

ORDINANCE NO. 4678

AN ORDINANCE AMENDING ORDINANCE NO. 4502 TO AMEND THE ALBANY ECONOMIC DEVELOPMENT DISTRICT URBAN RENEWAL AREA BOUNDARY TO INCLUDE APPROXIMATELY 126.68 ACRES LOCATED GENERALLY SOUTH OF LBCC AND ALLEN LANE, WEST OF PACIFIC BOULEVARD, AND EAST OF LOONEY LANE.

WHEREAS, under the provisions of ORS Chapter 457, the City Council of the City of Albany has established an Urban Renewal Agency and designated the City Council as the agency to carry out the provisions of ORS Chapter 457, and

WHEREAS, the Albany-Millersburg Economic Development Commission has requested that the subject property be included in the Urban Renewal Area, and

WHEREAS, the recommended inclusion of this property remains within the ORS stipulation that for cities under 50,000 population not more than 25% of the total land area of the city may be included in urban districts and that future additions to the districts must be limited to not more than 20% of the original land area of the district (314 acres), and

WHEREAS, the Albany Planning Commission on March 4, 1985 did hold a public hearing in accordance with 5.010 of Article V of the Albany Economic Development District Urban Renewal Plan and subsequently recommended that the City Council approve inclusion of this property in the Urban Renewal Area,

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

Section 1: The property described in the attached Exhibit A pertaining to property located generally south of LBCC and Allen Lane, west of Pacific Boulevard, and east of Looney Lane is hereby included as a part of the Albany Economic Development District Urban Renewal Area.

Passed by the Council: April 10, 1985

Approved by the Mayor: April 12, 1985

Effective Date: May 10, 1985

ATTEST:

Tom Holman
Mayor

W. J. ...
City Recorder

ANNEXATION SOUTH OF ALLEN LANE
November 21, 1984
CORRECTED FEBRUARY 7, 1985

Beginning at the southeast corner of Section 25 in Township 11 South and Range 4 West of the Willamette Meridian, Linn County, Oregon;

Thence west along the south boundary of Section 25 to the west right-of-way of Looney Lane;

Thence north along the west right-of-way line of Looney Lane to the westerly extension of the south right-of-way line of Allen Lane;

Thence east along the south right-of-way line of Allen Lane 1,393.65 feet more or less to the northeast corner of the parcel described in Volume 328, Page 660 Linn County deed records;

Thence south along the east property line of said parcel 475 feet more or less to the north property line of the parcel described in Volume M.F. 348, Page 925 Linn County deed records;

Thence east along the north property line of said parcel to the east right-of-way of U. S. Highway 99 East;

Thence south along the east right-of-way line of said highway to the north right-of-way line of County Road No. 351;

Thence east along the north right-of-way line of County Road No. 351 to the east right-of-way line of Southern Pacific Railroad;

Thence south along the east right-of-way line of Southern Pacific Railroad to the south right-of-way line of County Road No. 351;

Thence west along the south right-of-way line of County Road No. 351 to the point of beginning.

ORC 4078

FINDINGS RELATIVE TO THE
ALBANY ECONOMIC DEVELOPMENT DISTRICT
URBAN RENEWAL PLAN AND REPORT, MAY 1982

The following specific Findings relate the proposed district boundary amendment to the adopted Plan and Report, Ordinance No. 4502.

PART I - THE PLAN

Article I - Introduction:

1.010 Legal Authority. This amendment has been prepared pursuant to Oregon Revised Statute (ORS) Chapter 457. The amendment has been proposed for adoption by the Albany City Council following public hearings by the City Council and Planning Commission. The City Council will continue to administer the Plan acting in its capacity as the local Urban Renewal Authority, otherwise known as the Albany Redevelopment Agency (A.R.A.).

According to ORS Chapter 457, there are three statutory provisions which limit the A.R.A.'s ability to expand the urban renewal district or create new districts:

1. ORS 457.220 places an ultimate limit on land which can be cumulatively added to a district by amendment. That limit is 20% of the total original land area of the district which in Albany's case, is 1,574 (original acres) x 20% = 314.8 acres. The proposed amendment is 126.68 acres or 8% of the original land area of the district.
2. ORS 457.420 (2)(b)(A) limits the size of an urban renewal district by "25% of the total assessed value of that municipality, exclusive of any increased assessed value for other urban renewal areas." The City of Albany's 1984 total assessed value minus the current A.R.A. increment is \$704,925,827. The frozen value of the original district is \$126,642,906 which, when added to the assessed value of the subject property, equals approximately 18% of the City's 1984 total assessed value. Adding the incremental value of the A.R.A. district of \$34,714,522 to the frozen based, this percentage increases to 23% of the City's total assessed value. However, we interpret the 18% figure as the limiting factor.
3. ORS 457.420 (2)(b)(B) limits the total land area within urban renewal districts in a municipality to 25% of the total land area of the municipality. The City of Albany currently has a total of approximately 7,503 acres. The current district is now 301 acres less than 25% of the City's total acreage. However, the recent adoption of the North Albany Urban Renewal District by Benton County included 109 acres in the City of Albany which leaves a balance of 192 acres. Therefore, the A.R.A., under present conditions, may add a maximum of 192 acres to the district. This amendment would leave a current allowable balance of 64.32 acres.

1.040 Declaration of Need and Intent. The subject property has been found to be characterized by the following blighted factors described in ORS 457.010(1):
(e) "The existence of inadequate streets and other rights-of-way, open spaces, and

utilities; . . . "

(f) "The existence of property or lots or other areas which are subject to inundation by water; . . . "

(h) "A growing or total lack of proper utilization of areas, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety, and welfare; . . . "

The City finds that, in order to correct the above described conditions on the subject property, it is in the best interests of the community to include the subject property within the Albany Economic Development District in order to extend the benefits of the District to the property and to facilitate its proper development.

1.050 Citizen Participation. This amendment has been reviewed and recommended by the Albany-Millersburg Economic Development Corporation and has been the subject of two public hearings. Notice of the Public Hearings has been by mail to affected property owners within a 300-foot radius of the subject property and by publication in the Albany Democrat-Herald.

1.070 Relationship To Local Objectives. This amendment fulfills the same objectives of the original Plan as specified in Section 1.070. In addition, the amendment is found to be consistent with all provisions of the Albany Comprehensive Plan.

Article II - The District:

2.010 Boundary. The adopted boundary of the original district, as described in Section 2.010, will be amended to include the area described in Exhibit A with adoption of the amendment ordinance.

Article III - Projects and Activities. A number of projects listed in the Plan will directly benefit the affected property such as improvement of 99E, traffic signals at 99E and Allen Lane, and extension of Allen Lane to the east with an improved railroad crossing. However, the addition of this property to the district may require projects not specifically listed in the Plan such as sewer, storm drainage, water, and street improvements comparable to other public improvements listed for industrial sites elsewhere within the district. Section 3.011 of the Plan identifies that potential projects "include, but are not limited to . . . " those specifically listed. Due to the similar nature of the potential projects to others listed in the Plan, it is not necessary to amend the Plan text at this time to carry out such projects.

3.013 - Acquisition and Redevelopment. Although it is not A.R.A.'s present intent to acquire the subject property; and whereas the adopted Plan provides for only limited acquisition and redevelopment activities, the City does wish to confer to the A.R.A. as a part of this amendment the authority to negotiate on a "willing seller" basis the acquisition of the subject property if it becomes appropriate to do so for the purposes of land assembly and redevelopment.

PART II - THE REPORT

Land Use. The proposed amendment does not substantially affect the Report section (Part II of the adopted Plan and Report). The existing conditions section is amended by the addition of 126.68 acres, all but one of which is undeveloped. The entire area is designated for Industrial Park use. The one developed acre contains a non-conforming residence in poor-to-fair condition. Public services to and within the property are presently non-existent or substandard and must be provided to enable development occur.

Financial Impact. If the amendment is approved, the total current assessed value of the property (approximately \$101,000) will continue to be the base upon which existing affected taxing districts will levy property taxes. As the value of this property increases due to new development or other factors, the incremental value above the frozen base will be taxed at the full rate but with all increment proceeds accruing to the Albany Redevelopment District. Thus, while the District remains in effect, the affected taxing districts (Linn County, City of Albany, G.A.P.S., E.S.D., L.B.C.C.) will not immediately benefit from any increases in this property's value. However, due to the planned industrial and business use of this property, it is not expected to place a burden on services other than what can be provided by the A.R.A. Moreover, following removal of this property from the District, all taxing districts will experience immediate base value increases which could be substantial if the property is fully developed. The adopted A.R.A. Economic Development District Report estimates termination of the district by 1994-95.

Conclusions. The proposed amendment complies with all provisions of ORS Chapter 457, the Albany Comprehensive Plan, and the Albany Economic Development District Urban Renewal Plan and Report. The amendment would facilitate much needed economic development activity within the mid-Willamette Valley.

Recommendation. Recommend approval of the proposed addition of the subject 126.68 acres to the Albany Economic Development District based upon the findings and conclusions presented in the staff report.

PLANNING COMMISSION RECOMMENDATION:

At its regular meeting on March 4, 1985, the Planning Commission unanimously recommended approval of the proposed 126.68 acre addition to the Albany Economic District Urban Renewal Area Boundary based upon the findings and conclusions presented in the staff report.