



Kent Taylor Civic Hall
200 NE Second Street
McMinnville, OR 97128

**City Council Meeting Agenda
Tuesday, April 25, 2017**

**6:00 p.m. – Dinner Meeting
7:00 p.m. – Regular Council Meeting**

Welcome! All persons addressing the Council will please use the table at the front of the Council Chambers. All testimony is electronically recorded. Public participation is encouraged. If you desire to speak on any agenda item, please raise your hand to be recognized after the Mayor calls the item. If you wish to address Council on any item not on the agenda, you may respond as the Mayor calls for "Invitation to Citizens for Public Comment."

6:00 PM – DINNER MEETING – CONFERENCE ROOM

1. CALL TO ORDER
2. REVIEW CITY COUNCIL AGENDA
3. ADJOURNMENT

7:00 PM – REGULAR COUNCIL MEETING – COUNCIL CHAMBERS

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. INVITATION TO CITIZENS FOR PUBLIC COMMENT – *The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a topic already on the agenda; a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit the duration of these comments.*
4. PROCLAMATIONS
 - a. Lemonade Day Proclamation
 - b. Construction Industry Safety Week Proclamation
 - c. Arbor Day Proclamation
 - d. Historic Preservation Month Proclamation
5. PUBLIC HEARING
 - a. **Ordinance No. 5021:** An Ordinance Amending The Zoning Map Designation From EF- 80 (Exclusive Farm Use – 80-Acre Minimum) To R-1 PD (Single-Family Residential Planned Development) On Approximately 13.6 Acres Of Land, And From R-1 (Single Family Residential) To R-1 PD Single-Family Residential Planned Development) On Approximately 17.23 Acres Of Land, And Amending Planned Development Ordinance No. 4626 To Encompass An Additional 30.83 Acres Of Land To Allow Variation In Lot Sizes And Setback Requirement To Include: A Reduction In The Front Yard Setback For Certain Lots From 20 To 15 Feet; A

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Reduction In The Side Yard Setback For Certain Lots From 10 Feet To Either 7.5 Feet, 5 Feet Or 3 Feet; And A Reduction In The Exterior Side Yard Setback For Certain Lots From 20 Feet To 15 Feet.

6. CONSENT AGENDA

- a. Consider the Minutes of the April 11th, 2017 Dinner and Regular Meeting.
- b. Request from The Mack Club (Fine Rock Grill) for a liquor license at 2223 NE McDaniel Lane.

7. RESOLUTIONS

- a. **Resolution No. 2017-29**: A Resolution awarding the contract for the OR 99W at 2nd St Signal Replacement Project, Project 2015-17.
- b. **Resolution No. 2017-30**: A Resolution awarding the contract for the 2017 Street Overlay Project, Project 2016-15.
- c. **Resolution No. 2017-31**: A Resolution awarding the contract for the design of the 12th Street Sanitary Sewer Rehabilitation Project.

8. ORDINANCE

- a. **Ordinance No. 5020**: An Ordinance amending the Comprehensive Plan Map designation from Residential to Commercial, and from Commercial to Residential, on portions of an existing property and lot of record, and rezoning portions of said property from a combination of EF-40 (Exclusive Farm Use – 40-Acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial).

9. ADVICE/ INFORMATION ITEMS

- a. Reports from Councilors on Committee & Board Assignments
- b. Department Head Reports
- c. Building Division Reports

10. ADJOURNMENT



**City of McMinnville
Administration**
230 NE Second Street
McMinnville, OR 97128
(503) 435-5702

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: April 25, 2017
TO: Mayor and City Councilors
FROM: Melissa Grace, City Recorder/ Legal Assistant
SUBJECT: Lemonade Day Proclamation

Council Goal:

Promote Sustainable Growth and Development & Communicate with Citizens and Key Local Partners

Report in Brief:

This is a proclamation to be read by the Mayor which will proclaim May 6th, 2017 as Lemonade Day in McMinnville. Chamber of Commerce President Gioia Goodrum will be present to accept the proclamation.

Background:

Founded in Houston, Texas in 2007 by Michael Holthouse, Lemonade Day was created to empower today's youth to become tomorrow's entrepreneurs. Since its inception, Lemonade Day has grown from serving 2,700 kids in one city to more than 1 million children all across North America. With the help of partners like Google for Entrepreneurs, Lemonade Day will continue to spark the spirit of entrepreneurship and empower youth to set goals, work hard, and achieve their dreams.

Source: McMinnville Chamber of Commerce

Discussion:

Lemonade Day is a national event inspiring kids to work hard through starting, owning, and operating their own business — a lemonade stand. Participants go through a 14-step program that walks them from their dream to a business plan, all while teaching them the principles needed to start and run their own company. Though they are taught how to make a profitable business, they are also taught to spend and save money, and to share by giving back to their communities. Last year, 200 McMinnville youth joined the more than 250,000 youth from 40 cities around the country. From the young entrepreneurs' hard work, thousands of dollars were donated to local charities.

McMinnville Area Chamber of Commerce President, Gioia Goodrum, is a big proponent of Lemonade Day, describing it as "one of the many reasons I wanted to come to McMinnville. It teaches young people about entrepreneurship, but also prepares them for the world of work where the necessary skills of timeliness, preparation, and determination are key to success in a job. Participants learn finance and

Attachments:

Attachment A - Proclamation for Lemonade Day

money management, location selection, production scheduling, and marketing amongst many other things. We are helping to pave the way for the entrepreneurs of tomorrow.”

This is the 3rd anniversary of Lemonade Day in McMinnville. Youth in kindergarten through 12th grade will be participating in this event.

Source: McMinnville Chamber of Commerce

Fiscal Impact:

None.

Alternative Courses of Action:

None.

Recommendation/Suggested Motion:

Staff recommends that the Mayor read the attached proclamation to proclaim May 6th, 2017 as Lemonade Day in the City of McMinnville.

Attachments:

Attachment A - Proclamation for Arbor Day



PROCLAMATION

Whereas, Lemonade Day is a fun, free experiential learning program that launched in Houston, Texas in 2007, and has grown from 2,700 kids in one city to 200,000 kids in over 35 cities across America and Canada; and

Whereas, there are 200 kids in McMinnville and surrounding communities who will be learning how to be young entrepreneurs by opening and operating their own businesses – a lemonade stand; and

Whereas, the community's business leaders are supporting and encouraging these young entrepreneurs to be brave and do big things; and

Whereas, since its inception, Lemonade Day has provided access to the experience of business ownership to youth from all walks of life who learn lifelong business skills and principles while learning how to make money where they are encouraged to "spend a little, save a little, and share a little"; and

Whereas, the mission of Lemonade Day is to empower today's youth to become tomorrow's entrepreneurs;

Now, therefore, I, Scott A. Hill, Mayor of the City of McMinnville, Oregon, do hereby proclaim Saturday, May 6th, 2017, as

LEMONADE DAY

in McMinnville. We urge all citizens to recognize and encourage the efforts of our kids as they learn about being young entrepreneurs while they open and operate their own businesses.

In Witness Whereof, I have hereunto set my hand and caused the official Seal of the City of McMinnville to be affixed this 25th day of April, 2017.




Scott A. Hill, Mayor



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(503) 435-5702

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: April 25, 2017
TO: Mayor and City Councilors
FROM: Melissa Grace, City Recorder/ Legal Assistant
SUBJECT: Construction Industry Safety Week Proclamation

Council Goal:

Promote Sustainable Growth and Development & Communicate with Citizens and Key Local Partners

Report in Brief:

This is a proclamation to be read by the Mayor which will proclaim the week of April 30 – May 6th as Construction Industry Safety Week in McMinnville.

Background:

The Mission of Safety Week is to collectively raise the awareness of the construction industry's continuing commitment to eliminating worker injury, and to clearly communicate its dedication to a shared culture of care and concern and the belief that every week must be Safety Week.

Source: <http://www.constructionsafetyweek.com/about/who-we-are/>

Discussion:

The Mayor received a request from Mr. William Kalapsa of Liberty Mutual Insurance for a proclamation acknowledging Construction Industry Safety Week in McMinnville.

Fiscal Impact:

None.

Alternative Courses of Action:

None.

Recommendation/Suggested Motion:

Staff recommends that the Mayor read the attached proclamation to proclaim the week of April 30 – May 6th as Construction Industry Safety Week in McMinnville.

Attachments:

Attachment A - Proclamation for Construction Industry Safety Week



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PROCLAMATION

Whereas, construction is vital to our strong local economy yet remains one of the most dangerous professions; and

Whereas, the nature of the industry is fluid with craftspeople moving from firm to firm and project to project; and

Whereas, with proper planning, communication and controls, it is possible to eliminate injuries and incidents from construction sites; and

Whereas, no innovation in safety should be proprietary in order to send every worker across the region home safely after every shift; and

Whereas, local private and public owners in McMinnville have been national leaders in construction safety and have the opportunity to demonstrate leadership once again; and

Whereas, a diversity of stakeholders will enrich the dialogue and accelerate the adoption of best practices; and

Whereas, SafeBuild Alliance, a local non-profit advocating Zero Incidents through Collaboration has encouraged all members of the building community to share and learn in safety from one another; and

Whereas, every day should include a focus on safety, a coordinated annual event across the region serves to heighten awareness;

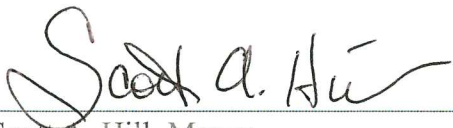
Now, therefore, I, Scott A. Hill, Mayor of the City of McMinnville do hereby proclaim April 30 – May 6, 2017 to be:

Construction Industry Safety Week

in McMinnville, Oregon and encourage all residents to observe this week, celebrate, and promote Construction Industry Safety in McMinnville.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the OFFICIAL seal of the City of McMinnville to be affixed this 25th day of April, 2017.





Scott A. Hill, Mayor



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

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STAFF REPORT

DATE: April 25, 2017
TO: Mayor and City Councilors
FROM: Chuck Darnell, Associate Planner
SUBJECT: Arbor Day Proclamation and Landscape Review Committee Update

Council Goal:

Promote Sustainable Growth and Development

Report in Brief:

This is a proclamation to be read by the Mayor which will proclaim April 28, 2017 as Arbor Day in McMinnville, and also to provide an update on the recent and upcoming work of the City's Landscape Review Committee.

Background:

Arbor Day was first celebrated in Nebraska in 1872, and since that time the Arbor Day Foundation was formed and the holiday is now celebrated nationally each year.

The City's Landscape Review Committee is the appointed body that is most heavily involved in the review and approval of the planting of trees within the city through their review of landscape plans and street tree plans associated with new development throughout the city.

Discussion:

This year is a special one for the City of McMinnville, as 2017 marks the 20th year that the City has been recognized by the Arbor Day Foundation as a certified Tree City USA. The Arbor Day Foundation has provided updated street signs, which are located at prominent entry points to the city, that have been updated to show that the City of McMinnville has been a certified Tree City USA for 20 years. Also, a commemorative plaque was provided to the City, which will be available for viewing at the City Council meeting and will be placed on display at the Community Development Center.

The Landscape Review Committee, the appointed body responsible for the review of landscape plans and street tree plans for new development, has had an active past year. In 2016 alone, the committee reviewed 36 applications for landscaping on new development sites, street tree plans in new subdivisions, and street tree removals. Through four months in 2017 the committee has reviewed 15 applications, which is a sign of another active year to come.

Attachments:

Attachment A - Proclamation for Arbor Day

In addition, the Landscape Review Committee has begun to formalize their operating procedures by establishing a standing meeting, receiving staff reports on applications for review prior to meetings, and approving meeting minutes each month to formally record discussions and decisions being made at each meeting. The committee also took time during four months of regular meetings to review the existing Landscaping (Chapter 17.57) and Trees (Chapter 17.58) chapters of the McMinnville Zoning Ordinance. The purpose in the review was to ensure that the language was appropriate, was consistent with current industry standards, and also was consistent with past City practices related to landscaping and the planting of street trees. The committee developed proposed amendments to update and improve the Landscaping and Trees chapters, and recommended those amendments to the Planning Commission. The Planning Commission is in the process of holding a public hearing on the proposed amendments, and those will come before the City Council in 2017.

The Landscape Review Committee has also expressed an interest in undertaking other projects outside of application review, such as providing input and guidance on the update of city street tree planting standards or any broader streetscape design discussions in the city. They also have planned to periodically review and, if necessary, provide recommendations on updates to the McMinnville Street Tree List to ensure that it accurately reflects industry standards and current environmental conditions.

Fiscal Impact:

None.

Alternative Courses of Action:

None.

Recommendation/Suggested Motion:

Staff recommends that the Mayor read the attached proclamation to proclaim April 28, 2017 as Arbor Day in the City of McMinnville.

Attachments:

Attachment A - Proclamation for Arbor Day



PROCLAMATION

Whereas, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

Whereas, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

Whereas, Arbor Day is now observed throughout the nation and world; and

Whereas, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

Whereas, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and

Whereas, trees in our city increase property values, enhance the economic vitality of our business areas, and beautify our community; and

Whereas, the City of McMinnville is celebrating its 20th year as a certified Tree City USA as recognized by the Arbor Day Foundation; and

Whereas, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Scott A. Hill, Mayor of the City of McMinnville, do hereby proclaim April 28, 2017 as

ARBOR DAY

in the City of McMinnville, and I urge all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands, and further, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

In Witness Whereof, I have hereunto set my hand and caused the official Seal of the City of McMinnville to be affixed this 25th day of April, 2017.





Scott A. Hill, Mayor



City of McMinnville
Planning Department
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STAFF REPORT

DATE: April 25, 2017
TO: Mayor and City Councilors
FROM: Chuck Darnell, Associate Planner
SUBJECT: Historic Preservation Month Proclamation and Historic Landmarks Committee Update

Council Goal:

Promote Sustainable Growth and Development

Report in Brief:

This is a proclamation to be read by the Mayor which will proclaim May 2017 as Historic Preservation Month in McMinnville, and also to provide an update on the recent and upcoming work of the City's Historic Landmarks Committee.

Background:

Historic Preservation Month was first established and observed by the National Trust for Historic Preservation in 1973. The National Trust for Historic Preservation is a nonprofit organization dedicated to protecting America's historic buildings, landscapes, and neighborhoods.

The City's Historic Landmarks Committee is the appointed body that is involved in the practice of historic preservation, serving as the body tasked with managing the City's Historic Resources Inventory and reviewing any alteration to an existing historic landmark. The Historic Resources Inventory is a locally adopted list of protected historic structures, buildings, and sites in the city, and includes 558 resources dating back as far as 1853.

Discussion:

Historic Preservation Month is celebrated annually during the month of May across the country. Public agencies and nonprofits use the month of May as a time to celebrate and promote historic buildings, sites, landscapes, and neighborhoods. McMinnville's extensive Historic Resources Inventory, which includes 558 buildings and sites, provides ample opportunity to highlight the important historic resources that exist throughout the city. The McMinnville Downtown Historic District is listed on the National Register of Historic Places and includes many of the most prominent historic buildings in McMinnville, but a vast majority of our historic resources are located in other historic areas of the city.

The Historic Landmarks Committee will be working to promote important and interesting historic resources during Historic Preservation Month. The committee members have agreed to assist in compiling information on important historic resources, including historic and current photos, as well as stories that provide more information about the role that the historic resource played in the development of the city. The committee's goal is to provide information and photos on one historic resource in the city for each day of Historic Preservation Month. The committee will also be using the "This Place Matters" campaign, administered by the National Trust for Historic Preservation, through social media

Attachments:

Attachment A - Proclamation for Historic Preservation Month

to share information on McMinnville's important historic resources on a broader scale, both within our community and throughout the country.

The Historic Landmark Committee has begun to meet regularly, establishing a standing monthly meeting on the last Wednesday of each month. In previous years, the committee generally only met when an application was submitted for review, but the committee has expressed an interest in holding regular meetings and working towards the completion of other projects as well. The Historic Landmarks Committee also serves as the body responsible for participating in the State Historic Preservation Office's (SHPO) Certified Local Government (CLG) program.

In 2016, the committee adopted a formal work plan to strategically guide their activities over the next two years. That work plan includes both broad goals and specific activities, such as creating a Historic Preservation Plan for the city, surveying properties to determine their historical significance, and a broad range of educational activities to increase awareness and appreciation of McMinnville's historic resources.

From that work plan, Planning Department staff developed a CLG grant application that would provide funding to complete the projects on the work plan. Staff was just notified that the application was approved, and the City of McMinnville is eligible to accept a \$12,000 grant from SHPO through the CLG program to put towards the development of a Historic Preservation Plan, completion of an Intensive Level Survey of historic properties in the city, and the creation of educational materials to increase awareness of historic resources in McMinnville. The Historic Landmarks Committee will be busy working on those projects throughout 2017 and 2018.

Also, the state's Land Conservation and Development Commission (LCDC) recently adopted amendments to Oregon Administrative Rule (OAR) 660-023-0200, also known as the Historic Resources rules for complying with Goal 5 of the Statewide Planning Program. The Oregon Statewide Planning Goals are a set of 19 goals related to a statewide land use planning program that is administered by LCDC. Goal 5 of the Statewide Planning Goals is related to Natural Resources, Scenic and Historic Areas, and Open Spaces. The preservation of historic resources is included in the rules associated with Goal 5, and provides the framework that local governments must follow in designating and protecting significant historic resources.

The adopted amendments to the OARs will require the City of McMinnville to review and update their regulations related to historic preservation, which are currently embodied in the Historic Preservation Ordinance (Ordinance No. 4401). The Historic Landmarks Committee has already reviewed the OAR amendments, and will be reviewing the City's Historic Preservation Ordinance in 2017 to ensure that it is consistent with the new administrative rules. Amendments will be required to our local ordinance, and the Historic Landmarks Committee will provide recommendations to the Planning Commission and City Council on those necessary amendments.

Fiscal Impact:

None.

Alternative Courses of Action:

None.

Recommendation/Suggested Motion:

Staff recommends that the Mayor read the attached proclamation to proclaim May 2017 as Historic Preservation Month in the City of McMinnville.

Attachments

Attachment A - Proclamation for Historic Preservation Month



PROCLAMATION

Whereas, the National Trust for Historic Preservation, a nonprofit dedicated to protecting America’s historic buildings, landscapes, and neighborhoods, established an annual celebration of historic preservation across the country; and

Whereas, this celebration, known as National Historic Preservation Month, was first established and observed by the National Trust for Historic Preservation in 1973; and

Whereas, National Historic Preservation Month is now observed in the month of May every year throughout the country; and

Whereas, the City of McMinnville has a rich history as the primary social and economic center of the Yamhill County region; and

Whereas, the McMinnville Downtown Historic District, the economic center of our city focused on Third Street, is listed on the National Register of Historic Places; and

Whereas, the City of McMinnville promotes and protects its historic buildings and sites through a locally adopted Historic Resources Inventory, managed by the Historic Landmarks Committee, which includes 558 buildings and sites dating back as far as 1853; and

Whereas, the protection of our historic resources enhances the economic vitality of our community, beautifies our built environments, and instills in our community members a sense of pride in the historic importance of the City of McMinnville.

NOW, THEREFORE, I, Scott A. Hill, Mayor of the City of McMinnville, do hereby proclaim **May 2017** as

HISTORIC PRESERVATION MONTH

in the City of McMinnville, and I urge all citizens to celebrate Historic Preservation Month and support efforts to protect our valued historic resources throughout the city.

In Witness Whereof, I have hereunto set my hand and caused the official Seal of the City of McMinnville to be affixed this 25th day of April, 2017.

Scott A. Hill, Mayor



City of McMinnville
230 NE Second Street
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Agenda Item Summary

DATE: April 25, 2017
TO: Jeff Towery, City Manager
FROM: Melissa Grace, City Recorder/ Legal Assistant
SUBJECT: Consent Agenda

There are two items on the Consent Agenda:

- a. Consider the Minutes of the April 11th, 2017 Dinner and Regular Meeting.
Please refer to attached minutes.

- b. Request from The Mack Club (Fine Rock Grill) for a liquor license at 2223 NE McDaniel Lane.
Please refer to attached Liquor License Recommendation.

CITY OF McMinnville
MINUTES OF DINNER MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, April 11, 2017 at 6:00 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, City Recorder

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Kevin Jeffries
	Adam Garvin	Wendy Stassens
	Kellie Menke, Council President	
	Alan Ruden	

Also present were City Manager Jeff Towery, Parks and Recreation Director Jay Pearson, and a member of the new media, Tom Henderson of the *News Register*.

DINNER

CALL TO ORDER: Mayor Hill called the Dinner Meeting to order at 6:17 p.m. and welcomed all in attendance.

There was not a quorum of the Council until 6:24 p.m. when Councilor Garvin arrived.

DISCUSSION:

Mayor Hill asked for a volunteer to lead the Pledge of Allegiance and Councilor Drabkin volunteered.

Mayor Hill reviewed the agenda for the evening.

RESOLUTION NO. 2017-27: Mayor Hill stated that Council President Menke, City Manager Towery and he were able to meet with the three candidates for the Budget Committee: Kyle Lake, Drew Millegan, and Peter Hofstetter. He shared that all three were great candidates and are being recommended to be appointed to the Budget Committee.

RESOLUTION NO. 2017-28: Mayor Hill mentioned there will be a set amount dedicated for the new Community Contributions Program.

Parks and Recreation Director Pearson shared that he is retiring. He stated that he has spoken with the City Manager who has been supportive. His official last day will be May 1st, 2017; however, he will be available to assist the City until a new Parks and Recreation Director is hired. He thanked the Council for their support. He commented on his gratitude for a meaningful career over the past 40 years with the City of McMinnville.

The Council thanked Mr. Pearson for his hard work and passion. Discussion ensued regarding the history of parks and recreation in McMinnville and the community's remarkable commitment to volunteerism.

Councilor Drabkin mentioned that she might be interested in changing the time of the Council Meetings. She has heard that it is a difficult time for citizens to attend the meeting. Councilor Drabkin felt it may increase attendance if the meeting time is earlier in the day.

ADJOURNMENT: The Dinner Meeting was adjourned at 6:58 p.m.

Melissa Grace, City Recorder

CITY OF McMinnville
MINUTES OF REGULAR MEETING
of the McMinnville City Council
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, April 11, 2017, at 7:00 p.m.

Presiding: Scott A. Hill, Mayor

Recording: Melissa Grace, City Recorder

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Remy Drabkin	Kevin Jeffries
	Adam Garvin	Wendy Stassens
	Kellie Menke, Council President	
	Alan Ruden	

Also present were City Manager Jeff Towery, Parks and Recreation Director Jay Pearson, Police Captain Dennis Marks, and a member of the new media, Tom Henderson of the *News Register*.

AGENDA ITEM

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:00 p.m. and welcomed all in attendance.

2. PLEDGE OF ALLEGIANCE: Councilor Drabkin led the Pledge of Allegiance.

3. INVITATION TO CITIZENS FOR PUBLIC COMMENT: Mayor Hill invited the public to comment.

JW Millegan, 624 NE 2nd Street, shared that he believes in Urban Renewal Districts and the Atticus hotel and everyone behind it. He expressed concerns with the process of giving grants and asked for the development of criteria for the process.

Mark Davis, 652 SE Washington, stated that he shares some of the some concerns that Mr. Millegan expressed. He added that he would like to see more transparency from Atticus hotel.

Gary Propp, 2092 NE Lucy Belle Street expressed concern over the elimination of the Fire Safety and Education Program. He explained the benefits of the program to the community.

4. CONSENT AGENDA

4.a. Consider the Minutes of the February 28th, 2017 Dinner and Regular Meeting.

Councilor Ruden MOVED to adopt the consent agenda; SECONDED by Council President Menke. Motion PASSED unanimously.

5. RESOLUTIONS

5.a. **Resolution No. 2017-27:** A Resolution appointing _____, _____, and _____ as representatives of the City of McMinnville Budget Committee.

Mayor Hill shared that Council President Menke, City Manager Towery and he met with three candidates earlier in the day. He stated that they are all great candidates and they are being recommended to be appointed.

Council President Menke MOVED to adopt Resolution No. 2017-27 appointing Kyle Lake, Peter Hofstetter, and Drew Millegan as representatives of the City of McMinnville Budget Committee; SECONDED by Councilor Ruden. Motion PASSED unanimously.

5. b. **Resolution No. 2017-28:** A Resolution adopting a policy for the City of McMinnville Community Contributions Program.

City Manager Towery stated that the Community Contributions Program will be a straightforward application process where nonprofits will need to identify how they support City Council goals. The program will be advertised on the City's website and in the *News Register* and applications will be accepted until 5:00 p.m. on May 3rd, 2017.

Councilor Garvin MOVED to adopt Resolution No. 2017-28 adopting a policy for the City of McMinnville Community Contributions Program; SECONDED by Councilor Drabkin. Motion PASSED unanimously.

6. ADVICE/ INFORMATION ITEMS

6. a. Reports from Councilors on Committee and Board Assignments

Council President Menke mentioned that the bypass project is continuing to move forward.

Mayor Hill shared that there was recently a Town Hall meeting held with Senator Boquist and Representative Noble.

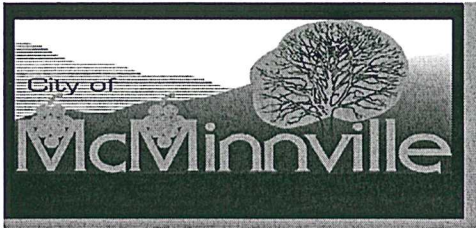
Councilor Drabkin shared that the next Affordable Housing Task Force will meet on May 26 at 10 a.m. in the Community Development Center.

6.b. Department Head Reports

City Manager Towery stated that the annual Employee Appreciation Breakfast will be tomorrow morning.

7. ADJOURNMENT: Mayor Hill adjourned the Regular City Council Meeting at 7:24 p.m.

Melissa Grace, City Recorder



City Recorder Use

Final Action: _____

Approved Disapproved

Liquor License Recommendation

BUSINESS NAME / INDIVIDUAL: THE MACK CLUB (FINE ROCK GRILL)
 BUSINESS LOCATION ADDRESS: 2223 NE MCPARNELL LN
 LIQUOR LICENSE TYPE: LIMITED ON PREMISES SALES

Is the business at this location currently licensed by OLCC

Yes No

If yes, what is the name of the existing business:

FINE ROCK GRILL, INC FULL ON PREMISES

Hours of operation: SUN 0700-2400 M-THURS 0900-2400 F 0900-0200 S 0700-0200

Entertainment: KARAOKE, VIDEO LOTTERY, POOL, SOCIAL GAMING, LIVE MUSIC

Hours of Music: LIVE MUSIC FRI & SAT 9:00 PM - 2:00 AM

Seating Count: INDOOR 67 OUTDOOR 24 TOTAL 91

EXEMPTIONS:

(list any exemptions)

Tritech Records Management System Check: Yes No

Criminal Records Check: Yes No

Recommended Action: Approve Disapprove

Chief of Police / Designee

City Manager / Designee



STAFF REPORT

DATE: April 25, 2017
TO: Jeff Towery, City Manager
FROM: Mike Bisset, Community Development Director
SUBJECT: OR99W at 2nd Street Signal Replacement Project Contract Award

Council Goal:

Plan and Construct Capital Projects – Continue to plan and implement Transportation Bond improvements.

Report in Brief:

This action is the consideration of a resolution to award a public improvement contract in the amount of \$1,699,995.00 to Emery & Sons Construction Group for the construction of the OR 99W at 2nd Street Signal Replacement Project 2015-17.

Background:

The voter approved 2014 transportation bond measure included a project to improve NE 2nd Street between Adams Street and Cowls Street. The project will address traffic congestion, and the work includes the installation of an additional left turn lane; a westbound right turn lane; upgraded traffic signals funded by ODOT; and pedestrian improvements.

The project work also includes the rehabilitation and repair of sanitary sewer lines in the area. The lines will be repaired using dig and replace, pipe bursting, and pipe lining techniques. The sanitary sewer work will be paid for using Wastewater Capital Fund (77) monies.

The attached project vicinity map reflects the work areas covered by the contract. The project work is expected to start in June and be completed by October 31, 2017.

Discussion:

On Thursday, April 13, 2017, two bids were received, opened, and publicly read for the construction of the OR 99W at 2nd Street Signal Replacement Project 2015-17. The bid results are as follows:

- Emery & Sons Construction Group \$1,699,995.00
- Pacific Excavation \$2,250,000.00

The construction estimate for this work was \$2,022,629.50.

The bids were checked for completeness, including a review of the following:

- Was the bid submitted, on time, in a properly sealed and labeled envelope?
- Was the Bid Form properly filled out and executed?
- Was a Bid Bond included?
- Were the project addenda acknowledged?
- Was the First Tier Subcontractor Form turned in on time?

Both bids were complete and met the City's requirements. A detailed breakdown of the received bids is on file in the Engineering Department.

The bid from Emery & Sons Construction Group, in the amount of \$1,699,995.00, was deemed to be the lowest responsible and responsive bid.

Attachments:

1. Resolution
2. Project Vicinity Map

Fiscal Impact:

The project is funded by 2014 transportation bond proceeds and by wastewater capital funds. Additionally, the Oregon Department of Transportation (ODOT) is contributing \$500,000 to the project to cover the signal replacement costs.

The project is included in the adopted FY17 and proposed FY18 Transportation Fund (45) and Wastewater Capital Fund (77) budgets.

Recommendation:

Staff recommends that the City Council adopt the attached resolution awarding the public improvement contract for the construction of the OR 99W at 2nd Street Signal Replacement Project 2015-17, in the amount of \$1,699,995.00, to Emery & Sons Construction Group.

RESOLUTION NO. 2017-29

A Resolution awarding the contract for the OR 99W at 2nd Street Signal Replacement Project 2015-17.

RECITALS:

At 2:00pm on April 13, 2017, two bids for the OR 99W at 2nd Street Signal Replacement Project 2015-17, were publicly opened and read aloud.

The low bidder, Emery & Sons Construction Group, met all of the bid requirements, and should be considered the lowest responsible bidder.

The project is funded by 2014 transportation bond proceeds and by wastewater capital funds. Additionally, the Oregon Department of Transportation (ODOT) is contributing \$500,000 to the project to cover the signal replacement costs.

The project is included in the adopted FY17 and proposed FY18 Transportation Fund (45) and Wastewater Capital Fund (77) budgets.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMinnville, OREGON, as follows:

1. That entry into a public improvement contract with Emery & Sons Construction Group, in the amount of \$1,699,995.00, with a substantial completion date of October 31, 2017 for the OR 99W at 2nd Street Signal Replacement Project 2015-17, is hereby approved.
2. That the City Manager is hereby authorized and directed to execute the public improvement contract.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 25th day of April, 2017 by the following votes:

Ayes: _____

Nays: _____

Approved this 25th day of April, 2017.

MAYOR

Approved as to form:

CITY ATTORNEY

C:\PDX_Projects\15\1751 - McMinnville OR 99W at 2nd St Signal Replacement\CAD\Sheets\15-1751-OR-G.dwg G-1 3/2/2017 2:15 PM MATT.ESTEP 20.0s (LMS Tech)

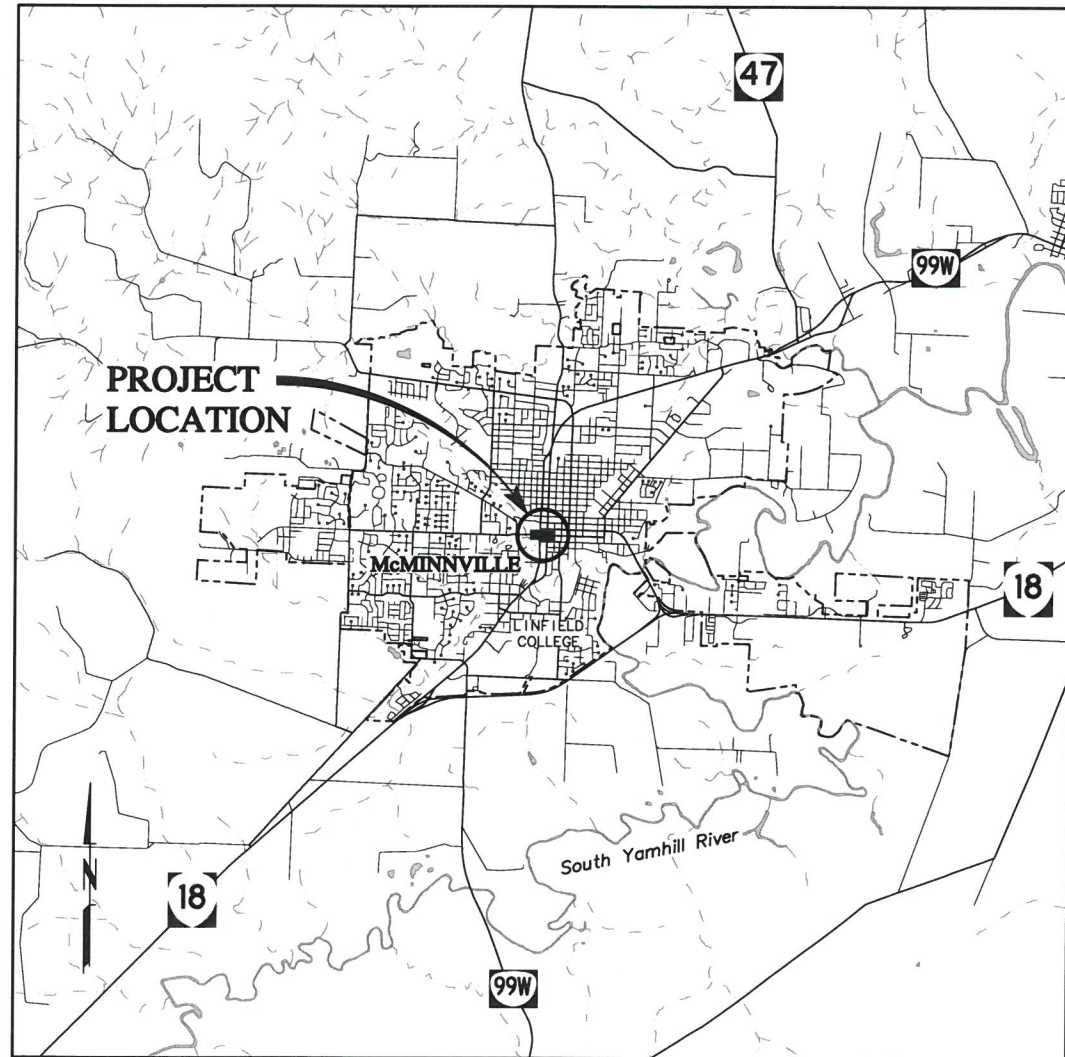


CITY OF McMINNVILLE, OREGON

OR 99W AT 2ND ST SIGNAL REPLACEMENT

PROJECT NO. 2015-17

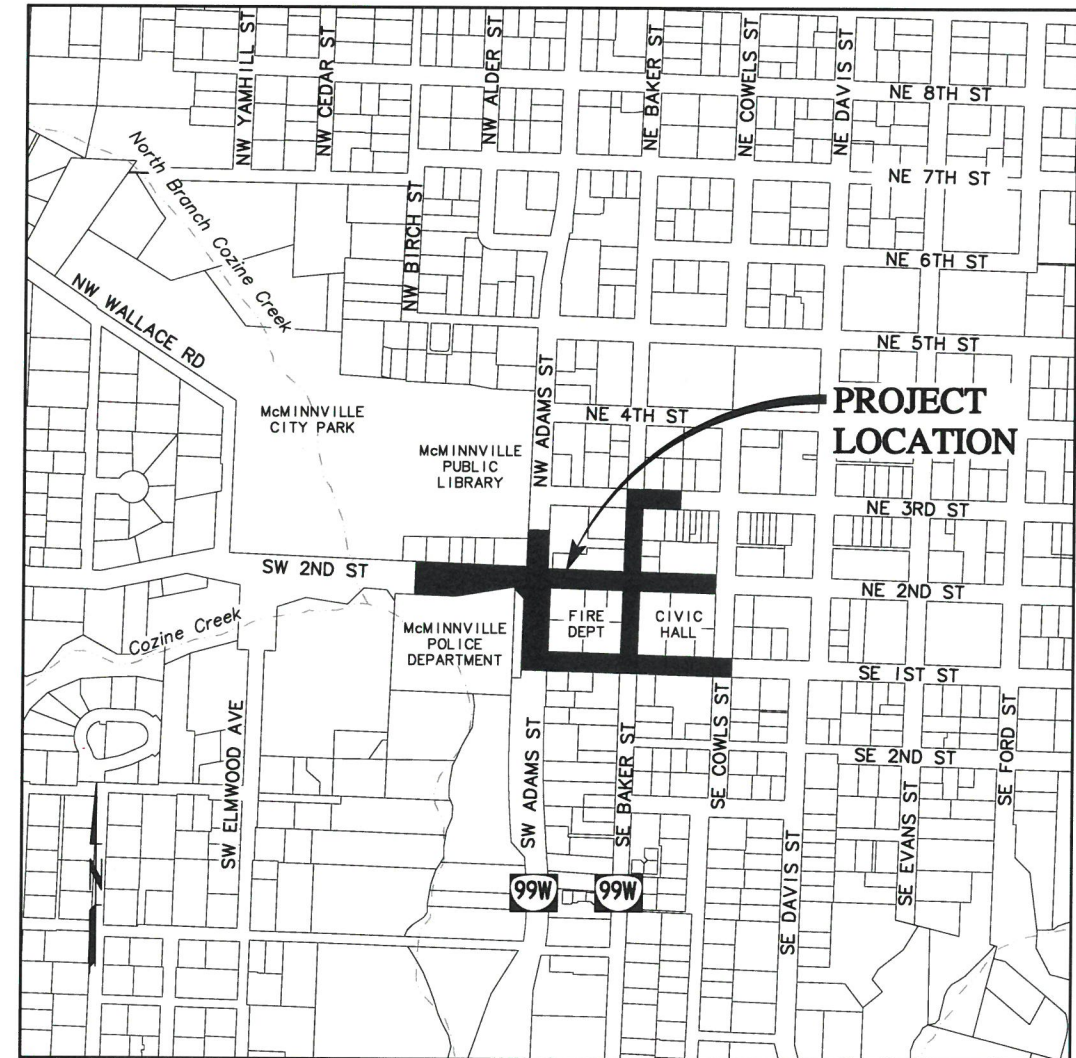
APRIL 2017



VICINITY MAP
SCALE: 1"=4,000'



Know what's below.
Call before you dig.



LOCATION MAP
SCALE: 1"=300'



SCALE: VERT: AS SHOWN
HORIZ: AS SHOWN
NOTICE
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

MCMINNVILLE, OREGON
OR 99W AT 2ND ST SIGNAL REPLACEMENT
PROJECT NO. 2015-1761
TITLE SHEET, VICINITY MAP AND
LOCATION MAP

MSA
Murray, Smith & Associates, Inc.
Engineers/Planners
888 S.E. 6th Ave, Suite 1170 Portland, Oregon 97204
PHONE: 503-225-9010 FAX: 503-274-9807
MARCH 2017
DATE: 15-1751
PROJECT: 15-1751

NO.	DATE	REVISION	BY
DESIGNED:	AHG		
DRAWN:	DKH		
CHECKED:	WSE		
APPROVED:	KMT		

SHEET **G-1** of 67



City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: April 25, 2017
TO: Jeff Towery, City Manager
FROM: Roy Markee, Engineering Project Manager
VIA: Mike Bisset, Community Development Director
SUBJECT: 2017 Street Overlay Project Contract Award

Council Goal:

Plan and Construct Capital Projects – Continue to plan and implement Transportation Bond improvements.

Report in Brief:

This action is the consideration of a resolution to award a public improvement contract in the amount of \$1,240,845.40 to Roy Houck Construction LLC for the construction of the 2017 Street Overlay, Project 2016-15.

Background:

Voters approved the 2014 transportation bond measure which included \$5,300,000 in street repair and repaving projects. The work detailed in the 2017 Street Overlay project are streets identified in the 2014 transportation bond measure. This is the third year of overlay projects contained in the bond measure, and the remaining streets will be repaved in 2018.

The 2017 Street Overlay project work includes grinding and removal of asphalt, followed by asphalt overlays and striping on segments of 21 City streets. The project scope also includes the upgrade of 87 handicap ramps and miscellaneous sidewalk, shoulder work and curb work.

The attached project vicinity map reflects the work areas covered by the contract. The project work is expected to start in June and be completed by September 1, 2017.

Discussion:

On Thursday, April 6, 2017, seven bids were received, opened, and publicly read for the construction of the 2017 Street Overlay, Project 2016-15. The bid results are as follows:

- Roy Houck Construction LLC \$1,240,854.40
- Kodiak Pacific Construction \$1,245,000.00
- Brix Paving Northwest \$1,256,083.41
- North Santiam Paving Co. \$1,288,427.80
- H&H Paving Co. \$1,295,592.54
- S2 Contractors \$1,321,558.25 (non-responsive: no first tier subcontractor form)
- Baker Rock Resources \$1,386,002.00

The construction estimate for this work was \$1,400,000.00.

The bids were checked for completeness, including a review of the following:

- Was the bid submitted, on time, in a properly sealed and labeled envelope?
- Was the Bid Form properly filled out and executed?
- Was a Bid Bond included?
- Was the First Tier Subcontractor Form turned in on time?

Six of the bids were complete and met the City's requirements. One bidder (S2 Contractors) failed to turn in the First Tier Subcontractor form, and thus their bid was deemed non-responsive. A detailed breakdown of the received bids is on file in the Engineering Department.

The bid from Roy Houck Construction LLC, in the amount of \$1,240,845.40, was deemed to be the lowest responsible and responsive bid.

Attachments:

1. Resolution
2. Project Vicinity Map

Fiscal Impact:

The project is funded by 2014 transportation bond proceeds, and the project is included in the adopted FY17 and proposed FY18 Transportation Fund (fund 45) budgets.

Recommendation:

Staff recommends that the City Council adopt the attached resolution awarding the public improvement contract for the construction of the 2017 Street Overlay, Project 2016-15, in the amount of \$1,240,845.40, to Roy Houck Construction LLC.

RESOLUTION NO. 2017-30

A Resolution awarding the contract for the 2017 Street Overlay, Project 2016-15.

RECITALS:

At 2:00pm on April 6, 2017, seven bids for the 2017 Street Overlay, Project 2016-15, were publicly opened and read aloud.

The low bidder, Roy Houck Construction LLC, met all of the bid requirements, and should be considered the lowest responsible bidder.

This project is funded by the 2014 transportation bond proceeds, and the project is included in the adopted FY17 and proposed FY18 Transportation Fund (Fund 45) budgets.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMinnville, OREGON, as follows:

1. That entry into a public improvement contract with Roy Houck Construction LLC, in the amount of \$1,240,854.40, with a substantial completion date of September 1, 2017 for the 2017 Street Overlay, Project 2016-15, is hereby approved.
2. That the City Manager is hereby authorized and directed to execute the public improvement contract.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 25th day of April, 2017 by the following votes:

Ayes: _____

Nays: _____

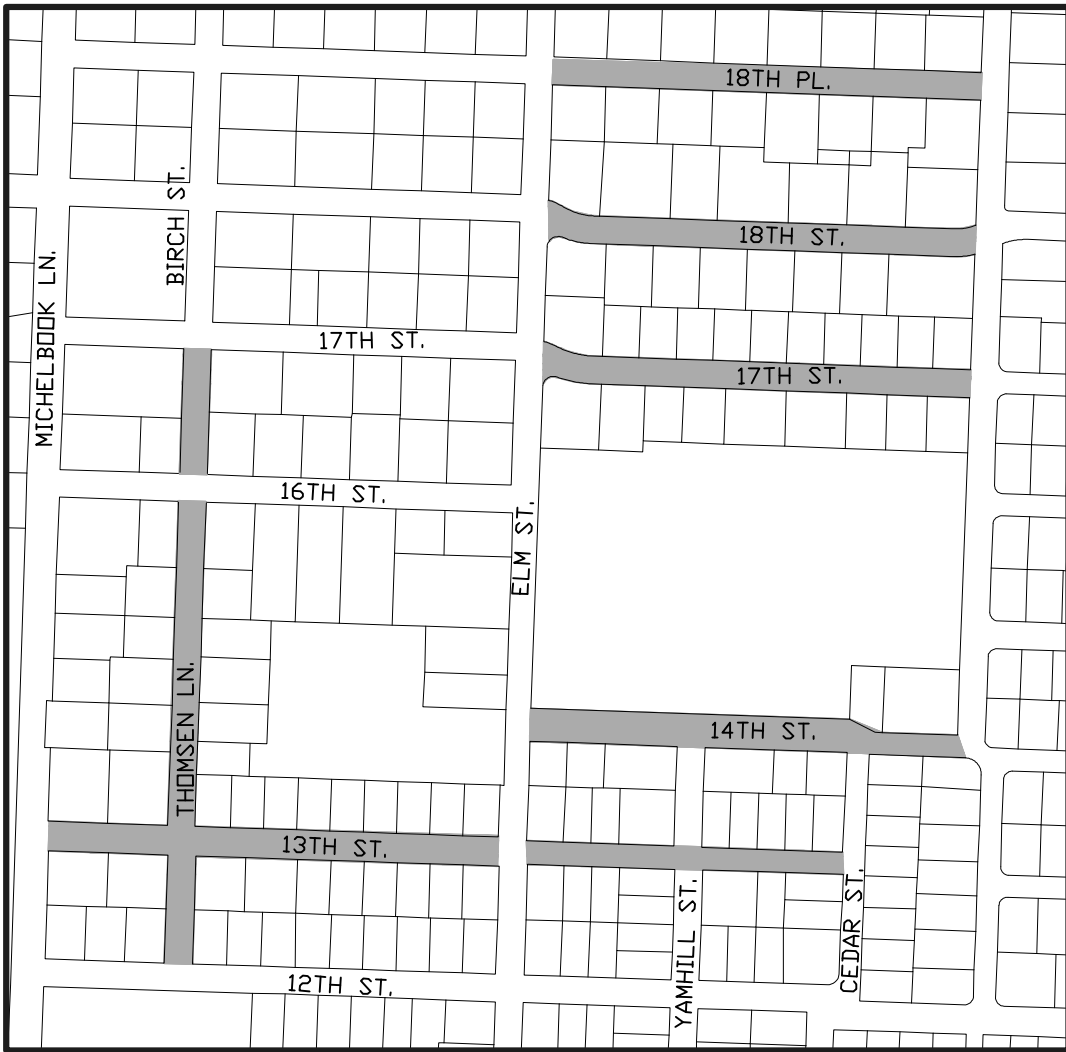
Approved this 25th day of April, 2017.

MAYOR

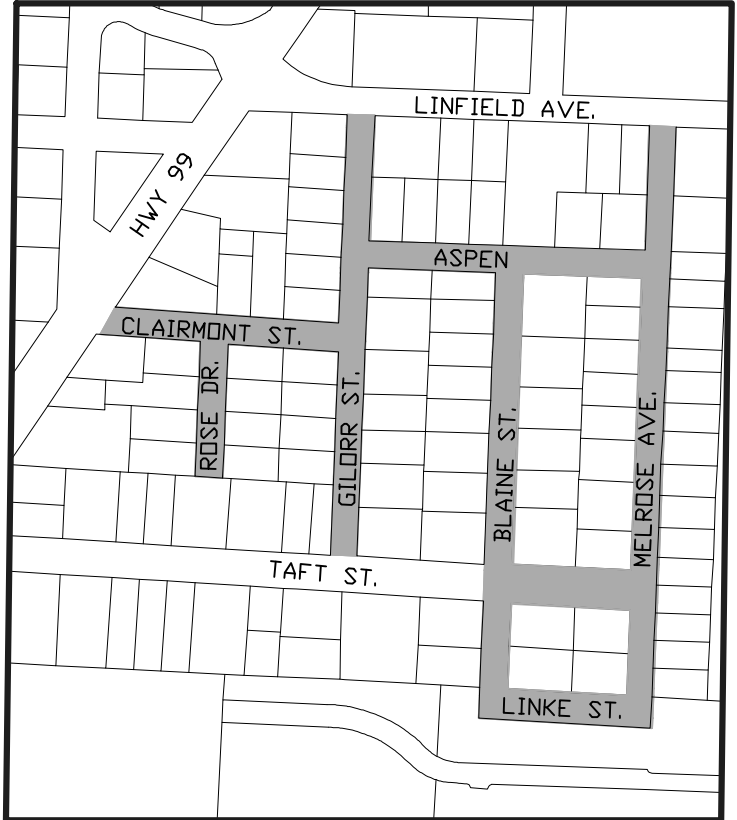
Approved as to form:

CITY ATTORNEY

MEMORIAL WEST



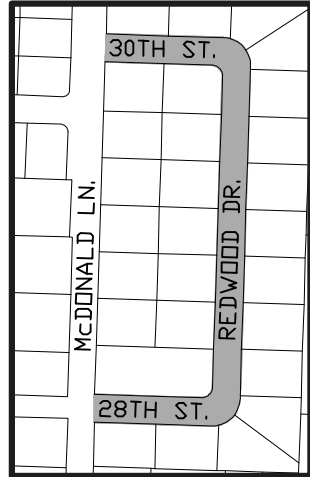
LINFIELD SOUTH



NORTH EVANS



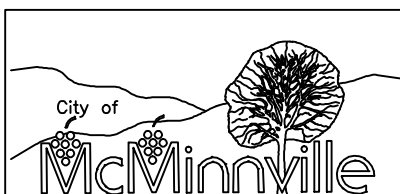
REDWOOD



DUNN PLACE/ CHALMERS WAY



HIGH SCHOOL EAST



CITY OF McMINNVILLE, OREGON
ENGINEERING DEPARTMENT

2017 STREET OVERLAY

VICINITY MAP

SCALE: N/A
Drawn: RM
Checked: LS/RS/MB
Date: FEBRUARY 22, 2017
Project No: 2016-15
SHEET 1 of 1



City of McMinnville
Community Development Department
231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7312

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: April 25, 2017
TO: Jeff Towery, City Manager
FROM: Roy Markee, Engineering Project Manager
VIA: Mike Bisset, Community Development Director
SUBJECT: Design services – Various Sanitary Sewer Rehabilitation Projects.

Council Goal:

Plan and Construct Capital Projects

Report in Brief:

This action is the consideration of a resolution to award a Personal Services Contract to Murray Smith & Associates, Inc for the design of the 12th Street Sanitary Sewer Project.

Background:

On January 18, 2017, proposals were received for the design of Various Sanitary Sewer Projects. Four project areas were identified to be rehabilitated:

- 12th Street Sanitary Sewer Project;
- NE High School Sanitary Sewer Rehabilitation Project;
- NW High School Sanitary Sewer Rehabilitation Project; and
- Chandlers Addition Sanitary Sewer Project.

At their meeting on February 14, 2017, the City Council adopted Resolution 2017-12 approving a list of four consultants for sewer design work. From that list, Murray Smith & Associates, Inc. was chosen to complete the design work for the first project to be constructed: 12th Street Sanitary Sewer Project.

Portions of the 12th Street Sanitary Sewer Project overlap with the paving work included in the voter approved 2014 Transportation Bond measure. To ensure proper coordination between the sewer work and street repaving, the street repaving design work has been included the scope of work prepared by Murray, Smith & Associates, Inc.

The 12th Street Sanitary Sewer Project design will be completed in 2017, and the project construction work is expected to begin in March 2018.

See attached vicinity map for the area of the 12th Street Sanitary Sewer Project.

Discussion:

The 12th Street Sanitary Sewer Project will rehabilitate 17,350 lineal feet of aging sanitary sewer pipelines, ranging in size from 6 inch diameter to 24 inch diameter. The pipes will be rehabilitated with an assortment of techniques including open cut, pipe bursting and cured in place pipe (CIPP) lining. As part of the design project, plans for repaving of 3700 lineal feet of streets, and reconstruction of adjacent ADA ramps, will be prepared. The street repaving work will be included in the project construction contract, and will occur after the sanitary sewer rehabilitation work is completed.

The design estimate for the scope of work is \$351,978.00 (see attached Scope of Work)

Attachments:

1. Resolution
2. Scope of work with design estimate
3. Vicinity Map
4. Resolution 2017-12 (adopted February 14, 2017)

Fiscal Impact:

Funds for the design work are included in the adopted FY17 and proposed FY18 Wastewater Capital Fund (77) and Transportation Fund (45) budgets.

Recommendation:

Staff recommends that the City Council adopt the attached resolution approving the Personal Services Contract with Murray, Smith & Associates, Inc. for the design of the 12th Street Sanitary Sewer Project.

RESOLUTION NO. 2017-31

A Resolution awarding the contract for the design of the 12th Street Sanitary Sewer Rehabilitation Project.

RECITALS:

At their meeting on February 14, 2017, the City Council adopted Resolution 2017-12 approving a list of four consultants for sewer rehabilitation design work. From that list, Murray Smith & Associates, Inc. was chosen to complete the design work for the first project to be constructed: 12th Street Sanitary Sewer Project.

The 12th Street Sanitary Sewer Project will rehabilitate 17,350 lineal feet of aging sanitary sewer pipelines, ranging in size from 6 inch diameter to 24 inch diameter. The pipes will be rehabilitated with an assortment of techniques including open cut, pipe bursting and cured in place pipe (CIPP) lining.

As part of the design project, plans for repaving of 3700 lineal feet of streets, and reconstruction of adjacent ADA ramps, will be prepared. The street repaving work will be included in the project construction contract, and will occur after the sanitary sewer rehabilitation work is completed

Funds for the design work are included in the adopted FY17 and proposed FY18 Wastewater Capital Fund (77) and Transportation Fund (45) budgets.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMinnville, OREGON, as follows:

1. That entry into a public improvement contract with Murray Smith & Associates, in the amount of \$351,978.00, for the 12th Street Sanitary Sewer Project, is hereby approved.
2. That the City Manager is hereby authorized and directed to execute the personal services contract.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 25th day of April, 2017 by the following votes:

Ayes: _____

Nays: _____

Approved this 25th day of April, 2017.

MAYOR

Approved as to form:

CITY ATTORNEY

City of McMinnville, Oregon
Scope of Work
Design Engineering Services
for
12th Street Sanitary Sewer Rehabilitation

Project Information

Project Description

The City of McMinnville's 12th Street Sanitary Sewer Rehabilitation project provides improvements to approximately 17,350 feet of aging sanitary sewer infrastructure ranging in size from 6-inch to 24-inch diameter. The mainline sewers will be rehabilitated by a combination of open cut pipe replacement, pipe bursting or cured in place pipe (CIPP) repair methods. Existing laterals within the project limits will be evaluated and appropriate improvements will be included in the project. The project also includes approximately 3,700 linear feet of pavement rehabilitation and ADA curb ramp improvements on 11th and 12th Streets. It is anticipated that design will begin in spring of 2017, continue through 2017 and that construction will begin in spring of 2018.

City Responsibilities

The City of McMinnville will be responsible for the following:

- 1) Notifications for public meetings, meetings with the business community, and "open house" informational events; providing City staff to attend same; providing a venue for such events.
- 2) Sending notifications to property owners in the affected areas, as necessary.
- 3) Providing staff time to attend project meetings and review project deliverables.
- 4) Providing staff time to review sewer conveyance system improvement designs in accordance with DEQ sewer design review requirements.
- 5) Provision of available tax lot, sewer, and storm sewer system information.
- 6) Assistance with coordination with significant stakeholders such as the business community, residents, utilities and ODOT.
- 7) Payment for all permit application fees.

Consultant Scope of Services

TASK 1 - PROJECT MANAGEMENT AND COORDINATION

Provide overall management, direction and coordination for the project, including the following subtasks:

Task 1.1 Project Kick-off Meeting

Schedule, prepare for, and conduct a project kick-off meeting to review the purpose and scope of the project. This meeting may include representatives from City staff and other stakeholders as invited by the City.

Task 1.2 Project Schedule

Consultant shall prepare a detailed overall project schedule within 14 days of Notice to Proceed and update the schedule as required. It is anticipated that design will begin in spring of 2017, continue through 2017 and that construction will begin in spring of 2018.

Task 1.3 Progress Reports and Invoicing

Consultant shall monitor project scope, schedule and budget on a monthly basis. Progress reports and invoices will be submitted on a monthly basis to the City's project manager. Issues potentially affecting scope, schedule or budget will be identified. Progress reports will describe tasks completed during the previous month.

Task 1.4 Overall Project Coordination

Consultant shall coordinate with subconsultants, assign to and manage the appropriate level of staff expertise for the project at each phase of design, coordinate design reviews and the implementation of design review comments, and perform other project coordination as required. For each submittal, review comments provided by the City and other involved parties will be compiled, along with a proposed response to each comment received.

Task 1 Deliverables

- Invoices and progress reports (monthly)
- Initial Project Schedule and updated project schedules as required
- Meeting agendas and minutes.

TASK 2 – DESIGN SURVEY

Consultant shall complete surveying services necessary for design of the estimated 17,350 feet of sanitary sewer mains and associated laterals within the project limits and for design of ADA curb ramps at eight corners at the intersections of 12th Street with Adams Street and Baker Street (OR99W). Survey will include the following:

Task 2.1 Survey Control

Consultant shall establish horizontal and vertical control points throughout the project limits based on City approved datum.

Task 2.2 Survey Existing Utilities and Develop Base Map

Consultant shall call for one-call utility locate paint marks and as-built maps and field locate the existing utility marks throughout the project limits using conventional survey methods. Consultant shall develop an AutoCAD survey base map drawing with existing utilities and manhole data to be used for the development of plan sheets for the project design. The City will provide existing GIS data files including, existing roads, curb, sidewalk, driveways, property lines, structures, sanitary, storm, and existing lateral locations.

Task 2.3 Sanitary Sewer Manhole Ties

Consultant shall run conventional levels to and “dip” all sanitary sewer manholes and mains and record rim and invert elevations for developing accurate profiles.

Task 2.4 Storm Sewer Manhole Ties

Consultant shall run conventional levels and dip storm sewer manholes and mains to record rim and invert elevations at select locations of potential conflict with the sanitary sewer rehabilitation work. Two days of survey work is included in this task.

Task 2.5 Survey for ADA Curb Ramps at OR99W

Consultant shall conduct detailed survey at eight corners at the intersections of 12th Street with Adams Street and Baker Street (OR99W) for design of curb ramps in accordance with ODOT standards. Detailed survey shall include field survey of existing above ground features (i.e. edge of pavement, curb ramps, grade breaks, concrete sidewalk joints, buildings, improvements, trees, shrubs, utilities, signs, right-of-way, survey monuments, etc., as well as elevations with 1-foot contour intervals.

Task 2.6 Flagging, Permitting and Traffic Control for Survey Work

Consultant shall obtain the necessary permits to perform the survey work described in Tasks 2.1 through 2.5, including preparing traffic control plans in accordance with the latest MUTCD requirements. Consultant shall provide flagging and traffic control as required to complete the survey work in accordance with the approved traffic control plans.

Task 2 Deliverables

- Permit applications and traffic control plans.
- CAD files to be provided to the City at the end of the project.

TASK 3 – PRELIMINARY DESIGN

Task 3.1 Mainline Pipe Condition Assessment, Documentation and Recommendations

Consultant shall review CCTV video of existing mains (approximately 74 main runs), document the pipe size, material, condition, location of existing lateral connections and rehabilitation or replacement recommendations in spreadsheet format. Only main line CCTV will be reviewed. Lateral videos are not available and review of lateral CCTV is not included.

Task 3.2 Review Sewer Service Reports for Existing Laterals

Consultant shall review existing sewer service reports for work previously completed on existing laterals (to be provided by City). Approximately 235 of the 370 properties within the project limits have sewer service reports available. Review of each lateral will be cataloged in a lateral review spreadsheet, noting the date of most recent repairs, size, material, alignment, and other notable items for each lateral. This review will be used to make appropriate recommendations for modifications to laterals during final design.

Task 3.3 On-site Lateral Investigations

Consultant shall conduct on-site investigations for each property in the project limits to locate the private lateral connection(s) at the house. The City will send out notifications to property owners and residents prior to conducting the on-site investigations and obtain rights-of-entry if necessary. MSA will walk the property to search for connection points, cleanouts, area drains, and other applicable information. Results of the on-site investigations will be documented with photographs and field notes and summarized in the lateral review spreadsheet referenced in Task 3.2.

Task 3.4 Dye Testing Laterals on Individual Properties

Based on the results of investigations conducted under Tasks 3.2 and 3.3, Consultant shall identify which properties' lateral to mainline connection locations are unknown. Consultant shall develop a list of properties to conduct dye testing to confirm the lateral to mainline connection point. The City will send out notifications to property owners where dye testing is required. The City will provide staff, CCTV equipment, and dye for dye testing operations. MSA staff will be on-site to record the results of the dye testing. Results will be summarized in the lateral review spreadsheet referenced in Task 3.2. This Scope of Work includes dye testing on 25 properties.

Task 3.5 On-site Manhole Investigations

Consultant shall conduct on-site investigations for each manhole in the project limits, document the size, material, condition, and rehabilitation or replacement recommendations. Results of the on-site investigations will be documented with photographs and field notes and summarized in a manhole condition assessment spreadsheet.

Task 3 Deliverables

- Mainline pipe condition assessment spreadsheet
- Lateral review spreadsheet
- List of laterals recommended for dye testing
- Manhole condition assessment spreadsheet

TASK 4 - FINAL DESIGN

Under this task, the final design of the project will be accomplished. From the work completed and City feedback on the preliminary design tasks, Consultant shall prepare the documents necessary for construction, including bidding documents, plans, specifications and construction cost estimates. The construction documents will be prepared in a manner suitable to meet the City of McMinnville electronic bidding requirements. The City will supply MSA with the required mapping data for the project such as GIS data, sewer service reports, and as-built drawings. Design base mapping will be based on GIS data provided by the City and supplemented with additional survey described in Task 2. The detailed subtasks are as follows:

Task 4.1 50 Percent Design

Consultant shall prepare and submit 50 percent design package to the City's project manager for review. All items listed below to support the 50 percent design shall be included:

- Preliminary plans including, title and index sheets, general notes, abbreviations, legend, sewer rehabilitation plans and profiles (up to 32 combined plan and profile sheets), paving plans (up to four paving plan sheets), and ADA curb ramp design details for 12th Street at OR99W (up to eight detail sheets). The 50% plans will not include erosion control, traffic control, or miscellaneous detail sheets. No right-of-way acquisition is assumed to be needed to accommodate ADA ramp design/construction. No signal equipment is assumed to need relocation to accommodate ADA design/construction.
- Draft technical specifications using the City's adopted ODOT/APWA Oregon Standard Specifications for Construction.
- Preliminary engineer's construction cost estimate based on itemized quantity estimate, with appropriate contingencies.

Task 4.2 90 Percent Design

Consultant shall prepare and submit updated 90 percent design package to the City's project manager for review. The 90 percent design package will be updated to reflect the City's 50% review comments. Items listed below to support the 90% design shall be included:

- Advance plans including all proposed plan sheets required for construction.
- City's standard contract documents and front end specifications and general requirements.
- Updated technical specifications.
- Updated engineer's construction cost estimate based on itemized quantity estimate, with appropriate contingencies.

Task 4.3 100 Percent Final Design

Consultant shall prepare and submit 100 percent final design package to the City's project manager for electronic advertising. The final design package will be updated to reflect the City's 90% review comments. Items listed below to support the 100% final design shall be included:

- Final stamped and signed plans including all proposed plan sheets required for construction.
- City's standard contract documents and front end specifications and general requirements.
- Final technical specifications.
- Final engineer's construction cost estimate based on itemized quantity estimate, with appropriate contingencies.

Task 4.4 Project Team Meetings

In addition to the project kickoff meeting, budget assumes up to three (3) project meetings will be required, to be held at City offices in McMinnville. Consultant shall schedule and lead project meetings and prepare meeting agendas and minutes. For estimating purposes, it is assumed that two (2) Consultant staff shall attend each meeting, anticipated to be four (4) hours in length including travel time.

Task 4 Deliverables

- 50%, 90% and Final plans, specifications and estimates in electronic format
- Final electronic bid package
- Meeting agendas and minutes
- Summary of review comments received for each submittal, with proposed Consultant response to each review comment

TASK 5 – AGENCY COORDINATION AND PERMIT APPLICATIONS

Consultant shall coordinate with permitting agencies and prepare, file and obtain the necessary permit applications for this project. Anticipated permits and coordination include the following:

- ODOT Application and Permit to Occupy or Perform Operations Upon a State Highway
- Coordinate with ODOT and obtain ODOT concurrence for ADA curb ramp designs at 12th Street and OR99W

The City will be the “applicant” on all permits and pay all permit fees required by regulatory agencies. Erosion control for construction activities will be completed under the City’s DEQ NPDES General 1200-CA permit and a copy of the City’s 1200-CA permit will be included in the contract documents. It is estimated that up to five design exceptions will be required for ADA improvements at the two intersections of 12th Street and OR99W.

Task 5 Deliverables

- Draft permit applications for City review and signature
- Final executed permits to be included in the final bid package
- Draft and final design exceptions

TASK 6 - PUBLIC INVOLVEMENT ASSISTANCE

The City will serve as the point of contact for public inquires, provide property owner and tenant information for properties in the project area and issue project information mailings as needed. Consultant shall assist the City with public outreach efforts, including public information meetings. Consultant shall prepare up to three (3) electronic project information and/or notification mailings for City distribution. Consultant shall catalog comments received at public meetings. Consultant shall prepare for and send up to three people to attend one (1) public meeting prior to construction for the purpose of providing project information to the public.

Task 6 Deliverables

- Electronic notification mailings
- Figures for public meetings
- Comments and responses to inquiries received at meetings.

TASK 7 – UTILITY COORDINATION

Consultant shall perform utility coordination work related to the following franchise and private utilities: water, power, communications, gas, cable television and other private utilities that may be present within the project limits. Consultant shall identify utilities

within the project limits, evaluate potential utility conflicts, and coordinate utility efforts for relocation of impacted facilities.

Task 7.1 Impact Assessment and Notifications

Consultant shall identify utilities within the project limits and determine possible conflicts with the proposed project. Consultant shall:

- Develop a utility contact information list and send project information correspondence to all utility companies involved to explain the nature of the work.
- Provide project preliminary plans to each utility.
- Maintain a record of correspondence with utility companies.
- Obtain utility-provided as-built information and compare with project base-mapping.
- Identify design conflicts (conflicts to be identified on plan sheets).
- Issue conflict notices to impacted utilities.

Task 7.2 Coordinate and Review Utility Relocation Designs

Consultant shall coordinate with private utilities to resolve utility conflicts and finalize utility relocation requirements as appropriate. Affected utilities will be responsible for developing their relocation designs. Consultant shall review each utility's relocation plans and proposed schedule, provide written comments, and issue approval. Consultant shall provide up to two (2) design review iterations per utility.

Task 7.3 Utility Coordination Meetings

Consultant shall coordinate, attend, and conduct up to five (5) on-site meetings with utilities to discuss preliminary relocation concepts, identify potential utility conflicts to be resolved, discuss the project schedule, and discuss relocation plans.

Task 7 Deliverables

- Utility contact list
- Utility conflict plan sheets and spreadsheet
- Conflict notices to each affected utility
- Reviewed utility relocation plans with comments and recommendations
- Meeting notes for utility coordination meetings.

TASK 8 - BID AND AWARD SUPPORT SERVICES

The Consultant shall perform the following bidding and award support services:

1. Responding to questions from bidders and City.
2. Preparing plans and specifications addenda as needed (up to two addenda).

Task 8 Deliverables

- Written documentation of responses to bidder questions by e-mail
- Addenda (if required) in electronic format (pdf)

Construction phase engineering support and surveying services are not included in this scope of work and will be subject of an amendment or separate task order prior to the start of construction.

Preliminary Sheet List

The following is the anticipated list of plan sheets:

1	G-1	Title Sheet, Vicinity Map and Location Map
2	G-2	Index of Sheets, Survey Control and Drawing Key Map
3	G-3	Legend, Abbreviations
4	G-4	General Notes
5	ESC-1	Erosion Control Notes and Details
6-37	C-1 to C-32	Sanitary Sewer – Plan and Profile
38-41	C-33 to C-36	Paving Plans
42-49	C-37 to C-44	ADA Curb Ramp Details for OR99W
50-54	C-45 to C-49	Sanitary Sewer, Street, and Miscellaneous Details
55	TC-1	Temporary Traffic Control General Notes and Details
55	--	Total



**12TH STREET SANITARY SEWER REHABILITATION
CITY OF MCMINNVILLE
PROPOSED FEE ESTIMATE**

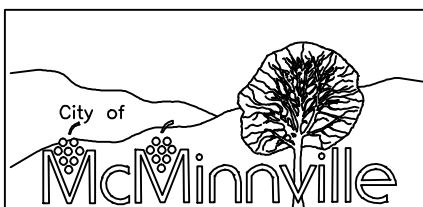
	LABOR CLASSIFICATION (HOURS)							ESTIMATED FEES				
	Principal Engineer V	Professional Engineer VIII	Professional Engineer IV	Engineering Designer II	Technician IV	Administrative II	Hours	Labor	Subconsultants	Subconsultant Total	Expenses	Total
	\$225 Thelin	\$174 Evonuk	\$139 Leman	\$124 Swartzendruber	\$134 Staff	\$88 Staff			PBS			
Task 1 - Project Management and Coordination							0	\$ -		\$ -	\$ -	\$ -
Task 1.1 - Project Kick-off Meeting		6	12				18	\$ 2,712		\$ -	\$ 100	\$ 2,812
Task 1.2 - Project Schedule		2	6			2	10	\$ 1,358		\$ -	\$ -	\$ 1,358
Task 1.3 - Progress Reports and Invoicing	6	12				6	24	\$ 3,966		\$ -	\$ -	\$ 3,966
Task 1.4 - Overall Project Coordination (Sewer)	12	40					52	\$ 9,660		\$ -	\$ -	\$ 9,660
Task 1.4A - Overall Project Coordination (Streets)	12	20					32	\$ 6,180		\$ -	\$ -	\$ 6,180
Task 1 Subtotal	30	80	18	0	0	8	136	\$ 23,876	\$ -	\$ -	\$ 100	\$ 23,976
Task 2 - Design Survey							0	\$ -		\$ -	\$ -	\$ -
Task 2.1 - Survey Control							0	\$ -	\$ 7,150	\$ 7,150	\$ -	\$ 7,150
Task 2.2 - Survey Existing Utilities and Develop Base Map		1	2				3	\$ 452	\$ 14,080	\$ 14,080	\$ -	\$ 14,532
Task 2.3 - Sanitary Sewer Manhole Ties		1	4				5	\$ 730	\$ 18,260	\$ 18,260	\$ -	\$ 18,990
Task 2.4 - Storm Sewer Manhole Ties		1	6				7	\$ 1,008	\$ 5,500	\$ 5,500	\$ -	\$ 6,508
Task 2.5 - Survey for ADA Curb Ramps at OR 99W (Streets)	1	8					9	\$ 1,286	\$ 4,290	\$ 4,290	\$ -	\$ 5,576
Task 2.6 - Flagging, Permitting and Traffic Control for Survey Work		1					1	\$ 174	\$ 3,300	\$ 3,300	\$ -	\$ 3,474
Task 2 Subtotal	0	5	20	0	0	0	25	\$ 3,650	\$ 52,580	\$ 52,580	\$ -	\$ 56,230
Task 3 - Preliminary Design							0	\$ -		\$ -	\$ -	\$ -
Task 3.1 - Mainline Pipe Condition Assessment, Documentation and Recommendations	2	8	36	72			118	\$ 15,774		\$ -	\$ -	\$ 15,774
Task 3.2 - Review Sewer Service Reports for Existing Laterals		8	24	64			96	\$ 12,664		\$ -	\$ -	\$ 12,664
Task 3.3 - On-site Lateral Investigations	2	8	84	84			178	\$ 23,934		\$ -	\$ 1,000	\$ 24,934
Task 3.4 - Dye Testing Laterals on Individual Properties	2	4	40	40			46	\$ 6,706		\$ -	\$ 400	\$ 7,106
Task 3.5 - On-site Manhole Investigations	2	4	24	40			70	\$ 9,442		\$ -	\$ 300	\$ 9,742
Task 3 Subtotal	8	32	208	260	0	0	508	\$ 68,520	\$ -	\$ -	\$ 1,700	\$ 70,220
Task 4 - Final Design							0	\$ -		\$ -	\$ -	\$ -
Task 4.1 - 50 Percent Design (Sewer)	8	20	100	70	100	4	302	\$ 41,612		\$ -	\$ 2,880	\$ 44,492
Task 4.1A - 50 Percent Design (Streets)	2	4	12	50	40		108	\$ 14,374		\$ -	\$ 1,260	\$ 15,634
Task 4.2 - 90 Percent Design (Sewer)	8	20	100	70	60	4	262	\$ 36,252		\$ -	\$ 2,160	\$ 38,412
Task 4.2A - 90 Percent Design (Streets)	2	4	12	50	20		88	\$ 11,694		\$ -	\$ 630	\$ 12,324
Task 4.3 - 100 Percent Final Design (Sewer)	4	16	80	44	40	4	188	\$ 25,972		\$ -	\$ 1,260	\$ 27,232
Task 4.3A - 100 Percent Final Design (Streets)	2	4	10	16	20		52	\$ 7,200		\$ -	\$ 630	\$ 7,830
Task 4.4 - Project Team Meetings (Preliminary Design Review, 50% Review, 90% Review)		16	40	40			56	\$ 8,344		\$ -	\$ 300	\$ 8,644
Task 4 Subtotal	26	84	354	300	280	12	1056	\$ 145,448	\$ -	\$ -	\$ 9,120	\$ 154,568
Task 5 - Agency Coordination and Permit Applications							0	\$ -		\$ -	\$ -	\$ -
Task 5.1 - Agency Coordination and Permit Applications (ODOT) (Sewer)	2	8	16	16			42	\$ 6,050		\$ -	\$ -	\$ 6,050
Task 5.2A - Agency Coordination and Permit Applications (ODOT) (Streets)	2	16	24	48			90	\$ 12,522		\$ -	\$ -	\$ 12,522
Task 5 Subtotal	4	24	40	64	0	0	132	\$ 18,572	\$ -	\$ -	\$ -	\$ 18,572
Task 6 - Public Involvement Assistance							0	\$ -		\$ -	\$ -	\$ -
Task 6.1 - Public Involvement Assistance		12	20		8	3	43	\$ 6,204		\$ -	\$ 144	\$ 6,348
Task 6 Subtotal	0	12	20	0	8	3	43	\$ 6,204	\$ -	\$ -	\$ 144	\$ 6,348
Task 7 - Utility Coordination							0	\$ -		\$ -	\$ -	\$ -
Task 7.1 - Impact Assessment and Notifications (Sewer)	1	2	8	24			35	\$ 4,661		\$ -	\$ -	\$ 4,661
Task 7.1A - Impact Assessment and Notifications (Streets)			4	6			10	\$ 1,300		\$ -	\$ -	\$ 1,300
Task 7.2 - Coordinate and Review Utility Relocation Designs (Sewer)	1	2	16	16			35	\$ 4,781		\$ -	\$ -	\$ 4,781
Task 7.2A - Coordinate and Review Utility Relocation Designs (Streets)			4	8			12	\$ 1,548		\$ -	\$ -	\$ 1,548
Task 7.3 - Utility Coordination Meetings		2	30				32	\$ 4,518		\$ -	\$ 500	\$ 5,018
Task 7 Subtotal	2	6	62	54	0	0	124	\$ 16,808	\$ -	\$ -	\$ 500	\$ 17,308
Task 8 - Bid and Award Support Services							0	\$ -		\$ -	\$ -	\$ -
Task 8.1 - Bid and Award Support Services		4	8	8	4	2	34	\$ 4,584		\$ -	\$ 172	\$ 4,756
Task 8 Subtotal	0	4	8	8	4	2	34	\$ 4,584	\$ -	\$ -	\$ 172	\$ 4,756
TOTAL - ALL TASKS	70	247	730	686	292	25	2058	\$ 287,662	\$ 52,580	\$ 52,580	\$ 11,736	\$ 351,978

BREAKDOWN OF PROPOSED FEE - SEWER AND STREETS

	Sewer Subtotals	Streets Subtotals	COMBINED TOTAL - SEWER AND STREETS
	50	20	70
	198	49	247
	656	74	730
	508	178	686
	212	80	292
	25	0	25
	1657	401	2058
	\$ 231,558	\$ 56,104	\$ 287,662
	\$ 48,290	\$ 4,290	\$ 52,580
	\$ 48,290	\$ 4,290	\$ 52,580
	\$ 9,216	\$ 2,520	\$ 11,736
	\$ 289,064	\$ 62,914	\$ 351,978



-  SEWER MAIN TO REHABILITATE
-  STREETS TO GRIND AND INLAY



CITY OF McMINNVILLE, OREGON
ENGINEERING DEPARTMENT

VICINITY MAP

12TH STREET SANITARY SEWER
REHABILITATION PROJECT

SCALE:
Drawn: RM
Checked:
Date: APRIL 14, 2016
Project No.
SHEET 1 of 1

RESOLUTION NO. 2017-12

A Resolution establishing a list of firms qualified to provide consulting services related to the design and construction of sanitary sewer rehabilitation and repair projects.

RECITALS:

Staff recently completed a Request for Qualifications (RFQ) process to develop a short list of qualified firms or individuals to provide engineering or other professional services related to completing sanitary sewer rehabilitation and repair projects contained in the City's adopted Wastewater Conveyance Master Plan and associated Wastewater Financial Plan.

Seven proposals were received prior to the RFQ due date of January 18, 2017. The proposals were reviewed, evaluated, and ranked, by a selection committee of Community Development Department staff, using the evaluation criteria outlined in the RFQ documents.

Based upon the evaluation, staff recommends that the four highest ranked firms (noted below) be included on the short list of consultants or consultant teams that will be used to provide services to complete the sanitary sewer improvements. The City will negotiate separate Personal Services Contracts for specific projects on an as needed basis.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF McMinnville, OREGON, as follows:

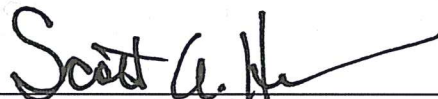
1. That the following list of firms qualified to provide consulting services related to the design and construction of the street improvement and repair bond projects is hereby approved:
 - AKS Engineering & Forestry LLC
 - Murray, Smith & Associates, Inc.
 - Century West Engineering Corporation
 - Carollo Engineers
2. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 14th day of February, 2017 by the following votes:

Ayes: Drabkin, Garvin, Jeffries, Menke, Stassens, Ruden

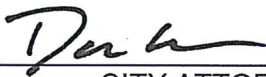
Nays: _____

Approved this 14th day of February, 2017.



MAYOR

Approved as to form:



CITY ATTORNEY



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

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: April 25, 2017
TO: Mayor and City Councilors
FROM: Chuck Darnell, Associate Planner
SUBJECT: **Ordinance No. 5020 – CPA 1-17/ZC 1-17/ZC 2-17**
(Comprehensive Plan Map Amendment and Zone Changes for 2121 NE 27th Street)

Council Goal:

Promote Sustainable Growth and Development

Report in Brief:

This is the consideration of Ordinance No. 5020 (Attachment A), an ordinance approving a Comprehensive Plan Map Amendment (CPA 1-17) and Zone Changes (ZC 1-17 and ZC 2-17) on an existing parcel and lot of record. The subject site is located at 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M. Portions of the parcel are currently designated as both Commercial and Residential on the Comprehensive Plan Map, and there are also three (3) different zoning designations that apply to portions of the parcel, including EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial).

The existing parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The specific request is to designate the northern parcel from the partition request, Parcel 1, as only Residential on the Comprehensive Plan Map, and to rezone the northern portion from a mixed zoning of EF-40 and R-1 to only R-1. The applicant is also requesting to designate the southern parcel from the partition request, Parcel 2, as only Commercial on the Comprehensive Plan Map, and to rezone the southern portion from a mixed zoning of C-3, EF-40, and R-1 to only C-3. These applications will result in the two new parcels being single comprehensive plan designated and zoned properties.

Background:

The subject site is located on an existing single parcel, and is currently the location of Jae's Landing restaurant and pub. The subject site currently has three (3) zoning designations and is shown on the Comprehensive Plan map to have two (2) land use designations. A visual of the subject site and reference maps showing the existing zoning and comprehensive plan map designations of the subject site and the surrounding properties are provided below:

Attachments:

Attachment A – Ordinance No. 5020

Exhibit A – CPA 1-17 Decision Document

Exhibit B – ZC 1-17 Decision Document

Exhibit C – ZC 2-17 Decision Document

Attachment B – Planning Commission Staff Report, March 16, 2017

Attachment C – Draft March 16, 2017 Planning Commission Minutes

Site Reference Map



Attachments:

Attachment A – Ordinance No. 5020

Exhibit A – CPA 1-17 Decision Document

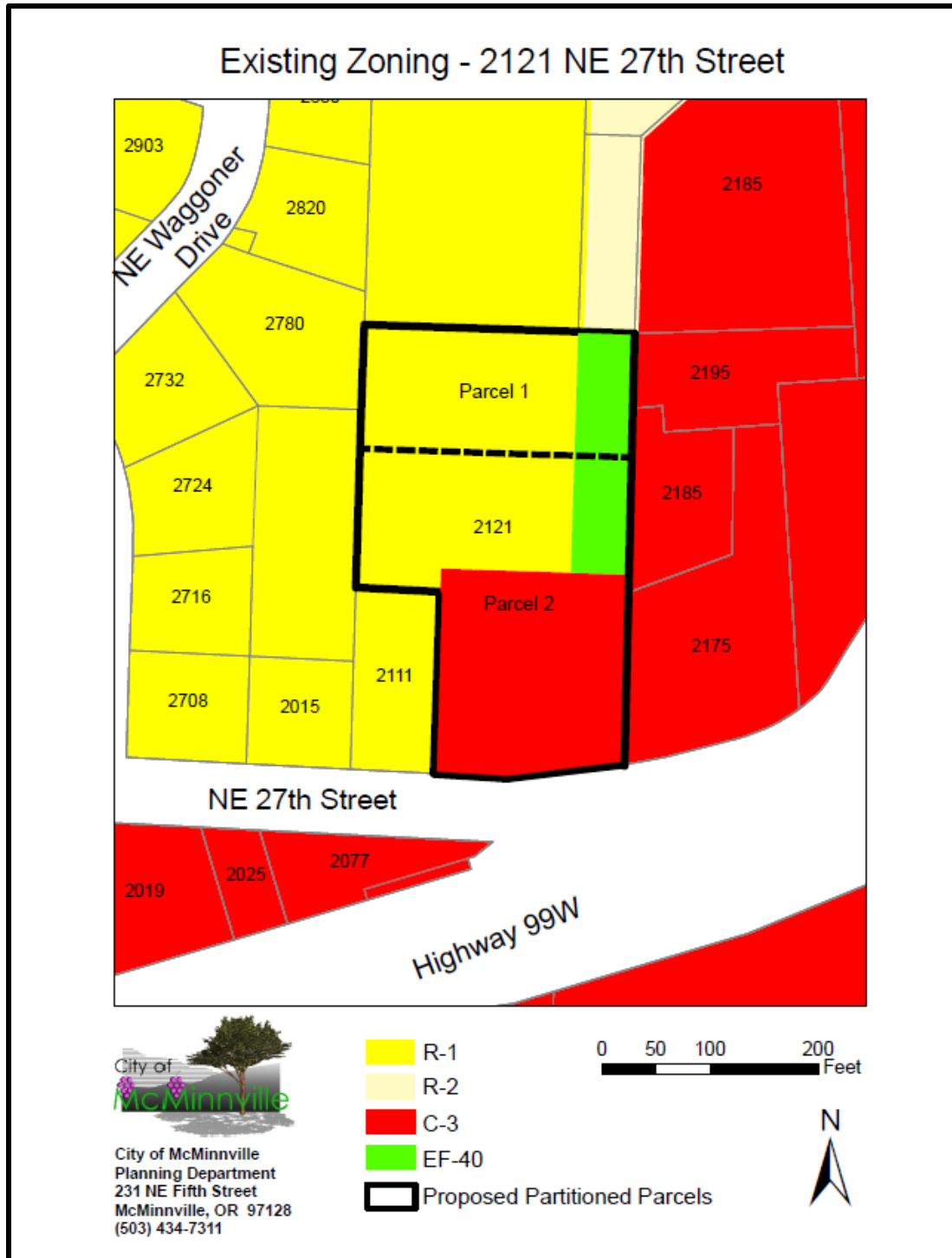
Exhibit B – ZC 1-17 Decision Document

Exhibit C – ZC 2-17 Decision Document

Attachment B – Planning Commission Staff Report, March 16, 2017

Attachment C – Draft March 16, 2017 Planning Commission Minutes

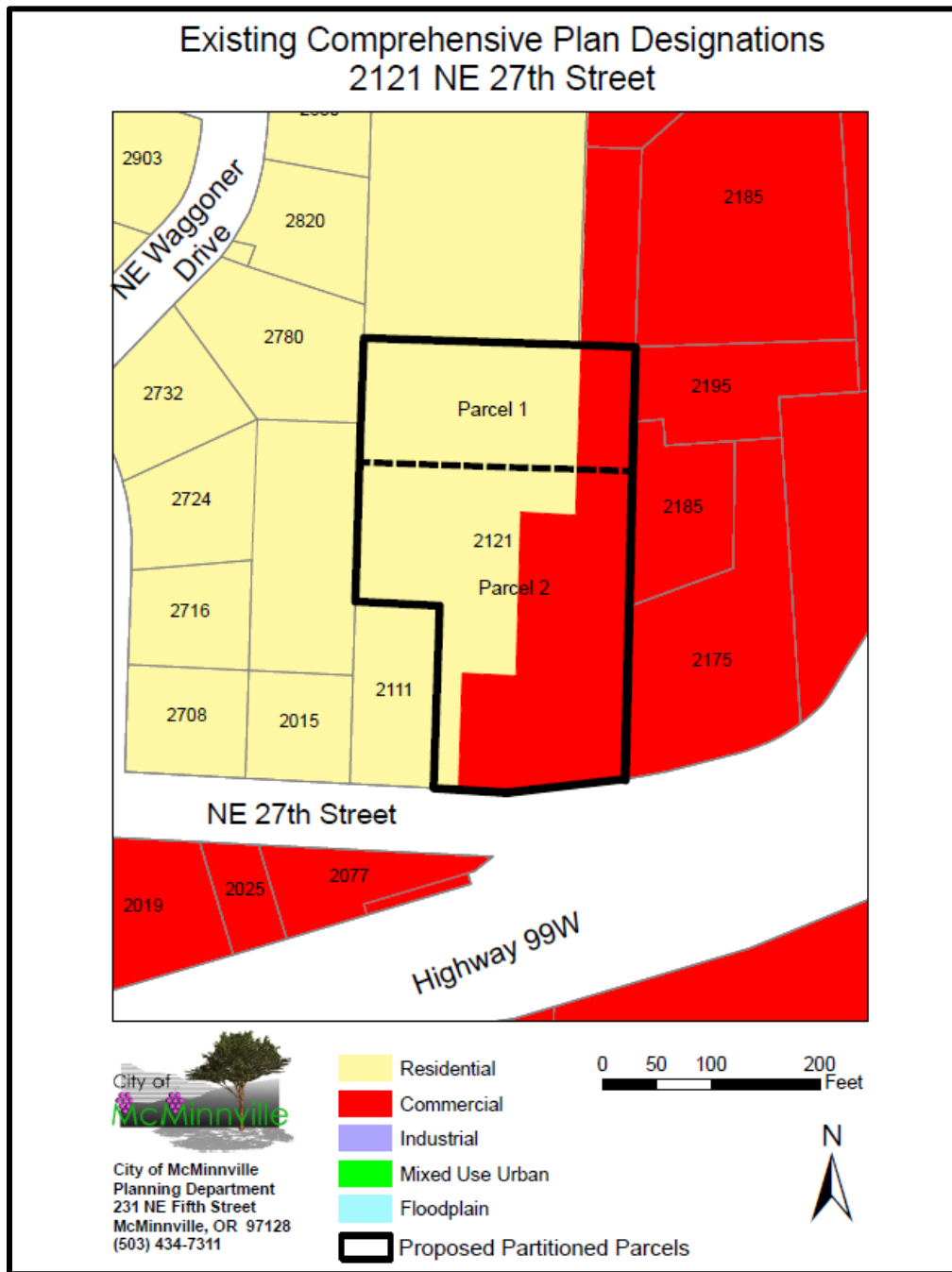
Existing Zoning



Attachments:

- Attachment A – Ordinance No. 5020*
- Exhibit A – CPA 1-17 Decision Document*
- Exhibit B – ZC 1-17 Decision Document*
- Exhibit C – ZC 2-17 Decision Document*
- Attachment B – Planning Commission Staff Report, March 16, 2017*
- Attachment C – Draft March 16, 2017 Planning Commission Minutes*

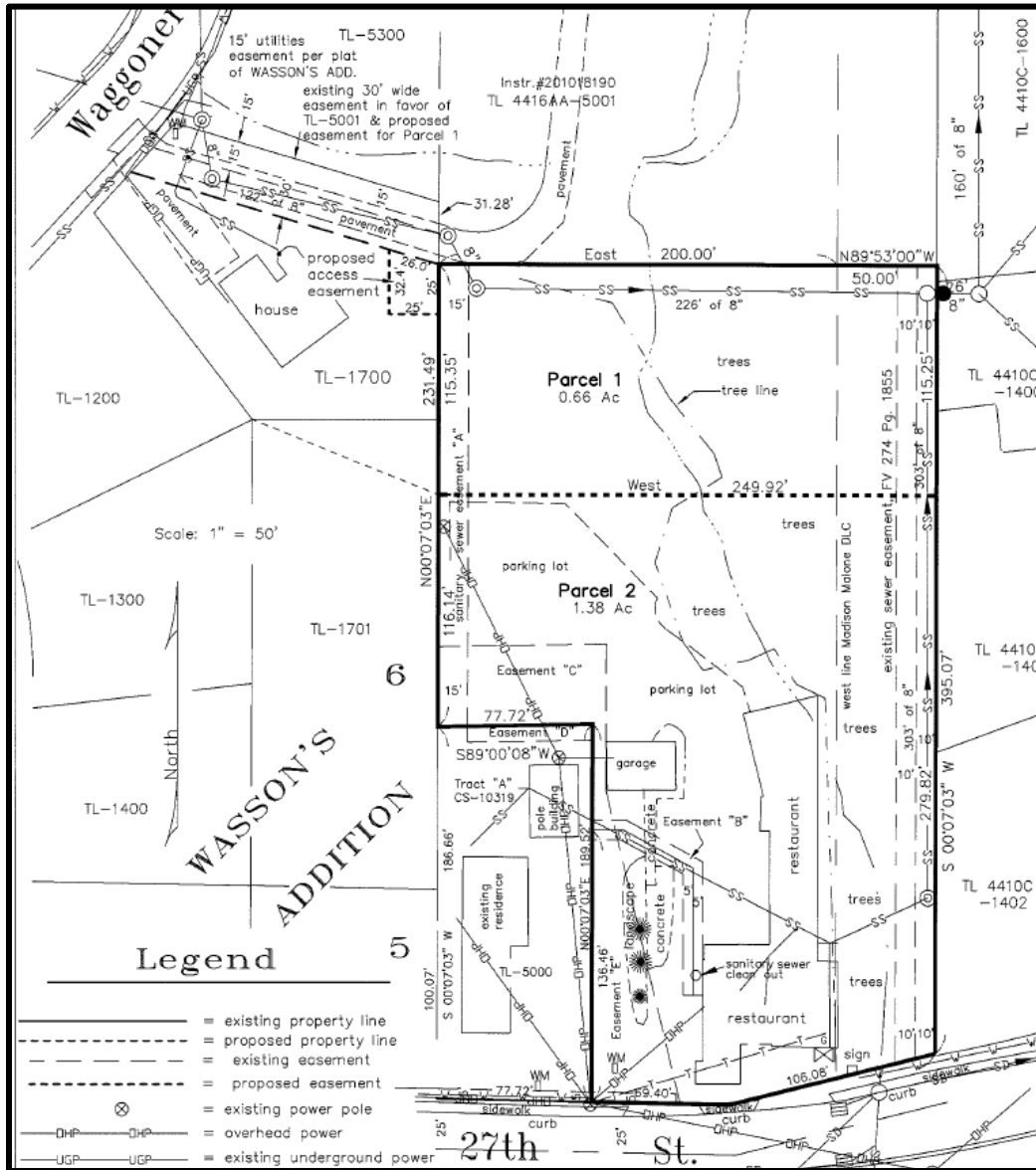
Existing Comprehensive Plan Designations



Attachments:

- Attachment A – Ordinance No. 5020*
- Exhibit A – CPA 1-17 Decision Document*
- Exhibit B – ZC 1-17 Decision Document*
- Exhibit C – ZC 2-17 Decision Document*
- Attachment B – Planning Commission Staff Report, March 16, 2017*
- Attachment C – Draft March 16, 2017 Planning Commission Minutes*

The existence of multiple comprehensive plan designations and zoning designations on the subject site was discovered when the property owner requested the partition (MP 7-16) of the existing parcel and lot of record to allow for the construction of a single family home on a newly created parcel on the northern portion of the existing parcel. The tentative partition plan is provided below. For the purposes of this report, the northern portion of the original parcel will be described as Parcel 1 and the southern portion of the original parcel will be described as Parcel 2 per the tentative partition plan.



- Attachments:
- Attachment A – Ordinance No. 5020
 - Exhibit A – CPA 1-17 Decision Document
 - Exhibit B – ZC 1-17 Decision Document
 - Exhibit C – ZC 2-17 Decision Document
 - Attachment B – Planning Commission Staff Report, March 16, 2017
 - Attachment C – Draft March 16, 2017 Planning Commission Minutes

A public hearing was held on March 16, 2017 at 6:30 p.m. before the McMinnville Planning Commission, after due notice had been provided in the local newspaper on March 3, 2017 and written notice had been mailed to property owners within 300 feet of the affected property. Testimony was received at the public hearing, but no comments were provided in opposition to the proposed requests.

Discussion:

Planning Department staff and the Planning Commission found that the requests would resolve the complicated existing land use and zoning designations that apply to the subject site. The existing McMinnville Zoning Map shows a narrow portion of the northeast corner of the subject site to be zoned R-2 (Single Family Residential), with the remainder of the site split between R-1 (Single Family Residential) and C-3 (General Commercial). However, upon further investigation during the partition review, staff determined that the northeast corner of the site actually retains a county zoning classification from when it was originally annexed into the city (ANX 2-83). Also, the Comprehensive Plan map designations that apply to the subject site are irregular and do not follow any particular property line, existing or previous. A more detailed history of the annexations and land use applications that apply to the subject site and the surrounding properties is included in the Planning Commission staff report.

Staff found that an issue may have occurred in the transition between earlier historic Comprehensive Plan and Zoning map documents to a Geographic Information Systems (GIS) database, resulting in an inaccurate designation of land uses and zoning districts on the subject site. The proposed amendment to the Comprehensive Plan and Zoning maps would more consistently designate the subject site, based on proposed property lines from the recent partition request, and would also be more consistent with existing and historical uses of the subject site.

The proposed zoning of the subject site and the two newly created parcels, if approved, is shown below. The comprehensive plan designations would mirror the zoning, with Parcel 1 being designated as Residential and Parcel 2 being designated as Commercial.

Attachments:

Attachment A – Ordinance No. 5020

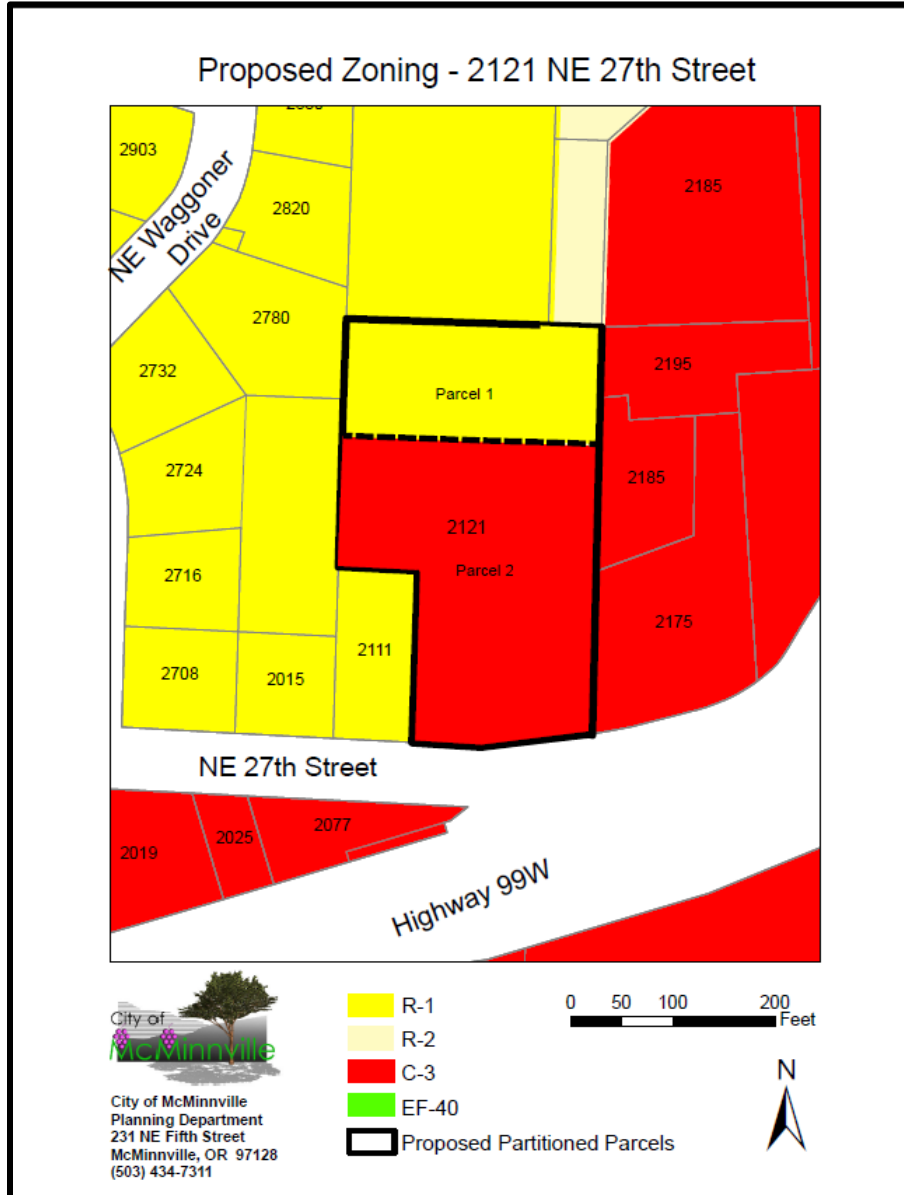
Exhibit A – CPA 1-17 Decision Document

Exhibit B – ZC 1-17 Decision Document

Exhibit C – ZC 2-17 Decision Document

Attachment B – Planning Commission Staff Report, March 16, 2017

Attachment C – Draft March 16, 2017 Planning Commission Minutes



The applicant has stated that the current owners of the property intend to construct a single family home on Parcel 1. The property owners intend to reside in the single family home, and continue to operate the existing commercial business on Parcel 2. The comprehensive plan map designation and rezoning of Parcel 1 to R-1 (Single Family Residential) would allow for the single family home to be constructed as proposed by the property owners.

In addition, the McMinnville Zoning Ordinance, in Section 17.09.050 (Annexed areas), states that “a County zoned area annexed to the City shall remain in the County zone classification and shall not be allowed any building permits until the zone is changed to a city zone”. The property owner’s desire to

Attachments:

- Attachment A – Ordinance No. 5020*
- Exhibit A – CPA 1-17 Decision Document*
- Exhibit B – ZC 1-17 Decision Document*
- Exhibit C – ZC 2-17 Decision Document*
- Attachment B – Planning Commission Staff Report, March 16, 2017*
- Attachment C – Draft March 16, 2017 Planning Commission Minutes*

construct a single family home on Parcel 1 triggers the requirement to rezone the property to a city zone, R-1 (Single Family Residential), from the county zoning, EF-40 (Exclusive Farm Use – 40-Acre Minimum), that a portion of the site retains from its original annexation (ANX 2-83). The same county zoning issue exists on Parcel 2, as the northeast corner of that parcel still retains an EF-40 (Exclusive Farm Use – 40-Acre Minimum) zoning classification. Therefore, the zone change requests are orderly and timely.

The majority of the Parcel 1 is already zoned R-1 (Single Family Residential), which occurred after a separate annexation and rezoning process was approved by the City in 1986 (ANX 5-86/CPA 4-86/ZC 12-86/MP 8-86). The classification of Parcel 1 as R-1 (Single Family Residential) is consistent with surrounding zoning and the pattern of development, as there are single family homes in existing R-1 (Single Family Residential) zoned subdivisions to the north and west of the subject site.

A commercial use exists today on Parcel 2, and the existing building on Parcel 2 has been functioning as a restaurant establishment for many years. The existing commercial use of the subject site actually extends outside of the portion of the site that is shown on the Zoning Map as C-3 (General Commercial). The main developed portion of the subject site is the actual restaurant building, which fronts onto NE 27th Street, but the parking lot for the building does extend to the north and west outside of the C-3 (General Commercial) areas as shown on the Zoning Map. The request would rezone all of Parcel 2 to a single zoning district, remove a county zone, reduce the number of zoning districts on Parcel 2 from three (3) to only one (1), and would more accurately represent the existing and historical use of the subject site. To ensure that adequate buffering is provided between the commercially zoned Parcel 2 and the residential areas to the north, a condition of approval has been recommended by the Planning Commission that would require that landscaping be installed along the north and west property lines of Parcel 2 prior to any building permits being issued for additional commercial development.

Fiscal Impact:

There is no anticipated fiscal impact to the City of McMinnville with this decision.

Council Options:

1. Approve the applications, per the decision documents provided which include the findings of fact, conclusionary findings and conditions of approval, by **ADOPTING ORDINANCE NO. 5020** effecting the proposed comprehensive plan map amendment and zone changes.
2. **CALL FOR A PUBLIC HEARING** on the proposed applications at a specific date and time.
3. **DENY** the applications, providing findings of fact that reflect specific criteria in the McMinnville Zoning Ordinance for the denial in the motion to deny.

Attachments:

Attachment A – Ordinance No. 5020

Exhibit A – CPA 1-17 Decision Document

Exhibit B – ZC 1-17 Decision Document

Exhibit C – ZC 2-17 Decision Document

Attachment B – Planning Commission Staff Report, March 16, 2017

Attachment C – Draft March 16, 2017 Planning Commission Minutes

Recommendation/Suggested Motion:

Based on the findings described above, and the more detailed findings of fact and conclusionary findings provided in the decision documents for each land use application, the Planning Commission recommended approval of the comprehensive plan amendment and zone change requests to the City Council.

Staff recommends that the Council adopt Ordinance No. 5020, which would approve the applications and effect the proposed comprehensive plan map amendment and zone changes subject to conditions of approval as recommended by the Planning Commission.

“THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, I MOVE TO ADOPT ORDINANCE NO. 5020.”

Attachments:

Attachment A – Ordinance No. 5020

Exhibit A – CPA 1-17 Decision Document

Exhibit B – ZC 1-17 Decision Document

Exhibit C – ZC 2-17 Decision Document

Attachment B – Planning Commission Staff Report, March 16, 2017

Attachment C – Draft March 16, 2017 Planning Commission Minutes

ORDINANCE NO. 5020

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP DESIGNATION FROM RESIDENTIAL TO COMMERCIAL, AND FROM COMMERCIAL TO RESIDENTIAL, ON PORTIONS OF AN EXISTING PROPERTY AND LOT OF RECORD, AND REZONING PORTIONS OF SAID PROPERTY FROM A COMBINATION OF EF-40 (EXCLUSIVE FARM USE – 40-ACRE MINIMUM), R-1 (SINGLE FAMILY RESIDENTIAL), AND C-3 (GENERAL COMMERCIAL) TO ONLY R-1 (SINGLE FAMILY RESIDENTIAL) AND C-3 (GENERAL COMMERCIAL).

RECITALS:

The Planning Department received applications (CPA 1-17 / ZC 1-17 / ZC 2-17) from Creekside Homes LLC dated January 30, 2017 requesting approval of a Comprehensive Plan Map amendment on portions of an existing lot of record. The existing property is in the process of being partitioned, and is designated as both Residential and Commercial. The applicant requested that the northern parcel be designated as Residential and the southern parcel be designated as Commercial. Concurrent with this request, the applicant requested approval of zone changes on the property, rezoning the northern parcel from a combination of EF-40 (Exclusive Farm Use – 40-Acre Minimum) and R-1 (Single Family Residential) to only R-1 (Single Family Residential), and rezoning the southern parcel from a combination of EF-40 (Exclusive Farm Use – 40-Acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial) to only C-3 (General Commercial); and

The subject site is located at 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on March 16, 2017 at 6:30 p.m. before the McMinnville Planning Commission after due notice had been provided in the local newspaper on March 3, 2017, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said requests, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the comprehensive plan amendment and zone change review criteria listed in Section 17.74.020 of the McMinnville Zoning Ordinance based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibits A - C; and

The Planning Commission recommended approval of said comprehensive plan amendment and zone changes to the Council; and

NOW, THEREFORE, THE COMMON COUNCIL FOR THE CITY OF MCMINNVILLE ORDAINS AS FOLLOWS:

1. That the Council adopts the findings and conclusions of the Planning Commission as documented in Exhibits A -C.

2. That the comprehensive plan map designations for the property described in Exhibit A are hereby amended to Residential on the northern parcel and Commercial on the southern parcel, subject to the following conditions:

1. That the property shall be partitioned as approved by the City of McMinnville on January 13, 2017, and as proposed in Docket MP 7-16. The final partition plat shall be submitted to the City for review and approval prior to being recorded with Yamhill County. The property owner shall complete all conditions of approval as required by the City in the approval of the tentative minor partition application (MP 7-16).
2. That the proposed Parcel 1 from the partition request (MP 7-16) be designated Residential and the proposed Parcel 2 from the partition request (MP 7-16) be designated Commercial on the McMinnville Comprehensive Plan Map.

3. That the northern parcel on the property, as described in Exhibit B, is hereby rezoned from a combination of EF-40 (Exclusive Farm Use – 40-Acre Minimum) and R-1 (Single Family Residential) to only an R-1 (Single Family Residential) zone, subject to the following conditions:

1. That the property shall be partitioned as approved by the City of McMinnville on January 13, 2017, and as proposed in Docket MP 7-16. The final partition plat shall be submitted to the City for review and approval prior to being recorded with Yamhill County. The property owner shall complete all conditions of approval as required by the City in the approval of the tentative minor partition application (MP 7-16).
2. That the proposed Parcel 1 from the partition request (MP 7-16) be rezoned to R-1 Single Family Residential.
3. That the rezoning be contingent on the Comprehensive Plan Map amendment request (CPA 1-17) being approved by the McMinnville City Council.

4. That the southern parcel on the property, as described in Exhibit C, is hereby rezoned from a combination of EF-40 (Exclusive Farm Use – 40-Acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial) to only C-3 (General Commercial), subject to the following conditions:

1. That the property shall be partitioned as approved by the City of McMinnville on January 13, 2017, and as proposed in Docket MP 7-16. The final partition plat shall be submitted to the City for review and approval prior to being recorded with Yamhill County. The property owner shall complete

all conditions of approval as required by the City in the approval of the tentative minor partition application (MP 7-16).

2. That the proposed Parcel 2 from the partition request (MP 7-16) be rezoned to C-3 General Commercial.
3. That the rezoning be contingent on the Comprehensive Plan Map amendment request (CPA 1-17) being approved by the McMinnville City Council.
4. Prior to any future building permits being issued for the southern parcel to be zoned C-3 General Commercial, the applicant shall install landscaping on the north and west property lines of the southern parcel to provide for additional screening and buffering between the commercial activities and the surrounding residential uses, as required by Comprehensive Plan Policy 32.00. At such time, the applicant shall submit a landscape plan to be reviewed and approved by the Landscape Review Committee subject to the provisions in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance.

Passed by the Council this 25th day of April 2017, by the following votes:

Ayes: _____

Nays: _____

Approved this 25th day of April 2017.

MAYOR

Attest:

Approved as to form:

CITY RECORDER

CITY ATTORNEY



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311

www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A COMPREHENSIVE PLAN MAP AMENDMENT TO THE PROPERTY AT 2121 NE 27TH STREET.

- DOCKET:** CPA 1-17 (Comprehensive Plan Map Amendment)
- REQUEST:** The applicant is proposing to re-designate the land uses shown on the Comprehensive Plan map on an existing parcel and lot of record. Portions of the parcel are currently designated as both Commercial and Residential on the Comprehensive Plan Map. The applicant is proposing to designate the northern portion of the parcel as only Residential, and to designate the southern portion of the parcel as only Commercial. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The proposed amendments would result in the proposed Parcel 1 from the partition request being designated Residential, and the proposed Parcel 2 from the partition request being designated Commercial.
- LOCATION:** The subject site is located at 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site's current zoning is a mixture of EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial).
- APPLICANT:** Creekside Homes, LLC, on behalf of Jae & Ayliah Chon
- STAFF:** Chuck Darnell, Associate Planner
- HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME:** March 16, 2017. Meeting held at the Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- HEARINGS BODY:** McMinnville City Council
- DATE & TIME:** April 25, 2017. Meeting held at the Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION AND CONDITIONS OF APPROVAL

DECISION

Based on the findings and conclusions, the Planning Commission recommends **APPROVAL** of the Comprehensive Plan Map amendment (CPA 1-17) to the McMinnville City Council **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

City Council: _____
Scott Hill, Mayor of McMinnville

Date: _____

Planning Commission: Roger A. Hall
Roger Hall, Chair of the McMinnville Planning Commission

Date: March 16, 2017

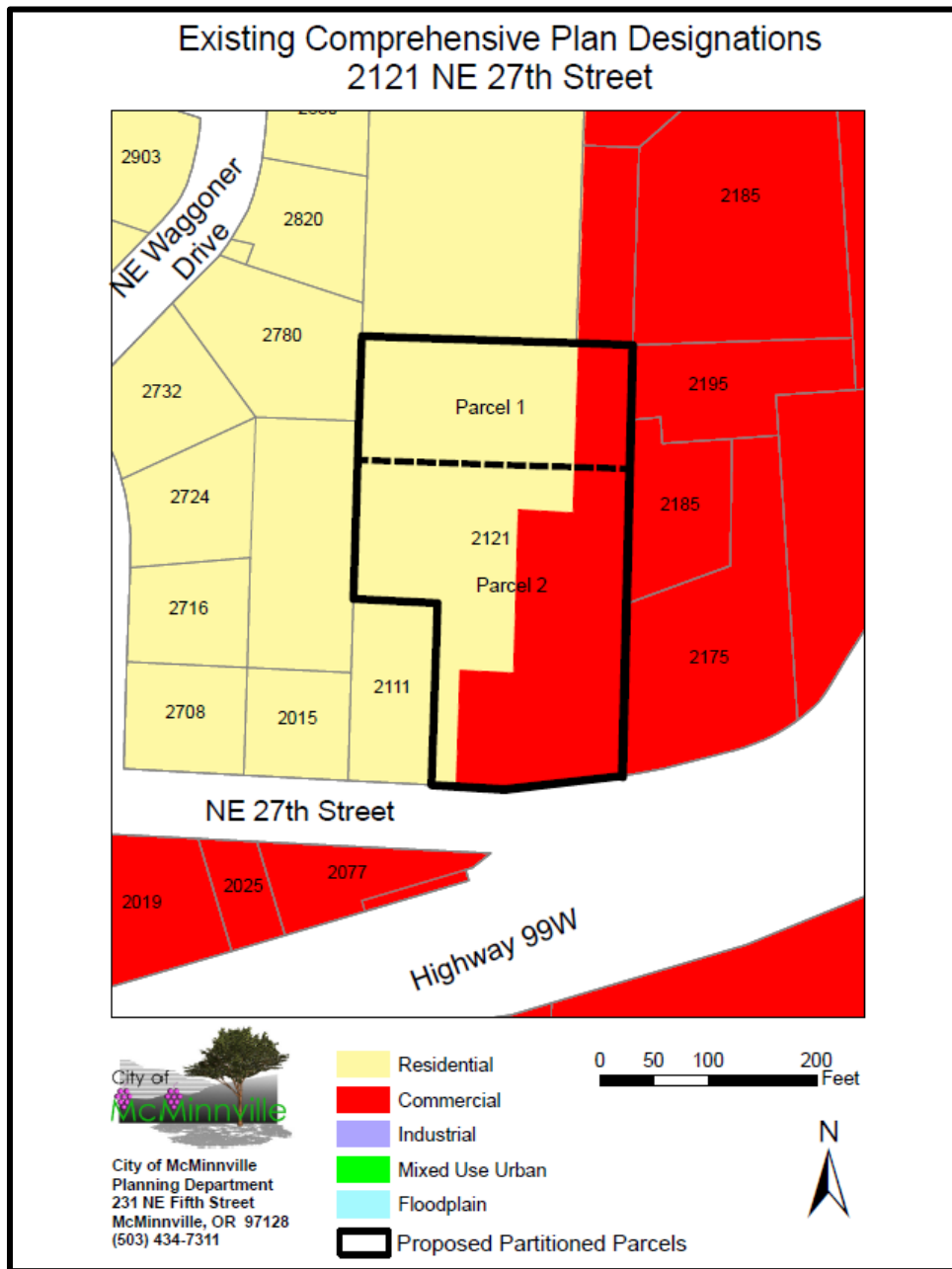
Planning Department: [Signature]
Heather Richards, Planning Director

Date: 4/18/17

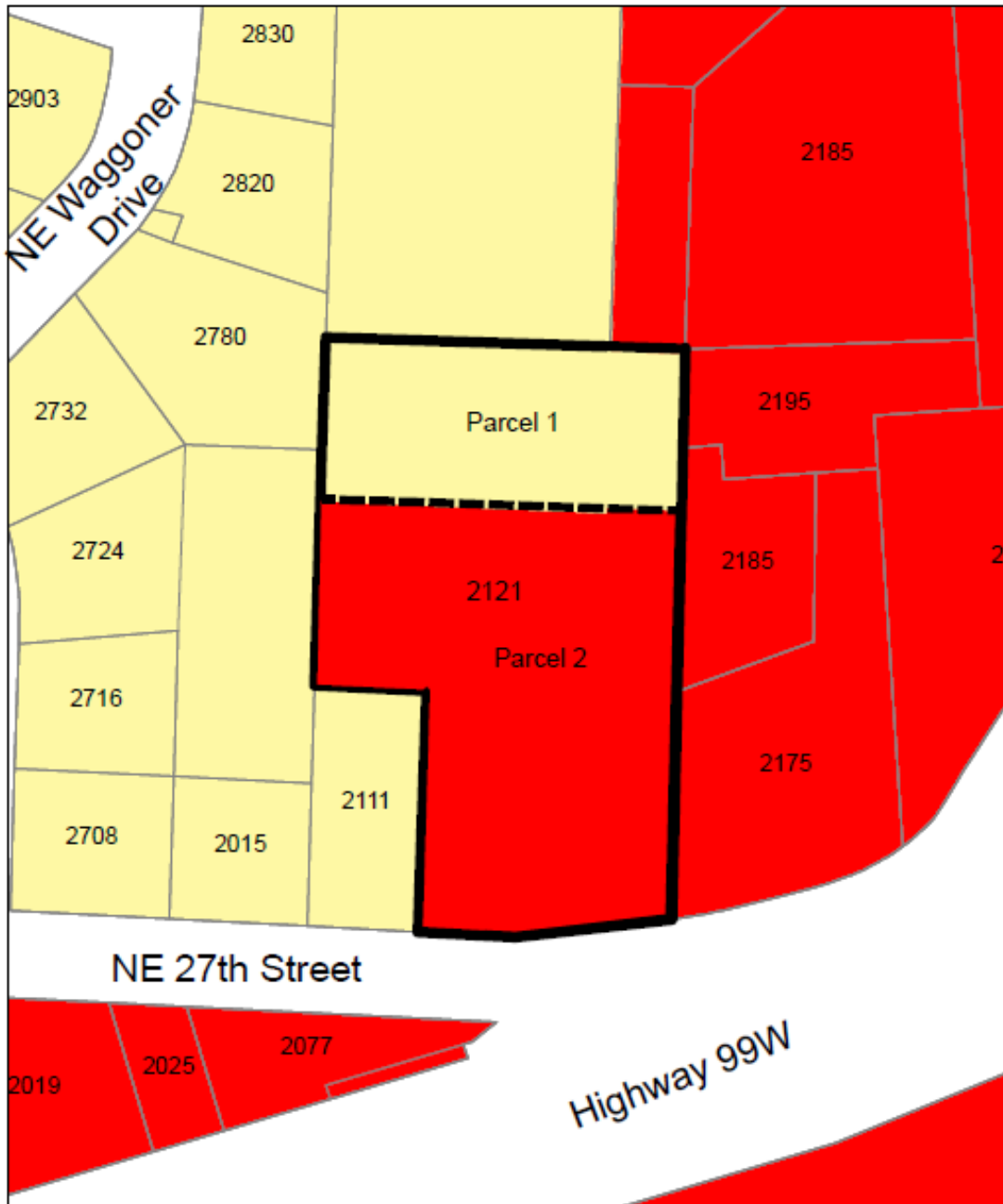
Application Summary:

The applicant is proposing to re-designate the land uses shown on the Comprehensive Plan map on an existing parcel and lot of record. Portions of the parcel are currently designated as both Commercial and Residential on the Comprehensive Plan Map. The applicant is proposing to designate the northern portion of the parcel as only Residential, and to designate the southern portion of the parcel as only Commercial. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The proposed amendments would result in the proposed Parcel 1 from the partition request being designated Residential, and the proposed Parcel 2 from the partition request being designated Commercial.

The existing and proposed Comprehensive Plan designations are shown below:

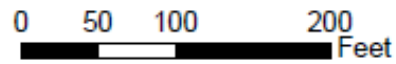


Proposed Comprehensive Plan Designations 2121 NE 27th Street



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

- Residential
- Commercial
- Industrial
- Mixed Use Urban
- Floodplain
- Proposed Partitioned Parcels



CONDITIONS OF APPROVAL

The following conditions of approval shall be required:

CPA 1-17 is **approved** subject to the following conditions:

1. That the property shall be partitioned as approved by the City of McMinnville on January 13, 2017, and as proposed in Docket MP 7-16. The final partition plat shall be submitted to the City for review and approval prior to being recorded with Yamhill County. The property owner shall complete all conditions of approval as required by the City in the approval of the tentative minor partition application (MP 7-16).
2. That the proposed Parcel 1 from the partition request (MP 7-16) be designated Residential and the proposed Parcel 2 from the partition request (MP 7-16) be designated Commercial on the McMinnville Comprehensive Plan Map.

ATTACHMENTS

1. CPA 1-17 Application and Attachments

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas. The following comments had been received:

McMinnville Engineering Department

We have reviewed proposed CPA 1-17, ZC 1-17, and ZC 2-17, and do not have any comments. We recently reviewed proposed MP 7-16 for these properties, and would note that the infrastructure requirements associated with that approval have not been completed, and the partition plat has not been recorded.

FINDINGS OF FACT

1. Creekside Homes, LLC is proposing to re-designate the land uses shown on the Comprehensive Plan Map on an existing parcel and lot of record. Portions of the parcel are currently designated as both Commercial and Residential on the Comprehensive Plan Map. The applicant is proposing to designate the northern portion of the parcel as only Residential, and to designate the southern portion of the parcel as only Commercial. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The proposed amendments would result in the proposed Parcel 1 from the partition request being designated Residential, and the proposed Parcel 2 from the partition request being designated Commercial. The subject site is located at 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial), and is designated as Residential and Commercial on the McMinnville Comprehensive Plan Map, 1980.
3. Sanitary sewer and municipal water and power can serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.

4. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas, Oregon Department of Transportation, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. No comments in opposition have been provided.
5. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.
6. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

GOAL IV 2: TO ENCOURAGE THE CONTINUED GROWTH OF MCMINNVILLE AS THE COMMERCIAL CENTER OF YAMHILL COUNTY IN ORDER TO PROVIDE EMPLOYMENT OPPORTUNITIES, GOODS, AND SERVICES FOR THE CITY AND COUNTY RESIDENTS.

Policy 21.03: The City shall support existing businesses and industries and the establishment of locally owned, managed, or controlled businesses.

Finding: Goal IV 2 and Policy 21.03 are satisfied in that the existing commercial business located on the southern parcel, which is proposed to be designated as entirely Commercial on the Comprehensive Plan map, is an existing and long-established business in McMinnville. The business is also locally owned, and the business (and property) owners actually intend to construct a single family home on the northern parcel, which is proposed to be Residential on the Comprehensive Plan map, to serve as their primary residence.

GOAL IV 3: TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

Policy 22.00: The maximum and most efficient use of existing commercially designated lands will be encouraged as will the revitalization and reuse of existing commercial properties.

Finding: Goal IV 3 and Policy 22.00 are satisfied as the majority of the southern parcel is already designated as Commercial on the Comprehensive Plan map. The proposed designation of the entire southern parcel as Commercial will appropriately provide commercial designations on the Comprehensive Plan map to accommodate existing commercial development and will allow for maximum and most efficient use of the existing commercially designated lands.

Policy 25.00: Commercial uses will be located in areas where conflicts with adjacent land uses can be minimized and where city services commensurate with the scale of development are or can be made available prior to development.

Finding: The existing commercial use on the southern parcel is already served by city services, and adequate utility capacities exist to service additional commercial development if ever needed. The existing commercial use as a restaurant and pub is not an overly intense commercial use, as it does not generate significant traffic or noise, which makes the commercial use compatible with the surrounding land uses. However, the commercial use as a restaurant and pub will generate some traffic and noise, so staff is recommending that additional landscaping be installed on the site to provide for more screening and buffering, which will minimize potential conflicts with adjacent land uses. Therefore, Policy 25.00 is met.

Policy 27.00: Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector or arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers.

Finding: Policy 27.00 is satisfied as, while the particular area in which the subject site is located is not specifically designated as a neighborhood commercial center, the site is adjacent to residential zones and uses. The existing commercial use on the subject site, a restaurant, is not a large, intensive commercial use, and could be considered to be a commercial use that provides services to the immediate surrounding neighborhood. Additionally, the commercial use fronts and is oriented towards NE 27th Street, and access to the business is provided from that street. The surrounding residential properties are all accessed from other surrounding local residential streets.

GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

Policy 58.00: City land development ordinance shall provide opportunities for development of a variety of housing types and densities.

Finding: Goal V 1 and Policy 58.00 are met by this proposal in that a majority of the northern parcel is already designated as Residential on the Comprehensive Plan map. The designation of the entire northern parcel as Residential will allow for the development of housing in an area of the City that has historically been vacant land and underutilized. The development of the site as a single family home will be consistent with the surrounding housing types and densities.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policy 69.00: The City of McMinnville shall explore the utilization of innovated land use regulatory ordinances which seek to integrate the functions of housing, commercial, and industrial developments into a compatible framework within the city.

Finding: As described above, the northern portion of the subject site has historically been an area of the City that is vacant and underutilized. A majority of the northern parcel is already designated as Residential on the Comprehensive Plan map, and a majority of the southern parcel is already designated as Commercial. The proposed amendment will be an innovative way to utilize existing vacant land to allow for additional development within the City that is also consistent and compatible with the surrounding area. Goal V 2 and Policy 69.00 are met by this proposal.

Policy 99.00: An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:

1. *Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*
2. *Storm sewer and drainage facilities (as required).*
3. *Streets within the development and providing access to the development, improved to city standards (as required).*
4. *Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*

Finding: Policy 99.00 is satisfied by this proposal as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and municipal water distribution systems and supply either presently serve or can be made available to adequately serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.

Policy 136.00: The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 142.00: The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00: The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00: The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 147.00: The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00: The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 1. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
- 2. Sufficient municipal sewage 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.*
- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 4. Federal, state, and local water and waste water quality standards can be adhered to.*
- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 142.00, 143.00.20, 144.00, 147.00 and 151 (1)-(5) are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 155.00: The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

Finding: Policy 155.00 is satisfied in that emergency services departments have reviewed this request and raise no concerns with providing police and fire protection to the subject area.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF MCMINNVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

Finding: Goal VII 3 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

7. The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

R-1 Single-Family Residential Zone:

17.12.010 Permitted Uses. In an R-1 zone, the following uses and their accessory uses are permitted:

A. Site built single-family dwelling [...]

17.12.030 Lot Size. In an R-1 zone, the lot area shall not be less than nine thousand square feet [...]

17.12.060 Density Requirements. In an R-1 zone, the lot area per family shall not be less than nine thousand square feet [...].

Finding: The portion of the subject site that will be designated as Residential on the Comprehensive Plan map will meet the minimum lot size and density requirements. Based on the applicant's intended development of the site for a single family residential home, the proposed use of the property will be permitted.

C-3 General Commercial Zone:

17.33.010 Permitted Uses. In a C-3 zone, the following uses and their accessory uses are permitted:

1. All uses and conditional uses permitted in the C-1 and C-2 zones, except those listed in Section 17.33.020.

C-2 Travel Commercial Zone:

17.30.010 Permitted Uses. In a C-2 zone, the following uses and their accessory uses are permitted:

F. Restaurant

Finding: The portion of the subject site that will be designated as Commercial on the Comprehensive Plan map is currently used as a restaurant, and the applicant is proposing to continue to operate that business. The existing and proposed future use of the site as a restaurant will be permitted.

Review Criteria:

17.74.020 Review Criteria. An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;
- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;
- C. Utilities and services can be efficiently provided to service the proposed uses or other potential uses in the proposed zoning district.

Finding: The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, as is described in greater detail above.

The existing Comprehensive Plan map designations that apply to the subject site are irregular and do not follow any particular property line, existing or previous. It appears that a similar issue may have occurred in the transition between earlier historic Comprehensive Plan map documents or during the transition to a Geographic Information Systems (GIS) database, which occurred with the zoning designations as well, resulting in an inaccurate designation of land uses on the subject site. The proposed amendment to the Comprehensive Plan map would more consistently designate the subject site, based on proposed property lines and existing and historical uses. The northern portion of the site would become only Residential, and the southern portion of the site would become only Commercial.

The southern portion of the site has historically been used as a restaurant as far back as the early 1980s, which was documented in the previous land use decisions described above. The commercial use likely even predates the 1980s.

The current restaurant use currently extends to the north and west, outside of the portion of the site that is shown as Commercial on the current Comprehensive Plan map. The proposed adjustment of the designations on the site would more accurately designate the existing and historic uses of the southern portion of the site as a commercial establishment.

The retention of the northern portion of the site as Residential is also more consistent with the pattern of development in the surrounding area and is more compatible with surrounding land uses. The creation of this new parcel on the northern portion of the site, and the future proposed development of

the parcel with a single family home, will provide for a buffer between the existing commercial use and the surrounding neighborhood.

Based on the history of the site and the proposed use of the northern portion of the site as a single family home, staff believes that the proposed amendment is orderly and timely. The amendment would more accurately depict the existing conditions of the site, the historic uses of the site, and would blend in with the pattern of development and uses in the surrounding area.

Utilities and services currently exist and are provided for the existing commercial use on the southern portion of the subject site. The partition that was approved to create the parcel on the northern portion of the site, on which the property owner is proposing to construct a single family home, was approved with conditions that the northern parcel be provided with utilities. During the review portion of the partition process, it was shown that utilities and services can be provided to adequately serve the northern parcel.

Access and private utilities will be provided to the northern parcel from NE Waggoner Drive through an easement over existing properties. A public sanitary sewer main line runs through the north side of the northern parcel, which will provide sewer service to that parcel. As part of the minor partition process, the access to the southern parcel from NE 27th Street, along with the sidewalk, will be required to be improved to meet current Public Right-of-Way Accessibility Guidelines (PROWAG) standards. Additionally, at the time of building permits, the driveway along Waggoner Drive to serve the northern parcel will be required to meet PROWAG standards.

CD:sjs



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A ZONE CHANGE ON THE NORTHERN PORTION OF THE PROPERTY AT 2121 NE 27TH STREET.

- DOCKET:** ZC 1-17 (Zone Change)
- REQUEST:** The applicant is proposing to rezone the northern portion of an existing parcel and lot of record from an existing mixed zoning of EF-40 (Exclusive Farm Use – 40-acre Minimum) and R-1 (Single Family Residential) to only R-1. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The proposed amendment would result in the proposed Parcel 1 from the partition request being zoned R-1.
- LOCATION:** The subject site is located at 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site's current zoning is a mixture of EF-40 (Exclusive Farm Use – 40-acre Minimum) and R-1 (Single Family Residential).
- APPLICANT:** Creekside Homes, LLC, on behalf of Jae & Ayliah Chon
- STAFF:** Chuck Darnell, Associate Planner
- HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME:** March 16, 2017. Meeting held at the Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- HEARINGS BODY:** McMinnville City Council
- DATE & TIME:** April 25, 2017. Meeting held at the Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION AND CONDITIONS OF APPROVAL

DECISION

Based on the findings and conclusions, the Planning Commission recommends **APPROVAL** of the zone change (ZC 1-17) to the McMinnville City Council **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
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City Council: _____
Scott Hill, Mayor of McMinnville

Date: _____

Planning Commission: Roger A. Hall
Roger Hall, Chair of the McMinnville Planning Commission

Date: March 16, 2017

Planning Department: [Signature]
Heather Richards, Planning Director

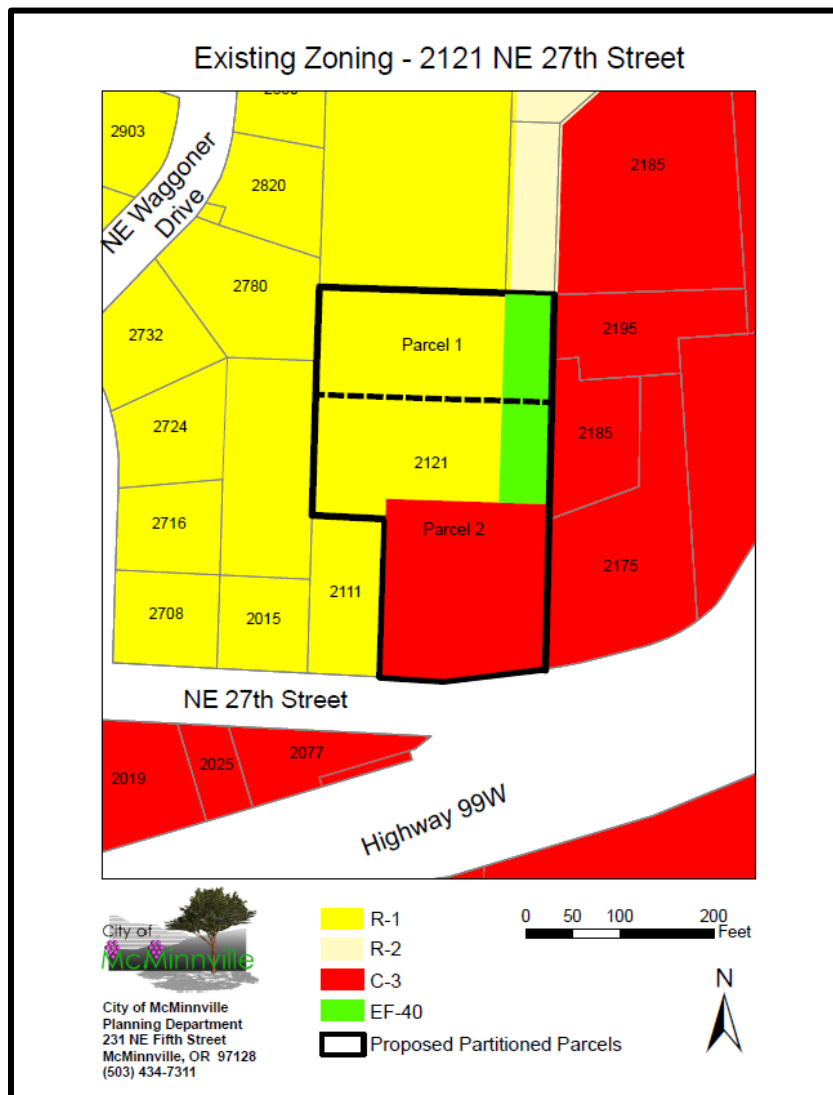
Date: 4/18/17

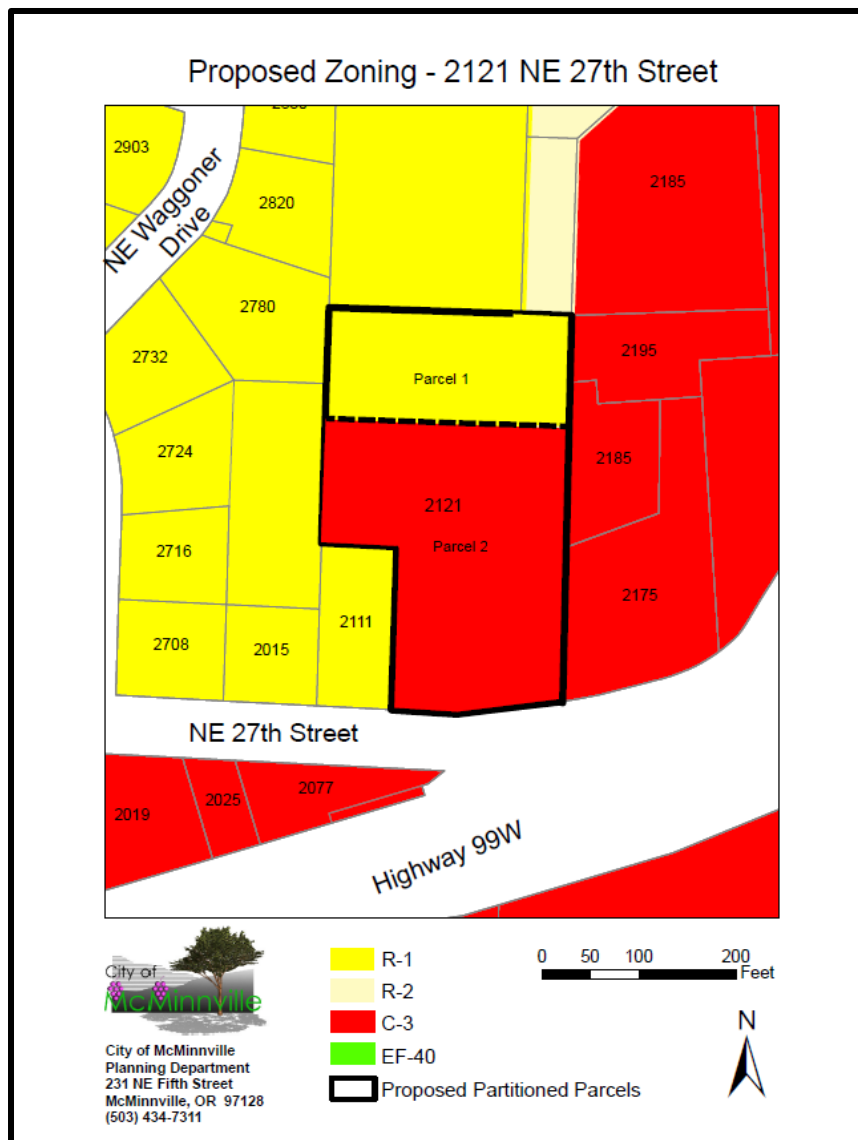
Application Summary:

The applicant is proposing to rezone the northern portion of an existing parcel and lot of record from an existing mixed zoning of EF-40 (Exclusive Farm Use – 40-acre Minimum) and R-1 (Single Family Residential) to only R-1. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The proposed amendment would result in the proposed Parcel 1 from the partition request being zoned R-1.

The property owner’s request to partition the subject site and existing lot of record was approved by the City in 2016, with a condition of approval that the property owner rezone the portion of the property that retains its county zoning prior to the City releasing any building permits for the site. Section 17.09.050 (Annexed areas) of the McMinnville Zoning Ordinance states that “a County zoned area annexed to the City shall remain in the County zone classification and shall not be allowed any building permits until the zone is changed to a city zone”. The property owner’s desire to construct a single family home on the northern parcel triggers the requirement to rezone the property from the county zoning that a portion of the site retains from the original annexation to a city zone.

The existing and proposed zoning of the subject site are shown below:





CONDITIONS OF APPROVAL

The following conditions of approval shall be required:

ZC 1-17 is approved subject to the following conditions:

1. That the property shall be partitioned as approved by the City of McMinnville on January 13, 2017, and as proposed in Docket MP 7-16. The final partition plat shall be submitted to the City for review and approval prior to being recorded with Yamhill County. The property owner shall complete all conditions of approval as required by the City in the approval of the tentative minor partition application (MP 7-16).
2. That the proposed Parcel 1 from the partition request (MP 7-16) be rezoned to R-1 Single Family Residential.
3. That the rezoning be contingent on the Comprehensive Plan Map amendment request (CPA 1-17) being approved by the McMinnville City Council.

ATTACHMENTS

1. ZC 1-17 Application and Attachments

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas. The following comments had been received:

McMinnville Engineering Department

We have reviewed proposed CPA 1-17, ZC 1-17, and ZC 2-17, and do not have any comments. We recently reviewed proposed MP 7-16 for these properties, and would note that the infrastructure requirements associated with that approval have not been completed, and the partition plat has not been recorded.

FINDINGS OF FACT

1. Creekside Homes, LLC is proposing to rezone the northern portion of an existing parcel and lot of record from an existing mixed zoning of EF-40 (Exclusive Farm Use – 40-acre Minimum) and R-1 (Single Family Residential) to only R-1. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The proposed amendment would result in the proposed Parcel 1 from the partition request being zoned R-1. The subject site is located at 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned EF-40 (Exclusive Farm Use – 40-acre Minimum) and R-1 (Single Family Residential), and is designated as Residential and Commercial on the McMinnville Comprehensive Plan Map, 1980. The applicant has also concurrently applied for a designation of the entire site as only Residential on the Comprehensive Plan Map (CPA 1-17).
3. Sanitary sewer and municipal water and power can serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
4. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas, Oregon Department of Transportation, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. No comments in opposition have been provided.
5. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.
6. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

Policy 58.00: City land development ordinance shall provide opportunities for development of a variety of housing types and densities.

Finding: A majority of the northern parcel is already zoned R-1 Single Family Residential on the official Zoning map. The rezoning of the entire northern parcel as R-1 Single Family Residential will allow for the development of an additional housing opportunity on land that has remained underutilized. The development of the site as a single family home will be consistent with the surrounding housing types and densities and therefore Goal V 1 and Policy 58.00 are satisfied.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policy 69.00: The City of McMinnville shall explore the utilization of innovated land use regulatory ordinances which seek to integrate the functions of housing, commercial, and industrial developments into a compatible framework within the city.

Finding: As described above, the northern portion of the subject site has historically been a location that is partially vacant and underutilized. A majority of the northern parcel is already zoned R-1 Single Family Residential on the official Zoning map. The proposed amendment will be an innovative way to utilize existing vacant land to allow for additional residential development within the City that is also consistent and compatible with the surrounding uses. Therefore Goal V 2 and Policy 69.00 are met by this proposal.

Policy 71.06: Low Density Residential Development (R-1 and R-2) should be limited to the following:

1. *Areas which are committed to low density development and shown on the buildable lands inventory as “developed” land [...]*
3. *Areas with mapped development limitations such as steep slopes, floodplains, stream corridors, natural drainageways, and wetlands.*

Finding: Policy 71.06 is satisfied by the proposal in that the use of the R-1 Single Family Residential zoning district, as stated in the Comprehensive Plan, should be limited to particular areas that warrant low density development. The northern parcel that is proposed to be rezoned to R-1 Single Family Residential meets two of the applicable criteria required by this Comprehensive Plan policy for the application of the R-1 zoning classification. The existing area is already primarily committed to low density residential development, as a majority of the northern parcel is already zoned R-1 Single Family Residential from a previous land use decision (ZC 12-86). Development limitations also exist on the site. A mapped stream corridor runs through the middle of the northern parcel, running north and eventually entering the North Yamhill River, which limits the actual developable area within the northern parcel.

Policy 71.07: The R-1 zoning designation shall be applied to limited areas within the McMinnville urban growth boundary. These include: [...]

2. *Neighborhoods and properties within the current urban growth boundary that are developed or have been approved for such densities.*

Finding: As stated above, the use of the R-1 Single Family Residential zoning district should be limited to particular areas that warrant low density development. The northern parcel resulting from the recent partition approval and is proposed to be rezoned to R-1 Single Family Residential also meets one of the necessary criteria to satisfy this Comprehensive Plan policy. The application of the R-1 Single Family Residential zone to the entire northern parcel is warranted because the majority of the northern parcel has already been approved for such density during a previous land use decision (ANX 5-86/CPA 4-86/ZC 12-86/MP 8-86). Also, the application of the R-1 Single Family Residential zone is warranted because the surrounding neighborhood and properties are also zoned R-1 and are developed as single family residential. Policy 71.07 has been satisfied by this proposal.

Policy 99.00: An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:

1. *Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*
2. *Storm sewer and drainage facilities (as required).*
3. *Streets within the development and providing access to the development, improved to city standards (as required).*
4. *Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*

Finding: Policy 99.00 is satisfied by this proposal as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and municipal water distribution systems and supply either presently serve or can be made available to adequately serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.

Policy 136.00: The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 142.00: The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00: The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00: The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 147.00: The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City

shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00: The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 1. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
- 2. Sufficient municipal sewage 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.*
- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 4. Federal, state, and local water and waste water quality standards can be adhered to.*
- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 142.00, 143.00.20, 144.00, 147.00 and 151 (1)-(5) are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 155.00: The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

Finding: Policy 155.00 is satisfied in that emergency services departments have reviewed this request and raise no concerns with providing police and fire protection to the subject area.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF MCMINNVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

Finding: Goal VII 3 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

7. The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

R-1 Single-Family Residential Zone:

17.12.010 Permitted Uses. In an R-1 zone, the following uses and their accessory uses are permitted:

- A. Site built single-family dwelling [...]

17.12.030 Lot Size. In an R-1 zone, the lot area shall not be less than nine thousand square feet [...]

17.12.060 Density Requirements. In an R-1 zone, the lot area per family shall not be less than nine thousand square feet [..].

Finding: The portion of the subject site that will be zoned R-1 Single Family Residential will meet the minimum lot size and density requirements. Based on the applicant’s intended development of the site for a single family residential home, the proposed use of the property will be permitted.

Review Criteria:

17.74.020 Review Criteria. An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;
- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;
- C. Utilities and services can be efficiently provided to service the proposed uses or other potential uses in the proposed zoning district.

Finding: The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, as is described in greater detail above.

The property owner’s request to partition the subject site and existing lot of record was approved by the City in 2016, with a condition of approval that the property owner rezone the portion of the property that retains its county zoning prior to the City releasing any building permits for the site. Section 17.09.050 (Annexed areas) of the McMinnville Zoning Ordinance states that “a County zoned area annexed to the City shall remain in the County zone classification and shall not be allowed any building permits until the zone is changed to a city zone”. The property owner’s desire to construct a single family home on the northern parcel triggers the requirement to rezone the property to a city zone from the county zoning that a portion of the site retains from the original annexation. Therefore, this zone change request is orderly and timely.

The majority of the northern parcel is already zoned R-1 Single Family Residential, which occurred after a separate annexation and rezoning process was approved by the City in 1986 (ANX 5-86/CPA 4-86/ZC 12-86/MP 8-86). The small portion of this northern parcel that still retains its county zoning would be rezoned to R-1, establishing one single zoning district on the northern parcel. The classification of R-1 is consistent with surrounding zoning, as there are single family homes in existing

R-1 zoned subdivisions to the north and west of the subject site. The rezoning of the northern parcel to R-1 is also consistent with the pattern of development in the surrounding neighborhood, and the use of this portion of the site as single family residential will provide for an additional buffer between the existing commercial use on the southern portion of the site and the existing residential development to the north and west.

The partition that was approved to create the parcel on the northern portion of the site, on which the property owner is proposing to construct a single family home, was approved with conditions that the northern parcel be provided with utilities. During the review portion of the partition process, it was shown that utilities and services can be provided to adequately serve the northern parcel.

Access and private utilities will be provided to the northern parcel from NE Waggoner Drive through an easement over existing properties. A public sanitary sewer main line runs through the north side of the northern parcel, which will provide sewer service to that parcel. As part of the minor partition process, the driveway along Waggoner Drive to serve the northern parcel was required to be constructed to meet current Public Right-of-Way Accessibility Guidelines (PROWAG) standards.

CD:sjs



**CITY OF MCMINNVILLE
PLANNING DEPARTMENT**
231 NE FIFTH STREET
MCMINNVILLE, OR 97128

503-434-7311
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DECISION, CONDITIONS OF APPROVAL, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A ZONE CHANGE ON THE SOUTHERN PORTION OF THE PROPERTY AT 2121 NE 27TH STREET.

- DOCKET:** ZC 2-17 (Zone Change)
- REQUEST:** The applicant is proposing to rezone the southern portion of an existing parcel and lot of record from an existing mixed zoning of EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial) to only C-3. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The proposed amendment would result in the proposed Parcel 2 from the partition request being zoned C-3.
- LOCATION:** The subject site is located at 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site’s current zoning is a mixture of EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial).
- APPLICANT:** Creekside Homes, LLC, on behalf of Jae & Aylih Chon
- STAFF:** Chuck Darnell, Associate Planner
- HEARINGS BODY:** McMinnville Planning Commission
- DATE & TIME:** March 16, 2017. Meeting held at the Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- HEARINGS BODY:** McMinnville City Council
- DATE & TIME:** April 25, 2017. Meeting held at the Civic Hall, 200 NE 2nd Street, McMinnville, Oregon.
- COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Frontier Communications; Comcast; and Northwest Natural Gas. Their comments are provided in this exhibit.

DECISION AND CONDITIONS OF APPROVAL

DECISION

Based on the findings and conclusions, the Planning Commission recommends **APPROVAL** of the zone change (ZC 2-17) to the McMinnville City Council **subject to the conditions of approval provided in this document.**

////////////////////////////////////
DECISION: APPROVAL WITH CONDITIONS
////////////////////////////////////

City Council: _____
Scott Hill, Mayor of McMinnville

Date: _____

Planning Commission: Roger A. Hall
Roger Hall, Chair of the McMinnville Planning Commission

Date: March 16, 2017

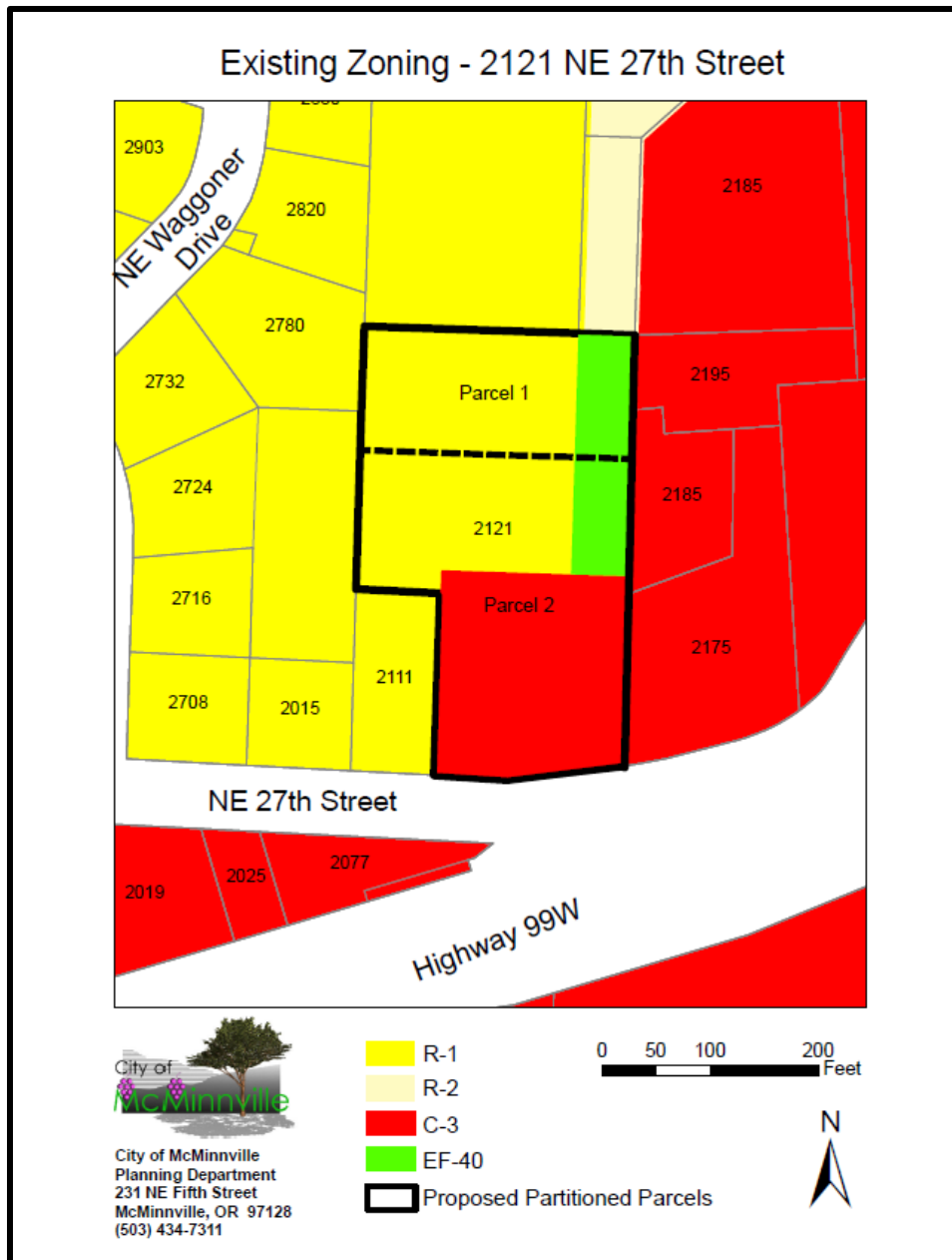
Planning Department: [Signature]
Heather Richards, Planning Director

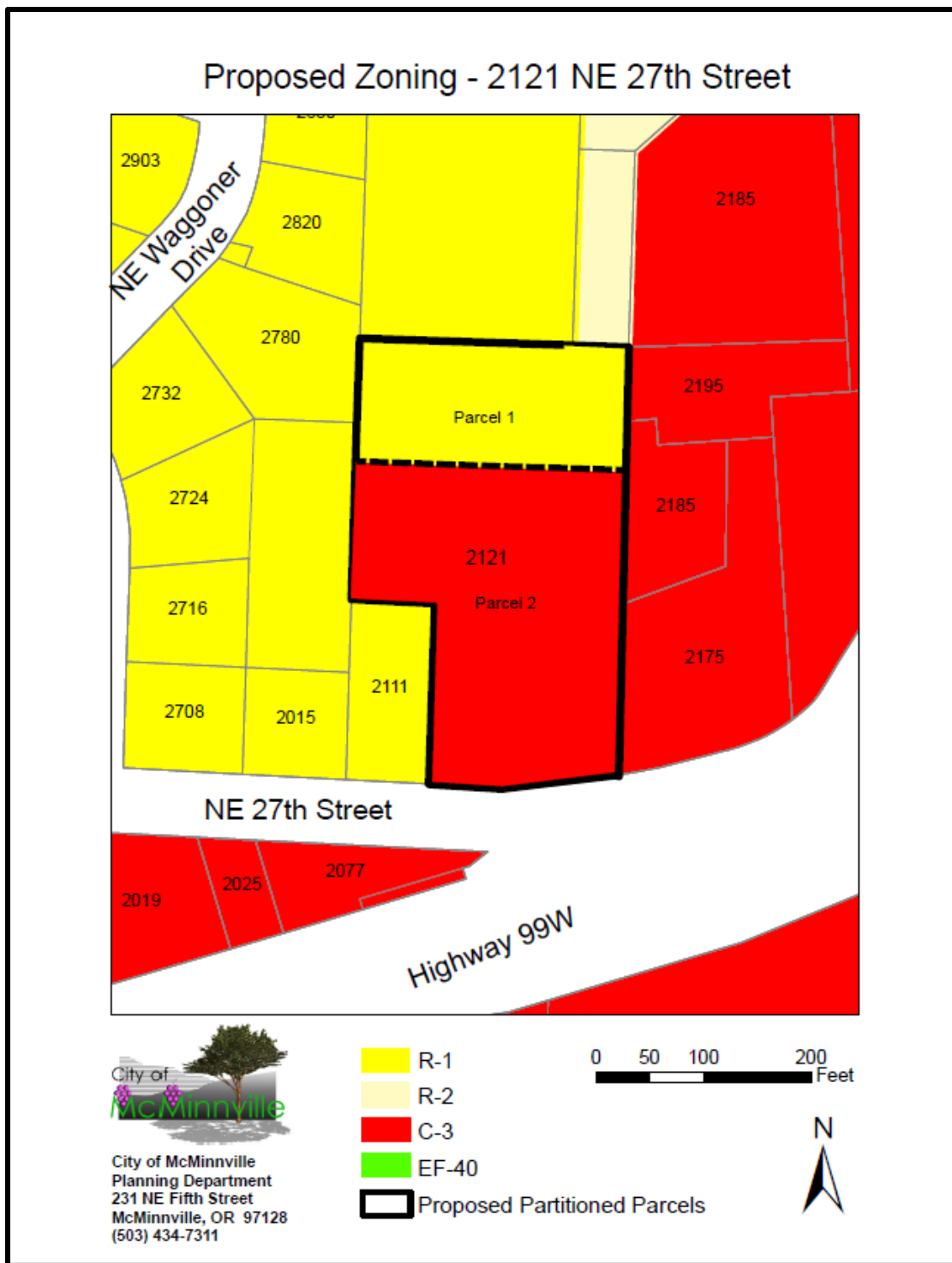
Date: 4/18/17

Application Summary:

The applicant is proposing to rezone the southern portion of an existing parcel and lot of record from an existing mixed zoning of EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial) to only C-3. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The proposed amendment would result in the proposed Parcel 2 from the partition request being zoned C-3.

The existing and proposed zoning of the subject site are shown below:





CONDITIONS OF APPROVAL

The following conditions of approval shall be required:

ZC 2-17 is **approved** subject to the following conditions:

1. That the property shall be partitioned as approved by the City of McMinnville on January 13, 2017, and as proposed in Docket MP 7-16. The final partition plat shall be submitted to the City for review and approval prior to being recorded with Yamhill County. The property owner shall complete all conditions of approval as required by the City in the approval of the tentative minor partition application (MP 7-16).
2. That the proposed Parcel 2 from the partition request (MP 7-16) be rezoned to C-3 General Commercial.
3. That the rezoning be contingent on the Comprehensive Plan Map amendment request (CPA 1-17) being approved by the McMinnville City Council.
4. Prior to any future building permits being issued for the southern parcel to be zoned C-3 General Commercial, the applicant shall install landscaping on the north and west property lines of the southern parcel to provide for additional screening and buffering between the commercial activities and the surrounding residential uses, as required by Comprehensive Plan Policy 32.00. At such time, the applicant shall submit a landscape plan to be reviewed and approved by the Landscape Review Committee subject to the provisions in Chapter 17.57 (Landscaping) of the McMinnville Zoning Ordinance.

ATTACHMENTS

1. ZC 2-17 Application and Attachments

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas. The following comments had been received:

McMinnville Engineering Department

We have reviewed proposed CPA 1-17, ZC 1-17, and ZC 2-17, and do not have any comments. We recently reviewed proposed MP 7-16 for these properties, and would note that the infrastructure requirements associated with that approval have not been completed, and the partition plat has not been recorded.

FINDINGS OF FACT

1. Creekside Homes, LLC is proposing to rezone the southern portion of an existing parcel and lot of record from an existing mixed zoning of EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial) to only C-3. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The proposed amendment would result in the proposed Parcel 2 from the partition request being zoned C-3. The subject site is located at 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M.

2. The site is currently zoned EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial), and is designated as Residential and Commercial on the McMinnville Comprehensive Plan Map, 1980. The applicant has also concurrently applied for a designation of the entire site as only Commercial on the Comprehensive Plan Map (CPA 1-17).
3. Sanitary sewer and municipal water and power can serve the site. The municipal water reclamation facility has sufficient capacity to accommodate expected waste flows resulting from development of the property.
4. This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Frontier Communications, Comcast, Northwest Natural Gas, Oregon Department of Transportation, Oregon Division of State Lands, and Oregon Department of Fish and Wildlife. No comments in opposition have been provided.
5. The applicant has submitted findings (Attachment 1) in support of this application. Those findings are herein incorporated.
6. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

GOAL IV 2: TO ENCOURAGE THE CONTINUED GROWTH OF MCMINNVILLE AS THE COMMERCIAL CENTER OF YAMHILL COUNTY IN ORDER TO PROVIDE EMPLOYMENT OPPORTUNITIES, GOODS, AND SERVICES FOR THE CITY AND COUNTY RESIDENTS.

Policy 21.03: The City shall support existing businesses and industries and the establishment of locally owned, managed, or controlled businesses.

Finding: Goal IV 2 and Policy 21.03 are satisfied by this proposal as the existing commercial business located on the southern parcel, which is proposed to be rezoned as entirely C-3 General Commercial on the official Zoning map, is an existing and long-established business in McMinnville. The business is also locally owned, and the business (and property) owners actually intend to construct a single family home on the northern parcel, which is proposed to be rezoned to R-1 Single Family Residential on the Zoning map, to serve as their primary residence.

GOAL IV 3: TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

Policy 22.00: The maximum and most efficient use of existing commercially designated lands will be encouraged as will the revitalization and reuse of existing commercial properties.

Finding: Goal IV 3 and Policy 22.00 are satisfied in that the majority of the southern parcel is zoned C-3 General Commercial on the official Zoning map. The proposed rezoning of the entire southern parcel to C-3 General Commercial will appropriately provide commercial designation on the Zoning map to accommodate existing commercial development and will allow for maximum and most efficient use of existing commercially designated lands.

Policy 25.00: Commercial uses will be located in areas where conflicts with adjacent land uses can be minimized and where city services commensurate with the scale of development are or can be made available prior to development.

Finding: The existing commercial use on the southern parcel is already served by city services, and adequate utilities exist to service additional commercial development if ever needed. The existing commercial use as a restaurant and pub is not an overly intense commercial use, as it does not generate significant traffic or noise, which makes the commercial use compatible with the surrounding land uses. However, the commercial use as a restaurant and pub will generate some traffic and noise, so staff is recommending that additional landscaping be installed on the site to provide for more screening and buffering, which will minimize potential conflicts with adjacent land uses. Therefore, Policy 25.00 is met.

Policy 27.00: Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector or arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers.

Finding: Policy 27.00 is met as while the particular area in which the subject site is located is not specifically designated as a neighborhood commercial center, the site is adjacent to residential zones and uses. The existing commercial use on the subject site, a restaurant, is not a large, intensive commercial use, and could be considered to be a commercial use that provides services to the immediate surrounding neighborhood. Additionally, the commercial use fronts and is oriented towards NE 27th Street, and access to the business is provided from that street. The surrounding residential properties are all accessed from other surrounding local residential streets.

Policy 32.00: Where necessary, landscaping and/or other visual and sound barriers shall be required to screen commercial activities from residential areas.

Finding: The existing commercial use on the southern parcel is not a large, intense commercial use, but it is adjacent to residential zones and uses. To be more compatible with the existing surrounding uses, staff is suggesting that a condition of approval be included to require landscaping to be provided on the north and west property lines of the southern parcel to provide for additional screening and buffering between the commercial activities and the surrounding residential uses, as is allowed by Comprehensive Plan Policy 32.00.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.

Policy 136.00: The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 142.00: The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00: The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00: The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 147.00: The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00: The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 1. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
- 2. Sufficient municipal sewage 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.*
- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 4. Federal, state, and local water and waste water quality standards can be adhered to.*
- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 142.00, 143.00.20, 144.00, 147.00 and 151 (1)-(5) are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 155.00: The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

Finding: Policy 155.00 is satisfied in that emergency services departments have reviewed this request and raise no concerns with providing police and fire protection to the subject area.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF MCMINNVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

Finding: Goal VII 3 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

7. The following Sections of the McMinnville Zoning Ordinance (Ord. No. 3380) are applicable to the request:

C-3 General Commercial Zone:

17.33.010 Permitted Uses. In a C-3 zone, the following uses and their accessory uses are permitted:

1. All uses and conditional uses permitted in the C-1 and C-2 zones, except those listed in Section 17.33.020.

C-2 Travel Commercial Zone:

17.30.010 Permitted Uses. In a C-2 zone, the following uses and their accessory uses are permitted:

F. Restaurant

Finding: The portion of the subject site that will be rezoned to C-3 General Commercial is currently used as a restaurant, and the applicant is proposing to continue to operate that business. The existing and proposed future use of the site as a restaurant will be permitted.

Review Criteria:

17.74.020 Review Criteria. An amendment to the official zoning map may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. The proposed amendment is consistent with the goals and policies of the comprehensive plan;
- B. The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment;
- C. Utilities and services can be efficiently provided to service the proposed uses or other potential uses in the proposed zoning district.

Finding: The proposed amendment is consistent with the goals and policies of the Comprehensive Plan, as is described in greater detail above.

The property owner's request to partition the subject site and existing lot of record was approved by the City in 2016, with a condition of approval that the property owner rezone the portion of the property that retains its county zoning prior to the City releasing any building permits for the site. Section 17.09.050 (Annexed areas) of the McMinnville Zoning Ordinance states that "a County zoned area annexed to the City shall remain in the County zone classification and shall not be allowed any building permits until the zone is changed to a city zone". While the property owner is not proposing to complete any construction on the southern portion of the subject site at the time of this application, the proposed amendment would remove county zoning from the northeast corner of the proposed southern parcel. This portion of the site still retains an EF-40 (Exclusive Farm Use – 40-acre Minimum) zoning classification from when it was annexed into the city. The request would bring that portion of the site into a city zone, and would decrease the number of zoning districts that apply to the single parcel.

The southern portion of the site, as described above, has been functioning as a commercial establishment for many years. The existing use of the subject site as a commercial actually extends outside of the portion of the site that is shown on the Zoning Map as C-3 General Commercial. The main developed portion of the southern parcel is the actual restaurant building, which fronts onto NE 27th Street, but the parking lot for the building does extend to the north and west outside of the C-3 areas as shown on the zoning map. There is no record of when the use enlarged to this size, and it may have existed in its current footprint as long as a commercial use was conducted at the site.

Based on that existing use and the pattern of development in the area, staff believes that the request is orderly and timely. The request would rezone the entire southern parcel to a single zoning district, removing a county zoning, reducing the number of zoning districts on one parcel from three to only one, and would more accurately represent the existing and historical use of the southern portion of the subject site.

The southern parcel is primarily zoned C-3 General Commercial, so the request wouldn't change the overall development of the area. The property immediately to the west and south along NE 27th Street and Highway 99W is all zoned and used as C-3 General Commercial as well. Therefore, the proposed rezoning is consistent with the development and use of the surrounding area.

Utilities and services currently exist and are provided for the existing commercial use on the southern portion of the subject site. As part of the minor partition process, the access to the southern property from NE 27th Street, along with the sidewalk, will be required to be improved to meet current Public Right-of-Way Accessibility Guidelines (PROWAG) standards.

CD:sjs



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

www.mcminnvilleoregon.gov

EXHIBIT 2 - STAFF REPORT

DATE: March 16, 2017
TO: Planning Commissioners
FROM: Chuck Darnell, Associate Planner
SUBJECT: CPA 1-17/ZC 1-17/ZC 2-17

Report in Brief:

This is a public hearing to consider applications for a Comprehensive Plan Map Amendment (CPA 1-17) and Zone Changes (ZC 1-17 and ZC 2-17) on an existing parcel and lot of record. The subject site is located at 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M. Portions of the parcel are currently designated as both Commercial and Residential on the Comprehensive Plan Map, and there are also three (3) different zoning designations that apply to portions of the parcel, including EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single Family Residential), and C-3 (General Commercial). These applications will create single use zone properties.

The applicant intends to construct a single family home on the northern portion of the property and continue to operate the existing commercial business on the southern portion of the property. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The rezoning requests would result in the proposed Parcel 1, the northern parcel, from the partition request being designated Residential and zoned R-1, and the proposed Parcel 2, the southern parcel, from the partition request being designated Commercial and zoned C-3.

The specific request is to designate the northern portion of the parcel as only Residential on the Comprehensive Plan Map, and to rezone the northern portion from a mixed zoning of EF-40 and R-1 to only R-1. The applicant is also requesting to designate the southern portion of the parcel as only Commercial on the Comprehensive Plan Map, and to rezone the southern portion from a mixed zoning of C-3, EF-40, and R-1 to only C-3.

Background:

The subject site is located on an existing single parcel, and is generally located north of Highway 99W and NE 27th Street, east of NE Elaine Drive, and west of the Walmart site and other smaller commercial development accessed from NE 27th Street. The subject site is currently the location of Jae's Landing restaurant and pub. Properties adjacent to the subject site to the west and north are zoned R-1 (Single-Family Residential) and R-2 (Single-Family Residential), and properties to the east and south, across Highway 99W, are zone C-3 (General Commercial). The subject site is currently shown on the

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zoning map to have three (3) zoning designations and is shown on the Comprehensive Plan map to have two (2) land use designations. A visual of the subject site and reference maps showing the zoning and comprehensive plan map designations of the subject site and the surrounding properties are provided below:

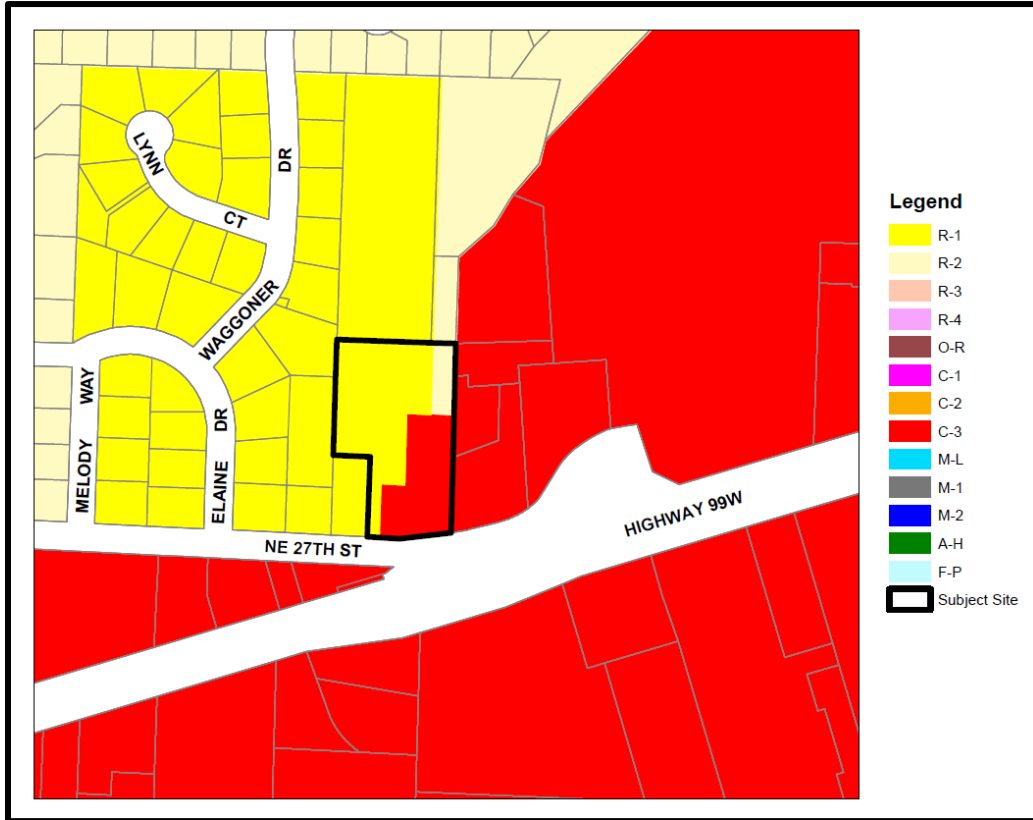
Site Reference Map



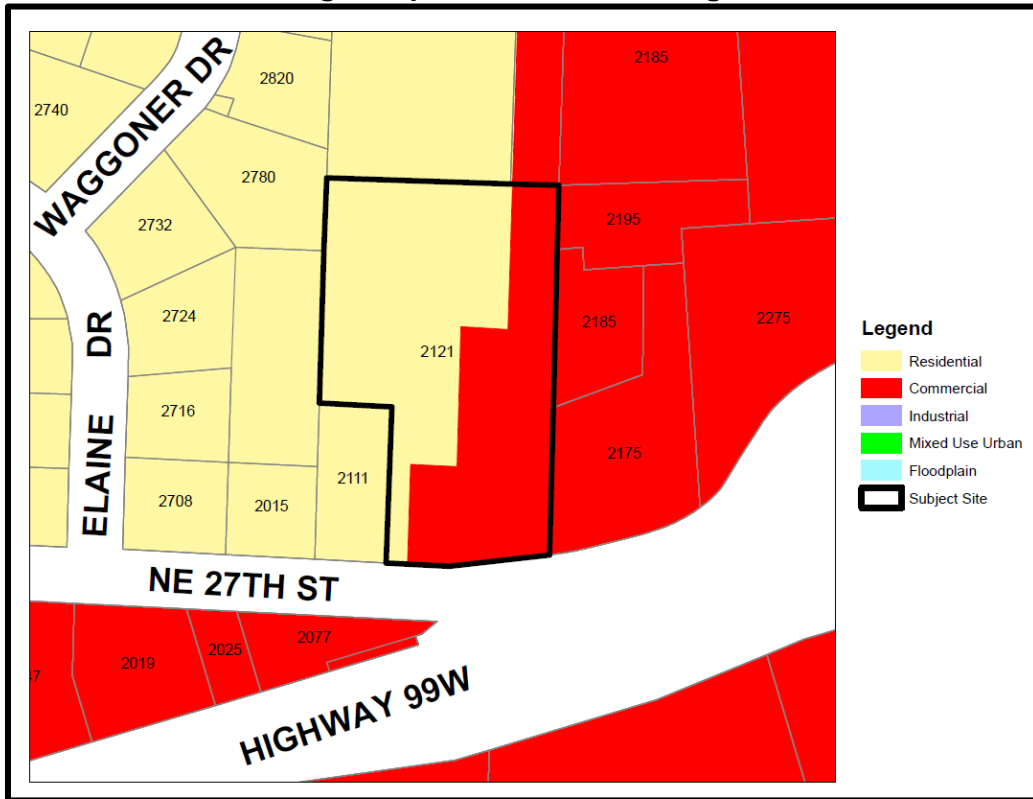
Attachments:

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Existing Zoning



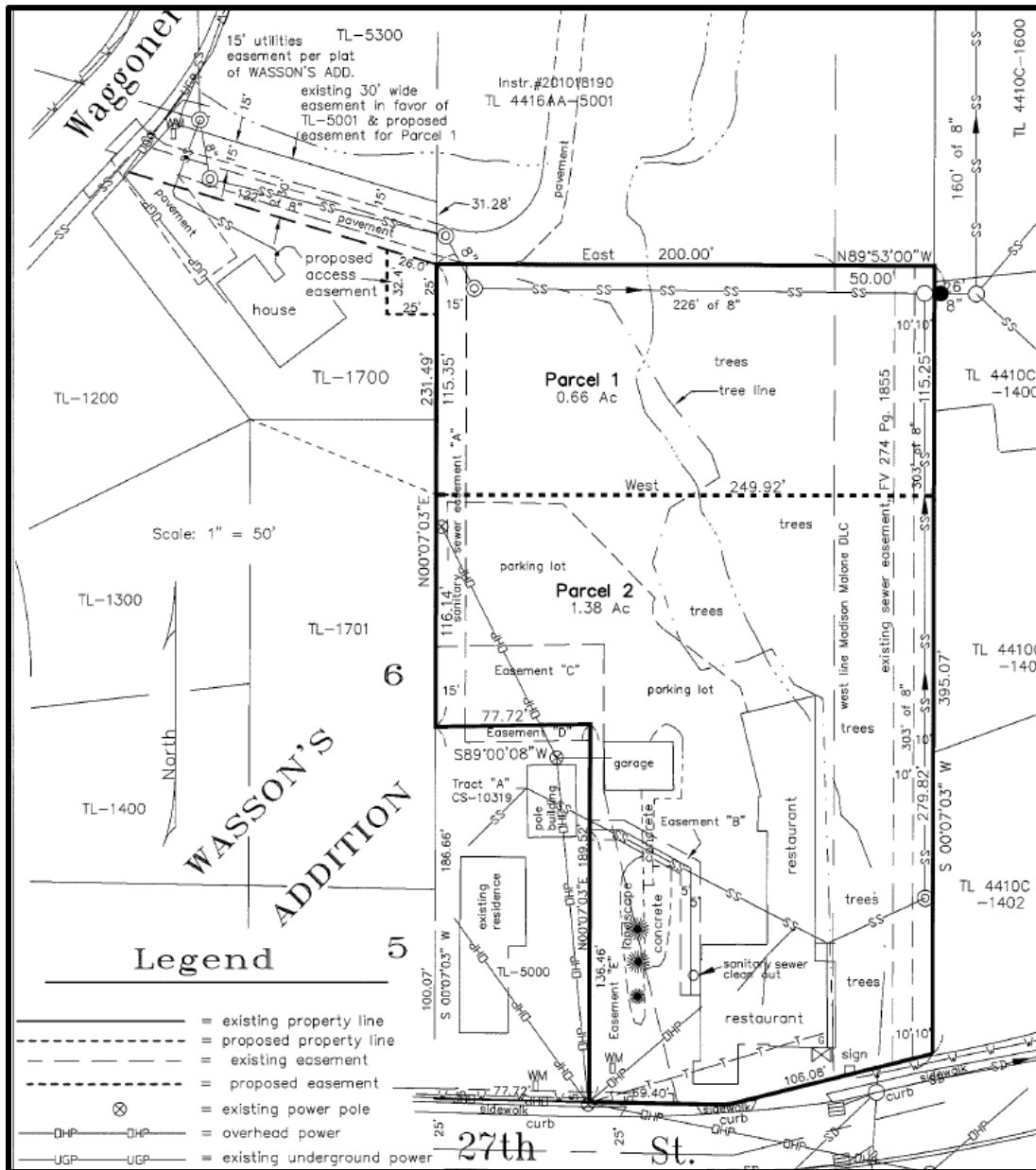
Existing Comprehensive Plan Designations



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The existence of multiple comprehensive plan designations and zoning designations on the subject site was discovered when the property owner requested a partition of the exiting parcel and lot of record to allow for the construction of a single family home on a newly created parcel on the northern portion of the existing parcel. The tentative partition plan is provided below. For the purposes of this report, the northern portion of the original parcel will be described as Parcel 1 and the southern portion of the original parcel will be described as Parcel 2 per the tentative partition plan.



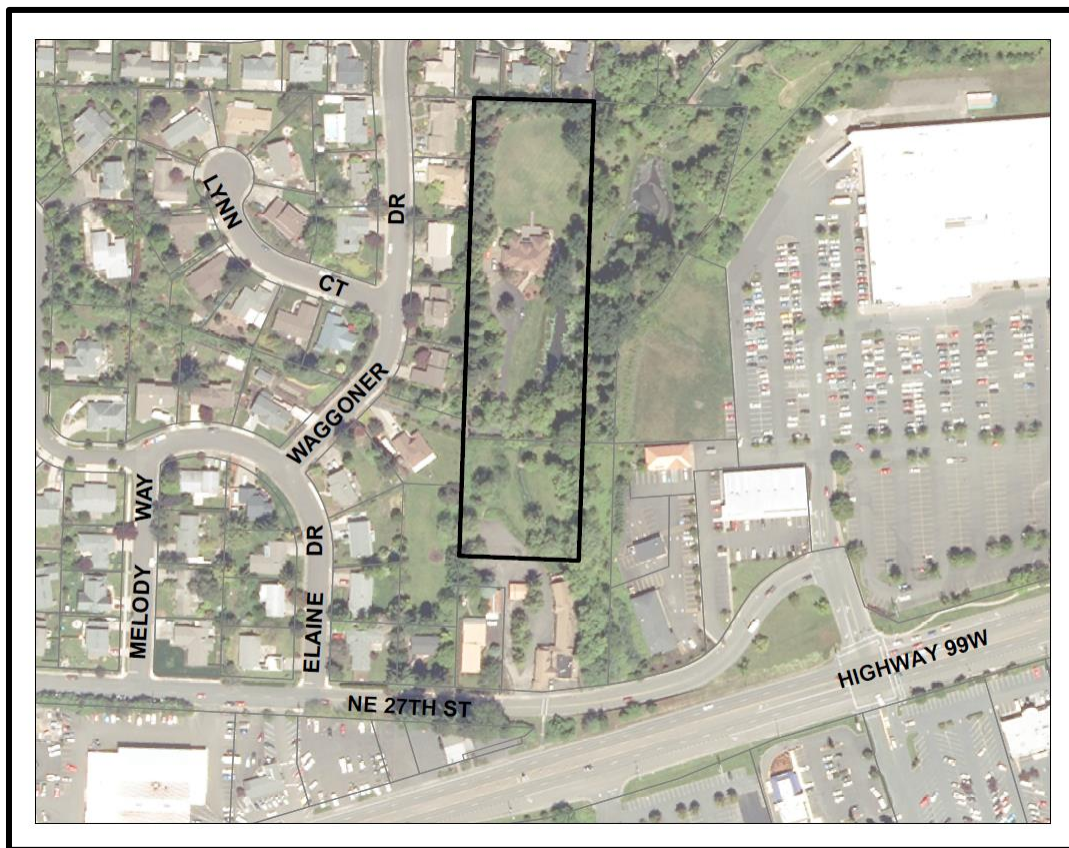
Upon investigating the existing zoning further, it was determined that there was an error in how the existing zoning of the property was displayed on the McMinnville Zoning Map.

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The existing McMinnville Zoning Map shows a narrow portion of the northeast corner of the subject site to be zoned R-2, with the remainder of the site split between R-1 and C-3. However, upon further investigation it was determined that the northeast corner of the site actually retains a county zoning classification from when it was originally annexed into the city. The subject site and the parcel that is now the existing lot of record was on the edge of a number of annexations in the past, which resulted in portions of the site retaining different zoning classifications.

Below is a brief summary of the past land use applications and annexations that impacted the subject site:

- ANX 5-86/CPA 4-86/ZC 12-86/MP 8-86: This series of land use decisions brought the northern portion of the subject site into the city limits, and also rezoned the northern portion of the site to R-1 Single Family Residential. The minor partition separated a larger existing parcel into two parcels, and allowed for a single family home to be constructed on a new parcel to the north of the subject site. That single family home to the north still exists today, and is located on the large parcel immediately north of the subject site. This large parcel is still shown on the McMinnville Zoning Map as R-1 Single Family Residential.
 - The property included in those land use decisions is shown below:



- ANX 2-83 and ZC 5-91: This annexation brought in a narrow portion of the subject site (the eastern 50 feet of the subject site) as part of a larger annexation which included other property to the east. The majority of the property from the 1983 annexation (ANX 2-83) was rezoned from the county zoning of EF-40 (Exclusive Farm Use – 40-acre Minimum) to a C-3 General Commercial Planned Development zone in 1991 (ZC 5-91). This rezoning included the existing

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Walmart site and the other commercial development to the east of the subject site. However, the rezoning did not include the eastern 50 feet of the subject site. Therefore, that portion of the site retains its county zoning (EF-40).

- The property included in ANX 2-83 and ZC 5-91 is shown below. The property that was annexed is outlined in black, and the property that was included in the zone change process is shown with black cross-hatching. The subject site (the site included in the land use decisions at hand today) is shown in red.



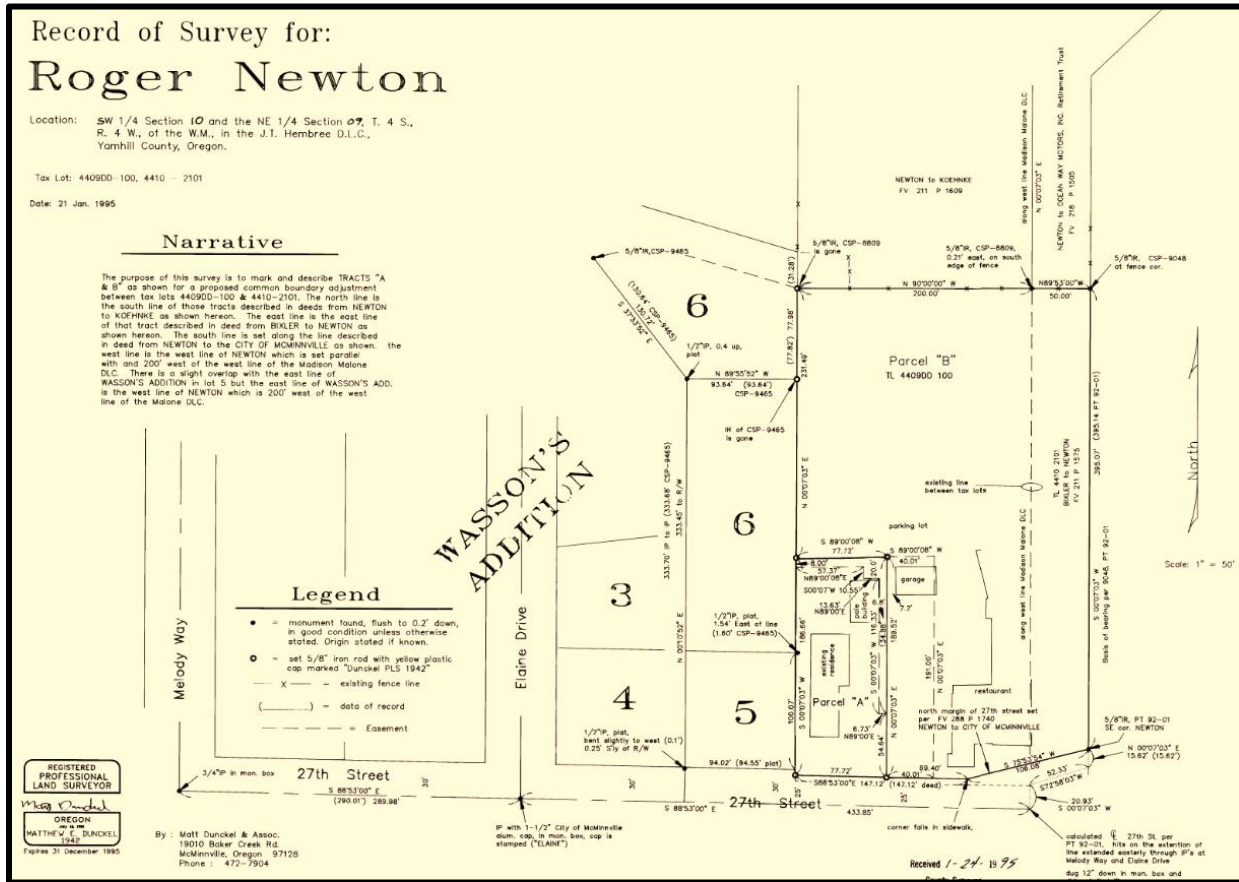
- Survey recorded with Yamhill County in 1995: The property owners at the time that this survey was recorded owned the restaurant that still exists on the subject site today and the single family home to the west. Both of those structures were located on one parcel, and the property owners had also, at some point in time, acquired a narrow parcel 50 feet in width to the east of the restaurant. The survey that was recorded in 1995 combined that narrow 50 foot parcel with the parcel to the west, and also partitioned off a parcel for the existing single family home. The City of McMinnville has no record of this partition taking place, so the existing parcels and lots of record were created without approval from the City but were still recorded with the county surveyor's office.

The parcel with the single family home now exists as Tax Lot 5000, Section 16AA, T. 4 S., R. 4 W., W.M., and the subject site exists as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M. The current owners of the subject site acquired the property after the survey in 1995, so were not the owners at the time the existing lot of record was created.

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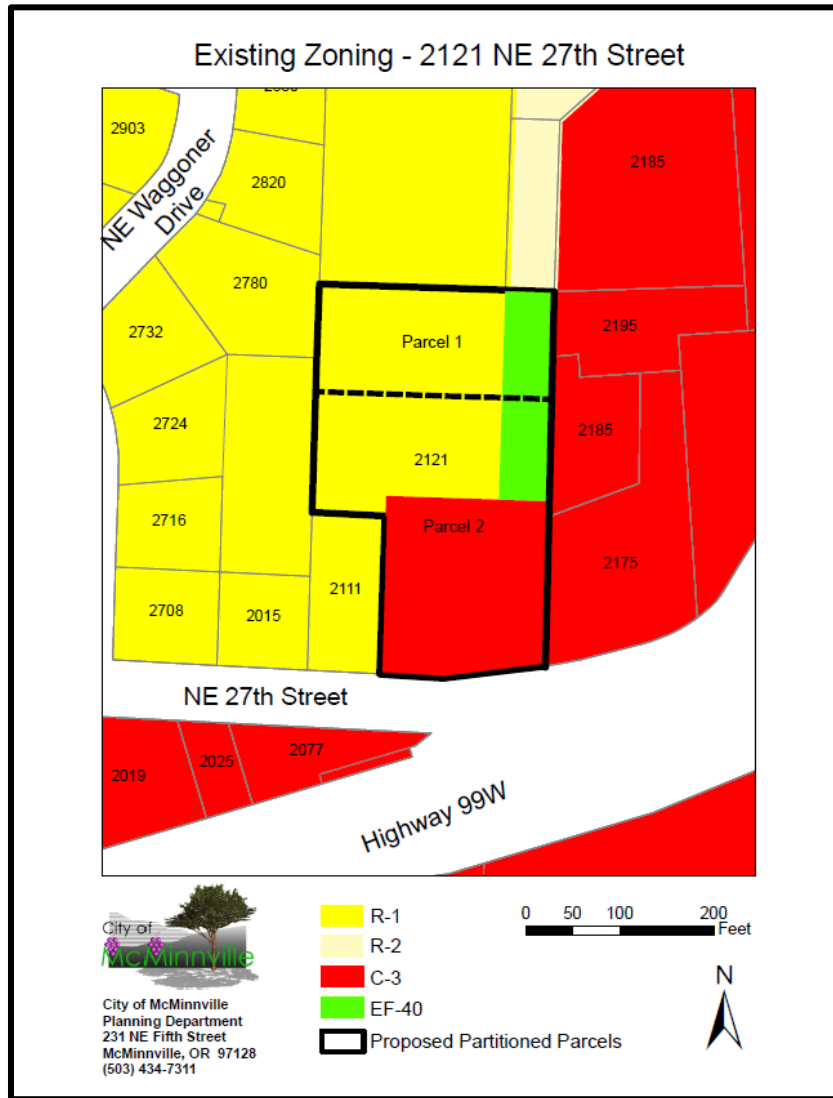
- The survey recorded in 1995 is shown below:



- ANX 2-96: This annexation brought the property to the north of the subject site into the city limits. The property that was included in this annexation was eventually developed as single family residential, and is now shown on the zoning map as (R-2 Single-Family Residential). This property includes the Bixler and Gerhard subdivisions. This annexation and the subsequent subdivisions did not include the subject site.

In summary, after discovering the information from those land use decisions, and also after analyzing older official zoning documents, staff determined that the actual existing zoning of the subject site is a mixture of EF-40 (Exclusive Farm Use – 40-acre Minimum), R-1 (Single-Family Residential), and C-3 (General Commercial). The older official zoning documents show the zoning as being more consistent with the existing uses of the property, and staff believes that there was an error in the depiction of the zoning districts on historic zoning maps or possibly when the zoning information was transferred to a Geographic Information Systems (GIS) database.

The actual existing zoning of the subject site, based on staff's findings, is shown below:



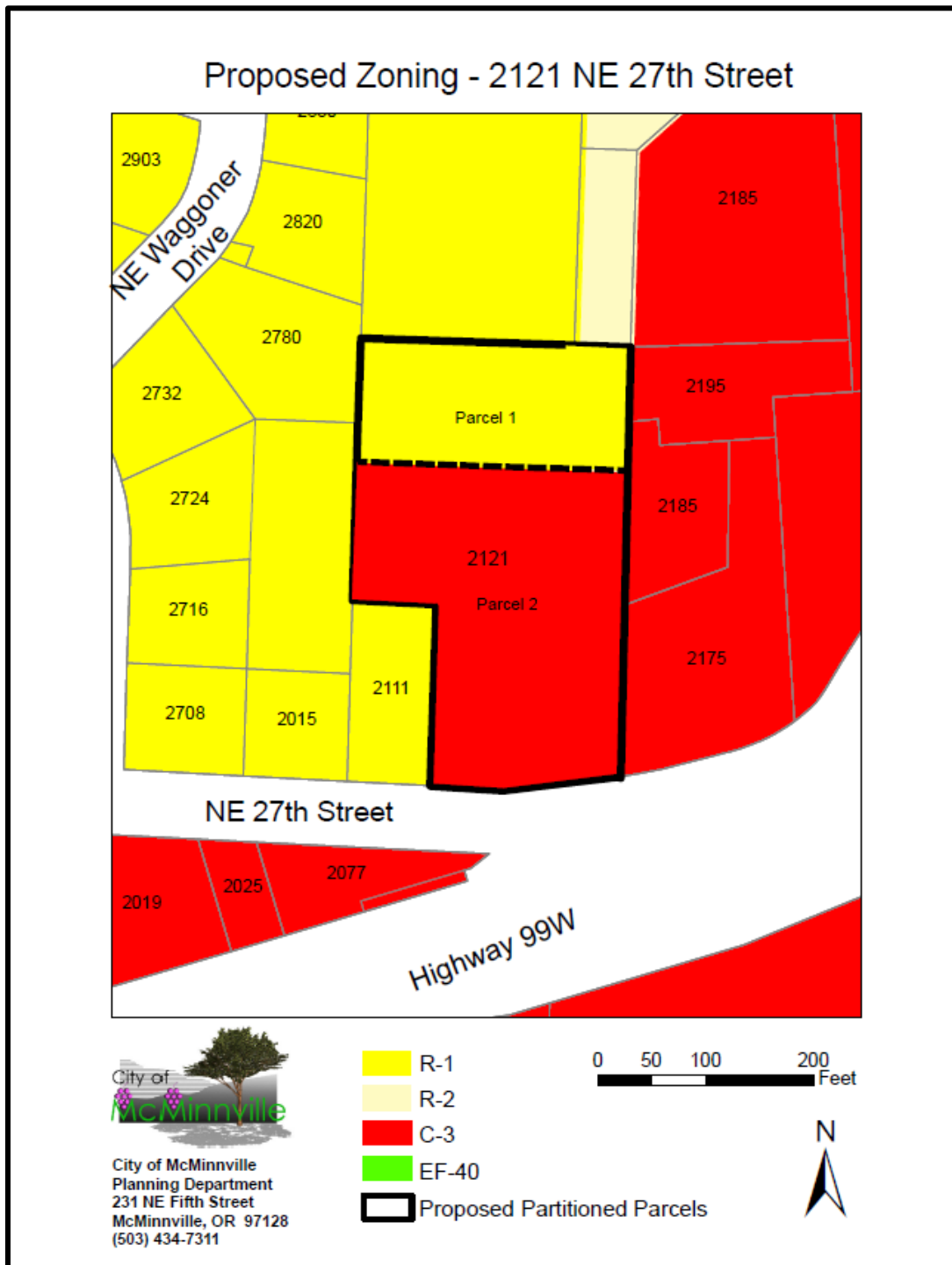
Discussion:

The applicant is requesting a comprehensive plan map amendment to designate the newly created Parcel 1 (the northern portion of the original parcel) as strictly Residential and then to rezone that same parcel from a mixed zoning of EF-40 and R-1 to only R-1. The applicant is also requesting to designate the newly created Parcel 2 (the southern portion of the original parcel) as strictly Commercial on the Comprehensive Plan Map, and to rezone Parcel 2 from a mixed zoning of C-3, EF-40, and R-1 to only C-3.

The applicant intends to construct a single family home on Parcel 1 and continue to operate the existing commercial business on Parcel 2.

The proposed zoning of the subject site and the two newly created parcels, if approved, is shown below. The comprehensive plan designations would mirror the zoning, with the northern parcel being designated as Residential and the southern parcel being designated as Commercial.

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The Planning Commission's responsibility regarding these types of land use requests is to conduct a public hearing and, at its conclusion, render a decision to recommend approval of the comprehensive plan map amendment and zone change requests, or approval with conditions, to the City Council, or to deny the requests.

In reviewing a comprehensive plan map amendment or zone change, the Planning Commission must ensure that the proposal satisfies all relevant requirements of the McMinnville Zoning Ordinance. The Planning Commission must also make findings of fact that address the relevant review criteria for comprehensive plan map amendments and zone changes.

Comprehensive Plan Map Amendment Review:

The review criteria relevant to this request are as follows:

1) The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

Applicable Comprehensive Plan goals and policies, as well as staff's findings of whether the proposed amendment meets the goals and policies, are listed below:

GOAL IV 2: TO ENCOURAGE THE CONTINUED GROWTH OF MCMINNVILLE AS THE COMMERCIAL CENTER OF YAMHILL COUNTY IN ORDER TO PROVIDE EMPLOYMENT OPPORTUNITIES, GOODS, AND SERVICES FOR THE CITY AND COUNTY RESIDENTS.

Policy 21.03: The City shall support existing businesses and industries and the establishment of locally owned, managed, or controlled businesses.

Finding: Goal IV 2 and Policy 21.03 are satisfied in that the existing commercial business located on the southern parcel, which is proposed to be designated as entirely Commercial on the Comprehensive Plan map, is an existing and long-established business in McMinnville. The business is also locally owned, and the business (and property) owners actually intend to construct a single family home on the northern parcel, which is proposed to be Residential on the Comprehensive Plan map, to serve as their primary residence.

GOAL IV 3: TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

Policy 22.00: The maximum and most efficient use of existing commercially designated lands will be encouraged as will the revitalization and reuse of existing commercial properties.

Finding: Goal IV 3 and Policy 22.00 are satisfied as the majority of the southern parcel is already designated as Commercial on the Comprehensive Plan map. The proposed designation of the entire southern parcel as Commercial will appropriately provide commercial designations on the Comprehensive Plan map to accommodate existing commercial development and will allow for maximum and most efficient use of the existing commercially designated lands.

Policy 25.00: Commercial uses will be located in areas where conflicts with adjacent land uses can be minimized and where city services commensurate with the scale of development are or can be made available prior to development.

Finding: The existing commercial use on the southern parcel is already served by city services, and adequate utility capacities exist to service additional commercial development if ever needed. The existing commercial use as a restaurant and pub is not an overly intense commercial use, as it does not generate significant traffic or noise, which makes the commercial use compatible with the surrounding

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land uses. However, the commercial use as a restaurant and pub will generate some traffic and noise, so staff is recommending that additional landscaping be installed on the site to provide for more screening and buffering, which will minimize potential conflicts with adjacent land uses. Therefore, Policy 25.00 is met.

Policy 27.00: Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector or arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers.

Finding: Policy 27.00 is satisfied as, while the particular area in which the subject site is located is not specifically designated as a neighborhood commercial center, the site is adjacent to residential zones and uses. The existing commercial use on the subject site, a restaurant, is not a large, intensive commercial use, and could be considered to be a commercial use that provides services to the immediate surrounding neighborhood. Additionally, the commercial use fronts and is oriented towards NE 27th Street, and access to the business is provided from that street. The surrounding residential properties are all accessed from other surrounding local residential streets.

GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

Policy 58.00: City land development ordinance shall provide opportunities for development of a variety of housing types and densities.

Finding: Goal V 1 and Policy 58.00 are met by this proposal in that a majority of the northern parcel is already designated as Residential on the Comprehensive Plan map. The designation of the entire northern parcel as Residential will allow for the development of housing in an area of the City that has historically been vacant land and underutilized. The development of the site as a single family home will be consistent with the surrounding housing types and densities.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policy 69.00: The City of McMinnville shall explore the utilization of innovated land use regulatory ordinances which seek to integrate the functions of housing, commercial, and industrial developments into a compatible framework within the city.

Finding: As described above, the northern portion of the subject site has historically been an area of the City that is vacant and underutilized. A majority of the northern parcel is already designated as Residential on the Comprehensive Plan map, and a majority of the southern parcel is already designated as Commercial. The proposed amendment will be an innovative way to utilize existing vacant land to allow for additional development within the City that is also consistent and compatible with the surrounding area. Goal V 2 and Policy 69.00 are met by this proposal.

Policy 99.00: An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:

1. *Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*

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2. *Storm sewer and drainage facilities (as required).*
3. *Streets within the development and providing access to the development, improved to city standards (as required).*
4. *Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*

Finding: Policy 99.00 is satisfied by this proposal as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and municipal water distribution systems and supply either presently serve or can be made available to adequately serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.

Policy 136.00: The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 142.00: The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00: The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00: The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 147.00: The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00: The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

1. *Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
2. *Sufficient municipal sewage 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.*

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3. *Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
4. *Federal, state, and local water and waste water quality standards can be adhered to.*
5. *Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 142.00, 143.00.20, 144.00, 147.00 and 151 (1)-(5) are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 155.00: The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

Finding: Policy 155.00 is satisfied in that emergency services departments have reviewed this request and raise no concerns with providing police and fire protection to the subject area.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF MCMINNVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

Finding: Goal VII 3 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

2) The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment.

The existing Comprehensive Plan map designations that apply to the subject site are irregular and do not follow any particular property line, existing or previous. It appears that a similar issue may have occurred in the transition between earlier historic Comprehensive Plan map documents or during the transition to a Geographic Information Systems (GIS) database, which may have occurred with the zoning designations as well, resulting in an inaccurate designation of land uses on the subject site. The proposed amendment to the Comprehensive Plan map would more consistently designate the subject

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site, based on proposed property lines and existing and historical uses. The northern portion of the site would become only Residential, and the southern portion of the site would become only Commercial.

The southern portion of the site has historically been used as a restaurant as far back as the early 1980s, which was documented in the previous land use decisions described above. The commercial use likely even predates the 1980s.

The current restaurant use currently extends to the north and west, outside of the portion of the site that is shown as Commercial on the current Comprehensive Plan map. The proposed adjustment of the designations on the site would more accurately designate the existing and historic uses of the southern portion of the site as a commercial establishment.

The retention of the northern portion of the site as Residential is also more consistent with the pattern of development in the surrounding area and is more compatible with surrounding land uses. The creation of this new parcel on the northern portion of the site, and the future proposed development of the parcel with a single family home, will provide for a buffer between the existing commercial use and the surrounding neighborhood.

Based on the history of the site and the proposed use of the northern portion of the site as a single family home, staff believes that the proposed amendment is orderly and timely. The amendment would more accurately depict the existing conditions of the site, the historic uses of the site, and would blend in with the pattern of development and uses in the surrounding area.

3) Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.

Utilities and services currently exist and are provided for the existing commercial use on the southern portion of the subject site. The partition that was approved to create the parcel on the northern portion of the site, on which the property owner is proposing to construct a single family home, was approved with conditions that the northern parcel be provided with utilities. During the review portion of the partition process, it was shown that utilities and services can be provided to adequately serve the northern parcel.

Access and private utilities will be provided to the northern parcel from NE Waggoner Drive through an easement over existing properties. A public sanitary sewer main line runs through the north side of the northern parcel, which will provide sewer service to that parcel. As part of the minor partition process, the access to the southern parcel from NE 27th Street, along with the sidewalk, will be required to be improved to meet current Public Right-of-Way Accessibility Guidelines (PROWAG) standards. Additionally, at the time of building permits, the driveway along Waggoner Drive to serve the northern parcel will be required to meet PROWAG standards.

Zone Change (ZC 1-17) Review:

There are two zone changes to review separately. The first zone change is to rezone the northern portion of the property from a mixture of R-1 (Single Family Residential) and EF-40 (Exclusive Farm Use – 40-acre Minimum) to only an R-1 zone. The review criteria relevant to this request are as follows:

1) The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

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Applicable Comprehensive Plan goals and policies, as well as staff's findings of whether the proposed amendment meets the goals and policies, are listed below:

GOAL V 1: TO PROMOTE DEVELOPMENT OF AFFORDABLE, QUALITY HOUSING FOR ALL CITY RESIDENTS.

Policy 58.00: City land development ordinance shall provide opportunities for development of a variety of housing types and densities.

Finding: A majority of the northern parcel is already zoned R-1 Single Family Residential on the official Zoning map. The rezoning of the entire northern parcel as R-1 Single Family Residential will allow for the development of an additional housing opportunity on land that has remained underutilized. The development of the site as a single family home will be consistent with the surrounding housing types and densities and therefore Goal V 1 and Policy 58.00 are satisfied.

GOAL V 2: TO PROMOTE A RESIDENTIAL DEVELOPMENT PATTERN THAT IS LAND INTENSIVE AND ENERGY-EFFICIENT, THAT PROVIDES FOR AN URBAN LEVEL OF PUBLIC AND PRIVATE SERVICES, AND THAT ALLOWS UNIQUE AND INNOVATIVE DEVELOPMENT TECHNIQUES TO BE EMPLOYED IN RESIDENTIAL DESIGNS.

Policy 69.00: The City of McMinnville shall explore the utilization of innovated land use regulatory ordinances which seek to integrate the functions of housing, commercial, and industrial developments into a compatible framework within the city.

Finding: As described above, the northern portion of the subject site has historically been a location that is partially vacant and underutilized. A majority of the northern parcel is already zoned R-1 Single Family Residential on the official Zoning map. The proposed amendment will be an innovative way to utilize existing vacant land to allow for additional residential development within the City that is also consistent and compatible with the surrounding uses. Therefore Goal V 2 and Policy 69.00 are met by this proposal.

Policy 71.06: Low Density Residential Development (R-1 and R-2) should be limited to the following:

1. *Areas which are committed to low density development and shown on the buildable lands inventory as "developed" land [...]*
3. *Areas with mapped development limitations such as steep slopes, floodplains, stream corridors, natural drainageways, and wetlands.*

Finding: Policy 71.06 is satisfied by the proposal in that the use of the R-1 Single Family Residential zoning district, as stated in the Comprehensive Plan, should be limited to particular areas that warrant low density development. The northern parcel that is proposed to be rezoned to R-1 Single Family Residential meets two of the applicable criteria required by this Comprehensive Plan policy for the application of the R-1 zoning classification. The existing area is already primarily committed to low density residential development, as a majority of the northern parcel is already zoned R-1 Single Family Residential from a previous land use decision (ZC 12-86). Development limitations also exist on the site. A mapped stream corridor runs through the middle of the northern parcel, running north and eventually entering the North Yamhill River, which limits the actual developable area within the northern parcel.

Policy 71.07: The R-1 zoning designation shall be applied to limited areas within the McMinnville urban growth boundary. These include: [...]

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2. *Neighborhoods and properties within the current urban growth boundary that are developed or have been approved for such densities.*

Finding: As stated above, the use of the R-1 Single Family Residential zoning district should be limited to particular areas that warrant low density development. The northern parcel resulting from the recent partition approval and is proposed to be rezoned to R-1 Single Family Residential also meets one of the necessary criteria to satisfy this Comprehensive Plan policy. The application of the R-1 Single Family Residential zone to the entire northern parcel is warranted because the majority of the northern parcel has already been approved for such density during a previous land use decision (ANX 5-86/CPA 4-86/ZC 12-86/MP 8-86). Also, the application of the R-1 Single Family Residential zone is warranted because the surrounding neighborhood and properties are also zoned R-1 and are developed as single family residential. Policy 71.07 has been satisfied by this proposal.

Policy 99.00: An adequate level of urban services shall be provided prior to or concurrent with all proposed residential development, as specified in the acknowledged Public Facilities Plan. Services shall include, but not be limited to:

1. *Sanitary sewer collection and disposal lines. Adequate municipal waste treatment plant capacities must be available.*
2. *Storm sewer and drainage facilities (as required).*
3. *Streets within the development and providing access to the development, improved to city standards (as required).*
4. *Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (as amended by Ord. 4796, October 14, 2003)*

Finding: Policy 99.00 is satisfied by this proposal as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, and municipal water distribution systems and supply either presently serve or can be made available to adequately serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.

Policy 136.00: The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 142.00: The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00: The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00: The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

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Policy 147.00: The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00: The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

- 1. Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available, to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.*
- 2. Sufficient municipal sewage 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.*
- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
- 4. Federal, state, and local water and waste water quality standards can be adhered to.*
- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 142.00, 143.00.20, 144.00, 147.00 and 151 (1)-(5) are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 155.00: The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

Finding: Policy 155.00 is satisfied in that emergency services departments have reviewed this request and raise no concerns with providing police and fire protection to the subject area.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF MCMINNVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

Attachments:

Exhibit A – CPA 1-17 Decision Document
 Exhibit B – ZC 1-17 Decision Document
 Exhibit C – ZC 2-17 Decision Document

Finding: Goal VII 3 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

2) The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment.

The property owner's request to partition the subject site and existing lot of record was approved by the City in 2016, with a condition of approval that the property owner rezone the portion of the property that retains its county zoning prior to the City releasing any building permits for the site. Section 17.09.050 (Annexed areas) of the McMinnville Zoning Ordinance states that "a County zoned area annexed to the City shall remain in the County zone classification and shall not be allowed any building permits until the zone is changed to a city zone". The property owner's desire to construct a single family home on the northern parcel triggers the requirement to rezone the property to a city zone from the county zoning that a portion of the site retains from the original annexation. Therefore, this zone change request is orderly and timely.

The majority of the northern parcel is already zoned R-1 Single Family Residential, which occurred after a separate annexation and rezoning process was approved by the City in 1986 (ANX 5-86/CPA 4-86/ZC 12-86/MP 8-86). The small portion of this northern parcel that still retains its county zoning would be rezoned to R-1, establishing one single zoning district on the northern parcel. The classification of R-1 is consistent with surrounding zoning, as there are single family homes in existing R-1 zoned subdivisions to the north and west of the subject site. The rezoning of the northern parcel to R-1 is also consistent with the pattern of development in the surrounding neighborhood, and the use of this portion of the site as single family residential will provide for an additional buffer between the existing commercial use on the southern portion of the site and the existing residential development to the north and west.

3) Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.

The partition that was approved to create the parcel on the northern portion of the site, on which the property owner is proposing to construct a single family home, was approved with conditions that the northern parcel be provided with utilities. During the review portion of the partition process, it was shown that utilities and services can be provided to adequately serve the northern parcel.

Access and private utilities will be provided to the northern parcel from NE Waggoner Drive through an easement over existing properties. A public sanitary sewer main line runs through the north side of the northern parcel, which will provide sewer service to that parcel. As part of the minor partition process, the driveway along Waggoner Drive to serve the northern parcel was required to be constructed to meet current Public Right-of-Way Accessibility Guidelines (PROWAG) standards.

Zone Change (ZC 2-17) Review:

The second zone change is to rezone the southern portion of the property from a mixture of R-1 (Single Family Residential), EF-40 (Exclusive Farm Use – 40-acre Minimum), and C-3 (General Commercial) to only a C-3 zone. The review criteria relevant to this request are as follows:

Attachments:

Exhibit A – CPA 1-17 Decision Document
Exhibit B – ZC 1-17 Decision Document
Exhibit C – ZC 2-17 Decision Document

1) The proposed amendment is consistent with the goals and policies of the Comprehensive Plan.

Applicable Comprehensive Plan goals and policies, as well as staff's findings of whether the proposed amendment meets the goals and policies, are listed below:

GOAL IV 2: TO ENCOURAGE THE CONTINUED GROWTH OF MCMINNVILLE AS THE COMMERCIAL CENTER OF YAMHILL COUNTY IN ORDER TO PROVIDE EMPLOYMENT OPPORTUNITIES, GOODS, AND SERVICES FOR THE CITY AND COUNTY RESIDENTS.

Policy 21.03: The City shall support existing businesses and industries and the establishment of locally owned, managed, or controlled businesses.

Finding: Goal IV 2 and Policy 21.03 are satisfied by this proposal as the existing commercial business located on the southern parcel, which is proposed to be rezoned as entirely C-3 General Commercial on the official Zoning map, is an existing and long-established business in McMinnville. The business is also locally owned, and the business (and property) owners actually intend to construct a single family home on the northern parcel, which is proposed to be rezoned to R-1 Single Family Residential on the Zoning map, to serve as their primary residence.

GOAL IV 3: TO ENSURE COMMERCIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USE THROUGH UTILIZATION OF EXISTING COMMERCIALY DESIGNATED LANDS, THROUGH APPROPRIATELY LOCATING FUTURE COMMERCIAL LANDS, AND DISCOURAGING STRIP DEVELOPMENT.

Policy 22.00: The maximum and most efficient use of existing commercially designated lands will be encouraged as will the revitalization and reuse of existing commercial properties.

Finding: Goal IV 3 and Policy 22.00 are satisfied in that the majority of the southern parcel is zoned C-3 General Commercial on the official Zoning map. The proposed rezoning of the entire southern parcel to C-3 General Commercial will appropriately provide commercial designation on the Zoning map to accommodate existing commercial development and will allow for maximum and most efficient use of existing commercially designated lands.

Policy 25.00: Commercial uses will be located in areas where conflicts with adjacent land uses can be minimized and where city services commensurate with the scale of development are or can be made available prior to development.

Finding: The existing commercial use on the southern parcel is already served by city services, and adequate utilities exist to service additional commercial development if ever needed. The existing commercial use as a restaurant and pub is not an overly intense commercial use, as it does not generate significant traffic or noise, which makes the commercial use compatible with the surrounding land uses. However, the commercial use as a restaurant and pub will generate some traffic and noise, so staff is recommending that additional landscaping be installed on the site to provide for more screening and buffering, which will minimize potential conflicts with adjacent land uses. Therefore, Policy 25.00 is met.

Policy 27.00: Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector or arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers.

Attachments:

Exhibit A – CPA 1-17 Decision Document
 Exhibit B – ZC 1-17 Decision Document
 Exhibit C – ZC 2-17 Decision Document

Finding: Policy 27.00 is met as while the particular area in which the subject site is located is not specifically designated as a neighborhood commercial center, the site is adjacent to residential zones and uses. The existing commercial use on the subject site, a restaurant, is not a large, intensive commercial use, and could be considered to be a commercial use that provides services to the immediate surrounding neighborhood. Additionally, the commercial use fronts and is oriented towards NE 27th Street, and access to the business is provided from that street. The surrounding residential properties are all accessed from other surrounding local residential streets.

Policy 32.00: Where necessary, landscaping and/or other visual and sound barriers shall be required to screen commercial activities from residential areas.

Finding: The existing commercial use on the southern parcel is not a large, intense commercial use, but it is adjacent to residential zones and uses. To be more compatible with the existing surrounding uses, staff is suggesting that a condition of approval be included to require landscaping to be provided on the north and west property lines of the southern parcel to provide for additional screening and buffering between the commercial activities and the surrounding residential uses, as is allowed by Comprehensive Plan Policy 32.00.

GOAL VII 1: TO PROVIDE NECESSARY PUBLIC AND PRIVATE FACILITIES AND UTILITIES AT LEVELS COMMENSURATE WITH URBAN DEVELOPMENT, EXTENDED IN A PHASED MANNER, AND PLANNED AND PROVIDED IN ADVANCE OF OR CONCURRENT WITH DEVELOPMENT, IN ORDER TO PROMOTE THE ORDERLY CONVERSION OF URBANIZABLE AND FUTURE URBANIZABLE LANDS TO URBAN LANDS WITHIN THE MCMINNVILLE URBAN GROWTH BOUNDARY.

Policy 136.00: The City of McMinnville shall insure that urban developments are connected to the municipal sewage system pursuant to applicable city, state, and federal regulations.

Policy 142.00: The City of McMinnville shall insure that adequate storm water drainage is provided in urban developments through review and approval of storm drainage systems, and through requirements for connection to the municipal storm drainage system, or to natural drainage ways, where required.

Policy 143.00: The City of McMinnville shall encourage the retention of natural drainage ways for storm water drainage.

Policy 144.00: The City of McMinnville, through McMinnville Water and Light, shall provide water services for development at urban densities within the McMinnville Urban Growth Boundary.

Policy 147.00: The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas. The City shall also continue to coordinate with McMinnville Water and Light in making land use decisions.

Policy 151.00: The City of McMinnville shall evaluate major land use decisions, including but not limited to urban growth boundary, comprehensive plan amendment, zone changes, and subdivisions using the criteria outlined below:

1. *Sufficient municipal water system supply, storage and distribution facilities, as determined by McMinnville Water and Light, are available or can be made available,*

Attachments:

Exhibit A – CPA 1-17 Decision Document
 Exhibit B – ZC 1-17 Decision Document
 Exhibit C – ZC 2-17 Decision Document

to fulfill peak demands and insure fire flow requirements and to meet emergency situation needs.

2. *Sufficient municipal sewage 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.*
3. *Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*
4. *Federal, state, and local water and waste water quality standards can be adhered to.*
5. *Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

Finding: Goal VII 1 and Policies 136.00, 142.00, 143.00.20, 144.00, 147.00 and 151 (1)-(5) are satisfied by the request as adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. Additionally, the Water Reclamation Facility has the capacity to accommodate flow resulting from development of this site. Administration of all municipal water and sanitary sewer systems guarantee adherence to federal, state, and local quality standards. The City of McMinnville shall continue to support coordination between city departments, other public and private agencies and utilities, and McMinnville Water and Light to insure the coordinated provision of utilities to developing areas and in making land-use decisions.

Policy 155.00: The ability of existing police and fire facilities and services to meet the needs of new service areas and populations shall be a criterion used in evaluating annexations, subdivision proposals, and other major land use decisions.

Finding: Policy 155.00 is satisfied in that emergency services departments have reviewed this request and raise no concerns with providing police and fire protection to the subject area.

GOAL X 1: TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF MCMINNVILLE.

Policy 188.00: The City of McMinnville shall continue to provide opportunities for citizen involvement in all phases of the planning process. The opportunities will allow for review and comment by community residents and will be supplemented by the availability of information on planning requests and the provision of feedback mechanisms to evaluate decisions and keep citizens informed.

Finding: Goal VII 3 and Policy 188.00 are satisfied in that McMinnville continues to provide opportunities for the public to review and obtain copies of the application materials and completed staff report prior to the McMinnville Planning Commission and/or McMinnville City Council review of the request and recommendation at an advertised public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

- 2) The proposed amendment is orderly and timely, considering the pattern of development in the area, surrounding land uses, and any changes which may have occurred in the neighborhood or community to warrant the proposed amendment.**

Attachments:

Exhibit A – CPA 1-17 Decision Document
Exhibit B – ZC 1-17 Decision Document
Exhibit C – ZC 2-17 Decision Document

The same issue of the county zoning being retained from the original annexation of the property exists on the southern portion of the site, as the northeast corner of the proposed southern parcel still retains an EF-40 zoning classification. The request would bring that portion of the site into a city zone, and would decrease the number of zoning districts that apply to the single parcel.

The southern portion of the site, as described above, has been functioning as a commercial establishment for many years. The existing use of the subject site as a commercial actually extends outside of the portion of the site that is shown on the Zoning Map as C-3 General Commercial. The main developed portion of the southern parcel is the actual restaurant building, which fronts onto NE 27th Street, but the parking lot for the building does extend to the north and west outside of the C-3 areas as shown on the zoning map. There is no record of when the use enlarged to this size, and it may have existed in its current footprint as long as a commercial use was conducted at the site.

Based on that existing use and the pattern of development in the area, staff believes that the request is orderly and timely. The request would rezone the entire southern parcel to a single zoning district, removing a county zoning, reducing the number of zoning districts on one parcel from three to only one, and would more accurately represent the existing and historical use of the southern portion of the subject site.

The southern parcel is primarily zoned C-3 General Commercial, so the request wouldn't change the overall development of the area. The property immediately to the west and south along NE 27th Street and Highway 99W is all zoned and used as C-3 General Commercial as well. Therefore, the proposed rezoning is consistent with the development and use of the surrounding area.

3) Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.

Utilities and services currently exist and are provided for the existing commercial use on the southern portion of the subject site. As part of the minor partition process, the access to the southern property from NE 27th Street, along with the sidewalk, will be required to be improved to meet current Public Right-of-Way Accessibility Guidelines (PROWAG) standards.

Fiscal Impact:

None.

Commission Options:

- 1) Close the public hearing and **APPROVE** the application, per the decision document provided which includes the findings of fact.
- 2) **CONTINUE** the public hearing to a specific date and time.
- 3) Close the public hearing, but **KEEP THE RECORD OPEN** for the receipt of additional written testimony until a specific date and time.
- 4) Close the public hearing and **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

CPA 1-17

Attachments:

Exhibit A – CPA 1-17 Decision Document

Exhibit B – ZC 1-17 Decision Document

Exhibit C – ZC 2-17 Decision Document

The Planning Department recommends that the Commission make the following motion recommending approval of CPA 1-17 to the City Council:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL APPROVE CPA 1-17 SUBJECT TO THE STAFF RECOMMENDED CONDITIONS OF APPROVAL.

ZC 1-17

The Planning Department recommends that the Commission make the following motion recommending approval of ZC 1-17 to the City Council:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL APPROVE ZC 1-17 SUBJECT TO THE STAFF RECOMMENDED CONDITIONS OF APPROVAL.

ZC 2-17

The Planning Department recommends that the Commission make the following motion recommending approval of ZC 2-17 to the City Council:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE PLANNING COMMISSION RECOMMENDS THAT THE CITY COUNCIL APPROVE ZC 2-17 SUBJECT TO THE STAFF RECOMMENDED CONDITIONS OF APPROVAL.

CD:sjs

Attachments:

Exhibit A – CPA 1-17 Decision Document

Exhibit B – ZC 1-17 Decision Document

Exhibit C – ZC 2-17 Decision Document



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

www.mcminnvilleoregon.gov

MINUTES

March 16, 2017
Planning Commission
Regular Meeting

6:30 pm
McMinnville Civic Hall, 200 NE 2nd Street
McMinnville, Oregon

Members Present: Chair Roger Hall, Vice-Chair Zack Geary, Commissioners: Erin Butler, Martin Chroust-Masin, Susan Dirks, Lori Schanche, Erica Thomas, and John Tiedge

Members Absent: None

Staff Present: Chuck Darnell – Associate Planner, David Koch – City Attorney, and Heather Richards – Planning Director

1. Call to Order

Chair Hall called the meeting to order at 6:30 p.m.

2. Citizen Comments

None.

Chair Hall presented a gift to Wendy Stassens for over ten years of service on the Planning Commission. He introduced new Commissioners Erin Butler and Susan Dirks.

3. Approval of Minutes: February 16, 2017

Chair Hall called for action on the Planning Commission minutes from the February 16, 2017 meeting. Commissioner Geary MOVED to APPROVE the minutes as presented; SECONDED by Commissioner Schanche. Motion CARRIED 8-0.

4. Public Hearing (Quasi-Judicial)

A. Comprehensive Plan Amendment and Zone Change (CPA 1-17, ZC 1-17, & ZC 2-17) (Exhibit 2)

Request: Approval of a comprehensive plan map amendment on a portion of a parcel of land from a mixed residential and commercial designation to only a commercial designation. The applicant is also requesting a rezoning of the northern portion of the same parcel from a mixed zoning of EF-40 (Exclusive Farm Use – 40-acre

Minimum) and R-1 (Single-Family Residential) to only R-1, and a rezoning of the southern portion of the same parcel from a mixed zoning of C-3 (General Commercial), EF-40, and R-1 to only C-3. The applicant intends to construct a single family home on the northern portion of the parcel and continue to operate the existing commercial business on the southern portion of the parcel. The parcel has recently been given approval to be partitioned (MP 7-16) into two parcels. The rezoning requests would result in the proposed Parcel 1 from the partition request being zoned R-1 and the proposed Parcel 2 from the partition request being zoned C-3.

Location: 2121 NE 27th Street and is more specifically described as Tax Lot 5002, Section 16AA, T. 4 S., R. 4 W., W.M.

Applicant: Creekside Homes, LLC, on behalf of Jae and Ayliah Chon

Chair Hall opened the public hearing at 6:40 p.m. and read the hearing statement. He called for abstentions, objections to jurisdiction, and disclosures. There were none. He asked how many commissioners had visited the site. Most of the commissioners had.

Associate Planner Chuck Darnell presented the staff report. This was a request for a Comprehensive Plan amendment and two zone changes for 2121 NE 27th Street. He discussed the location of the subject site. A recent partition application was submitted by the property owner that had been approved. It divided the lot into two, a parcel to the north and a parcel to the south. The request was to designate the northern parcel as residential and to designate the southern parcel as commercial on the Comprehensive Plan Map and to rezone the property from a mixture of three different zones to R-1, single family residential, on the north parcel and C-3, general commercial, on the south parcel. Commercial development exists to the east and south along Highway 99W and a single family residence to the west and north.

Associate Planner Darnell explained how portions of this site were annexed into the City in 1983 and 1986 and that County zoning still existed on a portion of the site. In 1995, a survey was recorded and the existing lot became a lot of record. One of the reasons for the rezoning was to change the County zoning to a City zoning designation to allow for urban development.

Associate Planner Darnell then described the review criteria. For the Comprehensive Plan Map amendment, the change would support local businesses and commercial businesses in the City. It would also provide a variety of housing types and densities, and urban services could be sufficiently provided to the property. The amendment would be more consistent with the new property lines and existing and historical uses of the property. The residential portion of the site would be adjacent to other residentially developed properties and the commercial portion would be adjacent to 27th Street and Highway 99W and other commercial properties. Existing utilities served the southern portion of the parcel where the restaurant exists today. Access and utilities could be provided to the northern portion of the property from NE Waggoner Drive. The existing and new vehicular access points would be upgraded to meet current standards.

For the R-1 zone change request, its approval would provide for a variety of housing types at densities consistent with the surrounding area. The area to the north was committed to R-1

zoning through a previous land use decision. The property owner planned to build one single family home on the parcel, which was consistent with the development pattern of the surrounding area. There is a stream that runs through the middle of the property limiting the developable area of the residential portion of the property, which qualifies the property for low density residential as stated in the Comprehensive Plan policies. Also, the Zoning Ordinance required the rezoning from the County zoning to a City zoning designation to allow for urban development.

The C-3 zone change request would support existing businesses in McMinnville and maximize the use of existing commercial uses and commercially designated lands. Utilities could be provided to the property. The County zoning would be removed from this parcel as well. The zone change was consistent with the existing and historical uses of the property. It was compatible with the surrounding land uses and development pattern.

Associate Planner Darnell recommended approval of the comprehensive plan amendment and two zone change requests subject to the conditions in the staff report. The Planning Commission would make a recommendation to the City Council who would hear this matter at their April 25, 2017 public meeting.

Commissioner Chroust-Masin asked if any of the property was in the flood plain. Mr. Darnell said it was not.

Commissioner Schanche asked if the access road was a private road and if there was a deadline for when the plat had to be completed. Mr. Darnell said there would be a private easement over the properties to the west. There was a driveway there currently that would be shared with Parcel 1. The deadline to complete the plat was 12 months after the tentative partition plat was approved. The utility improvements had to be done and easements still had to be recorded before the final plat was approved.

Commissioner Butler asked about a nearby R-1 parcel that would be impacted by the commercial zoning. It would no longer be next to another residential zone. Mr. Darnell explained one of the conditions of approval was that before any building permits were issued for the southern parcel, landscaping would be installed on the north and west property lines to provide buffering and transitioning between the commercial use and residential use.

Mr. Darnell said the applicant was not present and had waived their opportunity to give testimony.

Proponents: David Hunn, McMinnville resident, was in favor of the request. He thought property owners should be allowed to use their properties to the full extent. They paid taxes and were part of the community. The restaurant had been there for many years and this was an opportunity for further use of the property. It would be a commercial boundary where there was already a commercial business, and would transition to residential use.

Opponents: None.

Mr. Darnell said no additional testimony had been received.

Chair Hall closed the public hearing at 7:00 p.m.

Commissioner Chroust-Masin would have liked to hear from the applicant, but thought all of the criteria had been met.

Commissioner Tiedge said straightening out the County zoning was the correct thing to do. He had no objections.

Commissioner Thomas was in favor.

Commissioner Geary thought it was disrespectful and arrogant of the applicant not to show up to the meeting, however the application was cut and dry.

Commissioner Schanche was also in favor of the application as it was more of a housekeeping issue. Commissioner Butler concurred.

Commissioner Dirks agreed that the applicant should have been in attendance, but was in favor of the application.

Chair Hall thought it was a housekeeping issue as well.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to recommend the City Council approve CPA 1-17 subject to the staff recommended conditions of approval. SECONDED by Commissioner Chroust-Masin. The motion CARRIED 8-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to recommend the City Council approve ZC 1-17 subject to the staff recommended conditions of approval. SECONDED by Commissioner Chroust-Masin. The motion CARRIED 8-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to recommend the City Council approve ZC 2-17 subject to the staff recommended conditions of approval. SECONDED by Commissioner Chroust-Masin. The motion CARRIED 8-0.

B. Zoning Text Amendment (G 1-17) (Exhibit 3)

Request: Approval to amend Chapter 17.57 (Landscaping) and Chapter 17.58 (Trees) of the McMinnville Zoning Ordinance to update provisions related to the review processes for landscape and street tree plans, the purpose and intent of the landscaping chapter, the Landscape Review Committee bylaws, the on-going maintenance requirements for landscaping and street trees, and the street tree planting and replacement requirements.

Applicant: City of McMinnville

Chair Hall opened the public hearing at 7:05 p.m.

City of McMinnville

C404 - Privately Owned

Between 03/01/2017 and 03/31/2017

	Class Code	Permits	Bldgs	Houses	Valuation
		71	25	25	\$543,463
	Sub-Totals:	71	25	25	\$543,463
<u>Section I - Residential HouseKeeping Buildings</u>					
Manufactured Homes	100	1	1	1	\$0
One-Family Houses Detached	101	1	1	1	\$284,229
One-Family Houses Attached	102	2	2	2	\$395,075
	Sub-Totals:	4	4	4	\$679,305
<u>Section III - New Non-Residential Buildings</u>					
Industrial Buildings	320	1	1	1	\$6,358,387
Structures Other than Buildings	329	1	0	0	\$96,000
	Sub-Totals:	2	1	1	\$6,454,387
<u>Section IV - Additions & Alterations</u>					
Add or Alter Dwellings	434	2	1	1	\$33,000
Add or Alter All Other Buildings and Structures	437	4	2	2	\$314,997
	Sub-Totals:	6	3	3	\$347,997

Activity Summary Totals Report

Category: BLDG

Issued: 03/01/2017 - 03/31/2017

Type	# of Permits	Total Fees	Total Valuation
BLDCOMBO			
ACOM	4	\$10,329.96	\$314,997.00
ASFR	2	\$1,016.09	\$33,000.00
NIND	1	\$251,411.18	\$6,358,386.65
NINS	1	\$97,088.21	\$7,874,138.00
NPUB	1	\$0.00	\$231,926.24
NSFA	2	\$17,346.88	\$395,075.20
NSFR	1	\$10,026.76	\$284,229.30
BLDMAJOR			
OTHR	1	\$1,021.87	\$96,000.00
BLDMINOR			
DECK	1	\$176.26	\$8,000.00
OTHR	2	\$403.57	\$18,500.00
ROOF	4	\$1,210.52	\$121,363.00
WALL	1	\$62.09	\$1,500.00
DEMO			
PUB	1	\$0.00	\$16,690.00
FLS			
ALRM	2	\$119.25	\$4,500.00
SPRK	3	\$3,116.73	\$389,600.00
MECH			
COM	1	\$77.06	\$0.00
PUB	1	\$5,444.38	\$0.00
RES	15	\$673.70	\$0.00
MH			
RES	1	\$270.80	\$0.00
MISC			
	22	\$6,178.25	\$0.00
PLUM			
IND	1	\$201.60	\$0.00
PUB	2	\$380.86	\$0.00
RES	16	\$1,425.76	\$0.00
Total:	86	\$407,981.78	\$16,147,905.39

City of McMinnville

C404 - Privately Owned

Between 03/01/2017 and 03/31/2017

Class Code	Permits	Bldgs	Houses	Valuation
Grand-Totals:	83	33	33	\$8,025,151

C404 - Publicly Owned				
Between 03/01/2017 and 03/31/2017				
Class Code	Bldgs	Houses	Valuation	
<u>Section II - New Residential Non-Housekeeping Buildings</u>				
Other Non-HouseKeeping Shelter	214	1	0	\$231,926.24
Sub-Totals:		1	0	\$231,926.24
<u>Section III - New Non-Residential Buildings</u>				
Schools & Other Educational Buildings	326	2	0	\$7,874,138.00
Sub-Totals:		2	0	\$7,874,138.00
<u>Section V - Demolitions</u>				
Demolish All Other Than Dwellings	649	1	1	\$16,690.00
Sub-Totals:		1	1	\$16,690.00
Grand-Totals:		4	1	\$8,122,754.24

Activity Summary Totals Report

Category: BLDG

Issued: 07/01/2016 - 03/31/2017

Type	# of Permits	Total Fees	Total Valuation
BLDCOMBO			
ACOM	21	\$101,865.10	\$4,664,783.00
AIND	1	\$321.22	\$16,500.00
AINS	2	\$4,696.17	\$267,000.00
APUB	2	\$25,896.37	\$3,207,711.00
ASFR	20	\$14,114.44	\$833,729.30
NCOM	3	\$31,121.14	\$3,026,800.00
NDUP	2	\$23,314.02	\$474,932.40
NGAR	1	\$305.12	\$15,598.80
NIND	5	\$322,228.67	\$8,256,947.45
NINS	1	\$97,088.21	\$7,874,138.00
NOTH	3	\$3,186.48	\$240,397.38
NPUB	1	\$0.00	\$231,926.24
NSFA	4	\$36,555.02	\$828,071.82
NSFR	41	\$388,028.77	\$11,081,007.31
BLDMAJOR			
ACOM	3	\$3,124.64	\$35,000.00
AGAR	1	\$369.54	\$20,000.00
APUB	1	\$6,785.34	\$1,100,000.00
ASFR	2	\$713.15	\$30,000.00
COM	1	\$256.79	\$12,100.00
DECK	1	\$176.26	\$7,500.00
NGAR	3	\$1,047.87	\$51,736.02
NOTH	2	\$320.29	\$13,000.00
OTHR	1	\$1,021.87	\$96,000.00
BLDMINOR			
DECK	10	\$2,133.06	\$100,610.80
FOUN	5	\$1,022.00	\$47,610.00
OTHR	21	\$4,521.97	\$289,172.00
PATI	3	\$366.29	\$13,895.24
PUB	1	\$144.05	\$5,580.00
ROOF	21	\$8,421.38	\$1,109,792.00
WALL	4	\$616.54	\$33,400.00
DEMO			
PUB	2	\$1,080.95	\$21,440.00
RES	3	\$126.26	\$6,100.00
FLS			
ALRM	12	\$2,504.27	\$152,160.90
SPRK	14	\$5,376.47	\$554,706.00

Type	# of Permits	Total Fees	Total Valuation
SUPP	1	\$87.68	\$2,424.00
MECH			
COM	39	\$10,237.36	\$0.00
PUB	3	\$5,691.90	\$0.00
RES	183	\$7,826.78	\$0.00
MH			
RES	4	\$2,030.76	\$48,883.12
MISC			
	141	\$114,120.29	\$0.00
PLUM			
COM	12	\$13,984.66	\$0.00
IND	3	\$899.89	\$0.00
INS	1	\$44.80	\$0.00
PUB	6	\$582.46	\$0.00
RES	134	\$8,353.23	\$500.00
SIGN			
MONU	1	\$95.72	\$3,000.00
POLE	3	\$883.12	\$45,500.00
Total:	749	\$1,253,688.37	\$44,819,652.78

City of McMinnville - Account Summary Report

For Post Dates 03/01/2017 - 03/31/2017

For Category: BLDG

Fee Items: 1000,1010,1020,1100,1200,1210,1220,1230,1300,1310,

		Posted Amount
Account Code: **ESCROW ACCT**	1500 STATE SURCHG-GENERAL	\$7,306.55
		<hr/>
		\$7,306.55
Account Code: 70-4400-05	1000 PERMIT FEES-BUILDING	\$43,917.04
Account Code: 70-4400-05	1300 PLAN REVIEW-BUILDING	\$13,131.78
Account Code: 70-4400-05	1400 PLAN REV-FIRE LIFE SAFTY	\$7,221.49
		<hr/>
		\$64,270.31
Account Code: 70-4400-10	1100 PERMIT FEES-MECHANICAL	\$8,046.85
Account Code: 70-4400-10	1310 PLAN REVIEW-MECHANICAL	\$2,726.75
		<hr/>
		\$10,773.60
Account Code: 70-4400-15	1200 PERMIT FEES-PLUMBING	\$4,960.00
Account Code: 70-4400-15	1320 PLAN REVIEW-PLUMBING	\$447.50
		<hr/>
		\$5,407.50
Total Posted Amount:		\$87,757.96

City of McMinnville - Account Summary Report

For Post Dates 07/01/2016 - 03/31/2017

For Category: BLDG

Fee Items: 1000,1010,1020,1100,1200,1210,1220,1230,1300,1310,

		Posted Amount
Account Code: **ESCROW ACCT**	1500 STATE SURCHG-GENERAL	\$30,075.45
		<hr/>
		\$30,075.45
Account Code: 70-4400-05	1000 PERMIT FEES-BUILDING	\$173,606.70
Account Code: 70-4400-05	1300 PLAN REVIEW-BUILDING	\$138,966.73
Account Code: 70-4400-05	1400 PLAN REV-FIRE LIFE SAFTY	\$23,013.28
		<hr/>
		\$335,586.71
Account Code: 70-4400-10	1100 PERMIT FEES-MECHANICAL	\$39,601.35
Account Code: 70-4400-10	1310 PLAN REVIEW-MECHANICAL	\$5,659.05
		<hr/>
		\$45,260.40
Account Code: 70-4400-15	1200 PERMIT FEES-PLUMBING	\$36,581.00
Account Code: 70-4400-15	1320 PLAN REVIEW-PLUMBING	\$2,857.00
		<hr/>
		\$39,438.00
Account Code: 70-4400-20	1010 PERMIT FEES-MH SETUP	\$860.00
		<hr/>
		\$860.00
Total Posted Amount:		\$451,220.56