



City of McMinnville
Planning Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311

www.mcminnvilleoregon.gov

MEMORANDUM

DATE: February 10, 2017
TO: Planning Commission
FROM: Planning Department
SUBJECT: Supplemental Material

Below is a list of testimony received after the January 19, 2017 Planning Commission meeting.

1. January 20, 2017 Email from Susan Dirks received January 20, 2017
2. January 23, 2017 Letter from Patty O'Leary received January 23, 2017, hand delivered January 27, 2017
3. January 26, 2017 Letter from David and Carol StLouis received January 26, 2017
4. January 25, 2017 Letter from Gene and Deanna White received on January 27, 2017
5. January 30, 2017 Email from Ray Fields received January 30, 2017
6. January 30, 2017 Letter from Patty O'Leary received January 30, 2017
7. February 2, 2017 Letter from The Hayes Family received February 2, 2017
8. Undated Letter from Renee Carr received January 2, 2017
9. February 6, 2017 Rebuttal Testimony Email from Baker Creek Development LLC received February 7, 2017
10. February 7, 2017 Rebuttal Testimony Clarification Email from Baker Creek Development LLC received February 7, 2017
11. February 7, 2017 Rebuttal Testimony Clarification Email from Baker Creek Development LLC received February 7, 2017
12. February 7, 2017 Rebuttal Testimony Clarification Email from Baker Creek Development LLC received February 7, 2017

email
RECEIVED

JAN 23 2017

COMMUNITY DEVELOPMENT
CENTER

TO: McMinnville Planning Commission
Heather Richards, Planning Director
Ron Pomeroy, Principal Planner

FROM: Susan Dirks
1880 NW Doral St., McMinnville

SUBJECT: Additional Comments on Baker Creek Development, ZC 1-16/ZC 2-16/S 3-16
following January 19, 2017 Planning Commission Public Hearing

Date: January 20, 2017

First, I would like to thank the Commissioners and the staff for their patience and perseverance throughout this process and during the long meeting last night. I appreciate the opportunity to add a few additional comments.

Concern that houses would become rental property: Since it is now proposed that the City be a party to the CC&Rs of the Homeowners Association, would it be legal for the City to require a covenant specifying that all property within this development be owner-occupied?

Density: During the hearing, so many calculations and maps were discussed that I think that it is important to focus on the reality as it will be experienced by the people actually living in and near this new neighborhood.

I understand that the approval process and the rules governing changes to the Comprehensive Plan permit the applicant to calculate the average density per acre for two separate tracts and to apply that average to the entire project. But the result is mathematical sleight-of-hand and does not reflect reality. Once constructed, the houses and apartments in the Baker Creek West (BCW) tract will still have a density higher than 7 units per acre. When the entire project is complete, on paper the average density may indeed be less than 6 units per acre, but on the ground, in the actual BCW neighborhood, mere mathematics will not move those dwellings further apart, thus making the neighborhood more livable.

Green space, parkland, and walkways that are located *inside* the neighborhood and encourage activity *within* the neighborhood, not just on the periphery, are intended to compensate for the higher densities of developments like this one. If the applicant were required to dedicate modest amounts of land within BCW for these amenities, it would simultaneously bring BCW closer to the Comprehensive Plan's goal of 6 units per acre *and* vastly improve the neighborhood.

Finally, as Mr. Pomeroy indicated at the meeting, it is incumbent on the applicant to provide a compelling reason for his requested variances to the Comprehensive Plan. Has he done this?

Emailed
RECEIVED

JAN 23 2017

COMMUNITY DEVELOPMENT
CENTER

January 23, 2017

City of McMinnville Planning Department
Attn: Ron Pomeroy, Principal Planner
231 NE Fifth Street
McMinnville, Oregon 97128

RE: Baker Creek Development ZC 1-16/ZC 2-16/S 3-16

Dear Mr. Pomeroy,

I found the January 19, 2017 City Planning Commission Session quite informative, albeit somewhat confusing regarding what can actually be done with the property in question. While I acknowledge that I am not a professional planner with access to the full resources of the City Planning Department, the following paper trail appears clear to me.

Ordinance 4506

Ordinance 4506 was recorded December 10, 1991. According to the first paragraph, it was filed to approve "certain changes to the McMinnville Comprehensive Plan Map, 1980; setting certain conditions of development; amending Ordinance Nos. 4082, 4214, and 4410; and repealing Ordinance Nos. 4381, 4441, 4453, and 4466 in their entirety." While Ordinance 4506 included multiple parcels of land, for simplification I am only going to include the section covered by the application and referred to as Parcel 3 (the southeast corner of land bounded by Hill Road and Baker Creek Road), in Exhibit A of Ord. 4506.

I have included a copy of Exhibit A to clarify the location of the Parcel 3 under discussion. I have marked Tax Lot 0200 in red. Please note that was a clearly identified Tax Lot in December, 1991. At this time, Parcel A is 5 acres and the rest of the corner at Hill and Baker Creek is 13.49 acres. I do not call that out as Tax Lot 0203 since it is not absolutely clear from Exhibit A that it is defined as a separate Tax Lot at that time, only that **it is not part of Tax Lot 0200.**

Section 1. (a) amended Parcel 3 (as well as Parcels 1 and 2 located at the intersection of Hill Road and Second Street and not relevant to this application) from a residential designation to a commercial designation. Section 2 reiterated that Parcel 3 was rezoned from R-1 (Single-Family Residential) to C-3 PD (General Commercial Planned Development), subject to specific conditions, which included that a minimum of 14 percent of the site must be landscaped; detailed plans must be submitted and approved

before actual development may take place; and further conditions regarding hours of operation, lighting and the like.

The specific conditions applied to Parcel 3 that are relative to the Baker Creek Development application are Section 2. (b) "The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance may be used to **place conditions on any development** and to determine whether or not the specific uses are permissible." Section 2 (d) "**No building shall exceed the height of 35 feet.**" And finally, Section 2 (h) "That Section 3 of Ordinance 4082 is hereby amended by substituting the words 'C-3 PD (General Commercial Planned Development)' for the words 'AH PD (Agricultural Holding Planned Development)'. All other applicable provisions of Ordinance 4082 remain in full force and effect."

So Ordinance 4506 seems pretty direct to me. I have included the pages of Ordinance 4506 that pertain to Parcel 3 for clarification.

Ordinance 4626

Ordinance 4626 was recorded on July 9, 1996. **It only refers to Tax Lot 200**, which is the tax lot south of the section of land referred to above as Parcel 3 (primarily Tax Lot 203). Once again, this ordinance amends "the City of McMinnville Comprehensive Plan Map from an existing commercial designation and rezoning certain property from a C-3 PD (General Commercial Planned Development) zone to an R-1 PD (Single-Family Residential Planned Development) zone on 1.2 acres of land [a portion of Parcel 3 from Ordinance 4506], and a zone change from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone on approximately 21.8 acres of land located south of Baker Creek and east of Hill Road." Unfortunately, I do not have the two exhibits specified in Section 2 and Section 3 of the ordinance to be more specific about the larger section of Tax Lot 200, but I believe everyone following this application has an understanding of the general location.

Section 3. 2. states that "the multiple-family project(s) must be nonlinear in design and Parking lots must be broken up by landscaping. In addition, **useable open space shall be provided within the development**, and streetside landscaping shall be emphasized."

Section 3. 3 states "that the minimum interior side yard setback shall be 7.5 feet."

Other lots are called out to have minimum lot sizes as well as minimum exterior side yard setbacks, but since I do not have access to the exhibits, I have not included those lots, but have only listed the qualifications that apply to the entire parcel.

Section 3. 7. specifies that "the applicant shall initiate with the City a process which will result in the designation of a minimum net 10 acres of land on the north side of Baker Creek Road in close proximity to its intersection of Hill Road for commercial purposes.

The process shall include the application of a planned development overlay **which restricts the property from use for residential purposes.** I only mention that fact because of the applicant's comment at the January 19, 2017 hearing that they plan to put a senior residential structure on that site. Additionally, I'm sure you know that McMinnville is already short approximately 106 acres of commercially-designated land per state requirements. And finally, if that designation was not completed, I believe Ordinance 4626 is invalid since that designation was a condition of approval.

I have included a copy of Ordinance 4626, less the two exhibits mentioned that I do not have access to, for clarification

Again, the intent of Ordinance 4626 is pretty straight forward. And unlike Ordinance 4506, **it does not list any other ordinances it is changing or amending.** I would also like to point out that **Ordinance 4626 does not refer to Tax Lot 203 at all.** Therefore, I am unsure of the source of the Staff Report statement: "Also included in the BCW portion of the site is a 3.8-acre lot identified by the applicant as Phase II of this proposal and shown on Attachment 3(g). This site is zoned C-3 PD (General Commercial, Planned Development) and **currently designated for multiple-family development by ORD. No. 4626.**"

If the leap from C-3 PD is being made based not on ORD. No. 4626 as stated, but rather on 17.33.020 Conditional Uses in a C-3 zone, I repeat the same statement I made in my January 2, 2017 letter and at the January 19, 2017 City Planning Council Session, Section F. 5. does not allow it. Specifically, "F. A multiple-family dwelling constructed to a **higher density than normally allowed** in the R-4 multiple-family zone provided the following conditions are met. It is the applicant's burden to show that the conditions have been met: ...5. **That the provisions of this section may be utilized only in the core area, defined as that area bounded by First Street, Fifth Street, Adams Street and Johnson Street.**" It should be noted that the same qualification is listed in the R-4 zoning section as well.

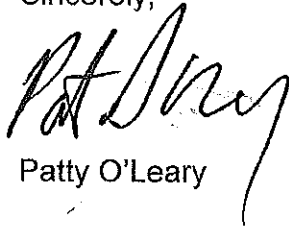
An additional assumption appears to have been made regarding building height requirements. 17.33.040 Building Height stipulates "in a C-3 zone, buildings shall not exceed a height of **eighty feet.**" I am unsure of where the 60- to 65-foot height limitation came from that was mentioned at the City Planning session, but it is irrelevant anyway. The 80-foot limitation is based on Ordinances 4128 (1981) and 3380 (1968), both of which **are superseded by Ordinance 4506 (1991)** which made a building height limit of 35-feet a condition of C-3 zoning for the section of Tax Lot 203 described as Parcel 3.

In case there is any confusion as to what restrictions apply, section 17.03.040 states "**Interpretation – More restrictive provisions govern.** Where the conditions imposed by any provision of this title are less restrictive than the comparable conditions imposed by any other provisions of this title or of any other ordinance, resolution, or regulation, **the provisions which are more restrictive shall govern.**"

Part of the Staff Report Recommendation is to repeal Ordinance 4626 entirely. If that is done, will a house already built in one of the existing Shadden Claim HOAs be able to be torn down and rebuilt to the applicant's specifications? Or will the lot revert back to Ordinance 3380 specifications? It seems to me that a "cleaner" solution is simply to amend Ordinance 4626 by removing the applicant's Tax Lots. The parcel has already been divided into multiple tax lots and so there is, in actuality, no need to include or modify tax lots not owned or controlled in any manner by the applicant in the application.

The City of McMinnville Economic Opportunities Analysis, dated November 2013 and prepared by E.D. Hovee & Company LLC states that the "challenge for the future will be to maintain the community's small-town character" and I believe that most McMinnville residents would agree with that statement. The Mission Statement adopted by the City Council in 1993 opens with, "The City of McMinnville is primarily responsible for maintaining a safe and livable environment within the community." It would be a shame if we end up with a residential equivalent of the dump through inaccurate planning interpretations.

Sincerely,

A handwritten signature in black ink, appearing to read "Patty O'Leary", written in a cursive style.

Patty O'Leary

4 pages for letter and 8 pages of attachments for 12 pages total

Dec. 10, 1991

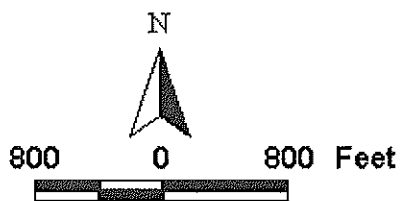
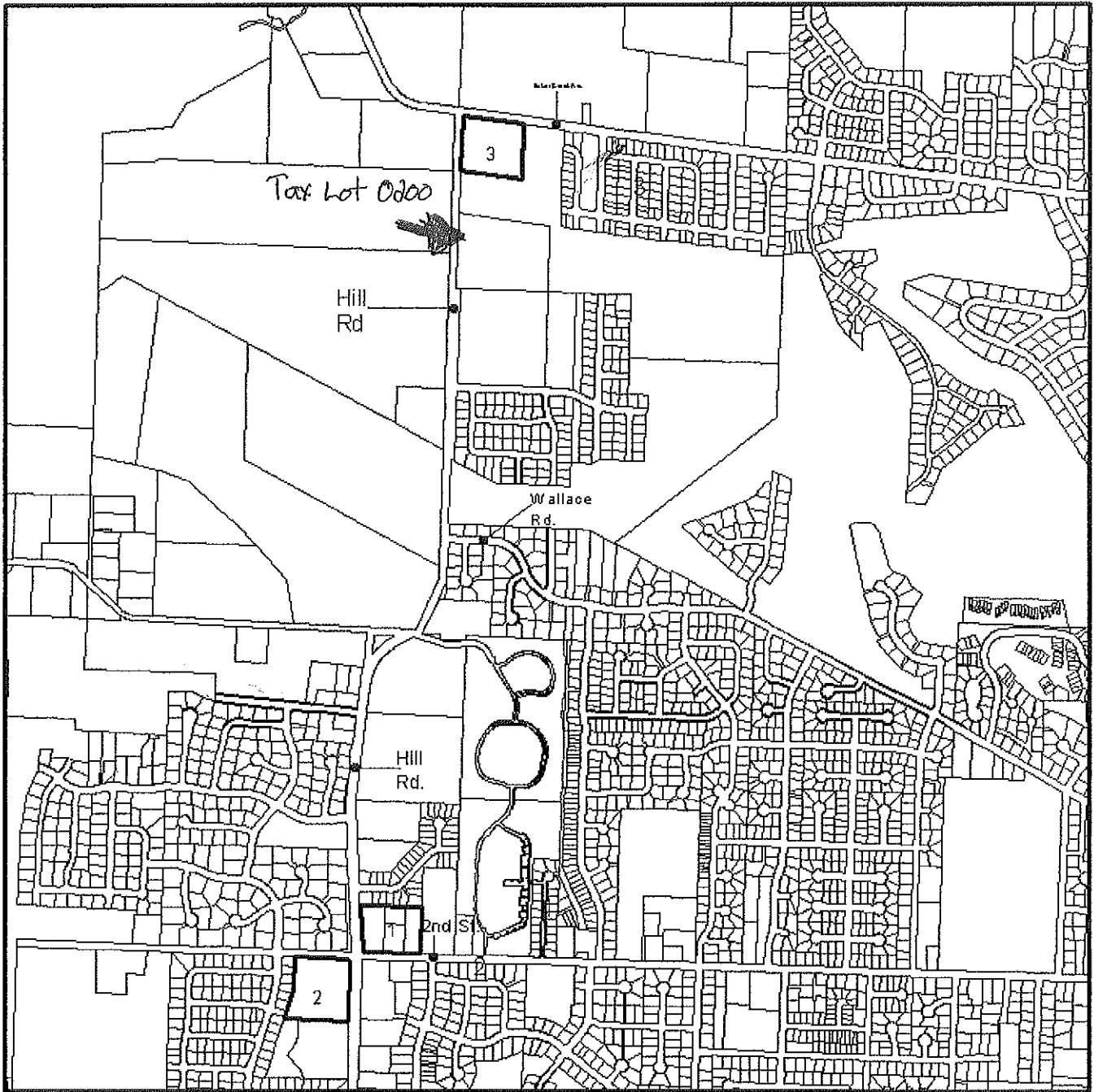


EXHIBIT A
Planned Development Overlay
Ordinance No. 4506

ORDINANCE NO. 4506

An Ordinance adopting and approving certain changes to the McMinnville Comprehensive Plan Map, 1980, and the McMinnville Zoning Map, 1980; setting certain conditions of development; amending Ordinance Nos. 4082, 4214, and 4410; and repealing Ordinance Nos. 4381, 4441, 4453, and 4466 in their entirety.

RECITALS:

The City's periodic review notice from the Land Conservation and Development Commission requires that the City review its Comprehensive Plan for compliance with new or amended goals or rules. To comply with the commercial and economic development rule (OAR 660-09), the City completed an economic resources inventory and a land needs projection. It was concluded that an additional 98 acres of commercially designated land would be needed to accommodate the City's commercial land needs to year 2010.

The Citizens Advisory Committee worked on the topic to determine those areas where commercial expansion would be most logical over time. The product of their work was a recommendation to the Planning Commission that some 146 parcels located in several areas of town and totalling 98 acres be redesignated and rezoned to commercial.


The Planning Commission then held a public hearing and a special work session on the Citizen Advisory Committee's recommendation and ended up removing some of the recommended parcels while adding some others. The Planning Commission then forwarded their recommendation to the City Council.

The City Council reviewed the Planning Commission recommendation at an August 26, 1991 work session. A public hearing on the recommendation was held by the Council on October 8, 1991 and a public hearing on this Ordinance which implements the Council's decision on the matter was held on November 12, 1991.

It is the desire of the City Council to adopt the changes to the Comprehensive Plan Map within the City's urban growth boundary and to adopt the changes to the zoning map within the corporate limits of the City at this time in order to bring the City into compliance with the statewide planning statutes found in ORS Chapters 197 and 227, and specifically with the City's periodic review notice from the Land Conservation and Development Commission; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the City's Comprehensive Plan Map shall be amended as follows:

-  (a) That parcels 1, 2, and ③ as shown on Exhibit "A," which is attached hereto and incorporated herein by this reference, be amended from a

~~residential designation to a commercial designation; and that parcels 1, 2, 3, 4, 5, 6, 7, 21, 22, 23, 24 and 25, as shown on Exhibit "B," which is attached hereto and incorporated herein by this reference, likewise be amended from a residential designation to a commercial designation.~~

- (b) That parcels 1 through 22, inclusive; 24 through 32, inclusive; 35 through 48, inclusive; and 50 through 56, inclusive, as shown on Exhibit "C," which is attached hereto and incorporated herein by this reference, be amended from an industrial designation to a commercial designation; and that parcel 23 shown on Exhibit "C" be amended from a residential designation to a commercial designation.
- (c) That parcels 57, 60, 61, and 62 as shown on Exhibit "D," which is attached hereto and incorporated herein by this reference, be amended from an industrial designation to a commercial designation.
- (d) That parcels 1, 2, and 3 as shown on Exhibit "E," which is attached hereto and incorporated herein by this reference, be amended from a residential designation to a commercial designation; and that parcel 4 as shown on Exhibit "E" be amended from an industrial designation to a commercial designation.
- (e) That parcel 5 as shown on Exhibit "F," which is attached hereto and incorporated herein by this reference, be amended from a residential designation to a commercial designation.
- (f) That parcels 1, 2, 3, 4, and 6 as shown on Exhibit "G," which is attached hereto and incorporated herein by this reference, be amended from a residential designation to a commercial designation.
- (g) That parcels 1, 2, 3, 4, 5, and 6 as shown on Exhibit "H," which is attached hereto and incorporated herein by this reference, are hereby redesignated from the mixture of industrial and residential designations which encumber the property to a commercial designation and that Ordinance No. 4214, Section 2, be amended by striking all reference to the above described property and by amending the map adopted by said Ordinance to exclude the above described properties (CPA 1-82).

Section 2. That parcels 1, 2, and 3 as shown on Exhibit "A" are hereby rezoned from AH PD (Agricultural Holding Planned Development) to C-3 PD (General Commercial Planned Development), from R-1 PD (Single-family Residential Planned Development) to C-3 PD (General Commercial Planned Development), and from R-1 (Single-family Residential) to C-3 PD (General Commercial Planned Development), respectively, subject to the following conditions:

- (a) That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee. A minimum of 14 percent of the site must be landscaped with emphasis placed at the street

frontage. An arborvitae hedge or some similar type of planted visual screen shall be required along the property lines where adjacent to residentially zoned lands.

(b) Detailed plans showing elevations, site layout, signing, landscaping, parking, and lighting must be submitted to and approved by the Planning Commission before actual development may take place. The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance may be used to place conditions on any development and to determine whether or not specific uses are permissible.

(c) No use of any retail commercial use shall normally occur between the hours of 12:30 a.m. and 6:00 a.m.

* (d) No building shall exceed the height of 35 feet.

(e) That if outside lighting is to be provided, it must be directed away from residential areas and public streets.

(f) That signs located within the planned development site be subject to the following limitations:

1. All signs must be flush against the building and not protrude more than 12 inches from the building face, except that up to two free standing monument-type signs not more than six feet in height and which meet the requirements of (2) and (3) below are allowed;
2. All signs, if illuminated, must be indirectly illuminated and nonflashing;
3. No individual sign exceeding thirty-six (36) square feet in size shall be allowed.

(g) All business, service, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:

1. Off-street parking and loading.
2. Temporary display and sales of merchandise, providing it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation.

(h) That Section 3 of Ordinance No. 4082 is hereby amended by substituting the words "C-3 PD (General Commercial Planned Development)" for the words "AH PD (Agricultural Holding Planned Development)". All other applicable provisions of Ordinance 4082 remain in full force and effect.

- (i) That Ordinance No. 4410, Section 2, be amended by removing the above described parcel 2 as shown on Exhibit "A" from the adopted description and map of those properties effected by Ordinance No. 4410.

End of applicable section

Section 3. That the properties described as parcels 1, 2, 3, 4, 5, 6, 7, 21, 22, 23, 24, and 25 on Exhibit "B" of this Ordinance are hereby rezoned from an R-4 (Multiple-family Residential) zone to an O-R (Office/Residential) zone.

Section 4. That the properties described as parcels 1 through 22, inclusive; and 41 through 48, inclusive; as shown on Exhibit "C" of this Ordinance are hereby rezoned from an M-1 (Light Industrial) zone to a C-3 (General Commercial) zone. That the properties described as parcels 50 through 56, inclusive, as shown on Exhibit "C" of this Ordinance are hereby rezoned from an M-1 PD (Light Industrial Planned Development) zone to a C-3 (General Commercial) zone. That the properties described as parcels 25 through 32, inclusive; and 35 through 40, inclusive; as shown on Exhibit "C" of this Ordinance are hereby rezoned from an M-2 (General Industrial) zone to a C-3 (General Commercial) zone; and that the property described as parcel 23 on Exhibit "C" of this Ordinance is hereby rezoned from an R-4 (Multiple-family Residential) zone to a C-3 (General Commercial) zone.

Section 5. That the properties described as parcels 57, 60, 61, and 62 on Exhibit "D" of this Ordinance are hereby rezoned from an M-2 (General Industrial) zone, an M-1 (Light Industrial) zone, an M-2 zone, and an M-1 zone, respectively, to a C-3 PD (General Commercial Planned Development) zone subject to the following condition:

- (a) All uses permitted in Chapter 17.33 of the McMinnville Zoning Ordinance (Ordinance No. 3380) are allowed subject to the provisions of that Chapter except for the following uses, which are not allowed:
1. Boarding house, lodging house, rooming house;
 2. Public or private school;
 3. Hotel or motel;
 4. Single-family or multiple-family dwelling.

Section 6. That the properties described as parcels 1 and 2 on Exhibit "E" of this Ordinance are hereby rezoned from an R-2 (Single-family Residential) zone to a C-3 (General Commercial) zone. That the property described as parcel 3 on Exhibit "E" of this Ordinance is hereby rezoned from an R-4 (Multiple-family Residential) zone to a C-3 (General Commercial) zone. That the property described as parcel 4 on Exhibit "E" of this Ordinance is hereby rezoned from an M-1 (Light Industrial) zone to a C-3 (General Commercial) zone.

ORDINANCE NO. 4126

An Ordinance amending the City of McMinnville Comprehensive Plan Map from an existing commercial designation to a residential designation and rezoning certain property from a C-3 PD (General Commercial Planned Development) zone to an R-1 PD (Single-Family Residential Planned Development) zone on 1.2 acres of land, and a zone change from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone on approximately 21.8 acres of land located south of Baker Creek Road and east of Hill Road.

RECITALS:

The Planning Commission received an application from Don Jones for a comprehensive plan map amendment and zone change (CPA 1-96/ZC 1-96), dated April 9, 1996, for the property described as a portion of Tax Lot 200, Section 18, T. 4 S., R. 4 W., W.M.

A public hearing was held on May 9, 1996, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on May 4, 1996, and written notice had been mailed to property owners within 300 feet of the affected property; and

At said public hearing, testimony was received, the application materials and a staff report were presented; and

The Planning Commission, being fully informed about said requests, found that said changes conformed to the review criteria listed in Chapter 17.72.035 of Ordinance No. 3380 based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that plan map amendment and the zone change are consistent with the Comprehensive Plan; and

The Planning Commission approved said plan map amendment and zone change and has recommended said changes to Council;

The City Council called for a public hearing and set the hour of 7:30 p.m., July 9, 1996, to consider the application, and the matter came on for hearing as scheduled; and

New testimony was received as was the entire record of the previous Planning Commission hearing on the matter, and the Council found that based on the testimony received, the findings of fact, the conclusionary findings for approval, and the previous record received, the Planning Commission had made the correct decision and that that decision should be sustained; now, therefore,

THE CITY OF McMinnville ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Don Jones.

Section 2. That the Comprehensive Plan Map shall be amended from a commercial designation to a residential designation for the property described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

Section 3. That the property described in Exhibit "B" is hereby rezoned from a C-3 PD (General Commercial Planned Development) zone to an R-1 PD (Single-Family Residential Planned Development) zone and the property described in Exhibit "C" is hereby zoned from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone, subject to the following conditions:

1. That the conceptual plan for that portion of the subject site not included in the tentative subdivision plan shall not be binding on the City.
2. That site plans and building elevations for the proposed multi-family units must be submitted to and approved by the Planning Director prior to the issuance of any building permits for said units. The multiple-family project(s) must be nonlinear in design and parking lots must be broken up by landscaping. In addition, useable open space shall be provided within the development, and streetside landscaping shall be emphasized.
3. That the minimum interior side yard setback shall be 7.5 feet.
4. That duplexes shall be allowed on corner lots 134, 136, and 140 with a minimum lot size of 8,000 square feet.
5. That the exterior side yard setback for lots 68, 69, 96, 108, 109, 120, 134, 136, and 140 shall be a minimum of 15 feet.
6. That VJ-2 Company dedicate to the City of McMinnville the parkland as designated on the tentative plan for Shadden Claim, First Addition. VJ-2 Company shall submit to the City for review and approval a detailed design plan for the development of the proposed parkland. At a minimum the park design plan shall include grading, drainage, lighting and irrigation system information, proposed landscaping, and path location and construction details. The improvement and maintenance of the parkland shall be the responsibility of VJ-2 Company and their successors in interest in the Shadden Claim development. VJ-2 Company shall enter into an agreement with the City of McMinnville setting out the terms and provisions of the improvement and maintenance responsibilities for the parkland. Said agreement shall be prepared by the City Attorney. The City shall

also be authorized to improve and maintain the parkland if VJ-2 Company or its successors in interest fail to do so and to levy a lien against each and every lot within this subdivision for said costs and to record these liens in the City's Docket of Liens.

7. That the applicant shall initiate with the City a process which will result in the designation of a minimum of a net 10 acres of land on the north side of Baker Creek Road in close proximity to its intersection with Hill Road for commercial purposes. The process shall include the application of a planned development overlay which restricts the property from use for residential purposes.

Read and passed by the Council this 9th day of July 1996 by the following votes:


Ayes: Hughes, Kirchner, Massey, Payne, Tomcho, Windle

Nays: _____

Approved this 9th day of July 1996.


MAYOR

Attest:


RECORDER

RECEIVED

JAN 26 2017

COMMUNITY DEVELOPMENT
CENTER

January 26, 2017

Hand Delivered

McMinnville Planning Department
Mr. Ron Pomeroy, Principal Planner
231 NE 5th Street
McMinnville, OR 97128

RE: Baker Creek Development
Docket ZC 1-16/ZC 2-16/S 3-16

Dear Mr. Pomeroy:

These comments on the proposed Baker Creek West development application are in addition to the comments in my letter of December 8, 2016. The comments are focused on the requested density for the Baker Creek West (BCW) single-family development.

Although this application process has been characterized as one of the more complex due to the varied history of the area and the specific development proposed, it is also one that could create an unwelcome development and establish an unwanted precedent.

We believe the BCW single-family proposal as submitted by the applicant, and moved ahead by the Planning Department in the staff reports, is inconsistent with how residential development should occur on these specific lots. Further, changes should and could be required and be consistent with the comprehensive plan and ordinances.

McMinnville has a long history of being a beautiful city. The downtown area is the result of hard work and careful planning. Subdivisions were carefully planned and landscaped. Park areas are numerous. We are all fortunate to be living here.

If approved as recommended by the Planning Department, the proposed BCW single-family development will forever change part of McMinnville and establish a precedent for higher-density developments without sufficient open space, inadequate or nonexistent buffers for existing development, minimalist landscaping and no public transportation or urban services (shopping centers, drug stores, etc.) nearby.

Further, we can expect a number of these lower-cost homes to be rentals, managed by absentee landlords many of who will allow their properties to fall into disrepair. Although a home owner's association would be required, it will likely be ineffective at policing the condition of homes, property and landscaping due to the very nature of large, lower-income housing developments and likely would not have sufficient funds to require corrections through court actions. As we all know, CC&R's themselves have no force of law. And even though the city would be party to the CC&R's, it is unlikely that the city would be willing to make an on-going commitment of resources to assure corrections to properties and nuisance conditions are made.

We don't believe anyone is saying that future development should not occur at a higher density. However the magnitude of the proposed medium density BCW single-family development and its 32-foot lots and six-foot setbacks appears to go far beyond what the city needs in terms of higher density and affordable housing on the west side.

Our specific comments pertaining to the application and findings are as follows:

1. Under the Westside Development Policies of the Comprehensive Plan, Section 71.09 reads "The City of McMinnville shall encourage a compact form of urban development **by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use**".

The proposed BCW development is clearly an **urban** development in the midst of existing **suburban** development and is distant from the city center and existing urban services.

2. Section 4 of 71.09 requires that **existing facilities have the capacity for additional development**.

In regard to sanitary sewer capacity, the staff report contains a statement from the McMinnville Engineering Department that reads "The proposed plans indicate the existing mainlines will be extended throughout the proposed development to all proposed lots. The sanitary sewer mainlines shall be designed to facilitate the expansion of service to adjacent properties within the City's Urban Growth Boundary as appropriate."

Also, under Water and Sewer--Land Development Criteria, Policy 151.00, subsection 2 reads "Sufficient municipal sewerage system facilities, as determined by the City Public Works Department, are available, or can be made available to collect, treat and dispose of maximum flows of effluents."

If the above statement is the extent of information from the Engineering Department regarding basin sanitary sewer capacity, it does not appear to answer the question of whether or not there is existing capacity, nor support the staff report Finding of Fact No. 3, regarding capacity. Is there more documentation elsewhere?

And how much of that existing capacity will be consumed by the entire proposed development? Has there been any expansion in sanitary sewer capacity on the west side?

3. Section 6 of 71.09 requires that the area of development **serve as a buffer from low density residential areas in order to maximize the privacy of established low density residential areas.**

Land uses both east and west of the proposed single-family development are lower density developments. If approved as submitted, **the proposal offers no buffer for these areas, particularly the existing homes and one duplex along the east side, nor for homes on the west side across Hill Road. The proposed improvement of Hill Road will only result in increased traffic and noise and hardly constitutes buffering. And no noise barriers are in the Hill Road proposal.**

4. Section 71.10 provides additional factors that should be used to define appropriate density ranges allowed through zoning in the medium density residential areas.

Subsection 2 of this section requires considering **the topography and natural features of the area and the degree of possible buffering from established low density residential areas.**

The topography and natural features of this area provide no buffering for the existing lower density residential areas.

Subsection 4 requires considering **existing or planned public transit.**

The Yamhill County Transit Authority has advised that they have no plans to expand bus service to provide service along Hill and Baker Creek Roads.

Subsection 5 requires considering **the distance to neighborhood or general commercial centers.**

There are no existing or proposed neighborhood or general commercial centers in this area. Any potential development north of Baker Creek Road is years away. Further, there are no walkable neighborhood shopping areas within one-quarter mile and Michelbook Country Club is not a public golf course.

5. Our final comment pertains to the lack of open space within BCW. The staff report reads **"it is instructive to note that there is no open space proposed in the BCW portion of the proposal."**

Further, the statement in the staff report regarding the total open space of 3.69 acres for the entire 57.63 acre for BCW and BCE **does not have any bearing on the livability for residents of BCW.**

We urge the Planning Commission to reject the current application for the BCW single-family development. Any re-submitted application should be for a development with medium densities that are more appropriate for the area, taking into account the requirements to be protective of the livability and privacy for existing residential developments, have sufficient open space, and the lack of current and future urban services in this area.

Thank you for the chance to comment and for extending the comment period to February 2, 2017.

Sincerely,



David StLouis

P.E. Retired



Carol StLouis

2215 SW Homer Ross Loop
McMinnville, OR 97128

RECEIVED

JAN 27 2017

McMinnville Planning Commission
231 NE 5th Street
McMinnville, OR 97128

COMMUNITY DEVELOPMENT
CENTER

January 25, 2017

RE: Baker Creek Development
Docket ZC 1-16/ZC 2-16/S 3-16

Dear Commissioners:

In response to the notice of Public Hearing on December 15, 2016, we are providing additional comments and suggestions following our letter of Dec 5, 2016 in regards to the Baker Creek Development's application.

McMinnville Planning Commission needs to thoroughly and cautiously evaluate this application and its underlying effects on our community. From the testimonies provided to date it would appear that this has not been done, resulting in several key points not being addressed in the planning department's assessment. Based on this lack of a thorough review we are asking for a rejection of this application until that applicant has complied with the applicable ordinances. In our view the applicant can read just as well as the citizens and they should not be submitting applications which do not comply with the city's ordinances and creating extra work to prove the application is deficient.

We would not be opposed to the developer getting approval to build out the homes that would be adjacent to Michelbook Meadows subdivision as long as that meets all the applicable ordinances.

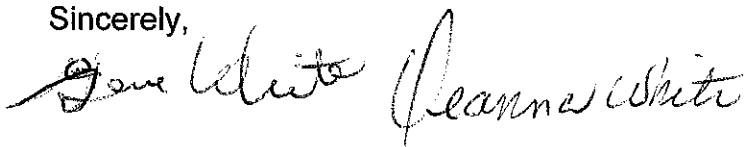
Additionally, the following are deemed relevant:

1. Any residential or multi-family units in the site adjacent to Baker Creek Rd. and Hill Rd. should have noise abatement walls erected on those streets. Why this was not a requirement in the Shadden Claim development (already completed) is a bit of a mystery, as it would have continued the wall structures in place along Baker Creek Rd. With the increased traffic flow the acceleration away from the intersection will be substantial and needs to be abated.
2. Any approval for high density, low-cost homes needs to take into consideration the existing need, the impact potential to draw into the city more low-income residents who may be commuting elsewhere, and the impact on the escalating crime rates in McMinnville. We have visited several websites with crime rate statistics for McMinnville and the trends are certainly going in the wrong direction. Has law enforcement had a look at this application?

3. As noted before and by others, this application totally ignores the impact on the adjacent communities by its sharp contrast in zoning setback reductions and quality of homes. Another example would be to the violation of height restrictions now in place via existing ordinances. A wider review of this application should be made available to NW home owners for their input as well.
4. The road improvements for Hill Rd. will have a traffic circle designed for the intersection of Hill Rd. and Baker Creek Rd. This improvement, plus any widening needs, to be accommodated in the applicant's plan.
5. Landscaping concerns are also in the forefront of this application due the lack of green space and small setbacks between the proposed high density homes. The major vegetation between the homes most likely will be moss!!
6. In the high density areas we would project a large number of rental units and absentee landowners who will not maintain their properties and there is no enforcement mechanism to make them do so.

It appears the developer is out of touch with the city's goals for our community and is interested primarily in building as many homes as possible in the smallest area as possible in the site along Baker Creek and Hill Rds. We can appreciate the need for reasonable starter homes, as that best describes our first home we purchased in 1963. The house was 1800 square feet and the lot had 6 or 7 foot setbacks, with decent front and back yards. Within 20 years that tract of homes had slowly degraded and our first home was approaching slum conditions and is in an unsafe neighborhood. Other tracts in the area that didn't cater to low-income folks are surviving pretty well. The culture of home ownership in the low end market has changed significantly since the 1960's, which we believe accounts for this degradation. We do not want this to happen to McMinnville, as we moved here because of it being a safe town and a charming atmosphere. Don't destroy that, please.

Sincerely,

Handwritten signatures of Gene White and Deanna White in cursive script.

Gene and Deanna White
2200 SW Homer Ross Loop
McMinnville, OR 97128

Ron Pomeroy

From: Heather Richards
Sent: January 30, 2017 9:28 AM
To: Ron Pomeroy
Subject: FW: Shadden Claim Development

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED

JAN 27 2017

COMMUNITY DEVELOPMENT
CENTER

For the record.

Heather Richards, PCED
Planning Director
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128

503-474-5107 (work)
541-604-4152 (cell)

www.mcminnvilleoregon.gov

-----Original Message-----

From: Ray Fields [<mailto:fields@raf.us>]
Sent: Friday, January 27, 2017 9:24 PM
To: Heather Richards <Heather.Richards@mcminnvilleoregon.gov>
Cc: Scott Hill <Scott.Hill@mcminnvilleoregon.gov>
Subject: Shadden Claim Development

Hello Heather -

I am sorry I have not had a chance to meet you. I have been a resident of the McMinnville area for 54 years as I was the 3rd owner of the local radio station back in the early '60s. While I no longer live within the city limits, (my home is up High Heaven Road) I do want to share with you what I feel is an import perspective relative to the old Shadden Claim development. I hope you will share my perspective with the commission as I will be unable to attend their meetings relative to this as my health will not permit me to be there.

Way back in time when Don Jones tried to annex the entire property into the City and the voters rejected it, I spoke with him and indicated that one way to get the property annexed would be to peel off a few acres and GIVE it to the McMinnville School District. My reasoning then, and it is still today important to consider, is that once all that property is developed - and the way I have read about it in the News Register today, the increase in population in that area (the total Shadden Claim) would require a new elementary school just to serve that population.

I still believe that this is an important consideration and in FAIRNESS to the rest of the McMinnville School District residents, that at the very least either a piece of property of sufficient size located within the development or perhaps a piece of

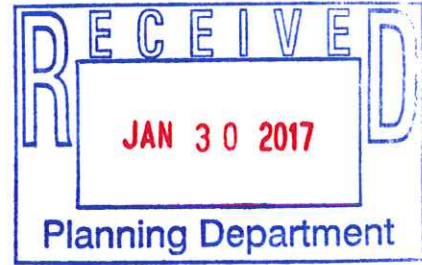
property across Baker Creek Road to the north be acquired by the developers and DONATED to the school district to provide space for a new elementary school when a new school is required to meet the needs of population within that development. After all, all of the school district residents are going to have to bare the cost of building the school. At the very least they will not be saddled with acquiring the property.

I appreciate that the school district already owns property across Hill Road to the West for future construction of a High school. That piece of property should NOT be used for an elementary school as the City continues to grow it ultimately will need to build a high school on that property.

If you would like to visit with me about this, I would be pleased to talk with you on the phone. You can reach me at 503-472-4590.

Sincerely,

Ray Fields
2650 NW High Heaven Road
PO Box 728
McMinnville, OR 97128-0728



January 30, 2017

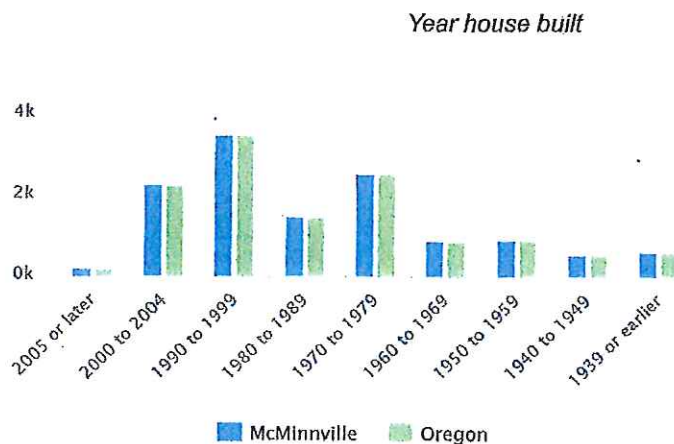
City of McMinnville Planning Department
Attn: Ron Pomeroy, Principal Planner
231 NE Fifth Street
McMinnville, Oregon 97128

RE: Baker Creek Development ZC 1-16/ZC 2-16/S 3-16

Dear Mr. Pomeroy,

According to City-Data.com, McMinnville has had three periods of significant housing growth: 10 years from 1970 to 1979; 10 years from 1990 to 1999; and the five year peak growth from 2000 through 2004. While the last data group covers 2005 or later, it is my understanding that the final figures included were from 2013 at the absolute latest. While I usually prefer to provide more timely information, I believe that most of us agree that little building has occurred in McMinnville after 2008. My letter dated January 2, 2017, has current building permit issued figures that confirm a very sharp drop. Also, it should be noted that although we usually use building permit issued numbers to indicate the strength of the market, just because a permit is issued does not mean a structure was actually built. This graph shows houses actually built, versus permits issued.

McMinnville, OR (Oregon) Houses, Apartments, Rent, Mortgage Statu... <http://www.city-data.com/housing/houses-McMinnville-Oregon.html>



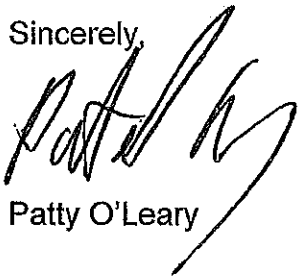
Now, in a market that clearly hasn't recovered in over eight years, there seems to be a race to push through significant variances in historic McMinnville zoning policies for a developer that has only been in business for four years (page A7, January 27, 2017 *News-Register* newspaper). This same developer acknowledged at the January 19, 2017 Planning Commission Session that even just the BCE portion was a large chunk "to swallow" and so the developer planned to stage BCE build out into at least two sections.

McMinnville's need for affordable housing is the excuse given for supporting such significant variances. However, the "affordable housing portion," otherwise referred to as BCW, is the last section of the area scheduled to be built and can be expected to be several years out. And the BCW section of the development is what is creating the most concern with the density concessions that have been requested. Is there really justification for pushing everything through at this time?

Previous total development plans for this same parcel of land were denied in favor of having a section at a time developed. This was during our second strongest growth period, the 1990s. Our current population and economic growth has slowed dramatically. Some are depending on the Dundee Bypass to make McMinnville a viable bedroom community for Portland workers. Even assuming that is a title to which McMinnville aspires, with only the first section underway and no funding in place to complete the second portion, realistically, completion of the Bypass is years out.

Is there an option to move forward with BCE only, which gives everyone a chance to see what demand actually is and how a relatively new development company follows through? We are considering committing 5% of our entire 20-year market to a relatively new developer requesting a density level not usually allowed in a suburban area. Is that the correct decision?

Sincerely,

A handwritten signature in black ink, appearing to read "Patty O'Leary", written over a horizontal line.

Patty O'Leary

February 2, 2017

City of McMinnville Planning Department
Attn: Ron Pomeroy
231 NE Fifth Street
McMinnville, OR 97128

RECEIVED

FEB 02 2017

COMMUNITY DEVELOPMENT
CENTER

RE: Baker Creek Development ZC 1-16/ZC 2-16/S 3-16

Dear Mr. Pomeroy,

We have been reviewing the latest documents and letters regarding this proposed development, including the staff responses to our letter of January 16, 2017. We would like to go on record with a correction from that letter. In paragraph 5, we state that "Letting the police 'handle it' seems dismissive and irresponsible of any developer." This comment is rightly attributed to the staff, and not the developer. That said, we feel that, in general, our questions and concerns were not truly addressed by your department's reply.

It seems that both the applicant and the planning department are complicating an issue that doesn't need to be complicated. Why make so many exceptions to the rule and/or change the rules for many of the lots, when there has not been a clear reason to do so?

We suggest that the area of Baker Creek West currently zoned R-1 PD remain as is, with no modifications, as they have already been modified from the original zoning. We suggest that the same applies to parcel Baker Creek West C3 PD, multi-family housing. In addition, Baker Creek West and Baker Creek East plots that are currently R-1, and Baker Creek East parcel currently zoned EF-80 should be allowed to be R-1 PD, but only under the current existing guidelines for ORD 4626.

The applicant has yet to demonstrate any compelling reason for changing the existing zoning guidelines for the development or the need for the smaller lot sizes.

The Affordable Housing aspect of the proposed Baker Creek West and its smaller lot sizes still has not properly addressed. The question is: what makes these homes affordable? There have been no charts or figures from the applicant that demonstrate what is meant by the term 'affordable housing', what the community demographics are, or the price points of those homes in question.

Also, we are still concerned with the plan to have the City be 'made a party to' the Home Owner Association and its CC&Rs. We feel that this needs to be explained further. Does the staff propose that the City be on the Board or are they simply wanting to be notified of any changes to the CC&Rs and any infraction of them? If the staff proposes this, we feel it necessary to remind them and the committee that Home Owner Associations are corporations, and that they have all of the requirements and responsibilities of such. It seems unnecessary to put the City at risk of any litigation that may arise.

Furthermore, the applicant and the staff seem to be overlooking the fact that the CC&Rs must be approved by the state, not just the City - a process which can take up to 90 days. It seems as though the staff is willing to approve the project before the CC&Rs are ready. Staff response to this did not really answer the question from our first letter.

Finally, the staff response regarding the issue of VJ-2 (7E) being required to do certain things for this development has still not been addressed. If, as the reply states, this stipulation doesn't apply, why include it as a condition?

We are not opposed to developing this area; this has been the plan all along. What we object to is the reduced lot sizes and subsequent density increase with the reworking of ORD 4626.

We look forward to the opportunity to attend the next scheduled meeting.

Sincerely,

The Hayes Family

Carr, Renee

To: McMinnville Planning Commission
Cc: ecrc@comcast.net
Subject: Baker Creek Rd 500 House sub-Division

Dear Sirs,

We recently moved to McMinnville in August. We were told if you want to keep up on what is happening in McMinnville, subscribe to the Register-News.

I am including the copy of the article from the Friday, January 27, 2017 article on the impending sub-division on Baker Creek Rd. Our last home was on the top of Scouters Mountain in Happy Valley (HV). A group called AKS developers and the HV city council decided that that they would build a 600 home sub-division on the Boy Scouts property and create more high density housing. (17,000 population) Even though AKS said they studied the needs of the traffic flow, schools etc. many people and the HOA's in the surrounding area paid thousands of dollars to no avail to show information to the contrary on the area handling this size sub-division.

I am concerned when I read that you have two people from outside McMinnville building the subdivision. They have no vested interest in the livability of the area, the traffic flow to neighborhoods, schools, even the land and the environment. Yes they have 30 + years of development but only FOUR years as a company together as Stafford Land Company for establishing the integrity of their business ethic. I know of their projects in Scappoose, Silverton, and Molalla. I had a major school project in Molalla last year and stumbled into their housing project. Parents were upset that their children were going to have to cross a main busy road to get to school!

As I read the article I see the setbacks will go from 20 to 15 feet. Been there done that when the Happy Valley AKS developers wanted to eek every bit of building out of the land! Even the basic infrastructure AKS expected the county to pay for "as a bonus" for them doing Happy Valley the favor of building this great sub-division in Happy Valley! So taxpayers picked up the tab of laying all the core pipe, electrical, curbing, drains etc. before the houses went in! Streets were more narrow. Sidewalks the same. Even less park area for the children to play.

I am asking you to ask yourself hard questions. I know the previous Mayor of McMinnville is now on the county commission. We hear he was a good Mayor. Please make your decision for the long range future of McMinnville and not for what the developer can do for you! Right now you have this precious commodity called land. Ask yourselves how do you want to spend it and with whom do you want to entrust it?

Thank you for your consideration

Renee Carr
Renee Carr
Citizen

1182 NW Oakmont Ct
McMinnville, Oregon 97128
Cell: 503-860-6161
Email: ecrc@comcast.net

RECEIVED

FEB 02 2017

COMMUNITY DEVELOPMENT
CENTER

3-1308/2017

Input still sought on subdivision

By TOM HENDERSON
Of the News-Register

The McMinnville Planning Commission is continuing to take testimony for and against the rezoning of 13.6 acres of farmland south of Baker Creek Road and east of Hill Road, destined for the first phase in a development eventually expected to encompass 500 lots over a period of years.

The record will remain open until 5 p.m. Thursday, Feb. 2. The commissioners are scheduled to deliberate on their recommendation at a meeting set for 7 p.m. Thursday, Feb. 16.

The zone change covers an undeveloped remnant of the Shadden Claim abutting the intersection of Hill and Baker Creek roads.

The land now lies not only within McMinnville's urban growth boundary, but also its city limits. It has long been earmarked for residential development, but has a history marked with controversy.

It began in 1977, when

the McMinnville City Council voted 3-2 to annex Shadden Claim, but was overturned 985-983 at the polls in response to a citizen petition. Voters went on to reject annexation of variously configured portions of Shadden Claim, all many times larger than the fragment currently under consideration, five times between the mid-1990s and early 2000s.

However, all of the land has since been annexed, and housing has already been developed on several other portions.

The latest proposal is from the Stafford Land Company of Lake Oswego, which has acquired all remaining portions lying within city limits.

It plans to phase in about 500 homes, and perhaps some apartment units, over a period of years. It proposes to develop larger, more expensive homes next to Michelbook Country Club, and build to greater density outward.

Stafford got its start four

years ago. The principals are Gordon Root and Rick Waible, both 30-year veterans of the development business.

The company is divided into development and home-building wings, enabling it to carry a project all the way through. It recently completed major projects in Scappoose and Silverton, and is currently working on one in Molalla.

In addition to rezoning of the 13.6 acres, the company is seeking a variance for 30 adjacent residentially zoned acres to permit a reduction in the side yard setback on some lots from 20 to 15 feet. Between the two sites, it is proposing to eventually construct 213 homes.

Meanwhile, the commission, which serves as an advisory body to the city council, has cleared McMinnville School District plans for construction of a new gym and vocational technical building on the Mac High campus. The issue moves next to the council.

Ron Pomeroy

From: Morgan Will [morgan@cityredevelopment.com]
Sent: February 06, 2017 6:31 PM
To: Ron Pomeroy
Cc: Heather Richards
Subject: RE: Baker Creek
Attachments: BakerCreekApplicantsRebuttalMemo.02.06.2017.pdf; BC EAST PHASING-WE SHEET.pdf; BC WEST-PHASING .pdf; BC-EXHIBIT G-1.pdf; BC-EXHIBIT G-2.pdf

Ron,

Please review the attached Memo and supporting graphic attachments for the Applicant's Rebuttal.

As stated in the memo the Applicant releases remaining time in the rebuttal period and you may proceed as no more rebuttal will be submitted.

Please confirm via email before noon tomorrow, so that I know you have received this information.

Sincerely,

Morgan Will
Project Manager, Acquisitions & Development

STAFFORD LAND COMPANY, Inc

971.206.8615 x203 | desk
503.305.7647 | office
503.939.3902 | cell
morgan@staffordlandcompany.com
485 South State St, Lake Oswego, OR 97034 StaffordLandCompany.com

-----Original Message-----

From: Ron Pomeroy [<mailto:Ron.Pomeroy@mcminnvilleoregon.gov>]
Sent: Monday, February 6, 2017 5:19 PM
To: Morgan Will <morgan@cityredevelopment.com>
Cc: Heather Richards <Heather.Richards@mcminnvilleoregon.gov>
Subject: RE: Baker Creek

Good afternoon Morgan,

To follow up on your rebuttal testimony for the Baker Creek Development project, I want to let you know that, due to the timing of the review, the Planning Department will need to receive your rebuttal testimony no later than 12:00 noon tomorrow (Tuesday, February 7, 2017) in order to keep on track for the February 16, 2017 Planning Commission hearing.

Your rebuttal period actually extends until 5:00 p.m. Thursday, February 9, 2017, and that time is available for you to use. However, that deadline leaves the City no time to review your submittal and draft a response in time to make the material available to the public seven days prior to the public hearing. If our Department does not receive your rebuttal testimony by noon tomorrow, the 7th, the further public review of your project will be to be continued until the March 16, 2017, Planning Commission hearing.

Thank you Morgan. Please contact me if you have additional comments or questions.

Best regards,

Ron Pomeroy

Ron Pomeroy, AICP
Principal Planner
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128
Department: 503.434.7311
Direct: 503.474.5108
Fax: 503.474.4955
ron.pomeroy@mcminnvilleoregon.gov

-----Original Message-----

From: Morgan Will [<mailto:morgan@cityredevelopment.com>]
Sent: February 03, 2017 4:11 PM
To: Ron Pomeroy
Subject: Baker Creek

I should get you something by Monday, ok?
Morgan

Sent from my iPhone

Applicants Rebuttal Memo:

Date: February 6, 2017

To: Ron Pomeroy, City of McMinnville

Cc: Heather Richards, City of McMinnville

From: Baker Creek Development, LLC

Subject: Rebuttal for Planning Commission on ZC 1-16, ZC 2-16, S 3-16

On behalf of the Applicant, Baker Creek Development, LLC, please accept the following rebuttal to verbal and written materials in the record.

The Applicant has reviewed the staff report, along with submitted comments included in the staff report, attended the public hearing on January 19, 2016, listened to public testimony at that hearing, and is in possession of eight additional written correspondence from concerned citizens. This rebuttal will address these materials to further demonstrate that this application meets the applicable and relevant policies, plans, codes, ordinances, and approval criteria. The Staff Report states on Page 28 under Recommendation, the project plan "meets all applicable requirements." The Applicant concurs with Staff and requests that the Planning Commission, accept the Staff recommendation and move forward with the approval of this application with the conditions listed, except for an edit to proposed Condition of Approval #38, per Applicant's suggestion below.

PROPOSED CONDITIONS:

The Applicant noticed several comments from the public that opposed placing the City as a party to the CC&R's. The Applicant agrees that the interest of the City to assure improvements are maintained does not require the City to be a party to the CC&R's. The City review and approval of the CC&R's prior to recording should give the City the opportunity it needs to ensure the needed language exists in the CC&R's to require the Homeowners Association to maintain and repair the improvements it is responsible for. The Applicant suggests the Planning Commission strike the first sentence added in bold underline, yet retain the second, as shown below:

38. That documents creating a homeowner's association for the subdivision and assigning to it maintenance responsibilities of any common ownership features must be submitted to and approved by the Planning Director. ~~**In order to assure that the Homeowners Association maintains and repairs any needed improvements, including landscaping of common areas and the planter strips between the subdivision fence line and the public streets, the applicant shall make the City of McMinnville a party to the Covenants, Conditions, and Restrictions (CC&Rs). The CC&R's shall be reviewed and subject to City approval prior to final plat approval.**~~

This approach to proposed COA#38 with the edits suggested here is appropriate as it is similar to the condition recommended for Shadden Claim (Docket CPA 1-96/ZC 1-96/S 2-96, Page-2, May 9, 1996):

“6. That any restrictive covenants prepared for the development must meet with the approval of the Planning Director.”

Residents across the city are required to maintain the sidewalk and planter strip in front of their residence, even though the sidewalk and planter lie in the public right-of-way. To assure this practice continues in the proposed development does not require a condition of approval. The City may have concerns that residents whose rear yard abuts either Hill Road or Baker Creek Road, may not realize that the City may expect residents maintain that planter strip and sidewalk behind their lot, and more importantly the 8 feet wide strip of right-of-way between the sidewalk and the rear property line (18 feet will be dedicated, but the sidewalk is in the 10th foot, leaving 8 feet of landscaping in the right-of-way). However, a note can be added to the CC&R's requiring maintenance of that area, if that is the City's position that it is the lot owner's responsibility, without the City being party to the CC&R's. The City can simply assure that the text is in the CC&R's before the document is recorded along with the final plat. The condition as edited above would allow this.

The applicant accepts all bold underlined text added to the proposed Conditions of Approval #37 and 41.

APPROVAL CRITERIA:

The Applicant has demonstrated the project meets approval criteria with its application materials and exhibits, particularly narrative exhibits 'C-1', 'C-2' and 'C-3', where supportive findings describe in detail how the Applicant has met the policies and codes of the City of McMinnville.

The Staff Report reviews the same criteria and determined the requirements are met.

All of the topics of public comment on the proposal that are relevant to the approval criteria are addressed in the application, staff report, testimony, and rebuttal. Some of the concerns raised through public comment relate to transition, buffering, lot sizes, density, open space, transportation, and livability. Although some public comments do not always relate to approval criteria or are already covered by material in the record, please consider the following.

Transition and Buffering:

For the Baker Creek East (BCE) plat the transitioning and buffering between adjacent existing development, where needed, is achieved through lot sizes and interior side setbacks that closely mimic, and in some cases exceed, the adjacent existing development:

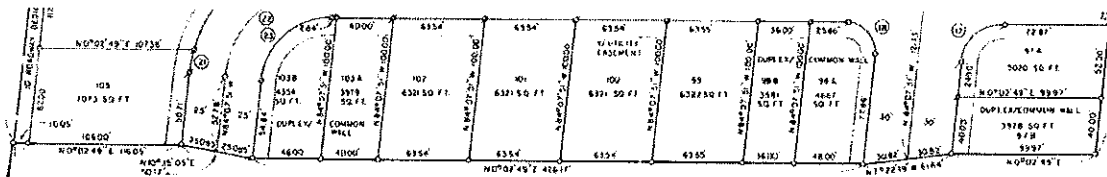
- BCE lots along the east and south boundary adjacent to Michelbook Meadows (zoned R-1 PD) and the golf course are large lots of standards setbacks and lot area, thus no buffering is needed between them and Shadden Claim, the golf course, or Michelbook Meadows, which actually have smaller lots than adjacent the R-1 type lots of BCE.
- Again, no buffering is needed for BCE lots along the west boundary adjacent to Cottonwood First Addition and Cottonwood Third Addition because Cottonwood is developed at a higher density, R-2 PD, than the proposed R-1 PD zone proposed for BCE. BCE has large lots or lots of

equal size to this adjacent development, and the proposed setbacks in BCE are greater than those approved for Cottonwood (Docket ZC 2-05/S 1-05, Page-3, July 21, 2005).

- Most lots along the north boundary of BCE adjacent to the original Shadden Claim development are large lots with 7.5 feet and 10 feet internal side setbacks (Type R-1 and R-2 Adjusted on Exhibit F). Shadden Claim interior side setbacks are 7.5 feet so those large lot dwellings meet or exceed the standards of the adjacent Shadden Claim, so no buffering is needed.
- The other BCE lots along the north boundary of BCE (Lots 49, 58, 59, 60, Type R-3 Adjusted) are single family detached dwellings of about 6,000 square feet or larger. Whereas the adjacent lots in Shadden Claim are all duplex/townhouse lots with only about 4,000 square feet lot area per dwelling unit. This means the adjacent Shadden Claim lots are of a higher density and more intense use than BCE. No additional buffering is needed to put new larger single family detached homes in BCE adjacent to existing duplexes or townhouses.

For the Baker Creek West (BCW) plat there exists adequate transitioning and buffering between the adjacent uses and proposed new lots from existing conditions and effective use of lot size and setbacks for new lots:

- Buffering to the north and west of BCW is achieved by the existence of the arterial streets, Baker Creek Road and Hill Road, respectively.
- Buffering between BCW and the lands to the south exists by way of the future school property and the townhouses in Cottonwood 2nd Addition (SE, kitty corner across Yohn Ranch Drive). The existing adjacent townhouses are built at a much higher density than proposed for BCW, almost 20 DU/Acre, thus no buffer is needed.
- All rear yards of lots on of BCW (and BCE for that matter) have an R-1 standard 20 feet rear yard setback, with no modification requested. Thus, adjacent uses to the south and east are no more impacted by new building structures than with a standard subdivision. Likewise, street side yard setbacks for corner lots are proposed to be 15 feet in BCW, which matches or exceeds the setback used in the adjacent Shadden Claim and Cottonwood developments.
- For much of the east boundary of the southern portion of BCW (planned as Phase 1) the buffer between the site and lands to the east is a local public street (Yohn Ranch Drive) and the future City park (see Exhibit P to the application, planned for construction in 2017). This is also the location of Tract A, a passive open space within BCW.
- The east boundary of BCW from 23rd Street to Haun Drive is the only area of the proposed amended planned development that borders on existing residential lots that are larger than the new lots proposed. However, of these ten (10) adjacent existing lots in Shadden Claim 2nd Addition, five (5) are duplex/townhouse lots, the smallest having a lot area 3,581 square feet (Lot 98B), and two other small lots having 3978 and 3979 square feet each. All three (3) of these ten (10) existing lots are smaller than 11 of the adjacent proposed new lots in BCW.



- The BCW Lots 74-83 (proposed in Phase 2 of the BCW plat) have their rear/back property line adjacent to the existing Shadden Claim 2nd Addition lots described in the bullet point above. The Applicant has programmed the lot layout so that they are all the R-3 Modified type lot of 40 feet width typical, wider on corner lots, instead of mixing in the narrower 32 feet width lots, as is the pattern elsewhere in BCW. The larger lots provide a softer transition between the two plats, as these lots are also over 107 feet deep, about seven feet deeper than other typical lots in BCW. Thus, the size and depth of these lots provide a buffer and transition between the developments, from a mix of small and medium lots in Shadden Claim 2nd Addition, utilizing the larger of the lots proposed in BCW as a transition to the smaller lots in BCW.
- The BCW Lot 73 is a single family detached dwelling on a 3617 square feet lot with a proposed exterior setback of five (5) feet on the east side adjacent to an existing duplex/townhouse lot in Shadden Claim 2nd Addition with an area of 3978 square feet and a side yard setback of 7.5 feet. These two lots are substantially the same, and the single family homes to be constructed on lots 71, 72 and 73 provide a smooth transition from the existing attached homes. This lot type and size, and the five (5) feet exterior side yard setback, provides reasonable buffer and transition between the two developments.
- The BCW Lots 106 and 83 at Haun Drive are R-3 Modified type lots and have an average lot area of 4950 square feet as compared to adjacent Shadden Claim 2nd Addition Lots 105 and 103B which have an average lot area of 5714 square feet. The average internal side yard setback for BCW Lots 106 and 83 is 5 feet $((5+5)/2)$ whereas the internal side yard setback of Shadden Claim 2nd Addition Lots 105 and 103B is less than 4 feet $((7.5+0)/2)$. Thus, the BCW lot type, size and setbacks at Haun Dr are reasonably compatible with the existing adjacent development, providing sufficient buffer and transition between the new and existing residences.

In summary, buffering is achieved, where not inherently existent, through the intentional placement of the lot sizes and proposed setbacks in both the BCE and BCW plats relative to adjacent uses with compatible, similar, proportionate and sometimes greater dimensions. This is apparent in the application and other material in the record. Concerns of the public on this topic have been addressed by the proposal.

Density and Lot Size:

The general concern raised by some public comment was that the density and lot sizes of the proposed development is not compatible with surrounding development is unfounded. A closer look at surrounding development patterns, which includes the discussion above and the exhibits of the application, shows that the proposed development pattern is consistent with the existing scale of housing types in the area, is an appropriate density, and is made of lot sizes conforming to the community and applicable requirements. The density is also discussed along with supporting calculations showing the underlying zoning and comprehensive plan are met in the supplemental narrative memo dated November 4, 2016 (Revised December 14, 2016) and in the attached exhibits including Table 1 to that memo.

- Shadden Claim 1st and 2nd Addition:
 - As required by code the improved part of the three phased development must be included in the calculation for density when modifying a planned development on the third incomplete phase. Added land must be included in the calculation too. This was appropriately done with this application to show that overall density for all phases meets the requirements.
 - Adjacent to the proposed 2nd phase of Baker Creek West (BCW) is the Shadden Claim 2nd Addition. It has 47 lots, of which 24 were platted for townhouses or duplexes, or 51% of that phase of the development is made up of small lots. These small lots are compatible and similar in size to the proposed small lots in BCW.
 - Claims by concerned members of the public that the proposed project is too dense or has lot sizes that are not compatible with the surrounding and existing neighbors of Shadden Claim, is not substantiated. The proposed BCW has small lots that are similar to 51% of the lots in the adjacent plat, although the lots in BCW are designed to accommodate detached single-family dwellings, which are usually more desirable to the new home *BUYER* in the marketplace than attached dwellings. These newly constructed single family detached homes will be compatible in scale and value to a large portion of the lots in the adjacent existing plat, and be a welcome addition to the community.
 - There are only a few medium sized lots which are adjacent to the BCW plat. We have intentionally buffered these lots and created a transition between these lots and the smaller lots proposed in BCW by locating the larger and deeper lots in BCW adjacent to these existing in Shadden Claim. The balance of the existing medium sized Shadden Claim lots are east of, and buffered from BCW by Tract 'A' and Tract 'B' of that Shadden Claim 2nd Addition plat, which is now City Park Land between Meadows Drive and Haun Drive.
 - All of the 23 medium lots in Shadden Claim 2nd Addition have existing duplex/townhouses lots within about 70 feet away or adjacent. Therefore, development of new single-family detached dwellings on lot sizes of about the same scale as the existing duplex/townhouse lots in the community, will be consistent with the existing pattern of development that the existing medium lot size owners in Shadden Claim 2nd Addition are familiar with.
 - Shadden Claim 1st Addition, further to the east from the adjacent 2nd Addition, is similar to the adjacent Shadden Claim 2nd Addition, where 4 of the 11, or 36% of the lots in that plat are small.
 - Combined the existing Shadden Claim 1st and 2nd Addition plats, the first two phases of the three phase development modified with this application, have about 48.3% small lots (28/58), or just less than half. Thus, the addition of BCW to the community will be compatible in scale and density, particularly when coupled with BCE.
 - The medium lots of Shadden Claim 1st and 2nd Addition are effectively the same as the medium lots in BCE. The large lots in BCE are larger and have greater or equal setbacks to those of Shadden Claim 1st and 2nd Addition's R-1 PD standards for the existing lots. So, there is a gain in community value with the new medium and large lots of BCE. The overall mix of lot sizes for the existing and new portions of the planned development amendment balances out.

- The average lot size is substantially the same with approval of the application. Existing Shadden Claim 1st and 2nd Addition average lot size: 5580 square feet. Average lot size of approved application (all combined): 5514 square feet.
- The general pattern of density in the series of Shadden Claim developments (including the original) is to have larger lots with less density to the east and more smaller lots and more density to the west There are no duplexes east of Shadden Drive and the multi-family is on the far west end. The proposal continues that pattern.
- Also, the existing C-3 PD zoned area at the corner of Baker Creek Road and Hill Road, originally approved for 76 apartment dwelling units, is proposed to be only 65 apartment dwelling units with this proposal, reducing the intensity of land use in this corner of the project area.
- Cottonwood 2nd Addition and Cottonwood 1st and 3rd Additions:
 - The plats of Cottonwood plat phases are not part of the proposed Planned Development Amendment.
 - The Cottonwood phased plats are zoned R-2 PD, so their density is actually higher than the Applicant's proposed Planned Development Amendment.
 - Generally, the smaller lots in the Cottonwood Developments are clustered in the northern part of the plats, particularly the 2nd Addition which has townhomes on very small lots kitty corner from and adjacent to the BCW part of the project. Thus, it is appropriate that the spectrum of density within the proposal is the highest in the BCW plat, as discussed in the application narrative (Exhibit 'C').
- Michelbook Meadows
 - This adjacent development, south east of BCE, is zoned R-1 PD, the same zone designation that is proposed for this Planned Development Amendment Application, and therefore the density of the two developments will be compatible.
 - Michelbook Meadows has large lots as it is far from the higher intensity area at the intersection of Baker Creek Road and Hill Rd. The south edge of BCE has large standard sized lots to match this adjacent development.

The Applicant seeks to provide affordability, balance, and choice through providing a variety of housing choices for the new home buyer. These lot types are listed in the application as R-1, R-2 Adjusted, R-3 Adjusted, R-3 Modified and R-4 Modified, in that the housing types proposed with this Planned Development Amendment application mimic those housing types allowed in the underlying code for various zones and found elsewhere in McMinnville's approved planned developments. This similarity between the proposed housing types and other existing approved developments elsewhere in McMinnville were pointed out by staff in the slide show during the Staff Report.

A detached dwelling on a small lot is preferred by new home buyers over a standard duplex or townhouse, which is typically the predominant housing type found on small lots. As proposed, the buyer is able to purchase a detached single family home at a price point which is competitive with a townhouse, yet with more amenities like windows on all sides and direct access to the back yard. Often, the consumer is okay with a smaller lot, in exchange for a reduction in yard maintenance and quality of the dwelling. This project will provide something for that consumer, as they cannot find this single family detached dwelling option in a standard development. The Planned Development meets this need in the community to provide for this housing choice, which offers this new and unique product in the BCW plat to serve the new home buyer transitioning from an attached dwelling or rental housing into home

ownership. The medium lots proposed in the BCE plat around 6000 square feet will do the same at a different price point. The large lots and the multi-family element of the proposal will serve those housing needs, too. The result will be a mix of housing types meeting the needs of the community for affordability, balance and choice.

In summary, the existing development patterns, the comprehensive plan, zoning code and zoning map support the development density and lot sizes proposed. Using the planned development process to create this kind of diversity in housing and development is “encouraged” in the code. There are many policy initiatives aimed at encouraging a walkable community and using our land efficiently, and the proposal will help achieve these goals in the long term by clustering the small lots in BCW within walking distance to adjacent destinations like the park, future school, the future commercial site north of Baker Creek Road, and future transit service on the adjacent major streets.

Transportation and Utilities:

Some concern was raised by public comment about the Applicant and project providing sufficient transportation facilities and utilities.

- Approval of the proposal will result in the Applicant building, at the Applicant’s expense, the public improvements to connecting to the adjacent streets, street stubs, and utilities. This will include application and review fees for the relevant construction plans.
- Pedestrian connectivity for existing adjacent developments will improve with construction of the project’s phases.
- Internal street networks at build out will result in less out of direction vehicle travel, particularly where the adjacent roads are currently dead end stubbed streets.
- System Development Charges will be paid with building permits to contribute a proportionate share of off-site, downstream, and system wide improvements, as necessary and identified by the relevant authorities.
- Utilities exist throughout the adjacent neighborhoods and simply need extending by the Applicant at the time of site development.
- The City is in the process of developing a project on Hill Road. The Applicant is already participating in that process with the City by voluntarily offering to provide the necessary right-of-way and easements for construction directly to the City. The need for the 18 feet of right-of-way frontage dedication to both Hill Road and Baker Creek Road is met by the conditions of approval recommended by the staff report, and shown on the plans.
- The when the applicant meets the proposed conditions of approval that will achieve transportation system and utility build out to serve the new lots.
- The phasing plan as discussed at the hearing are also attached. Each first phase will stand alone or could be constructed concurrently.

Open Space:

The Applicant does not find anything in the code that points to an obligation to provide a certain number of private tracts or acres for active or passive open space. Therefore, the Applicant looks to how much land is designated for open space for planned projects and existing built Planned Developments in the area and finds the application as proposed and conditions meets the need for allocation of open space:

- Cottonwood:
 - The nearby Cottonwood development,platted 162 dwelling units between 2004 and 2006, with a total of 1.7 acres of open space for a land area percentage of about 4.5% open space.
- Shadden Claim (Original)
 - Shadden Claim zoned R-1 PD, a 61 lot (67 dwelling unit) development, was approved, developed and platted with no open space.
- Shadden Claim 1st and 2nd Additions and Amended Planned Development
 - The existing three phases of Shadden Claim’s additions, of which the 3rd phase is owned by the applicant and not yet built, was approved with a 6.6% open space requirement for all three phases, with no open space planned in the 3rd phase on the approved preliminary plan.
 - The Shadden Claim 1st Addition was platted with no open space.
 - The open space amount increased at time of platting of Shadden Claim 2nd Addition to 1.98 acres of open space, or 7.45% of the three phases.
 - 8.63% of the land added to the planned development will be open space (active and passive).
 - 7.69% of BCW plat will be open space (active and passive), including the mini-park, now referred to by the Applicant as Tract B of the BCW plat, required by proposed COA#4 in the Staff Report and the storm pond, Tract A. (see attachment exhibits G-1 and G-2)
 - 9.55% of BCE will be open space (active and passive).
 - The new total open space for the entire amended Planned Development area will be 8.31% open space, an increase of (0.88%). The approved proposal will provide about 2.8 more acres of open space, or more than doubling the open space currently available within the planned development amendment project area.
 - This information is also represented in the Revised Narrative Supplement Memo of December 14, 2016 submitted to City Staff for the record* (*revisions reflecting COA#4 shown here).
- City Park
 - The City Parks Department has funds to build a City Park adjacent to BCW in 2017. It was never the Applicant’s intent to try to use the City Park to meet any need for the project to provide open space as part of the application. It was simply relevant to show that there is a major public park planned to be built adjacent to the project within the next year, and therefore the need for active open space in the development is not as great as may be for other planned developments of similar character that are not immediately adjacent to a new city park (see Exhibit P).

In summary, the percentages of open space will increase with the approval of the project to a total of 4.78 acres of open space, both active and passive areas, within the project boundary. The percentage of open space is about double the percentage of open space area provided with development as compared to what was provided by Cottonwood, a project of higher density. The need for private open space of the new residents in this development is met by the standard rear yard setbacks in this development and the private open space tracts, and the need for public parks in the community is being met by initiatives of the City Parks Department. The view of the passive open space areas from adjacent properties and public streets will also be enjoyed by existing residents and the public. Additionally, the mid-block paths through the open space tracts will be enjoyed by the public as they will have a public easement over them to allow all pedestrians to use them.

In conclusion, the Applicant respectfully requests the Planning Commission follow the Staff recommendation and vote in favor of the Application so it is approved as conditioned as stated above.

The Applicant requests that with submittal of this memo and attachments listed below, time for Applicant rebuttal end upon receipt by the City of these materials.

Attached:

Exhibit G-1 and G-2 showing Tract B.

Phasing Plan East and West showing phase lines.

Ron Pomeroy

From: Morgan Will [morgan@staffordlandcompany.com]
Sent: February 07, 2017 1:03 PM
To: Ron Pomeroy
Cc: Heather Richards
Subject: RE: Rebuttal Testimony Clarification

Ron,

Thanks for this opportunity to answer your questions.

1. 45' maximum.
2. Four phases, 2-west, and 2-east. The draft phasing plan was in error. The multi-family Lot 130 on Exhibit G-2 would be one lot in the 2nd phase of the west plat. What has been said is that building plans will be submitted at a later date, but that one lot does not need its own plat phase.
3. We anticipate building Phase 1 of the west plat first this summer to facilitate extension of Yohn Ranch Drive this year which will serve the future park. We will likely start phase 1 of the east plat (the 2nd phase of construction) concurrent with, or shortly after, the first phase of the west plat. Phase 2 of the west plat would be built in 2018. Phase 2 of the east plat would start in 2018 or 2019. So in four years from land use approval we would likely be done with all phases of site construction of public improvements and platting.

MORGAN WILL

Project Manager, Acquisitions & Development

STAFFORD LAND COMPANY, INC



971.206.8615 x203 | desk

503.305.7647 | office

503.939.3902 | cell

morgan@staffordlandcompany.com

485 South State St, Lake Oswego, OR 97034

StaffordLandCompany.com

From: Ron Pomeroy [mailto:Ron.Pomeroy@mcminnvilleoregon.gov]
Sent: Tuesday, February 7, 2017 9:51 AM
To: Morgan Will <morgan@staffordlandcompany.com>
Cc: Heather Richards <Heather.Richards@mcminnvilleoregon.gov>
Subject: Rebuttal Testimony Clarification

Morgan,

I have been reviewing your recently submitted rebuttal testimony and have a few questions of clarification. If you were able to provide rapid responses to these questions it would be greatly appreciated.

1. Are you able to share what the maximum building height would be for the future multiple-family development to occur on your site?
2. I am seeking additional clarification regarding the proposed phasing plan. Josh Wells had previously submitted a 5-phase phasing plan. The plan submitted as part of your rebuttal testimony now demonstrates a 4-phase phasing plan. Would you be able to definitively clarify the number and boundaries of the proposed phases?
3. What is the proposed timeframe for final complete buildout of all phases?

Thank you Morgan.

Ron Pomeroy

Ron Pomeroy, AICP

Principal Planner

City of McMinnville

231 NE Fifth Street

McMinnville, OR 97128

Department: 503.434.7311

Direct: 503.474.5108

Fax: 503.474.4955

ron.pomeroy@mcminnvilleoregon.gov

Ron Pomeroy

From: Morgan Will [morgan@staffordlandcompany.com]
Sent: February 07, 2017 2:06 PM
To: Ron Pomeroy
Subject: RE: One additional clarification

Ron,

Order of development:

BCW Phase 1
BCE Phase 1
BCW Phase 2
BCE Phase 2

The same engineer will design each phase, and that person can only do one thing at a time, so when we say BCW Phase 1 and BCE Phase 1 will be developed at the same time, that may mean, for example, construction permits will be submitted for review on BCW Phase 1 in June, and then for BCE in July, such that approval of the construction permits could technically be given by the City around the same time and they would both be under construction about the same time, and would be platted as separate plats about the same time, but each would still be distinct phases. I could imagine BCW Phase 1 could be submitted first and start constructed first, but if BCE Phase 1 is submitted and starts construction shortly after AND is built faster, then hypothetically BCE Phase 1 could record first. These are all just variables.

Best,

MORGAN WILL

Project Manager, Acquisitions & Development

STAFFORD LAND COMPANY, INC



971.206.8615 x203 | desk

503.305.7647 | office

503.939.3902 | cell

morgan@staffordlandcompany.com

485 South State St, Lake Oswego, OR 97034

StaffordLandCompany.com

From: Ron Pomeroy [mailto:Ron.Pomeroy@mcminnvilleoregon.gov]

Sent: Tuesday, February 7, 2017 10:00 AM

To: Morgan Will <morgan@staffordlandcompany.com>

Subject: One additional clarification

Morgan,

My apologies for not including this last question in my prior email.

The rebuttal information seems to indicate that Phase 1 of BCE and Phase 1 of BCW would be constructed at the same time. Similarly, Phase 2 of BCE and Phase 2 of BCW would also be constructed at the same time.

Would you please clarify the order of the physical construction of the proposed phases, and if some are to happen simultaneously?

Thank you again for your time.

Ron Pomeroy

Ron Pomeroy, AICP
Principal Planner
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128
Department: 503.434.7311
Direct: 503.474.5108
Fax: 503.474.4955
ron.pomeroy@mcminnvilleoregon.gov

From: Ron Pomeroy
Sent: February 07, 2017 9:51 AM
To: 'Morgan Will'
Cc: Heather Richards
Subject: Rebutttal Testimony Clarification

Morgan,

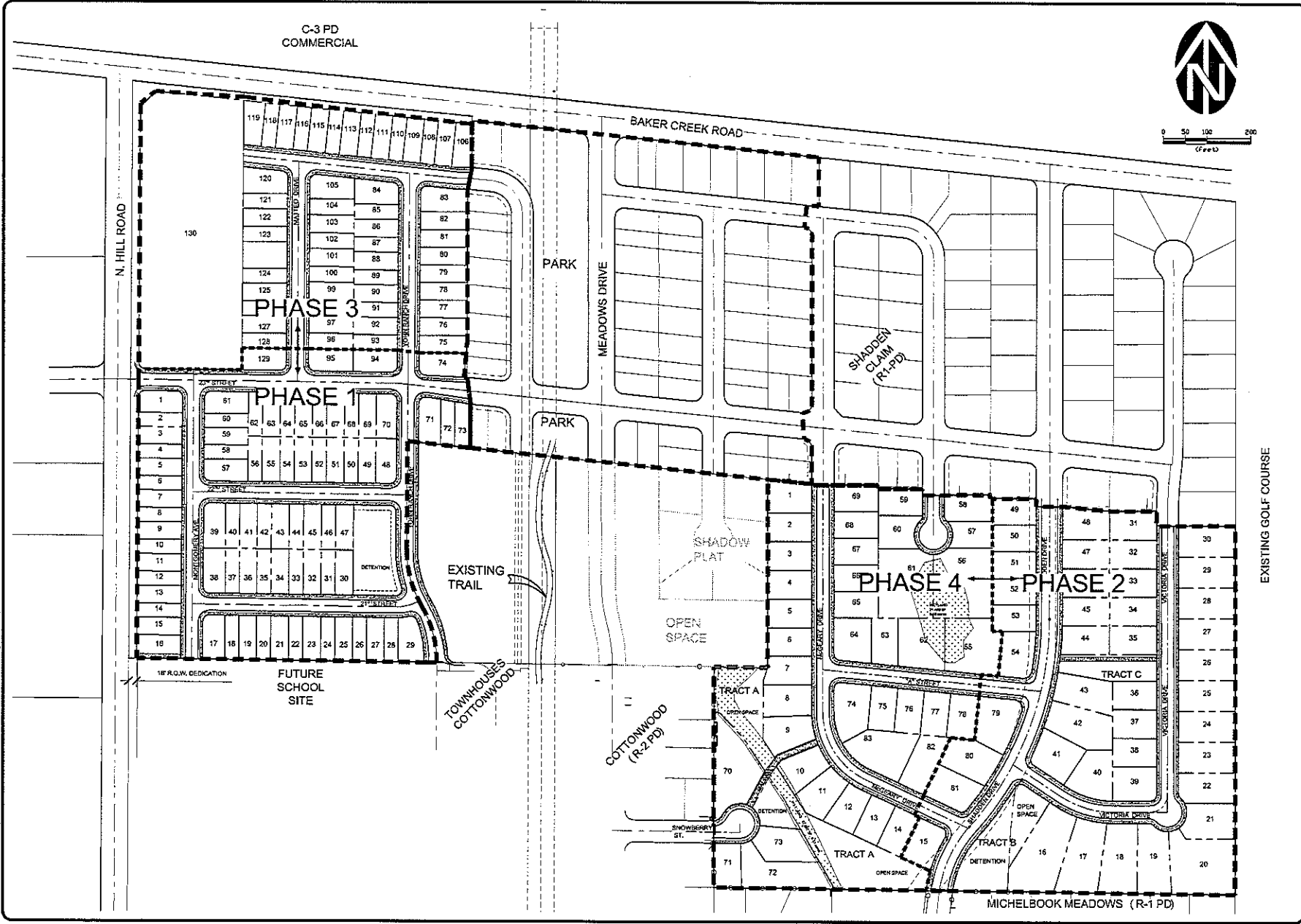
I have been reviewing your recently submitted rebuttal testimony and have a few questions of clarification. If you were able to provide rapid responses to these questions it would be greatly appreciated.

1. Are you able to share what the maximum building height would be for the future multiple-family development to occur on your site?
2. I am seeking additional clarification regarding the proposed phasing plan. Josh Wells had previously submitted a 5-phase phasing plan. The plan submitted as part of your rebuttal testimony now demonstrates a 4-phase phasing plan. Would you be able to definitively clarify the number and boundaries of the proposed phases?
3. What is the proposed timeframe for final complete buildout of all phases?

Thank you Morgan.

Ron Pomeroy

Ron Pomeroy, AICP
Principal Planner



2/7/2017 10:24:11 AM
 C:\WORKING\2017\20170207\Baker Creek Subdivision\GIS\GENERAL DRAWS\PLAN\03_P-3.dwg

NO. DATE	NO. DATE	NO. DATE	NO. DATE	NO. DATE	NO. DATE	NO. DATE	NO. DATE
BY	BY	BY	BY	BY	BY	BY	BY
DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
REVIEW MATHIEW T. JOHNSON PROFESSIONAL ENGINEER STATE OF ILLINOIS NO. 1211 EXPIRES 12/31/2018							
STAFFORD LAND COMPANY BAKER CREEK SUBDIVISION OVERALL PHASING PLAN							
DRAWING P-3							
JOB NUMBER 2940.0000.0							

EXISTING GOLF COURSE