

July 10, 2014

City of Canby  
Development Services Department  
PO Box 930  
Canby, OR 97013

ATTN: Bryan Brown, Planning Director

RE: SE 13<sup>th</sup> Avenue Annexation and Development Concept Plan; ANN14-02/ZC 14-02

Dear Bryan,

Based upon a recent meeting between Dan Stoller and Ralph Netter, two owners in the SE 13<sup>th</sup> Avenue Annexations Request, and Matilda Deas, Canby Senior Planner and Parks Planner, the City Planning Department and the property owners are in agreement that a park of 3.429 acres is no longer needed or preferred in the SE 13<sup>th</sup> Avenue Development Concept Plan. Therefore, the property owners requesting annexation along SE 13<sup>th</sup> Avenue would like to request that the City Council consider a revision to the Development Concept Plan reducing the proposed park size from 3.429 acres to 1.215 acres.

Since this annexation application was submitted in February, City Staff has been working toward acquiring a large parcel of land that will satisfy much of the City's parks needs for the coming years. Due to this other large park acquisition, we understand that Staff prefers that less land be dedicated from this annexation area than is shown in the current Development Concept Plan (DCP). This would allow for more Park SDC money to be collected from future development in this annexation area and would allow those funds to be used to fund improvements in other city parks that have not yet been improved. Also, the Parks Department's maintenance budget has been reduced and there is currently less staff available for park maintenance. Although this is likely a short term problem, it is possible that if this annexation request is approved in 2014 that the budgetary problem may not be solved by the time this park would be dedicated to the City. Creation of another 3+ acre park may stretch the Parks Maintenance Staff beyond their ability to maintain city parks to an acceptable level.

The City's main desire for the Stoller property is to retain a large stand of mature fir trees in the NE corner of their property where the bike path on the Baker Prairie Middle School property and the Logging Road Trail pathway meet. The fir trees are a unique feature in the SE 13<sup>th</sup> Avenue DCP area and it is anticipated the park would be used as a destination for people from all over Canby to picnic or rest when using these two trails. In addition to being a wayside for the pathways, the park will include passive recreational opportunities such as walkways, picnic tables, and benches. The park will also allow neighborhood residents to give their children a little more space to run, throw a ball or a Frisbee than is available on a typical lot.

The smaller 1.215 acre park being proposed would maintain the majority of the fir trees that would be retained by the 3.429 acre park. What would mostly be eliminated is the larger open space proposed in between the trees and the future street to the west. The Stollers want to keep as many of the fir trees as possible as they help hide the large bridge structure that was recently constructed to take the Sequoia Parkway extension over the railroad tracks and they have concerns that the bridge structure may be a deterrent when people are looking to purchase future homes on their property.

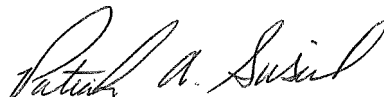
Based on preliminary layouts, it is believed that the Stoller property could be subdivided into approximately 45 additional lots when developed. Based on the City of Canby's park dedication formula, at 0.01 acres/person, 2.7 persons per single family residence and 45 new residences, a 1.215 acre park would be necessary to satisfy the park needs for 45 new lots on the Stoller property. That is the rationale for reducing the park dedication to 1.215 acres. Future developments on the other properties in the DCP area would satisfy their park SDC fee obligation through payment of the City of Canby Park system development fee. The current Park SDC fee is nearly \$5,000 per single family home.

Reducing the scale of the park to 1.215 acres also greatly simplifies the most difficult task facing the annexation property owners. During the creation of the SE 13<sup>th</sup> Avenue Development Concept Plan, the singular most difficult task encountered was how to properly resolve the inequity associated with creating a large park on the Stoller property and no park on the property owned by the other owners in the DCP area. A large park on the Stoller property both increased the number of lots other property owners could have on their property and reduced the number of lots the Stollers could have on their property. In order to balance the inequity, a process and methodology had to be developed as to how, when and at what amount the Stollers would be compensated by the other property owners. A development agreement was going to have to be created between the property owners and recorded that established the process and methodology.

Initially this task did not seem that it was going to be so difficult, but it proved to be extremely difficult, the single most difficult task associated with this entire Development Concept Plan. Much of the difficulty arose due to the fact that future land values are unknown at this time. The value of the park land has to be established at the time the land is dedicated to the City. Having the Stollers dedicate the park land today is not an option as the current County zoning on the property prevents division of the land. Not knowing when the property will be annexed nor when the park land will be dedicated makes it impossible to establish a firm value for the park as land values are subject to change. If the Stoller parcel is the last parcel annexed, rather than the first, determining the amount of reimbursement owed to the Stollers by the other contributing property owners becomes a guess based on projected property values. Reducing the park size down to 1.215 acres and to where it will only satisfy the park obligation for the Stoller property eliminates the need for the owners to reimburse the Stollers and it eliminates the need to create a development agreement between the property owners.

For all of the reasons stated above, we feel that the preferred plan is to reduce the size of the park in the Development Concept Plan from 3.429 acres to 1.215 acres. The reduction in park area would not only modify the park, but it would also affect proposed streets and utilities in the NE corner of the DCP area. New DCP plan sheets are submitted with this letter so that you and the City Council can see how the reduction in park size affects other City facilities in the SE 13<sup>th</sup> Avenue Development Concept Plan.

Sincerely,

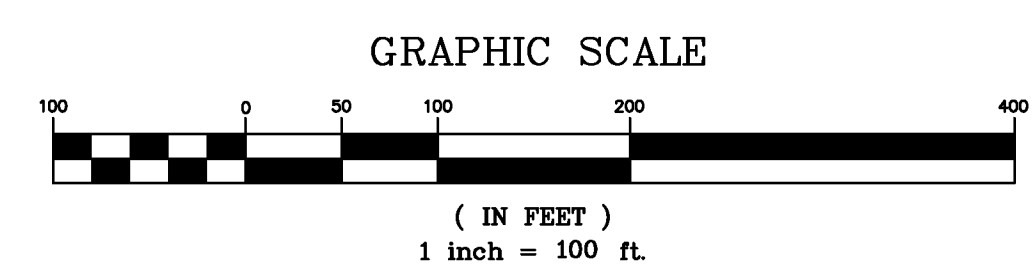
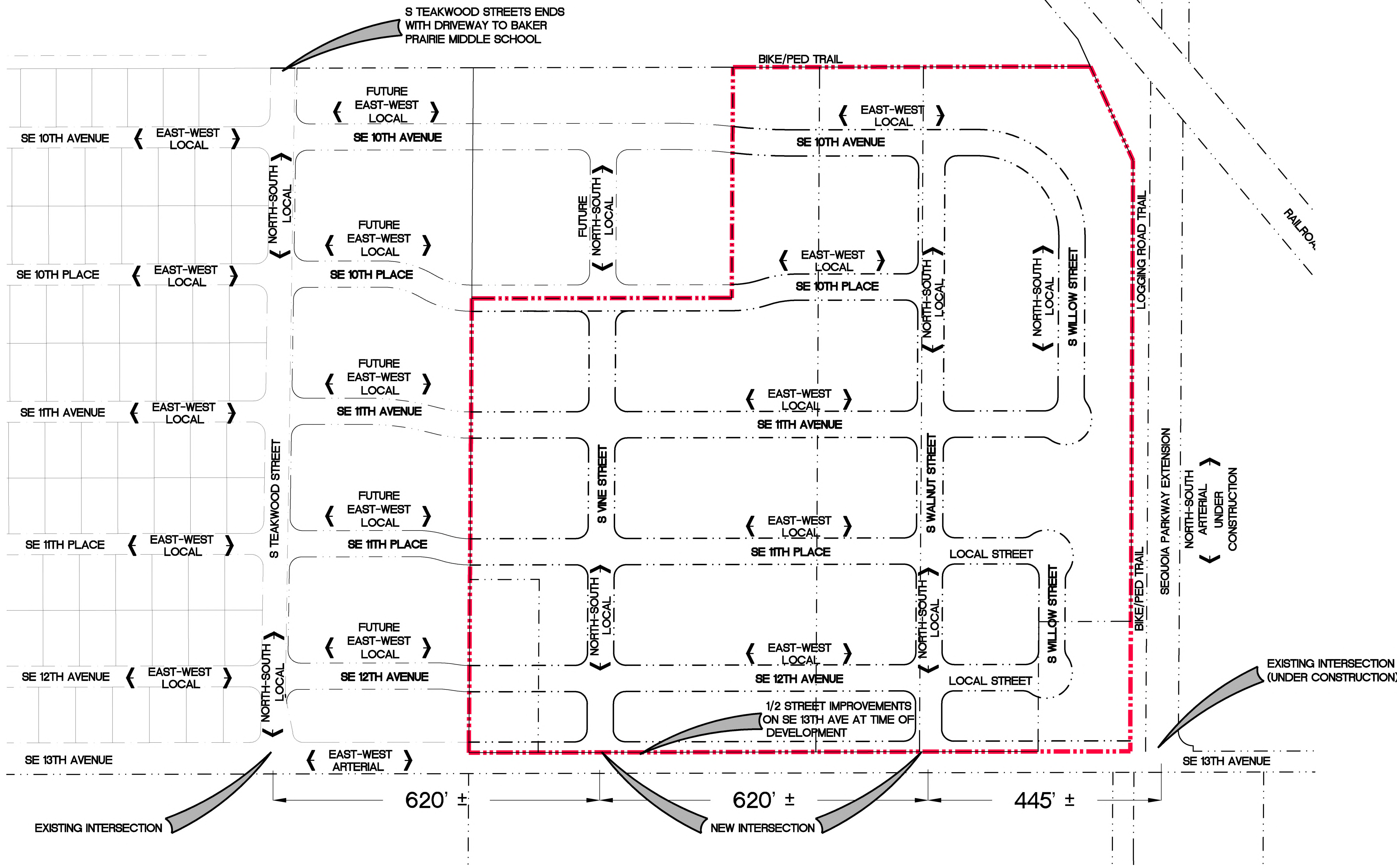
A handwritten signature in cursive script, reading "Patrick A. Sisul".

Patrick A. Sisul, PE

Enc.

Email: SE 13<sup>th</sup> Avenue property owners





REVISIONS	BY
REVISE BOUNDARY 5-5-14	PS
REVISE PARK BOUNDARY 7-10-14	PS

**SE 13th Avenue Concept Plan**  
**SE 13th Avenue Property Owners**

BOYLE, MARCUM, NETTER, RICE & STOLLER

**Street Plan**

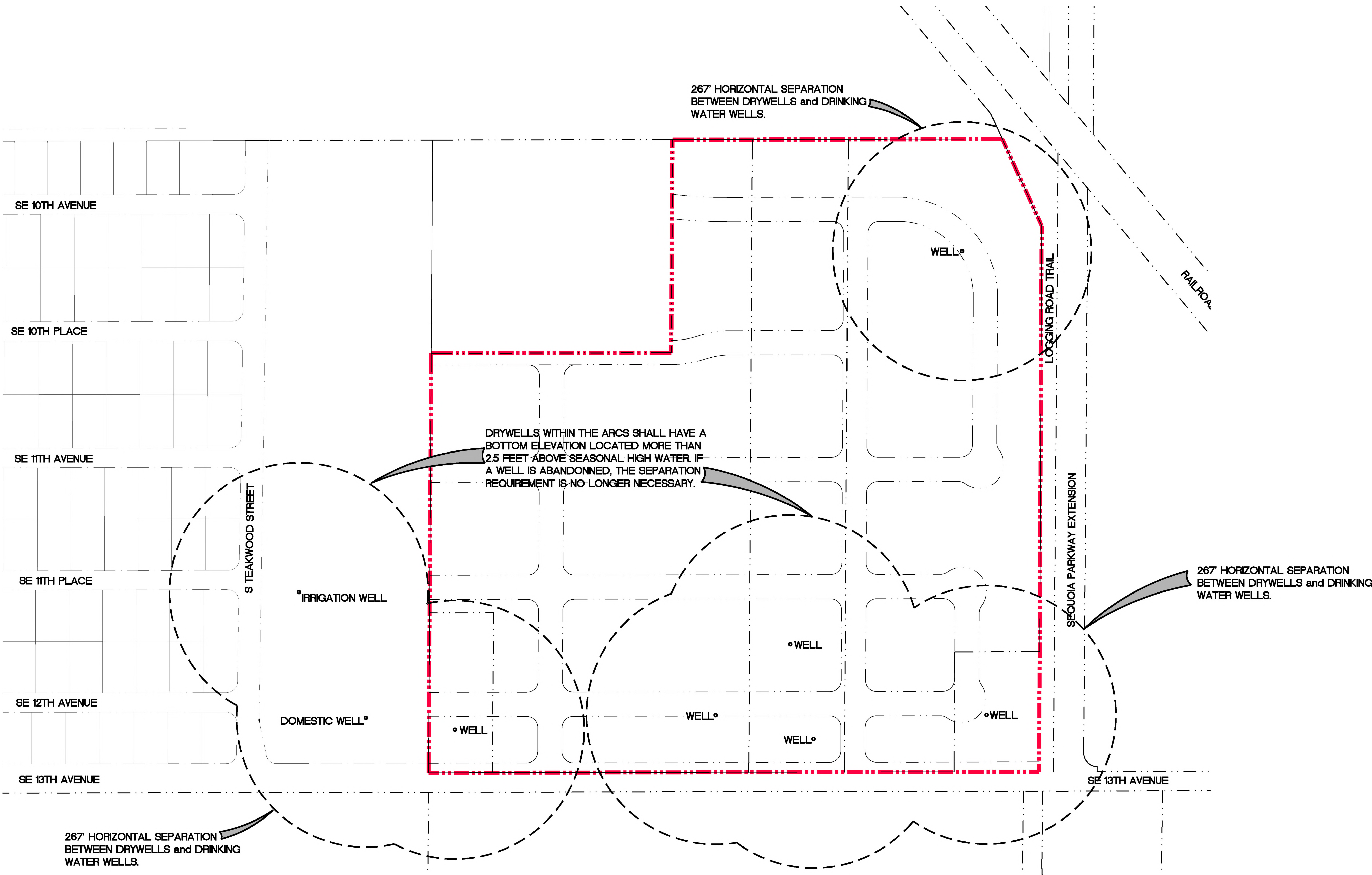
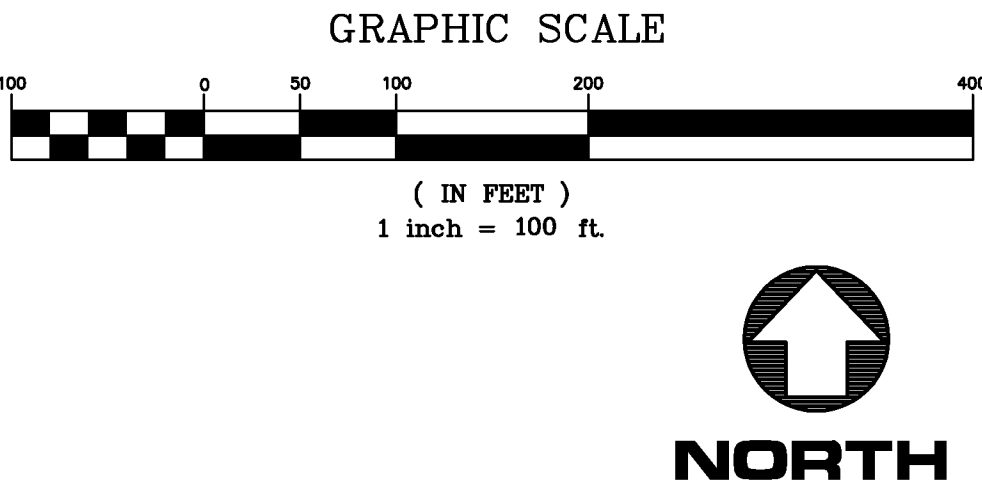
**SISUL ENGINEERING**  
3715 PORTLAND AVENUE  
CLATSOP, OREGON 97027  
(503) 687-0188

DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	<b>4</b>
OF 9	SHEETS



1. STORMWATER FROM PUBLIC STREETS WILL BE DISPOSED OF THROUGH THE USE OF DRYWELLS. DRYWELLS WILL BE PUBLIC, OWNED AND MAINTAINED BY THE CITY OF CANBY.
2. UPSTREAM OF THE DRYWELLS, CATCH BASINS WITH SUMPS AND POLLUTION CONTROL MANHOLES WILL BE USED AS WATER QUALITY TREATMENT DEVICES TO PROLONG THE LIFE OF THE DRYWELLS. WATER QUALITY TREATMENT DEVICES WILL BE PUBLIC, OWNED AND MAINTAINED BY THE CITY OF CANBY.
3. SUMPED CATCH BASINS, POLLUTION CONTROL MANHOLES AND DRYWELLS ARE THE MOST PREFERRED METHOD OF STORM WATER TREATMENT AND DISPOSAL BY THE CITY OF CANBY PUBLIC WORKS DEPARTMENT.
4. DRYWELLS INCLUDED ON THE CITY OF CANBY'S WATER QUALITY PERMIT WITH DEQ MUST HAVE ADEQAUTE SEPARATION FROM DRINKING WATER WELLS. THE CITY OF CANBY STORMWATER MASTER PLAN HAS DETERMINED THAT ADEQUATE SEPARATION IS EITHER 267 FEET HORIZONTALLY OR 2.5 FEET VERTICALLY ABOVE THE SEASONAL HIGH WATER TABLE.

5. AS DEPICTED ON FIGURE 4 IN APPENDIX A OF THE CANBY STORMWATER MASTER PLAN, THE DEPTH TO SEASONAL HIGH GROUNDWATER IN THE CONCEPT PLAN AREA IS BETWEEN 40 AND 50 FEET. TYPICAL DRYWELL DEPTH IS 26 FEET.
6. DRYWELLS IN NEIGHBORING SUBDIVISIONS TO THE WEST HAVE SHOWN THE ABILITY TO ACCOMODATE MORE THAN 1/2 ACRE OF PUBLIC STREET. DRYWELLS IN THIS AREA ARE ANTICIPATED TO ACCOMODATE A SIMILAR DRAINAGE AREA.
7. ROOF RUNOFF FROM SINGLE FAMILY HOMES WILL BE DISPOSED OF THROUGH THE INSTALLATION OF UNDERGROUND INJECTION CHAMBERS OR MINI-SUMPS LOCATED IN THE YARD AREA AROUND THE HOMES, AS IS TYPICAL WITH MOST HOMES IN CANBY. ROOF DRAIN DISPOSAL SYSTEMS ON INDIVIDUAL LOTS WILL BE PRIVATELY OWNED AND MAINTAINED.
8. NO DRAINAGEWAYS OR STREAMS ARE LOCATED IN THE DEVELOPMENT CONCEPT PLAN AREA.



REVISIONS	BY
REVISE: BOUNDARY 5-5-14	PS
REVISE: PARK BOUNDARY 7-10-14	PS

SE 13th Avenue Concept Plan

SE 13th Avenue Property Owners

BOYLE, MARCUM, NETTER, RICE & STOLLER

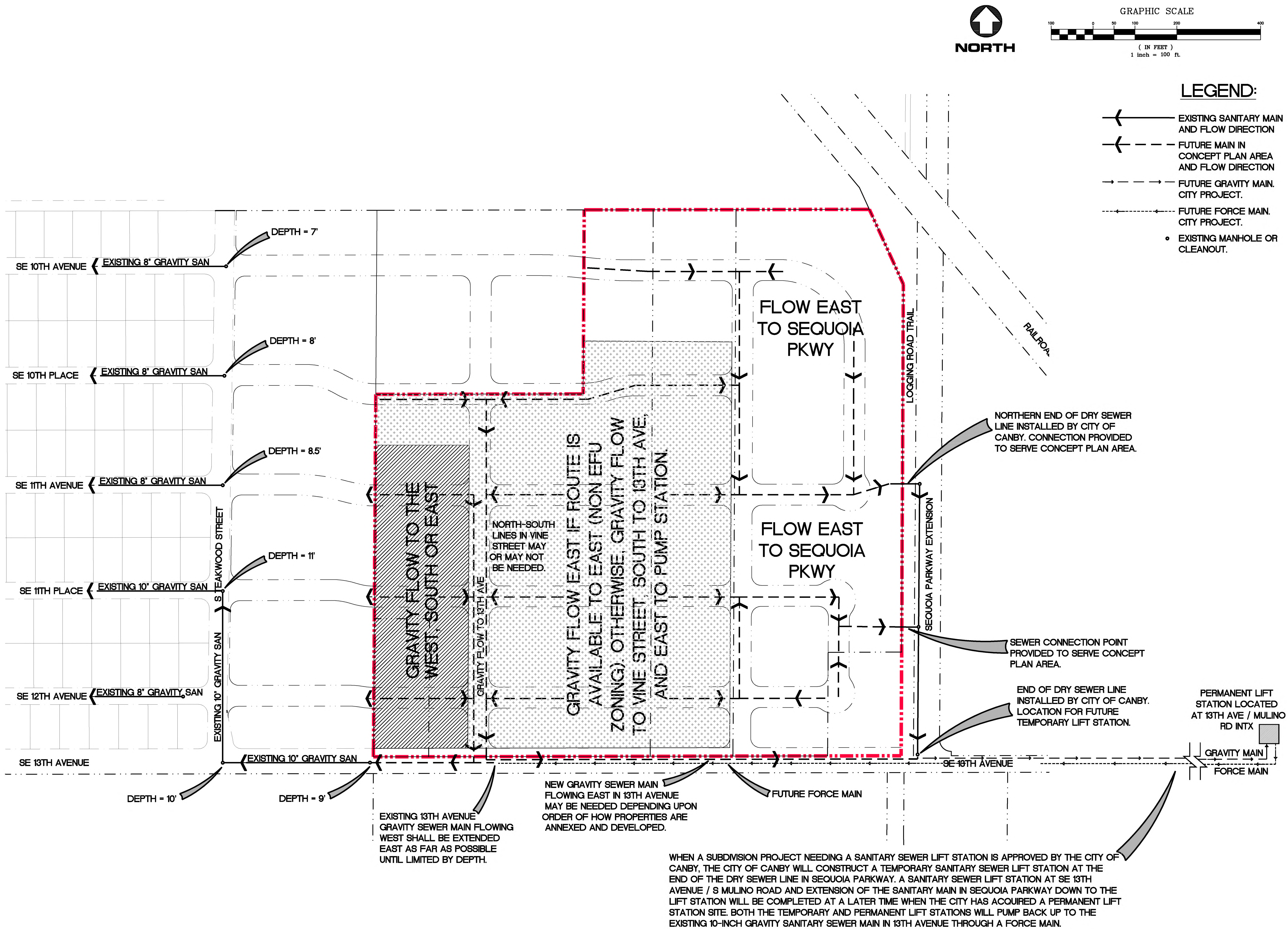
Drainage

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SHEET	5
OF	9 SHEETS





REVISIONS	BY
REVISE: BOUNDARY AND SANITARY IN 13TH AVE NECESSARY: 5-5-14	PS
REVISE: PARK BOUNDARY 7-10-14	PS

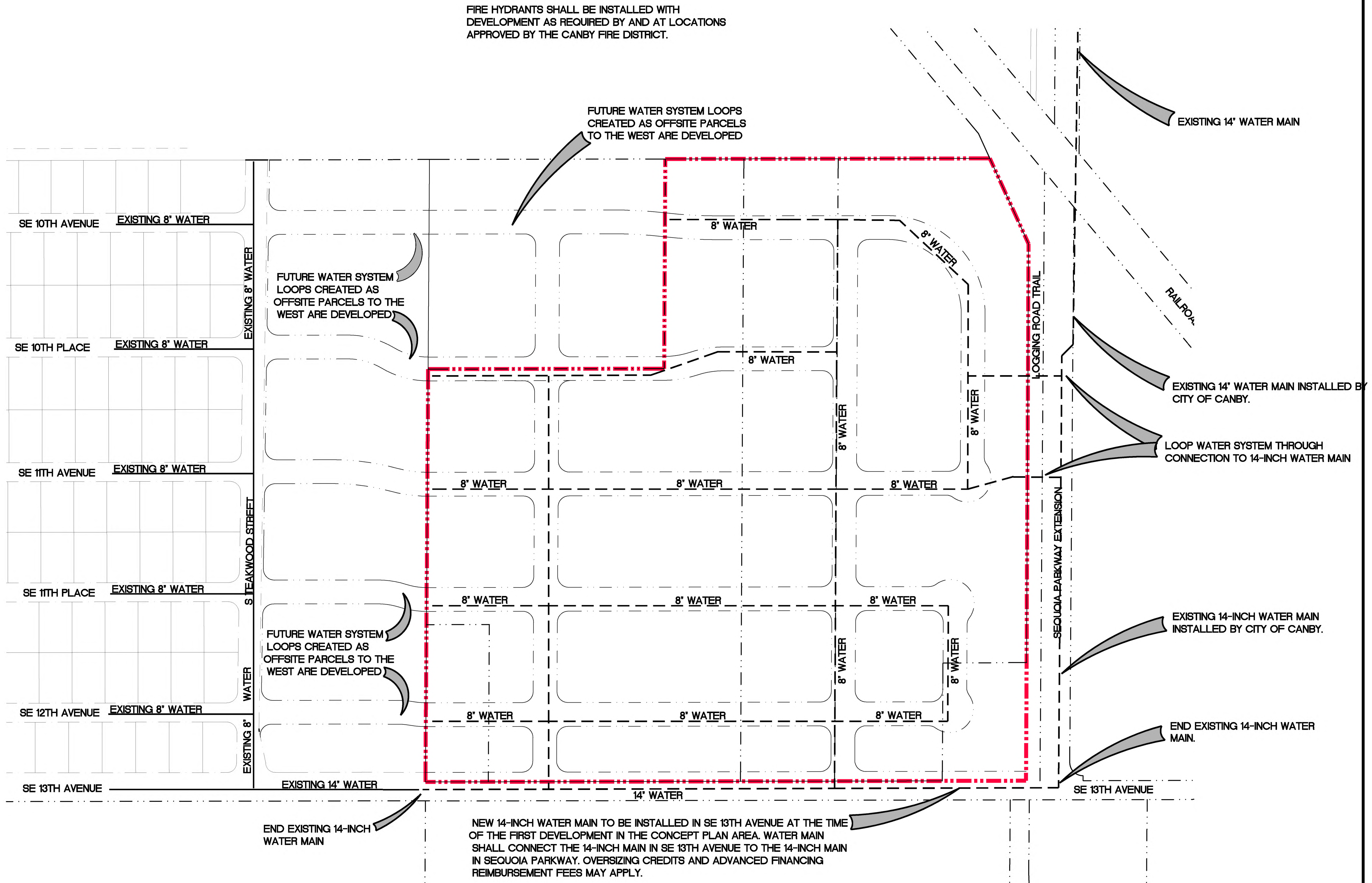
**SE 13th Avenue Concept Plan**  
**SE 13th Avenue Property Owners**  
BOYLE, MARCUM, NETTER, RICE & STOLLER

**Sanitary Sewer**

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JOB SGL05-032A  
SHEET **6**  
OF 9 SHEETS





REVISIONS	BY
REVISE BOUNDARY 5-5-14	PS
REVISE PARK BOUNDARY 7-10-14	PS

# SE 13th Avenue Concept Plan

## SE 13th Avenue Property Owners

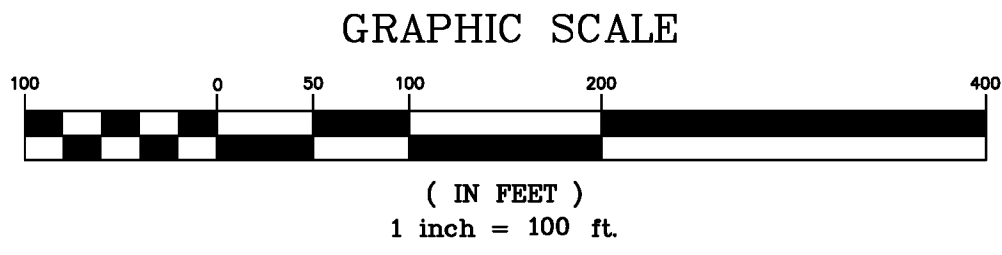
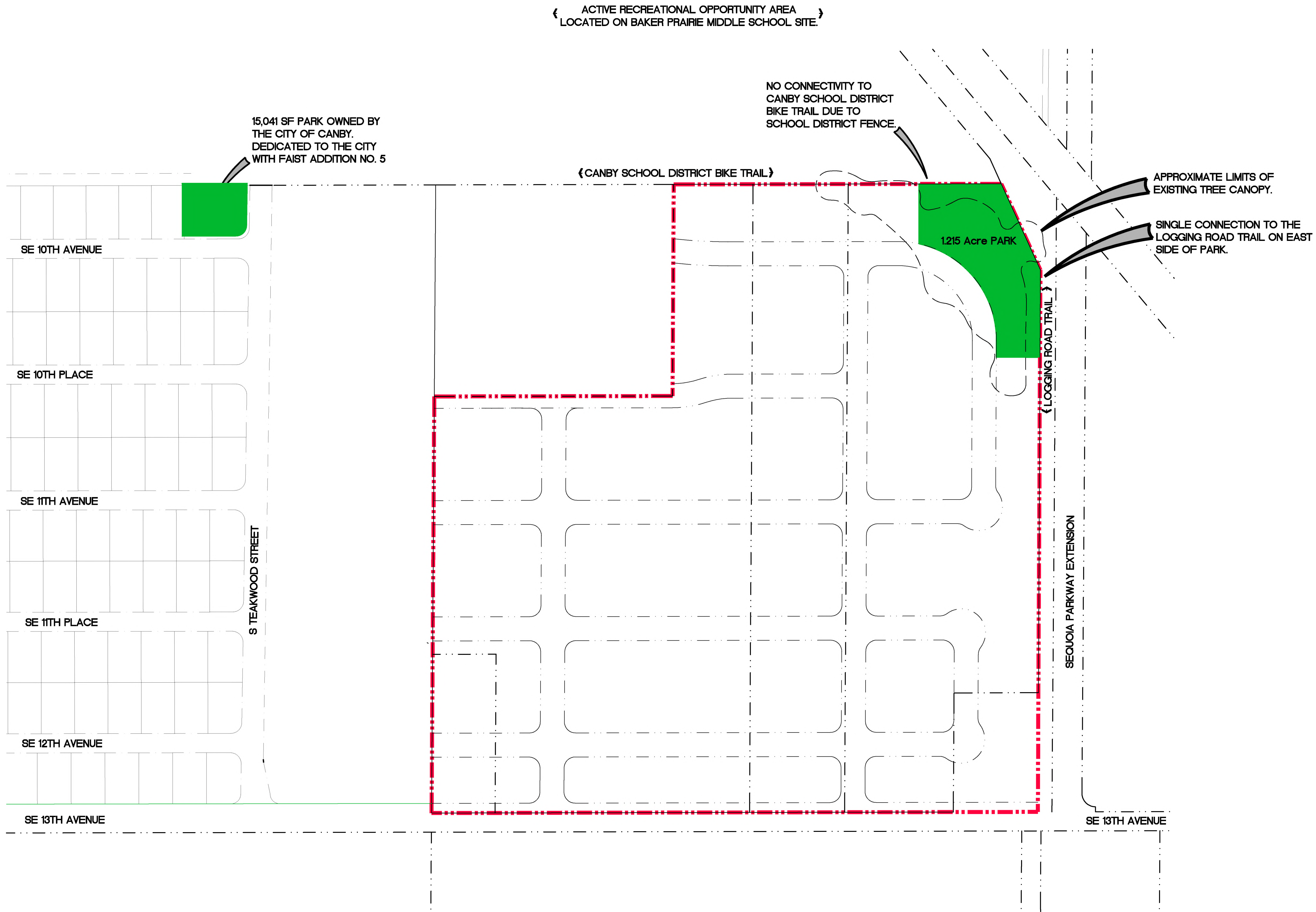
BOYLE, MARCUM, NETTER, RICE & STOLLER

### Waterline

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DATE	FEB., 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	7
OF	9 SHEETS





REVISIONS	BY
REVISE PARK BOUNDARY 7-10-14	PS

# SE 13th Avenue Concept Plan

## SE 13th Avenue Property Owners

BOYLE, MARCUM, NETTER, RICE & STOLLER

### Parks

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 3715 PORTLAND AVENUE  
 CLATSOP, OREGON 97027  
 (503) 687-0188

DATE	JUNE, 2014
SCALE	1" = 100'
DRAWN	PS
JOB	SGL05-032A
SHEET	8
OF 9 SHEETS	





**OZARK I**  
*Small, single flush, fully accessible.*

Meets UFAS, A.D.A. and Title 24 statute of the State of California

Vandal resistant building & toilet components

4" thick steel reinforced concrete walls

5" thick steel reinforced concrete roof & floors

Quick installation and hookup at the jobsite

Available in (25) different and unique earthtone colors

Barnwood, stucco, exposed aggregate or split face block exterior wall textures

Cedar shake, ribbed metal, or exposed aggregate exterior roof textures

Custom textures and colors available

The Ozark I is an economical single flush building that meets ADA. It has a small overall footprint and can be placed next to an existing restroom to bring a park up to ADA standards or placed in smaller neighborhood parks. The Ozark I comes with sink, toilet, interior and exterior lights, and electric exhaust fan. It can have an optional urinal and stainless steel fixtures. The Ozark I's chase area also can be used for storage. The Ozark I is small in size, but big in value.

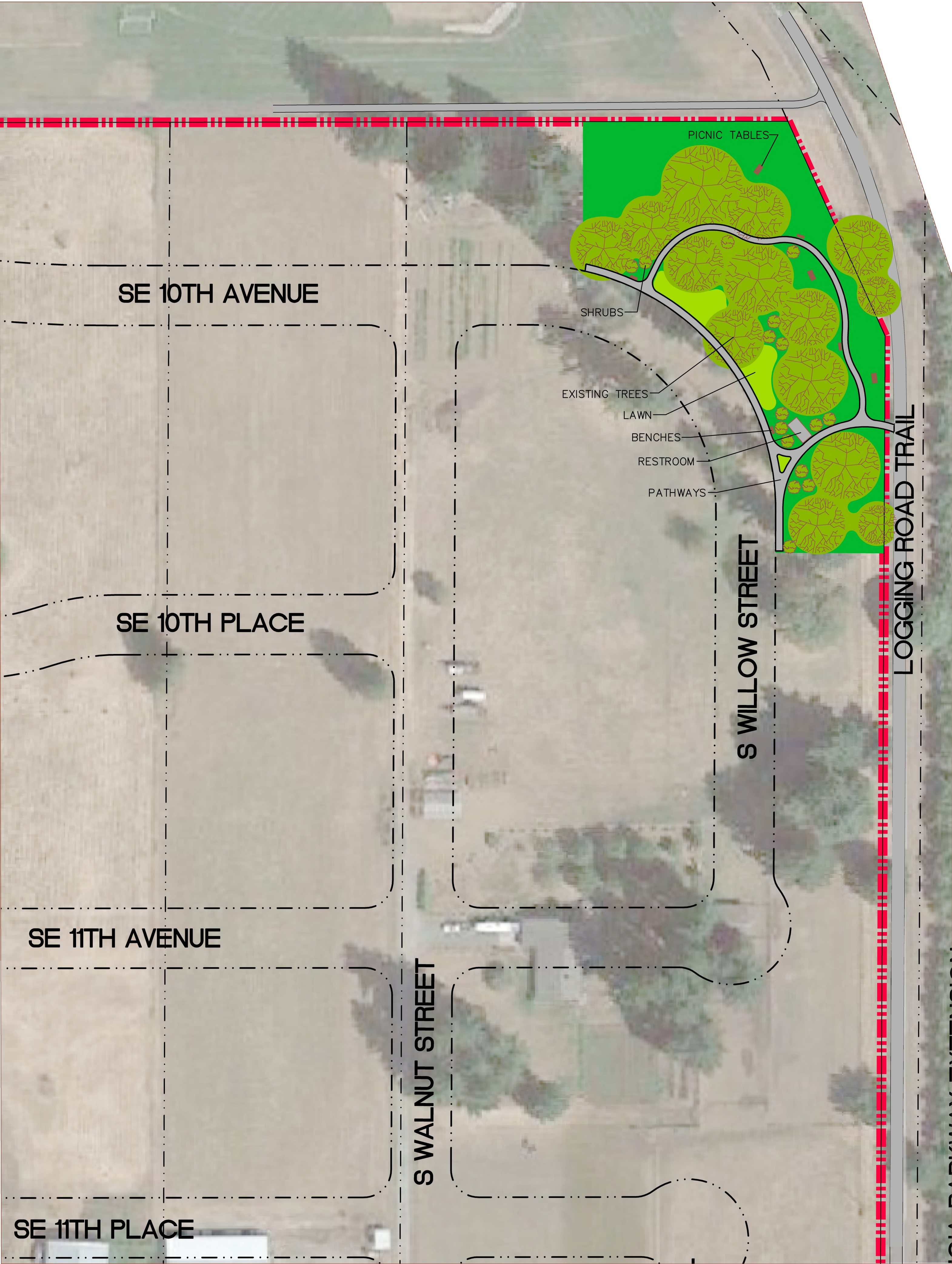
**Durability:**  
The Ozark I is engineered and designed for long-life in extreme conditions. The building meets or exceeds the effects of a Zone 4 earthquake, a 140-mph wind load and a 250 pounds per square foot snow load.

**Maintenance:**  
The Ozark I is extremely easy to maintain. With our steel reinforced 5,000 psi concrete construction, the building will not rot, rust, or burn. The building interior is primed and painted with white paint to reflect natural light from the Lexan windows mounted in heavy steel frames cast into the walls.

Cleaning of the building interior is easily accomplished with a brush and warm soapy water. The walls and roof structure are made of "colored through concrete", coated with an exterior stain, followed by an anti-graffiti sealer.



RESTROOM FACILITY



DETAILED PARK PLAN

REVISIONS		BY
NEW SHEET	5-5-14	PS
REVISE PARK BOUNDARY	7-10-14	PS
SE 13th Avenue Concept Plan		
SE 13th Avenue Property Owners		
BOYLE, MARCUM, NETTER, RICE & STOLLER		
Park Details		
SISUL ENGINEERING		
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SHEET	9	
OF 9	SHEETS	