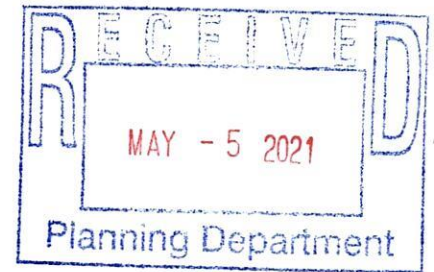


Date: 05 May 2021

Heather Richards
Planning Director
Community Development Center
231 NE Fifth Street
McMinnville, OR 97128



Reference: Arguments in Opposition to VR 1-21 and Parcel #2 of
Minor Partition (MP 6-20) – 835 SW Hilary Street

Dear Ms. Richards

My name is Earl Anderson. I have been a resident of McMinnville for over 36 years. We purchased my first home on Tall Oaks Drive in early 1985, my second on Cross Street and my third a 20-acre ranch in Muddy Valley in 1994 and finally we purchased our 4th home off Fleischauer Street in 2002.

In 2000 I moved back into my favorite home on Tall Oaks Drive to discover that a residence had been constructed a few feet behind my property. Believing this area was a protected, city owned sensitive watershed, I never considered erecting a fence because we just wanted to connect with our natural surroundings. As you may imagine it was more than a little bit overwhelming to see the large home with an asphalt drive obstructing the greenway on the northeast boundary of my property.

Years earlier, my children's first enduring encounter with nature was in our back yard on Tall Oaks Drive. My son could not believe there was such a thing as a CRAWDAD with CLAWS in the Cozine for goodness sake. The look in my daughter's eyes when she first spied two fawns emerge from the forest canopy behind our house with their mother close behind... it was priceless. Now in our advancing years and fully vaccinated, my wife Sheryl and I will soon resume backyard celebrations with our family, friends and most importantly our grandchildren. I read you have children Ms. Richards I'm certain we are all watching for their first encounter with nature and its wonders, hoping it triggers in them a life-long respect for nature and the feeling of being safe, centered and home in this nurturing place.



The Allen's invitation to a neighborhood meeting and the subsequent Public Hearing Notice for VR1-21 including the concurrent review of minor partition MP6-20, is again, alarming to say the least. Further, reviewing your Statesman Journal discussions regarding Urban growth and planning, it leaves me somewhat hopeless and quite anxious about the prospects of the city, with one swing of the gavel, awarding the variance and accepting the new proposed Allen Partitioning.

Today, the pandemic and civil unrest invariably elicit anxiety and dread. However, we are equally upset to hear of the city's urgent need to identify and aggressively pursue every possible opportunity to break ground and build, build, build. The scarcity of buildable land risks a city planning the elimination of the very attributes that you profess in your op-eds to enhance quality of life and "livability" in McMinnville.

"Growth is inevitable" you say, which initially left me at somewhat of a loss to respond to VR1-21 and the applicants concurrent ensuing Partitioning proposal.

A Different Perspective

My background in Engineering and later as Director of Quality and Regulatory Affairs, informs a more reasoned analytical, rather than emotional response to the circumstances. In the Engineering world we like to quote Sir Isaac Newton when he said, "If I have seen further, it is by standing on the shoulders of Giants". I would posit the City's approach should embrace this "wisdom" of the Hydrologists, Geologists the Civil and Safety Engineers who built the city and designed the streets and parks and greenways. My understanding is that this important knowledge has been passed down and sequestered in city ordinances, rules, and supporting policies and procedures. The knowledge from overseeing the building of thousands of homes, apartments, and businesses over decades, surely will wisely inform the commissions decisions on VR 1-21.

On its face, the variance appears to be reasonably straight forward. The applicant is asking the city to allow access to their proposed parcel #2 (0.31 acres) within Minor Partition (MP 6-20), by granting a variance to city ordinance 17.53.100.c.1, allowing one additional (4th) lot on the private drive.

On the other hand, extending an existing private drive to include utilities (gas water and electric) to reach the proposed 4th lot is not trivial and risks significant private and public unintended consequences. The applicant's neighborhood meeting invitation included a plot with a duplex structure (entitled Gilson Duplex) precariously sited on a narrow parcel above the 100-year flood plain. At the "Neighborhood Meeting" the variance applicant suggested that city officials, and a building contractor friend, viewed this variance application as "a mere formality" and assured supporting participants that the application would be quickly approved without issue.

The common wall duplex structure illustrated in the applicants Neighborhood Meeting Invitation, represents up to a 66% increase from established ordinance on a private drive. The applicant's proposal, could require the private drive infrastructure support up to 5 residences, not accounting for the possibility the owner of Parcel #3 in Partition 2001-03 may also decide to construct a duplex based on new ordinances taking effect in 2022. Awarding a variance in this particular case overburdens 20-year-old public safety and engineering infrastructure standards utilized to establish the partition.

Although the easement through the adjacent undeveloped (3rd Parcel of Partition 2001-03) lot has been plotted, the road construction and routing of utilities to serve the proposed Parcel #2 must be undertaken to establish a buildable lot. This development of the roadbed and installation of utilities, risks root damage to old growth giant White Oak Trees, for which Tall Oaks Drive derives its name. Moreover, the applicant's confirmed that Carole Hansen (Tall Oaks Drive resident abutting the proposed new "Gilson Duplex" site) will lose the canopy of a massive White Oak Tree along with select other Douglas Fir trees if permits are authorized.

Further, expanding the private drive to accommodate up to six more motor vehicles diminishes motor vehicle safety by elevating private drive congestion, risking unsafe backing onto a major thoroughfare Fellows Street), accelerates existing private road surface wear resulting in added maintenance expense and 100-year flood plain intrusion concerns.



Having lived under their canopy for decades, it is difficult to imagine our back yards without these majestic trees. However, the Allen's insist these trees must go, even though some are within a 33' Natural Public Right of Way utilized by the abutting Tall Oaks Drive community for decades. This cherished public right of way was a positive legacy of the city's decision to vacate an earlier plotted street. The decision to remove the trees is likely due to the applicants' desire to maximize the available lot size to meet the 7000 Sq. ft. minimums required by ordinance above the 100-year flood plain. Unintended consequences abound, including the loss of shade, wind and temperature moderation insufficiently served by the applicants promise of conditional landscape screening near adjacent and abutting properties. Given the circumstances of our stressed climate, it seems an ill-advised exchange, developing over this sensitive green space, just to make room for driveways and parking spaces.

In summary my wife and I strongly oppose VR 1-21 and the establishment of Parcel #2 within MP 6-20. Hopefully by now you will have heard from other neighbors on Tall Oaks Drive. In this case, the applicant clearly has not met the criteria established in MMC Section 17.74.110.C. Awarding the variance would in fact be materially detrimental to the property in the same zone or vicinity in which the property is located. Awarding up to a 66% variance and developing over a cherished public right of way, otherwise conflicts with the objectives of McMinnville's city plan and policies.

Respectfully,

Earl & Sheryl Anderson
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503-313-0149

P.S. "I should be glad if all the meadows on the earth were left in a wild state, if that were the consequence of men's beginning to redeem themselves." Henry David Thoreau. I have personally always been proud and drawn back to our friends in McMinnville because it seems we really do care and hold the tenant to serve our community by preserving and cherishing nature and natural green spaces, the very thing that restores and nurtures our soul in these difficult times.