

WRITTEN PUBLIC COMMENTS RECEIVED
PRIOR TO THE
BOARD OF COMMISSIONERS' SESSION
ON
THURSDAY, July 14, 2022,
2022
AT
10:00 A.M.

Questions, concerns or comments about these items can be directed
to staff or the Commissioners by contacting the Commissioners' office at

(503) 434-7501

OR

BOCINFO@co.yamhill.or.us

Carolina Rook

From: P O'Leary <poleary847@aol.com>
Sent: Monday, July 11, 2022 12:38 PM
To: Lindsay Berschauer; Mary Starrett; Casey Kulla; BOC Info
Cc: jbladine@newsregister.com
Subject: Street of Dreams Permit -- McMinnville Portion
Attachments: Permit Conditions for Street of Dreams.docx

[This email originated outside of Yamhill County]

I am writing in regards to the newspaper announcement that a permit was issued for the Street of Dreams. I live in one of the McMinnville locations, West Wind, and believe the McMinnville permit should be denied.

No one in West Wind was notified of the agreement that was apparently decided in February according to the homeowner, Wilkins, who denies any responsibility or knowledge, but who does know that contracts are in place and that John Abrams gave contractor Mike Riddle agreement. According to John Abrams, declarant of West Wind, his response to a casual inquiry by HBA reps when they chatted on the street back on March 4th was "if all the neighbors agree, it's all right with me." Their response was along the lines of "we'll think about it and get back to you." That never happened and John thought it was a dead issue, as he told me. He also told me he never met Mike Riddle. A West Wind resident found an online listing which was passed through our West Wind email list on Sunday, July 3. That was the way West Wind was notified.

Since the Wilkins, for financial compensation, are vacating their property and leaving the use of it to Mike Riddle, it qualifies as a short-term rental -- defined as anything less than one year -- which is specifically denied in our CC&Rs. Additionally, Riddle is renting it for business purposes -- a showroom for his construction company -- and any home-based business has strong limitations on client visits, so that's a second conflict with our CC&Rs. There are additional conflicts with parking of commercial vehicles and signs, but those are the two big ones.

Also, the Wilkins property is located immediately adjacent to an adult foster care home. All of the residents in that care home are over 100 years old.

Obviously, even direct neighbors of the Wilkins' property never received notice of the permit application, nor did I see any notice in the newspaper that referenced a McMinnville permit. A search of News-Register archives shows only one mention of Street of Dreams in an April article referencing the Newberg location, but no public notice of a permit application.

West Wind has not had any information from any of the three parties that we have not forced since we discovered the plans on July 3. We get platitudes about managing parking (we got offered signs and free tickets to tour the house), but absolutely no specifics. None of the deadlines to provide information set by HBA and Riddle's representatives have been met. We have been told that the house will be open limited hours of 10 am to 7 pm, Friday through Sunday. We have been told that the house will be open three of the four weekends, but we have not been told which weekends. We

have been told that directions and parking information will be provided via a mobile app, which leads me to believe that there will be limited staff to handle traffic and parking issues. One immediate neighbor requested the use of traffic cones to prevent people from using her driveway as shortcut between two streets. The response from the Home Builders Association was that they didn't have any. I would expect the HBA has a better idea where to get hold of traffic cones than the average homeowner. We have been told that this will be no different than a standard realtor's open house. Standard realtor open houses do not last nine hours, three days running each week for four weeks. McMinnville is referred to as a "satellite" location by the SOD reps, but it encompasses one-third of the Street of Dreams, and that makes it a pretty big satellite.

While I do not believe the homeowner, the contractor or the Street of Dreams representatives have conducted themselves in a manner that has earned them any goodwill, I did poll West Wind residents. Of the responses I got, no one was enthusiastic, 4 were a hard no but didn't want to be publicly identified, and about 10 responded that it would probably be okay if the issues I listed in an email were managed. People made a significant effort to be good neighbors, acknowledging that the Wilkins committed to a financial obligation to the advantage of themselves but that required the cooperation of the entire neighborhood, and the neighbors were willing to compromise. That is a very generous position for the neighbors to take when there is no legal obligation for them to do so.

I have attached a word doc that includes the text of the email I sent to West Wind residents as well as the contractor and the SOD representatives. In addition to the items listed in the attached document, the hours should be shortened to end no later than 4 pm instead of 7 pm to minimize the impact on the adult foster care home, strong consideration should be given to making it only two non-consecutive weekends so the neighborhood has an opportunity to recover, and if any alcohol will be served, the appropriate permits must be obtained and licensed servers used.

If these conditions are addressed, in writing with specific information, i.e., how many people will be on sight for traffic control during specific hours (stating parking instructions available in a mobile app is not acceptable), I would withdraw my objection to issuing the permit. If the homeowner, contractor and SOD/HBA representatives continue to refuse to provide detailed, actionable information, my objection to the permit will stand.

Patty O'Leary

Text of email sent July 4th:

Thanks, Jill. I like to support my architects and builder as well. I was impressed with your excavator who made sure to blow off all the gravel in the street every day. You'll probably have the fastest landscape install of anyone here because of the deadline you have. Most of us would wait until fall to plant since the irrigation water is so expensive.

I have communicated with John who told me that he said he was ok with it as long as the neighbors agreed. Based on the number of comments I've received, I think that Mike may have sidestepped that requirement or assumed it was someone else's responsibility. At this point, we simply need to try to make the best of the situation.

When you follow up with Mike's office, the areas of concern that residents have expressed to me are cars turning around at the end of West Wind and multiple cars trying to navigate Sailing Court. Figuring out a way to block West Wind just past Fox Swale and blocking Fox Swale just past Homer Ross would improve traffic management. I understand that the 2 McMinnville houses are bonus houses not expected to draw as much traffic as the core Street of Dreams in Newberg, but in past years, SoD have pulled well over 10,000 attendees. I think the Lake Oswego SoD had over 30,000. Even a small percentage of that number will greatly impact traffic in West Wind and the entire northwest corner of McMinnville.

Parking may or may not be an issue depending on how attendees distribute and any time limits established. For example, will your house close at 7pm or simply allow last entry at 7? What arrangements has Mike made to manage parking if it does become an issue?

Trash has been mentioned as a concern. I expect that most people would be respectful but that respect will fluctuate with the amount of wine tasting attendees participate in during the day. Has Mike arranged for a neighborhood trash sweep each evening?

Also, what is Mike's responsibility for repairing any damage to West Wind property as well as individual home owners' properties? Is he carrying liability insurance for all of us during the open house event? West Wind roads are private, as indicated by the blue road sign, so that has legal ramifications for all of us.

West Wind is in the county so the Sheriff's office would probably appreciate a heads-up about the plans. But the city is responsible for the approach roads, so the police chief should also be made aware of the plans especially if any other events are scheduled in McMinnville during the same time.

It takes planning and organization to make an event of this magnitude successful. That no one felt the need to let the neighbors know what was planned leads me to think that other items have been missed as well. Things like bathroom facilities. I'm sure other neighbors have suggestions as well, to help Mike have a successful promotion while minimizing the impact on the rest of us.

Carolina Rook

From: Maria Rogers <sunsethillcarehome@hotmail.com>
Sent: Monday, July 11, 2022 3:30 PM
To: Lindsay Berschauer; Mary Starrett; Casey Kulla; BOC Info
Subject: Street of Dreams Permit -- McMinnville Portion

[This email originated outside of Yamhill County]

We are the neighbors located directly next door to the proposed Street of Dreams (SOD), West Wind, McMinnville property at NW West Wind Drive, and have lived and operated an adult foster care home location here for the past ten years. We were very surprised and dismayed by the news we received only last weekend, on July 3rd, that our neighbors had contracted to operate an SOD home site in our neighborhood. The fact that none of the claimed contracting parties involved in this event bothered to even notify, never mind sought permission of, the direct neighbors and all HOA members in our subdivision was shocking to us. The potential population draw of such an event, the number of advertised consecutive days and weekends (4 consecutive weekends of Fridays, Saturday, and Sundays, for 9 hours each day), and the information we received that wine may be served at the event, seemed to beg the questions, 1) "Why were we not notified in any way, so that we could comment and have a voice in the planning process?" and 2) "How is it that an event of this size can take place without anyone taking responsibility to specifically outline how the event is to be properly managed and the rights and potential liabilities of all West Wind neighbors and other HOA members protected?"

To date, we have not seen specific information about how, parking, traffic control, bathroom facilities, trash removal, and security are to be maintained during the event. We are also unsure about what our liability might be if someone is injured while crossing our property to get to and from the event. All this lack of information has left us with very unsettled feelings. Additionally, we do operate a foster care home and often host families on the weekends, especially during the warm summer months, to visit with their seniors, and the families do need to park in our neighborhood. We are also very concerned about the lengthy proposed hours of the SOD event, 9 hours each day (which do not include set up, clean up, and breakdown hours), as well as the noise generated by such an event, meaning that people and vehicles would be coming and going from early morning to late evening, every Friday, Saturday and Sunday, for a month. This is a real imposition on the operation of our business, the protection of our residents, and the quiet enjoyment of our home.

We are in complete agreement with the proposed conditions set forth in Patty O'Leary's July 11th email addressed to you, which included her attached letter to the homeowner, the builder, and SOD, regarding our (the neighbors and HOA members) questions and requests for specific information related to the operation of this proposed event. We have yet to receive this information, although the event is scheduled to open only 11 days from now. If arrangements to adequately support and protect the event's direct neighbors and all West Wind subdivision homeowners *can be specified immediately by the SOD/HBA representatives*, we would withdraw our objection to the permit issued for this event, otherwise we would have no recourse but to object to the permit.

Maria Rogers and Scott Lichtenstein

2145 NW West Wind Drive
McMinnville, OR 97128

Carolina Rook

From: Nancy Singh <nancy.singh@me.com>
Sent: Monday, July 11, 2022 5:21 PM
To: Lindsay Berschauer; Casey Kulla; Mary Starrett; BOC Info
Cc: jbladine@newsregister.com
Subject: Re: Street of Dreams Permit -- McMinnville Portion

[This email originated outside of Yamhill County]

Dear Yamhill County Commissioners,

I would very much like for you to consider pulling the McMinnville portion of the permitting for the Street of Dreams home on West Wind Drive. I will be succinct:

1. There is exactly one private street that allows car access to Hill Road. This entrance is a private entrance located just a block from the round-about at Baker Creek Road backing up onto Draper Farms. The amount of traffic one would expect from a Street of Dreams event can not be accommodated in any way. It would require traffic control officers and parking on Hill Road and across Hill in the housing development off of Hill and 23rd st. If anyone had bothered to look at the map and see that there was only this one street that people would have to navigate to attend the West Wind home of the Wilkin's Family, surely they would have understood this was not a good idea for anyone.
2. The number of days and hours in a day that the Street of Dreams (SOD) is scheduled to be open is extremely intrusive in a small neighborhood.
3. No neighbors were informed, nor polled to see if they would mind this until I asked the Wilkins to use the neighborhood email list to let us know what the plans for handling traffic, parking, trash, toilets, security and liability were. When asked they absolved themselves of any knowledge of the plans or any responsibility for the event at all. They are the home owners. As a neighbor, I don't have any business with Mike Riddle Construction, nor the SOD folks. I look to my fellow home owners to resolve an issue like this....until they clearly stated they had zero knowledge and zero responsibility.
4. In fact, no one has taken any responsibility to clarify anything to date, despite being asked to do so. Each person involved in this event has simply passed the baton to someone else.
5. As our elected officials, I would have hoped for more due diligence before issuing a permit, however, having dealt with this group, I suspect, you were just as unaware of the lack of planning, preparation and aforethought by SOD and Mike Riddle Construction.

I know, having signed the CC and R's when we bought our home three years ago that we were expected to understand them and adhere to them. In my opinion no one has done that in this instance.

I hope that we can count on you to cancel this permit. I personally see no way you can assure all of us that our homes will be secure, that we have no liability for injury, that property damage will be repaired at no cost to us and that we will be able to have emergency vehicles enter and leave without delay.

My husband is in a wheel chair. I have needed to call the EMT's at least once per month in the past six months. You may verify that with them. If they are unable to get to my home and into and out of my neighborhood because of the volume of cars and the confusion that causes, I would feel that we were at risk.

I look forward to hearing from you regarding my concerns and your plans going forward.

Thank you for taking the time to read my letter and to address my worries.

Sincerely,

Nancy Singh
2200 SW West Wind Drive
McMinnville, OR. 97128

Carolina Rook

From: P O'Leary <poleary847@aol.com>
Sent: Wednesday, July 13, 2022 4:41 PM
To: Lindsay Berschauer; Casey Kulla; Mary Starrett; BOC Info
Subject: SOD Event

[This email originated outside of Yamhill County]

Thank you all for the time and effort you have put into to helping us in West Wind.

I understand that you had to cobble together a new permit process because of the individual nature of this event for Yamhill County. As you work to refine the process, I suggest that you consider changing the notification parameters for neighbors. Specifically, virtually every group of housing built in the past 20 years is subject to an HOA, which means each property is subject to CC&Rs. In the late 1980s, it was common to word HOAs so they had to be renewed to stay in effect past about 15 years. That has long since changed to require a major legal effort to dissolve an HOA. Lenders, in particular, view HOAs as a way to protect the value of the property. In our particular case, I would guess that neither the lender nor the insurance carrier for the property in question was notified of the short-term rental either.

As I said earlier, I believe there is grounds for legal action but the neighborhood decided to try to work out a compromise, which you all have made possible. None of it would have been possible without your help. Thank you.

Patty O'Leary