



P.O. Box 1083
McMinnville, Oregon 97128

Helping to shape the use of our natural resources to protect the quality of life in Yamhill County

April 17, 2023

McMinnville Planning Commission
Tom Schauer, Senior Planner
231 NE Fifth Street
McMinnville, OR 97128

Re: CPA 2-20/ZC 3-20; CPA 1-2/ZC 2-21; and CPA 2-21/ ZC 3-21 (Three Mile Lane Plan Amendment and Zone Change applications)

Dear Commissioners and staff:

Friends of Yamhill County (FYC) works to protect natural resources through the implementation of land use planning goals, policies, and laws that maintain and improve the present and future quality of life in Yamhill County for both urban and rural residents. Our membership includes many McMinnville residents who support the mission and values of the Oregon land use program.

We have closely followed these three plan amendment and zone change applications since the first one was filed back in 2020. The draft findings document 79 instances of criteria that have not been satisfied. From our perspective, two issues are especially critical. First, the combined commercial shopping center area proposed in the applications is nearly twice the size of the 33 acre limitation adopted by the city in the Three Mile Lane Area Plan. Second, the necessary transportation improvements and mitigation may not be feasible because none of the individual applicants control all the locations where these improvements are needed.

Since the initial public hearing on the Kimco application held on May 20, 2021, the applicants have requested a continuance 15 times through January 19, 2023, according to planning commission minutes. Enough is enough- this has to stop. We urge you to deny the request for a 16th continuance.

For the reasons set forth in the staff report and decision documents attached to it, these applications cannot be approved as submitted, and therefore must be denied. Staff so notified the applicants over 6 months ago, on October 7 of last year. (See attached email from the Planning Director to Dana Krawczuk and Mike Connors.) The applicants have had 6 months since that time to submit additional information.

The required revisions are so extensive that a new application(s) and new notice are warranted. One required revision, among others, would change the actual area covered by the map amendments from the area described in the original notices.

A new application(s) and new notice are also warranted because the 3 separate applications are functionally a single application and should be processed as such. They share a staff report, traffic analyses, narratives, etc. Three separate property owners have applied for a single project that has been artificially broken into three separate applications. The multiple applications should be withdrawn or denied, after which the applicants could file a cohesive new application, should they choose to do so.

Thank you for the opportunity to provide these comments. Please include them in the official record of the aforementioned dockets and notify us of your decision in this matter.

Sincerely,



Sid Friedman
Friends of Yamhill County



Kathryn Jernstedt
President
Friends of Yamhill County
P.O. Box 1083
McMinnville, OR 97128

Attachment: October 7, 2022 email from Heater Richards to Dana Krawczuk and Mike Connors

Cc: 1000 Friends of Oregon
DLCD

From: [Heather Richards](#)
To: [Mike Connors](#); [Krawczuk, Dana L.](#)
Cc: [Tom Schauer](#)
Subject: TMLA CPA/ZC Commercial Applications
Date: Friday, October 7, 2022 7:05:46 PM
Attachments: [image003.png](#)

Dear Dana and Mike,

Below is some information for your consideration regarding the potential next steps for the three map amendment applications that you represent on Three Mile Lane.

If you choose to request continuances from the advertised October 20, 2022, Planning Commission public hearing to consider the three applications, we would concur with the request for the continuances to a Planning Commission meeting date after the City Council has reviewed and deliberated on a revised draft Three Mile Lane Area Plan (3MLAP). City Council will consider a revised draft 3MLAP on November 8, 2022. That draft will incorporate five revisions as directed by City Council. One of the revisions is that the Mixed-Use Town Center commercial area be limited to 33 net buildable acres.

To date, the three applicants have collaborated to move the applications forward together in a manner in which the combined portions of the three properties proposed for redesignation would together comprise the 3MLAP Mixed-Use Town Center commercial area. There would be designation of a single C3 Mixed-Use Town Center Planned Development Overlay encompassing this area. Currently, the combined acreage proposed for redesignation is approximately 68 gross acres, and would be inconsistent with the recent direction provided by City Council for a smaller commercial center.

Therefore, if your request is to proceed with the October 20, 2022, Planning Commission hearing, the staff recommendation would be denial of the applications based on the size of the proposed redesignation and the current direction from the City Council for a smaller commercial center.

Also, as previously discussed and requested by the applicants, the conditions for transportation improvements and mitigation associated with the proposed map amendments would apply as a whole to the Mixed-Use Town Center PD overlay area, and the same conditions would be attached to each application, with the allocation of those requirements among property owners being a decision to be made among the property owners. At this time, the analysis and mitigation are based on the combined area of approximately 68 acres.

If the applicants should request a continuance to revise the proposal/s so the boundary and combined acreage proposed for redesignation for a Mixed-Use Town Center PD is consistent with the smaller commercial center desired by the City Council, it would be necessary to provide updated transportation analysis and mitigation addressing the revised boundary and acreage showing how the transportation improvements and mitigation could be accomplished.

If any of the applicants want to proceed independently, that applicant would need to provide updated transportation analysis and mitigation for their respective independent application, identifying access, necessary transportation improvements and identified mitigation. At this time, it is not evident how a 33 net buildable acre commercial center and the necessary associated access (Cumulus intersection with Highway 18) and transportation improvements (frontage roads connecting to Stratus Avenue) could be accomplished within the confines of any of the individual properties without the cooperation of the others.

We do not see how we can write findings that support approval of any of the applications (either aggregate or individually) as currently provided.

Please let us know how you would like to proceed.

Have a great day!

Heather



Heather Richards
Community Development Director
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