

PC 11.07.13
Supplemental Information

TO: Planning Commission

FR: Concerned East Side Local Citizens

RE: Residential Infill

DATE: November 6, 2013

A group of local concerned citizens would like to provide comments for consideration during upcoming residential infill planning. For the past eight years, we have urged city council and staff to develop a plan that would provide incentive for city infill rather than continuing to develop plans that tax citizens above their ability to pay or finance.

We are suggesting the planning commission consider proposing to the city council that all existing remonstrance agreements be removed as they are nothing more than a lien on private residential property. As with the Manning case reported in The Dalles Chronicle last week, the two remonstrance agreements on their property were signed by a previous owner nearly ten years ago. When Manning's purchased their home, they did not know about these remonstrances nor did they know their financial impact. Each time a property with remonstrance sells, it devalues the property when the potential purchaser finds out about the remonstrance and walks away or demands a lower price. This will continue to become reality as more citizens in The Dalles realize the unreasonable financial burden a remonstrance (most likely signed by previous owners) will bring.

Another city practice that we believe is slowing development is the change in city ordinance that outlines a developer as someone seeking to build on one piece of property. Previous city ordinance was in alignment with Oregon state practice of defining a development as more than three homes. Dave Hunnicut stated at the Town Hall meeting held in The Dalles, earlier this summer that legislature never intended a development to compose of fewer than four homes. Residential infill development is not happening because street costs, at an astounding figure of \$351 foot, can easily comprise 40% or more of the value of the home and property.

Potential solutions to assist funding for street improvements could be attained by:

- using funds that are currently being collected for new street improvements such as system development charges (SDCs)
- gas tax
- transportation fees
- monthly storm drain fees
- franchise fees
- corrected, restructured for availability urban renewal funds
- funds redirected from collected revenue for discontinued projects
- future potential revenues resulting at the termination of tax-exempt business enterprise zones

A citizen, whose property sits on a street deemed below city standards who wishes to add an addition to their home, or even a garage, is currently required to sign a remonstrance in order to attain a permit. We have spoken to many people who want to but will not build due to a required remonstrance and the cost per foot for the improvements.

Former business owner of local restaurant, Big Jim's and later a contractor, Ted Beckley experienced first hand the frustrations and problems experienced trying to develop in The Dalles. He left our city as another long term resident whose experiences and success were tainted by the city's unreasonable, inconsistent requirements. Mr. Beckley further stated in his correspondence:

“There must be a better way to improve our city. Why has Henderson, NV grown from 26,000 residents in 1968 to 460,000 today. Bend, OR has grown from 8,0000 people in 1968 to 79,000 today. The Dalles has more to offer than both of these other cities put together. The Dalles had 11,000 people in 1968 and today there are 13,000 people. What are we doing wrong? I miss my old town, but I enjoy living in a vibrant city.”

Our legislature recently assisted residents of The Dalles by passing legislation that would prevent The Dalles from requiring citizens during partitioning to pay into a fund for future street developments/improvements. Legislators were appalled that citizens were required to pay into a fund (at any time) without knowledge of if or when street improvements would be made.

At least one of our current city councilors are under the impression that west side residents have already paid for their streets in the past. We believe that some individual citizens have paid for sidewalks and curbs along their property but have not been responsible for the cost of the street or infrastructure under the street.

One size street does not fit all. In our dry climate, why not let more water filter through the ground rather than collect and dump unfiltered water in the river. Many streets are fine and in fact better for our environment without storm water systems.

As you discuss and consider ways to promote residential infill and street development/improvements, please find ways to accomplish these without taxing citizens beyond reason.

Attached: Manning letter to City Council

Dear City Council, Staff & Honorable Mayor,

November 6, 2013

My name is Kindra Manning. My husband Sean and I and our two children reside at 2919 E. 9th Street in The Dalles. Due to employment demands and availability of work for my husband, we accepted his job transfer to Martinez, California in April of 2013.

We listed our home, situated on .8 acre connected to city water and equipped with its own septic; for sale with Bonnie Long in May 2013. This listing brought to our attention a potential lien in the form of a non-remonstrance signed in January 1994 by previous owner, David G. Kenworthy. Prior to this title report we were not ever made aware that a city lien encroached on our homes' title. As a matter of fact Sean and I both attended a city council meeting December 5, 2005 at which time, having notice from our city manager, Nolan Young that issues regarding facilities development and the continued promotion of a Gravel Street policy would be on the agenda. A vote by city council concluded not to proceed with any infrastructure or facilities development and with no other facilities development pending we concluded that our obligation was complete. That may have been a bit naive but there was nothing to tell us any different.

In June, shortly after listing our property, we received a near full price offer from a local family. After speaking with Dick Gassman and being told that a \$60-80k lien was on our title, this buyer terminated their offer and wrote so in addendum on July 28, 2013.

Another buyer revoked their offer after speaking with a city staff member and was told that if they were to purchase our home they would certainly be forced to pay for street improvements as soon as any development occurred, on any properties adjoining east 9th street.

The costs that were being quoted to prospective buyers by the city is approximately 40% of the value of our home. I cannot imagine how gifting up to 40% of our homes value for a street and a larger waterline will greatly improve our lives.

The first lien was placed on our property in 1994 and since then costs associated with the cities LID's have grown disproportionately to our home's real market value making this ordinance an obsolete tool for the city's future ideals for building roads in residential areas. We will not ever be able to create future streets in The Dalles or improve infrastructure by clinging to these ordinances of the past. The city of The Dalles should not continue to support ordinances that will likely assess homeowners out of their homes and literally onto the streets we were forced to pay for.

I should have the right to sell my home without the encumbrance of these liens and ask that the city remove all waivers of remonstrance associated with the property at 2919 E 9th so that buyers can purchase our home without the threat of future costs holding them hostage as we have felt it has held us for so many years now.

Nolan has said in the Agenda Staff Report that city council has the ability to change its policies and to remove the waiver of remonstrance on our title allowing us to sell our home unencumbered. I strongly urge the council to make these policy changes today so as to avoid a tidal wave of sales forfeitures across the city of The Dalles.

Granting our request for removal of both waivers of remonstrance will not have any direct impact on the City budget and will not likely interfere with future LID projects. It is time for growth and forward progress in The Dalles and it is time to rid our city of ordinances and policies that hold back the opportunities for growth and prosperity. I want to thank you in advance for being the voice of change and allowing me to reconnect my family through the sale of our home.

Sincerely,
Kindra Manning

improvements

Ted Beckley <tedbeckley@gmail.com>

Thu, Oct 31, 2013 at 4:28 PM

To: loyalq@gmail.com

Hi Linda,

Thanks for the note on your meeting.

The problems I had with planning and installing our subdivision was when we had the first stages of planning we agreed on 2 different stages of building but it was drawn out for the final completion. Dick Gassman and I agreed on stage one to complete 10th street and 12th street improvements and after that was completed I could start 11th street improvements. When I wanted to sell one of the houses I built and put in the street, curbs, storm-drain and sidewalk,(on stage one) Dick Gassman informed me that they would not allow subdividing one lot until the whole project was completed , even 11th street which we agreed to finish after stage one was completed. We finished both stages so we would be allowed to sell one house that was completed. Now I have a lot of my retirement money tied up in a town that is DEAD.

There needs to be more competition in improving our streets and sidewalks, some of the estimate's I have seen are 4 times the dollar amount I had to pay.

There must be a better way to improve our city, Why has Henderson, NV. grown from 26,000 people in 1968 to 460,000 Today and Bend OR. has grown from 8000 people in 1968 to 79,000 today ? The Dalles has more to offer than both of these other Cities put together. The Dalles had 11,000 people in 1968 and today there are 13,000 people , What are we doing wrong?

I miss my old Town, but I enjoy living in a Vibrant City,

Ted Beckley

Henderson, NV.

Concerned owner

To the editor:

We are writing to share some thoughts regarding the Nov. 14 City Council work session, Residential Infill Development Policies and Procedures.

For the past seven years we have been troubled by the city's interest in passing on horrific street development costs of approximately \$350 per foot to property owners for the streets surrounding our home. As a homeowner at the edge of the city limit, property sizes are much bigger than in the city core. Even at a 75-foot lot, this fee is still financially back-breaking. At 220 feet, it is ruinous.

Why is East Ninth Street and Richmond under a proposed full LID? Unfortunately for us, we own two pieces of property on these streets that will cost us over \$110,000 for sidewalks and streets our tiny neighborhood does not need. Not even "corner lot relief" will spare us. Most of our neighbors' charges would run \$60,000 to \$80,000. This is just unbearable to anyone, let alone people whose finances can barely keep them in their homes. Presently, Richmond Street is in good condition; not long ago the county installed adequate ditches.

Richmond is a steep hill that dumps onto Old Dufur Road. Many times in icy winters, ditches on the side of Richmond have been used by drivers to slow or stop themselves before sliding onto Old Dufur Road. Sidewalks would prevent this fail-safe, and we don't have enough foot traffic to justify them.

Recently, street improvements to Jefferson, 10th and 12th, as well as Brewery Grade, were completed without cost to homeowners. An attempt to create an LID for Thompson Street at \$100 per foot was thwarted by property owners. Why was Thompson Street's proposed cost so much less per foot?

A storm sewer fund has been established to offset cost of new developments. Those funds should be used when improving streets. Storm sewers are one of the biggest costs, therefore this fund should be built up enough to pay for such LIDs.

This huge expense will suck all of the equity out of these homes and leave some homeowners upside down on their mortgages. In addition, costs this high can stifle growth and create a precedent for other neighborhoods in town.

We implore the city council to listen and speak on behalf of the citizens. If the city cannot afford to improve streets, why would the city think property owners could financially bear the complete cost?

Loyal Quackenbush
The Dalles