

# Barth Consultants

# Memo

Date: January 21, 2025

To: CPRD Board  
Casey Creighton, CPRD Interim Superintendent

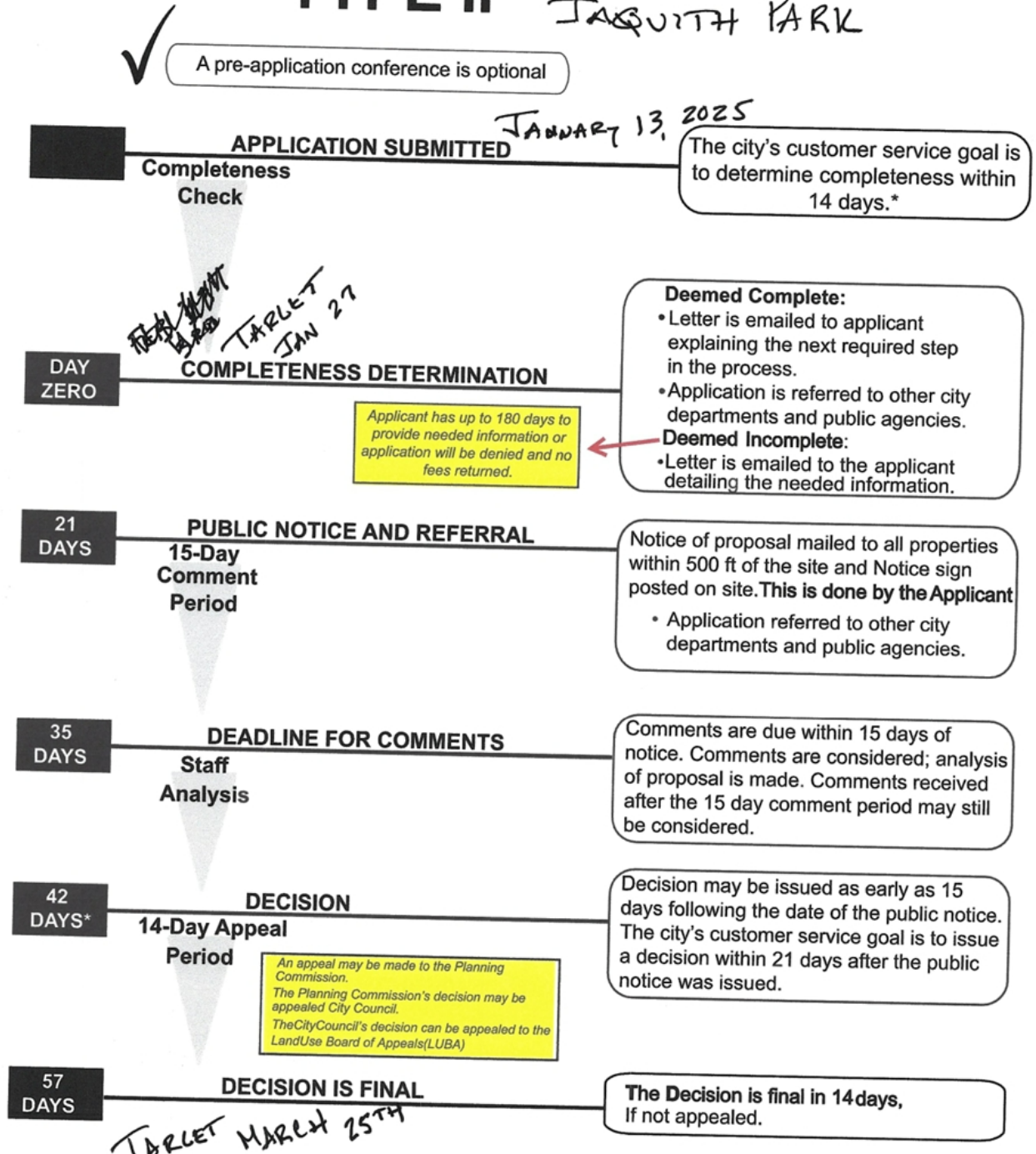
From: Gary Barth, Barth Consultants

RE: Capital Projects Update

<b>Project</b> <b>Jaquith Park</b>	<b>Project Manager</b> Jon Champlin NV5	<b>SDC Category</b> District Parks 50.51% SDC eligible	<b>Projected Costs</b> <b>FY 24/25 &amp; 25/26</b> <b>\$522K</b>
<b>Current Status:</b> <ul style="list-style-type: none"> <li>• Type II Land Use Application submitted to the City of Newberg on 1/13/25</li> <li>• Landscape Architecture firm NV5 proceeding with completing 100% Final Construction Documents for inclusion in the Request for Proposals (RFP) to be issued upon land use approval.</li> <li>• Public notifications will be posted at the Park and through direct mail to property owners whose property lies within 500 feet of the park once a planning number is assigned by the City.</li> <li>• A pre-application meeting will be scheduled to review the final application with City Planning staff and obtain approval.</li> </ul>			
<b>Issues:</b> <ul style="list-style-type: none"> <li>• N/A – this project is relatively straight-forward and should advance to construction bids soon subject to final City review and approval of the land use application.</li> </ul>			

# LAND USE REVIEW PROCEDURE TYPE II

JASQUITH PARK



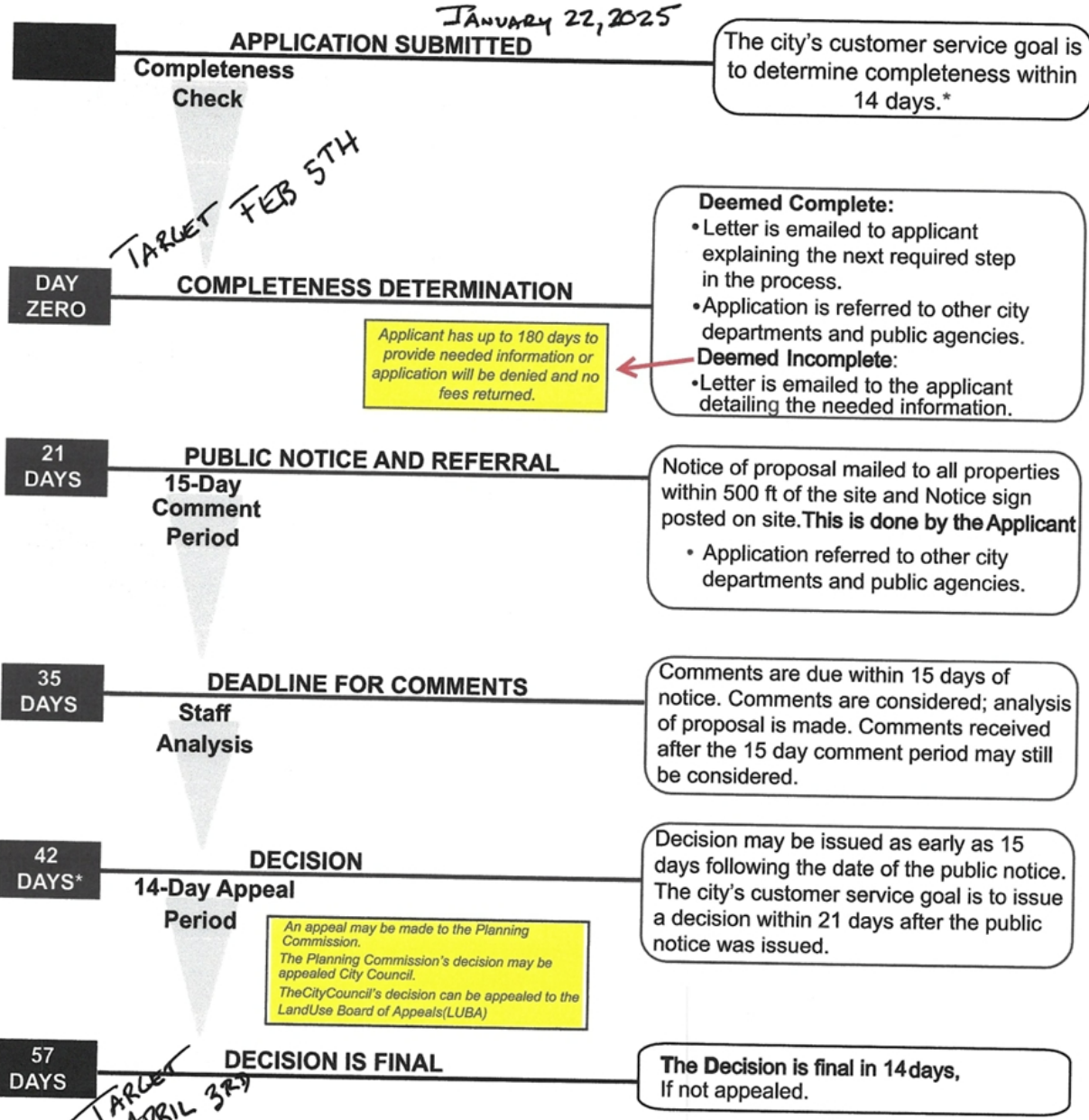
\*Timeline reflects Newberg Municipal Code requirements and the city's customer service goals. The city customer service goal is to issue a decision within 60 days or less. Oregon State law allows 30 days for a completeness determination and requires a final local decision within 120 days of complete application. Applicants always retain the right to postpone the decision or extend past 120 days.

<b>Project</b> <b>Newberg-Dundee</b> <b>Bypass</b>	<b>Project Manager</b> Wes Shoger, Greenworks	<b>SDC Category</b> Trails 9.13% SDC eligible	<b>Projected Costs</b> <b>FY 24/25 &amp; 25/26</b> <b>\$4.5-5.0 million</b>
<b>Current Status:</b> <ul style="list-style-type: none"> <li>• Updated Type II land use application submitted to the City of Newberg on January 21, 2025 for review.</li> <li>• Emery &amp; Sons, construction contractor, is updating the construction project timeline and cost estimates to be provided to CPRD by January 2025 month-end.</li> <li>• Title company will provide property owner names and addresses whose property resides within 500 feet of the project site for required public notifications of the pending land use application. Signage will be posted at the project site providing additional public notice. The signage and mailings will occur once the City deems the application complete.</li> <li>• The City will complete sections of required state/federal forms once the application is deemed complete.</li> </ul>			
<b>Issues:</b> <ul style="list-style-type: none"> <li>• Based on the updated construction timeline, a request to extend the deadline for the Oregon Dept of Transportation grant of \$1.8 million may be required.</li> <li>• It is anticipated that costs for this phase of the Bypass project have escalated since the 60% design estimate of \$3.3 million in August 2022.</li> </ul>			

# LAND USE REVIEW PROCEDURE TYPE II

NEWBERG-DUNDEE BYPASS

✓ A pre-application conference is optional



\*Timeline reflects Newberg Municipal Code requirements and the city's customer service goals. The city customer service goal is to issue a decision within 60 days or less. Oregon State law allows 30 days for a completeness determination and requires a final local decision within 120 days of complete application. Applicants always retain the right to postpone the decision or extend past 120 days.

<b>Project</b> <b>Sander Estate Park</b>	<b>Project Manager</b> Brett Hoornaert Lango Hansen	<b>SDC Category</b> District Parks 50.51% SDC eligible	<b>Projected Costs</b> <b>FY 24/25 &amp; 25/26</b> <b>\$3.2 million</b>
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**Current Status:**

- Requires Type I land use application approval by the City of Dundee City Council
  - An information update on the LUA was provided to the City Council by Brett Hoornaert and myself on 1/7/25. The plan was to bring the application back to the Council for formal approval on 1/21/25.
  - Following the 1/7/25 Council update, city planning staff imposed new Conditions of Approval. Based on a review of these new COA's with the District's contracted landscape architecture staff, we concluded that we should request that the approval be pulled from the 1/21/25 Council Agenda. This is to provide time to advise the CPRD Board of the new COA's and seek direction before proceeding with City approval.
- Lango Hansen is working on the construction bid packet so it is ready to be issued once the City approves the LUA.
- Grant extension requests have been submitted to OPRD for the LWCF and LGGP grants

**Issues:**

**New Conditions of Approval**

The **newly proposed COA** requires CPRD to commit to a future construction phasing schedule with deadlines for completion of all phases by a date certain as defined by the City.

**EXHIBIT B UPDATED CONDITIONS OF APPROVAL  
PMP 2021-01, Sander Estate Park**

Based on the findings in Exhibit A, the proposed development's approval is subject to the following conditions of approval:

1. The Chehalem Park and Recreation District shall provide access to and provide a minimum of 16 paved parking spaces that comply with the Dundee Development Code's parking lot standards on the Dundee Billick Park Fifth Street overflow parking lot and be reviewed through a Type I Check List Review Application.
2. The water feature shall be included in a Type I Check List Review Application to the City. The water feature shall be constructed as part of Phase 1 of the park improvements and operational prior to a final inspection by the Planning Department and Building Department, and before the park is open for public use.
3. The proposed restroom structure shall be included in a Type I Check List Review Application to the City. The restroom shall be constructed with Phase 1 and be accessible prior to the water feature opening for public use.
4. The actual setback to the east property line shall be shown as part of the required future Type 1 Checklist Review Application for the reception hall.
5. The actual setback to the south property line shall be shown as part of the required future Type 1 Checklist Review Application for the reception hall.
6. Along SW 5th Street every other street tree can be a Firestarter Tupelo and that the other species be Scarlet Sentinel Red Maple. The final street tree species shall be shown as part of the required future Type 1 Checklist Review Application.
7. The parking lot design shall be reviewed during the required future Type 1 Checklist Review Application for compliance with the parking lot landscaping and overall site landscaping requirements.

8. The Chehalem Park and Recreation District shall dedicate a 50-foot-wide strip of land along the west property line for public right-of-way purposes prior to submitting a Type 1 Checklist Review Application to the City.

9. Construction of the east-west street on the west side of the site shall be constructed within five (5) years of approval of this Order, or within ten (10) years if a financial guarantee acceptable to the City is provided if the street is not constructed within the initial five (5) years.

10. The trees along the east-west right-of-way be modified to alternating Eastern Redbud and Venus Dogwood planted in a curve as shown on Attachment 2, Item 3 Eastern Redbud Trees. The species and location of the trees will be reviewed during the required future Type 1 Checklist Review Application for compliance.

11. The proposed pathway in the approximate middle of the 50-foot-wide right-of-way shall be deleted and the Chehalem Parks and Recreation District shall design and construct a public curb and sidewalk in the eastern portion of the 50 foot wide right-of-way before the park is open. The public curb and sidewalk shall be designed in accordance with the Dundee Public Works Design Standards. The design and construction shall ensure the curb and sidewalk can be incorporated into the future new street. A revised Park Master Plan showing the curb and sidewalk shall be submitted to the City prior to submitting a Type 1 Checklist Review Application to the City.

An option to Condition of Approval 11 is for the Chehalem Parks and Recreation District to sign a Deferral Agreement allowing the District to design and construct the public curb and sidewalk when the future street is constructed, and until the future street is constructed, to install a temporary path as shown on the Sander Estate Site Plan, Sheet L1 before the park is open. The temporary path must be connected to the public sidewalks on the north and south sides of Graystone Place and to the path in the southwest corner of the park that runs easterly into the park. Where the option is selected, a revised Park Master Plan showing the future curb and sidewalk and showing the temporary path shall be submitted to the City prior to submitting a Type 1 Checklist Review Application to the City.

12. The Chehalem Park and Recreation District shall construct SW 5th Street improvements including a public sidewalk, planting strip, street trees, gutter, curb, storm drainage facilities, street lighting and street improvement from the curb to the existing edge of pavement in accordance with the Dundee Public Works Design Standards before the park opens.

13. The Chehalem Park and Recreation District shall dedicate 10 feet of right-of-way along the north property line for SW 5th Street public right-of-way purposes prior to submitting a Type 1 Checklist Review Application to the City.



14. The Chehalem Park and Recreation District shall underground the existing overhead lines on the south side of SW 5th Street in accordance with the Dundee Public Works Design Standards and applicable private sector company standards before the park opens.

15. The Chehalem Park and Recreation District shall comply with the 2015 Improvement Design Standards, City of Dundee, OR (or as amended) as part of a Type 1 Checklist Review Application to the City for each Phase of development, Phases 1 - 4.

16. The Chehalem Park and Recreation District shall dedicate an 8-foot-wide utilities easement (P.U.E.) for facilities including, but not limited to power, gas, telecommunications and cable, along the park's north property line after the 10 foot dedication of public right-of-way, prior to submitting a Type 1 Checklist Review Application to the City.

17. The Chehalem Park and Recreation District shall provide 8-foot-wide utilities easements (P.U.E.) for facilities including, but not limited to power, gas, telecommunications and cable, along the park's west property line after the 50 foot dedication of public right-of-way, and along the park's east property line after the 25 foot dedication of public right-of-way, and prior to submitting a Type 1 Checklist Review Application to the City.

18. Chehalem Park and Recreation District shall coordinate with the Dundee Urban Renewal Agency on an agreement for coordination of SW 5th Street improvements related to any potential urban renewal funding assistance and coordination with urban renewal capital infrastructure projects.

19. The Chehalem Park and Recreation District shall address the placement of the 5 path termini at SW 5th Street and shall consider crosswalks on SW 5th Street. The results of the District's analysis shall be shown in the Type 1 Checklist Review application and the construction plans submitted to the Dundee Public Works Department.

20. The proposed Phasing sequence shall be modified to show Phase 4 to become Phase 2, Phase 2 to be identified as Phase 3 and Phase 3 be identified as Phase 4. The list of projects under the new Phase 4 shall add the east/west street on the east side of the site to the list of projects in this phase. The Project Phasing Plan shall identify Phase 1 to start construction by January 1, 2026, Phase 2 to start construction by January 1, 2029, Phase 3 to start construction by January 1, 2034, and Phase 4 to start construction by January 1, 2040. The revised Project Phasing Plan shall be submitted to the City prior to submittal of the first Type 1 Checklist review application

for improvements to Sander Estate Park. If there are delays in starting a construction phase Chehalem Park and Recreation District shall come before City Council to formerly ask for an extension to a Phase's timeline to start construction one (1) year prior to expiration of when a Phase is to start construction.

21. Any modifications to the Phasing sequencing can be submitted at any time via a Park Master Plan application by Chehalem Park and Recreation District to the City of Dundee.

22. Chehalem Park and Recreation District shall enter into an agreement acceptable to the City that ensures funding allocation and construction of phases.

### **City Urban Renewal Funding Contribution**

- The current cost estimate to complete Phase 1 is \$3.2 million. That includes an estimated cost of \$720K for required 5<sup>th</sup> street road improvements.
  - The City has offered to repay the District for the 5<sup>th</sup> street improvements using Urban Renewal District (URD) funds as they become available.
  - This offer to partially reimburse CPRD for defined Phase 1 costs **should be memorialized in a legal agreement** between the City of Dundee Urban Renewal District and CPRD before construction commences.

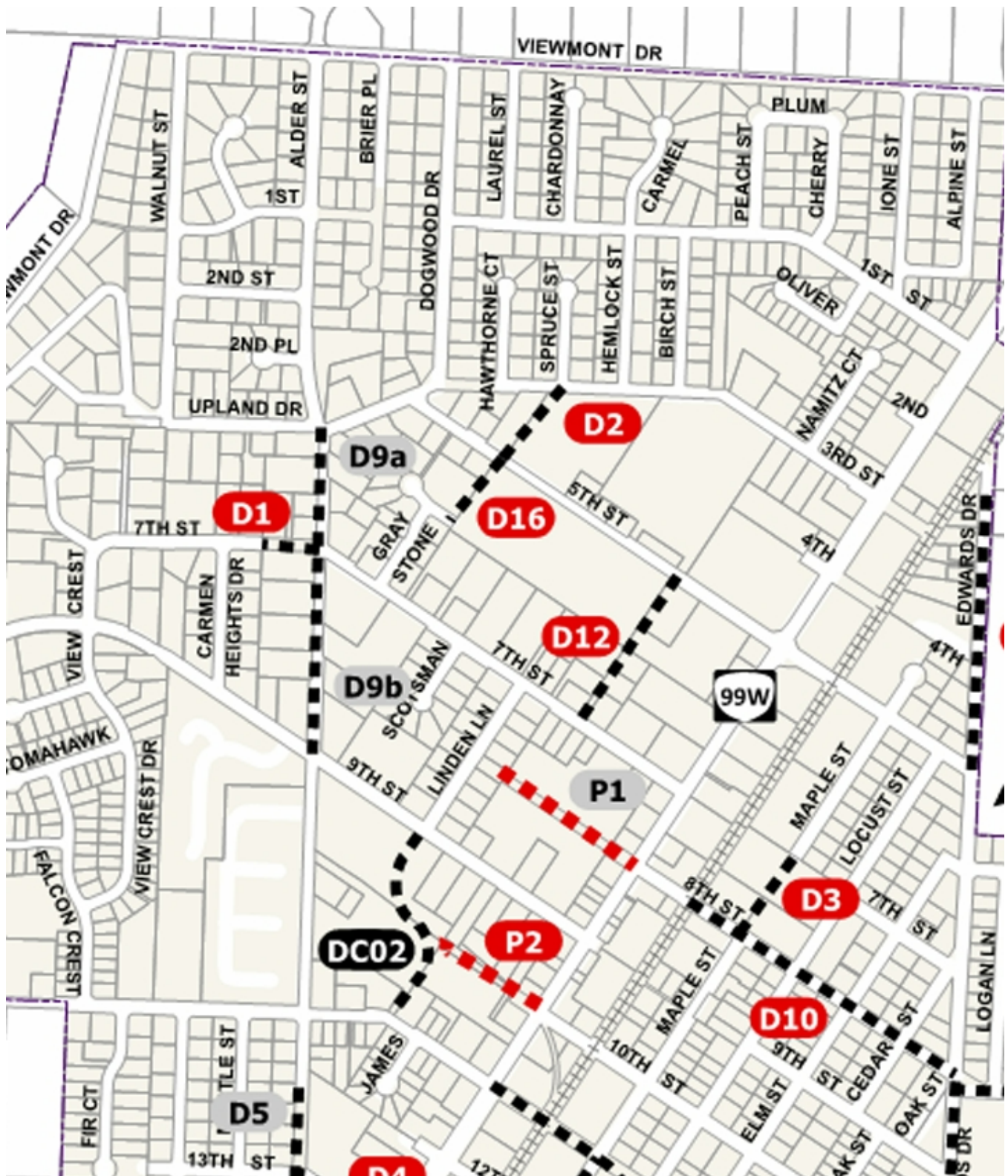
### **New Roads connecting 5<sup>th</sup> street and 7<sup>th</sup> street along Sander Estate Park western and eastern boundaries**

- The City's Transportation System Plan shows two "aspirational" new streets be built on the east and west boundaries of Sander Estate Park, connecting 5<sup>th</sup> street to 7<sup>th</sup> street, with construction triggered by the park development (shown as D12 and D16 respectively on the map attached).
  - It is recommended that CPRD should file a Title IV request to rezone Sander Estate Park and Dundee-Billick Park from Residential zoning to Park and Open Space zoning.
  - It is further recommended that CPRD request that the two new "aspirational" connector roads be removed from the TSP due to the zone change of Sander Estate Park if the roads were primarily intended to serve the prior residential zoning.
  - This would eliminate the requirement that CPRD construct these two new roads as part of the full build-out of Sander Estate Park.

Source: City of Dundee TSP July 2015

**Table 6: Aspirational Projects**

Project No.	Project	Project Cost	Phase
D1	7 <sup>th</sup> St extension to Alder St	\$165,000	Phase 1
D2	New street from 3rd St to 5th St	\$345,000	Phase 3
D3	Maple St extension from 8th St to 7th St	\$430,000	Phase 2
D4	13th St - new street from Alder St to Hwy 99W	\$445,000	Phase 2
D8	Edwards Rd reconstruction between 2nd St and 5th St	\$815,000*	Phase 2
D10	8th St reconstruction between railroad and Edwards Rd	\$1,485,000	Phase 3
D12	New street from 5th St to 7th St	\$1,245,000	Phase 3
D14	Improvement of Edwards to collector standards (8th-Parks)	\$990,000*	Phase 1
D15	Improvement of Parks to collector standards (99W to Edwards)	\$2,390,000	Phase 2
D16	5th St to 7th St Connection	\$295,000	Phase 3
D17	New street from 7th St to 9th St	\$700,000	Phase 1



## Options for Proceeding on Sanders Estate Park

The Board can either:

- A. Accept the City's new Conditions of Approval and proceed with Phase 1 under those conditions
- B. Reject the Conditions of Approval and halt the project
- C. Negotiate new Conditions of Approval that are acceptable to both CPRD and the City that retains CPRD control over when District capital projects get built and funded in accordance with the District's Capital Improvement Plan and available funding sources.

If the Board chooses Option C, it is recommended that the District retain legal counsel to assist in developing an **Intergovernmental Agreement (IGA)** with the City for Sander Estate Park that includes mutually agreeable:

- o Conditions of Approval for Phase 1 and subsequent phases with construction phasing through full buildout consistent with CPRD's adopted Capital Improvement Plan and subject to available future funding
- o A Deferral Agreement that allows CPRD to design and construct a public curb and sidewalk only if, and when, the future street is constructed
- o A Loan Agreement between the Dundee Urban Renewal Agency and CPRD to reimburse CPRD for the cost of the 5<sup>th</sup> street improvements – *note this may require a separate IGA*