


Steen Park, LLC
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SEP - 8 2006
BY: 

September 8, 2006

Mayor & Members of the Sultan City Council
319 Main Street
Sultan, WA 98294

Dear Mayor and Members of the Sultan City Council:

Subject: Park Impact/Mitigation Fees and Providing of Parks and Recreational/Open Space within Plat of Steen Park Estates

On August 24th, 2006 City Council approved ordinance #929-06 establishing park impact fees in the amounts of \$3415.00 per residential dwelling unit. The conditions of approval for the plat of Steen Park Estates require footage of land and installation of equipment and landscaping for improvements to the parks/open space and recreational facilities for the residents of the community. As outlined in Chapter 16.112.010 section C specific developments are to be exempt from paying duplicate fees for the same impact.

In addition, Section 16.112.080 states that "The developer shall be entitled to a credit against the applicable impact fee component for the present value of any dedication of land for improvement to or new construction of any system improvements provided by the developer (or the developer's predecessor in interest) to facilities that are/were identified in the capital facilities plan and are required by the city as a condition for the immediate development proposal." During discussion for preliminary plat approval, the City stated their desire to have the parks and open space in the plat of Steen Park Estates to be dedicated to the City of Sultan and to thereby become a part of the Capital Facilities for the purpose of increasing acreage for the residents of Sultan. On August 31st, 2006 Mr. York Attempted to pay the \$300.00 per unit impact fee as originally assessed against the plat but payment was declined by City staff.

Over the years Members of the Sultan City Council have discussed deleting 16.72.030 recreational standards which encourage "tot lots" and other small parks in favor of raising impact fees with the goal of creating larger parks and recreational facilities that would be of interest to a wider range of residents. Section 16.72.020 should be deleted as well so that each unit created in the city would be required to equally fund creation of recreational opportunities. Steen Park, LLC is willing to pay the new park impact fee in the amount of \$3415.00 per dwelling unit without contest if Sultan City Council agrees to

delete the recreational standards currently imposed on the plat and release the footage impacted by the onsite park to revert from a tot lot to a building lot, thereby assisting the city with its long range goal of larger parks.

In the event however that City Council Members do not want to release the plat of Steen Park Estates from the required recreational standards as per Section 16.112.010 and Section 16.112.080 as stated above, then this letter is to serve as notice under Section 16.112.090 to appeal the Park Impact Fees on the legal grounds that we would be paying a duplicate fee for the same service and that the impact of this development is already being mitigated onsite.

Thank you,

A handwritten signature in black ink, appearing to read "Garth York - Pres". The signature is stylized and cursive.

Garth York
President
Steen Park, LLC
GY