

September 1, 2008

Marion County Board of Commissioners

Marion County Planning Division

PO Box 14500

Salem, OR 97309

Dear Commissioners & Staff;

This letter is written to provide comment on the “Legislative Amendment (LA) 08-2: Amendment to the Marion County Comprehensive Plan by Adopting Plan/Map Amendments to the City of Donald Comprehensive Plan including 42.5 Acres UGB Expansion for Employment Lands for Marion County Zoning Designations for Properties Added to the UGB.”

The City of Donald has applied for an expansion of the City UGB to incorporate 4 pieces of property all currently zoned EFU. Three are small pieces (1.49, 5.21 and 6.80 acres respectively) while the fourth is 28.98 acres.

Friends of French Prairie is opposed, in principle, to all developmental expansion that removes high quality agricultural land from farm production. It goes without saying that the Willamette Valley is the center of Oregon’s agricultural lands, and that French Prairie is the heart of the Willamette Valley—as measured by the quality of its soils, the level of agricultural production and the Oregon history that took place here.

Friends of French Prairie recognizes the dilemma facing the City of Donald: any expansion of the City UGB has to occur at the expense of agricultural land zoned EFU. This is simply a function of the City (while having “a surprisingly significant industrial land base”) being surrounded by agriculture. With that said, Friends of French Prairie recognizes the need of the City of Donald UGB to incorporate the three small parcels referenced above. Whether or not they are in active agricultural production at the present time, they adjoin existing businesses and will be part of the expansion of *existing business*. That is to say, they directly contribute to the expansion of the City and its *current* business base.

In sharp contrast, the 28.98 acre piece (commonly referred to as the Bennion-Feller piece) is desired to be incorporated to the purpose of construction of a warehouse/distribution facility. This intended use has no direct connection to the current business base of the City. Specifically, warehouse distribution does not comprise a significant percentage of the City’s business base.

In contrast, the high growth rates industry segments listed on page 15 of the City's application (service employment, leisure industries, education and healthcare) are not being targeted—and all are projected to increase at a far higher rate than farm or manufacturing employment. Instead, the targeted segment is one with huge transportation requirements and impact, particularly at risk with the recent increases in the cost of fuel.

No regional “competitive” or “needs” analysis is provided. No mention is made of the fact that concurrent with this application, the Maletis brothers (owners of Langdon Farms and 300+ surrounding acres north of the Aurora Airport and within 8 miles of the City) are in publicly acknowledged discussions with the Klamath Tribe to sell their property for the purpose of a “commercial/industrial” development—and what is being described as optimal is a warehouse/distribution center due to its immediate proximity to I-5 and the perceived possibility of creating a new freeway interchange using the existing rest areas south of the Charbonneau exits.

If this proposed project goes forward, the land in question will become Tribal Trust Land, under the jurisdiction of the Klamath Tribe, and no longer under the land use guidance and restrictions of usual Oregon municipalities. In other words, from a developmental perspective, this project would have a significant advantage over any other similar development in the immediate area—and the proposed project on the Bennion-Feller piece would be the “closest competition.”

There is no comparative analysis in the City's application of surrounding communities to assess currently available warehouse/distribution space, future projects or those underway but not yet on the market, nor of the potential for land already zoned appropriately for warehouse/distribution development.

In other words, it appears to us that incorporation of the Bennion-Feller piece is *speculative*, not based on real need, nor supportive of the existing City business base—and it consumes high quality farm land in active production.

The matter is made worse by the type of development intended for this property. It is not mixed use nor supportive of the City's current manufacturing business base. Rather, it is an industry characterized by: 1) the need for large swaths of land (significant percentages of which are paved for parking or vehicular movement; 2) significant truck traffic; 3) a significant number of employees—most of whom will not live in Donald due to the City's inability to expand its housing base and the fact that its water and sewer systems are near maximum capacity.

The Transportation Impact Analysis prepared for the City by Group Mackenzie includes some startling numbers and assumptions, all adroitly positioned as non-issues. For example:

On Page 7 the following statement: “Chapter 165 of the Marion County Rural Zoning Ordinance showed warehouses as the highest trip generating land use.” Yet, on page 12 it is stated: “Our analysis indicates that with the existing infrastructure, with or without the proposed plan amendment and zone change, the study area intersections will not meet ODOT or Marion County operating standard in the plan year. Accounting for the projects that either have a County funding source or have been identified on the Fiscally Constrained project list of the TSP, we have identified *one* intersection that will require additional mitigation.”

Beyond the inherent contradiction, this statement also somehow manages to avoid data on page 10, specifically that the Ehlen Rd/I-5 NB Ramps currently (2007) are rated “F” (over capacity conditions causing unacceptable delay), while the Ehlen Rd/I-5 SB Ramps and the Ehlen Rd/Bents Rd intersection are rated as “E.” These ratings only worsen (all become “F”) in the “2025 Proposed Zone Designation with Existing Infrastructure” data set.

They only improve to “C” ratings in the “2025 Proposed Zone Designation. What is striking about this “improvement” is that it is based on a small financial contribution by the developer (approximately \$400K) and the assumption that Marion County will be able to fund its current and scheduled highway improvement projects. This is an implicit assumption of the TIA, as stated on page 14: “To address increasing congestion issues in the Fargo interchange area, Marion County prepared a sub-area plan...Improvements include future traffic signals, additional traffic lanes and /or other capacity improvements, specifically at the Ehlen Road/I-5 NB ramp terminal intersection, the Ehlen Road/I-5 SB ramp terminal intersection, and at the realigned Bents Road-Bents Court/Ehlen Road intersection.”

Yet no assessment is provided regarding recent funding history, nor the likelihood of these improvements being funded and completed between now and 2025. It goes without saying that the County has a poor record of being able to finance its identified improvement projects, and the same is the case for ODOT. The Ehlen Rd/I-5 interchange has had an “F” rating for years, with no action (or financial ability) by ODOT to rectify it. This assessment is further strengthened by the statement on page 16: “All improvements are assumed constructed in the plan year (2025) except the identified but unfunded traffic signal at the Ehlen Road/Butteville Road intersection. In other words, the only “necessary” short term traffic improvement is a signal at Ehlen/Butteville Road?”

Further, after defining the trip distribution impact of the warehouse/distribution development on the Bennion-Feller piece at 2,604 Total Daily Trips (page 15), in the summary on the next page discussing the eastbound traffic on Ehlen Road it is stated that “The Bennion-Feller property does not add trips to this movement.” How can a development resulting in 2,604 Total Daily Trips not add trips to the movement of traffic on Ehlen Road?

Not only is there no breakdown of the Total Daily Trips into truck trips vs. automobile trips, but the quote above illustrates a number of naïve assumptions that this number of daily trips will have little or no local impact.

For example, the assumption seems to be that all Total Daily Trips will be truck trips going directly from the subject property through the Ehlen Road/Butteville Road intersection to the I-5 interchange. Common sense says there will be employees who drive automobiles (no mass transit is available) and these employees will live in a wide variety of communities other than Donald. It is inconceivable that the employee base will not have a significant impact in terms of Total Daily Trips on Butteville Road (north and south), Ehlen Road west to 219, 219 north and south to Newberg and St Paul, etc.

Observation and experience on the part of local residents over the past few years attest to a significant increase in general traffic, and especially truck traffic, on Ehlen Road. Much of this is due to ever-increasing congestion on 99W from Newberg to Metro Portland, and the McKay/Ehlen Road route often offers a faster commute from Newberg via I-5 than driving via 99W. Traffic increases west of Butteville Road may well also be due to a route that avoids the weigh scales on Ehlen Road east of Butteville Road.

It is inconceivable to Friends of French Prairie that a warehouse/distribution development could be built on the Bennion-Feller piece without significant traffic impact on all roads in and out of Donald, reaching as far as 219 (north to Newberg and south to St Paul) and the other collector roads in the area. Peak hour traffic at the Ehlen Road/I-5 interchange is presently so congested that many local residents purposely drive longer distances using Butteville Road, Kuplenger Road, Arndt Road, Lower Boones Ferry Road or the Canby/Hubbard bypass to access I-5.

This development project will have significant local & regional impact. Because of that fact, in addition to the loss of 29 acres of high quality farm land, and the speculative nature of the project that does not support the City's business base, Friends of French Prairie opposes the inclusion of the Bennion-Feller property in the Donald UGB expansion. We support the inclusion of the three smaller pieces in the Donald UGB expansion.

Further, we take this example to call to the attention of the Marion County Commissioners something that is blatantly missing from Marion County master planning: **there is no master plan for French Prairie.** Most of French Prairie is in the County, yet because of its proximity to Metro Portland and to I-5 (as this project and the Maletis Brothers/Langdon Farm sale illustrates), northeastern French Prairie is arguably under the most development pressure of all agricultural lands around Metro Portland.

We respectfully request that our Marion County Commissioners undertake a process to develop a French Prairie Master Plan, and during that time deny all non-agricultural development in French Prairie.

Sincerely



Benjamin D. Williams

President