

MCMINNVILLE'S COMPREHENSIVE PLAN – GOALS AND POLICIES
THAT FAVOR PRESERVING WETLANDS FOR DRAINAGE WAYS – AND RECREATION

McMinnville Planning Commission
c/o Planning Department
23- NE 2nd St McMinnville, Or. 97128

Commissioners,

Our group has certainly had a crash course introduction to the “technicalities” of the planning system in relation to FEMA reports, and the importance of Comprehensive Plan goals/policies in making your decision. I will do my best to base my arguments on the comprehensive plan from here on out. And it looks to me like “if” this process allows you to weigh common sense, favorable policies, and economic factors at least as highly as the Oak Ridge Meadows applications liberal use of “technical qualifications”, it sure looks to me that the three entities that gain by approving 4822 Planned Development with access to Baker Creek Road as a stand alone development. And leaving the 4722 property separate until several environmental, access, and legal issues can be answered are:

- The future Oak Ridge Meadows residents in the 25 acre “upper” property that will have easy access to Baker Creek Road in the future.
- The residents of Crestbrook, Compton Crest, and Oak Ridge – It may take a year or so to work out the access issue of 4822. But in the long run, that beats allowing the south basin to torn up which would destroy an important bird/frog/small animal habitat with 6-7 feet of fill – which would raise the risk of flooding in the Crestbrook neighborhood. And;
- The City of McMinnville – gaining the property taxes from 7 houses that would be gained by allowing the fill and low road can't come close to the negative economic, environmental, and legal liability (risk of flooding) repercussions that are likely to arise from allowing the fill and road in the 4722 section to go forward.

As even the Friends of Yamhill County alluded to in their letter, even though McMinnville does need increased density – the 11.47 acres in the 4722 property will better serve McMinnville by remaining a reserve drainage way for increased Baker Creek storm flow than by filling/diking for only 7-8 houses.

THAT IS EXACTLY WHAT THE FRIENDS OF BAKER CREEK IS RECOMMENDING!! THE REMAINING 11.47 ACRES IN 4722 IS A UNIQUE AND BEAUTIFUL PIECE OF PROPERTY – THAT PROBABLY WAS DEVELOPABLE THIRTY YEARS AGO BEFORE: 1) THE CRESTBROOK NEIGHBORHOOD WAS BUILT DOWNSTREAM. AND; 2) THIRTY-SIX YEARS OF STORM DRAINAGE WAS ROUTED TO THE BAKER CREEK BASIN.

But, the reality of the situation with the 4722 property today is that when all comprehensive plan chapters are taken into consideration --- there are far more goals and policies that favor retaining the 4722 property as a wintertime high water drainage way, and eventual nature park or preserve (less maintenance), that there are for trying to take several actions that may be “technically” approvable using 36 year old standards – only by attaching to the 4822 property. But I don't believe that at this point even the technical wizards who wrote the Oak Ridge Meadows application, can make 4722 property approvable on its own. – especially if/when an updated FEMA report is completed!! There are just too many environmental, access, legal issues – and economic costs to justify this property on a stand alone basis in 2020/2021.

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MAY 08 2019

COMMUNITY DEVELOPMENT
CENTER

FOLLOWING ARE SOME OF THE COMPREHENSIVE PLAN GOALS/POLICIES THAT I THINK FAVOR KEEPING THE 4722 PROPERTY SEPARATE. AND HAVING IT CONTINUE TO BE USED AS A WINTERTIME OVERFLOW FOR THE EVER INCREASING AMOUNT OF STORM DRAINAGE OVERFLOW THAT IS BEING DIRECTED IN TO THE BAKER CREEK BASIN:

Chapter VII – Community Services and Facilities – STORM DRAINAGE

1. Policy 142.00 – “The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments.
 - A. Will the storm drains in Oak Ridge Meadows and Stafford’s new development drain into the wetlands? If so, that will add another 100 or so acres of drainage.
 - B. The storm drain systems in Compton Crest, Oak Ridge, and we think Crestbrook drain into the wetlands, not the city system.

2. Policy 143.00 – “The City of McMinnville shall encourage the retention of natural drainageways for storm water drainage.”
 - A. With increased runoff from new housing developments, AND the 1,000 acres of farm drain tiles under new filbert orchards just upstream in 2018 – the entire drainage area will be needed in the future.
 - B. So, all of the Baker Creek drainage way is needed. – And diking the southern perimeter of the wetland area will just push additional water downstream – which could create a huge liability issue to the city.

Chapter 17.48 F-P FLOOD AREA ZONE

1. 1748.005 Purpose – “The purpose of a floodplain is to establish and regulate land uses in those areas designated as hazardous due to periodic flooding in order to protect the community from financial burdens through flood damage losses. Further, this zone is intended to protect natural floodways and drainage ways from encroachment by uses and/or indiscriminate land filling or diking which may adversely affect the overall stream and downstream flood levels. Finally, the floodplain zone shall set aside an area which shall for the most part, be preserved in its natural state to provide open spaces, natural habitats, and recreational places.”
 - A. The 3 reasons listed in this “Purpose” statement are the three main reasons we are arguing to leave this ENTIRE area as a natural drainage way for Baker Creek – and over the long term to convert it to a public open space with linear trails that could possibly connect Rotary Park to the east, with the Roma Sitton Parkway that is ½ mile to the west.
 - B. Plus – any diking will increase the threat of flood damage to the homes in the lower Crestbrook neighborhood which is 300-400 yards downstream.
 - C. We think that the November 2015 pictures and the December 2015 pictures show that the aggressive non-permitted filling that Premier did bordering Baker Creek (in this area) --- has moved where the creek overflows its banks 400 yards upstream --- so that maybe 1/3rd of what fema now rates as WETLANDS is actually FLOODPLAIN.
 - D. Fema has a request form to have floodplain areas reviewed. We are in the process of having that form filled out.
 - E.

Chapter VII – COMMUNITY SERVICES - PARKS AND RECREATION

GOAL VII 3 – To provide Parks & Rec, open spaces, and scenic areas for the use and enjoyment of ALL citizens of the community.”

1. Policy 160.00 – “City of McMinnville shall encourage the improvement of existing Parks & Rec facilities as a priority consideration.” – retaining the wetlands as an open area/nature park would enable a walkway all the way from Rotary Park to the Roma Sitton walkway.
2. 161.00 – “cooperation between public/private groups and agencies.” – It may require outside money to get the Zumwalt’s fairly reimbursed for their property. But it should certainly be a doable project.
3. 163.05 – “The City of McMinnville shall locate future community and neighborhood parks above the boundary of the 100 – year floodplain. Linear parks, trails, etc are appropriate recreational uses of floodplain land to connect parks to each other, provided that the design and location of such uses can occur with minimum impacts on such environmentally sensitive lands.” (Ordinance 4840, January 11, 2006).
4. 164.00 – The city shall continue to acquire floodplain lands through provisions of Chapter 17.53 (Land division standards) for future use as Natural areas and/or Parks.”
5. 166.00 – The City of McMinnville shall recognize open spaces and Natural Areas as necessary areas of the urban area.”
6. 167.00 – The City of McMinnville shall encourage the retention of open spaces and scenic areas throughout the community.”
7. 168.00 – Distinctive Natural features and areas shall be retained, wherever possible in future Developments.”
8. 169.00 Drainage Ways in the city shall be preserved where possible for natural areas and open spaces – and to provide natural storm runoffs.”

CHAPTER VII – HISTORIC PRESERVATION

1. Policy 15.00 – “The City of McMinnville shall establish a program for the identification and preservation of significant sites, and areas.” --- The 640 acres of property claimed by John Baker, McMinnville first settler, was in the area of Baker Creek. He built the first cabin in the area of Baker Creek Road and Westside road. ---
2. Policy 16.00 – The City of McMinnville shall support assessment programs, grants-in-aid programs and other similar legislation in an effort to preserve structures, sites, or areas of significance to the City.” ---- A future nature park/walking trail that connects Rotary Park to the Roma Sitton walkway area – with signage honoring John Baker as McMinnville’s first settler – and sheriff would be a great educational and recreational area FOR ALL CITIZENS OF THE CITY TO ENJOY!

Chapter IX – URBANIZATION – URBAN GROWTH BOUNDARY

1. Policy 182.—“The City of McMinnville and Yamhill County shall consider amendments to the boundary based on the following criteria and other State requirements:
 - A. “Maximum efficiency of land uses within and on the fringe of the existing urban area.”
 - B. “The long term environmental, energy, economic, and social consequences ... as the result of allowing urbanization and not preserving and maintaining the land for agricultural or forest uses.
 - C. “Compatibility of the proposed use with other adjacent uses.” – We feel the proposed use would harm the local bird/wildlife habitat, increase the flooding risks in the Crestbrook neighborhood, and have a negative livability effect on two 10-15 year old neighborhoods (Compton Crest and Oak Ridge).

CHAPTER V – HOUSING AND RESIDENTIAL DEVELOPMENT – PLANNED DEVELOPMENT POLICIES

- A. PURPOSE 17.51.010 – Purpose – ““To provide greater flexibility use a creative approach ... preserve significant natural features, facilitate a desirable aesthetic ... efficient use of open space, and create public and private common open spaces.”
- B. Policy 72.00 – Planned developments shall be encouraged as long as social, economic, and environmental savings will accrue to the residents of the development and the city.”
- C. Policy 74.00 – “Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.”
- D. Policy 78.00 – “Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.” -- a dead end road down in the wetlands with zero circulation is not compatible with the residences in either Compton Crest or Oak Ridge developments..

CHAPTER V – RESIDENTIAL DESIGN POLICIES

- A. Policy 80.00 – “In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.”
- B. Policy 81.00 – “Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as schools, parks, and other residential areas, shall be encouraged.”

CHAPTER II – TO PRESERVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES WITHIN THE PLANNING AREA.

- A. LAND – 2.00 = The City of McMinnville shall continue to enforce appropriate development controls on lands with identified building constraints, including, but not limited to, excessive slope, and natural hazards.” (flooding).
- B. WATER 9.00 – “The City of McMinnville shall continue to designate appropriate lands within its corporate limits as “floodplain” to prevent flood induced property damages and to retain and protect natural drainage ways from encroachment by inappropriate uses.” (like 6 feet of fill and road/houses).

I am sure there are lots more policies that support our position of keeping the two planned developments separate (4722 and 4822). As the Oak Ridge Meadows application proves – when you allow the two planned developments to be combined – THE 4722 PROPERTY CAN PIGGYBACK ON THE “GOODNESS” OF THE UPPER 4822 PROPERTY – AND BECOME “TECHNICALLY” QUALIFIED FOR AT LEAST FORTY COMPREHENSIVE PLAN GOAL/POLICIES THAT IT DOESN’T QUALIFY FOR ON ITS OWN.

PLEASE DON’T ALLOW “TECHNICAL” EXPERTISE QUALIFY A PROPERTY FOR DEVELOPMENT WHERE THE ONLY BENEFACOR WOULD BE THE DEVELOPER. AND THE LOSERS WOULD BE FUTURE OAK RIDGE MEADOWS RESIDENTS, OUR THREE NEIGHBORHOODS, AND ESPECIALLY CITY GOVERNMENT IN THE FORM OF WASTED MAINTENANCE/UPKEEP COSTS – AND POTENTIAL LEGAL LIABILITIES.

Mike Colvin