



City of McMinnville
Planning Department
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MEMORANDUM

DATE: August 16, 2017
TO: McMinnville Planning Commission
FROM: Ron Pomeroy, Principal Planner
SUBJECT: Testimony re: ZC 11-17 Land Use Resources, LLC

The Planning Department received email testimony from John Baker on Friday, August 11, 2017 specific to zone change request ZC 11-17.

The body of that email is reproduced in *italics* total below with staff's responses provided in the body of the email.

Honorable Members of the Planning Commission for the City of McMinnville.

My name is John F Baker III. My wife, Kristine, and I live at 478 NE Fircrest Place in McMinnville, Oregon. We own our home here and have moved from Brookings, Oregon about four months ago.

I along with several of my neighbors have received a notice from you of a planning commission meeting to hold a public hearing on Thursday, August 17, 2017 at 6:30 pm. I am very sad that I will not be able to be in attendance. I would however appreciate the opportunity to publicly share my feelings and thoughts.

The Review Criteria for satisfying requirements lays out three distinctly relevant areas. I would like to address each area in turn. It is with understanding that this is indeed a planning session to take testimony and comments. I would therefore at the beginning request that additional planning sessions take place as necessary to examine those items which have not yet been presented by the developer to achieve success in any outright or hasty granting of this ZONE CHANGE.

Part A. Consistent with the goals and policies of the Comprehensive Plan.

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- *An environmental impact study does not appear to have been completed. Such actions at a federal level are surely followed at state, county and city levels.*

Staff response: An environmental impact study is not required for this zone change request as the Environmental Policies that exist in the McMinnville Comprehensive Plan (Policies 1312.46.00, 132.46.05, and 132.46.10) all relate to street design and clean burning fuels and not development design. Additionally, a development plan has not been provided as part of this zone change request.

- *A county hearing has not yet been scheduled to publicly hear comments for lands and developments abutting their jurisdiction.*

Staff response: As this property is located within the city limits of McMinnville, Yamhill County does not have legal jurisdiction to hold a public hearing on this matter. Additionally, comments on this application were solicited from Yamhill County Public Works and the Yamhill County Planning Department. Comment was returned from Yamhill County Public Works stating “The subject proposal does not conflict with the interests of Yamhill County Public Works.”

- *While the city would desire some thousands of jobs as an increase in our city base, does this housing really fit our current adjacent housing? Certainly an amount of feathering would be sought after to properly assimilate this high density proposal. Normal policies provide for this capacity.*

Staff response: Housing adjacent to and further west of this site is medium to higher residential density and is located on land zoned R-4 (Multiple-Family Residential) which is the same zoning designation requested by the applicant of this current request.

Part B. The proposed amendment is orderly and timely.

- *The proposal should be orderly with an appropriate amount of information made available to both neighbors and the Planning Commission. Only a plat map has been distributed to residents. Surely this is neither orderly nor proper in the decision making process. Information apparently is being delayed to the hearing session and does not present as timely for any of those desiring to place input with you.*

Staff response: As per Oregon public notice requirements, the material distributed to residents included a notice of this public hearing (including a map identifying the subject site) mailed to all property owners located within 300 feet of the boundary of the site a minimum of twenty (20)

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days prior to the public hearing. All materials associated with this zone change request have been available for public access in the Community Development Center since their submittal as well as online on the City of McMinnville website. This procedure complies with all state and local public notice requirements for such land use applications.

- *The proposal does little more than mention that there might be areas not under development in the proposed ZONE CHANGE.*

Staff response: This application is requesting approval for a zone change only. No development plan has been proposed at this time.

- *The area that is indicated on the notice is indeed a beautiful environment with potential impact to a variety of occupants, which include trees, shrubbery, wild fowl, deer, and other small mammals. Exactly how are their rights going to be protected? Since they have not been documented, studied and planned for, this cannot be an orderly nor timely change.*
- *All documented trees above 2 inches in diameter should be cataloged and protected by bond or an area demarcation for open space in perpetuity is part of the protection process to provide for orderliness.*
- *The animal life which is protected by this open space has not been documented as part of an orderly environmental impact study.*

Staff response: An environmental impact analysis is not required for consideration of the requested zone change.

- *Placing 95 homes (an unknown number since there is no current knowledge of the density) without a designated and usable open space for the use of residents is not orderly nor of great benefit to our neighborhood and city.*

Staff response: As previously noted, this application is requesting approval for a zone change only. No development plan has been proposed at this time.

Part C. Utilities and services can be efficiently provided to serve the proposed uses

- *Parking along the NE Fircrest Drive will need to be curtailed to a full no-parking zone on both sides to allow for safe and orderly entrance and egress. We have seen streets in down town that have been reduced to one way traveling when parking is allowed on such small streets. There has been no mention of this in the hearing notice.*

Staff response: The purpose of the public hearing notice is to provide awareness to property owners regarding a land use request on nearby property. The review of applicable goals, policies and other requirements is found in the associated Decision Document that, upon completion, is made available to the public a minimum of one week (7 days) prior to the public hearing.

The City's adopted Transportation System Plan classifies Fircrest Avenue as a local street which allows parking along both sides of the public street.

- *The Fire and Police departments will have radically increased calls in such a large, assumed undertaking of compact residents. Have their capabilities been studied and presented?*
- *The area is at the end of the city boundaries and begs questioning about fire hydrants, water pressure and availability of quality drinking water and sewage handling. How is the additional trash going to be handled and is the capacity sufficient for its disposal.*

Staff response: The McMinnville Police and Fire Departments, McMinnville Water & Light, and Recology Western Oregon were each provided copies of this zone change proposal and did not report any conflicts. The Fire Department replied stating "We have no issues with this zone change but please note that all construction will need to meet required Fire Code requirements." McMinnville Water and Light stated "MW&L has no comments on this application." Recology Western Oregon stated "No concerns here from our end."

- *We have an airport adjacent to this zone change. Have any plans there been correlated with this development? If so, what are they?*

Staff response: Local development projects located within the vicinity of the McMinnville airport are coordinated with the city's Engineering Department and reviewed for compliance with the McMinnville Airport Master Plan. This zone change proposal yields no conflicts with that plan.

- *How does this increase in development impact our emergency preparedness as a community?*

Staff response: This zone change proposal has been reviewed by the McMinnville Police and Fire Departments, and no conflicts have been noted.

- *Has the county land use been correlated with this hearing and if not, when will that occur?*

Staff response: As previously noted, this site is located within the McMinnville urban growth boundary and the McMinnville city limits for the purpose of urbanization. Yamhill County does not conduct hearings on land located within the city limits of a local jurisdiction.

- *Is this property HUD approval housing in any part or form?*

Staff response: Again, no development plan has been submitted as part of this zone change application.

- *Does the developer have a long range plan for the maintenance and up keep of the units with a proper management and organization proposal?*

Staff response: No development plan has been proposed as part of this zone change request.

I live next to this proposed development. I expect to be a good neighbor and to have good new neighbors. A cooperative effort to develop a wonderful outcome is expected