

Stayton City Council

RE: Public Hearing on Annexation of 13601 Fern Ridge Road

Mayor and Council,

What can our community expect when they receive notice of a public hearing? A public hearing means a **fact finding** proceeding held to afford interested persons an opportunity to submit factual data, views, and comments to the council. In this case it was to consider annexation and zone designation of property on Fern Ridge Road.

Let's review some facts from the public record that served as the catalyst for this public hearing. (Council packet 10/11/21). We can start with the initial application by the petitioner for annexation

On page 2, paragraph 5, of the record, staff states "your packet includes the application for annexation as submitted in 2019." The application clearly states the intent and desire of the applicant is to annex the property and designate the zone as an **interchange development zone**. Oddly enough the application doesn't have a date submitted nor received and doesn't reference residential zoning whatsoever. RV parks are a permitted use under the **Interchange development zone** and that was the initial filing for the annexation and zone designation.

Page 2, paragraph 1, "Following the planning commission's public hearing in December of 2019, that application was withdrawn". **i.e, removed from consideration**. Was there another application submitted after that? The record doesn't reflect any additional applications, so the assumption is none were submitted. At the point of the withdrawal, the review process should have stopped until a new application was officially submitted and received by the city.

Page 2, paragraph 2, "The applicant returned to the planning commission in January 2020 and requested MD residential zoning be applied to the property, indicating an intention to build a mobile home park." Where is the new application to support this request? How was that request communicated? Is the City acknowledging verbal expression as substitutes to our land development process? That's how we got in deep trouble in this town in the past. What does SMC or ORS require where applications are withdrawn?

Page 2, paragraph 3, "March 2, 2020, applicant informed council that plans had changed again and now they would like HD residential". Where is the application supporting the 3rd change? The only application from the petitioner for the annexation on record is the original one from 2019 that was withdrawn in 2019 **by the applicant**.

How does an application remain "active" when the applicant removed it from consideration and never refiled a revised request? How can the planning commission advance the original retracted request? How does an invalid request for annexation get elevated all the way to a public hearing with a council decision? The fact of the matter is the hearing should have never occurred based on the facts in the public record. The council should now vacate the public hearing from 10/11/2021 as no formal application exists for the annexation. Any action short of that sets a horrible precedent for future legitimate annexation request and exposes the City to LUBA appeals.

Thank you for taking the time to review the process of annexation in this case and your consideration of the facts in the public record.

Brian Quigley
1013 E. Virginia Street
Stayton, OR 97383

To: City Council, Stayton, Oregon
From: Barbara Taylor
2274 Summerview Dr, Stayton, Oregon
Regarding: 13601 Fern Ridge Rd, Stayton, Oregon

My name is Barbara Taylor and I reside at 2274 Summerview Drive in Stayton, Oregon. Our backyard backs up to the field owned by Foothills Church, and is less than 300 feet away from the property under review.

I have attended nearly all of the land use and city council meetings regarding this property. The applicant, Gene Jones, and his developers has shown a complete lack of direction, integrity, or regard for the nearby neighborhoods, or our community. In the last year there has been three developers that have successfully passed proposals for high density housing in three other areas, in our city, and the Fern Ridge property is not the right area for high density, or mix of high density. The nearby neighborhoods consist of low and medium density.

I am very concerned about the increased traffic, water runoff, as well as the overall quality of our neighborhood in this area. The surrounding areas will be deeply impacted by traffic and likely lead to more accidents, including vehicles and pedestrians. The water runoff is an existing issue in our local area, and in particular The Village of Sylvan Springs, as well as other nearby neighborhoods. Apparently in the past the city assisted with maintaining the wetland area, but after a change of city staff, the city no longer feels obliged to assist, and there will only be more issues with flooding in the future, which would be compounded by the development at Fern Ridge Rd. Our 37 home HOA should not be left contending with this issue!

Lastly, we moved to this city and this neighborhood for many reasons, including its livability, well maintained homes and yards, and reduced traffic, among other reasons. Personally, I would be in favor of low density to medium density (with reasonable lot sizes), especially considering the Lucas Ditch, the reduced area that be developed, and that the larger size lots would not be paved, and assist with the water run off issue, with single family homes, to alleviate the areas of concern. I am also very concerned that our market values will decrease, depending on the type and quality of structures that are built on the property.

Please remember all of the residents that have shown up for meetings, voiced their concern and showed support for opposing the development, as well as those that have called or written to provide their input over last 22 plus months.

Thank you,
Barbara Taylor