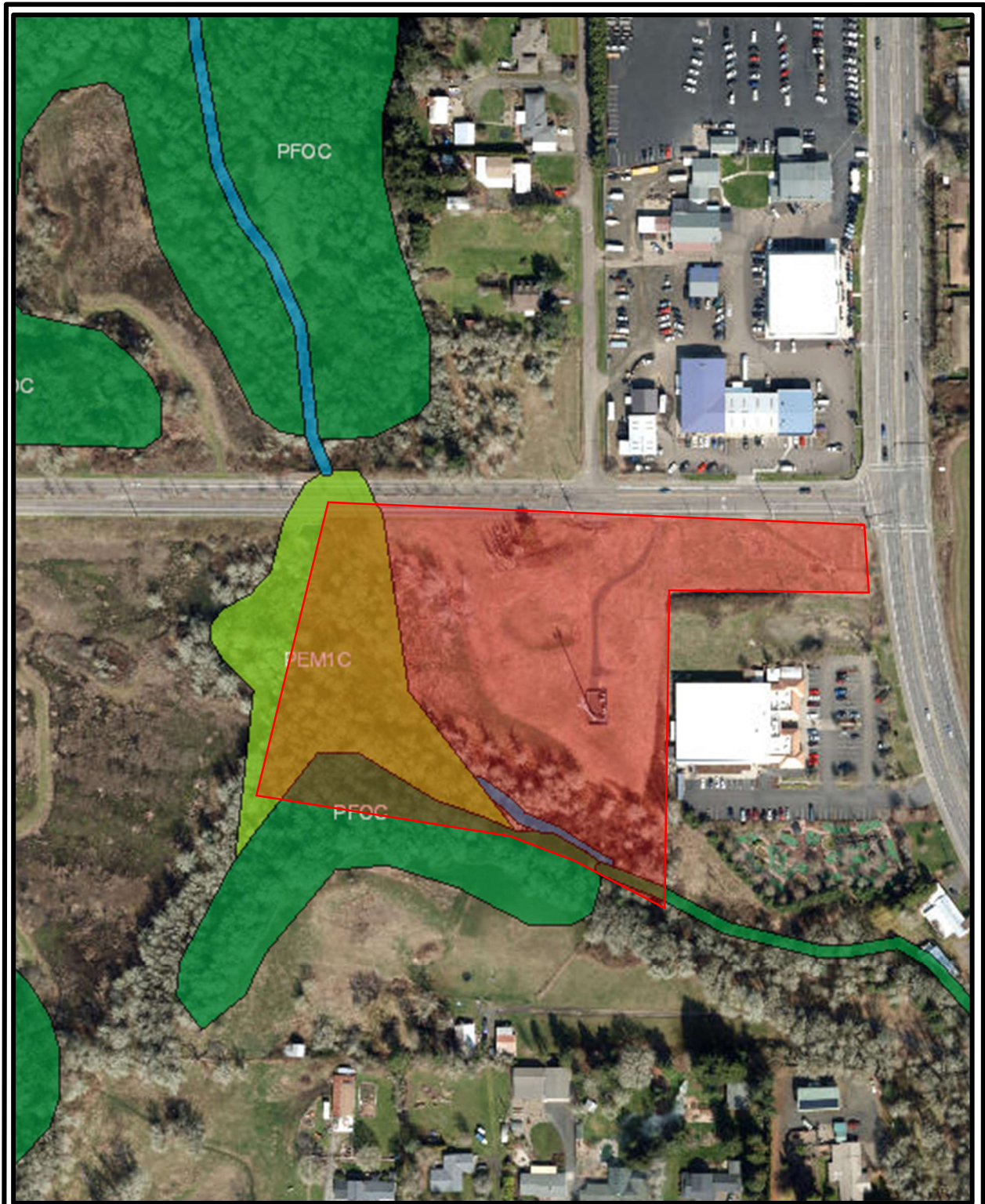
**FIGURE 2a**  
**Tax Lot Map**

**Project: Loren at Brookside**



**FIGURE 2b**  
**Tax Lot Map**

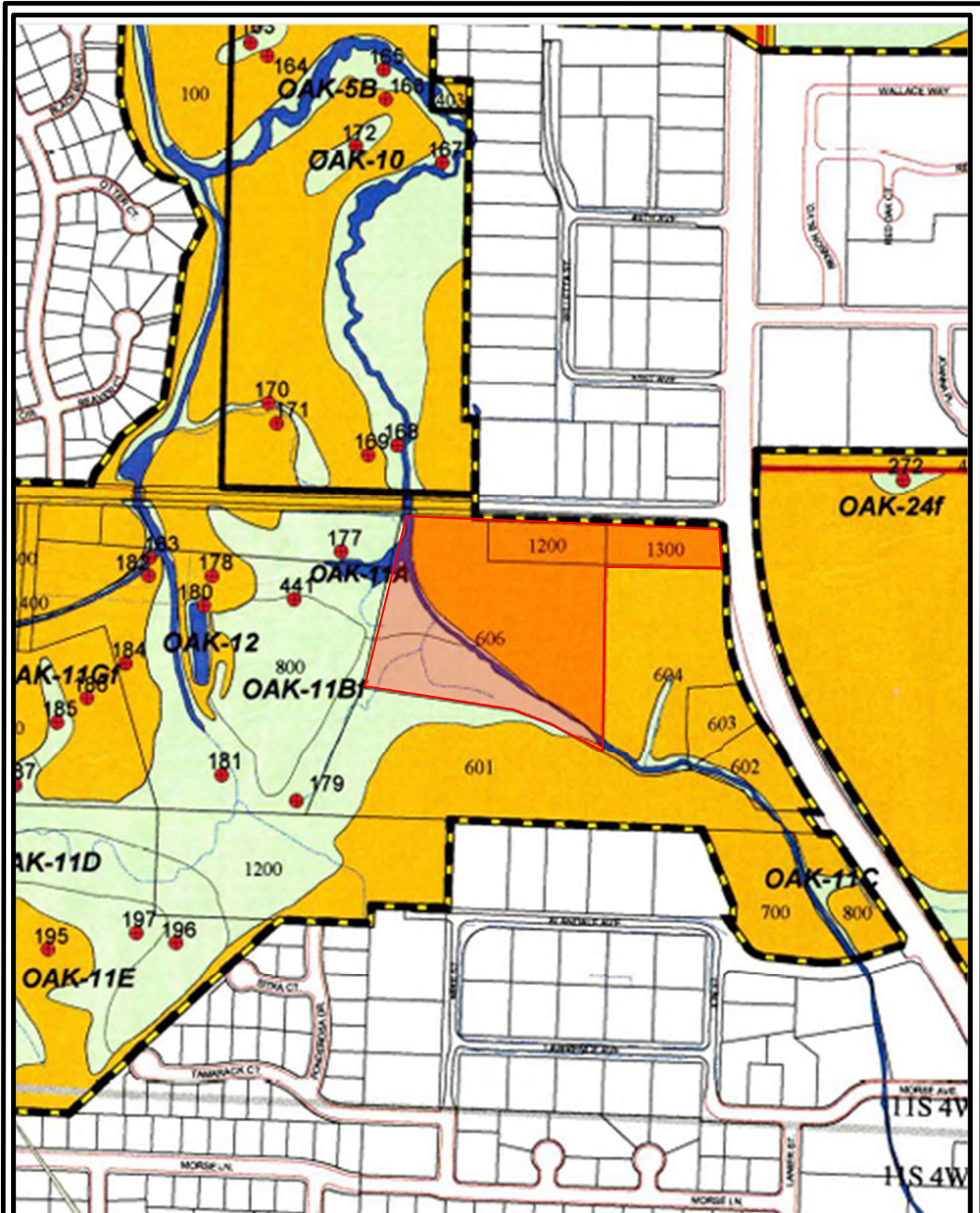
**Project: Loren at Brookside**



**FIGURE 3a**  
National Wetlands Inventory Map

Project: Loren at Brookside





**FIGURE 3b**  
Local Wetlands Inventory Map  
Project: Loren at Brookside





**FIGURE 4**  
**County Soils Survey Map - NRCS**  
**Project: Loren at Brookside**

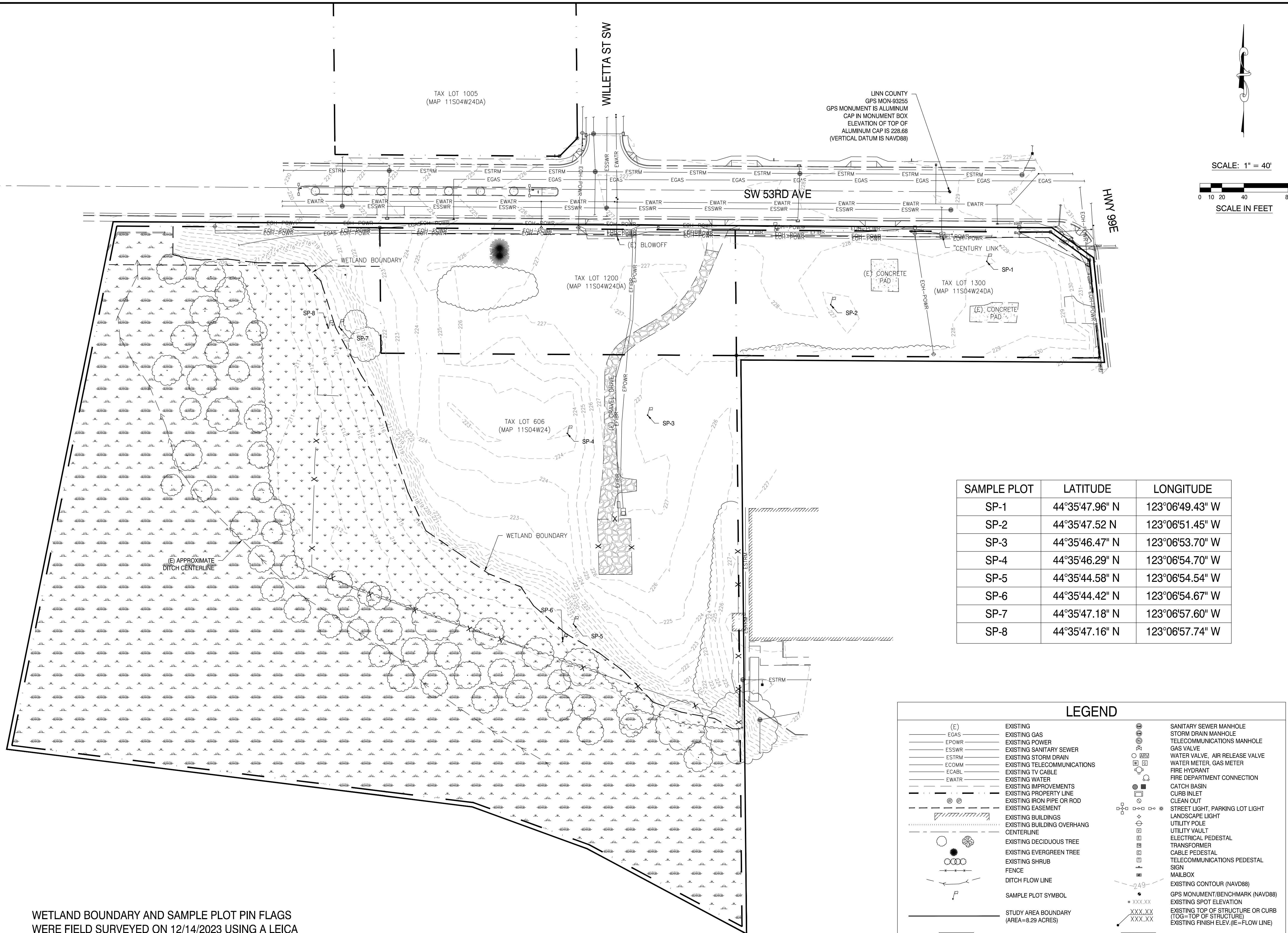


**FIGURE 5**  
Google Earth Aerial - July 8<sup>th</sup>, 2023

**Project: Loren at Brookside**



PRELIMINARY



SCALE: 1" = 40'  
SCALE IN FEET

| SAMPLE PLOT | LATITUDE       | LONGITUDE       |
|-------------|----------------|-----------------|
| SP-1        | 44°35'47.96" N | 123°06'49.43" W |
| SP-2        | 44°35'47.52" N | 123°06'51.45" W |
| SP-3        | 44°35'46.29" N | 123°06'53.70" W |
| SP-4        | 44°35'46.29" N | 123°06'54.70" W |
| SP-5        | 44°35'44.58" N | 123°06'54.54" W |
| SP-6        | 44°35'44.42" N | 123°06'54.67" W |
| SP-7        | 44°35'47.18" N | 123°06'57.60" W |
| SP-8        | 44°35'47.16" N | 123°06'57.74" W |

### LEGEND

|          |                                       |  |
|----------|---------------------------------------|--|
| (E) EGAS | EXISTING GAS                          | SANITARY SEWER MANHOLE                                   |
| EPWR     | EXISTING POWER                        | STORM DRAIN MANHOLE                                      |
| ESSWR    | EXISTING SANITARY SEWER               | TELECOMMUNICATIONS MANHOLE                               |
| ESTRM    | EXISTING STORM DRAIN                  | GAS VALVE  |
| ECOM     | EXISTING TELECOMMUNICATIONS           | WATER VALVE, AIR RELEASE VALVE                           |
| ECABL    | EXISTING TV CABLE                     | WATER METER, GAS METER                                   |
| EWATR    | EXISTING WATER                        | FIRE HYDRANT   |
|          | EXISTING IMPROVEMENTS                 | FIRE DEPARTMENT CONNECTION                               |
|          | EXISTING PROPERTY LINE                | CATCH BASIN  |
|          | EXISTING IRON PIPE OR ROD             | CURB INLET   |
|          | EXISTING EASEMENT                     | CLEAN OUT  |
|          | EXISTING BUILDINGS                    | STREET LIGHT, PARKING LOT LIGHT                          |
|          | EXISTING BUILDING OVERHANG            | LANDSCAPE LIGHT  |
|          | EXISTING DECIDUOUS TREE               | UTILITY POLE   |
|          | EXISTING EVERGREEN TREE               | UTILITY VAULT  |
|          | EXISTING SHRUB                        | ELECTRICAL PEDESTAL                                      |
|          | FENCE                                 | TRANSFORMER  |
|          | DITCH FLOW LINE                       | CABLE PEDESTAL   |
|          | SAMPLE PLOT SYMBOL                    | TELECOMMUNICATIONS PEDESTAL                              |
|          | STUDY AREA BOUNDARY (AREA=8.29 ACRES) | SIGN   |
|          |                                       | MAILBOX  |
|          |                                       | EXISTING CONTOUR (NAVD88)                                |
|          |                                       | GPS MONUMENT/BENCHMARK (NAVD88)                          |
|          |                                       | EXISTING SPOT ELEVATION                                  |
|          |                                       | EXISTING TOP OF STRUCTURE OR CURB (TOG=TOP OF STRUCTURE) |
|          |                                       | EXISTING FINISH ELEV.(IE=FLOW LINE)                      |
|          | PFO WETLAND HATCH (AREA=3.65 ACRES)   | EXISTING GRAVEL HATCH                                    |
|          | PEM WETLAND HATCH (AREA=0.89 ACRES)   | EXISTING CONCRETE HATCH                                  |

| DRAWING STATUS:                               | DATE:    | REVISION: |
|---|----------|-----------|
| <input type="checkbox"/> PRELIMINARY          |          |           |
| <input checked="" type="checkbox"/> SUBMITTED | 01/10/24 |           |
| <input type="checkbox"/> BID SET              |          |           |
| <input type="checkbox"/> PERMIT SET           |          |           |
| <input type="checkbox"/> CONST. SET           |          |           |

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PROJECT: LOREN AT BROOKSIDE APARTMENTS  
PROJECT LOCATION: ALBANY, OR  
CLIENT: SCHNEIDER HOMES

SHEET TITLE: WETLAND DELINEATION MAP

JOB NO. 22411  
DRAWN BY: DEVCO  
DRAWING: **FIGURE 6**

FILE: I:\CADD\3D Projects\22411\Production Drawings\Land-use\22411WETL\_STUDY\_AREA.dwg [FIG. 6] 1/10/2024 1:34 PM - kcorrea

WETLAND BOUNDARY AND SAMPLE PLOT PIN FLAGS WERE FIELD SURVEYED ON 12/14/2023 USING A LEICA TS16 ROBOTIC TOTAL STATION. PIN FLAG LOCATIONS ARE ACCURATE TO WITHIN +/- 0.50 FT.

## **APPENDIX D:**

### **Site Photographs**



**Photo Point #1** – Located in the northeastern corner of the study area looking west across tax lot 1300.



**Photo Point #2** – Located in the northwest corner of the study area viewing west along the wetland boundary.



**Photo Point #3** – Located in the northwest corner of the study area viewing south along the wetland boundary.



**Photo Point #4** – Located in the center of the study area looking east across the wetland area.

## **APPENDIX E:**

### **Climatological Data**





## WETS Station: CORVALLIS STATE UNIVERSITY, OR

Requested years: 1992 - 2021

| Month   | Temperature (°F) |               |                | Precipitation (inches) |                      |           |   |                        |
|---------|------------------|---------------|----------------|------------------------|----------------------|-----------|---|------------------------|
|         | Avg daily max    | Avg daily min | Avg daily mean | Avg                    | 30% chance will have |           | Avg number of days with 0.10 inch or more | Average total snowfall |
|         |                  |               |                |                        | less than            | more than |   |                        |
| Jan     | 47.6             | 34.8          | 41.2           | 6.63                   | 4.51                 | 7.92      | 13  | 0.5                    |
| Feb     | 51.0             | 34.8          | 42.9           | 4.90                   | 2.93                 | 5.95      | 10  | 1.6                    |
| Mar     | 56.1             | 36.9          | 46.5           | 4.94                   | 3.54                 | 5.84      | 12  | 0.3                    |
| Apr     | 61.1             | 39.6          | 50.4           | 3.26                   | 2.27                 | 3.87      | 10  | 0.0                    |
| May     | 68.3             | 44.7          | 56.5           | 2.21                   | 1.33                 | 2.66      | 6   | 0.0                    |
| Jun     | 74.3             | 48.9          | 61.6           | 1.34                   | 0.93                 | 1.59      | 4   | 0.0                    |
| Jul     | 83.3             | 52.3          | 67.8           | 0.32                   | 0.11                 | 0.32      | 1   | 0.0                    |
| Aug     | 83.8             | 51.7          | 67.8           | 0.37                   | 0.13                 | 0.40      | 1   | 0.0                    |
| Sep     | 77.5             | 48.3          | 62.9           | 1.57                   | 0.70                 | 1.92      | 4   | 0.0                    |
| Oct     | 64.8             | 42.3          | 53.5           | 3.48                   | 2.28                 | 4.18      | 8   | 0.0                    |
| Nov     | 53.3             | 37.8          | 45.6           | 6.45                   | 4.32                 | 7.72      | 13  | 0.0                    |
| Dec     | 46.7             | 34.0          | 40.4           | 7.88                   | 5.74                 | 9.28      | 14  | 1.0                    |
| Annual: |                  |               |                |                        | 37.95                | 48.45     |   |                        |
| Average | 64.0             | 42.2          | 53.1           | -                      | -                    | -         | -   | -                      |
| Total   | -                | -             | -              | 43.35                  |                      |           | 96  | 3.4                    |

## GROWING SEASON DATES

Requested years of data: 1992 - 2021  
 Years with missing data: 24 deg = 2    28 deg = 2    32 deg = 2  
 Years with no occurrence: 24 deg = 5    28 deg = 0    32 deg = 0  
 Data years used: 24 deg = 28    28 deg = 28    32 deg = 28



**College of Agricultural Sciences – Corvallis Farm Unit  
Hyslop Weather Station**

| <b>Date</b>   | <b>Precip</b> | <b>Date</b> | <b>Precip</b> | <b>Date</b> | <b>Precip</b> | <b>Date</b> | <b>Precip</b> |
|---------------|---------------|-------------|---------------|-------------|---------------|-------------|---------------|
| 9/1/2023      | 0.79          | 10/1/2023   | 0             | 11/1/2023   | 0             | 12/1/2023   | 0.64          |
| 9/2/2023      | 0             | 10/2/2023   | 0             | 11/2/2023   | 0.85          | 12/2/2023   | 0.37          |
| 9/3/2023      | 0             | 10/3/2023   | 0.18          | 11/3/2023   | 0             | 12/3/2023   | 1.55          |
| 9/4/2023      | 0             | 10/4/2023   | 0             | 11/4/2023   | 0.63          | 12/4/2023   | 0.94          |
| 9/5/2023      | 0             | 10/5/2023   | 0             | 11/5/2023   | 0.54          | 12/5/2023   | 0.04          |
| 9/6/2023      | 0             | 10/6/2023   | 0             | 11/6/2023   | 1.07          | 12/6/2023   | 0.98          |
| 9/7/2023      | 0             | 10/7/2023   | 0             | 11/7/2023   | 0.4           | 12/7/2023   | 0.67          |
| 9/8/2023      | 0             | 10/8/2023   | 0             | 11/8/2023   | 0.03          | 12/8/2023   | 0.26          |
| 9/9/2023      | 0             | 10/9/2023   | 0             | 11/9/2023   | 0             | 12/9/2023   | 0.01          |
| 9/10/2023     | 0             | 10/10/2023  | 0.49          | 11/10/2023  | 0.12          | 12/10/2023  | 0.41          |
| 9/11/2023     | 0             | 10/11/2023  | 0.72          | 11/11/2023  | 0.03          | 12/11/2023  | 0.34          |
| 9/12/2023     | 0             | 10/12/2023  | 0.29          | 11/12/2023  | 0.25          |             |               |
| 9/13/2023     | 0             | 10/13/2023  | 0             | 11/13/2023  | 0.32          |             |               |
| 9/14/2023     | 0             | 10/14/2023  | 0.16          | 11/14/2023  | 0             |             |               |
| 9/15/2023     | 0             | 10/15/2023  | 0.01          | 11/15/2023  | 0.1           |             |               |
| 9/16/2023     | 0             | 10/16/2023  | 0.1           | 11/16/2023  | 0.01          |             |               |
| 9/17/2023     | 0             | 10/17/2023  | 0.03          | 11/17/2023  | 0.01          |             |               |
| 9/18/2023     | 0             | 10/18/2023  | 0             | 11/18/2023  | 0             |             |               |
| 9/19/2023     | 0             | 10/19/2023  | 0             | 11/19/2023  | 0.51          |             |               |
| 9/20/2023     | 0             | 10/20/2023  | 0             | 11/20/2023  | 0.01          |             |               |
| 9/21/2023     | 0             | 10/21/2023  | 0.06          | 11/21/2023  | 0             |             |               |
| 9/22/2023     | 0             | 10/22/2023  | 0.02          | 11/22/2023  | 0.21          |             |               |
| 9/23/2023     | 0             | 10/23/2023  | 0             | 11/23/2023  | 0.01          |             |               |
| 9/24/2023     | 0.21          | 10/24/2023  | 0             | 11/24/2023  | 0             |             |               |
| 9/25/2023     | 0.72          | 10/25/2023  | 0.75          | 11/25/2023  | 0             |             |               |
| 9/26/2023     | 0.48          | 10/26/2023  | 0.25          | 11/26/2023  | 0             |             |               |
| 9/27/2023     | 0.34          | 10/27/2023  | 0             | 11/27/2023  | 0             |             |               |
| 9/28/2023     | 0.01          | 10/28/2023  | 0             | 11/28/2023  | 0             |             |               |
| 9/29/2023     | 0.28          | 10/29/2023  | 0             | 11/29/2023  | 0             |             |               |
| 9/30/2023     | 0             | 10/30/2023  | 0             | 11/30/2023  | 0.05          |             |               |
|               |               | 10/31/2023  | 0             |             |               |             |               |
| <b>Totals</b> | <b>2.83</b>   |             | <b>3.06</b>   |             | <b>5.15</b>   |             | <b>6.21</b>   |

## **APPENDIX F:**

### **Wetland Determination Datasheets**



TO: Jennifer Cepello, Planner

From: Lora Ratcliff, Fire Marshal

DATE: August 27, 2025

SUBJECT: SP-15-25—5310 Pacific Blvd SW – Multi-Family Development - Fire Department Comments

The fire department has reviewed the above project for conformance to the 2022 Oregon Fire Code (OFC) per your request and has the following comments:

**\*\* NOTE: Addition of a private fire line will result in a quarterly Fire Line Fee\***

**\*\*Land Use permit will include a \$125 Fire Plans Review fee\*\***

1. This project will be addressed off 53<sup>rd</sup> Ave SW.
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. 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).
5. Location of any Fire Department Connections (FDCs) that will serve any fire sprinkler system(s) protecting your buildings shall be installed at a location approved by the Albany Fire Department and shall be provided with approved STORZ fitting. The FDC shall be located near the site entrance as not to obstruct subsequent arriving fire apparatus and within 40 feet of a fire hydrant (public fire hydrants whenever possible). The FDC shall be located out of the building collapse zone (1.5x the height of the building away). (OFC 903.3.7 and Albany Fire Department requirements)

LAR/lar

Lora Ratcliff

[Lora.ratcliff@albanyoregon.gov](mailto:Lora.ratcliff@albanyoregon.gov)

541-917-7728

**Cepello, Jennifer**

---

**From:** SCOTT Brion <Brion.SCOTT@odot.oregon.gov>  
**Sent:** Friday, January 30, 2026 2:30 PM  
**To:** Cepello, Jennifer  
**Cc:** LINER Duane J; MOREY Brian T  
**Subject:** RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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

Jennifer,

Thanks for clarifying; the Project Review date you gave me let me find what I needed. Back in 2024 during the initial pre-app phase Duane had given the following direction regarding access:

*“Access is proposed to the site at two locations on 53<sup>rd</sup> Avenue SW, and by using the existing Lakeshore Lanes approach location along OR99E by way of a proposed access easement. The City of Albany is the permitting jurisdiction for access to 53<sup>rd</sup> Avenue SW and ODOT is the permitting jurisdiction for access to OR99E. Based on the current proposal and submittals, an Application Form for State Highway Approach would be needed for the proposed site access using the existing OR99E Lakeshore Lanes approach. This is based on OAR 734-051-3020 Change of Use of a Private Connection criteria being met.”*

So, I guess my only remaining question is if the applicant will be advised to contact ODOT for an access permit, if necessary, or if these earlier comments are no longer applicable because they were not included in a response to the “Project Review” last month.

Thanks,

**Brion Scott, PE**

Development Review

ODOT - Region 2 - Area 3

885 Airport Road SE, Building P Salem, OR 97301

(503) 871-1411

[Brion.Scott@odot.oregon.gov](mailto:Brion.Scott@odot.oregon.gov)

---

**From:** Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>  
**Sent:** Thursday, January 29, 2026 4:44 PM  
**To:** SCOTT Brion <Brion.SCOTT@odot.oregon.gov>  
**Subject:** RE: SP-15-25, NR-03-25, RL-08-25 - The Loren at Brookside

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.

Hello Brion,

The City of Albany submits a “Project Review” to affected agencies and other city department when we receive an application for land use. All land use applications are sent to the [odotr2planmgr@odot.gov](mailto:odotr2planmgr@odot.gov) that we have on file. The Project Review allows agencies a period of time (approx. 2 weeks) to submit

**Cepello, Jennifer**

---

**From:** Clevenger, Wayne (PacifiCorp) <wayne.clevenger@pacificorp.com>  
**Sent:** Monday, December 1, 2025 10:33 AM  
**To:** Cepello, Jennifer; Development Review Team; Bliss, Candy; 'lance\_roth@comcast.com'; Ficek, Michael; 'Michael\_Allen@comcast.com'; 'thpo@grandronde.org'; 'David Bolin'; EXTERNAL - Linn Co., Assessor; 'culturalresources@ctsi.nsn.us'; 'travis.vaughn@lumen.com'; 'nwalbanyengineering@nwnatural.com'; 'joy.r.vaugh@state.or.us'; EXTERNAL - ODOT Planning; Willis, Nicole (PacifiCorp); Vath, Elke (PacifiCorp); Steiner, Eddie (PacifiCorp); EXTERNAL - Morgan, Amie  
**Cc:** Willis, Nicole (PacifiCorp)  
**Subject:** RE: [INTERNET] Project Review: SP-15-25; 5310 Pacific Blvd. SW

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Developers are expected to create a Pacific Power work request for any development far in advance breaking ground for a development. This will help to avoid delays with supply chain items like transformers and streetlight material.

Builders and developers are expected to observe OSHA requirements for minimum approach distances from overhead power lines.

City or County approved drawings usually do not address the vertical clearances.

Failure to follow these guidelines can result in costly delays and alterations to your project.

[Electric Service Requirements Manual 2022](#)

[Underground Manual](#)

**NOTE: YOUR GENERAL SERVICE NEEDS A METERBASE WITH A SAFETY BYPASS**

Electric Service Requirements (pacificpower.net)

<https://www.pacificpower.net/content/dam/pcorp/documents/en/pp-rmp/electric-service-requirements/meter-mounted-device/Meter-Mounted-Device-List.pdf>

**CALL INSPECTIONS IN BY USING THE BUILDERS HOTLINE**

**Builder's Hotline:..... 1-800-469-3981**

---

**From:** Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>  
**Sent:** Monday, December 1, 2025 10:18 AM  
**To:** Development Review Team <DevelopmentReviewTeam@cityofalbany.net>; Bliss, Candy <Candy.Bliss@albanyoregon.gov>; 'lance\_roth@comcast.com' <lance\_roth@comcast.com>; Ficek, Michael <Michael.Ficek@albanyoregon.gov>; 'Michael\_Allen@comcast.com' <michael\_allen@comcast.com>; 'thpo@grandronde.org' <thpo@grandronde.org>; 'David Bolin' <david.bolin@albany.k12.or.us>; EXTERNAL - Linn Co., Assessor <assessor@co.linn.or.us>; 'culturalresources@ctsi.nsn.us' <culturalresources@ctsi.nsn.us>; 'travis.vaughn@lumen.com' <travis.vaughn@lumen.com>; 'nwalbanyengineering@nwnatural.com'



## Response Page

Department of State Lands (DSL) WN# \*

WN2025-0958

### Responsible Jurisdiction

**Staff Contact**

Jennifer Cepello

**Jurisdiction Type**

City

**Municipality**

Albany

**Local case file #**

SP-15-25; NR-03-25; RL-08

**County**

Linn

### Activity Location

| Township | Range | Section | QQ section | Tax Lot(s) |
|----------|-------|---------|------------|------------|
| 11S      | 04W   | 24      |            | 303        |

Street Address

5310 Pacific Blvd SW

Address Line 2

City

Albany

Postal / Zip Code

97321

State / Province / Region

OR

Country

Linn

**Latitude**

44.5963068

**Longitude**

-123.1183755

| Township | Range | Section | QQ section | Tax Lot(s) |
|----------|-------|---------|------------|------------|
| 11S      | 04W   | 24      | DA         | 1200,1300  |

Street Address

Address Line 2

City

Postal / Zip Code

State / Province / Region

Country

**Latitude**

44.5963068

**Longitude**

-123.1183755

### Wetland/Waterway/Other Water Features



- There are/may be wetlands, waterways or other water features on the property that are subject to the State Removal-Fill Law based upon a review of wetland maps, the county soil survey and other available information.

- The National Wetlands Inventory shows wetland, waterway or other water features on the property
- The National Hydrography Dataset shows wetland, waterway or other water features on the property
- Local Wetlands Inventory shows wetland, waterway or other water features on the property
- The county soil survey shows hydric (wet) soils on the property. Hydric soils indicate that there may be wetlands.

## Your Activity

- It appears that the proposed project **may** impact wetlands and **may** require a State permit.

- An onsite inspection by a qualified wetland consultant is recommended prior to site development to determine if the site has wetlands or other waters that may be regulated. The determination or delineation report should be submitted to DSL for review and approval. Approved maps will have a DSL stamp with approval date and expiration date.

## Applicable Oregon Removal-Fill Permit Requirement(s)

- A state permit is required for 50 cubic yards or more of fill removal or other ground alteration in wetlands, below ordinary high water of waterways, within other waters of the state, or below highest measured tide.

## DSL Review

### Wetland Ecologist Comments

Based on the available information, a jurisdictional wetland may be present on the property. Therefore, a wetland delineation is required to evaluate how much of the project area is wetlands.

We note on the site plan that a wetland delineation was conducted in 2024 by Zion Natural Resource Consulting. Delineations should be submitted to DSL for review and concurrence prior to construction; a state Removal-Fill permit may be required.

**This is a preliminary jurisdictional determination and is advisory only.**

This report is for the State Removal-Fill law only. City or County permits may be required for the proposed activity.

- A Federal permit may be required by The Army Corps of Engineers: 541-600-7644

### Contact Information

For information on permitting, use of a state-owned water, wetland determination or delineation report requirements please contact the respective DSL Aquatic Resource, Proprietary or Jurisdiction Coordinator for the site county.

### Response Date

12/24/2025

### Response by:

Stefanie Lane

### Response Phone:

9717010321

January 2, 2026

**Attention: Jennifer Cepello and the City Planning Division of the City of Albany**

I am writing to you regarding the 108-unit apartment complex being proposed to your Division by the developer/property owner Schneider Homes Inc. of Tukwila, Wash.

**Argument Against the Proposed 108-Unit Apartment Complex at 53rd Ave & 99E, Albany, Oregon**

The proposed 108-unit apartment complex at the corner of 53rd Avenue and Highway 99E presents significant and unacceptable impacts to the surrounding neighborhoods. While development and growth are inevitable, they must be pursued responsibly, with full consideration of the burdens placed on existing residents in 3 significant communities surrounding this proposed apartment complex. In this case, the project raises three major concerns: severe traffic congestion for nearby communities, questionable claims regarding affordable housing benefits, and environmentally damaging riparian encroachment along Oak Creek corridor.

**1. Severe Traffic Impacts on Brookfield and Spring Meadow Residents**

Brookfield and Spring Meadow HOA's are established residential communities whose residents rely on a single point of egress—53rd Avenue—to reach work, school, and essential services. This roadway already experiences congestion during peak hours, and the addition of a 108-unit complex would dramatically increase vehicle volume, even if just assuming a single additional vehicle for every one of the additional 108 new unit residents.

- A development of this size will likely add hundreds of daily trips, compounding delays for residents who have no alternative route that live in Brookfield and Spring Meadow communities.
- The intersection at 53rd and 99E is already a bottleneck; funneling additional traffic into this constrained corridor will worsen backups and increase commute times.
- Emergency response times may be compromised if congestion intensifies, particularly given the lack of secondary access points for these neighborhoods.

In short, the project places a disproportionate burden on existing homeowners who depend on 53rd Avenue as their only lifeline to the broader Albany transportation network.

## **2. Questionable Claims About Affordable Housing Benefits and Community Safety**

Any claim by either the developer or supporters within the City Planning Division or in the Albany governance community with assertions that the complex will help meet affordable housing needs does not address the concerns of nearby homeowners who must live with the consequences of rapid, high-density development. While affordable housing is important, it must be integrated responsibly and with adequate planning for community cohesion and safety.

- I know if no residents convinced that the proposed units will meaningfully mitigate housing challenges, especially without clear oversight, management plans, or community engagement.
- High-density, lower-income housing—when placed abruptly into established neighborhoods without supporting infrastructure—can correlate with increased illicit activity or criminal behavior if not properly managed and deliberately outlined for nearby residents to understand.
- Homeowners in Brookfield and Spring Meadow, Willeta Street communities specifically have legitimate concerns that the project may introduce safety risks rather than alleviate them.

The burden of proof lies with the developer to demonstrate that this project will enhance—not diminish—the quality of life for current residents. So far, that burden has not been met.

## **3. Riparian Encroachment and Increased Flood Risk to Northern and Northwestern Communities**

The request for riparian encroachment along the Oak Creek corridor raises serious environmental and safety concerns. The proposal appears to allow the developer to “push dirt” into the low-lying waterway, effectively reducing the creek’s natural capacity to hold and convey water in times of excess rainfall.

- Removing water-volume space from Oak Creek increases the likelihood of overflow during heavy rain events.
- The displaced water will not disappear—it will move outward, toward the northern and northwestern neighborhoods already constrained by known floodplain boundaries.

- These communities are geographically isolated and more vulnerable to potential super flooding risk; any reduction in creek capacity directly threatens their homes and property without mitigating the impacts.

Riparian zones exist for a reason: they protect waterways, wildlife, and people. Allowing encroachment for the sake of maximizing buildable land is short-sighted and places existing residents at unnecessary risk.

#### **4. The 1,000 feet (304.8 meters) distance allowance for resident feedback is ridiculous**

Lastly, I would like to highlight with graphics included for your convenience. Public feedback allowance was outlined for those within 1,000 (304 meters) feet distance from the edge of the proposed site or property line under proposed development. Please review how irresponsible this feedback allowance really is. The bulk of those impacted (those in the Brookfield, Spring Meadow, and Willetta Street communities (see Graphic 1 and 2) are not inside the 1,000 feet (304 meters) distance allowance. The remainder of those communities who actually are significantly inside this 1,000 feet perimeter to the south and northeast of the site proposal (see Graphic 3 and 4) are communities not directly impacted by the incredible traffic effects.

This is wholly irresponsible and short-sighted on the part of the City Planning Division, and has already generated among residents initial energy against this proposal.

#### **Conclusion**

The proposed 108-unit apartment complex at 53rd Avenue and 99E poses significant risks to traffic flow, neighborhood safety, and environmental stability. The project, as currently envisioned, prioritizes developer interests over the well-being of long-standing communities. Until these concerns are fully addressed—with transparent planning, credible mitigation strategies, and genuine community engagement—the development should not move forward.

Thank you,

Enedina and Albert Arellano

**Cepello, Jennifer**

---

**From:** Andrew Bailey [REDACTED]  
**Sent:** Tuesday, December 30, 2025 9:17 PM  
**To:** Cepello, Jennifer  
**Subject:** Site Plan Review for 108 Unit Apartment Complex Comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello,

I'm emailing to voice concerns regarding the site plan review and potential 108 unit multi-dwelling development at 1190 53rd Ave, 1122 53rd Ave, & 5310 Pacific Blvd. I live in the neighborhood off of 53rd and am very concerned about the impact this would have on our community.

Our community currently only has one protected entry and exit road that can oftentimes be busy with our current resident population. Adding a potential 100+ extra cars would cause a lot more traffic, heavily impacting traffic getting into and out of our neighborhood. The intersection of 53rd and Pacific Highway also appears to have issues with car crashes with several near the intersection this past year. The additional 100+ car traffic from this multi-dwelling development could cause even more issues.

The impact of construction would also cause issues for our community due to there only being one protected entry and exit to our neighborhood. This would heavily impact our ability to get to work, take our children to school, and other activities.

The notice also states the construction would affect the current natural habitats that we have coming into our community. I worry any destruction of this area would be a detriment to our community. I sincerely hope this proposal is not approved as it would only cause major issues for the wonderful community that resides off of 53rd.

Sincerely,  
 Andrew Bailey

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**Cepello, Jennifer**

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**From:** Brittany [REDACTED]  
**Sent:** Friday, January 2, 2026 4:47 PM  
**To:** Cepello, Jennifer  
**Subject:** Proposal at 99E and 53rd Ave

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello,

This is an Argument Against the Proposed 108-Unit Apartment Complex at 53rd Ave & 99E, Albany, Oregon

The proposed 108-unit apartment complex at the corner of 53rd Avenue and Highway 99E presents significant and unacceptable impacts to the surrounding neighborhoods. While development and growth are inevitable, they must be pursued responsibly, with full consideration of the burdens placed on existing residents in 3 significant communities surrounding this proposed apartment complex. In this case, the project raises three major concerns: severe traffic congestion for nearby communities, questionable claims regarding affordable housing benefits, and environmentally damaging riparian encroachment along Oak Creek corridor.

#### 1. Severe Traffic Impacts on Brookfield and Spring Meadow Residents

Brookfield and Spring Meadow HOA's are established residential communities whose residents rely on a single point of egress—53rd Avenue—to reach work, school, and essential services. This roadway already experiences congestion during peak hours, and the addition of a 108-unit complex would dramatically increase vehicle volume, even if just assuming a single additional vehicle for every one of the additional 108 new unit residents.

- A development of this size will likely add hundreds of daily trips, compounding delays for residents who have no alternative route that live in Brookfield and Spring Meadow communities.
- The intersection at 53rd and 99E is already a bottleneck; funneling additional traffic into this constrained corridor will worsen backups and increase commute times.
- Emergency response times may be compromised if congestion intensifies, particularly given the lack of secondary access points for these neighborhoods.

In short, the project places a disproportionate burden on existing homeowners who depend on 53rd Avenue as their only lifeline to the broader Albany transportation network.

#### 2. Questionable Claims About Affordable Housing Benefits and Community Safety

Any claim by either the developer or supporters within the City Planning Division or in the Albany governance community with assertions that the complex will help meet affordable housing needs does not address the concerns of nearby homeowners who must live with the consequences of rapid, high-density development. While affordable housing is important, it must be integrated responsibly and with adequate planning for community cohesion and safety.

- I know of no residents convinced that the proposed units will meaningfully mitigate housing challenges, especially without clear oversight, management plans, or community engagement.
- High-density, lower-income housing—when placed abruptly into established neighborhoods without supporting infrastructure—can correlate with increased illicit activity or criminal behavior if not properly managed and deliberately outlined for nearby residents to understand.
- Homeowners in Brookfield and Spring Meadow, Willetta Street communities specifically have legitimate concerns that the project may introduce safety risks rather than alleviate them.

The burden of proof lies with the developer to demonstrate that this project will enhance—not diminish—the quality of life for current residents. So far, that burden has not been met.

### 3. Riparian Encroachment and Increased Flood Risk to Northern and Northwestern Communities

The request for riparian encroachment along the Oak Creek corridor raises serious environmental and safety concerns. The proposal appears to allow the developer to “push dirt” into the low-lying waterway, effectively reducing the creek’s natural capacity to hold and convey water in times of excess rainfall.

- Removing water-volume space from Oak Creek increases the likelihood of overflow during heavy rain events.
- The displaced water will not disappear—it will move outward, toward the northern and northwestern neighborhoods already constrained by known floodplain boundaries.
- These communities are geographically isolated and more vulnerable to potential super flooding risk; any reduction in creek capacity directly threatens their homes and property without mitigating the impacts.

Riparian zones exist for a reason: they protect waterways, wildlife, and people. Allowing encroachment for the sake of maximizing buildable land is short-sighted and places existing residents at unnecessary risk.

### 4. The 1,000 feet (304.8 meters) distance allowance for resident feedback is ridiculous

I would like to highlight with graphics included for your convenience. Public feedback allowance was outlined for those within 1,000 (304 meters) feet distance from the edge of the proposed site or property line under proposed development. Please review how irresponsible this feedback allowance really is. The bulk of those impacted (those in the Brookfield, Spring Meadow, and Willetta Street communities (see Graphic 1 and 2) are not inside the 1,000 feet (304 meters) distance allowance. The remainder of those communities who actually are significantly inside this 1,000 feet perimeter to the south and northeast of the site proposal (see Graphic 3 and 4) are communities not directly impacted by the incredible traffic effects.

This is wholly irresponsible and short-sighted on the part of the City Planning Division, and has already generated among residents initial energy against this proposal.

### Conclusion

The proposed 108-unit apartment complex at 53rd Avenue and 99E poses significant risks to traffic flow, neighborhood safety, and environmental stability. The project, as currently envisioned, prioritizes developer interests over the well-being of long-standing communities. Until these concerns are fully addressed—with transparent planning, credible mitigation strategies, and genuine community engagement—the development should not move forward.

Thank you,

**Cepello, Jennifer**

---

**From:** Kevin Bryan [REDACTED]  
**Sent:** Friday, January 2, 2026 3:20 PM  
**To:** Cepello, Jennifer  
**Subject:** New Housing development on 53rd st and 99E

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello Jennifer;

I'm writing to you to express my opposition to the proposed apartment complex on 53rd st in Albany. I have lived in the Springbrook development since it was built in 2002.

I'm greatly concerned about the increased traffic that it will cause at the intersection of 99E. With the number of houses already in our total development the traffic is really quite heavy already. With over 500 homes down 53rd st, and most homes have a least two cars most every morning noon and evening the turn lane is so full you can only make the light after two changes. And the backup will be in front of any new driveway they put in, increasing the congestion even worse. Also I am very concerned about the riparian zone around the creek and low lands. This is a nice area containing many diverse species of animals and birds. The chances of no impact from this development is highly unlikely. I would like to think it's in the city's best interest to keep these areas protected. We who live here really enjoy that wildlife area.

The last item that really has a stink to it is the 1000ft limitation on comments regarding this proposal. I don't know if that is a blank application of city rules or not but anyone can see that deliberately excludes everyone in the 53rd st subdivision.

I would ask you and the rest of the city people involved to reconsider this proposal. I realize that nobody wants development in "there back yard" but this is a community with only one way in and out.

Thanks,  
 Kevin Bryan

[REDACTED]  
 Albany

[Sent from AOL on Android](#)

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**From:** Jordan Crow [REDACTED]  
**Sent:** Wednesday, December 24, 2025 10:06 AM  
**To:** CD – Customer Service <cd.customerservice@albanyoregon.gov>  
**Subject:** Fwd: Strong Opposition to the Proposed 108-unit apartment complex.

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

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 10 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to

school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential

shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,

Jordan R Crow

[REDACTED]

[REDACTED]

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**Cepello, Jennifer**

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**From:** Christina Custodia [REDACTED]  
**Sent:** Monday, December 22, 2025 5:22 PM  
**To:** Cepello, Jennifer  
**Subject:** Site plan off 53rd & Pacific

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Mrs. Cepello,

We have received notice of the site plan for the additional housing off 53rd Ave and Pacific Blvd. We will not be supporting the movement of the tentative plans and strongly oppose it. I hope you consider our comment.

Thank you,  
Christina Custodia

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**Cepello, Jennifer**

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**From:** Dixie Hill [REDACTED]  
**Sent:** Wednesday, December 31, 2025 4:06 PM  
**To:** Cepello, Jennifer  
**Subject:** Strong Opposition to proposed 108 unit apartment complex

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hi Jennifer,

I have lived in the neighborhood of Spring Meadows for the last 17 years. This letter is in strong opposition to the proposed 108 unit apartment complex off of Pacific Blvd and 53rd.

If this apartment complex was allowed, the obscene amount of traffic at the light off of Pacific Blvd and 53rd would be absolutely unbearable. I also worry about a strong decline in our home and property values.

Thank you for your consideration to this matter.

Dixie Hill

[Sent from Yahoo Mail for iPhone](#)

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**Cepello, Jennifer**

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**From:** Ruettgers, Matthew  
**Sent:** Monday, January 5, 2026 10:48 AM  
**To:** Martineau, David; Cepello, Jennifer; Martin, Kaitlin  
**Subject:** FW: Feedback for project on 53rd

Just making sure this made it to the right people

---

**From:** Adams, Sophie <sophie.adams@albanyoregon.gov>  
**Sent:** Monday, January 5, 2026 8:57 AM  
**To:** Ruettgers, Matthew <Matthew.Ruettgers@albanyoregon.gov>  
**Subject:** FW: Feedback for project on 53rd

FYI

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**From:** David [REDACTED]  
**Sent:** Tuesday, December 30, 2025 4:05 PM  
**To:** Adams, Sophie <sophie.adams@albanyoregon.gov>  
**Subject:** Fw: Feedback for project on 53rd

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Hi Sophie, sharing with you just in case Jennifer isn't the right person. I would love to support a growing city if done the right way!

David

Sent from [Proton Mail](#) for Android.

----- Original Message -----

On Tuesday, 12/30/25 at 16:00 DJackson [REDACTED] wrote:

Hi Jennifer

I'm providing feedback for the planned housing project at 53rd.

As a member of the nearby community, and a new resident to Albany with a young family, I want to be open to be hosting projects so that the city can grow and others can enjoy what we've come to enjoy.

However this project isn't one I'd currently support for several reasons.

First and foremost, this process has moved incredibly quickly over the holiday season, and without an opportunity for those impacted to provide feedback publicly, making it seem like there an agenda and or no feedback is actually desired.

Only property owners within 1000 feet were notified of this development. However, this development is going to affect hundreds of area residents that live more than 1000 feet from this site, potentially negatively.

It also potentially negatively affects the riparian and drainage area for Oak Creek. At a minimum the details on the prepared plans are unclear.

There are also no shopping, grocery, and/or gas stations nearby; this will result in a significant increase in an already high flow of vehicle traffic on 53rd Ave and Pacific Blvd (99E).

From a major safety concern, there is only one inlet and exit for traffic on 53rd Avenue SW. Even with added entrances and exits the traffic issue will become even worse for all who live here.

It's also unclear what kind of units are being built, if they're affordable, and ultimately whether they are intended to be a positive addition to the community and City. I urge Albany city leadership to delay any further approvals until more information is available and the process changes to include the feedback of current residents.

Kind regards  
David

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**Cepello, Jennifer**

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**From:** [REDACTED]  
**Sent:** Tuesday, December 23, 2025 6:02 PM  
**To:** Cepello, Jennifer  
**Subject:** Planned apartments at 53rd and Pacific

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Jennifer:

Why wasn't anyone in the Spring Meadow/Brookfield neighborhoods notified of this plan since this planned development will SIGNIFICANTLY affect us and our quality of life? I have more than a few concerns.

Who rents studio apartments? Students who don't stick around and who, more often than not, trash the apartments and the neighborhoods once they are gone. They do it around OSU and LBCC all the time. You can't say this won't happen here.

Where are the services? You, the city, keep allowing greedy developers to plan apartment complexes and housing developments where there are already **NO** grocery stores, **NO** gas stations, **NO** more schools, or other services and yet this developer wants to cram 108+ people into this area? Unacceptable!

Property rates for us will be devalued because apartments are being considered. But will that stop the city from increasing our taxes (fees) even more? Probably not. Unacceptable.

The developer wants to "encroach on the riparian area?" Absolutely not! We need our open spaces. The area considered floods when the rains are heavy. How much runoff will end up in Oak Creek polluting it because of the encroachment? I'm sure the developer will not consider this but rather try to do things as cheaply as possible as a "work around." They always do. Albany has enough of a problem with this already. I expect the developer and the city to pay for an environmental impact study performed by a completely impartial agency and the results be submitted to our neighborhood and our HOAs.

For 20+ years the Spring Meadow/Brookfield neighborhoods have had only ONE outlet which is a DIVIDED road called 53<sup>rd</sup> Street. Has the city ever considered more infrastructure back here? No, because there is never any money for infrastructure improvements in the Albany city budget. That has now created a safety hazard. We are

constantly being warned about the possibility of wildfires by you, the city. Let's say that happens in this area. 450+ families already must be evacuated on that divided road which is 53<sup>rd</sup> street. Again, THERE IS NO OTHER OUTLET. And now a greedy developer wants to add over 108+ residents who also have to use 53<sup>rd</sup> to leave? Ridiculous! **In the face of an emergency evacuation, you, the planning commission have been short-sighted and have created the potential for a completely unsafe and disastrous situation.** In this very litigious society that we now live in I'm not sure the city could handle the legal ramifications.

Enough is enough. Albany already has TOO many of these apartment complexes without any consideration for additional and needed services or finances to improve existing infrastructure to existing neighborhoods. It's shortsighted and ill-considered planning.

Deanna Emmert

Resident of Spring Meadow neighborhood

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**Cepello, Jennifer**

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**From:** Connie L E [REDACTED]  
**Sent:** Wednesday, December 24, 2025 3:01 PM  
**To:** Van Drimmelen, Chris; McLeod, Carolyn; Cepello, Jennifer  
**Subject:** Objection to Schneider Homes Apartment Proposal on 53rd Avenue

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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To: Jennifer Cepello, Chris Van Drimmelen (Ward 2), Carolyn McLeod (Ward 2)

I object to the proposal by Schneider Homes to construct apartments on the south side of 53rd Avenue due to significant traffic safety concerns.

The proposed access configuration would require left-hand turns from westbound traffic into the development with an extremely limited stopping distance from the Highway 99 signal. In addition, vehicles traveling southbound on Willetta would disrupt the flow of traffic on 53rd Avenue in both eastbound and westbound directions, as well as impede movements from Highway 99. This configuration presents a clear and unacceptable safety hazard.

The access design provides insufficient distance for safe weaving movements by vehicles exiting the proposed approach and crossing multiple lanes of traffic. These conflicts would occur in close proximity to signalized intersections and on roadways classified as collectors or arterials under the acknowledged Transportation System Plan and Comprehensive Plan, as well as classifications recognized by the Federal Highway Administration.

The proposed development poses a significant traffic safety risk and would negatively impact the surrounding neighborhood. Schneider Homes' development objectives should not come at the expense of public safety or neighborhood livability. For these reasons, I respectfully urge you to deny this request.

Sincerely,  
Connie Erickson

[REDACTED]  
[REDACTED]

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**Cepello, Jennifer**

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**From:** Amanda Fee [REDACTED]  
**Sent:** Friday, December 26, 2025 2:17 PM  
**To:** Cepello, Jennifer  
**Subject:** Concerns Regarding Proposed Apartment Development at 53rd and Pacific

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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

Hello,

We understand that a plan has been submitted to the City Council for a one hundred eight unit apartment complex at 53rd and Pacific. We strongly urge the Council not to approve this proposal at this time.

During that time, I served for several years on the Board of the Oak Creek Meadows Homeowners Association, which includes one hundred thirty homes in the southwest corner of the neighborhood. Through this role, I met with various city departments and developed a basic understanding of the issues this project would create. Our neighborhood includes more than six hundred homes in the area commonly referred to as the Animal Kingdom or Zoo. One of the most significant and unique challenges is that the neighborhood has only one outlet. This was not part of the original design but resulted from a halt in construction when a Native American historical and burial site was discovered. Although 53rd Street was widened to support emergency evacuations, the intersection is already strained given the number of residents, and any emergency would significantly magnify this issue.

If these apartments are built, they will further strain the already limited road access during emergencies and place additional pressure on utilities and services routed through the neighborhood. We have already been informed by service providers such as Comcast that the existing infrastructure is operating at high capacity and would not easily support such a large increase. Smaller townhomes, which were discussed in earlier plans, may have been manageable, but the current scale of this proposal is not. Having lived in one of Schneider's homes for many years, I am concerned about construction quality and do not believe it has improved significantly over time.

Our neighborhood also lacks basic conveniences such as grocery stores, gas stations, and other services. As a result, residents rely heavily on Pacific, which is already congested during peak times. These apartments will likely house multiple residents per unit, meaning far more than one vehicle per household. This increase in traffic would create serious challenges for current residents. In addition, it is unclear how local schools would accommodate the additional students, given existing space limitations and limited bus routes.

These concerns do not even account for the disruption and strain caused during the construction phase. With only one access point, residents would have no alternative routes, and construction would further impact local wildlife that is already limited in habitat. For these reasons, we respectfully but strongly urge the Council to reject this proposal.

Thank you for your time and consideration.

Sincere regards,

James and Amanda Fee

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**Cepello, Jennifer**

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**From:** Holly Flom [REDACTED]  
**Sent:** Thursday, December 25, 2025 10:07 AM  
**To:** Cepello, Jennifer  
**Subject:** 53rd / Pacific apartment proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Jennifer,

I would like to address 3 issues concerning the proposed new apartment construction on 53rd/Pacific.

- 1) encroachment into the wetland set back. A hard no! With the floods and heavy rains we get in this area, we need that wetland riverbed area to remain as is. In the 5 years I have lived here, that area has been flooded no less than 3 of the years. It also is home to many species, recently a family of beavers have moved into the area. We have an extensive wet lands animal and plant population that requires continued protections.
- 2) increased traffic on 53rd street. Unless the city can figure out another means for the residents to enter and leave this area, increased traffic of even an additional 100 people, will cause significant problems.
- 3) lack of support services in the area. We do not have any support services, such as gas stations, grocery, school options
- 4) a three story housing unit really doesn't fit into the current aesthetics of the area. I equate it with plopping a city high rise in the middle of a farm.

As a resident of the area, I am opposed to treating the three lots as a single lot. And I oppose any encroachment onto the creek/river/wetlands set backs, the set backs/wetlands are there for a reason. The proposed apartment complex needs to take into account atmosphere and access limitations of the current surrounding neighborhoods. The increased traffic onto the single road also is concerning and is a potential safety problem.

Thank you for allowing me to voice my concerns, Holly Flom

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**Cepello, Jennifer**

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**From:** Bill Gsell [REDACTED]  
**Sent:** Thursday, January 1, 2026 5:04 PM  
**To:** Cepello, Jennifer  
**Subject:** Proposed apartment complex development on 53rd ave.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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January 1, 2026

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 12 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,

William and Louise Gsell

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**Cepello, Jennifer**

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**From:** Katie Guaschino [REDACTED]  
**Sent:** Friday, January 2, 2026 5:00 PM  
**To:** Cepello, Jennifer  
**Subject:** against 53rd

**Follow Up Flag:** Follow up  
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**[WARNING! This email came from outside our organization. Do NOT click unknown attachments or links in email.]**

i am writing as a resident within the limits of this proposed 108 unit apartment complex on 53rd. We live at 4992 willetta st sw.

We are AGAINST this proposal as it will increase traffic down our 'local traffic only' road. We already get people speeding down our road trying to beat lights, etc. We have young children who like to play outside and this poses a huge risk to them.

Also, bringing in low income residents in that volume will increase foot traffic, unsavory activity, crime, etc. We already have issues with people using our road as a drinking spot and other various crimes, especially on that corner of willetta and 53rd. There is already open access through the wetlands to the backs of all of our properties. We dont need teens, etc wandering around behind our properties where there is no line of sight from the road, making all of us on Willetta easy targets. The more traffic there is on 53rd, the more likely we are to have people wandering around. We have young children on this road who homeschool and are home all day and need a safe place in their backyard to play without worrying about unsavory people wandering through the woods, doing God knows what in there, or heave forbid, preying on our children in one way or another.

We moved here because Willetta was a quiet road with a private neighborhood.

THE addition of these 108 units, with multiple occupants per unit, will bring in an exponential amount of foot, driving, etc traffic through the whole area.

With that many vehicles and people being introduced to the area will force more and more people walking and driving down our 'locals only' road. Unless you have a way of enforcing this will not occur, this 108 unit apartments isnt feesable for this area/neighborhood.

This is all not to mention the impact this unit will have on the eco system of the wetlands, the strain on the environment, the increased trash, etc.

I wish I could be more eloquent in my writing but as I just foudn out about the 5pm deadline, I am left fever typing trying to get our argument to you on time. If there is a public hearing, we will be there.

I know everything I say is repeated by all of our neighbors. We dont want more traffice. We dont want more people. We dont want more crime. We dont want more drinking and drugs on our street. This unit will ruin the haven we all moved onto this street to have.

Thank you  
 Katie Guaschino

**Cepello, Jennifer**

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**From:** Holly Fellows [REDACTED]  
**Sent:** Friday, January 2, 2026 5:02 PM  
**To:** Cepello, Jennifer  
**Subject:** Proposed Development Comments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Jennifer,

See comments on 53rd Ave development. I live at 5085 Elk Run Dr SW. I believe we are within 1,000 feet of the site but we did not receive a notice from the city.

Site Plan Review Criteria (ADC 2.450)

**(8) The Public Works Director has determined that transportation improvements are available to serve the proposed development in accordance with Article 12 or will be available at the time of development.**

Comment: The proposed project does not meet this criterion, as presented. The site plan shows no improvements to 53<sup>rd</sup> Ave SW to mitigate the vehicle trips generated by 108 new units. At a minimum, the intersection of Willetta St SW and 53<sup>rd</sup> Ave SW should have marked crosswalks, and a dedicated left turn lane at that intersection from 53<sup>rd</sup> into the subject property's main driveway (could be developed within existing middle turn lane). In addition, the intersection of Pacific and 53<sup>rd</sup> Ave SW is the only access point into the existing subdivision off 53<sup>rd</sup> Ave. More research is needed to fully understand the public safety and emergency management impacts of an additional 108 units.

Natural Resource Impact Review Standards (ADC 6.310)

- A. **(2) There are no other reasonably feasible options or locations outside the Significant Natural Resource overlay districts for the proposed activity on the subject parcel.** Comment: The proposed project does not meet this criterion. The site plan can be reasonably and feasibly modified to avoid development in the Significant Natural Resource overlay district by reducing the number of units/building square footage on the subject parcel(s).

Regards,

Holly Halligan  
 [REDACTED]

Sent from my iPhone

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**Cepello, Jennifer**

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**From:** Josh Hanson [REDACTED]  
**Sent:** Wednesday, December 31, 2025 3:21 PM  
**To:** Cepello, Jennifer  
**Subject:** Apartment application on 53rd comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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To whom it may concern,

I am a property owner within the 1,000 feet of this proposed development, at 1550 Beaver ct Sw.

Several reasons why this location is a very poor choice:

1-53rd serves a few hundred homes and is only inlet/outlet to the entire neighborhood. Over 100 apartments would make the traffic conditions at the intersection of pacific and 53rd dangerous for vehicles as well as pedestrians. Only way this can be mitigated is if another access is created elsewhere from the existing development. Or this kind of complex being built across pacific, that was traffic mitigation could be planned.

2-It's a couple acres of wetland and riparian environment, this apartment complex completely wipes out this environment. And allowing a developer to buy a few acres in another part of the state and dumping water on it to call wetland shouldn't be allowed, it's not creating a true wetland environment. I thought Oregon was suppose to be leaders in environmental protections, not so if this is allowed.

3-the schools that this apartment development falls under are already stretched and overcrowded, this would exacerbate that problem.

4-home owners in near by existing development bought in this area because it didn't have large apartments near by, it brings down home ownership values, it reduces home ownership desires, and would be a major eye sore at entrance to our neighborhood.

5-SAFETY:When the cell tower was allowed to be built, one of the requirements was no structures could be in the circle of the cell tower in case it became structurally unsound and fell, such as in an earthquake. On the plans it shows 3 main apartment building directly under this umbrella, if they are allowed in this area then that is ignoring safety measures put in place. If those protocols get changed then I would have to ask who is getting paid to make that happen.

6-Apartments of this size bring in multiple levels of economic ability, usually on the lower end, with that petty theft increases, accidents increase, home invasions increase.

7-The profits of this development go out of state, to a builder in Washington. Yes the city gets the property tax but the city will get this no matter the location they are built within city limits. This same home builder built most of the homes in our neighborhood, they are poorly built, lots of corners cut, and their will be no difference in the quality of these apartments, they would not be high end, and again us in Albany or even in Oregon do NOT benefit from a company profiting that is based out of state.

WE highly discourage any acceptance of this building application. If it goes through, we will be looking for another city to pay taxes in.

Josh and Meredith Hanson  
 [REDACTED]  
 [REDACTED]

**Cepello, Jennifer**

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**From:** Jason Alicia Hayzlett [REDACTED]  
**Sent:** Thursday, January 1, 2026 11:31 AM  
**To:** Cepello, Jennifer  
**Subject:** Proposed apartment complex near 53rd Ave

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for nearly 21 years, and we are deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of our primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect. Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. We are currently seeing first-hand how this is affecting the Meadow Ridge/Timber Ridge schools. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce

perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act. Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. We strongly oppose this project and implore you to deny the necessary approvals. The long-short of it is, just because there is a small piece of open land space, doesn't mean the City of Albany has to fill it; not only that, but fill it with something that has so many negative impacts to Albany residents and our protected wetland spaces. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,  
Jason & Alicia Hayzlett

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**Cepello, Jennifer**

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**From:** Jim Hill [REDACTED]  
**Sent:** Wednesday, December 31, 2025 5:00 PM  
**To:** Cepello, Jennifer  
**Subject:** SP-15-25

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hi Jennifer,

This is in regards to the land use application SP-15-25.

I oppose the proposed 108-unit apartment complex near 53rd and Pacific Blvd for the following reasons.

#### 1. Traffic Congestion & Safety Risks

There is only one way in and out of the neighborhood off of 53rd. Adding a 108-unit apartment complex can generate 300-500+ additional vehicle trips per day. I am concerned that the addition will lead to traffic bottlenecks during morning and evening peak hours. Increased risk of collisions. Difficulty for residents turning in or out of the neighborhood.

#### 2. Emergency Access Concerns

A single access point already presents a risk in emergencies.  
 Increased traffic could delay: Fire trucks, Ambulances, Police response.

In the event of: A major accident, A fire, Natural disaster or evacuation, the entrance could become blocked, leaving residents trapped.

This proposed development worsens an existing safety vulnerability.

#### 3. Incompatibility With Neighborhood Design

High-density apartments at the entrance can: Change the established character of the neighborhood, Create a sharp transition from low-density residential to high-density housing, The entrance acts as the "front door" of a neighborhood--placing a large complex there affects community identity and cohesion.

Density and placement matter; this is not an appropriate transition zone.

#### 4. Property Value Impact

Congestion, noise, and parking spillover can: Reduce curb appeal, Make homes harder to sell, Negatively affect long-term property values.

Buyers often avoid neighborhoods with traffic bottlenecks at entrances.

I am not opposed to development or additional housing. However, placing a 108-unit apartment complex at the only entrance to our neighborhood creates significant safety, traffic, emergency access, and quality-of-life concerns. This location is not appropriate for high-density housing, and I respectfully request that the city reconsider this placement or require substantial redesign and mitigation.

Sincerely, Jim Hill

I have lived in this neighborhood since July 2007.

████████████████████  
████████████████

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**Cepello, Jennifer**

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**From:** Garageworks 1 [REDACTED]  
**Sent:** Wednesday, December 31, 2025 3:57 PM  
**To:** Cepello, Jennifer  
**Subject:** Apartment complex

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 10 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project’s proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany’s Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,

Mason Holloway

[Redacted signature block]

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**Cepello, Jennifer**

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**From:** Joel Jamison [REDACTED] >  
**Sent:** Thursday, January 1, 2026 3:29 PM  
**To:** Cepello, Jennifer  
**Subject:** 53rd St Development

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd Ave SW. I have lived here for 15 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times, especially our area, where there is only one entrance/exit route. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational

quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this very critical matter. I look forward to your response, and hope to see this proposal rejected based on doing the right thing, and not succumbing to the pressure of a developer/group who have absolutely ZERO ties to our community, other than squeezing every available dollar from us.

Sincerely,  
Joel & Karen Jamison

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██████████

**Cepello, Jennifer**

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**From:** Dana Jensen [REDACTED]  
**Sent:** Monday, December 29, 2025 4:28 PM  
**To:** Cepello, Jennifer  
**Subject:** Proposed Apartments at 53rd and Pacific in Albany

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Ms. Cepello:

I have been a resident of the Bridgefield development for 20 years. The back of my house faces 53<sup>rd</sup> Avenue.

I am extremely concerned about the proposed apartment development at the corner of 53<sup>rd</sup> and Pacific. Development at that intersection is challenging and hazardous. Examples are:

- There is only one entrance to and from the Bridgefield complex. Construction of the apartments with the associated vehicles will impact movement. If there was (heaven forbid) an event at the apartments requiring emergency vehicles, it could affect vehicles from entering or leaving Bridgefield.
- Cars travelling up and down 53<sup>rd</sup> do not always follow the speed limit. I frequently hear speeders and accelerating vehicles from my home. This would be dangerous for vehicles entering or leaving the proposed development.
- Will new left turn lanes be introduced to 53rd to accommodate entrance to the proposed development? The road is not very wide, I am not sure how feasible it would be to modify it.
- People walk, run, bike, and walk their dogs along the entire length of 53<sup>rd</sup>. Students walk to and from school. Vehicles entering and exiting the new development could endanger the pedestrians and bicyclists.
- Vehicles entering 53<sup>rd</sup> from Elk Run particularly occasionally pull in front of traffic going either way requiring oncoming vehicles to slow down. This is an artery and trucks and other commercial vehicles use it. This intersection is the closest to the new development. Slow downs to the east could cause issues with vehicles leaving the development with drivers not expecting the traffic to slow.

- When the former South Pacific Auto location is re-occupied, the corner of Pacific/53<sup>rd</sup> will have traffic entering the intersection and crossing the westbound lane into the left turn lane onto Pacific. If there is an entrance to the apartment complex anywhere close to that location, there is a major risk of accidents.
- The wetlands and floodplain to the west of the proposed development are essential to protecting the Bridgefield complex and surrounding neighborhoods from flooding. How will the developers channel runoff from a paved apartment complex without damaging a fragile and important ecosystem?
- I believe 53<sup>rd</sup> is the County/City boundary. If there are issues between my neighborhood and the proposed complex, will we have to deal with inter-jurisdiction issues?
- How will traffic entering and leaving the new development affect the patrons of the bowling alley? They already have to cross two lanes of traffic to proceed towards downtown Albany. Vehicles from the development will add to the southbound traffic.

I must stress that this is not a “Not In My Backyard” reaction. I am merely concerned about the impact on vehicular traffic, pedestrians, and the wetlands.

Thank you for your attention.

Sincerely,

Dana Jensen

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**Cepello, Jennifer**

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**From:** Shauna Kahn [REDACTED]  
**Sent:** Monday, December 22, 2025 8:57 AM  
**To:** Cepello, Jennifer  
**Subject:** Re: Automatic reply: Letter of concern

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Members of the City Council and Planning Commission,

I am writing to submit additional comments in opposition to the proposed apartment complex at the entrance of our neighborhood, specifically regarding serious concerns about encroachment on riparian areas.

The riparian areas near this proposed development serve an important environmental function, including natural stormwater filtration, erosion control, flood mitigation, and wildlife habitat. Any encroachment or reduction of these protected areas risks long-term environmental damage not only to the immediate site but also to downstream properties and waterways.

Development in close proximity to riparian corridors often increases runoff, sedimentation, and pollutant discharge into nearby streams. This can worsen flooding risks, degrade water quality, and negatively impact native plant and animal species that rely on these areas for survival.

I am also concerned that allowing development to encroach on riparian buffers sets a troubling precedent. Once these natural protections are compromised, they cannot be easily restored, and future development pressure may further erode protections intended to preserve these sensitive areas.

Given the environmental significance of riparian zones and their role in protecting surrounding neighborhoods, I strongly urge the city to deny approval of any project that encroaches upon or reduces required riparian setbacks. At minimum, a thorough and

transparent environmental review should be conducted to fully evaluate the long-term impacts of this proposal.

For these reasons, I respectfully but firmly oppose the proposed apartment complex and ask the city to prioritize environmental stewardship and community safety in its decision-making.

Thank you for your time and consideration.

Sent from my iPhone

On Dec 22, 2025, at 7:59 AM, Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov> wrote:

I am out of the office. If you need immediate assistance during my absence, please call Community Development at 541-917-7550 or email [cd.customerservice@cityofalbany.net](mailto:cd.customerservice@cityofalbany.net).

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**Cepello, Jennifer**

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**From:** Katy Kuhnert [REDACTED]  
**Sent:** Friday, January 2, 2026 4:07 PM  
**To:** Cepello, Jennifer  
**Subject:** Opposition to apartments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Good afternoon -

I just wanted to send a quick note expressing my opposition to the proposed building of apartments at Pacific and 53rd Street.

As a resident of the neighborhood, 53rd street is the only outlet for the both neighborhood's. Being a 1 outlet neighborhood makes the light at 53rd already congested. Adding apartments to the corner will increase the amount of traffic at the light significantly - with needs for cars to turn both directions in a very short turn lane space.

I hope the Albany planning department looks at the oppositions to this new build and takes them under advisement.

Thank you for your time. Spring meadows resident Katy Kuhnert.

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**Cepello, Jennifer**

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**From:** Tracy L [REDACTED]  
**Sent:** Tuesday, December 23, 2025 8:30 AM  
**To:** Cepello, Jennifer  
**Cc:** Tracy L  
**Subject:** Proposed apartment complex at 53rd and Pacific

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello,

I live in the Spring Meadow/Brookfield neighborhood and was just made aware of the proposed apartment complex on 53rd. I am very concerned with all of the additional traffic this will bring to 53rd. It is the only way out of our neighborhood and the additional traffic could have catastrophic consequences if an evacuation of our neighborhood is ever required in the event of an emergency. It has already been noted that there is an existing concern of this bottleneck and a grant was given to do some clearing/clean up in the nature area surrounding our subdivision as part of a fire prevention effort.

According to the two HOA's websites we have around 600 homes not including the houses not in the HOA and on the south side of 53rd. With the addition of the apartments there would be well over 700 homes funneling out a single street. In the event of an emergency you can bet that would not end well.

Please consider the safety of our neighborhood and do not approve the proposed complex.

Tracy Leith  
[REDACTED]

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**Cepello, Jennifer**

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**From:** Nancy Lile [REDACTED]  
**Sent:** Friday, January 2, 2026 4:23 PM  
**To:** Cepello, Jennifer  
**Subject:** 108 Apartment Units Planned at 53rd /99E

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Ms. Cepello, my husband and I are homeowners in Brookfield neighborhood off 53rd Avenue SW. I, along with numerous neighbors in my neighborhood and in adjacent Spring Meadow neighborhood are alarmed at the City Planning department proposal to build a large housing rental complex on the corner of 53rd Avenue and Pacific without any input from the three established neighborhoods that will be overwhelmingly affected.

This one street provides ingress and egress for hundreds of homeowners, land and farm owners. This is completely unsafe in regards to the higher traffic load that will occur with the proposed apartment complex. There is already a bottleneck during high traffic volume during the work and school week at Pacific and 53rd Avenue.

In the event of a fire outbreak or personal emergency, firetrucks and ambulances will face a longer response time. Has it been considered how dangerous 53rd Avenue will be in the event of a required mass evacuation? How are the riparian lands going to be affected? Oak Creek's water flow could be compromised by site construction dirt removal and trash, leading to flooding in severe rains.

There are numerous neighborhood issues that should be included and considered by the City Planning department before approving this building project. Thank you for listening to the residents' valid concerns.

Respectfully,

Nancy Lile

Brookfield Neighborhood

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**Cepello, Jennifer**

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**From:** Jericha Lim [REDACTED]  
**Sent:** Monday, December 22, 2025 8:17 AM  
**To:** Cepello, Jennifer  
**Subject:** Comment Opposing Proposed Apartment Development Near Our Neighborhood

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Planning Commission,

I am a resident of the neighborhood near the proposed apartment development at 53rd street. I am writing to express my opposition to this project.

Our area is a quiet residential neighborhood, and this development would likely increase traffic, noise, overcrowding, and safety risks, while also potentially lowering property values. These impacts would significantly affect residents' quality of life.

I respectfully ask the city to reconsider this proposal and fully evaluate its impact on our community before moving forward.

Thank you for considering my comment.

Sincerely,

Jericha Lim

Oak Creek Meadows Residents

**Cepello, Jennifer**

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**From:** Bill Maddy [REDACTED]  
**Sent:** Monday, December 22, 2025 10:06 PM  
**To:** Cepello, Jennifer  
**Subject:** 53rd Avenue Development Issue

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

I write in regard the the new development at 53rd Ave and Pacific Blvd, Albany.

Property owners within 1000 feet may have been notified of this development. However, this development is going to negatively affect hundreds of area residents that live more than 1000 feet from this site. It also potentially negatively affects the riparian and drainage area for Oak Creek. There are also no shopping, grocery, and/or gas stations nearby; this will result in a significant increase in an already high flow of vehicle traffic on 53rd Ave and Pacific Blvd (99E). There is only one inlet and exit for traffic on 53rd Avenue SW.

I have lived through the 1962 Columbus Day storm and the 1964 and 1996 floods. But, I don't believe that my neighbors, neighborhood or I are ready for this development disaster.

Bill Maddy  
[REDACTED]  
[REDACTED]

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**Cepello, Jennifer**

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**From:** Jason Marquardt [REDACTED]  
**Sent:** Wednesday, December 24, 2025 11:01 AM  
**To:** Cepello, Jennifer  
**Subject:** Concern about proposed apartment complex

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello,

I saw that this address is open for public comment regarding the proposed apartment complex at 53rd and Pacific Hwy. My family and I live in the neighborhood behind this proposed complex, and we immediately became concerned upon hearing the plan for 108 apartments to be put in on the lot near the bowling alley. Specifically, I am concerned about the impact that this huge influx of residents will have on the surrounding wetlands and Oak Grove trail area. An increase in population of this size right next to the trail will undoubtedly lead to a fundamental change in the feel of the trail, and it may also lead to potential environmental damage.

Additionally, I seriously hope that the city plans to engage in a thorough study of how this proposed complex will affect traffic turning onto Pacific Hwy from 53rd. Will there be any alterations made to the traffic flow to account for the hundreds of additional people that will suddenly be living in our neighborhood?

Another thing to consider is what additional police resources will need to be allocated into the surrounding neighborhoods, as this apartment complex will almost certainly lead to an increase of people wandering into these neighborhoods and looking for trouble. I do not mean to malign people who live in apartments, as I myself lived in apartments for much of my life, and certainly most of the people who do live in apartments are decent, law-abiding people. However, we can all readily observe that there are invariably a few bad actors who tend to live in apartments, and that these bad actors tend to cause issues in the areas immediately surrounding the places where they spend time.

I hope that the city is taking all of this into account when deciding whether to approve this application, as this has the potential to completely change the character of the neighborhood that my family has come to cherish over these past eight years. Thank you for considering my thoughts about this.

Jason Marquardt

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**Cepello, Jennifer**

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**From:** LaVonne Napier [REDACTED]  
**Sent:** Friday, January 2, 2026 4:50 PM  
**To:** Cepello, Jennifer  
**Subject:** Argument Against the Proposed 108-Unit Apartment Complex at 53rd Ave & 99E, Albany, Oregon

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Attn: Jennifer Cepello

As two of the residents land-locked in the 53rd Avenue neighborhood, we are responding to impacts generated from a developer's actions to our neighborhood and way of life.

We are against the building of the proposed 108-unit apartment complex at the corner of 53rd Avenue and Highway 99E presents significant and unacceptable impacts to the surrounding neighborhoods. Consideration of the burdens placed on existing residents in the three communities surrounding this proposed apartment complex include severe traffic congestion for nearby communities, questionable claims regarding affordable housing benefits, and environmentally damaging riparian encroachment along Oak Creek corridor.

As for the issue regarding severe traffic impacts on Brookfield and Spring Meadow Residents please understand that residents rely on a single point of egress—53rd Avenue—to reach work, school, and essential services. This roadway already experiences congestion during peak hours, and the addition of an 108-unit complex would dramatically increase vehicle volume. A development of this size will likely add compounding delays for residents who have no alternative route and funneling additional traffic into this constrained corridor will significantly lower air quality, worsen backups and increase commute times. Unfortunately, Emergency response times will also be compromised if congestion intensifies, particularly given the lack of secondary access points for these neighborhoods.

The proposal does not address the concerns of nearby homeowners who must live with the consequences of rapid, high-density, lower-income housing when placed abruptly into established neighborhoods without supporting infrastructure. Such choices can correlate with increased illicit activity or criminal behavior if not properly managed and deliberately outlined for nearby residents to understand.

Riparian encroachment and increased flood risk to Northern and Northwestern communities raises serious environmental and safety concerns. The proposal appears to allow the developer to severely impact the creek's natural capacity to hold and convey water in times of excess rainfall which in all likelihood will create overflow during heavy rain events. These communities are geographically isolated and more vulnerable to potential super flooding risk; any reduction in creek capacity directly threatens our homes and property without mitigating the impacts. There are many animals and plant species

including protected varieties that inhabit Oak Creek and the areas surrounding the neighborhoods that will be negatively impacted. Riparian zones exist for a reason: they protect waterways, wildlife, and people. Allowing encroachment for the sake of maximizing buildable land is short-sighted and places existing residents at unnecessary risk.

In conclusion, the proposed 108-unit apartment complex at 53rd Avenue and 99E poses significant risks to overall traffic flow, neighborhood safety, and environmental stability. The project, as currently envisioned, prioritizes developer interests over the well-being of long-standing communities. Until these concerns are fully addressed—with transparent planning, credible mitigation strategies, and genuine community engagement from all who will be impacted—the development should not move forward.

Sincerely,  
Carol and LaVonne Napier

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████████████████████

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**Cepello, Jennifer**

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**From:** [REDACTED]  
**Sent:** Wednesday, December 24, 2025 4:01 PM  
**To:** Cepello, Jennifer  
**Subject:** 53 st apartments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

My name is Scott Normandin, I live on Beaver Ct in Brookfield Subdivision. I am not in favor of the apartments that are proposed to be built. I don't like them encroaching on the wetlands or the added traffic that it will bring to 53rd street.

Thank You,  
Scott Normandin

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**From:** [roger.nyquist](mailto:roger.nyquist)  
**To:** [Martineau, David](mailto:David.Martineau)  
**Subject:** Schneider Homes Inc application  
**Date:** Wednesday, December 24, 2025 9:04:04 AM

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

Mr. Martineau:

I write to you today to express my concerns about the Schneider Homes Inc application to build 109 apartments just west of Pacific Blvd on the south side of 53rd Street. As an adjacent property owner operating a successful small business at the current location for the last 20 years I have concerns in at least three areas.

The first is the plan to access our parking lot between the south side of the bowling center and our miniature golf course to route apartment resident traffic to Pacific Blvd. Our patrons generally come from the bowling center and walk to the miniature golf course to play and then go back to the bowling center to return the equipment. During the summer months we average 2000 patrons a month and I would estimate between 20% and 30% of those customers are under the age of 12. Routing outside traffic through that area of the parking lot creates an unthinkable risk. It is an unacceptable risk.

My second area of concern is parking for the apartment residents and their guests. I am interested in learning more from the applicant as to what the details are of what they envision in that regard.

I am also concerned about potential conflicts with noise that are inherent with putting such a large project next to a bowling center. I would be willing to pay 50% of the costs of a sound study so if the project goes forward it is done in a way that helps to minimize the potential conflicts.

I received the notice for the proposed project on December 19th. Many of the experts I would rely on to analyze this project are not available during the holiday break. I would like to make additional comments on the proposed project and ask that you keep the record open to comment through Wednesday February 4th at 5:00pm.

I would be interested in meeting with the applicants of this project to learn more about what they plan and to go over my concerns to see if those can be resolved, if they are so inclined.

Thank you for your consideration in this matter.

Roger Nyquist  
Nyquist Ventures LLC

**Cepello, Jennifer**

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**From:** Clevenger, Wayne (PacifiCorp) [REDACTED]  
**Sent:** Monday, December 1, 2025 10:33 AM  
**To:** Cepello, Jennifer; [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
**Subject:** RE: [INTERNET] Project Review: SP-15-25; 5310 Pacific Blvd. SW  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Developers are expected to create a Pacific Power work request for any development far in advance breaking ground for a development. This will help to avoid delays with supply chain items like transformers and streetlight material.

Builders and developers are expected to observe OSHA requirements for minimum approach distances from overhead power lines.

City or County approved drawings usually do not address the vertical clearances.

Failure to follow these guidelines can result in costly delays and alterations to your project.

[Electric Service Requirements Manual 2022](#)

[Underground Manual](#)

**NOTE: YOUR GENERAL SERVICE NEEDS A METERBASE WITH A SAFETY BYPASS**

Electric Service Requirements (pacificpower.net)

<https://www.pacificpower.net/content/dam/pcorp/documents/en/pp-rmp/electric-service-requirements/meter-mounted-device/Meter-Mounted-Device-List.pdf>

**CALL INSPECTIONS IN BY USING THE BUILDERS HOTLINE**

**Builder's Hotline:..... 1-800-469-3981**

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**From:** Cepello, Jennifer <Jennifer.Cepello@albanyoregon.gov>  
**Sent:** Monday, December 1, 2025 10:18 AM  
**To:** Development Review Team <DevelopmentReviewTeam@cityofalbany.net>; Bliss, Candy <Candy.Bliss@albanyoregon.gov>; 'lance\_roth@comcast.com' <lance\_roth@comcast.com>; Ficek, Michael <Michael.Ficek@albanyoregon.gov>; 'Michael\_Allen@comcast.com' <michael\_allen@comcast.com>; 'thpo@grandronde.org' <thpo@grandronde.org>; 'David Bolin' <david.bolin@albany.k12.or.us>; EXTERNAL - Linn Co., Assessor <assessor@co.linn.or.us>; 'culturalresources@ctsi.nsn.us' <culturalresources@ctsi.nsn.us>; 'travis.vaughn@lumen.com' <travis.vaughn@lumen.com>; 'nwalbanyengineering@nwnatural.com'

**Cepello, Jennifer**

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**From:** Kari Petersen [REDACTED]  
**Sent:** Monday, December 22, 2025 8:25 PM  
**To:** Cepello, Jennifer  
**Subject:** Formal concerns re: SP-15-25, NR-03-25, RL-08-25

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Members of the City Planning Committee,

I am writing to formally express my opposition to the proposed development of 108 unit 7-building apartment complexes, at the location of 1190 53rd Ave, 1122 53rd Ave, & 5310 Pacific Blvd currently under review by the committee. I understand that an application for this project has been filed and is under consideration, and I appreciate the opportunity to share my concerns during this process.

My primary concern is the impact this development would have on public safety and traffic. The nearby neighborhood affected by this proposal consists of over 500 homes and currently has only one point of entry and exit. This additional development will also have the same entry and exit onto 53rd. Adding additional developments without creating alternative access routes would significantly worsen traffic congestion and pose serious risks during emergencies. In the event of a natural disaster, fire, medical emergency, or evacuation order, a single access road could severely limit the ability of residents and emergency responders to move safely and efficiently.

In addition, I am deeply concerned about the proposed encroachment on nearby wetlands and the current unknown impact of such substantial construction. Wetlands serve a critical role in flood mitigation, water quality, and wildlife habitat. Disturbing or reducing these areas could increase flooding risks, negatively impact local ecosystems, and lead to long-term environmental consequences that may be difficult or impossible to reverse. I urge the committee to carefully consider both the immediate and cumulative environmental impacts of developing land so close to these sensitive areas.

Given the scale of the nearby neighborhood, the existing infrastructure limitations, and the environmental significance of the wetlands, I respectfully request that the committee deny this proposal or require substantial modifications that adequately address traffic safety, emergency access, and environmental protection.

Thank you for your time, consideration, and service to our community. I trust that the committee will carefully weigh these concerns as part of its review process.

Sincerely,  
 Kari Petersen

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**From:** lancepugh@aol.com [REDACTED]  
**Sent:** Thursday, January 1, 2026 12:58 PM  
**To:** CD – Customer Service <cd.customerservice@albanyoregon.gov>  
**Subject:** Apartments on 53rd St

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

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 20 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and

shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

For these reasons, I strongly object to the approval of the plans for these apartments and encourage you to deny the plans.

Respectfully,  
Lance Pugh

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**Cepello, Jennifer**

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**From:** Elizabeth Rapp [REDACTED]  
**Sent:** Friday, January 2, 2026 3:34 PM  
**To:** Cepello, Jennifer  
**Subject:** Response to "Proposed 108-Unit Apartment Complex at Highway 99E and 53rd Avenue"

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Please include my feedback in the group of Brookfield/Spring Meadow Residents who STRONGLY oppose the development of a 108-unit apartment complex at the intersection of Highway 99E and 53<sup>rd</sup> Avenue. **My reasons for opposition include traffic impact/emergency planning and response and riparian encroachment.**

#### TRAFFIC IMPACT/EMERGENCY PLANNING

I have lived in the community for four years. At the time I purchased I was oblivious to the fact that only one way in and out of the community exists.

In the case of a disaster (natural or man-made) which forces evacuation it would be impossible for our residential community to safely evacuate in a timely manner. My perspective is that this is due to the shortsightedness of prior Planning Commissions, focusing on revenue and increased housing density. Do not compound their mistake by adding additional traffic to our two lane access road.

Perhaps the Planning Commission could evaluate the Paradise, Butte County, California Planning Commission's actions both in the years prior to the 2018 Camp Fire and as a result of lessons learned from that fire. Essentially, the Safety Element of the town's 1994 general plan was updated in 2024 to better manage the public safety risks including ensuring residential developments in hazard areas must have at least two emergency evacuation routes.

In addition, I encourage our Planning Commission to review Albany's general plan and evaluate this recommendation to any neighborhood with a single egress point.

#### RIPARIAN ENCROACHMENT

The applicant requested that they be allowed to move dirt into the low-lying waterway of the Oak Creek corridor.

The Oak Creek corridor is a riparian corridor, a transition zone between water and drier land. In this area, moisture-loving plants filter water, prevent erosion, provide wildlife habitat, control flooding, and maintain water quality. It is a living buffer in which it is critical to minimize soil disturbance because of the impact on erosion and sediment buildup. Additional soil overlay on this area negatively impacts wildlife habitats, water movement, and drainage.

In conclusion, I urge the Planning Commission to vote NO on the 108-unit apartment complex at 53<sup>rd</sup> and 99E unless solutions to the above livability issues are implemented.

Respectfully,

Liz Rapp

[REDACTED]

[REDACTED]

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**Cepello, Jennifer**

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**From:** hoops3220 [REDACTED]  
**Sent:** Wednesday, December 31, 2025 10:16 PM  
**To:** Cepello, Jennifer  
**Subject:** Proposed Apartment Complex

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 10 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate.

Please open this to a public hearing where those being affected can voice concerns, of at least take these things into consideration when reviewing the proposed plan.

Cordially,

Dean and Sue Roberts

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**Cepello, Jennifer**

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**From:** Jen [REDACTED]  
**Sent:** Tuesday, December 23, 2025 7:29 AM  
**To:** Cepello, Jennifer  
**Cc:** Jeffrey e Robinson  
**Subject:** apartments off 53rd

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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Hi Ms Cepello:

We live at [REDACTED] in Albany near the bowling alley off 53rd and HWY 99.

It has come to our attention via an article on FB that an apartment complex is looking to be built off 53rd.

Our sole concern about this build is safety. Adding substantial housing in that location will greatly congest what is already the only in and out road to the already congested neighborhood. We are at the very end of Moose Run and knowing there is only one road out of this neighborhood (53rd) in an emergency is dangerous.

Please provide our feedback to those who are considering this. We are not in favor, but would actually request the city to consider opening another road.

Thank you so much!

Jen Robinson  
(Jeff Robinson)

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**Cepello, Jennifer**

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**From:** Judith & Ted Rockwell [REDACTED]  
**Sent:** Friday, January 2, 2026 4:27 PM  
**To:** Cepello, Jennifer  
**Subject:** Proposed building construction at 53rd and Pacific

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Ms. Cepello;

My wife and I are home owners on BlackBear Ave. SW just off of 53rd. and near the proposed large housing project being proposed along 53rd near Pacific.

We are both opposed to this development at this location as proposed.  
 There are multiple reasons to oppose this proposed development:

1. The bulk of the area to be developed is wetlands and subject to flooding multiple times a year. This area is an important component of the Oak Creek watershed which is a part of the watershed of the Calapooia River. This wetlands actively performs flood water retention and augments the ability of the watershed to accommodate and reduce water flows. Removing flood water retention and storage will move flood waters down stream, where we live. The developer's proposal makes me and our fellow residents pay for their profit, should you approve their proposal. This is unfair, and it becomes a hidden tax that residents must pay for the decisions made by permitting authorities.
2. Previous planning efforts put forth that South Albany would be a "Community known for having Oak Creek as its 'front yard'; this is a community goal that needs to be respected and protected. It is easy to see that nothing has changed that would cause us to decide to degrade or destroy this community and regional asset.
3. The residents in the existing development to the north of 53rd have nurtured protected the wetlands, green belt that is adjacent to their homes. The area to be destroyed by the proposed commercial development is a contiguous part of the Oak Creek wetlands and green belt. There is no need to destroy this area, which should be further protected, when there is available other land, not wetland, within the immediate vicinity of the proposed development. In fact, immediately to the north of this property is abandoned commercial vacant property for sale which could accommodate the housing being proposed without having to destroy any existing natural areas.
4. There is currently concern about the safety of existing residents to evacuate on the single residential road that provides ingress and egress to the development. The addition of hundreds of additional vehicles at the very obvious pinch point, where 53rd meets Pacific, seems ill advised and seems to reflect poorly on any planning effort undertaken by the project proponents or the City.

There are many more objections to this proposal but by limiting notification to neighbors further away than 1000 feet the city has effectively stifled informed discussion and comment.

Please enter my comments into the official record for this proposed project and city action.

Thank you.

Ted

Judith & Ted Rockwell

[REDACTED]  
[REDACTED]  
[REDACTED]

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**Cepello, Jennifer**

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**From:** Guaschino [REDACTED]  
**Sent:** Friday, January 2, 2026 4:59 PM  
**To:** Cepello, Jennifer  
**Subject:** arguemnt against 108 unit 53rd

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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

I am writing as a resident within the limits of this proposed 108 unit apartment complex on 53rd. We live at 4992 willetta st sw.

We are AGAINST this proposal as it will increase traffic down our 'local traffic only' road. We already get people speeding down our road trying to beat lights, etc. We have young children who like to play outside and this poses a huge risk to them.

Also, bringing in low income residents in that volume will increase foot traffic, unsavory activity, crime, etc. We already have issues with people using our road as a drinking spot and other various crimes, especially on that corner of willetta and 53rd. There is already open access through the wetlands to the backs of all of our properties. We dont need teens, etc wandering around behind our properties where there is no line of sight from the road, making all of us on Willetta easy targets. The more traffic there is on 53rd, the more likely we are to have people wandering around. We have young children on this road who homeschool and are home all day and need a safe place in their backyard to play without worrying about unsavory people wandering through the woods, doing God knows what in there, or heave forbid, preying on our children in one way or another.

We moved here because Willetta was a quiet road with a private neighborhood.

THE addition of these 108 units, with multiple occupants per unit, will bring in an exponential amount of foot, driving, etc traffic through the whole area.

With that many vehicles and people being introduced to the area will force more and more people walking and driving down our 'locals only' road. Unless you have a way of enforcing this will not occur, this 108 unit apartments isnt feesable for this area/neighborhood.

This is all not to mention the impact this unit will have on the eco system of the wetlands, the strain on the environment, the increased trash, etc.

I wish I could be more eloquent in my writing but as I just foudn out about the 5pm deadline, I am left fever typing trying to get our argument to you on time. If there is a public hearing, we will be there.

I know everything I say is repeated by all of our neighbors. We dont want more traffice. We dont want more people. We dont want more crime. We dont want more drinking and drugs on our street. This unit will ruin the haven we all moved onto this street to have.

Thank you  
 steven Guaschino

**Cepello, Jennifer**

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**From:** Shauna Kahn [REDACTED]  
**Sent:** Monday, December 22, 2025 7:59 AM  
**To:** Cepello, Jennifer  
**Subject:** Letter of concern

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Members of the City Council and Planning Commission,

I am writing to formally express my opposition to the proposed apartment complex being built at the entrance of our neighborhood. While I recognize the need for additional housing within our city, I am strongly against this project being placed in this specific location due to the negative impacts it would have on our community.

The increase in traffic at the neighborhood entrance presents serious safety concerns. This road was not designed to handle the volume of traffic a large apartment complex would generate, and the added congestion would increase risks for pedestrians, cyclists, children, and emergency vehicles.

In addition, the intersection of 53rd and Pacific is already highly congested during morning commute hours. Traffic regularly backs up, causing delays and safety concerns. Adding a large number of new residences at this location would further worsen congestion at this intersection, increasing wait times and the likelihood of accidents.

I am also concerned about the strain this development would place on existing infrastructure, including water, sewer, drainage, and electrical systems, which may not be adequately sized to support high-density housing without costly upgrades.

The placement of a large apartment complex at the entrance of a single-family neighborhood could negatively impact nearby property values through increased noise, light pollution, and reduced neighborhood appeal.

Parking overflow is another significant concern. If on-site parking proves insufficient, apartment residents and guests may use neighborhood streets, further increasing congestion and reducing available parking for homeowners.

There are also environmental concerns associated with this project, including the loss of green space, increased stormwater runoff, and potential flooding risks that could affect surrounding homes.

Finally, I am concerned about the public process and long-term precedent this project would set. Approving high-density apartments at the entrance of an established neighborhood could lead to additional developments of similar intensity without sufficient community input.

For these reasons, I respectfully but firmly oppose the approval of the proposed apartment complex at this location and ask the city to reconsider this plan or explore more suitable alternatives.

Thank you for your time and consideration.

Sincerely,

Shauna Kahn  
Homeowner

████████████████████

Sent from my iPhone

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**Cepello, Jennifer**

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**From:** [REDACTED]  
**Sent:** Friday, January 2, 2026 9:31 AM  
**To:** Cepello, Jennifer  
**Subject:** 53rd St Apartments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Hello.

My name is Susan Normandin and I live at [REDACTED] w. I am strongly opposed to the building of the apartments on 53rd St. I believe it will greatly impact traffic that is already heavy at times I am also very concerned about the possible impact on the wetlands, Thank you for your time.  
Susan Normandin

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**Cepello, Jennifer**

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**From:** Larry Robinett [REDACTED]  
**Sent:** Tuesday, December 30, 2025 3:54 PM  
**To:** Cepello, Jennifer  
**Subject:** 53rd st Apartments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Jennifer, I am writing to express our deep concerns regarding the proposed development of apartments on 53rd Street, near Falcon Street. We believe that this project will lead to increased congestion at the entrance and exits of 53rd Street, exacerbating the already frequent accidents at the intersection of Pacific Boulevard and 53rd Street. Furthermore, we are worried about the potential impact on the wetlands and wildlife, particularly the deer population in the area. Additionally, we fear that this development may lower property values in our neighborhood. The Animal Kingdom neighborhoods have only one entrance and exit, raising safety concerns in the event of emergency evacuations. Thank you for your attention to this matter. Best regards,

Larry Robinett  
Tina Scalise

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**Cepello, Jennifer**

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**From:** Pollyanna Schosha [REDACTED]  
**Sent:** Wednesday, December 31, 2025 10:07 PM  
**To:** Cepello, Jennifer  
**Subject:** Apartment complex proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Dear Planning Commission and City Council Members,

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for 10 years, and I am deeply concerned about the negative impacts this over-100-unit, multi-building development will have on our quiet, family-oriented community. This gated, garden-style project on a 63-acre lot, featuring studio through three-bedroom apartments, represents an unwelcome shift toward high-density housing in a suburban area that has long been characterized by single-family homes and open spaces. I urge you to reject this rezoning and development proposal to preserve the quality of life for current residents.

One of my primary concerns is the potential increase in crime that often accompanies multi-family apartment complexes. A 2024 poll of multi-family property managers found that 52% reported crime going up at their properties, with 60% noting higher incidents in suburban locations compared to urban ones. This aligns with broader perceptions and data showing that higher-density residential areas can lead to elevated crime rates per capita, particularly when introducing commercial-like activity into previously low-density neighborhoods. Our neighborhood has enjoyed low crime levels for years, and introducing over 100 new units could strain local law enforcement resources and disrupt the safety we've come to expect.

Beyond crime, this development will exacerbate traffic congestion in an area already challenged by suburban growth. High-density housing in suburban settings is known to increase reliance on motorized transportation, leading to overcrowded roads and longer commute times. With multiple three-story buildings and potentially hundreds of new residents, the influx of vehicles will overwhelm nearby streets like those near Pacific Boulevard and 53rd St, creating safety hazards for pedestrians, cyclists, and families walking to school. Public transportation options here are limited, meaning most new residents will depend on cars, further contributing to pollution and gridlock.

The strain on our local schools cannot be ignored either. Adding dozens of new families through one-, two-, and three-bedroom units will likely overcrowd already stretched classrooms in the Albany School District. Studies and community concerns highlight how multi-family developments increase student populations without proportional tax contributions to fund expansions, leading to lower educational quality and higher costs for existing taxpayers. Poor school performance tied to overcrowding has been shown to negatively impact surrounding home values, creating a vicious cycle for the community.

Property values in our neighborhood are also at risk. Apartments in suburban areas are frequently associated with depreciating nearby single-family home prices, as they alter community character and introduce perceived instability. In some cases, low-income or high-density housing has been linked to value declines in affluent areas, with opponents citing changes in aesthetics, increased turnover, and shifts in demographics. Many of us have invested our life savings in our homes, and this project threatens to erode that equity overnight.

Of particular alarm is the project's proximity to protected wetlands, with the development backing right up to these sensitive areas. High-density developments near wetlands significantly increase stormwater runoff due to impervious surfaces like buildings, parking lots, and roads. This runoff carries pollutants—such as sediments, nutrients, heavy metals, oils, and pesticides—directly into wetlands, degrading water quality and harming aquatic life. Studies show that urban and suburban runoff is a major source of nonpoint source pollution, with researchers detecting harmful pesticides in 97% of samples at levels toxic to wildlife. Even indirect impacts from nearby development, like altered hydrology and sedimentation, can irreversibly damage wetland functions, including flood control, filtration, and habitat provision. Albany's Local Wetlands Inventory and riparian corridor protections underscore the importance of safeguarding these areas, yet this proposal risks violating the spirit—if not the letter—of state and federal wetland regulations under the Clean Water Act.

Additional problems include the loss of green space and broader environmental strain. Developing a 63-acre lot will reduce natural areas, contributing to urban heat islands that require more energy for cooling and worsen summer conditions. High-density projects like this also overburden infrastructure, such as water and sewage systems, leading to potential shortages or failures during peak usage. Flooding risks could rise with more impervious surfaces, a common issue raised in similar suburban developments—exacerbated here by proximity to wetlands that naturally mitigate floods.

In summary, the new apartment proposal prioritizes developer profits over the well-being of existing residents and our fragile local environment. It will bring heightened crime risks, unbearable traffic, school overcrowding, declining property values, irreversible wetland degradation through polluted runoff, and broader ecological harm to our peaceful suburban enclave. I strongly oppose this project and implore you to deny the necessary approvals. Please consider the voices of those who already call this area home.

Thank you for your attention to this critical matter. I look forward to your response and hope to see this proposal rejected.

Sincerely,  
Ben and Pollyanna Schosha  
Sent from my iPhone

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**Cepello, Jennifer**

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**From:** Jodie Bowens-Shilling [REDACTED]  
**Sent:** Friday, January 2, 2026 2:19 PM  
**To:** Cepello, Jennifer

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

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Dear Planning Commission and City Council Members:

I am writing as a long-time resident of the Spring Meadow neighborhood, located directly adjacent to the proposed site for the apartment complex off 53rd. I have lived here for almost 14 years, and I am deeply concerned about the negative impacts this development will have on our community, specifically traffic. I urge you to reject this rezoning without proper traffic changes to adjust to the bottle neck this will create.

I am a proponent to apartments even in my own backyard. However my biggest concern is this development will exacerbate traffic congestion in an area already challenged by suburban growth. This doesn't take into account that we are a one outlet community either. This will create safety hazards for pedestrians, cyclists, and families walking and driving to school and work.

Another concern in adding 3 bedroom apartments will bring in families, not just singles and students. That includes multi car families of adults and teenagers to add to the traffic problems we already have. Lastly, the fact that Albany has added so much housing from here to the menonite home and we have zero grocery stores on the south and southwest end of town. Where is the city development for that? I feel this development is not well thought out and I ask that you consider rejecting at this time until a better traffic plan can be created.

Respectfully,  
 Jodie and Eric Shilling  
 [REDACTED]

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**Cepello, Jennifer**

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**From:** Phillip Smith [REDACTED]  
**Sent:** Friday, January 2, 2026 6:25 PM  
**To:** Cepello, Jennifer  
**Subject:** Comment on Notice of Filing: 1190 53rd Ave, 1122 53rd Ave, 5310 Pacific Blvd

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

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

**To Whom It May Concern,**

I am writing as a concerned citizen to formally oppose the proposed mixed-use commercial zoning and the construction of a 100+ unit apartment complex at **1190 53rd Ave, 1122 53rd Ave, and 5310 Pacific Blvd in Albany, Oregon (97321)**.

While I understand the need for additional housing, this proposal raises serious concerns related to infrastructure capacity, neighborhood safety, and environmental impact in this area of Albany.

First, the roadways serving this location are not designed to accommodate the substantial increase in traffic that would result from a development of this size. The primary access routes into and out of the surrounding neighborhood already experience congestion during peak hours. Introducing hundreds of new residents, along with service vehicles and delivery traffic, will exacerbate congestion, increase safety risks for pedestrians and cyclists, and strain roads that were never intended to support high-density residential use.

Second, this area lacks the basic services needed to support a development of this scale. There is **no gas station within two miles**, and the **nearest grocery store is more than five miles away**. A development of this size would require residents to make longer vehicle trips for everyday needs, further increasing traffic volumes and undermining the goals of sustainable, walkable community planning.

Equally concerning are the **environmental impacts** associated with this proposal. The project area includes or directly abuts a **riparian corridor, wetlands, and portions of the floodplain**. These natural features play a critical role in stormwater management, groundwater recharge, and habitat protection. Increasing impervious surfaces and altering natural drainage patterns in or near these sensitive areas raises the risk of flooding, erosion, and long-term degradation of local ecosystems. Once disturbed, these environmental assets are difficult, if not impossible, to fully restore.

Finally, the surrounding neighborhood infrastructure - including schools, emergency services, utilities, and drainage systems - was not designed for a sudden and significant increase in population density. To date, there has been little clarity regarding how these impacts will be mitigated or who will bear the long-term costs.

Growth is important, but it should be carefully planned and responsibly located. Approving a large, high-density residential development in an area that lacks adequate transportation capacity, essential services, and environmental resilience risks creating lasting problems for both existing residents and future tenants.

I respectfully urge the planning commission and city leadership to reconsider this zoning change, require a comprehensive traffic and environmental impact analysis, and evaluate alternative locations better suited for high-density development.

Additionally, I understand that only the homes within 1,000 feet were provided notice to comment. I would strongly urge you to reconsider this – the impact of building on the corner of 53<sup>rd</sup> Ave and Pacific Blvd affects every resident that lives down 53<sup>rd</sup> Avenue (considering there is only one way in and out of the neighborhood): more than 500 single family homes, and the vast majority having multiple vehicles/multiple driver-age residents and dependents.

Thank you for your time and for considering the concerns of those who live in and care deeply about this community.

Sincerely,

**Phillip B Smith III, TPCP® CRPC® AIF®**

*Financial Planner*

[Schedule A Meeting](#)

450 Country Club Road Suite 350 | Eugene, OR 97401

Phone: 458.247.7665

Fax: 541.484.4271

Text: 541.249.7979

[tidepoolwealth.com](http://tidepoolwealth.com)

[phillip.smith@ceterawealth.com](mailto:phillip.smith@ceterawealth.com)



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**Cepello, Jennifer**

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**From:** Chris Spellings [REDACTED]  
**Sent:** Tuesday, December 23, 2025 9:01 AM  
**To:** Cepello, Jennifer

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Apartment buildings on 53rd SW

As a long time resident of Albany and specifically the Springmeadow development, I have several concerns.

1- Traffic impact. There is already a backup at the intersection of 53 rd and Pacific during peak periods. It is often necessary to wait through several cycles before entering Pacific.

Traffic on Pacific has been increasing steadily and will increase even more so as development on Ellingson is completed.

2- Wetland impact- how will this be mitigated? Much of the area where building is planned is a designated riparian area and home to a variety of wildlife.

3- School impact. Will new schools be planned to house these incoming students. As far as I can see, there is no room on the campuses of Liberty, Memorial or West Albany to add more classrooms.

4- Most importantly, Emergency Evacuation. How will all these additional people affect the exit strategy of the neighborhood in case of fire, flood or other disaster? It would seem that the additional 100+ vehicles they are planning for would significantly block the exit for the rest of the area. This really needs to be addressed by planners before this project is approved.

Thank you for your consideration.

Chris Spellings  
Deer Run Drive SW

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**Cepello, Jennifer**

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**From:** [REDACTED]  
**Sent:** Tuesday, December 23, 2025 12:39 PM  
**To:** Cepello, Jennifer  
**Subject:** 53rd Apts

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello. I would like to say I am very against the proposed apartments for 53rd St. I Live in Brookfield and feel there is already a lot of traffic on 53rd. I also have concerns about the wetlands. Thank you for your time.

Susan Normandin

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**Cepello, Jennifer**

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**From:** Melissa Riddell Turk [REDACTED]  
**Sent:** Tuesday, December 30, 2025 8:11 PM  
**To:** Cepello, Jennifer  
**Subject:** 1190 53RD AVE, 1122 53RD AVE, & 5310 PACIFIC BLVD

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Ms. Cepello:

I am writing with questions and concerns regarding the site plan review for the proposed apartment complex on SW 53rd & Pacific (specific address referenced above). Of greatest concern is the existence of only one entry and exit for the homes and neighborhoods off SW 53rd and the safety risks that presents to current residents. This is not simply a matter of convenience but could have life or death consequences should there be a need for evacuation of those homes/neighborhoods. The risk at the forefront of my mind is the risk associated with wildfires, in part because the City of Albany has already identified this area as being at risk and has even engaged in mitigation activities to address vegetation surrounding this area. Currently, there is one way in and out of this area and it is one lane in each direction. We've known this would be an issue in the event of the need for evacuation the addition of 108 dwelling units. It is estimated that on average each unit is associated with 1.3 to 2 or more vehicles. Given the lack of grocery stores and robust public transportation in this area of Albany, it seems likely there would be more vehicles rather than fewer. On an average day, this has the potential to create significant traffic considerations and delay, but would likely have dire consequences in the event of an emergency evacuation.

I'm curious what, if any, review has occurred to consider impact of additional traffic on the safety of those living in the current residences should evacuation be necessary. Before plans are approved, I ask that a comprehensive assessment occur and plans be implemented or modified to improve the safety of all residents living in this area.

Thank you in advance for your consideration of the above information.

Sincerely,

Melissa Riddell Turk

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**From:** Bev Weaver [REDACTED]  
**Sent:** Monday, December 22, 2025 11:04 AM  
**To:** CD – Customer Service <cd.customerservice@albanyoregon.gov>  
**Subject:** FW: Apartment Permits for 53rd Street In Albany Opposition

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**From:** Bev Weaver  
**Sent:** Monday, December 22, 2025 10:56 AM  
**To:** 'Jennifer.Cepello@albanyOregon.gov' <Jennifer.Cepello@albanyOregon.gov>  
**Subject:** Apartment Permits for 53rd Street In Albany Opposition

Jennifer:

**I would like to oppose the building of Apartments on the 3 parcels on 53<sup>rd</sup> street near the bowling alley in Albany.**

I live in the Spring Meadow's Subdivision and have the following concerns:

1. **Traffic and congestion** on 53<sup>rd</sup> street along with the 53<sup>rd</sup> Street and Highway 99/Pacific Blvd intersection. This traffic concern was addressed with the Morman church submitted to build on the property that is now the park. Traffic turning right onto Hwy 99 can not see to make a right-hand turn on red if any one is in the turn lane to turn onto 53<sup>rd</sup>, so that backs up. In addition, 53<sup>rd</sup> street is the only entrance and exit for the 650 homes of SpringMeadow plus the hundreds of homes in Brookfield. With the additional of over 100 living quarters this would put significant stress on exiting in case of an emergency.
2. **Encroachment of the Riparian.** Adding to the risk of pollution into Oak Creek and the Calapooia Rivers and disruption of Fish, Frogs, homes of Birds and Deer that habitat in the wetlands area of 53<sup>rd</sup>.
3. More entries onto the Oak Creek Nature trail use causing more erosion and exposure.
4. Loss of "Dead-end" privacy into the subdivisions – opportunity of drawing more crime into the secluded neighborhood.

Thank you for your considerations in denying approval to merge the 3 lots and permitting over 100 Apartments to be built.

Beverly J Weaver  
Homeowner

[REDACTED]  
[REDACTED]

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**Cepello, Jennifer**

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**From:** Kelly Weinberg [REDACTED]  
**Sent:** Tuesday, December 23, 2025 11:49 AM  
**To:** Cepello, Jennifer  
**Subject:** 108 Apartments off Pacific/53rd St.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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As a homeowner in the animal kingdom, I am wondering two things.

One is it sensible, let alone safe, to have only one entrance into this many dwellings? How will this affect the traffic out here?

Secondly, how is this going to affect the creek, wetlands, and the overall ecosystem of an area like this. We live on the side of the development that butts up to the wetlands and are not allowed to build on, take down any trees unless safety is at issue, or any changes other than managing tree limbs and such. We truly love our natured area out here.

We live more than 1000 ft. from this planned development, but it seems that this is poor planning in at least these two ways!

Just because a space is empty, do we really need more apartments? Affordable housing is what is needed in Oregon, not just more, more, more.

Kelly Weinberg

[Sent from Yahoo Mail for iPhone](#)

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**Cepello, Jennifer**

**From:** Dee Wendler [REDACTED]  
**Sent:** Saturday, December 27, 2025 5:52 PM  
**To:** Cepello, Jennifer  
**Subject:** Subject: 108 Unit Housing Development at 53rd & Pacific Blvd

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

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

Greetings,

We are submitting an email in opposition to the proposed housing development by Schneider Homes Inc. at the southwest corner of 53<sup>rd</sup> street and Pacific Boulevard in Albany, Oregon. The developer is proposing 108 apartment units with 156 adjacent parking spaces. The sole entry into the complex will be off 53rd street. The proposed layout shows 7 separate 3 story apartment buildings as well as a clubhouse and adjacent parking. We have several concerns with the proposed project:

1. Egress for the Spring Meadow and Brookfield Subdivisions. Over 450 homes are located in these subdivisions. There is one route for ingress and egress: 53<sup>rd</sup> street. The City is proposing adding an additional 108 units. This does not provide for adequate egress from the neighborhood in the event of an emergency evacuation due to flood or fire.
2. Increase in traffic congestion and negative impact on bicycle and pedestrian safety. The City has not completed a traffic study of the area since 2010. That was 16 years ago. Traffic on Pacific Boulevard (Highway 99E) has significantly increased since 2010 due to the rise in population. Adding these units so close to the intersection of 53<sup>rd</sup> & Highway 99E will significantly impact people's ability to get into and out of the Spring Meadow & Brookfield subdivisions. This is further impacted by the single proposed left turn from 53<sup>rd</sup> to enter the new apartment complex.
3. Zoning at the proposed site is MUC - Mixed-Use Commercial District. The definition of this zoning states, in part:
  - a. "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."
4. A few points related to this:
  - a. We haven't seen ANY mention of other mixed uses being added — only housing. No grocery stores, no offices, no personal services. If a grocery store did want to go in, where would they go, and where would be the entrance & exit for the traffic access? 53rd Street again? At this point, the ONLY land that will be left for any development of needed retail to support a population of over 550 would be the South Pacific property.
  - b. The housing that is proposed does NOT appear to be medium density - rather it is seven 3 story buildings of housing, 108 units total, plus a clubhouse, and 156 parking spaces. This increases housing served by 53rd street by 50%, just for residential alone - and that doesn't count any increased traffic for future retail to retain the "mixed use" designation.
  - c. In reading the City's Notice of Filing, the development will be in an area with overlay districts for "Riparian Corridor, Significant Wetlands, and Floodplain". How is the wetland designation being mitigated? Is the City allowed to override the Wetlands designation, given the abundant amount of birds, wildlife and the protected species of turtle found in the adjacent wetlands?
  - d. The developer has applied for an encroachment into the "riparian corridor" of Oak Creek, which runs along the south side of the property. Has the City confirmed that the Division of State Lands has given them permission for this? If so, who approved it, and when?
5. Lack of transparency and communication by the City. We are very disappointed in the City's lack of proactive communication and transparency regarding this proposed housing. It took a reporter's story to bring this matter to light -

and if the reporter hadn't, the apartments would likely have been passed by City Council before anyone in the adjacent 450 home neighborhood off 53rd street knew anything about it. If the City wants people to support development (and they should, since we do need it given growth), then they should strive for transparency and proactive communication and allow residents to have input on the planning process - not try to notify the minimum number of people required and pass it before anyone is aware and can bring up potential issues.

Please respond confirming receipt of this email.

Thank you,

*Denise I. Wendler*

*Charles C. Hays*



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**Cepello, Jennifer**

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**From:** Melinda Wooten [REDACTED]  
**Sent:** Monday, December 22, 2025 11:45 AM  
**To:** Cepello, Jennifer  
**Cc:** Curtis Wooten  
**Subject:** Comments on Application: SP-15-25, NR-03-25, RL-08-25

**Follow Up Flag:** Follow up  
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Hi Jennifer,

My husband and I are submitting public comment regarding the applications referenced above, which propose a 108-unit residential development on property located approximately 100 feet from our home on Alandale Avenue. We are strongly opposed to approval of this project.

Because our property directly abuts the proposed development area, this project would have a significant and direct impact on our daily lives. We are concerned about increased noise, light pollution, traffic, and the potential for trash and debris migrating into our neighborhood, even with proposed fencing or barriers. There is also concern about contaminating the aquifer which we rely on for drinking water.

Our most serious concern, however, is the impact this development would have on wildlife and the integrity of the greenbelt. When we purchased our home, it was our understanding that this property was part of a protected greenbelt area that helps with drainage in our neighborhood. That greenbelt plays an important role as a wildlife corridor and drainage area. We regularly observe deer, raccoons, opossums, owls, bats, and other wildlife moving through this space and onto our street.

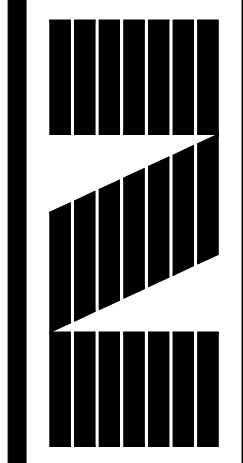
Preservation of green space was a significant factor in our decision to choose Albany and to purchase our home in this location. Albany's stated commitment to protecting natural resources and open spaces was something we valued and trusted. Approval of this project would represent a troubling departure from that commitment and would set a concerning precedent for future development on designated greenbelt land.

We respectfully request that the City deny approval of this project or, at a minimum, require a more rigorous evaluation of environmental impacts, wildlife displacement, drainage concerns, and neighborhood compatibility. We also question why alternative locations, such as the recently vacated commercial property near Pacific Boulevard and 53rd Avenue, are not being prioritized over development of sensitive greenbelt land, especially given the massive home developments east of Pacific Avenue.

Thank you for considering our comments. We understand housing is an issue in Albany but vehemently protest the use of greenbelt/greenbelt adjacent development. We appreciate the opportunity to provide input and hope the City will carefully weigh the long-term environmental and community impacts before making a decision.

Sincerely,  
 Curtis & Melinda Wooten

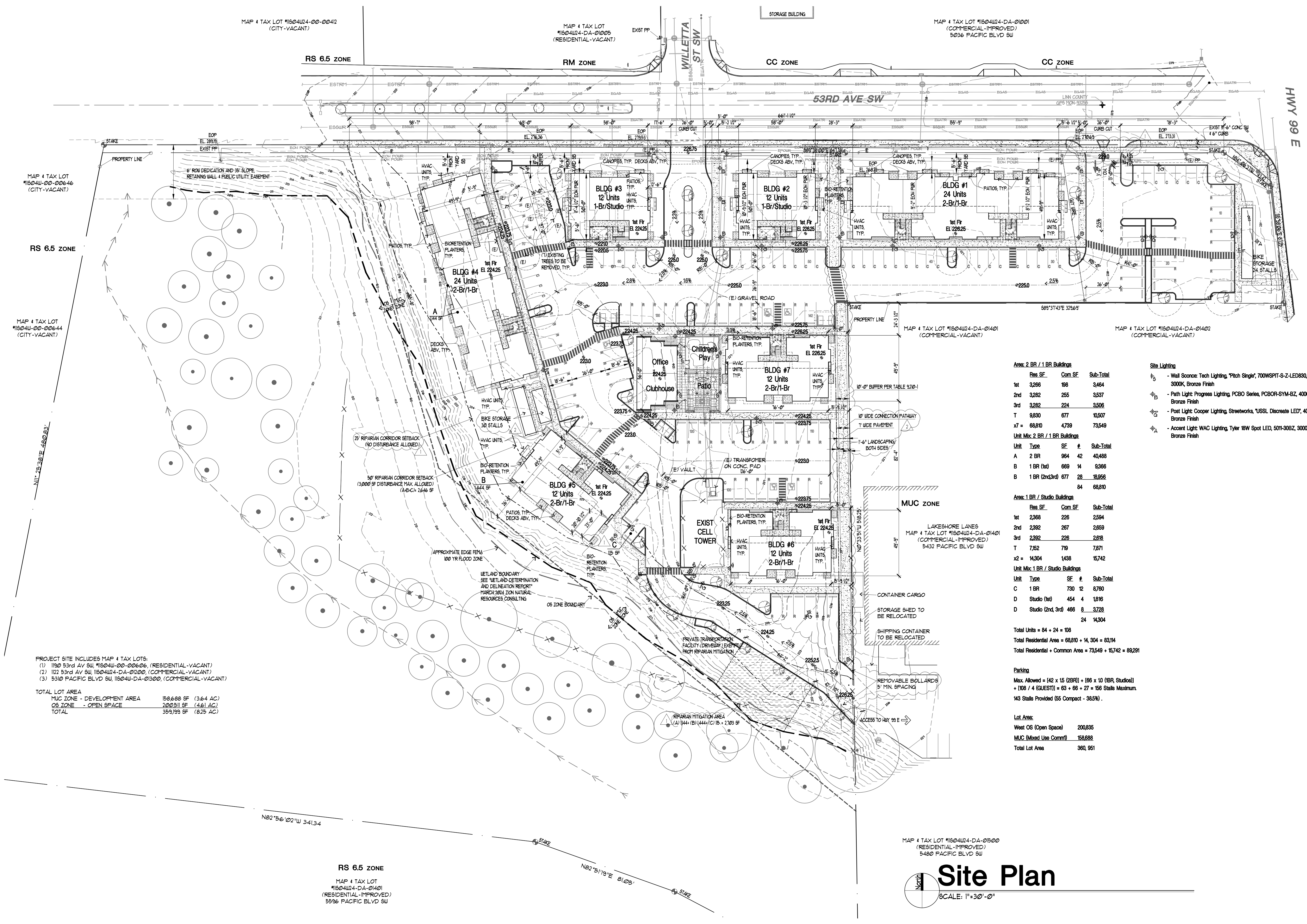
Melinda Wooten  
 KW Strategems



*Handwritten signature*

The Loren at Brookside  
Schneider Homes  
Albany, OR

A100



**Area: 2 BR / 1 BR Buildings**

|      | Res SF | Com SF | Sub-Total |
|------|--------|--------|-----------|
| 1st  | 3266   | 198    | 3,464     |
| 2nd  | 3282   | 255    | 3,537     |
| 3rd  | 3282   | 224    | 3,506     |
| T    | 9830   | 677    | 10,507    |
| x7 = | 68,810 | 4,739  | 73,549    |

**Unit Mix: 2 BR / 1 BR Buildings**

| Unit | Type           | SF  | #  | Sub-Total |
|------|----------------|-----|----|-----------|
| A    | 2 BR           | 964 | 42 | 40,488    |
| B    | 1 BR (1st)     | 669 | 14 | 9,366     |
| B    | 1 BR (2nd/3rd) | 677 | 26 | 18,956    |
|      |                |     | 84 | 68,810    |

**Area: 1 BR / Studio Buildings**

|      | Res SF | Com SF | Sub-Total |
|------|--------|--------|-----------|
| 1st  | 2368   | 226    | 2,594     |
| 2nd  | 2392   | 267    | 2,659     |
| 3rd  | 2392   | 226    | 2,618     |
| T    | 7,152  | 719    | 7,871     |
| x2 = | 14,304 | 1,438  | 15,742    |

**Unit Mix: 1 BR / Studio Buildings**

| Unit | Type              | SF  | #  | Sub-Total |
|------|-------------------|-----|----|-----------|
| C    | 1 BR              | 730 | 12 | 8,760     |
| D    | Studio (1st)      | 454 | 4  | 1,816     |
| D    | Studio (2nd, 3rd) | 466 | 8  | 3,728     |
|      |                   |     | 24 | 14,304    |

Total Units = 84 + 24 = 108  
 Total Residential Area = 68,810 + 14,304 = 83,114  
 Total Residential + Common Area = 73,549 + 15,742 = 89,291

**Parking**  
 Max. Allowed = (42 x 15 (2BR)) + (66 x 10 (1BR Studios)) + (108 / 4 (GUEST)) = 63 + 66 + 27 = 156 Stalls Maximum.  
 143 Stalls Provided (55 Compact - 38.5%)

**Lot Area:**

|                      |         |
|----------------------|---------|
| West OS (Open Space) | 200,835 |
| MUC (Mixed Use Comm) | 156,688 |
| Total Lot Area       | 360,951 |

PROJECT SITE INCLUDES MAP 4 TAX LOTS:  
 (1) 1120 53rd AV SW, 11504U-00-00606, (RESIDENTIAL-VACANT)  
 (2) 1122 53rd AV SW, 11504U24-DA-01000, (COMMERCIAL-VACANT)  
 (3) 5310 PACIFIC BLVD SW, 11504U-DA-01300, (COMMERCIAL-VACANT)

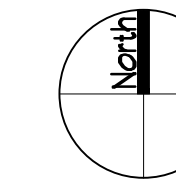
**TOTAL LOT AREA**

|                             |                      |
|-----------------------------|----------------------|
| MUC ZONE - DEVELOPMENT AREA | 150,688 SF (3.64 AC) |
| OS ZONE - OPEN SPACE        | 200,811 SF (4.61 AC) |
| TOTAL                       | 359,199 SF (8.25 AC) |

MAP 4 TAX LOT 11504U24-DA-01500  
 (RESIDENTIAL-IMPROVED)  
 5480 PACIFIC BLVD SW

# Site Plan

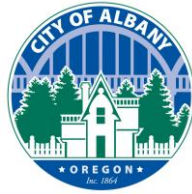
SCALE: 1" = 30' - 0"



RS 6.5 ZONE  
 MAP 4 TAX LOT 11504U24-DA-01401  
 (RESIDENTIAL-IMPROVED)  
 5536 PACIFIC BLVD SW

N82°56'02"W 341.34'

N82°51'19"E 210.5'



**CITY OF ALBANY, OREGON  
COMMUNITY DEVELOPMENT**

333 Broadalbin Street SW / PO Box 490, Albany, OR 97321-0144 | 541-917-7550 | [albanyoregon.gov/cd](http://albanyoregon.gov/cd)

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# ATTACHMENT 3

## Cepello, Jennifer

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**From:** Dee Wendler [REDACTED]  
**Sent:** Sunday, May 17, 2026 2:48 PM  
**To:** Community Development Testimony  
**Subject:** Written testimony for March 20, 2026 Planning Commission Meeting: SP-15-25, RL-08-25, & NR-03-25, Type III-Quasi-Judicial Process

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

Greetings,

My name is Denise Wendler, and I represent the Wendler Revocable Trust which owns property at [REDACTED], Albany, OR 97321. I am writing to oppose approval of the above Director's decision regarding a Site Plan Review to construct a 108-unit multi-dwelling development at the corner of SW 53<sup>rd</sup> Street and Pacific Boulevard in Albany, Oregon.

My arguments in opposition below will focus on one factor: the increase in vehicle traffic. As previously noted in emails from myself and other residents living in neighborhoods adjacent to the proposed project, the only access in and out of the Spring Meadow and Brookfield neighborhoods (over 450 homes) is 53<sup>rd</sup> street which is a two way arterial street with the only entrance/exit being a single stop light on Highway 99E/Pacific Boulevard. The approved plan proposes adding the entrance for an additional 108 apartments to 53<sup>rd</sup> street. This is not a feasible solution for the following reasons:

- 1) Increased traffic and lack of adequate vehicle parking for the 108 apartments: The plan for the apartment project proposes only 156 parking spots for 108 apartments, which in this location is insufficient, for the following reasons:
  - a. Even though the area is zoned mixed use, there is no shopping, grocery, and/or gas stations within a 5 mile radius; this will result in a significant increase in vehicle traffic on both 53<sup>rd</sup> and Pacific Blvd (99E).
  - b. The developer is proposing the 156 parking spaces for the apartments will be adequate, when supplemented by bicycle parking and public transit. Expecting people living in the apartments to bike or walk to jobs, retail, appointments, and school is not feasible, given the lack of supporting retail and commercial businesses within a 3 mile radius of the apartments.
  - c. The developer noted that the apartments could be served by public transit. Given the woefully poor access to public transit in South Albany, this is not feasible. Buses only run once per hour, and only operate from 6:30 a.m. to 6:30 p.m., which will not serve the needs of most individuals.
  - d. Given a. b. & c. above, where will the overflow vehicles from the apartments park? There is NO street parking along 53rd Street. Thus, these vehicles will be forced to park within the Brookfield and Spring Meadow neighborhoods. Parking on surface streets in those neighborhoods is barely adequate now.
- 2) Lack of an impartial traffic study: The last traffic study done by the City was performed in 2010 – over 16 years ago!! There has been a significant increase in population and traffic in South Albany since then. The City should **NOT** rely on the developer's traffic study, but should perform a holistic traffic study for that area of South Albany. The traffic study needs to take into account the number of families living in areas served by 53<sup>rd</sup> street that have children, resulting in multiple trips per day in and out of the neighborhood.

- 3) Egress: Egress for the Spring Meadow and Brookfield Subdivisions is inadequate in the event of a major wildfire or other disaster. Over 450 homes are located in these two subdivisions, yet there is one route for ingress and egress: 53rd street. This does not provide for adequate egress from the neighborhood in the event of an emergency evacuation due to flood or fire. The City stated during testimony that “53rd Street is 20 feet wide, and could accommodate multiple lanes for egress in the event of an emergency”. Really?? Did the City take into account that there is a raised planter strip with trees that runs down the middle of 53rd from Pacific Boulevard to the Bridge, which would limit traffic to two lanes maximum?? Shame on the City for accepting the argument at face value, and not getting out and reviewing the site first hand!
  
- 4) Lack of planning for increased traffic associated with future retail: Again, this area is zoned mixed use. However, any addition of grocery stores, offices or service providers in the area will increase traffic even more. Traffic congestion will likely be seen as a deterrent to any prospective retail entity. Again, the City needs to perform a holistic traffic study and thoughtfully plan for mixed use expansion in South Albany, BEFORE there is an issue.
  
- 5) Impact of additional cars on pedestrian and bicycle traffic: The developer and the City note that the need for cars in the neighborhoods served by 53<sup>rd</sup> street will be lessened by increased use of bicycle and pedestrian modes of transportation. However, the developer is not proposing any additional controls or enhancements for bicycles or pedestrians.

In summary, the City of Albany needs to slow down approval of this proposed project, and take a holistic look at traffic and transportation concerns.

Thank you,  
Dee Wendler

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TO: Albany City Council

VIA: Peter Troedsson, City Manager

FROM: Sean Park, Information Technology Director

DATE: May 25, 2026, for the June 8, 2026, City Council Work Session

SUBJECT: Award of Contract for Next Generation Firewall Systems

A handwritten signature in blue ink, appearing to be "Sean Park".

**Purpose:**

To award a contract to Structured Communication Systems, Inc. to replace end-of-life firewall systems with next-generation firewalls that provide advanced protection to safeguard critical City infrastructure, prevent cyberattacks and data breaches, and ensure compliance with cybersecurity standards.

**Background/Discussion:**

The City of Albany has two primary datacenters which house technology systems that are critical to City operations including financial, public safety, and data storage systems. Each datacenter is protected by a primary and backup firewall system. Firewall systems serve as the first line of defense for the City's networks, and protect against unauthorized access, cyberattacks, and malicious traffic while monitoring and controlling communication between City systems and external networks. The current firewall systems were implemented in 2019 and will reach end of life on July 15, 2026, at which time they will no longer receive security updates or vendor support.

To strengthen cybersecurity, the City will replace its end-of-life firewall systems with next-generation firewalls that provide intrusion detection, advanced network access control, and real-time threat intelligence and response. These industry-standard advanced protections will reduce the risk of cyberattacks and disruptions to City services.

On March 23, 2026, the City advertised a competitive Request for Proposals (RFP) for Next-Generation Firewalls. The RFP and scope of work included firewall hardware, deployment, system integration, system configuration and maintenance training for staff, and vendor support. The City received two responsive, responsible proposals: Structured Communication Systems Inc., Clackamas, Oregon, and Xiologix, LLC, Tualatin, Oregon.

The City's selection review team was comprised of department representatives from Information Technology who scored the technical proposals based on cost, technical requirements, proposer references, project understanding and approach, project schedule and implementation plan, and experience and qualifications of the project team. The selection review team completed the process and determined Structured Communication Systems, Inc. as the apparent successful proposer with the highest

criteria score. The proposal met all cybersecurity technical requirements within the established budget.

#### Strategic Plan Impact:

The procurement of next-generation firewall systems supports the Safe City goal of ensuring a safe community by protecting people and property, and the Effective Government goal of effective and efficient delivery of services.

#### Budget/Staff Impact:

A five-year contract is estimated to cost approximately \$248,036.32.

On June 9, 2025, the City was awarded a Statewide and Local Cybersecurity Grant in the amount of \$255,560 for the purpose of acquiring next-generation firewall systems. This grant is awarded by the US Department of Homeland Security, Federal Emergency Management Agency and administered by the pass-through entity, Oregon Department of Emergency Management.

#### Staff Recommendation:

1. Adopt the attached resolution accepting the proposal and awarding a contract to Structured Communication Systems, Inc, for next-generation firewalls.
2. Authorize the information technology director to award and execute a contract with Structured Communication Systems, Inc. for a five-year term with an option to extend the contract an additional three, one-year terms.

#### Alternatives:

1. Do not approve or authorize the information technology director to award and execute a contract.

#### Attachments:

Resolution



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION AWARDING A CONTRACT TO STRUCTURED COMMUNICATION SYSTEMS, INC., FOR NEXT-GENERATION FIREWALL SYSTEMS; AND AUTHORIZING THE INFORMATION TECHNOLOGY DIRECTOR TO ENTER INTO A CONTRACT WITH STRUCTURED COMMUNICATION SYSTEMS, INC., FOR NEXT-GENERATION FIREWALL SYSTEMS

WHEREAS, current firewall systems will reach end of life on July 15, 2026; and

WHEREAS, firewall systems are required to safeguard the City's systems and data against unauthorized access, cyberattacks, and malicious traffic while monitoring and controlling communication between internal systems and external networks; and

WHEREAS, the City was awarded a Statewide and Local Cybersecurity Grant in the amount of \$255,560 for the purpose of acquiring next-generation firewall systems; and

WHEREAS, on March 23, 2026, the City advertised a competitive Request for Proposals (RFP) for Next-Generation Firewalls; and

WHEREAS, the objective was to enter into a contract with a qualified contractor to provide Next-Generation Firewall systems and support; and

WHEREAS, the RFP closed on April 23, 2026, the City received two responsive, responsible proposals: Structured Communication Systems, Inc., Clackamas, Oregon; and Xiologix, LLC, Tualatin, Oregon; and

WHEREAS, the City's selection review team was comprised of department representatives from Information Technology who scored the proposals based on cost, technical requirements, proposer references, project understanding and approach, project schedule and implementation plan, and experience and qualifications; and

WHEREAS, the final scores supported Structured Communication Systems, Inc., as the apparent successful proposer and the selection review team recommends Council award a contract for next-generation firewall systems and support services to Structured Communication Systems, Inc., for an initial five-year term.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council hereby accepts the proposal and awards a contract to Structured Communication Systems, Inc., for next-generation firewall systems over a five-year term, with the option to extend the contract an additional three, one-year terms; and

BE IT FURTHER RESOLVED that the information technology director is hereby authorized to sign a contract with Structured Communication Systems, Inc., for next-generation firewalls.

DATED AND EFFECTIVE THIS 8TH DAY OF JUNE 2026.


\_\_\_\_\_  
Mayor

ATTEST:

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



**TO:** Albany City Council

**VIA:** Peter Troedsson, City Manager 

**FROM:** Anne Catlin, Comprehensive Planning Manager  
Matthew Ruetters, Community Development Director

**DATE:** June 1, 2026 for the June 8, 2026, City Council Work Session

**SUBJECT:** Grant Application Support– DLCD UGB Technical Assistance Grant

**Purpose:**

Demonstrate city support for a technical assistance grant from the Department of Land Conservation and Development (DLCD) to analyze the city’s wetland mitigation needs and site analysis for wetland mitigation banks in the city’s Urban Growth Boundary (UGB) through the attached Resolution.

**Background/Discussion:**

Senate Bill 5528 (2025 Session) appropriated additional funding to the Housing and Accountability and Production Office (HAPO) within the Department of Land Conservation and Development (DLCD) to provide technical assistance grants. HAPO is providing a one-time grant opportunity to reduce land use barriers to housing, such as wetlands, and support comprehensive planning for land within city’s urban growth boundaries (UGBs) outside city limits.

The cost of mitigating wetlands creates obstacles to development within the city’s UGB. When wetlands are impacted by development and cannot be avoided on-site, developers must either mitigate on-site and/or purchase mitigation bank credits. While Albany is served by several mitigation banks, credits are limited and the banks also serve Linn, Benton and Lane counties. Bank credits are currently \$160,000 an acre, so Albany development is enhancing water resources in other jurisdictions outside rather than within the city’s UGB.

To ensure an ongoing supply of mitigation credits at a reasonable price and to increase certainty and improve timing of wetland permitting processes, Oregon Cascades West Council of Governments (OCWCOG) hired consultants to prepare a Wetland Mitigation Feasibility Study for Linn and Benton Counties (study) for a 20-year period. The study was completed in October 2022 and minimally revised in October 2023 following the Supreme Court decision in the case of *Sackett v. EPA*. (The study does not include information regarding how the *Sackett* decision may impact wetland mitigation processes in Oregon. )

The 2022 OCWCOG study estimated the amount of mitigation credits that may be needed to accommodate growth in the two-county area and assessed potential wetland mitigation bank sites in watersheds that include both counties. After estimating mitigation credit demand and supply,

the study determined that as of April, 2022, 249 to 417 additional mitigation bank credits will be needed over the 20-year period for development in Linn and Benton counties depending on the pace of growth. Albany's projected mitigation credit demand was between 70 to 75 acres.

Due to the lack of mitigation bank credits in the two-county area, staff propose applying for the DLCD UGB technical assistance grant to further analyze Albany's wetland mitigation needs within Albany's UGB and make specific recommendations on a site-by-site basis for on-site mitigation and mitigation bank credit need and opportunities within the UGB. Additionally, the grant would evaluate city owned property for potential wetland mitigation bank opportunities, costs to establish, and potential mitigation credit generation.

The timing of the UGB technical assistance grant opportunity aligns well with the update to Albany's LWI and riparian area maps over the next twelve months thanks to a wetland technical assistance grant from DLCD in late 2025.

Further analysis of Albany's wetlands and mitigation needs will help the city guide sustainable growth while protecting and enhancing the city's significant natural resources and to ensure compliance with state and federal laws.

**Budget/Staff Impact:**

The Technical Assistance Grant does not require a local match, however involvement from City staff throughout the analysis will be required.

**Attachment:**

1. Resolution



RESOLUTION NO. \_\_\_\_\_

A RESOLUTION IN SUPPORT OF A TECHNICAL ASSISTANCE GRANT APPLICATION TO THE DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT (DLCD) FOR ASSESSING WETLAND MITIGATION OPPORTUNITIES IN THE ALBANY AREA.

WHEREAS, the Department of Land Conservation and Development (DLCD) provides resources to help Oregon communities prepare and update local land use plans and implementing ordinances to respond to growth management and resource protection issues; and

WHEREAS, DLCD's Housing and Production Accountability Office (HAPO) received funding from the Oregon legislature to provide technical assistance grants to cities to support comprehensive planning within urban growth boundaries (UGBs); and

WHEREAS, most of Albany's vacant and undeveloped land the Albany UGB contain wetlands, which present obstacles to development due to mitigation costs and availability of mitigation bank credits; and

WHEREAS, to ensure an ongoing supply of mitigation credits at a reasonable price and to increase certainty and improve timing of wetland permitting processes, the Oregon Cascades West Council of Governments hired consultants to prepare a Wetland Mitigation Feasibility Study for Linn and Benton Counties which was completed in October, 2022; and

WHEREAS, the OCWCOG study concluded that between 249 to 417 additional mitigation bank credits are needed to 2042 to accommodate all development in Linn and Benton counties; and

WHEREAS, due to the lack of mitigation bank credits in the two-county area, the DLCD UGB technical assistance grant would further analyze Albany's wetland mitigation needs within Albany's UGB, make specific recommendations on a site-by-site basis for on-site mitigation and mitigation bank credit need and opportunities within the UGB, and evaluate city owned property for potential wetland mitigation bank opportunities, costs to establish, and potential mitigation credit generation; and

WHEREAS, the grant application requires official "local support" of the grant application, and this resolution meets the requirement of such support; and

NOW, THEREFORE, BE IT RESOLVED by the Albany City Council that the council endorses the submittal of a technical assistance grant application to DLCD for analyze wetland mitigation opportunities; and

DATED THIS 8TH DAY OF JUNE 2026.


\_\_\_\_\_  
Mayor

ATTEST:

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



**TO:** Albany City Council

**VIA:** Peter Troedsson, City Manager 

**FROM:** Kim Lyddane, Director of Albany Parks and Recreation

**DATE:** May 29, 2026, for the June 8, 2026, City Council Meeting

**SUBJECT:** Intergovernmental Agreement with Linn County Regarding Simpson Timber Property

**Purpose:**

The purpose of this memo is to request City Council’s review and approval of an Intergovernmental Agreement (IGA) between the City of Albany and Linn County related to patrol and enforcement activities on the Simpson Timber property located within the City of Millersburg.

**Background/Discussion:**

The City of Albany holds a conservation easement over the Simpson Timber property. Recently, the site has experienced significant illegal camping, dumping, and associated criminal activity. These issues violate the terms of the easement and negatively affect both Albany and Millersburg.

Linn County is the agency responsible for patrolling within the City of Millersburg. To restore proper enforcement and ensure long-term easement compliance, the City and County have collaborated on the attached IGA to clarify responsibilities for ongoing law enforcement services.

**Strategic Plan Impact:**

This effort supports several areas identified in the strategic plan including Safe and Engaged Community and High-Performing Government.

**Budget/Staff Impact:**

While the Albany Police Department will now be the primary responder to Linn County properties within the Albany city limits, they will not longer be the primary at the Simpson Timber Property. After the initial clean-up efforts, Linn County will provide more continuous monitoring that will deter new camps from establishing on the property. These changes will result in time savings for both Albany Police and the Parks and Recreation Department.

**Staff Recommendation:**

Staff recommends that City Council authorize the City Manager to execute the Intergovernmental Agreement with Linn County regarding the Simpson Timber property.

**Alternative:**

1. Do not enter the IGA and continue to have Albany Police Department operate outside of their jurisdiction at the Simpson Timber property in the Millersburg city limits.

**Attachments:**

1. IGA with Linn County

## **INTERGOVERNMENTAL AGREEMENT**

This Agreement is made and entered into upon execution by and between LINN COUNTY OREGON (hereinafter called "COUNTY"), a political subdivision of the State of Oregon, and the CITY OF ALBANY, OREGON, a municipal corporation organized under the laws of the State of Oregon (hereinafter called "CITY").

### **RECITALS**

- A.** WHEREAS, ORS 190.003 et.seq. provides for intergovernmental cooperation in the interest of furthering economy and efficiency of local units of government; and
- B.** WHEREAS, ORS 190.003 for purposes of such intergovernmental cooperation defines a unit of local government as including a county, city, district, or other public corporation, commission, authority, entity organized and existing under statute of county or city charter; and
- C.** WHEREAS, ORS190.010 provides that a unit of local government may enter into a written agreement with any other unit or units of local government for the performance of any or all functions and activities that a party to the Agreement, its officers or agencies, have authority to perform; and
- D.** WHEREAS, the CITY is the grantee of a conservation easement ("Easement") over property located within the city limits of the City of Millersburg known as the Simpson Timber property ("Property"); and
- E.** WHEREAS, the COUNTY is the agency charged with patrolling the City of Millersburg; and
- F.** WHEREAS, The Property has become the subject of illegal camping, dumping and criminal activity which is a violation of the Easement and negatively impacts both the CITY and Millersburg; and
- G.** WHEREAS, in an effort to further economy and efficiency, the parties hereto wish to jointly provide future guidance regarding the patrolling and cleanup of the Property.

NOW, THEREFORE, in consideration of the mutual promises contained herein, COUNTY and CITY agree as follows:

### **AGREEMENT**

- A.** CITY agrees to have the Property cleaned up including the removal of any and all camps, campers, belongings, trash and the limited clearing of brush from the Property at CITY'S sole cost and expense.

- B. CITY further agrees to provide notices to persons living on the Property of potential assistance and resources available for people suffering from drug addiction.
- C. COUNTY agrees that upon notice from CITY to COUNTY that the Property has been cleaned up, Property will return to the County's jurisdiction for enforcement and law enforcement services, including response to calls for service, criminal investigations, and patrols..
- D. CITY agrees that it will notify COUNTY anytime it is made aware of people illegally camping on the Property as part of CITY's ongoing Easement obligations.
- E. Neither the COUNTY nor the City of Millersburg is subject to any obligations or liability under the CITY's Easement, including preservation and future clean-up costs or responsibilities. Nothing in this Agreement should be construed as waiving any claim, right, or defense of the COUNTY or the City of Millersburg.

**IN WITNESS WHEREOF**, the parties hereto have caused this instrument to be executed in duplicate by the duly authorized persons whose signature appear below. Each party, by the signature below of its authorized representative, hereby acknowledges that it has read this Agreement, understands it, and agrees to be bound by its terms and conditions. Each person signing this Agreement represents and warrants to have the authority to execute this Agreement.

**City of Albany**

**Linn County**

\_\_\_\_\_  
Peter Troedsson, City Manager

\_\_\_\_\_  
Michelle Duncan, Sheriff

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date