



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

www.mcminnvilleoregon.gov

Landscape Review Committee
Community Development Center, 231 NE 5th Street
April 19, 2017
12:00 PM

Committee Members	Agenda Items
Rob Stephenson Chair Sharon Gunter Vice-Chair Josh Kearns RoseMarie Caughran Tim McDaniel	<ol style="list-style-type: none"> 1. Call to Order 2. Citizen Comments 3. Approval of Minutes <ol style="list-style-type: none"> A. February 15, 2017 Meeting Minutes (Exhibit 1) 4. Action Items <ol style="list-style-type: none"> A. L 7-17 – Landscape Plan (Exhibit 2) 1150 NE Lafayette Avenue B. L 12-17 – Street Tree Removal (Exhibit 3) 151 NW Mt. Mazama Street C. L 13-17 – Landscape Plan (Exhibit 4) 2180-2350 NE Highway 99W D. L 14-17 – Landscape Plan (Exhibit 5) 1944 NE Baker Street E. L 15-17 – Landscape Plan (Exhibit 6) 288 NE Norton Lane F. Amendments to Landscaping and Trees Chapters (Exhibit 7) 5. Discussion Items 6. Old/New Business 7. Committee Member Comments 8. Staff Comments 9. Adjournment

The meeting site is accessible to handicapped individuals. Assistance with communications (visual, hearing) must be requested 24 hours in advance by contacting the City Manager (503) 434-7405 – 1-800-735-1232 for voice, or TDY 1-800-735-2900.

*Please note that these documents are also on the City's website, www.mcminnvilleoregon.gov. You may also request a copy from the Planning Department.



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EXHIBIT 1 - MINUTES

February 15, 2017
Landscape Review Committee
Regular Meeting

12:00 pm
Community Development Center
McMinnville, Oregon

Members Present: Rose Marie Caughran, Sharon Gunter, and Tim McDaniel

Members Absent: Josh Kearns and Rob Stephenson

Staff Present: Chuck Darnell

1. Call to Order

The meeting was called to order at 12:12 pm.

A. Election of Chair and Vice-Chair

Committee Member Gunter nominated Rob Stephenson for Chair for 2017. The motion was seconded by Committee Member Caughran and passed 3-0.

Committee Member McDaniel nominated Sharon Gunter for Vice Chair for 2017. The motion was seconded by Committee Member Caughran and passed 3-0.

2. Citizen Comments

None.

3. Approval of Minutes

A. January 18, 2017 Regular Meeting

Committee Member Gunter moved to approve the January 18, 2017, Regular Meeting Minutes as written. The motion was seconded by Committee Member McDaniel and passed 3-0.

4. Action/Docket Item (repeat if necessary)

A. L 1-17 – Landscape Plan (3950 SE Three Mile Lane)

Associate Planner Darnell introduced the application, which was a landscape plan for a new wireless communications tower on Three Mile Lane. It would not be visible from the street as it would be behind an existing building. The tower would be surrounded by a chain link fence with slats and arborvitae. Staff proposed a condition that the arborvitae would be placed three feet on center surrounding the entire facility. None of the existing site would be altered, and it was an existing paved area that would be used for the tower. Staff recommended approval with conditions.

Committee Member McDaniel moved to approve L1-17 as presented. The motion was seconded by Committee Member Gunter and passed 3-0.

B. L 2-17 – Landscape Plan (1270 NE Alpha Drive)

Associate Planner Darnell introduced the landscape plan application for a parcel on the corner of Alpha Drive and Riverside Drive. This corner lot fronted two public rights-of-way and street trees would be planted on both frontages. The applicant was proposing to plant Maple trees on Riverside Drive to be consistent with the existing Maple trees on the site. There were overhead power lines on Alpha Drive, and a species of small cherry tree would be planted. There had to be 20 feet spacing between the trees. There would be landscaping around the perimeter of the parking lot and building with some boulders interspersed. There would also be barkdust and turf between the building and sidewalk. Drip line irrigation would be installed on all landscaped areas.

There was discussion regarding how there was too much barkdust being proposed where plantings or turf could be used instead and revised drawings needed to be brought back.

Committee Member McDaniel moved to deny the application based on incomplete landscape and irrigation plans and concerns about the amount of barkdust proposed and minimal plantings in the areas fronting the streets. The motion was seconded by Committee Member Gunter and passed 3-0.

5. Discussion Items

A. Tree City USA 20th Year Celebration

Associate Planner Darnell said this was the 20th year that McMinnville was a Tree City USA and suggested planning a planting event to celebrate.

There was discussion regarding partnering with Morning Rotary and possible locations in the City for the plantings. Associate Planner Darnell would come back to the next meeting with more details.

6. Old/New Business

None.

7. Committee/Commissioner Comments

There was discussion regarding trees being removed for street lights and if they would be replaced. Associate Planner Darnell would look into the issue and bring back more information.

8. Staff Comments

None.

9. Adjournment

The meeting was adjourned at 1:00 pm.

DRAFT



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EXHIBIT 2 - STAFF REPORT

DATE: April 19, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4A: L 7-17

Report in Brief:

An application for a landscape plan for a renovated industrial building into a government building to be used by the McMinnville School District (L 7-17) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Pete Keenan on behalf of the McMinnville School District, submitted a landscape plan review application to install landscaping on the site of an existing industrial building that will be renovated to function as a maintenance facility for the school district on the property located at 1150 NE Lafayette Avenue. The subject property is more specifically described as Tax Lot 202, Section 21, T. 4 S., R. 4 W., W.M.

Discussion:

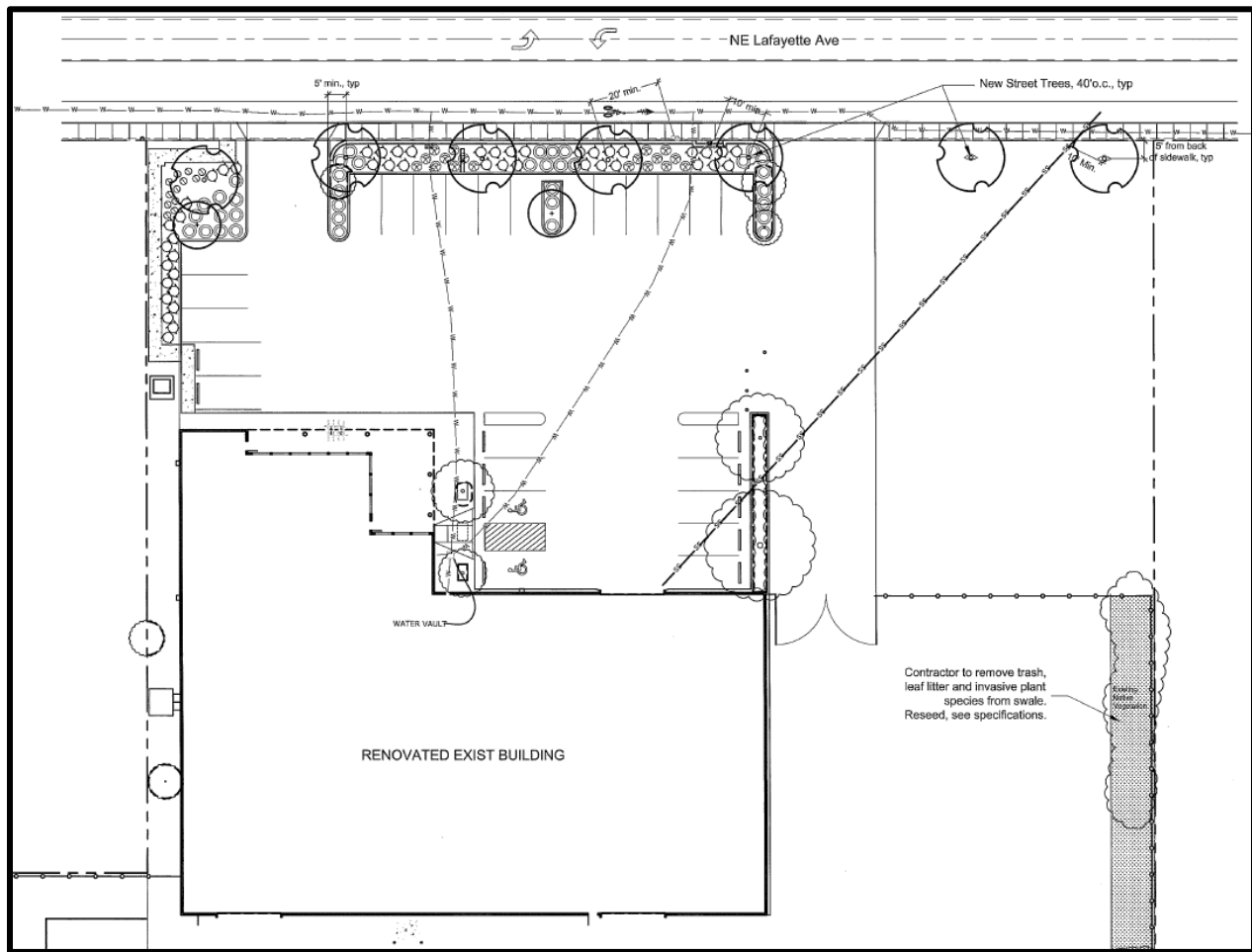
The subject property is zoned C-3 (General Commercial), and is also located in Zone 3 of the Northeast Gateway District. The applicant is proposing to renovate the existing building and also construct two new maintenance buildings behind the existing building on the southern portion of the site. The subject site can be seen below as a red outlined area:

*Attachments: Application and Landscape Plan
Decision Document*



The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of a site being developed be landscaped (Section 17.57.050(A) (Area Determination – Planning Factors)). The landscape plan as proposed greatly exceeds those requirements, as 7.9 percent of the site is proposed to be landscaped. In addition, a significant amount of the southern portion of the site will remain as open green space that will be seeded with grasses. This amounts to a much larger area of the site that is landscaped in some fashion.

The landscaping being proposed on the main portion of the site can be seen below:

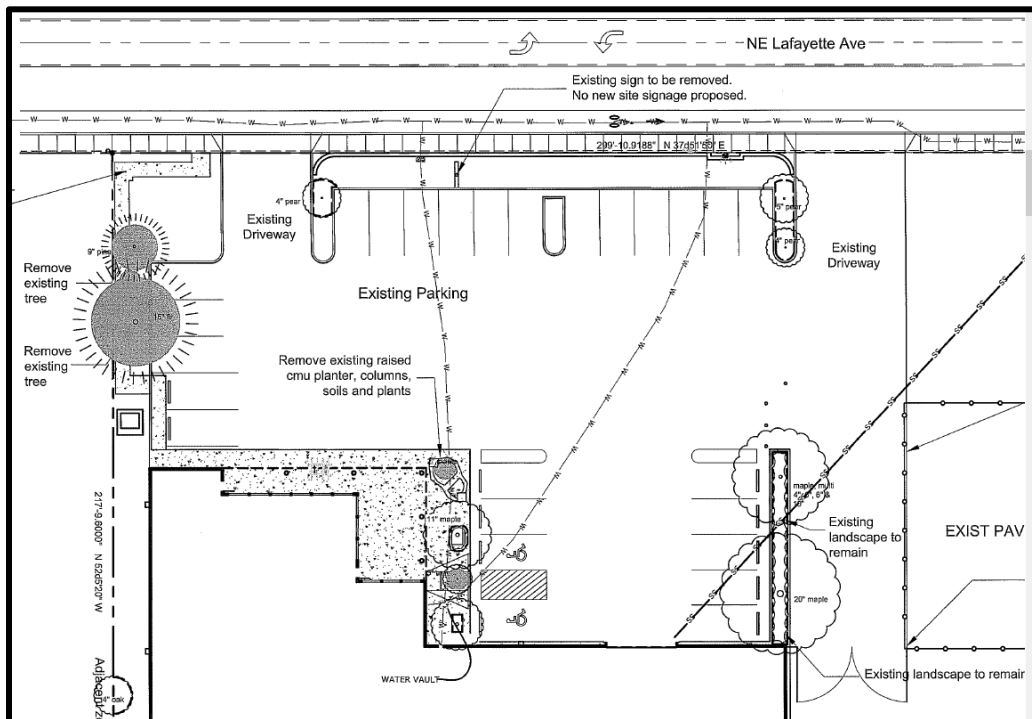


In reviewing a landscape plan, Section 17.57.050(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to also consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The existing site does include some landscaping, but the applicant is proposing to upgrade the existing landscape areas to improve the frontage between the building and Lafayette Avenue. The existing building is located in a mainly industrial and commercial area, with commercial and industrial type uses immediately adjacent on both sides.

The applicant is proposing to upgrade the existing planting islands within the parking lot, along the property frontage on Lafayette Avenue, and along the front edge of the existing building. Most of the existing trees on the site will be retained, specifically in the planter areas adjacent to the parking spaces that are closest to the entry of the building. Two (2) existing trees on the western property line will be removed, and this is to allow for the construction of an ADA-accessible walkway from Lafayette Avenue to the entry of the building, which is a building code requirement. Two (2) new trees will be planted in the same general area as the trees being removed. Four (4) larger existing maple trees near the building, as well as three (3) existing pear trees near Lafayette Avenue, will all be retained. The location of the existing trees and the trees to be removed can be seen below:



The applicant will also be installing new trees on the site along Lafayette Avenue and within the planting islands in the parking areas. The applicant had proposed to install Village Green Zelkova (*Zelkova serrata* 'Village Green') trees along the property line adjacent to Lafayette Avenue to introduce a sense of a tree-lined street along the property line. However, existing utility lines exist overhead in that location and Village Green Zelkova trees would cause conflicts with those utilities in the future. Therefore, a condition of approval has been added to install a tree from the "Small Trees" section of the McMinnville Street Tree list in place of the Village Green Zelkova trees. The applicant is also proposing to install two (2) Golden Desert Ash (*Fraxinus excelsior* 'Aureafolia') trees within the planting islands in the parking areas.

Other landscape material to be installed on the site include Little Rascal Holly (*Ilex x 'Mondo'*), Harbor Dwarf Nandina (*Nandina domestica* 'Harbor Dwarf'), Double Play Gold Spirea (*Spiraea japonica* 'Yan'), and David Viburnum (*Viburnum davidii*). These shrubs will fill out the remainder of the planting islands along Lafayette Avenue and the edges of the parking areas. The remainder of the site will be treated as lawn, providing for additional open green space on the site particularly in the areas adjacent to residential uses. The proposed landscape plan and disbursement of plants results in landscaping that is compatible with the proposed use as a government maintenance building and the surrounding properties.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The proposed use will be screened on the sides most visible from the public right-of-way by a combination of perimeter building plantings and larger shade trees. Village Green Zelkova (*Zelkova serrata* 'Village Green') and Golden Desert Ash (*Fraxinus excelsior* 'Aureafolia') will be installed closest to Lafayette Avenue, providing larger shade trees that will provide screening at maturity. Also, the existing trees closer to the building will be retained, which will preserve larger mature trees on the site that will provide screening of the site.

The southern portion of the site that will be treated as open green space will be surrounded by a sight-obscuring fence. Some existing vegetation does exist in the southern portion of the site, particularly along the eastern property line. The applicant is proposing to clean out trash, leaf litter, and invasive plant species, and then maintain the existing vegetation. This vegetation wasn't specifically installed or maintained as landscaped area, but the vegetation, along with the sight-obscuring fence, does provide for screening between the proposed use and the adjacent residential uses.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Most of the exiting trees on the site will be retained, specifically in the planter areas adjacent to the parking spaces that are closest to the entry of the building. Two (2) existing trees on the western property line will be removed, and this is to allow for the construction of an ADA-accessible walkway from Lafayette Avenue to the entry of the building, which is a building code requirement. Two (2) new trees will be planted in the same general area as the trees being removed. Four (4) larger existing maple trees near the building, as well as three (3) existing pear trees near Lafayette Avenue, will all be retained.

4. The development and use of islands and plantings therein to break up parking areas.

The applicant is proposing to maintain planting islands in the parking areas on the site. The exiting planting islands are sparsely planted, and the applicant will be installing a variety of shade trees and shrubs to break up the parking areas, add visual interest to the site, and screen the parking areas from view from Lafayette Avenue. In no location will there be more than six (6) parking spaces without a landscaping island providing buffering between other parking spaces.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way. However, the trees planted along Lafayette Avenue will provide a similar sense of a tree-lined street along Lafayette Avenue, and will benefit pedestrians traveling along that roadway.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The applicant has included a detailed irrigation plan that shows the installation of a fixed spray irrigation system.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.

- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Based on the findings described in the staff report and decision document, staff is recommending that the landscape plan be approved with the following conditions:

- 1. That the applicant shall install landscaping as shown on the submitted landscape plan dated February 6, 2017.
- 2. That the applicant shall not install Village Green Zelkova (*Zelkova serrata* ‘Village Green’) trees as shown on the landscape plan due to conflicts with the overhead utility lines in that location. In place of the Village Green Zelkova trees, the applicant shall install seven (7) trees of a species from the “Small Trees” section of the McMinnville Street Tree list. The trees shall be a minimum of two (2) inches in caliper measured as six (6) inches above grade.
- 3. That each tree to be planted along the property line adjacent to Lafayette Avenue shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of each tree and the curb side of each tree. The root barrier protection shall be placed in 10-foot lengths, centered on each tree, and to a depth of eighteen (18) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
- 4. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
- 5. That all other landscaping shall not be placed within four (4) feet of existing or new fire hydrants, or within one (1) foot of the existing water meter near Lafayette Avenue. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
- 6. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 7-17 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs



Planning Department
 231 NE Fifth Street o McMinnville, OR 97128
 (503) 434-7311 Office o (503) 474-4955 Fax
www.ci.mcminnville.or.us

Office Use Only:	
File No.	<u>L 7-17</u>
Date Received	<u>2-13-17</u>
Fee	<u>140.⁰⁰</u>
Receipt No.	<u>17B0089</u>
Received by	<u>[Signature]</u>

Landscape Plan Review Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name Pete Keenan Phone 503.565.4022

Contact Name _____ Phone _____
(If different than above)

Address 1500 NE Baker

City, State, Zip McMinnville, OR 97128

Contact Email pkeen@msd.k12.or.us

Property Owner Information

Property Owner Name MCMINNVILLE SCHOOL DISTRICT Phone _____
(If different than above)

Contact Name PETER KEENAN Phone 503.565.4022

Address 1500 NE BAKER STREET

City, State, Zip MCMINNVILLE, OR 97128

Contact Email pkeen@msd.k12.or.us

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 1150 NE LAFAYETTE AVE, MCMINNVILLE, OR 97128

Assessor Map No. R4 421 - 002 - 02 Total Site Area 186,086sf

Subdivision _____ Block _____ Lot C-3

Comprehensive Plan Designation _____ Zoning Designation C3 (NE GATEWAY OVERLAY DISTRICT, ZONE 3)


Landscaping Information

- 1. Total Landscaped Area: 3,018sf
- 2. Percent Landscaped: 7.9%
- 3. Building Floor Area:
New Structure: 5,700 SF Existing Structure: 22,315 SF Addition: _____
- 4. Architect Name Macdonald Environmental Planning, PC Phone 503-224-1225
(Landscape Architect, Engineer, or Other Designer)
Contact Name Brenda Rowen Phone 206-501-9033
Address 9020 SW Washington Square Rd
City, State, Zip Portland, OR 97220
Contact Email browen@mep-pc.com

In addition to this completed application, the applicant must provide the following:

- Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.*
- Payment of the applicable review fee, which can be found on the Planning Department web page*

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.


Applicant's Signature

2-10-17
Date


Property Owner's Signature

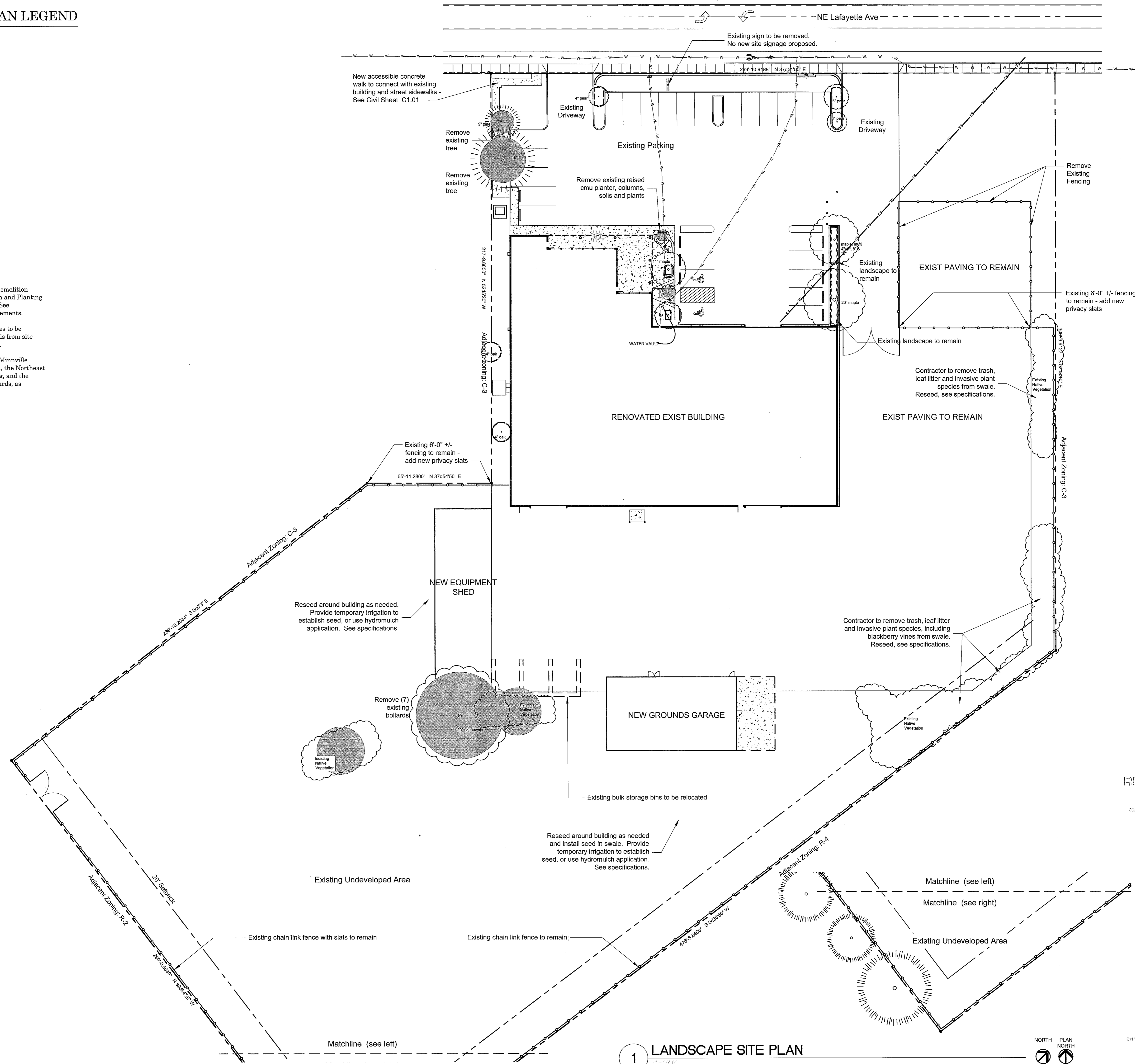
2-10-17
Date

LANDSCAPE SITE PLAN LEGEND

- SYMBOL NAME**
- Existing Asphalt Paving
 - Proposed New Asphalt Paving
 - Existing 6' chain link fence
 - Tree Protection Fencing
- TREE**
- Existing coniferous to be removed
 - Existing deciduous to be removed
 - Existing coniferous to remain
 - Existing deciduous to remain
 - Existing native to remain

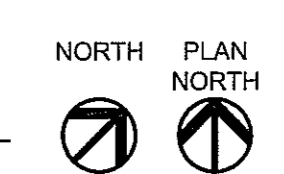
LANDSCAPE SITE PLAN NOTES:

1. Area calculations:
Gross area: 186,086sf
Required landscape (7%) = 13,026sf
Provided landscape: 14,705sf
2. Contractor shall perform all landscape demolition indicated on plans. Soil preparation, Irrigation and Planting installation shall be performed by the owner. See specifications for additional installation requirements.
3. Contractor shall grub out all roots of trees to be removed to a depth of 12-inches. Remove debris from site and dispose of according to industry standards.
4. Landscape shall comply with City of McMinnville Zoning Code Titles 17 Landscaping & 18 Trees, the Northeast Gateway Overlay requirements for landscaping, and the McMinnville School District Landscape Standards, as represented by these plans.



RECEIVED
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1 LANDSCAPE SITE PLAN



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Drawn: BR
Date: 02/07/2017
File:
Check: LMB
Revisions:

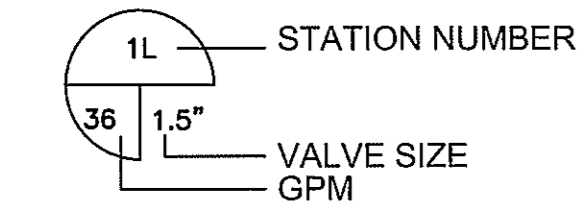
Sheet Title

LANDSCAPE SITE PLAN
REGISTERED
LAUREL A. MACDONALD
OREGON
LANDSCAPE ARCHITECT

L1.00
Job No: 16052

IRRIGATION LEGEND

- ☐ RAINBIRD ESP-SMT SMART CONTROLLER
- ☐ RAINBIRD ET SENSOR WITH RAIN CLIK
- ☐ POINT OF CONNECTION
- ☐ 1-1/2" DOUBLE CHECK VALVE ASSEMBLY
- QUICK COUPLING VALVE
- ⊕ GATE VALVE - LINE SIZE
- ⊕ REMOTE CONTROL VALVE - SEE PLAN FOR SIZING
- CLASS 200 PVC SLEEVE - SEE DETAIL FOR SIZING
- 1-1/2" SCHEDULE 40 MAIN LINE
- CLASS 200 PVC LATERAL LINE - SIZE PER SIZING CHART



SPRAY HEAD LEGEND

MODEL #	DESCRIPTION	OPTIMAL OPERATING PRESSURE
ALL NOZZLES TO BE INSERTED ONTO RAINBIRD SAM-1806 BODIES		
90	RAINBIRD 05 SERIES MPR	30 PSI
180	RAINBIRD 05 SERIES MPR	30 PSI
90	RAINBIRD 08 SERIES MPR	30 PSI
120	RAINBIRD 08 SERIES MPR	30 PSI
180	RAINBIRD 08 SERIES MPR	30 PSI
90	RAINBIRD U12 SERIES	30 PSI
180	RAINBIRD U12 SERIES	30 PSI
90	LCS RAINBIRD 15 STRIP SERIES	30 PSI
180	LCS RAINBIRD 15 STRIP SERIES	30 PSI
	RAINBIRD TREE BUBBLER, SEE DETAIL	30 PSI

IRRIGATION NOTES

- Irrigation system to be installed by owner.
- Locate controller in approximate location shown. Verify with architect. Wall mount controller at eye level. Provide separate 15 amp circuit and 120 v.a.c. power to controller. Provide 1" conduit from controller to nearest planting area as shown. Extend 24" into planting area, 18" below grade, cap and flag.
- Adjust all irrigation heads to provide maximum coverage, minimum over-spray and no fogging. Set all heads back from curbs, paving and walls.
- Location of irrigation mainline, laterals and sleeving are schematic only, and shall occur in planting areas unless sleeving is shown. Make minor changes to coordinate with actual as-built conditions and dimensions.
- Install HE-Van nozzles only on heads which need a specific radius not provided by Rainbird to minimize over-spray onto walks.
- Install all components according to manufacturer's installation recommendations.
- Refer to irrigation specifications for additional requirements.

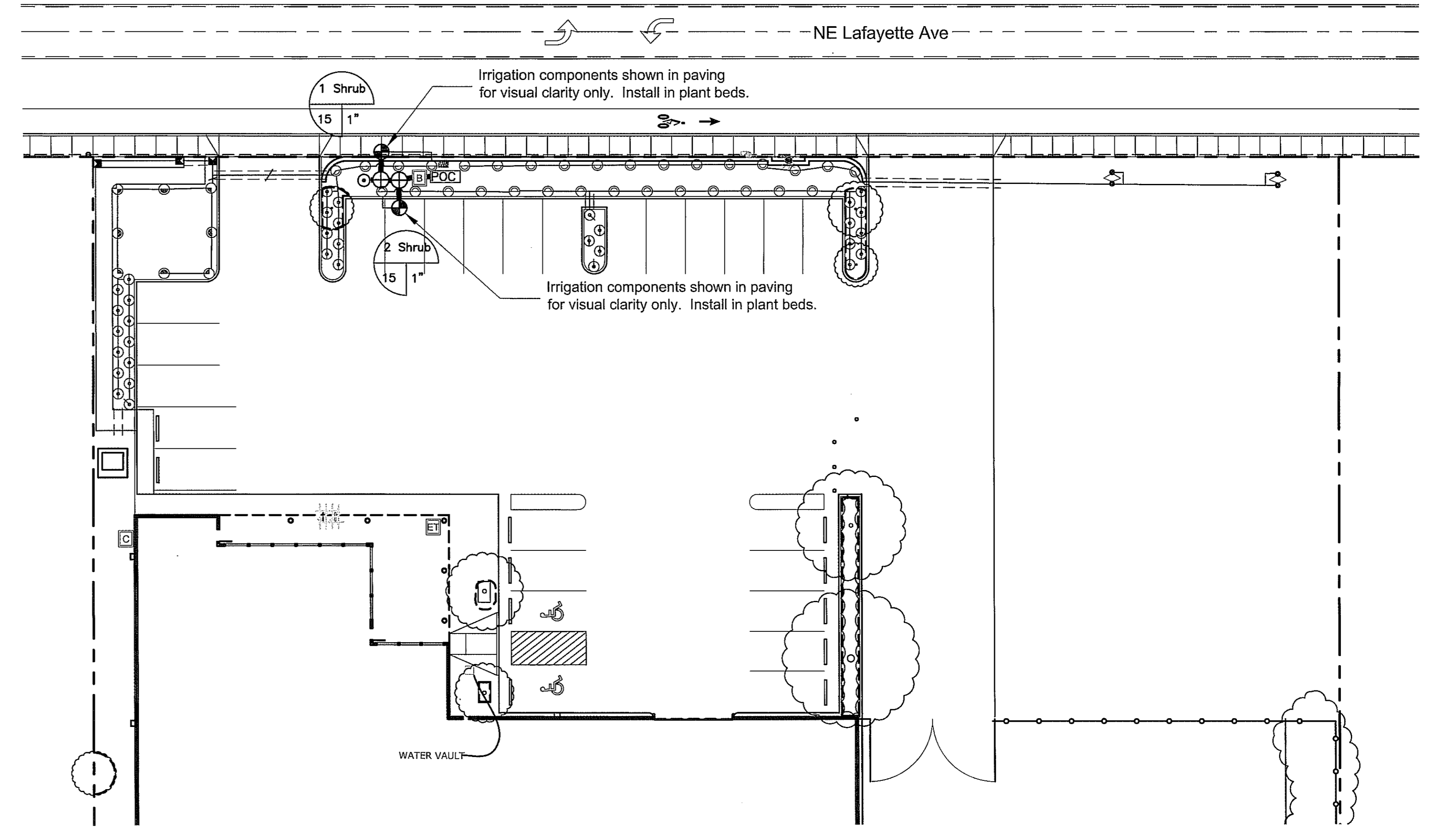
SIZE LATERAL LINES ACCORDING TO THE FOLLOWING SCHEDULE:

LATERAL LINE SIZING CHART CLASS 200

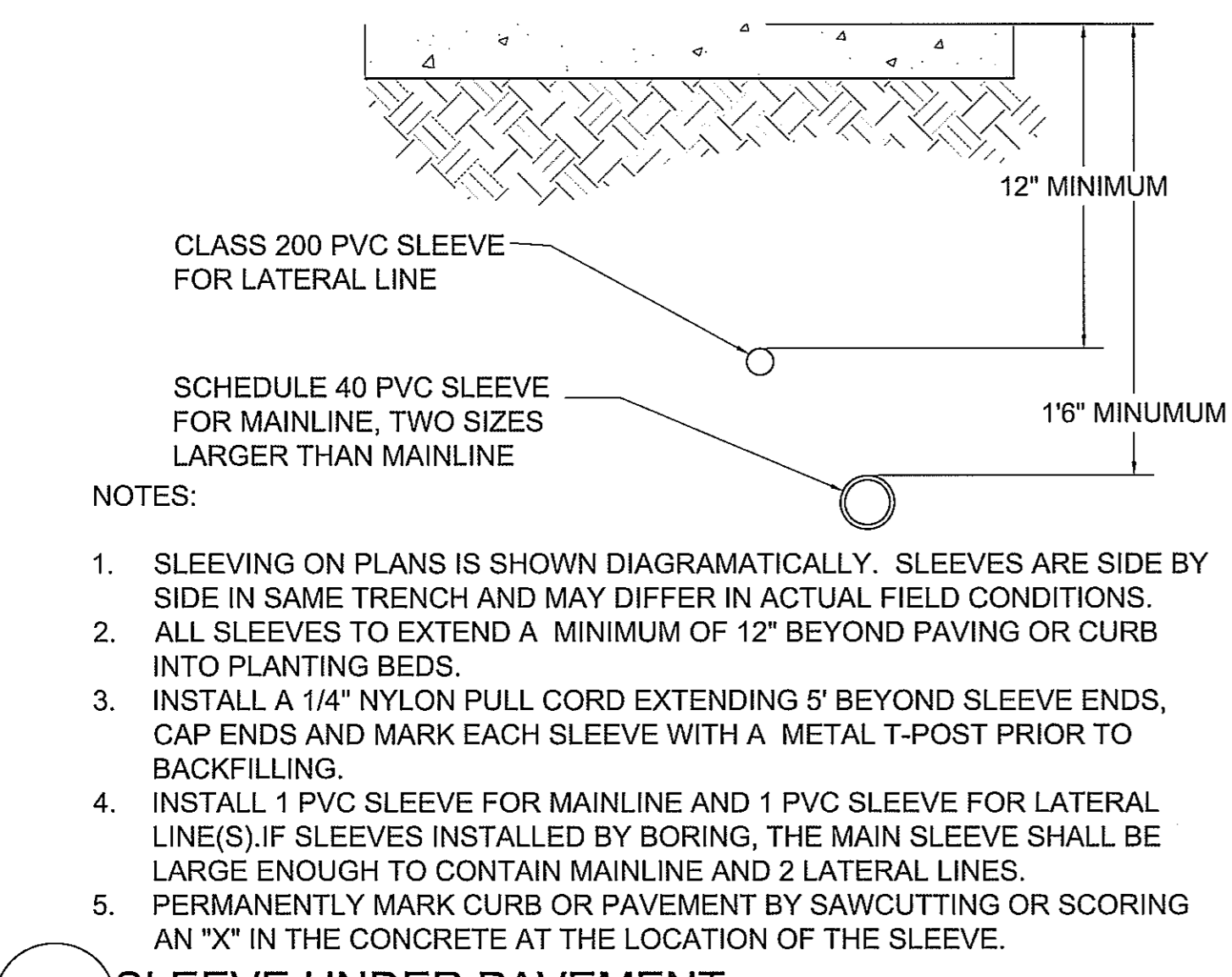
GPM	SYMBOL	SIZE
0-10	---	3/4"
10-17	---	1"
17-36	---	1 1/2"
36-56	---	2"
56-83	---	2 1/2"

ZONE SUMMARY

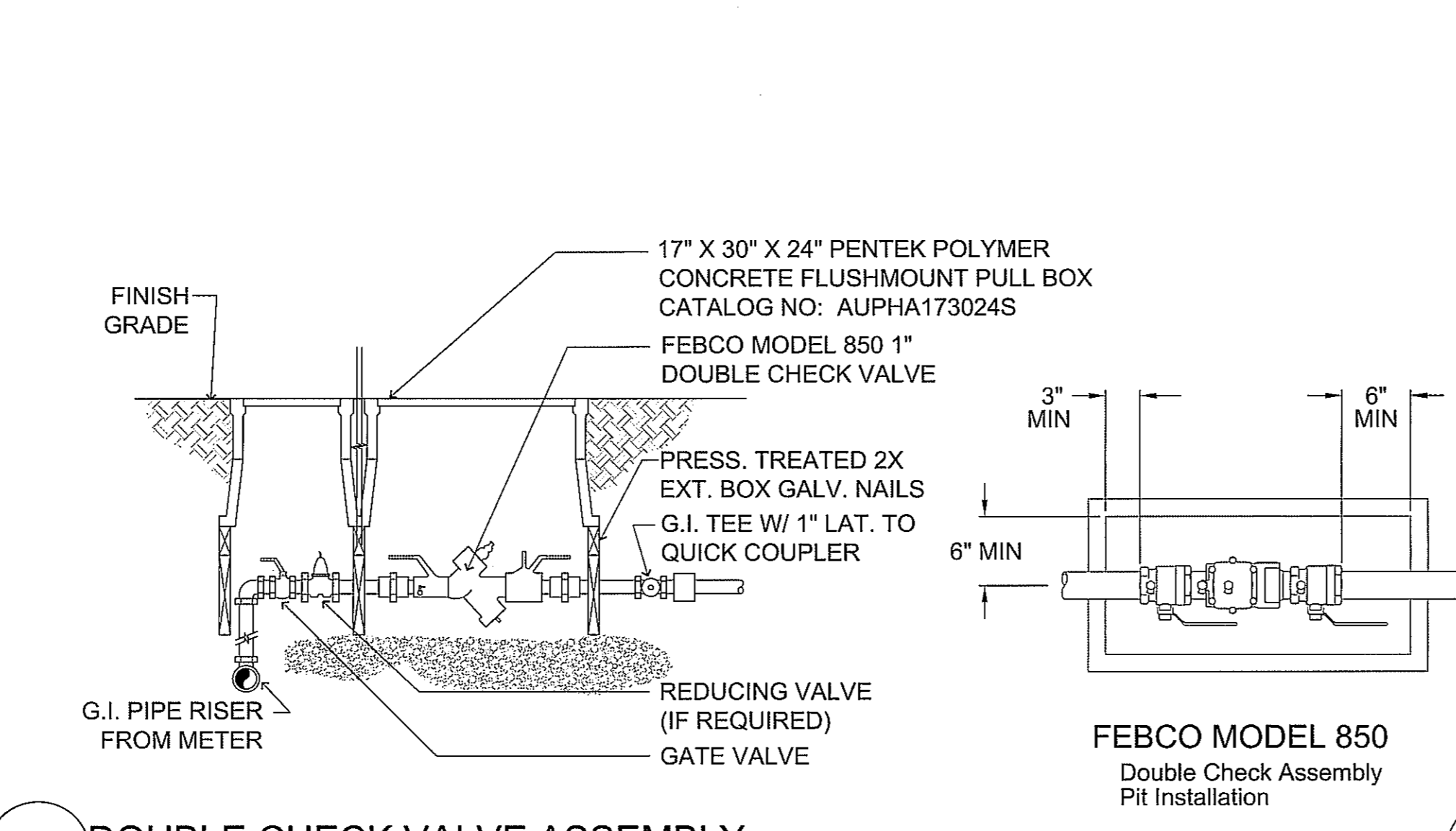
ZONE NUMBER	GPM	VALVE SIZE
1	15.3	1"
2	15.3	1"



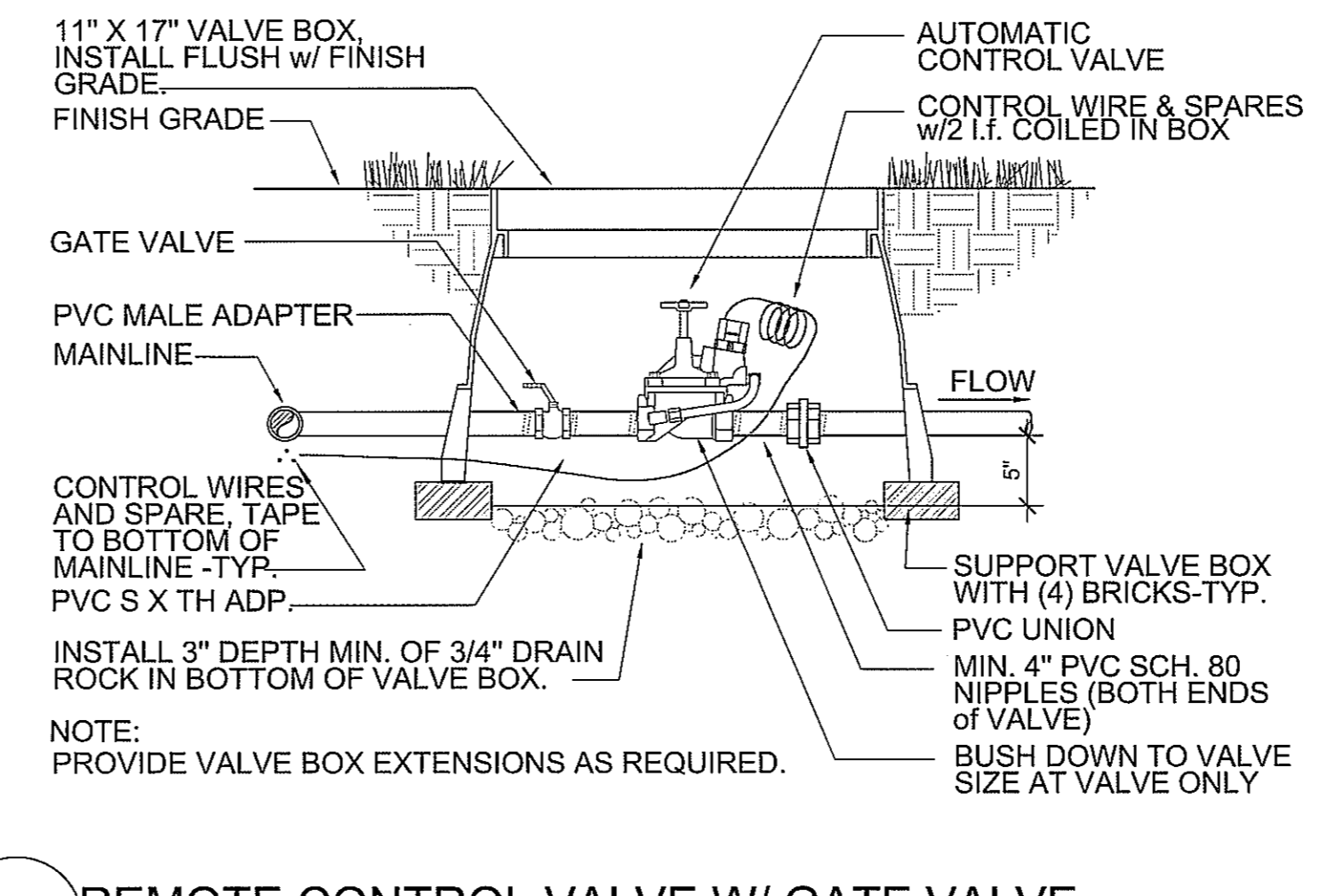
1 LANDSCAPE IRRIGATION PLAN



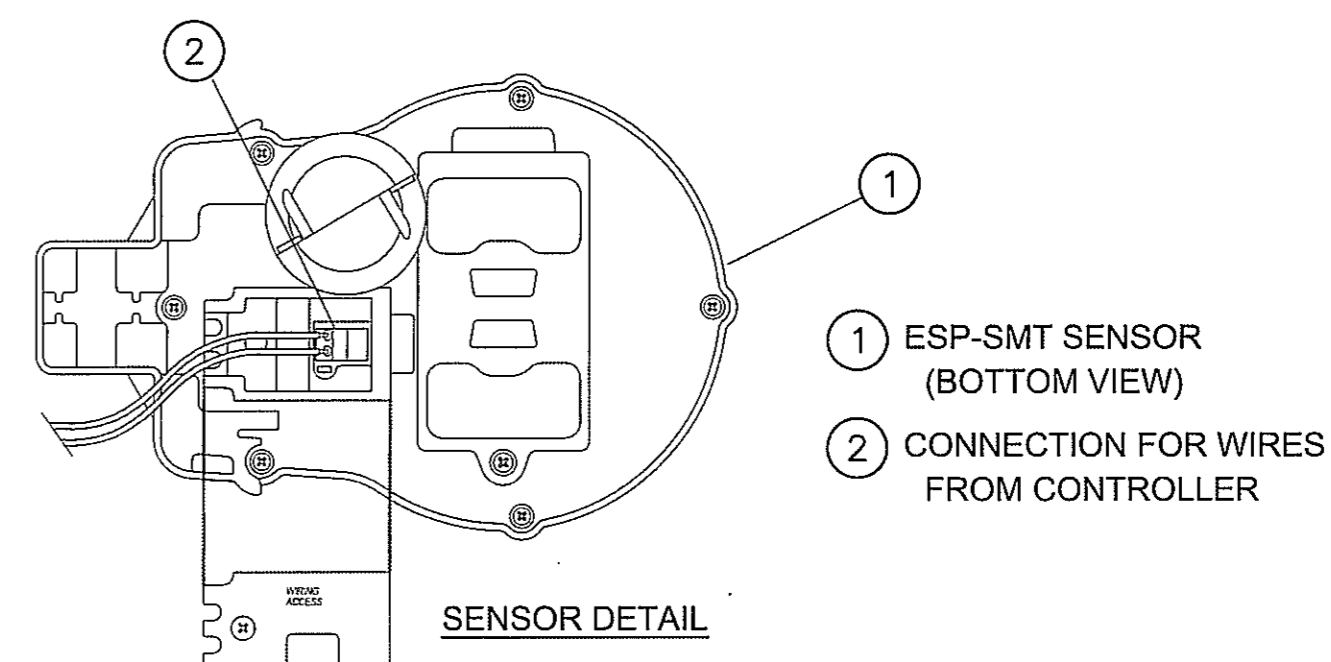
2 SLEEVE UNDER PAVEMENT



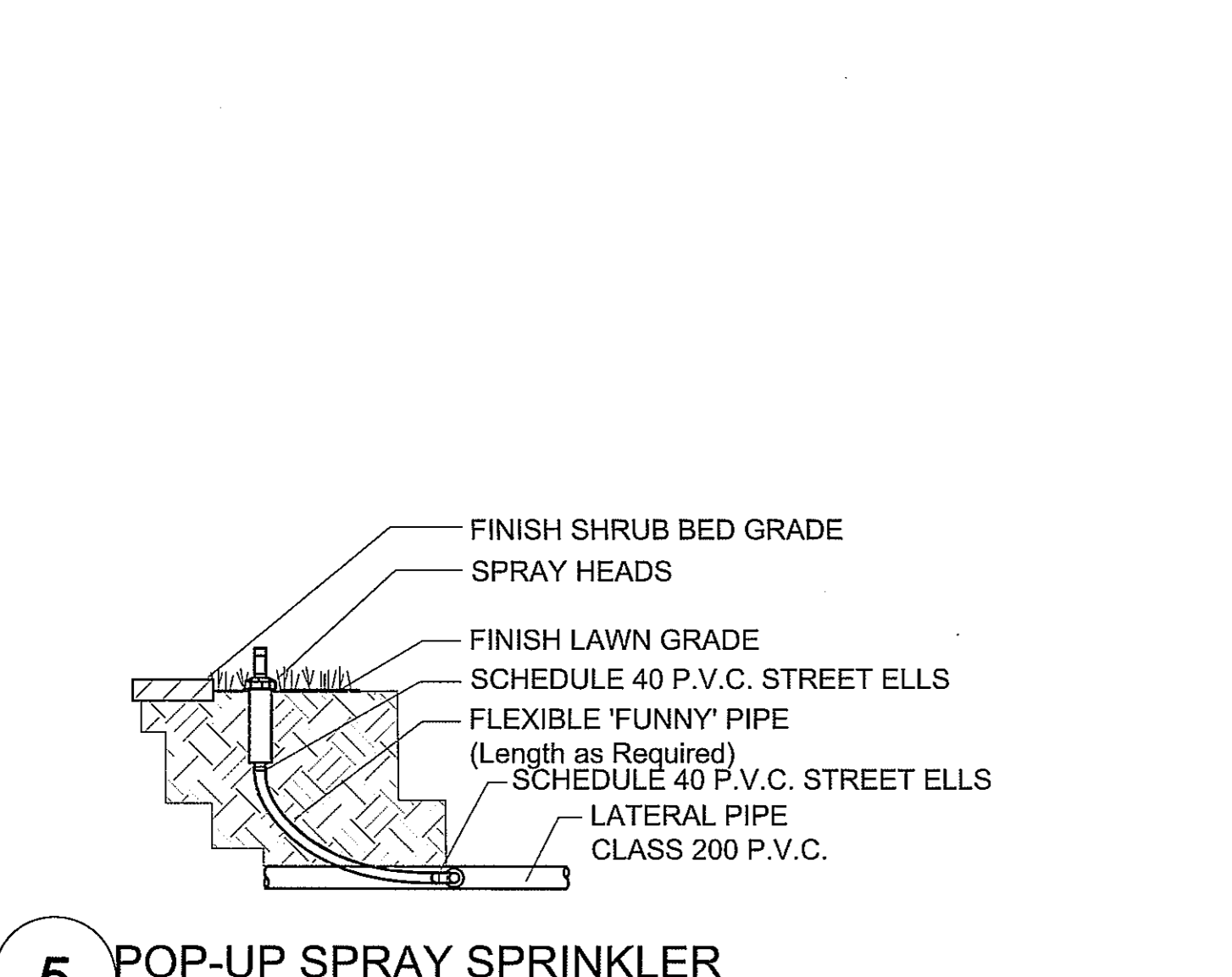
3 DOUBLE CHECK VALVE ASSEMBLY



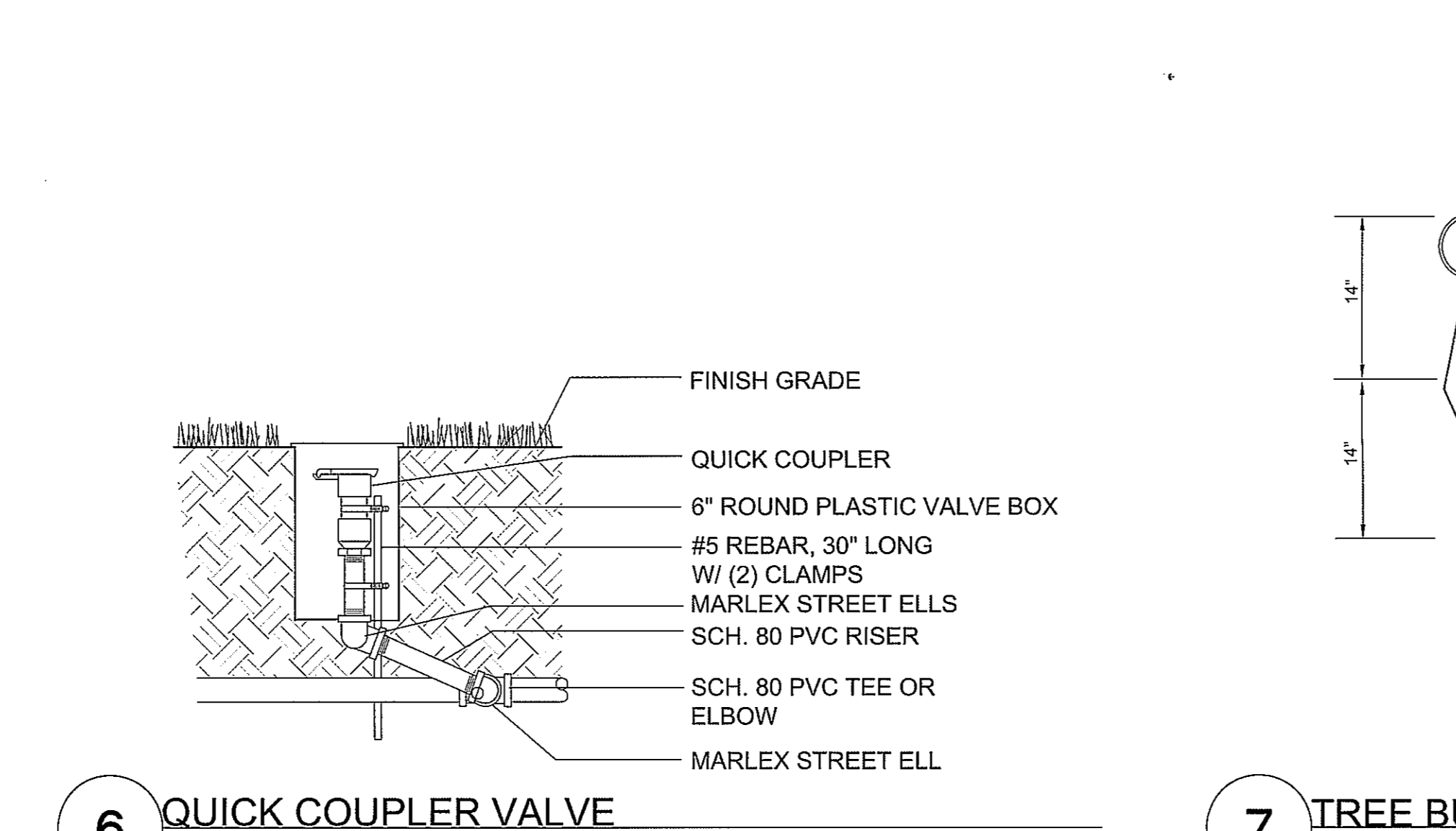
4 REMOTE CONTROL VALVE W/ GATE VALVE



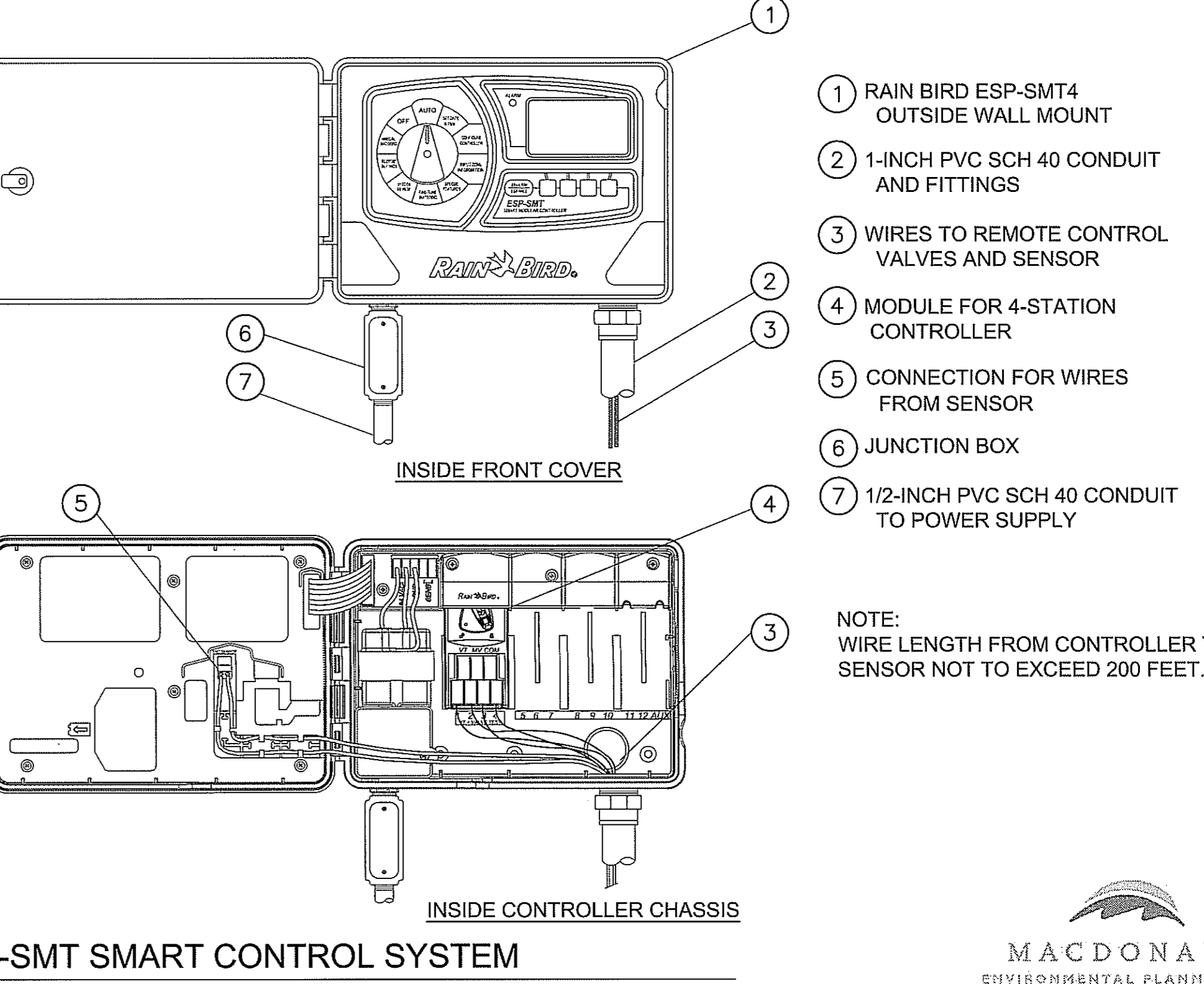
5 SENSOR DETAIL



6 POP-UP SPRAY SPRINKLER



7 TREE BUBBLER PLAN DETAIL



8 EST-SMT SMART CONTROL SYSTEM

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McMinnville School District
FACILITIES DEPT BUILDING - Renovation
 1150 NE Lafayette Ave, McMinnville OR, 97128

Drawn: BP
 Date: 02/07/2017
 File:
 Check: LMB
 Revisior:

Sheet Title
 LANDSCAPE IRRIGATION PLAN
 REGISTERED
 LAUREL A. MACDONALD
 OREGON
 LANDSCAPE ARCHITECT

L2.00
 Job No: 16062

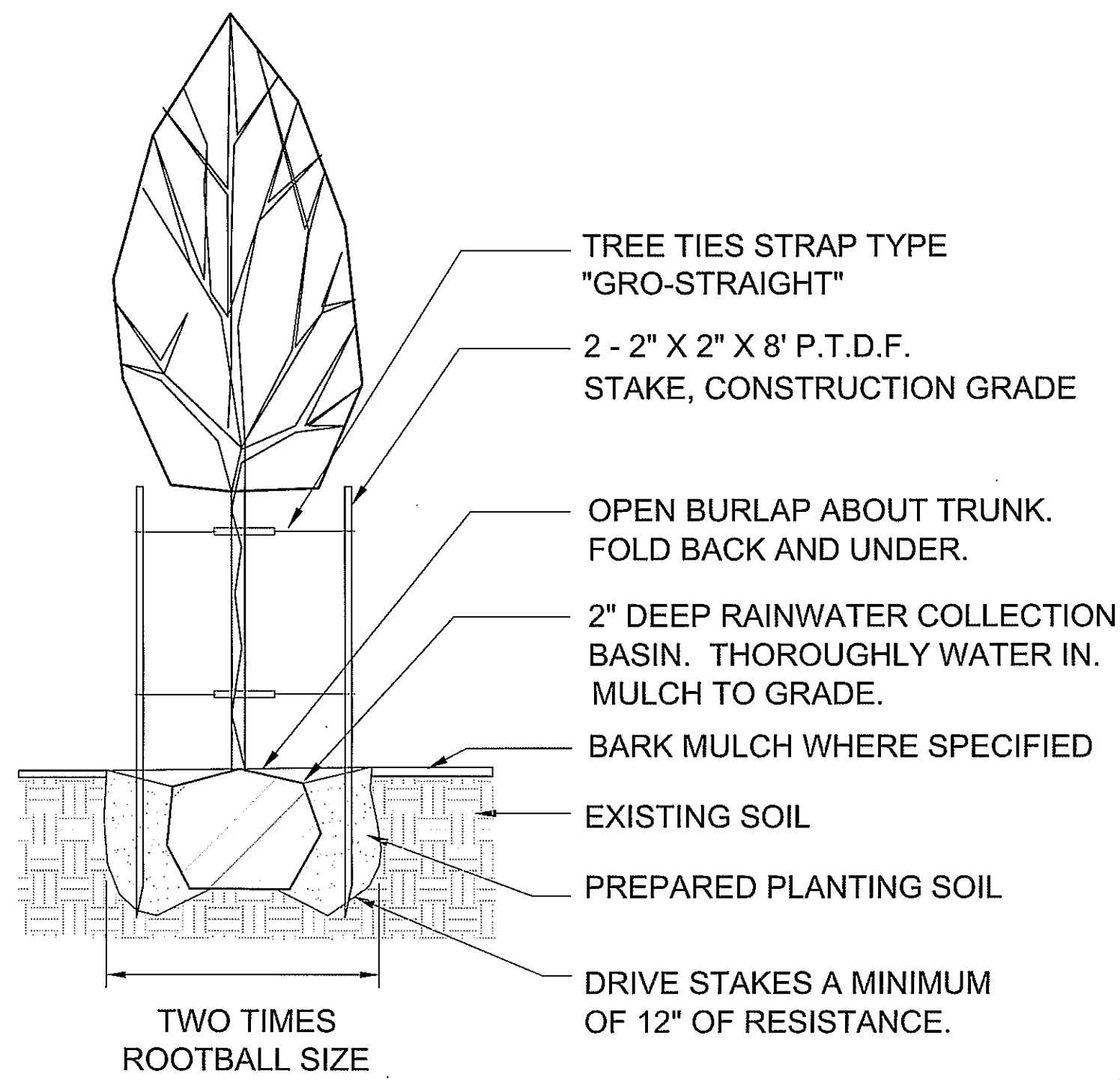
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 ENVIRONMENTAL PLANNING, P.C.
 PORTLAND, OR 97233
 PH: 503-224-1235 • WWW.MEP-PC.COM

PLANT LEGEND

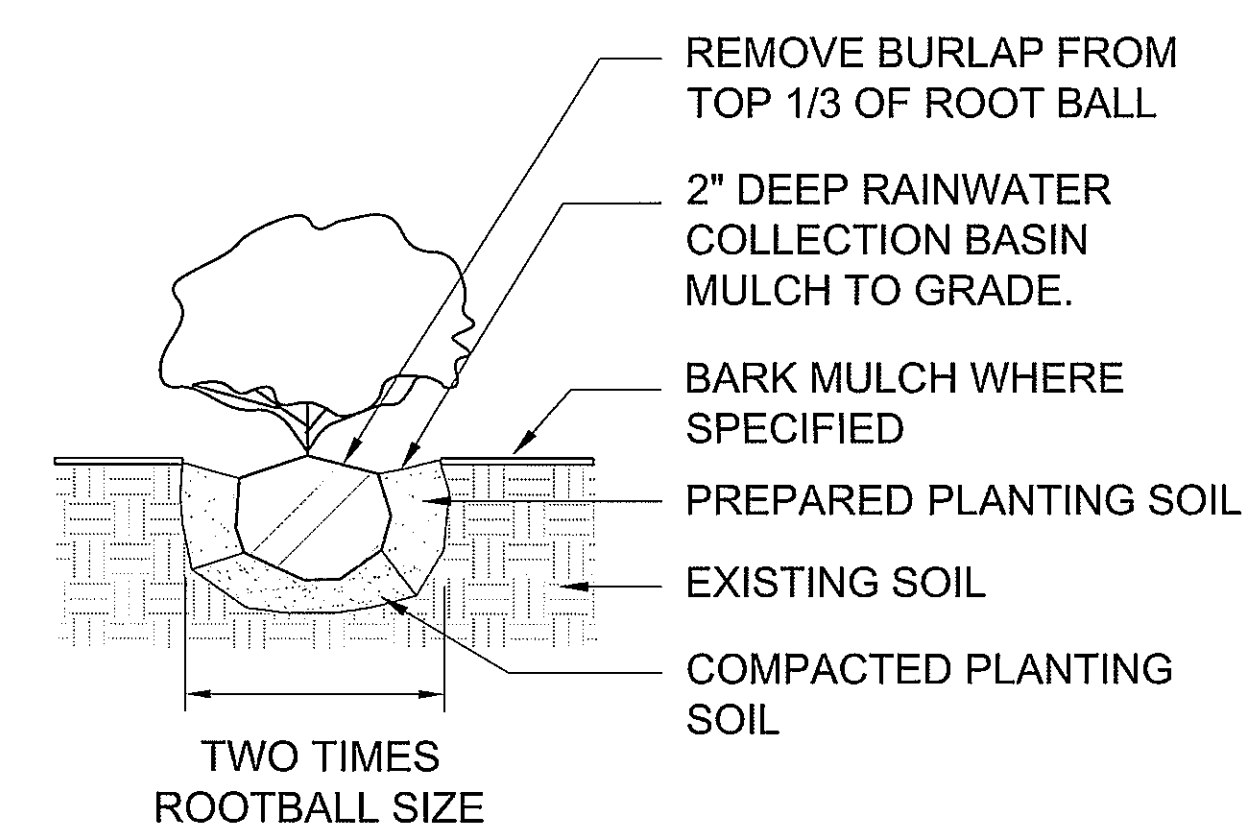
SYMBOL TREE	BOTANICAL NAME	COMMON NAME	COUNT	SIZE	COMMEN
Existing deciduous to remain					
	Fraxinus excelsior 'Aureaefolia'	Golden Desert Ash	2	2" cal.	B&B
	Zelkova serrata 'Village Green'	Village Green Zelkova	7	2" cal.	B&B
SHRUBS					
	Ilex x 'Mondo' (Male)	Little Rascal Holly	46	3 gal.	
	Nandina domestica 'Harbor Dwarf'	Harbor Dwarf Nandina	12	1 gal.	
	Spiraea japonica 'Yan'	Double Play Gold Spirea	16	3 gal.	
	Viburnum davidii	David Viburnum	37	3 gal.	
GRASSES					
	Seeded Grass - See Specifications				

LANDSCAPE NOTES:

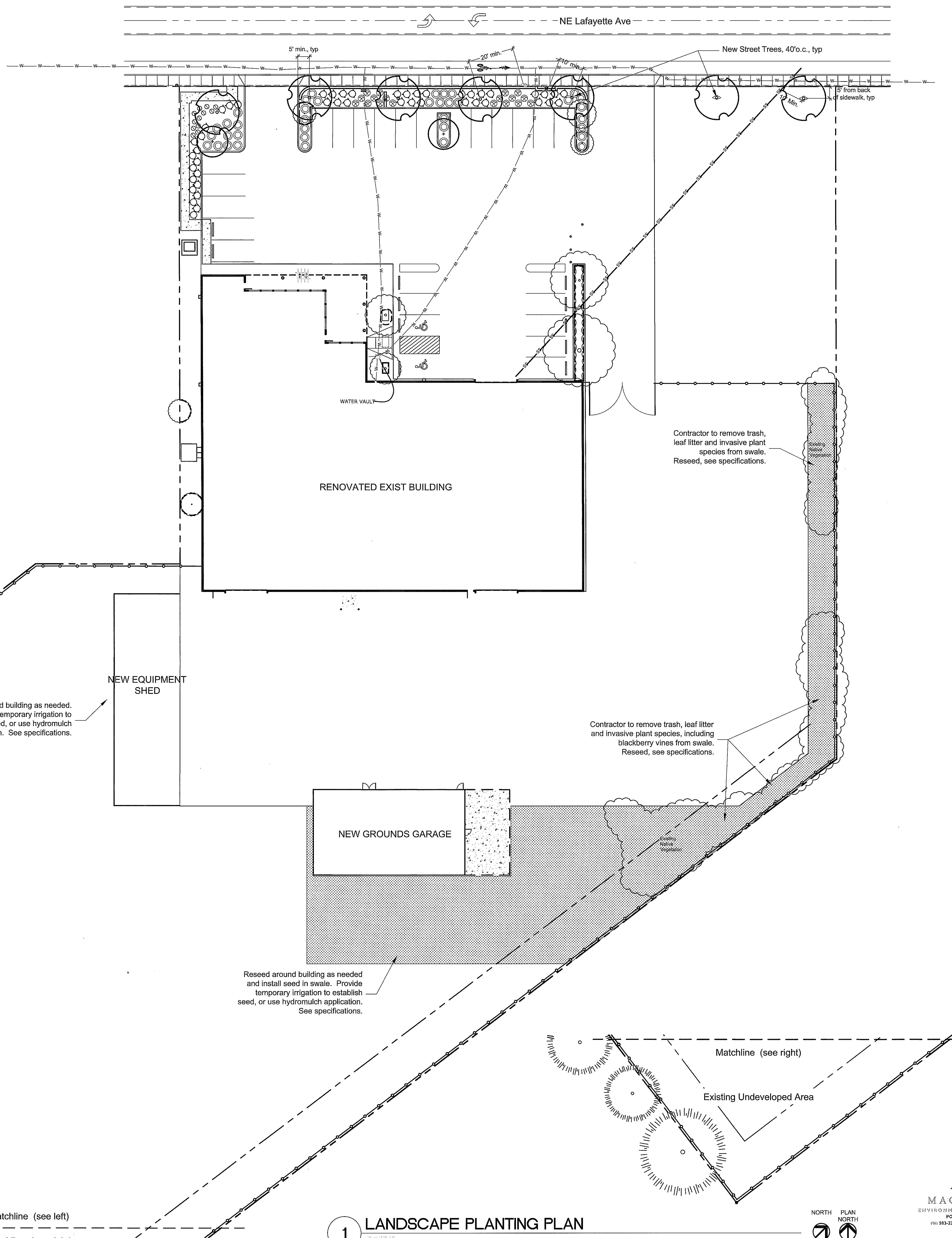
- Landscape inside of fencing, including reseeding of swale and grasses to be installed by Contractor. Landscape outside of fencing to be installed by owner. See specification sections 329113- Soil Preparation, 329223-Seeded Grasses and 329300-Plants for additional information.
- All landscaping shall be installed according to accepted best industry standards for planting procedures.
- Plant materials shall be of high grade, and shall meet the quality and size standards for nursery stock.
- Plantings shall be installed at appropriate time of year for healthy survival.
- Plantings shall have bark mulch at a minimum depth of 2 inches and 18 inches in diameter around.
- Contractor shall provide temporary irrigation for seeded areas through germination and establishment only.
- New non-grass plantings shall be irrigated with an automatic, underground irrigation system, installed by owner as part of this work.



2 TREE PLANTING DETAIL



3 SHRUB PLANTING DETAIL



1 LANDSCAPE PLANTING PLAN

SODERSTROM ARCHITECTS, Ltd.
 architecture | planning | exterior restoration | interior design
 1200 NW Naito Parkway, Suite 410
 Portland, Oregon 97209
 MAIN 503.228.5617 FAX 503.273.8584
 www.sdra.com

McMinnville School District
 Achieving Excellence in Education

McMinnville School District
FACILITIES DEPT BUILDING - Renovation
 1150 NE Lafayette Ave, McMinnville OR, 97128

Drawn: BR
 Date: 02/05/2017
 File:
 Check: LMB

Revisions:

Sheet Title
 LANDSCAPE PLANTING PLAN
 REGISTERED
 LAUREL A. MACDONALD
 OREGON
 LANDSCAPE ARCHITECT

L3.00
 Job No: 18052

MACDONALD
 ENVIRONMENTAL PLANNING, PC
 PORTLAND, OR 97223
 PH: 503-224-4235 - WWW.MEP-PC.COM



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

503-434-7311

www.mcminnvilleoregon.gov

DECISION DOCUMENT – 1150 NE LAFAYETTE AVENUE

DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR A RENOVATED BUILDING AT 1150 NE LAFAYETTE AVENUE

- DOCKET:** L 7-17 (Landscaping)
- REQUEST:** The applicant requested the approval of a landscape plan for the renovation of an existing industrial building into a government maintenance building. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.030 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.
- LOCATION:** The property in question is located at 1150 NE Lafayette Avenue. The subject property is more specifically described as Tax Lot 202, Section 21, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site is designated as Commercial on the McMinnville Comprehensive Plan Map, and is zoned C-3 (General Commercial).
- APPLICANT:** Pete Keenan, on behalf of McMinnville School District
- STAFF:** Chuck Darnell, Associate Planner
- DECISION-MAKING BODY:** McMinnville Landscape Review Committee
- DATE & TIME:** April 19, 2017. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128
- COMMENTS:** No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

ATTACHMENTS:

1. Application for Landscape Plan Review

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL WITH CONDITIONS** of the landscape plan (L 7-17).

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

Planning Staff: _____
Chuck Darnell, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

Application Summary:

The applicant requested the approval of a landscape plan for the renovation of an existing industrial building into a government maintenance building. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.030 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

CONDITIONS OF APPROVAL

1. That the applicant shall install landscaping as shown on the submitted landscape plan dated February 6, 2017.
2. That the applicant shall not install Village Green Zelkova (*Zelkova serrata* ‘Village Green’) trees as shown on the landscape plan due to conflicts with the overhead utility lines in that location. In place of the Village Green Zelkova trees, the applicant shall install seven (7) trees of a species from the “Small Trees” section of the McMinnville Street Tree list. The trees shall be a minimum of two (2) inches in caliper measured as six (6) inches above grade.
3. That each tree to be planted along the property line adjacent to Lafayette Avenue shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of each tree and the curb side of each tree. The root barrier protection shall be placed in 10-foot lengths, centered on each tree, and to a depth of eighteen (18) inches. In addition, all trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
4. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
5. That all other landscaping shall not be placed within four (4) feet of existing or new fire hydrants, or within one (1) foot of the existing water meter near Lafayette Avenue. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
6. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

ATTACHMENTS

1. Application for Landscape Plan Review

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.

FINDINGS OF FACT

1. Pete Keenan, on behalf of McMinnville School District, submitted a landscape plan review application to install landscaping around a renovated industrial building on the property located at 1150 NE Lafayette Avenue. The subject property is more specifically described as Tax Lot 202, Section 21, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned C-3 (General Commercial), and is designated as Commercial on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided. Comments and suggested conditions of approval were provided, and have been incorporated into the conditions of approval in this document.
4. A public meeting was held by the Landscape Review Committee on April 19, 2017 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.
5. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

Finding: Goal IV 3 and Policy 32.00 are satisfied in that the proposed landscape plan includes trees and other landscaped areas that will provided screening of the proposed use from the public right-of-way and from the residential areas to the south.

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Policy 122.00: The City of McMinnville shall encourage the following provisions for each of the three functional road classifications:

1. *Major, minor arterials.*
–Landscaping should be encouraged along public rights-of-way.
2. *Major, minor collectors.*
–Landscaping should be encouraged along public rights-of-way.
3. *Local Streets*
–Landscaping should be encouraged along public rights-of-way.

Finding: Goal VI 1 and Policy 122.00 are satisfied in that trees will be installed along the public right-of-way along Lafayette Avenue. The trees are not located in the public right-of-way, but are being placed along the property lines so that they are visible from the public right-of-way and provide screening of the use from the public right-of-way.

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 X 1 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.

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

17.57.010 Purpose and intent. The purpose and intent of this chapter is to enhance the appearance of the city by encouraging quality landscaping which will benefit and protect the health, safety, and welfare of the general public. By relating all the requirements of the zoning ordinance to the project in one review procedure, the review will assist the developer in integrating the uses of the property with the landscaping, will relate the project to surrounding property uses in existence or projected, and will attempt to minimize project costs. The landscaping provisions in Section 17.57.050 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020.

Finding: The landscape plan as proposed would enhance the appearance of the city and will benefit the health, safety, and welfare of the general public. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

17.57.030 Plans—Submittal and review—Approval—Time limit for completion.

C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;

Finding: The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.050 Area Determination—Planning factors.

A. Landscaping shall be accomplished within the following ranges:

2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)

Finding: The landscape plan as proposed shows 7.9 percent of the subject site being landscaped, which exceeds the minimum requirement. In addition, a significant amount of the southern portion of the site will remain as open green space that will be seeded with grasses. This amounts to a much larger area of the site that is landscaped in some fashion.

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

Finding: The existing site does include some landscaping, but the applicant is proposing to upgrade the existing landscape areas to improve the frontage between the building and Lafayette Avenue. The existing building is located in a mainly industrial and commercial area, with commercial and industrial type uses immediately adjacent on both sides.

The applicant is proposing to upgrade the existing planting islands within the parking lot, along the property frontage on Lafayette Avenue, and along the front edge of the existing building. Most of the exiting trees on the site will be retained, specifically in the planter areas adjacent to the parking spaces that are closest to the entry of the building. Two (2) existing trees on the western property line will be removed, and this is to allow for the construction of an ADA-accessible walkway from Lafayette Avenue to the entry of the building, which is a building code requirement. Two (2) new trees will be planted in the same general area as the trees being removed. Four (4) larger existing maple trees near the building, as well as three (3) existing pear trees near Lafayette Avenue, will all be retained.

The applicant will also be installing new trees on the site along Lafayette Avenue and within the planting islands in the parking areas. The applicant had proposed to install Village Green Zelkova (*Zelkova serrata* 'Village Green') trees along the property line adjacent to Lafayette Avenue to introduce a sense of a tree-lined street along the property line. However, existing utility lines exist overhead in that location and Village Green Zelkova trees would cause conflicts with those utilities in the future. Therefore, a condition of approval has been added to install a tree from the "Small Trees" section of the McMinnville Street Tree list in place of the Village Green Zelkova trees. The applicant is also proposing to install two (2) Golden Desert Ash (*Fraxinus excelsior* 'Aureafolia') trees within the planting islands in the parking areas.

Other landscape material to be installed on the site include Little Rascal Holly (*Ilex* x 'Mondo'), Harbor Dwarf Nandina (*Nandina domestica* 'Harbor Dwarf'), Double Play Gold Spirea (*Spiraea japonica* 'Yan'), and David Viburnum (*Viburnum davidii*). These shrubs will fill out the remainder of the planting islands along Lafayette Avenue and the edges of the parking areas. The remainder of the site will be treated as lawn, providing for additional open green space on the site particularly in the areas adjacent to residential uses. The proposed landscape plan and disbursement of plants results in landscaping that is compatible with the proposed use as a government maintenance building and the surrounding properties.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Finding: The proposed use will be screened on the sides most visible from the public right-of-way by a combination of perimeter building plantings and larger shade trees. Village Green Zelkova (*Zelkova serrata* 'Village Green') and Golden Desert Ash (*Fraxinus excelsior* 'Aureafolia') will be installed closest to Lafayette Avenue, providing larger shade trees that will provide screening at maturity. Also, the existing trees closer to the building will be retained, which will preserve larger mature trees on the site that will provide screening of the site.

The southern portion of the site that will be treated as open green space will be surrounded by a sight-obscuring fence. Some existing vegetation does exist in the southern portion of the site, particularly along the eastern property line. The applicant is proposing to clean out trash, leaf litter, and invasive plant species, and then maintain the existing vegetation. This vegetation wasn't specifically installed or maintained as landscaped area, but the vegetation, along with the sight-obscuring fence, does provide for screening between the proposed use and the adjacent residential uses.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Finding: Most of the exiting trees on the site will be retained, specifically in the planter areas adjacent to the parking spaces that are closest to the entry of the building. Two (2) existing trees on the western property line will be removed, and this is to allow for the construction of an ADA-accessible walkway from Lafayette Avenue to the entry of the building, which is a building code requirement. Two (2) new trees will be planted in the same general area as the trees being removed. Four (4) larger existing maple trees near the building, as well as three (3) existing pear trees near Lafayette Avenue, will all be retained.

4. The development and use of islands and plantings therein to break up parking areas.

Finding: The applicant is proposing to maintain planting islands in the parking areas on the site. The exiting planting islands are sparsely planted, and the applicant will be installing a variety of shade trees and shrubs to break up the parking areas, add visual interest to the site, and screen the parking areas from view from Lafayette Avenue. In no location will there be more than six (6) parking spaces without a landscaping island providing buffering between other parking spaces.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Finding: The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way. However, the trees planted along Lafayette Avenue will provide a similar sense of a tree-lined street along Lafayette Avenue, and will benefit pedestrians traveling along that roadway.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

Finding: The applicant has included a detailed irrigation plan that shows the installation of a fixed spray irrigation system.

- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Finding: A condition of approval will require that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

17.57.060 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

- C. C-3 (General Commercial zone).

Finding: The subject site is zoned C-3 (General Commercial), and landscaping is being provided as required.

CD:sjs



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

www.mcminnvilleoregon.gov

EXHIBIT 3 - STAFF REPORT

DATE: April 19, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4B: L 12-17

Report in Brief:

An application for a tree removal (L 12-17) to be reviewed by the Landscape Review Committee.

Background:

The applicant, John and Kelly Hall, submitted a street tree removal application to remove three (3) street trees from the property located at 151 NW Mt. Mazama Street. The subject property is more specifically described as Tax Lot 4300, Section 24AD, T. 4 S., R. 5 W., W.M.

Discussion:

The subject property is a single family site in a more recently developed area in the City of McMinnville. The subject site can be seen below as a red outlined area:



The applicant is requesting the removal of three (3) street trees due to the trees exhibiting some evidence of sun scald and water stress, as well as the fact that the property owners are required to install new sidewalk along the street frontage that the existing street trees are located along. The sidewalk is required to be installed along with the construction of a single family home on the subject site. The property owners are concerned that the installation of the sidewalk will impact the existing trees, and due to that and the poor condition of the existing trees, they are proposing to install three (3) new trees in their place after the sidewalks are installed and the home is constructed. The applicant has submitted photos supporting those arguments.

The trees in question were installed by the developer that constructed the Hillcrest Phase 5 subdivision. The diameter of the trees, measured at breast height, are about 9.5 inches. The trees are located on the south side of the subject site. On the street tree plan that was approved for this subdivision (L 2-07), the tree species was identified as October Glory Red Maple (*Acer rubrum* 'October Glory'). Although there are only three (3) street trees existing on the south side of the subject site, the approved street tree plan for the subdivision indicated that four (4) October Glory Maple trees would be installed along the south side of the subject site.

Review Criteria:

Section 17.58.050 (Review Criteria) of the McMinnville Zoning Ordinance states that street tree removals may be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist. Verification of tree health may be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.

The applicant has provided photos and a description of the poor health of the trees proposed to be removed. The trees show signs of sunscald, neglect, and water stress. Public Works staff inspected the site and concurred with the applicant's arguments. Public Works staff recommended that, given the condition of the trees and the damage to the bark and tissue layers inside the bark, the trees be removed and replaced. The damage to the bark is quite excessive, and is visible along the entire trunk of the tree from the ground to the canopy.

- B. The tree is in conflict with public improvements.

The applicant is proposing to construct a single family home on the site, and by doing so, will be required to install sidewalks along the property frontage on 2nd Street. The applicant is concerned that the installation of the sidewalk will impact the existing trees, and is proposing to remove them and replace the trees once the sidewalk installation and construction are complete. The removal and replacement will allow for the sidewalks and new trees to be installed to meet all necessary street tree planting standards, and will allow for root-barrier protection to be effectively installed along the new sidewalk being constructed, which will ensure long-term health and survivability of the replacement trees.

- C. The proposed removal or pruning is part of an approved development project, a public improvement project where no alternative is available, or is part of a street tree improvement program.

This criteria is not applicable, as the tree is not part of an approved development or public improvement project.

- D. A street tree within the downtown tree zone may also be removed if the Planning Director determines that the tree is causing repeated and excessive damage to sidewalks or other public or private improvements or structures.

This criteria is not applicable, as the tree in question is not located within the downtown tree zone.

Based on the neglect and the poor condition of the existing trees, and the fact that the existing trees could be impacted by the installation of sidewalks, the tree removal meets multiple criteria to warrant removal.

Tree Replacement:

Section 17.58.040(D) (Tree Removal/Replacement) of the McMinnville Zoning Ordinance states that "Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value."

Although there are only three (3) street trees existing on the south side of the subject site, the approved street tree plan for the subdivision indicated that four (4) Autumn Glory Maple trees would be installed along the south side of the subject site. Therefore, a condition of approval has been included to require that the applicant install four (4) replacement trees, if the removal of the existing trees is approved.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Based on the findings described above, staff is recommending that the street tree removal be approved with the following conditions:

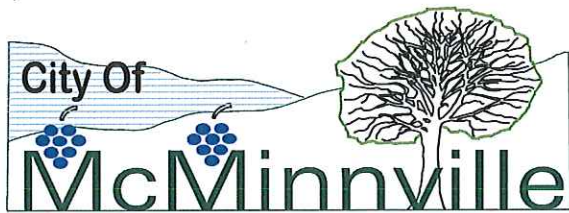
1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process. The applicant shall contact Trena McManus at McMinnville Water and Light at 503-472-6919 (extension 5) if the underground utilities become exposed.
2. That the tree's stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. That the applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. It is recommended that the sidewalk repairs be completed prior to replanting any tree. Please call the Engineering Department at (503) 434-7312 for sidewalk standards and specifications prior to construction.
4. That the applicant shall plant four (4) street trees in place of the trees being removed. The trees shall be October Glory Red Maple (*Acer rubrum* 'October Glory'), and shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.
5. That the replacement trees shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the trees. The root barrier protection shall be placed in 10-foot lengths, centered on the trees, and to a depth of eighteen (18) inches. In addition, the trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
6. That the applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
7. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
8. That the planter areas shall be restored to original grade immediately following the planting of the replacement tree.

9. That all costs and liability associated with the tree's removal shall be borne by the applicant.
10. It is recommended that the root-barrier protection be installed along the new sidewalk during the construction and installation of the sidewalk.
11. That the applicant shall complete the removal within six (6) months of this approval notification, or October 19, 2017.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 12-17 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs



Planning Department
 231 NE Fifth Street ◦ McMinnville, OR 97128
 (503) 434-7311 Office ◦ (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:	
File No.	<u>L 12-17</u>
Date Received	<u>3-6-17</u>
Fee	<u>-</u>
Receipt No.	<u>-</u>
Received by	<u>CD</u>

Street Tree Removal

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name John & Kelly Hall Phone 503.435.8566

Contact Name _____ Phone _____
(If different than above)

Address PO Box 1052

City, State, Zip McMinnville, OR 97128

Contact Email jaguarjohn@fasterspincoaching.com

Property Owner Information

Property Owner Name _____ Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 151 NW Mt. Mazama St. *

(Property nearest to tree(s) for removal)
 Assessor Map No. R4 5000 -24AD-04300 Total Site Area _____

Subdivision Hillcrest Phase 5 Block _____ Lot 89

Comprehensive Plan Designation _____ Zoning Designation R-1

* 3 - trees on 2nd St. within property easement

Additional Information

1. How many trees are requested for removal? 3
2. What type (species) of tree(s) are they? acer - possibly rubrum sunset or somerset or truncatum
3. What is the diameter of the tree(s), measured four feet above ground level? 10.3 inches
4. Why are you requesting the removal of the noted tree(s)? (See "Removal Criteria" on attached Information Sheet.) Explain which of the criteria is addressed through this application. _____

See attached Letter addressing removal criteria.

In addition to this completed application, the applicant must provide the following:

- attached A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), showing the location of the tree(s) subject to the removal request, property lines, sidewalks, adjacent utilities (including overhead), north direction arrow, and adjacent streets.
- Arborist report, photographs, and/or other information which would help substantiate or clarify your request. attached

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

John Hall
Applicant's Signature

3-6-2017
Date

John Hall
Property Owner's Signature

3-6-2017
Date

March 6, 2017

City of McMinnville
Landscape Review Committee

Dear Committee:

As a past member of the Landscape Review Committee, I recognized the importance of our street tree program and I am requesting removal of three (3) trees in poor health planted by a developer about 10 years ago.

We recently purchased a lot at the corner of Mt. Mazama St. and Second Street where we are building our home. Three Acer species were planted during development of 2nd Street. There are no sidewalks along this part of 2nd Street or Mt Mazama. These trees are not under irrigation and have been severely sunscald, neglected, and show signs of severe water stress during summer months. I would like to remove the 3 trees within the next 100 days (our house is under construction and it would be helpful to remove prior to sidewalk pour). We would replant in kind with three 15-gallon specimens when I start landscaping this summer. I believe the trees are Acer rubrum 'sunset' or 'somerset' along 2nd St., but unsure. I believe Acer truncatum might be a better selection, but would appreciate input from the committee.

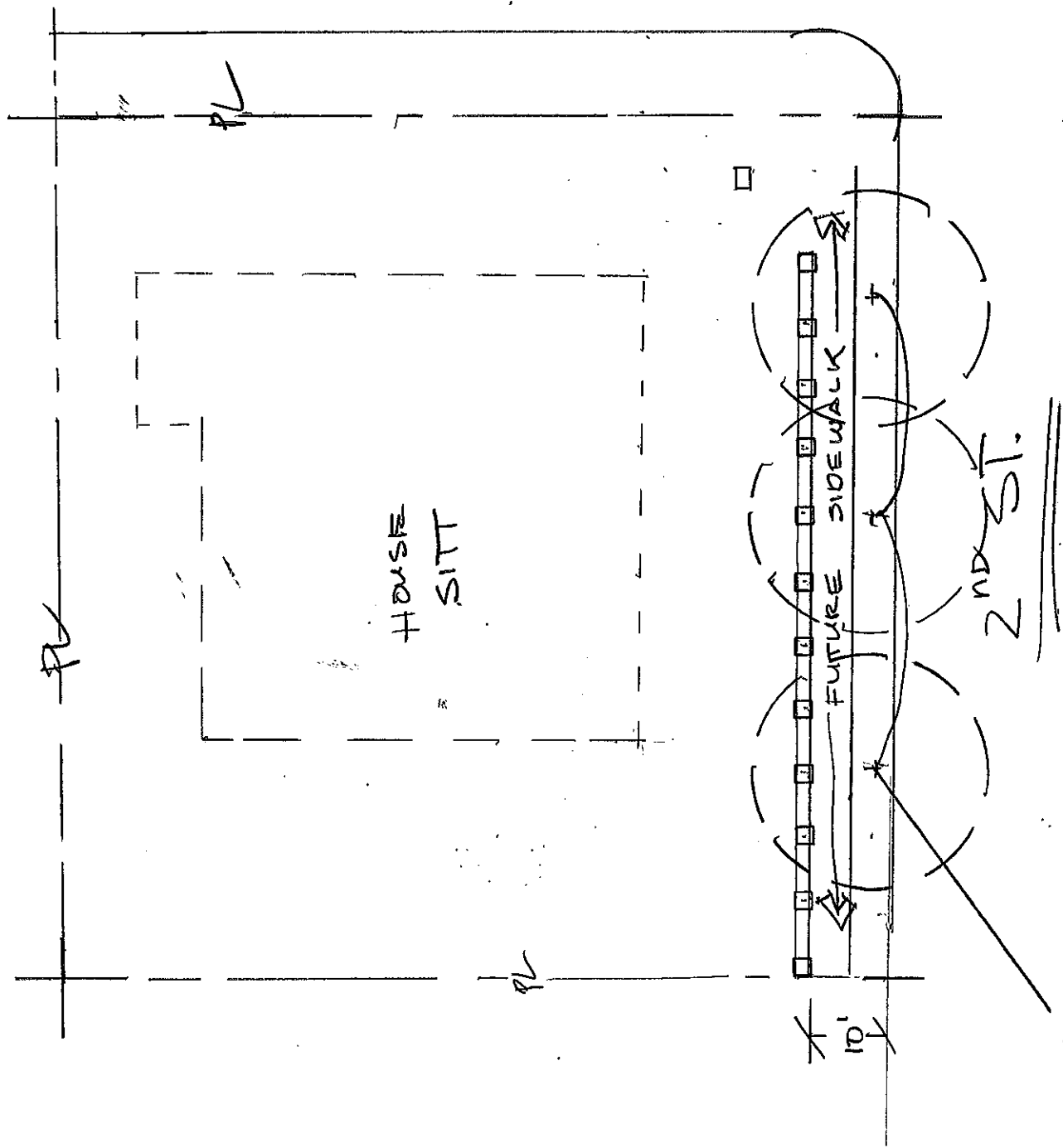
Sincerely,

John & Kelly Hall
PO Box 1052
McMinnville, OR 97128
Cell 503.435.8566



1" = 20'

MT.
MAZAMA ST.

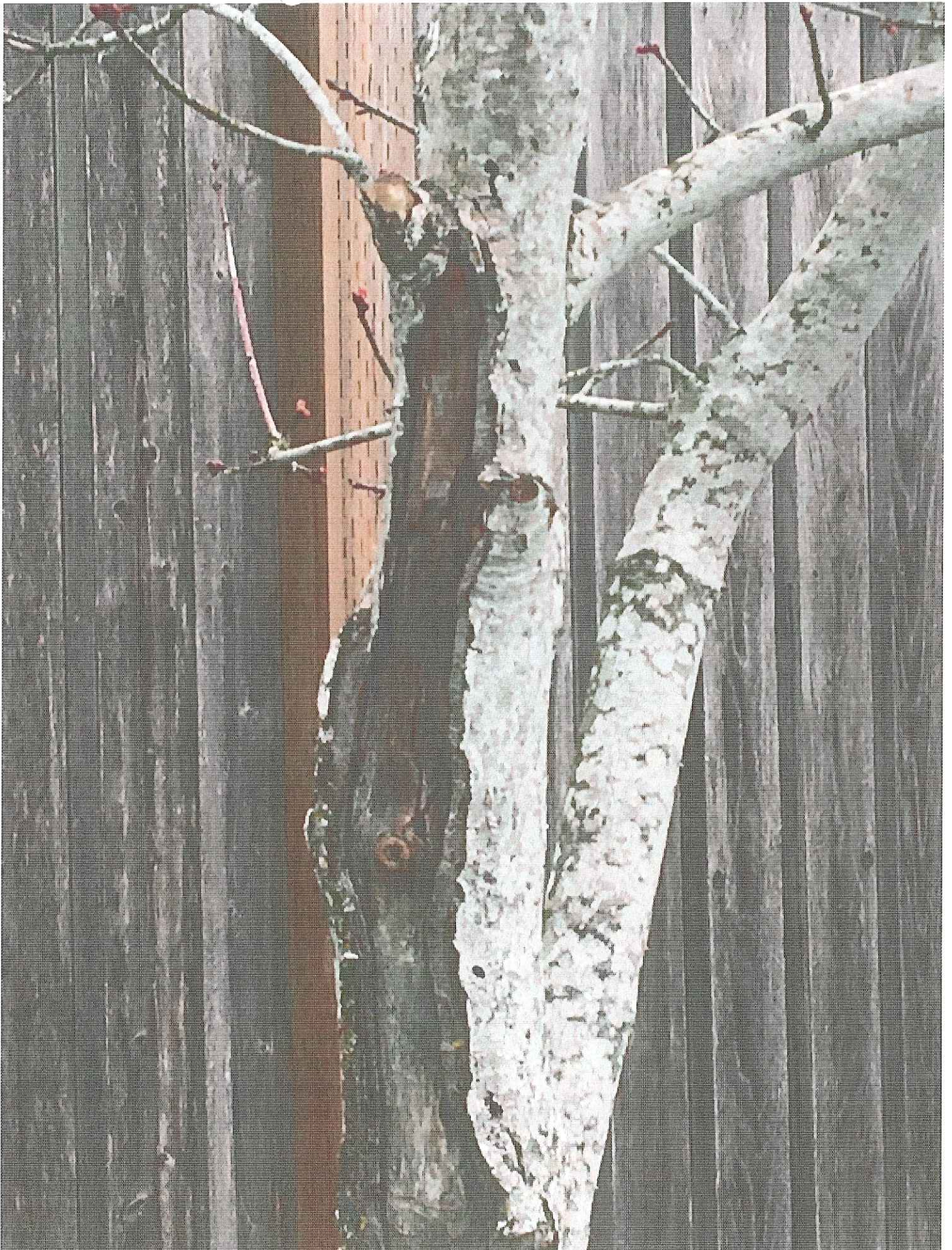


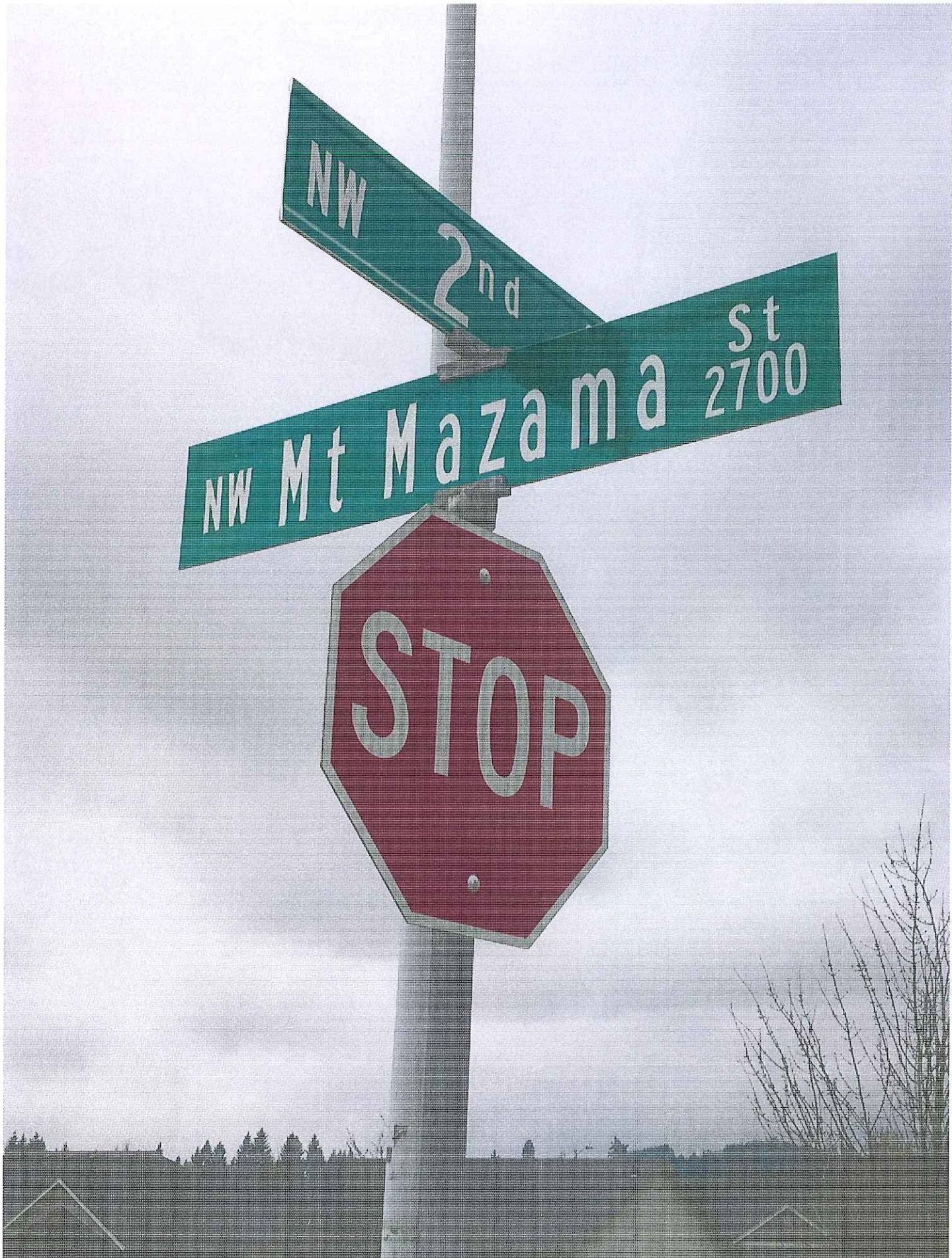
STREES
TO BE REMOVED
AND REPLACED













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

503-434-7311
www.mcminnvilleoregon.gov

DECISION DOCUMENT – 151 NW MT MAZAMA STREET

DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF TREE REMOVAL REQUEST AT 151 NW MT MAZAMA STREET

- DOCKET:** L 12-17 (Street Tree Removal)
- REQUEST:** The applicant requested the removal of three (3) street trees. The removal of a tree within the public right-of-way requires City approval, and requests for tree removal are reviewed and approved by the Landscape Review Committee.
- LOCATION:** The subject site is located at 151 NW Mt. Mazama Street. The subject property is more specifically described as Tax Lot 4300, Section 24AD, T. 4 S., R. 5 W., W.M.
- ZONING:** The subject site is designated as Residential on the McMinnville Comprehensive Plan Map, and is zoned R-1 (Single Family Residential).
- APPLICANT:** John and Kelly Hall
- STAFF:** Chuck Darnell, Associate Planner
- DECISION-MAKING BODY:** McMinnville Landscape Review Committee
- DATE & TIME:** April 19, 2017. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128
- COMMENTS:** No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

ATTACHMENTS:

1. Application for Tree Removal

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL WITH CONDITIONS** of the street tree removal request (L 12-17).

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

Planning Staff: _____
Chuck Darnell, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

Application Summary:

The applicant requested the removal of three (3) street trees. The removal of a tree within the public right-of-way requires City approval, and requests for tree removal are reviewed and approved by the Landscape Review Committee.

CONDITIONS OF APPROVAL

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process. The applicant shall contact Trena McManus at McMinnville Water and Light at 503-472-6919 (extension 5) if the underground utilities become exposed.
2. That the tree's stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. That the applicant shall make any necessary sidewalk repairs and obtain necessary permits from the City prior to initiating such work. It is recommended that the sidewalk repairs be completed prior to replanting any tree. Please call the Engineering Department at (503) 434-7312 for sidewalk standards and specifications prior to construction.
4. That the applicant shall plant four (4) street trees in place of the trees being removed. The trees shall be October Glory Red Maple (*Acer rubrum* 'October Glory'), and shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade.
5. That the replacement trees shall be provided with root barrier protection in order to minimize sidewalk and tree root conflicts. The barrier shall be placed on the public sidewalk side of the tree and the curb side of the trees. The root barrier protection shall be placed in 10-foot lengths, centered on the trees, and to a depth of eighteen (18) inches. In addition, the trees shall be provided with deep watering tubes to promote deep root growth (see enclosed detail).
6. That the applicant shall contact the McMinnville Public Works Superintendent, David Renshaw, at (503) 434-7316 to discuss specific staking, watering tube requirements, and to schedule a planting inspection prior to backfilling.
7. That the applicant is reminded that trees are not to be planted within:
 - a. Five (5) feet of a private driveway or alley;
 - b. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - c. Twenty (20) feet of street light standards or street intersections.
8. That the planter areas shall be restored to original grade immediately following the planting of the replacement tree.
9. That all costs and liability associated with the tree's removal shall be borne by the applicant.
10. It is recommended that the root-barrier protection be installed along the new sidewalk during the construction and installation of the sidewalk.
11. That the applicant shall complete the removal within six (6) months of this approval notification, or October 19, 2017.

ATTACHMENTS

1. Application for Tree Removal

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.

FINDINGS OF FACT

1. John and Kelly Hall submitted a tree removal application requesting the removal of three (3) street trees. The removal of a tree within the public right-of-way requires City approval, and requests for tree removal are reviewed and approved by the Landscape Review Committee. The subject site is located at 151 NW Mt. Mazama Street. The subject property is more specifically described as Tax Lot 4300, Section 24AD, T. 4 S., R. 5 W., W.M.
2. The site is currently zoned R-1 (Single Family Residential), and is designated as Residential on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided.
4. A public meeting was held by the Landscape Review Committee on April 19, 2017 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.
5. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Policy 122.00: The City of McMinnville shall encourage the following provisions for each of the three functional road classifications:

1. *Major, minor arterials.*
–Landscape should be encouraged along public rights-of-way.
2. *Major, minor collectors.*
–Landscape should be encouraged along public rights-of-way.
3. *Local Streets*
–Landscape should be encouraged along public rights-of-way.

Finding: Goal VI 1 and Policy 122.00 are satisfied in that a condition of approval is included that will require that replacement trees be planted in the curb-side planting strip that exists on NW 2nd Street adjacent to the subject property.

Policy 132.24.00: The safety and convenience of all users of the transportation system including pedestrians, bicyclists, transit users, freight, and motor vehicle drivers shall be

accommodated and balanced in all types of transportation and development projects and through all phases of a project so that even the most vulnerable McMinnville residents – children, elderly, and persons with disabilities – can travel safely within the public right-of-way. Examples of how the Compete Streets policy is implemented:

1. *Incorporate features that create a pedestrian friendly environment, such as: [...]*
 - g. *Street furniture, street trees, and landscaping*

Finding: Policy 132.24.00 is satisfied in that a condition of approval is included that will require that replacement trees be planted in the curb-side planting strip that exists on NW 2nd Street adjacent to the subject property. The replacement trees will ensure that a pedestrian friendly environment continues to exist in this location.

Policy 132.38.00: Aesthetics and streetscaping shall be a part of the design of McMinnville's transportation system. Streetscaping, where appropriate and financially feasible, including public art, shall be included in the design of transportation facilities. Various streetscaping designs and materials shall be utilized to enhance the livability in the area of a transportation project.

Finding: Policy 132.38.00 is satisfied in that a condition of approval is included that will require that replacement trees be planted in the curb-side planting strip that exists on NW 2nd Street adjacent to the subject property. The replacement trees will ensure that a pedestrian friendly environment continues to exist in this location, which will enhance the livability in the area.

Policy 132.43.05: Encourage Safety Enhancements – In conjunction with residential street improvements, the City should encourage traffic and pedestrian safety improvements that may include, but are not limited to, the following safety and livability enhancements:

3. *Landscaping barriers between roadway and non-motorized uses;*
4. *Landscaping that promotes a residential atmosphere;*

Finding: Policy 132.43.05 is satisfied in that a condition of approval is included that will require that replacement trees be planted in the curb-side planting strip that exists on NW 2nd Street adjacent to the subject property. Street trees in residential areas are a type of landscaping that promotes a residential atmosphere, and this will be accomplished with the tree replacement.

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 X 1 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.

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

17.58.010 Purpose. The purpose of this ordinance is to establish and maintain the maximum amount of tree cover on public and private lands in the city; provide tree-lined streets throughout the city; select, situate and maintain trees appropriately to minimize hazard, nuisance, damage, and maintenance costs; to enhance the appearance, beauty and charm of the City; to implement applicable adopted Downtown Improvement Plan provisions; to promote a diverse, healthy, and sustainable community forest; and to educate the public regarding community forest issues.

Finding: The approval of the removal request will allow for the removal of trees that are not contributing to the healthy, sustainable community forest desired for the City of McMinnville. In order to maintain the maximum amount of tree cover on public and private lands in the city, a condition of approval has been included requiring that replacement trees be planted in place of the trees removed.

17.58.020 Applicability. The provisions of this ordinance shall apply to:

- A. Individual significant or historic trees as defined in this ordinance
- B. All trees planted in or upon any public area or right-of-way;
- C. All trees planted in or upon any private property which directly affect public infrastructure including but not limited to sewers, water mains, sidewalks, streets, public property, or clear vision distances at street intersections;
- D. All trees on developable land and subject or undergoing development review such as site plan review, tentative subdivision review, or partition review.

Finding: The trees being removed are located in the public right-of-way adjacent to the subject site. Therefore, provisions of the Trees chapter of the McMinnville Zoning Ordinance apply and the removal of any tree within the public right-of-way requires Landscape Review Committee approval.

17.58.040 Tree Removal/Replacement

- A. The removal or major pruning of a tree within the public right-of-way shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file for a permit with the McMinnville Planning Department. The applicant shall include information describing the location, type, and size of the subject tree or trees, and the reasons for the desired action. Requests for tree removal or pruning of trees outside of the downtown tree zone shall be forwarded to the McMinnville Landscape Review Committee for a decision within fifteen days of submittal. Requests for tree removal within the downtown tree zone shall be submitted to the McMinnville Planning Department. Such requests shall be acted upon as soon as practicable, with consideration given to public safety, value of the tree to the public, and work schedules. The Planning Director or his designee should attempt to make decisions on such requests within five calendar days of submittal. The Landscape Review Committee or Planning Director, as appropriate, may approve, approve with conditions, or deny the request based on the criteria stated in Section 17.58.050. A decision of the committee or Director may be appealed to the Planning Commission if notice of intent to appeal is filed with the Planning Department within five days of the committee's or Director's decision. A decision made by the Planning Director in response to a request to remove an unsafe tree, or a tree causing repeated and excessive damage to sidewalks or other public or private improvements or structures shall be final, unless appealed by the applicant; no other party shall have standing to appeal.
- B. Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the City. The Planning Director, after consultation with appropriate city staff and/or a certified arborist, shall direct removal of downtown trees that are identified in a current downtown tree zone inventory assessment as unhealthy, dangerous to the public, inappropriate for the downtown area, or otherwise in need of removal.

- C. The applicant shall be responsible for all costs associated with the tree removal or pruning, or as otherwise required by this ordinance, and shall ensure that all work is done in a manner which ensures safety to individuals and public and private property.
- D. Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city, or a requirement to pay to the city an amount sufficient to fund the planting and establishment by the city of a tree, or trees, of similar value. The value of the existing tree to be removed shall be calculated using the methods set forth in the edition then in effect of the “Guide for Plant Appraisal” published by the International Society of Arboriculture Council of Tree Landscape Appraisers.
- E. The applicant is responsible for grinding stumps and surface roots at least six inches below grade. At least a two inch thick layer of topsoil shall be placed over the remaining stump and surface roots. The area shall be crowned at least two inches above the surrounding grade to allow for settling and shall be raked smooth. The applicant shall restore any damaged turf areas and grades due to vehicular or mechanical operations. The area shall be re-seeded.
- F. Other conditions may be attached to the permit approval by the McMinnville Landscape Review Committee as deemed necessary.

Finding: The provisions above are satisfied in that the removal request was reviewed and approved by the Landscape Review Committee during a public meeting. The provisions related to standards to be followed in removing the tree are included as conditions of approval. A condition of approval is also included requiring that replacement trees be planted in place of the trees being removed.

17.58.050 Review Criteria. A permit for major pruning or tree removal shall be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist. Verification of tree health may be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.

Finding: The applicant has provided photos and a description of the poor health of the trees proposed to be removed. The trees show signs of sunscald, neglect, and water stress. Public Works staff inspected the site and concurred with the applicant’s arguments. Public Works staff recommended that, given the condition of the trees and the damage to the bark and tissue layers inside the bark, the trees be removed and replaced. The damage to the bark is quite excessive, and is visible along the entire trunk of the tree from the ground to the canopy.

The arborist’s report is accompanied by photos of the issues referenced above.

- B. The tree is in conflict with public improvements.

Finding: The applicant is proposing to construct a single family home on the site, and by doing so, will be required to install sidewalks along the property frontage on 2nd Street. The applicant is concerned that the installation of the sidewalk will impact the existing trees, and is proposing to remove them and replace the trees once the sidewalk installation and construction are complete. The removal and replacement will allow for the sidewalks and new trees to be installed to meet all necessary street tree planting standards, and will allow for root-barrier protection to be effectively installed along the new sidewalk being constructed, which will ensure long-term health and survivability of the replacement trees.

CD:sjs



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

www.mcminnvilleoregon.gov

EXHIBIT 4 - STAFF REPORT

DATE: April 19, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4C: L 13-17

Report in Brief:

An application for an update to an existing landscaped area in a commercial shopping center (L 13-17) to be reviewed by the Landscape Review Committee.

Background:

The applicant, David Grover, submitted a landscape plan review application to update an existing landscaped area in a commercial shopping center on the property located at 2180-2350 NE Highway 99W. The subject property is in the western portion of the McMinnville Plaza commercial shopping area, and is more specifically described as Tax Lot 1003, Section 15BB, T. 4 S., R. 4 W., W.M.

Discussion:

The subject property is zoned C-3 (General Commercial). The subject site can be seen below as a red outlined area:

Attachments: Application and Landscape Plan



The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of a site being developed be landscaped (Section 17.57.050(A) (Area Determination – Planning Factors)). The size of the subject site is 53,434 square feet. The existing landscaped area is 4,854 square feet, which equates to about nine (9) percent of the subject site being landscaped.

The existing landscaped area consists of ten (10) mature Bowhall Red Maple (*Acer rubrum* 'Bowhall') trees. The existing trees range in diameter from 15 to 19 inches, measured at breast height. The applicant recently hired an arborist to inspect the trees and identify whether any hazardous conditions existed. The arborist's report identifies four (4) of the trees as having very poor structure and therefore being hazardous. The arborist's report goes on to state that all of the existing Bowhall Red Maple trees "are fully mature, and may be near the end of the safe useful life expectancy". Based on the arborist's report and suggestions, the applicant is proposing to remove the trees.

The property owner is interested in removing the four (4) trees identified as being hazardous. In addition, they have proposed to remove the additional (6) Bowhall Red Maple trees based on their opinion that "simply removing and replacing the 4 hazardous trees will leave a very unbalanced and noncongruent symmetry to the landscape..." They have proposed to replace all ten (10) trees with a different species that they feel will be more suitable to the landscaped area. The species proposed to serve as the replacement tree is Japanese Snowbell (*Styrax japonicus*).

The existing Bowhall Red Maple trees, as seen from Highway 99W to the north in August 2016, can be seen below:



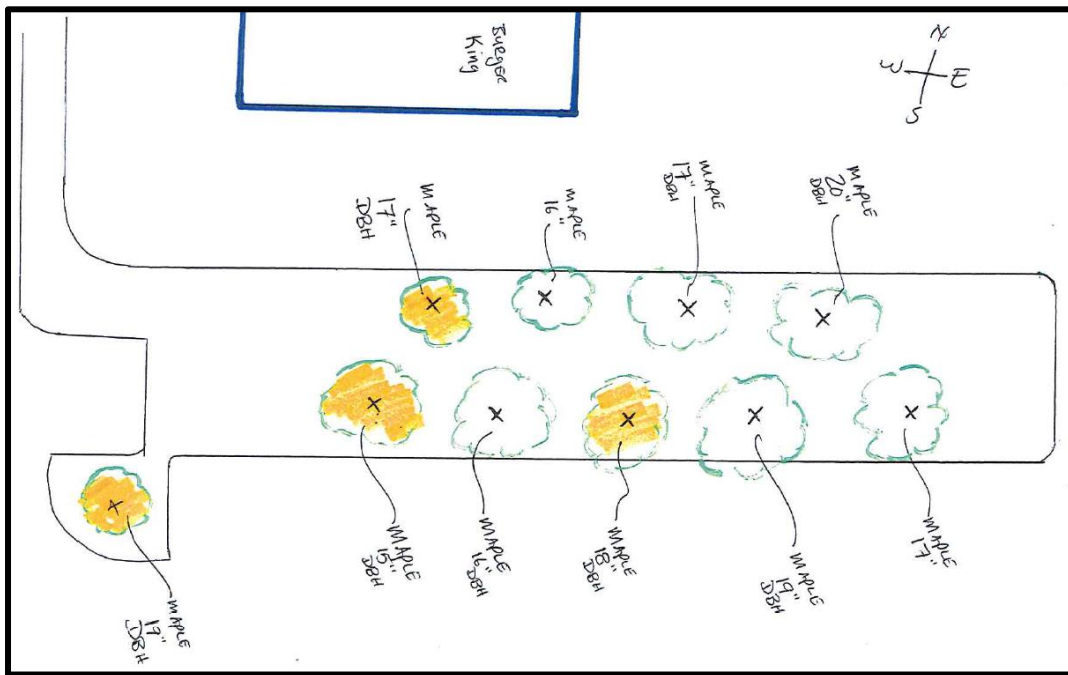
In reviewing a landscape plan, Section 17.57.050(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to also consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

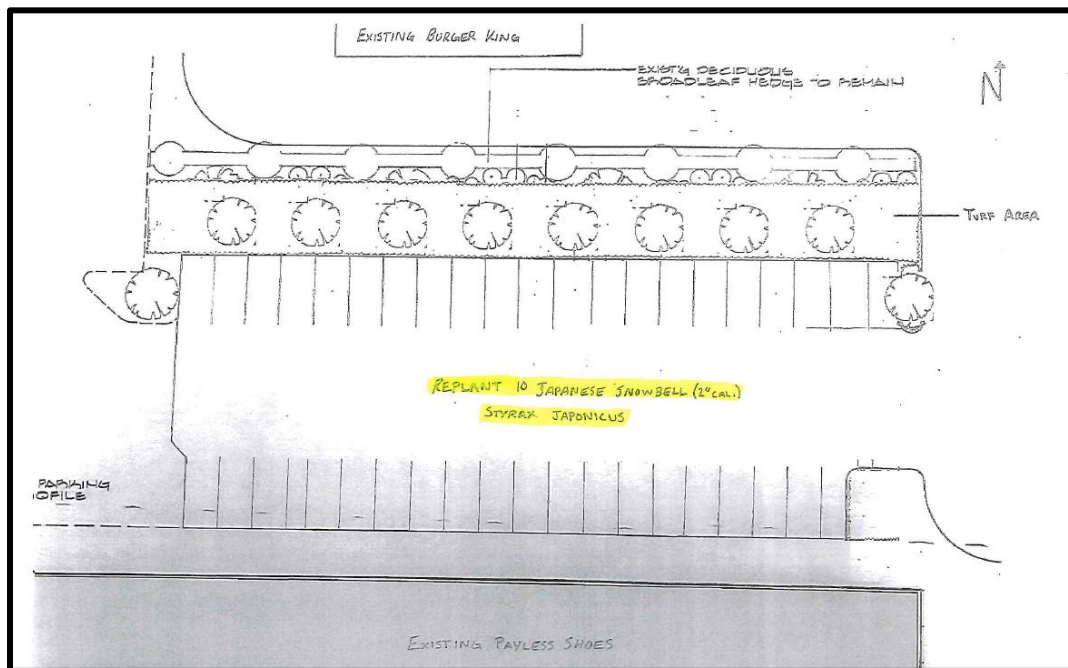
The subject site is part of a larger commercial shopping center, the McMinnville Plaza. The subject site is one of the few properties in the shopping center area that has a significant amount of landscaping within the parking area. The existing trees and lawn within the planting island provide for screening between uses, and also serve to break up the vast amounts of parking within the shopping center. Therefore, the retention of trees and landscaping in these areas is extremely important.

As stated in the arborist's report, four (4) of the Bowhall Red Maple trees do have poor structure and multiple central leaders, which is leading to hazardous conditions. This creates a safety concern, especially considering the location within a busy shopping center, and makes the property owner's concerns and requests for removal reasonable. If the rest of the trees are reaching the end of their "safe useful life expectancy", there is also reason to address the entire planting area and replace all trees at one time. However, as stated above, the existing trees have a significant presence in the shopping center as one of the few larger landscaped areas with trees in the parking areas within the shopping center.

The location of the existing trees, with the hazardous trees identified in yellow, can be seen below:



The applicant is proposing to replace the existing Bowhall Red Maple trees with ten (10) Japanese Snowbell (*Styrax japonicus*) trees. Japanese Snowbell trees grow to a height of 15-25 feet, with a width of 15-25 feet. Branching is generally low and horizontal, and the trees flower in May through June. These trees will not grow to be as large as the Bowhall Red Maple trees that exist on the site today, but similar species of trees are located in other areas of the overall shopping center. Smaller trees are located in the eastern portion of the shopping center parking lot, in front of Safeway and Petco, but larger maple trees exist in the western portion of the shopping center parking lot, in front of JC Penny. The proposed plan is compatible with some portions of the surrounding shopping center area. The proposed planting plan can be seen below:



The landscape area does include some other smaller shrubs and evergreen plantings along the northern edge of the landscape area. The applicant is proposing to keep the smaller shrubs and evergreen plantings as they exist today. This other landscaping can be seen below:



2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The proposed use will be screened on the side most visible from the public right-of-way, Highway 99W, by the new Japanese Snowbell (*Styrax japonicus*) trees. However, the trees will not grow to be as large as the existing Bowhall Red Maple trees. To ensure that an adequate level of screening is provided soon after replanting, and if the Landscape Review Committee decides to approve the request, a condition of approval could be included to require that the Japanese Snowbell trees installed on the site be a minimum of three (3) inches in caliper measured six (6) inches above grade.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The existing trees on the site will be removed as part of this project, as described in more detail above. The trees are proposed to be replaced on a one-to-one ratio, although with a different species.

4. The development and use of islands and plantings therein to break up parking areas.

The applicant is proposing to add two (2) of the new trees in landscape islands on the ends of an existing row of parking spaces. This will provide for more visual interest in the parking lot, and better break up parking areas on the site.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

An in-ground irrigation system exists within the landscaped area, and the applicant is not proposing to remove or change that system.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Staff is recommending that the Landscape Review Committee review the materials submitted and staff's findings as described above, and make a decision to approve with conditions, continue, or deny the application.

Staff would offer that, if the Landscape Review Committee decides to approve of the request, a condition of approval could be included to require that the Japanese Snowbell trees installed on the site be a minimum of three (3) inches in caliper measured six (6) inches above grade. This would ensure that an adequate level of screening is provided soon after replacement, and would reduce the immediate aesthetic impacts of the tree removals. Another option would be to require that more than 10 replacement trees be planted, as the proposed Japanese Snowbell (*Styrax japonicus*) trees will not grow to be as large as the existing Bowhall Red Maple trees.

If the Landscape Review Committee decides not to approve the request, findings could be that the removal of the six (6) existing Bowhall Red Maple trees is not necessary, due to the trees not being identified as hazardous in the arborist's report. The arborist's report does identify that the trees "are fully mature, and may be near the end of the safe useful life expectancy". However, the Landscape Review Committee could find that the trees, even those identified as hazardous in the arborist's report, could be trimmed or pruned to address the applicant's concerns while not completely removing the trees.

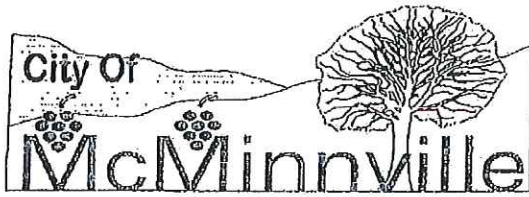
Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 13-17 WITH CONDITIONS AS DETERMINED BY THE LANDSCAPE REVIEW COMMITTEE.

OR

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE CONTINUE L 13-17 AND REQUEST THE APPLICANT TO SUBMIT MORE DETAILS AS DETERMINED BY THE LANDSCAPE REVIEW COMMITTEE.

CD:sjs



Planning Department
 231 NE Fifth Street • McMinnville, OR 97128
 (503) 434-7311 Office • (503) 474-4955 Fax
www.ci.mcminnville.or.us

Office Use Only:	
File No.	<u>L13-17</u>
Date Received	<u>3-10-17</u>
Fee	<u>140.00</u>
Receipt No.	<u>17M0041</u>
Received by	<u>CD</u>

Landscape Plan Review Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name David Grover Phone 503-348-4319

Contact Name Pacific Landscape Management Phone 503-648-3100
 (If different than above)

Address 21555 NW Amberwood Dr.

City, State, Zip Hillsboro, OR 97124

Contact Email david.grover@pacscape.com

Property Owner Information

Property Owner Name REEF McMinnville Plaza, LLC Phone 503-225-1545
 (If different than above)

Contact Name Mariann Deering Phone same

Address 4800 SW Macadam Ave, Suite 120

City, State, Zip Portland, OR 97239

Contact Email Mariann@deeringmanagementgroup.com

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 2180-2690 NE HWY 99W McMinnville, OR 97128

Parcel III

Assessor Map No. R4 415BB-1003 Total Site Area 53,434 SF Parcel III

Subdivision _____ Block _____ Lot _____

577,102 SF total property

Comprehensive Plan Designation _____ Zoning Designation C-3 General Commercial

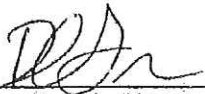
Landscaping Information

- 1. Total Landscaped Area: _____
- 2. Percent Landscaped: _____
- 3. Building Floor Area:
New Structure: _____ Existing Structure: _____ Addition: _____
- 4. Architect Name _____ Phone _____
(Landscape Architect; Engineer; or Other Designer)
Contact Name _____ Phone _____
Address _____
City, State, Zip _____
Contact Email _____

In addition to this completed application, the applicant must provide the following:

- Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.
- Payment of the applicable review fee, which can be found on the Planning Department web page.


I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.



Applicant's Signature

3/9/17

Date



Property Owner's Signature

Agent for
owner

3/9/17

Date

PACIFIC

LANDSCAPE MANAGEMENT

Landscape Review Committee
City of McMinnville Planning Dept.
231 NE 5th St.
McMinnville, OR 97128

March 9th, 2017

To whom it may concern,

NW Tree Specialists was hired by Pacific Landscape Management on March 6th to perform an assessment on the trees at McMinnville Plaza, 2180- 2690 NE Hwy 99W, McMinnville, OR. The assessment was done in good faith to proactively identify any hazardous conditions before any life or property is damaged.

The certified arborist with NW Tree specialists identified 4 Bowhall Maple (*Acer rubrum* 'Bowhall') trees with varying concerns and hazardous attributes. You can find the arborist report attached to the application. My client has requested that the trees be removed for obvious safety concerns. However, I have proposed to my client that an additional 6 Bowhall Maple trees be removed and replaced as part of the same project. Simply removing and replacing the 4 hazardous trees will leave a very unbalanced and noncongruent symmetry to the landscape outside a high-profile retail center.

I also have concerns with replacing the trees with the same species and cultivar which are likely to have the same issues of poor branching and root issues. My proposal is to replace all 10 trees with a more graceful tree, Japanese Snowbell (*Styrax japonicus*). This species tree will be better suited for the space the trees are currently in. Attached to the application is the drawing, to scale, of where I am planning to replant the trees to create more balance and symmetry. Also attached is an ALTA survey of the property.

Thank you for your consideration into helping my client create a safer and more aesthetically balanced space for the great businesses and patrons of the City of McMinnville.

Sincerely,



David Grover, Branch Manager
503-348-4319



NORTHWEST
TREE SPECIALISTS

21300 NW Mauzey Road
Hillsboro, OR. 97124
OFFICE 503-645-2242
FAX 503-645-9399

CCB# (164737 --- Oregon) (northts958lt --- Washington)

Date: Monday, March 6, 2017

Conditions Cloudy - not raining - 45 degrees

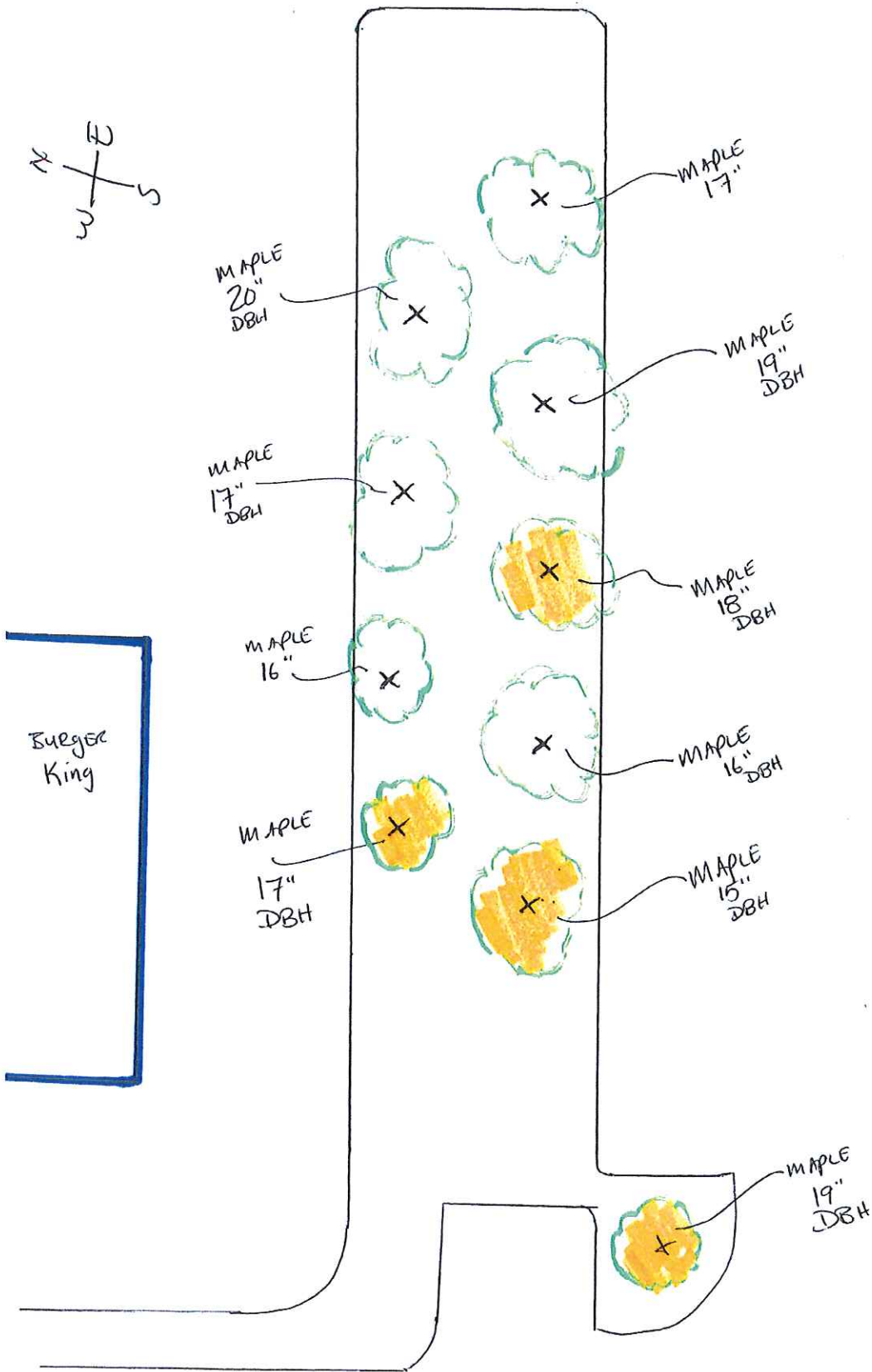
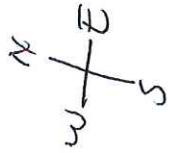
Name: McMinnville Plaza
Phone: 503-348-4319 David Grover
Address: 2250 N. Hwy 99 West, McMinnville, OR 97128

Assignment:	<p>Priority #1 --- Observe and make recommendations of all trees, in regards to safety to pedestrians, the structures, truck traffic, and personal property.</p> <p>Priority #2 --- Observe and make recommendations of all plant material in terms of over all health, longevity, insect control, and overall aesthetic.</p>
Observation:	<p>10 Red Maple (<i>Acer rubrum</i>) with diameters of 15" at breast height, to 20" diameter at breast height. There are four (4) total trees that have VERY POOR structure, and will qualify by ISA standards as hazardous. All ten (10) trees are fully mature, and may be near the end of the "safe useful life expectancy".</p> <p>Issue #1 --- Poor Structure --- Multiple central leaders, causing bark inclusions which lead to catastrophic canopy loss in storm situations.</p>
Conclusion:	<p>Red Maples should be removed, due to having passed the "Safe Useful Life Expectancy". They should be replaced with a species that can handle the drought conditions of restricted planting areas.</p>

Arborist: Jon Poteet --- 503-250-4968 ISA #PN-7824A



Arborist Membership Number PN-7824A



EXISTING BURGER KING

EXIST'G DECIDUOUS BROADLEAF HEDGE TO REMAIN



TURF AREA

REMOVE 10 EXISTING BOWHALL MAPLE TREES

PARKING PROFILE

EXISTING PAYLESS SHOES

ETAIL

EXIST'G FOOT
4.1.25.50

EXISTING BURGER KING

EXIST'G DECIDUOUS
BROADLEAF HEDGE TO REMAIN



TURF AREA

REPLANT 10 JAPANESE SNOWBELL (2" CAL.)

STYRAX JAPONICUS

PARKING
PROFILE

EXISTING PAYLESS SHOES

DETAIL

EXIST'G FOOT
4.1.25.56

Property Description

Notes

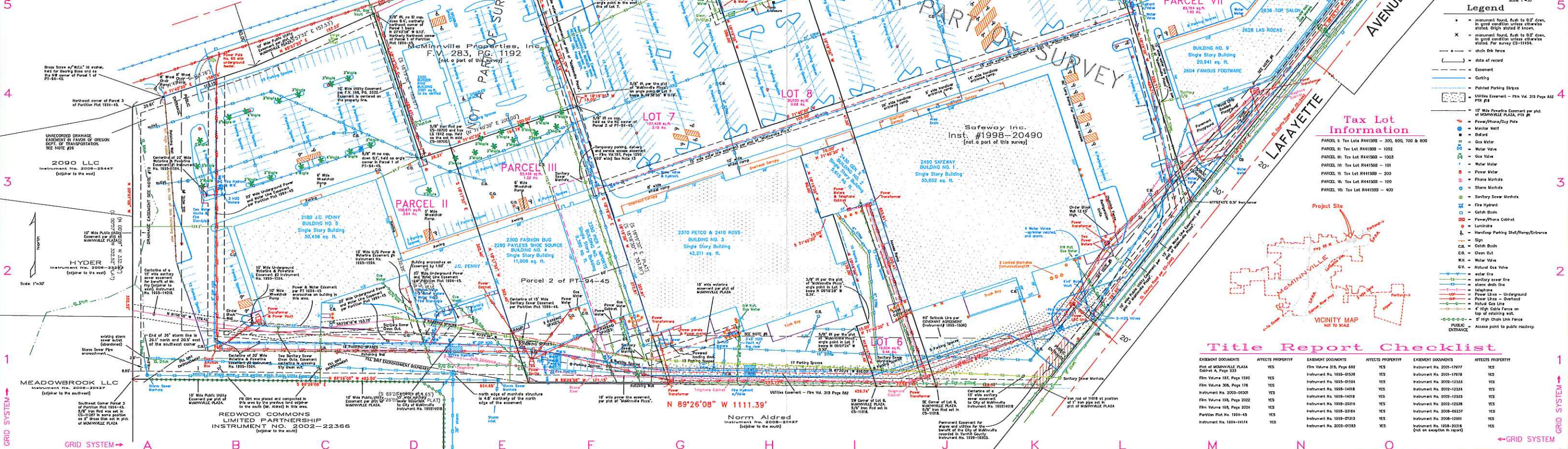
Certificate

A.L.T.A. Survey for REEF MCMINNVILLE PLAZA LLC, REEF HOLDINGS LLC, & FIDELITY TITLE INSURANCE COMPANY

PARCEL I: Lot 3, Lot 6, Lot 7 and Lot 8, McMinville Plaza, in the City of McMinnville, Yamhill County and State of Oregon.
PARCEL II: A tract of land in Section 15, Township 4 South, Range 4 West, W.M., of the Parcel 1 and 3 and a portion of Parcel 2 of Yamhill County Partition Plat 1894-45, Yamhill County, Oregon, further described as follows: Beginning at the southeast corner of Parcel 2 of Yamhill County Partition Plat 1894-45, thence North 89°26'08" West 171.15 feet along the south line of said Parcel 2 to the TRUE POINT OF BEGINNING, thence North 89°26'08" West 483.50 feet to the northeast corner of Parcel 3 of said partition, thence North 00°07'00" West 323.25 feet to the northeast corner of said Parcel 3, thence North 71°40'57" East 158.75 feet to an angle point in the north line of Parcel 1 of said partition, thence North 85°37'52" East 157.33 feet to the northeast corner of Parcel 1 of said partition, thence South 18°19'30" East 185.87 feet to an angle point in Parcel 1 of said partition, said point being on the south line of Parcel 2 of said partition, thence North 71°40'57" East 38.31 feet along the north line of Parcel 2 of said partition, thence South 18°17'52" East 202.40 feet to the TRUE POINT OF BEGINNING.

1) The subject property lies in FEMA Flood Zone X.
2) The Total Property Area is 57,102 sq. ft. (1,314 Acres) including Safeway & Burger King.
3) We have measured 138,211 sq. ft. of total building area (including Burger King) (combined building areas and measured to outside of buildings). The Safeway building has 55,602 sq. ft. of building area. The Burger King building has 3,379 sq. ft. of building area.
4) The property shown herein is subject to Easements, Encumbrances and Restrictions recorded in File Volume 187, Page 1500, Yamhill County Deed Records, and Assessed by document recorded in File Volume 306, Page 176, Yamhill County Deed Records, and First Amendment to Declaration of Easements with Documents and Restrictions recorded in Instrument No. 2003-0506, Yamhill County Deed Records.
5) Parking Space Data: SUBJECT PROPERTY: 678 Standard Parking Spaces, 17 Handicap Parking Spaces; BURGER KING PROPERTY: 42 Standard Parking Spaces, 3 Disabled Parking Spaces.
6) 67' Subdiv Line per COVENANT AGREEMENT recorded in Instrument No. 1995-1536. There is a provision in Chapter 5, General Building Limitations, Section 5031, 5052 and 5053 of the 1997 Uniform Building Code that states "the centerline of an adjoining public way shall be considered an adjacent property line". The setback lines shown herein reflect these requirements and distances.
7) FEMA MAP reference for flood plain information: FEMA FIRM map 41071C0200 30M maps do not show any of the area shown on this plat as being affected by a 100 year flood zone. This property lies in Zone X.
8) The 27th Street Vacation Order recorded in Instrument No. 1929-2513 included a legal description of the property, the dimensions listed in the legal description do not have a closure problem. The dimensions shown herein are changed slightly to make the parcel dimensions close. The street was held to be 40 feet wide.
9) The plat of McMinnville Plaza is recorded in Cabinet A, 3154 233, Record of Town Plats, Yamhill County, Oregon, on the 16th of September 1928.
10) Legend Modified & Associates has relied on Fidelity National Title Company of Oregon's Preliminary Report, Order Number 2003001889-10-01-01.
11) No building shown on this survey exceeds 80 feet in elevation when compared to directly adjacent grades. (80' building height restriction per City of McMinnville C-3 zoning).
12) The chain provides, stone water drainage for other properties up stream.
13) There is a possible conflict with a 60' wide easement for temporary parking, delivery and service access, easement described by Plat No. 187, Page 1500. This easement now has building no. 10 on a portion of it (see 1 impetus). See also F2422.
14) The "PARIAL RELEASE OF EASEMENT" recorded in Instrument No. 2001-1912 removed a 203 foot portion of a waterline easement now located under Building Plat No. 13 which is 7008 PROPERTY. See also F2422.
15) This property is zoned "C-3 General Commercial". Please refer to the attached copy of the C-3 Zoning Ordinance.
16) Utility easement for the benefit of the City of McMinnville recorded in Instrument No. 2002-12727 is located at grid 88.
17) Utility easement for the benefit of the City of McMinnville recorded in Instrument No. 2002-12535, located at grid 15.
18) Utility easement for the benefit of the City of McMinnville recorded in Instrument No. 2002-12533, located at grid 15.
19) Utility easement for the benefit of the City of McMinnville recorded in Instrument No. 2002-12534, located at grid 15.
20) Utility easement for the benefit of the City of McMinnville recorded in Instrument No. 2002-12534, located at grid 15.
21) Utility easement for the benefit of the City of McMinnville recorded in Instrument No. 2002-12534, located at grid 15.
22) Utility easement for the benefit of the City of McMinnville recorded in Instrument No. 2002-12534, located at grid 15.
23) Since easement for the benefit of the City of McMinnville recorded in Instrument No. 2002-12534, located at grid 15.
24) Sanitary Sewer easement for the benefit of Pendo Express recorded in Instrument No. 2008-09237 is not mutually exclusive, and no such easement has been based on observation evidence of physical location only. See OS 233.
25) State Highway 99 & Lafayette Avenue we dedicated public right of way.
26) Record of Easement to Oregon Dept. of Transportation shows an Easement 2009-9 (Dy Duncas & Associates) over a portion of Parcel 4. In the Duncas & Associates file for this survey is a description, written by Duncas & Associates, titled "Record of Easement to Oregon Dept. of Transportation". The description is by article to Highway Easement of Highway 99 and calls the western line along the western side of a retaining wall. I have not found an actual deed from anyone to DUNCAS for this area. The DUNCAS deed right of way surveyer was unable to find an easement.

Location: The NW 1/4 of Section 15, T.4 S., R.4 W., W.M., within the Lots 1, 2, 3, 4, 6, 7, 8 and 10, McMINNVILLE PLAZA, Parcel 1 and 2 of Yamhill County Partition Plat 1994-45, McMinnville, Oregon, D.L.C. No. 49, the City of McMinnville, Yamhill County, Oregon.
Tax Lots: 441308 - 101, 101, 200, 300, 400, 600, 700, 800, 1002 & 1003
Date: 20 October 2010
Scale: 1"=30'



Legend table with symbols for monument, chain link fence, easement, utility lines, and other features.

Tax Lot Information table listing parcel numbers and tax lot numbers.

Title Report Checklist table with columns for instrument numbers and affected properties.



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

www.mcminnvilleoregon.gov

EXHIBIT 5 - STAFF REPORT

DATE: April 19, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4D: L 14-17

Report in Brief:

An application for a landscape plan for a new residential social relief facility (L 14-17) to be reviewed by the Landscape Review Committee.

Background:

The applicant, Troy Haworth, submitted a landscape plan review application to install landscaping on the site of a new residential social relief facility to be located at 1944 NE Baker Street. The subject property is more specifically described as Tax Lot 400, Section 16CB, T. 4 S., R. 4 W., W.M.

Discussion:

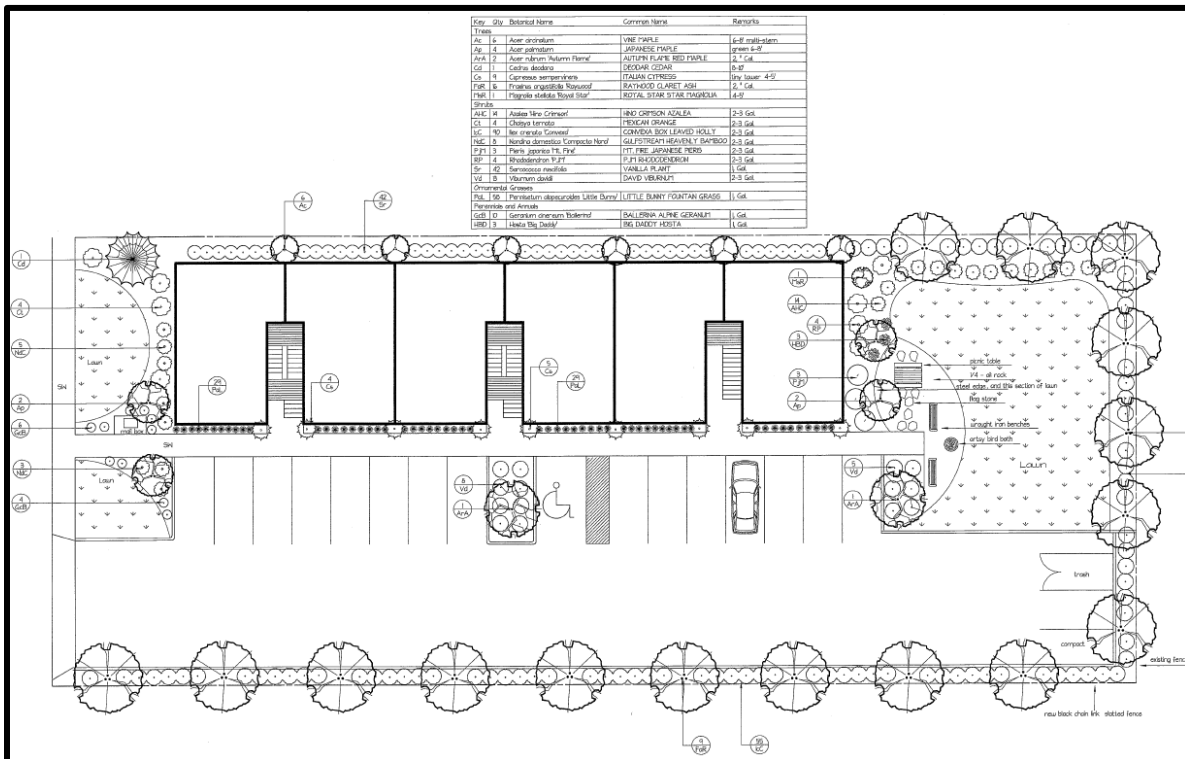
The subject property is zoned C-3 PD (General Commercial Planned Development). The site is currently vacant, and the applicant is proposing to construct a new building on the site that will function as a residential social relief facility. The subject site can be seen below as a red outlined area:

*Attachments: Application and Landscape Plan
Decision Document*



The Landscaping chapter of the McMinnville Zoning Ordinance requires that at least seven (7) percent of the gross area of a site being developed (Section 17.57.050(A) (Area Determination – Planning Factors)). The landscape plan as proposed greatly exceeds those requirements, as 42 percent of the site is proposed to be landscaped.

The landscaping being proposed on the main portion of the site can be seen below:



In reviewing a landscape plan, Section 17.57.050(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to also consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The surrounding area consists of a mixture of multiple family residential properties, office uses, and other commercial uses primarily fronting Highway 99W to the east. The applicant is proposing to incorporate a significant amount of landscaped area on the site, 42 percent of the total site, which will allow for the proposed project to be compatible with the surrounding uses and abutting properties.

The applicant is proposing to install a lawn area along the site's frontage on NE Baker Street, with the addition of trees and shrubs between the building and the parking areas closest to the street. Two (2) Japanese Maple (*Acer palmatum*) and one (1) Deodar Cedar (*Cedrus deodara*) will be installed between the building and the parking spaces and NE Baker Street. The Deodar Cedar tree will grow to a height of 40-50 feet with a canopy width of 20-30 feet. In addition, numerous smaller shrubs and plants will be installed in the planter area west of the building, including geranium, heavenly bamboo, and choisya, which will provide additional screening of the proposed use from the public right-of-way.

On the south side of the site, the applicant is proposing to install a continuous sight-obscuring fence along the south property line. Inside the fence, a planter strip will be installed between the fence and the drive aisle that will include nine (9) Raywood Claret Ash (*Fraxinus angustifolia* 'Raywood') trees evenly spaced along the property line and a continuous row of Convexa box leaved holly (*Ilex crenata* 'Convexa'). On the north side of the site, a similar treatment will be installed. The north side of the site will feature six (6) evenly spaced Vine Maple (*Acer circinatum*) trees and a continuous row of Vanilla Plant (*Sarcococca ruscifolia*).

In the back portion of the site, behind the building, the applicant is proposing to include an open lawn space that will provide usable green space on the site for residents of the facility. This open lawn will be surrounded by landscaped planting areas, with the Raywood Claret Ash and Convexa Box Leaved Holly continuing around the eastern perimeter of the site. Between the open lawn and the building, picnic tables and benches will be provided for seating, and additional trees and shrubs will be installed for visual interest around the perimeter of the open lawn.

The front side of the new building, which will face south and be visible from the public right-of-way and the parking areas, will be treated with landscaping as well. Foundation plantings will be installed along the sidewalk between the building and the sidewalk along the parking area, which will enhance the pedestrian level environment around the building itself. Nine (9) Italian Cypress (*Cupressus sempervirens*) trees will be installed in these areas on each prominent corner of the building, along with continuous rows of Little Bunny Fountain Grass (*Pennisetum alopecuroides* 'Little Bunny').

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The proposed use will be screened on the sides most visible from the public right-of-way by a combination of perimeter building plantings and larger shade trees. As described above, trees will be planted along the entire perimeter of the site, including Raywood Claret Ash (*Fraxinus angustifolia* 'Raywood'), Vine Maple (*Acer circinatum*), Japanese Maple (*Acer palmatum*) and Deodar Cedar (*Cedrus deodara*) trees. Continuous rows of shrubs will also be provided along the north, east, and south property lines. In addition, a sight-obscuring fence will be installed along the south property line to provide additional screening of the parking areas and drive aisle.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

The existing site is vacant and undeveloped. A few existing trees will be removed to allow for the construction of the new facility. The trees to be removed are not particularly significant, and the number of trees being added to the site will greatly outweigh the number of trees being removed. The existing grade of the site will be preserved.

4. The development and use of islands and plantings therein to break up parking areas.

The applicant is proposing to install landscaping in planting areas on each end of the parking areas, which will be immediately adjacent to the new building to the south with a continuous row of 16 parking spaces. As endcaps to the row of parking spaces, a Japanese Maple (*Acer palmatum*) and shrubs will be installed on the west end, and an Autumn Flame Red Maple (*Acer rubrum* 'Autumn Flame') and David Viburnum (*Viburnum davidii*) will be installed on the east end. In addition, a planting island will be installed in the middle of the row of parking spaces to further break up the parking area. This planting island will include another Autumn Flame Red Maple with David Viburnum filling out the planting area.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The applicant has included a note on the landscape plan that all landscaped areas will be irrigated. The lawn space will be irrigated with a Rainbird fixed spray system, and the shrubs will be irrigated with Rainbird drip-line.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Based on the findings described in the staff report and decision document, staff is recommending that the landscape plan be approved with the following conditions:

1. That the applicant shall install landscaping as shown on the submitted landscape plan dated March 2, 2017.
2. That the applicant is reminded that trees are not to be planted within:
 - a. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
3. That the applicant shall maintain proper clearances around the existing and future water services and fire hydrant that will be located near the northwest corner of the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, or within one (1) foot of water meters that may be located near NE Baker Street. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
4. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 14-17 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs



Planning Department
 231 NE Fifth Street • McMinnville, OR 97128
 (503) 434-7311 Office • (503) 474-4955 Fax
 www.ci.mcminnville.or.us

Office Use Only:	
File No.	214-17
Date Received	3/20/17
Fee	145 ⁰⁰
Receipt No.	1780057
Received by	[Signature]

Landscape Plan Review Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name Troy Hawthorn Phone 503-550-3272

Contact Name Same Phone _____
(If different than above)

Address 15110 Blacktail ct

City, State, Zip McMinnville OR 97128

Contact Email troy@haworthinc.net

Property Owner Information

Property Owner Name TDJC LLC Phone 503-550-3272
(If different than above)

Contact Name Troy Hawthorn Phone _____

Address 15110 Blacktail ct.

City, State, Zip McMinnville OR 97128

Contact Email Same

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 1944 NE Baker St.

Assessor Map No. R4416CB-03-400 Total Site Area .51 AC.

Subdivision Joplings Block _____ Lot 13

Comprehensive Plan Designation _____ Zoning Designation C-3

Landscaping Information

- 1. Total Landscaped Area: As per plan 8790
- 2. Percent Landscaped: 42%
- 3. Building Floor Area: First Floor = 4575 SF.
New Structure: _____ Existing Structure: _____ Addition: _____
- 4. Architect Name Rob Stephenson Phone 503-434-0114
(Landscape Architect; Engineer; or Other Designer)
Contact Name Rob Stephenson Phone Same
Address _____
City, State, Zip McMinnville OR 97128
Contact Email _____

In addition to this completed application, the applicant must provide the following:

- Two (2) copies of the proposed landscape plan containing the information listed in the information sheet and Chapter 17.57 (Landscaping) of the Zoning Ordinance.*
- Payment of the applicable review fee, which can be found on the Planning Department web page*

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

J. Haworth
Applicant's Signature

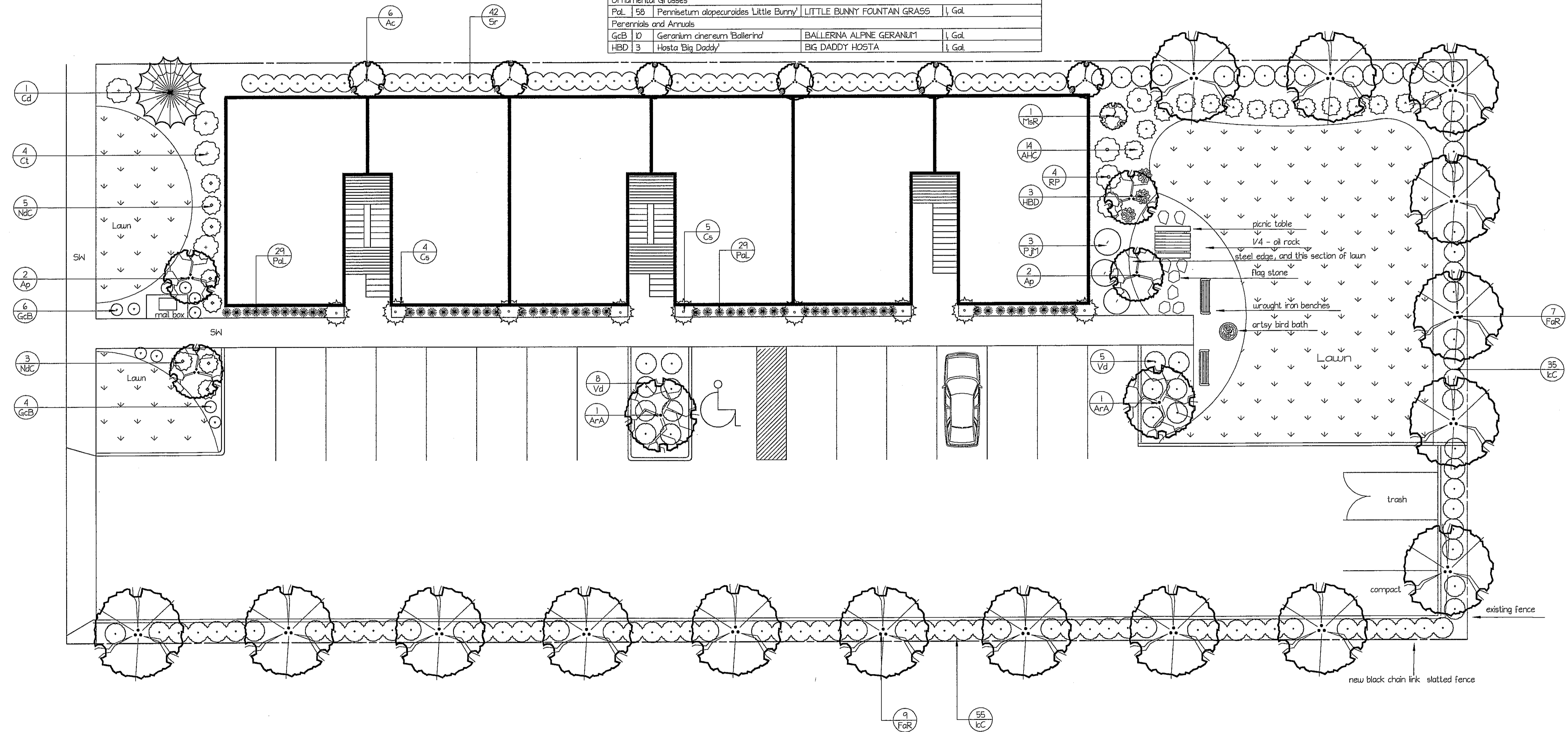
3-18-17
Date

J. Haworth
Property Owner's Signature

3-18-17
Date

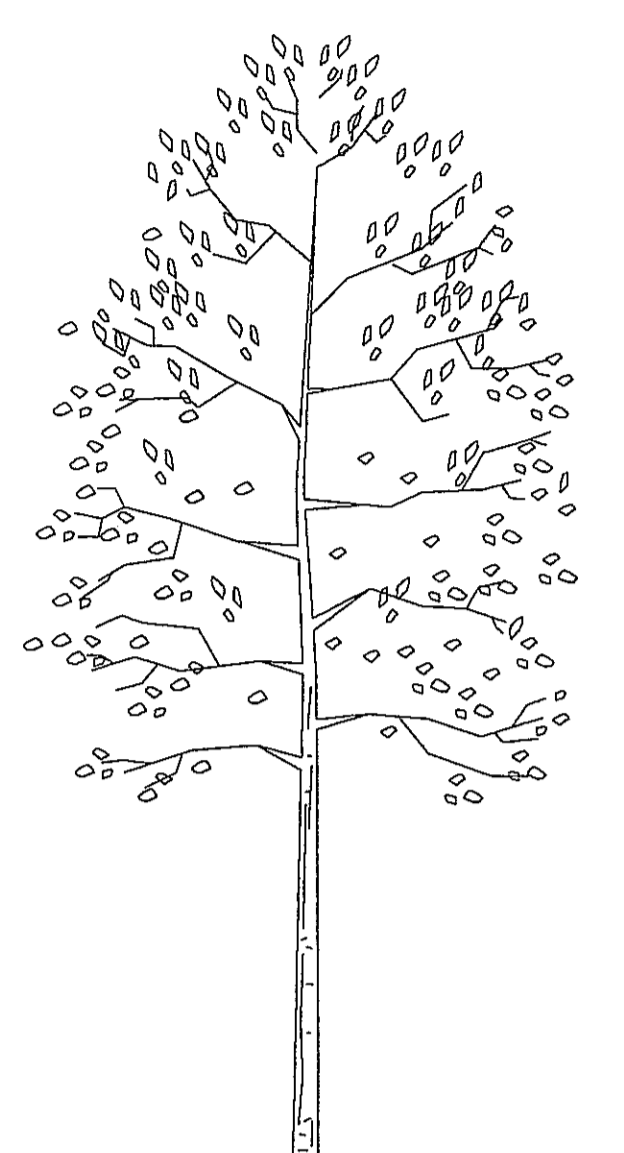
LANDSCAPE PLAN

Key	Qty	Botanical Name	Common Name	Remarks
Trees				
Ac	6	<i>Acer circinatum</i>	VINE MAPLE	6-8' multi-stem
Ap	4	<i>Acer palmatum</i>	JAPANESE MAPLE	green 6-8'
ArA	2	<i>Acer rubrum 'Autumn Flame'</i>	AUTUMN FLAME RED MAPLE	2" Cal.
Cd	1	<i>Cedrus deodara</i>	DEODAR CEDAR	8-10'
Cs	9	<i>Cupressus sempervirens</i>	ITALIAN CYPRESS	tiny tower 4-5'
FoR	16	<i>Fraxinus angustifolia 'Raywood'</i>	RAYWOOD CLARET ASH	2" Cal.
MbR	1	<i>Magnolia stellata 'Royal Star'</i>	ROYAL STAR STAR MAGNOLIA	4-5'
Shrubs				
AHC	14	<i>Azalea 'Hino Crimson'</i>	HINO CRIMSON AZALEA	2-3 Gal.
Ct	4	<i>Choisya ternata</i>	MEXICAN ORANGE	2-3 Gal.
KC	90	<i>Ilex crenata 'Convexa'</i>	CONVEXA BOX LEAVED HOLLY	2-3 Gal.
NdC	8	<i>Nandina domestica 'Compacta Nand'</i>	GULFSTREAM HEAVENLY BAMBOO	2-3 Gal.
PJM	3	<i>Pieris japonica 'Mt. Fire'</i>	MT. FIRE JAPANESE PERS	2-3 Gal.
RP	4	<i>Rhododendron 'PJM'</i>	PJM RHODODENDRON	2-3 Gal.
Sr	42	<i>Sarcococca nuscifolia</i>	VANILLA PLANT	1 Gal.
Vd	8	<i>Viburnum davidii</i>	DAVID VIBURNUM	2-3 Gal.
Ornamental Grasses				
Pal	58	<i>Pennisetum alopecuroides 'Little Bunny'</i>	LITTLE BUNNY FOUNTAIN GRASS	1 Gal.
Perennials and Annuals				
GcB	10	<i>Geranium cinereum 'Ballerina'</i>	BALLERINA ALPINE GERANIUM	1 Gal.
HBD	3	<i>Hosta 'Big Daddy'</i>	BIG DADDY HOSTA	1 Gal.

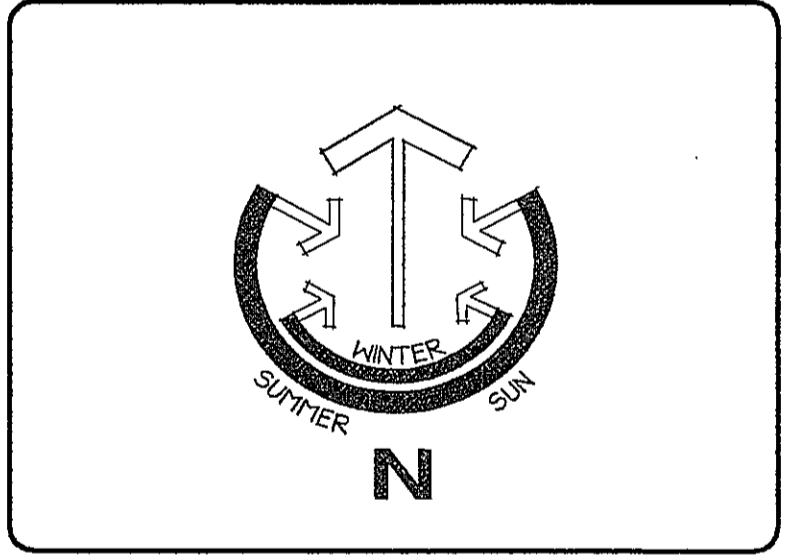


NOTES

NOTE: All beds shall be irrigated
 Lawns, Rainbird fixed spray
 Shrubs, Rainbird Drip-line



No.	Date	Description



HAWORTH APARTMENTS

Troy Haworth

Baker Street

McMinnville, Or.

SCALE: 1" = 10'	PROJECT NO. 233-17
DRAWN BY: Rob Stephenson	SHEET NO. 1
CHECKED BY: RHS	
DATE: March, 2017	
DATE OF PRINT: 3/2/17	



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

503-434-7311
www.mcminnvilleoregon.gov

DECISION DOCUMENT – 1944 NE BAKER STREET

DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF LANDSCAPE PLAN FOR A NEW SOCIAL RELIEF FACILITY AT 1944 NE BAKER STREET

- DOCKET:** L 14-17 (Landscaping)
- REQUEST:** The applicant requested the approval of a landscape plan for the construction of a new residential social relief facility. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.030 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.
- LOCATION:** The property in question is located at 1944 NE Baker Street. The subject property is more specifically described as Tax Lot 400, Section 16CB, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site is designated as Commercial on the McMinnville Comprehensive Plan Map, and is zoned C-3 PD (General Commercial Planned Development).
- APPLICANT:** Troy Haworth
- STAFF:** Chuck Darnell, Associate Planner
- DECISION-MAKING BODY:** McMinnville Landscape Review Committee
- DATE & TIME:** April 19, 2017. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128
- COMMENTS:** No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

ATTACHMENTS:

1. Application for Landscape Plan Review

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL WITH CONDITIONS** of the landscape plan (L 14-17).

Application Summary:

The applicant requested the approval of a landscape plan for the construction of a new residential social relief facility. Landscape plans are required to be reviewed and approved by the Landscape Review Committee as described in Section 17.57.030 (Plans-Submittal and review-Approval-Time limit for completion) of the McMinnville Zoning Ordinance.

CONDITIONS OF APPROVAL

1. That the applicant shall install landscaping as shown on the submitted landscape plan dated March 2, 2017.
2. That the applicant is reminded that trees are not to be planted within:
 - a. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
3. That the applicant shall maintain proper clearances around the existing and future water services and fire hydrant that will be located near the northwest corner of the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, or within one (1) foot of water meters that may be located near NE Baker Street. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
4. That all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

ATTACHMENTS

1. Application for Landscape Plan Review

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.

FINDINGS OF FACT

1. Troy Haworth submitted a landscape plan review application to install landscaping on the site of a new social relief facility to be constructed on the property located at 1944 NE Baker Street. The subject property is more specifically described as Tax Lot 400, Section 16CB, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned C-3 PD (General Commercial Planned Development), and is designated as Commercial on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided. Comments and suggested conditions of approval were provided, and have been incorporated into the conditions of approval in this document.
4. A public meeting was held by the Landscape Review Committee on April 19, 2017 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.

5. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

Finding: Goal IV 3 and Policy 32.00 are satisfied in that the proposed landscape plan includes trees and other landscaped areas that will provided screening of the proposed use from the public right-of-way, from the residential areas to the north, and from the commercial areas to the south and east.

GOAL VI 1: TO ENCOURAGE DEVELOPMENT OF A TRANSPORTATION SYSTEM THAT PROVIDES FOR THE COORDINATED MOVEMENT OF PEOPLE AND FREIGHT IN A SAFE AND EFFICIENT MANNER.

Policy 122.00: The City of McMinnville shall encourage the following provisions for each of the three functional road classifications:

1. Major, minor arterials.

–Landscaping should be encouraged along public rights-of-way.

2. Major, minor collectors.

–Landscaping should be encouraged along public rights-of-way.

3. Local Streets

–Landscaping should be encouraged along public rights-of-way.

Finding: Goal VI 1 and Policy 122.00 are satisfied in that trees will be installed along the public right-of-way along Lafayette Avenue. The trees are not located in the public right-of-way, but are being placed along the property lines so that they are visible from the public right-of-way and provide screening of the use from the public right-of-way.

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 X 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.

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

17.57.010 Purpose and intent. The purpose and intent of this chapter is to enhance the appearance of the city by encouraging quality landscaping which will benefit and protect the health, safety, and welfare of the general public. By relating all the requirements of the zoning ordinance to the project in one review procedure, the review will assist the developer in integrating the uses of the property with the landscaping, will relate the project to surrounding property uses in existence or projected, and will attempt to minimize project costs. The landscaping provisions in Section 17.57.050 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020.

Finding: The landscape plan as proposed would enhance the appearance of the city and will benefit the health, safety, and welfare of the general public. The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below.

17.57.030 Plans—Submittal and review—Approval—Time limit for completion.

- C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;

Finding: The landscape plan as proposed meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.050 Area Determination—Planning factors.

- A. Landscaping shall be accomplished within the following ranges:
2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)

Finding: The landscape plan as proposed shows 42 percent of the subject site being landscaped, which greatly exceeds the minimum requirement.

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

Finding: The surrounding area consists of a mixture of multiple family residential properties, office uses, and other commercial uses primarily fronting Highway 99W to the east. The applicant is proposing to incorporate a significant amount of landscaped area on the site, 42 percent of the total site, which will allow for the proposed project to be compatible with the surrounding uses and abutting properties.

The applicant is proposing to install a lawn area along the site's frontage on NE Baker Street, with the addition of trees and shrubs between the building and the parking areas closest to the street. Two (2) Japanese Maple (*Acer palmatum*) and one (1) Deodar Cedar (*Cedrus deodara*) will be installed between the building and the parking spaces and NE Baker Street. The Deodar Cedar tree will grow to a height of 40-50 feet with a canopy width of 20-30 feet. In addition, numerous smaller shrubs and plants will be installed in the planter area west of the building, including geranium, heavenly bamboo, and choisya, which will provide additional screening of the proposed use from the public right-of-way.

On the south side of the site, the applicant is proposing to install a continuous sight-obscuring fence along the south property line. Inside the fence, a planter strip will be installed between the fence and the drive aisle that will include nine (9) Raywood Claret Ash (*Fraxinus angustifolia* 'Raywood') trees evenly spaced along the property line and a continuous row of Convexa box leaved holly (*Ilex crenata* 'Convexa'). On the north side of the site, a similar treatment will be installed. The north side of the site will feature six (6) evenly spaced Vine Maple (*Acer circinatum*) trees and a continuous row of Vanilla Plant (*Sarcococca ruscifolia*).

In the back portion of the site, behind the building, the applicant is proposing to include an open lawn space that will provide usable green space on the site for residents of the facility. This open lawn will be surrounded by landscaped planting areas, with the Raywood Claret Ash and Convexa Box Leaved Holly continuing around the eastern perimeter of the site. Between the open lawn and the building, picnic tables and benches will be provided for seating, and additional trees and shrubs will be installed for visual interest around the perimeter of the open lawn.

The front side of the new building, which will face south and be visible from the public right-of-way and the parking areas, will be treated with landscaping as well. Foundation plantings will be installed along the sidewalk between the building and the sidewalk along the parking area, which will enhance the pedestrian level environment around the building itself. Nine (9) Italian Cypress (*Cupressus sempervirens*) trees will be installed in these areas on each prominent corner of the building, along with continuous rows of Little Bunny Fountain Grass (*Pennisetum alopecuroides* 'Little Bunny').

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Finding: The proposed use will be screened on the sides most visible from the public right-of-way by a combination of perimeter building plantings and larger shade trees. As described above, trees will be planted along the entire perimeter of the site, including Raywood Claret Ash (*Fraxinus angustifolia* 'Raywood'), Vine Maple (*Acer circinatum*), Japanese Maple (*Acer palmatum*) and Deodar Cedar (*Cedrus deodara*) trees. Continuous rows of shrubs will also be provided along the north, east, and south property lines. In addition, a sight-obscuring fence will be installed along the south property line to provide additional screening of the parking areas and drive aisle.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Finding: The existing site is vacant and undeveloped. A few existing trees will be removed to allow for the construction of the new facility. The trees to be removed are not particularly significant, and the number of trees being added to the site will greatly outweigh the number of trees being removed. The existing grade of the site will be preserved.

4. The development and use of islands and plantings therein to break up parking areas.

Finding: The applicant is proposing to install landscaping in planting areas on each end of the parking areas, which will be immediately adjacent to the new building to the south with a continuous row of 16

parking spaces. As endcaps to the row of parking spaces, a Japanese Maple (*Acer palmatum*) and shrubs will be installed on the west end, and an Autumn Flame Red Maple (*Acer rubrum* 'Autumn Flame') and David Viburnum (*Viburnum davidii*) will be installed on the east end. In addition, a planting island will be installed in the middle of the row of parking spaces to further break up the parking area. This planting island will include another Autumn Flame Red Maple with David Viburnum filling out the planting area.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Finding: The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

Finding: The applicant has included a note on the landscape plan that all landscaped areas will be irrigated. The lawn space will be irrigated with a Rainbird fixed spray system, and the shrubs will be irrigated with Rainbird drip-line.

- C. All landscaping approved through the Landscape Review Committee shall be continually maintained, including necessary watering, weeding, pruning, mowing, and replacement.

Finding: A condition of approval will require that all landscaping approved by the Landscape Review Committee and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

17.57.060 Zones where required. Landscaping shall be required in the following zones except as otherwise noted:

- C. C-3 (General Commercial zone).

Finding: The subject site is zoned C-3 (General Commercial), and landscaping is being provided as required.

CD:sjs



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

www.mcminnvilleoregon.gov

EXHIBIT 6 - STAFF REPORT

DATE: April 19, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4E: L 15-17

Report in Brief:

An application for a tree removal (L 15-17) to be reviewed by the Landscape Review Committee.

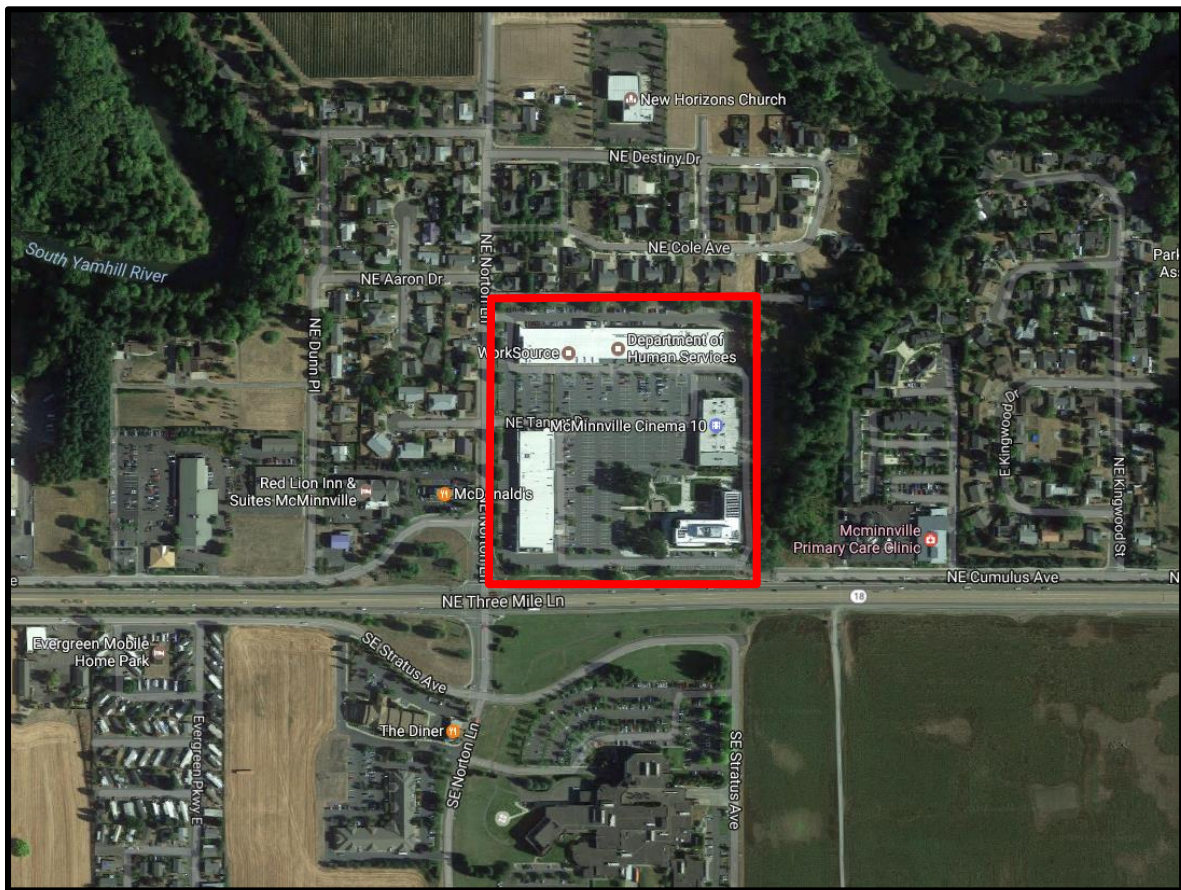
Background:

The applicant, Bill Riffle on behalf of Chemeketa Community College, submitted a street tree removal application to remove three (3) street trees from the property located at 288 NE Norton Lane. The subject property is the location of Chemeketa Community College and more specifically described as Tax Lots 3600 and 3701, Section 22, T. 4 S., R. 4 W., W.M.

Discussion:

The subject property is the location of the Chemeketa Community College and surrounding commercial development north of SE Three Mile Lane (Highway 18). The subject site can be seen below as a red outlined area:

*Attachments: Application and Submitted Materials
Decision Document*



The applicant is requesting the removal of three (3) street trees from the south side of the site, which are visible from NE Three Mile Lane (Highway 18). The trees are located outside of the property line and are located within the Oregon Department of Transportation (ODOT) right-of-way. The trees proposed to be removed were installed as part of an approved landscape plan associated with the commercial development. The trees were not installed with the construction of the community college building. The specific location of the trees proposed to be removed can be seen below:



The trees in question were installed by the developer that constructed the commercial development on the subject site, which at the time was to be the Tanger Factory Outlet shopping center. The landscape plan was reviewed and approved by the Landscape Review Committee in 1993 (L 3-93). The existing trees are a maple cultivar, and the original landscape plan for the development identified the trees to be planted in that location as Red Sunset Maple (*Acer rubrum* 'Red Sunset'). The application lists the diameters of the existing trees as 33, 41, and 44 inches. However, upon inspection of the site it was determined that the actual diameters of the existing trees are 11, 13, and 14 inches.

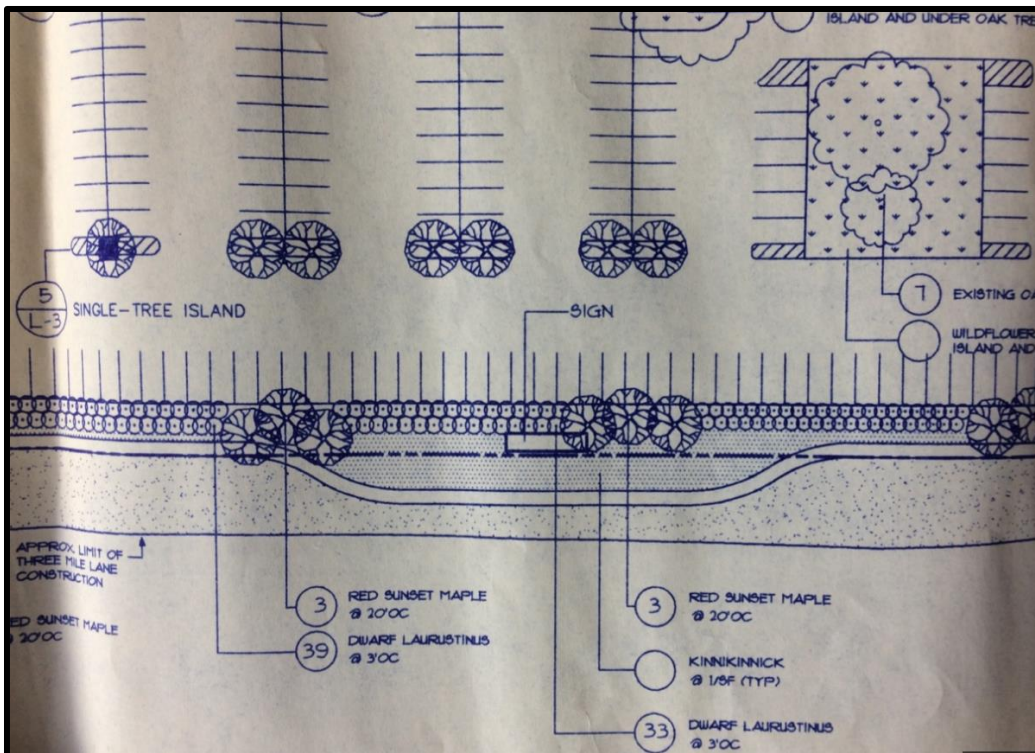
The original request made by Chemeketa Community College was for a street tree removal. The applicant is requesting the removal and replacement of the trees because the trees are blocking the freestanding sign on the site. While the three (3) trees proposed to be removed are located in the public right-of-way, the trees were installed as part of an approved landscape plan. Therefore, the request will be treated as an amendment to the approved landscape plan (L 3-93).

Review Criteria:

In reviewing a landscape plan, Section 17.57.050(B) (Area Determination – Planning Factors) of the McMinnville Zoning Ordinance requires the Landscape Review Committee to also consider the following factors:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

The subject site is part of a larger commercial shopping center, which originally was to be the Tanger Factory Outlet shopping center. The trees were part of an approved landscape plan, which were installed prior to Chemeketa Community College owning the site. The trees were planted in a landscape area in front of the freestanding sign on the site. However, the original landscape plan did not show the trees to be planted in this area. The original landscape plan (L 3-93) showed that the trees would be installed within the property line and behind the freestanding sign. The area of the site in question from the original landscape plan can be seen below:



The applicant and current owner of the property is now proposing to remove the trees and replace the trees within their property lines. The applicant is proposing to install three (3) replacement trees further west, in a location between other groups of existing trees. The proposed location would create a more consistent planting pattern through this western portion of the southern property line. However, the removal of the existing trees would create a void in the center of the subject site's frontage along SE Three Mile Lane (Highway 18). In order to reduce the immediate and long-term landscape aesthetic impacts of the removal of the proposed trees, staff is suggesting that, if the Landscape Review Committee approves of the amendment to the existing landscape plan, six (6) replacement trees be installed. Those replacement trees could be spread in existing voids along the southern property line to create a more consistent planting pattern, with three (3) trees installed west of the existing freestanding sign and three (3) trees installed east of the existing freestanding sign. A condition of approval has been included related to this.

The replacement trees will be required to be Red Sunset Maple (*Acer rubrum* 'Red Sunset') trees, which will be compatible with the surrounding area and the abutting uses. The original landscape plan also showed more trees being installed along the eastern portion of the south property line, which were not installed once the Chemeketa Community College building was constructed. The original plan and what was actually installed on the site, with the area with missing trees highlighted in red, can be seen below:



The trees proposed to be removed were not planted in the correct location, as shown on the original landscape plan (L 3-93). These trees were planted in their existing location by a previous owner, and the applicant and current owner are now proposing to correct the improper placement of the trees

within the right-of-way. Public Works staff inspected the site, and determined that there are no immediate health concerns that would warrant removing the trees. The removal request, as stated above, is mainly to increase visibility of the freestanding sign on the site. Public Works staff determined that visibility could be improved by doing some trimming and pruning of the trees. However, if that practice is continued for an extended period of time, it could eventually have more significant impacts on the trees and alter their natural growth and shape. Given that, the replacement of new trees in locations that would allow for them to grow unimpeded would result in a healthier tree canopy long-term. The additional replacement trees spread along the south property line as required by the condition of approval would also be more compatible with the original landscape plan that was approved.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

The proposed use is screened on the side most visible from the public right-of-way, SE Three Mile Lane (Highway 18), by the existing Red Sunset Maple (*Acer rubrum* 'Red Sunset') trees. However, the removal of the trees will create a void in the screening of the subject site around the center of the site. To ensure that an adequate level of screening is provided soon after replanting, a condition of approval has been included to require that six (6) replacement trees be installed and spread along the southern property line to create a more consistent planting pattern, which will also provide for more screening of the proposed use from the public right-of-way.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Three (3) existing trees will be removed as part of this project. A condition of approval will require six (6) replacement trees to reduce the immediate and long-term aesthetic impacts of the removal of the trees.

4. The development and use of islands and plantings therein to break up parking areas.

The general location of the existing trees were not intended to be planting islands to break up parking areas. However, the trees do provide screening of the existing parking areas. The condition of approval to add six (6) replacement trees on the site will ensure that the parking areas continue to be screened, and will provide for shade in the parking areas as well once the trees develop a mature canopy.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way. The replacement trees to be planted will be adjacent to parking areas, and the tree species, Red Sunset Maple (*Acer rubrum* 'Red Sunset'), is not one that is prohibited in parking areas.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

Irrigation exists in the landscaped areas, and is not proposed to be removed or changed.

Fiscal Impact:

None.

Committee Options:

- 1) **APPROVE** the application, per the decision document provided which includes the findings of fact and conditions of approval.
- 2) **APPROVE** the application with additional conditions of approval, providing findings of fact for the inclusion of additional conditions.
- 3) **CONTINUE** the application, requesting the applicant to submit more information or details for review.
- 4) **DENY** the application, providing findings of fact for the denial in the motion to deny.

Recommendation/Suggested Motion:

Based on the findings described in the staff report and decision document, staff is recommending that the tree removal and amendment to the landscape plan be approved with the following conditions:

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the tree's stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. That the applicant shall plant six (6) trees in place of the trees being removed. The trees shall be Red Sunset Maple (*Acer rubrum* 'Red Sunset') trees, and shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade. The replacement trees shall be planted in locations spread along the southern property line, with three (3) trees installed west of the existing freestanding sign and three (3) trees installed east of the existing freestanding sign.
4. That the applicant shall verify that the proposed planting areas for the replacement trees are located outside of Oregon Department of Transportation (ODOT) right-of-way.
5. That the applicant is reminded that trees are not to be planted within:
 - a. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - b. Twenty (20) feet of street light standards or street intersections.
6. That the planter areas shall be restored to original grade immediately following the planting of the replacement tree.
7. That all costs and liability associated with the tree's removal shall be borne by the applicant.
8. That the applicant shall complete the removal within six (6) months of this approval notification, or October 19, 2017.

Suggested Motion:

THAT BASED ON THE FINDINGS OF FACT, THE CONCLUSIONARY FINDINGS FOR APPROVAL, AND THE MATERIALS SUBMITTED BY THE APPLICANT, THE LANDSCAPE REVIEW COMMITTEE APPROVE L 15-17 WITH THE CONDITIONS OF APPROVAL AS RECOMMENDED BY STAFF.

CD:sjs



Planning Department
 231 NE Fifth Street • McMinnville, OR 97128
 (503) 434-7311 Office • (503) 474-4955 Fax
www.mcminnvilleoregon.gov

Office Use Only:	
File No.	<u>L15-17</u>
Date Received	<u>4/5/17</u>
Fee	<u>-</u>
Receipt No.	<u>-</u>
Received by	<u>CD</u>

Street Tree Removal

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other _____

Applicant Name CHEMERETA COMMUNITY COLL Phone 503.399.6594

Contact Name BILL RIFFLE Phone _____
(If different than above)

Address 4000 LANCASTER DR NE

City, State, Zip SALEM OR 97305

Contact Email BILL.RIFFLE@CHEMERETA.EDU

Property Owner Information

Property Owner Name SAME Phone _____
(If different than above)

Contact Name _____ Phone _____

Address _____

City, State, Zip _____

Contact Email _____

Site Location and Description

(If metes and bounds description, indicate on separate sheet)

Property Address 288 NE NORTON LN NE
(Property nearest to tree(s) for removal) + lot 3700

Assessor Map No. R4.4.22 - 3701 Total Site Area 20 ACRES

Subdivision _____ Block _____ Lot _____

Comprehensive Plan Designation COMMERCIAL Zoning Designation C-3

Additional Information

1. How many trees are requested for removal? 3
2. What type (species) of tree(s) are they? Maple
3. What is the diameter of the tree(s), measured four feet above ground level? 44"/33"/41"
4. Why are you requesting the removal of the noted tree(s)? (See "Removal Criteria" on attached Information Sheet.) Explain which of the criteria is addressed through this application. TREES BLOCK VISIBILITY OF EXISTING PYLON SIGN.

In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), showing the location of the tree(s) subject to the removal request, property lines, sidewalks, adjacent utilities (including overhead), north direction arrow, and adjacent streets.
- Arborist report, photographs, and/or other information which would help substantiate or clarify your request.

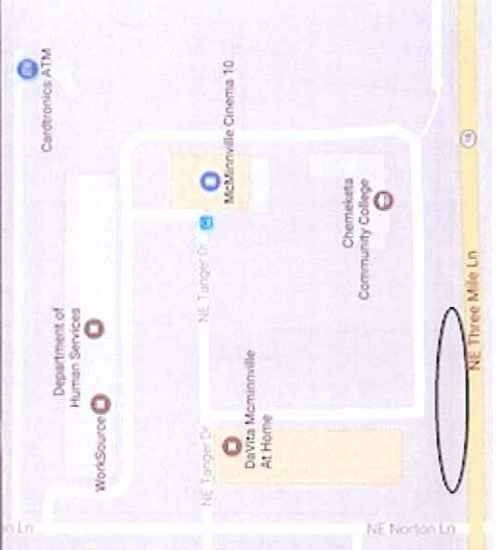
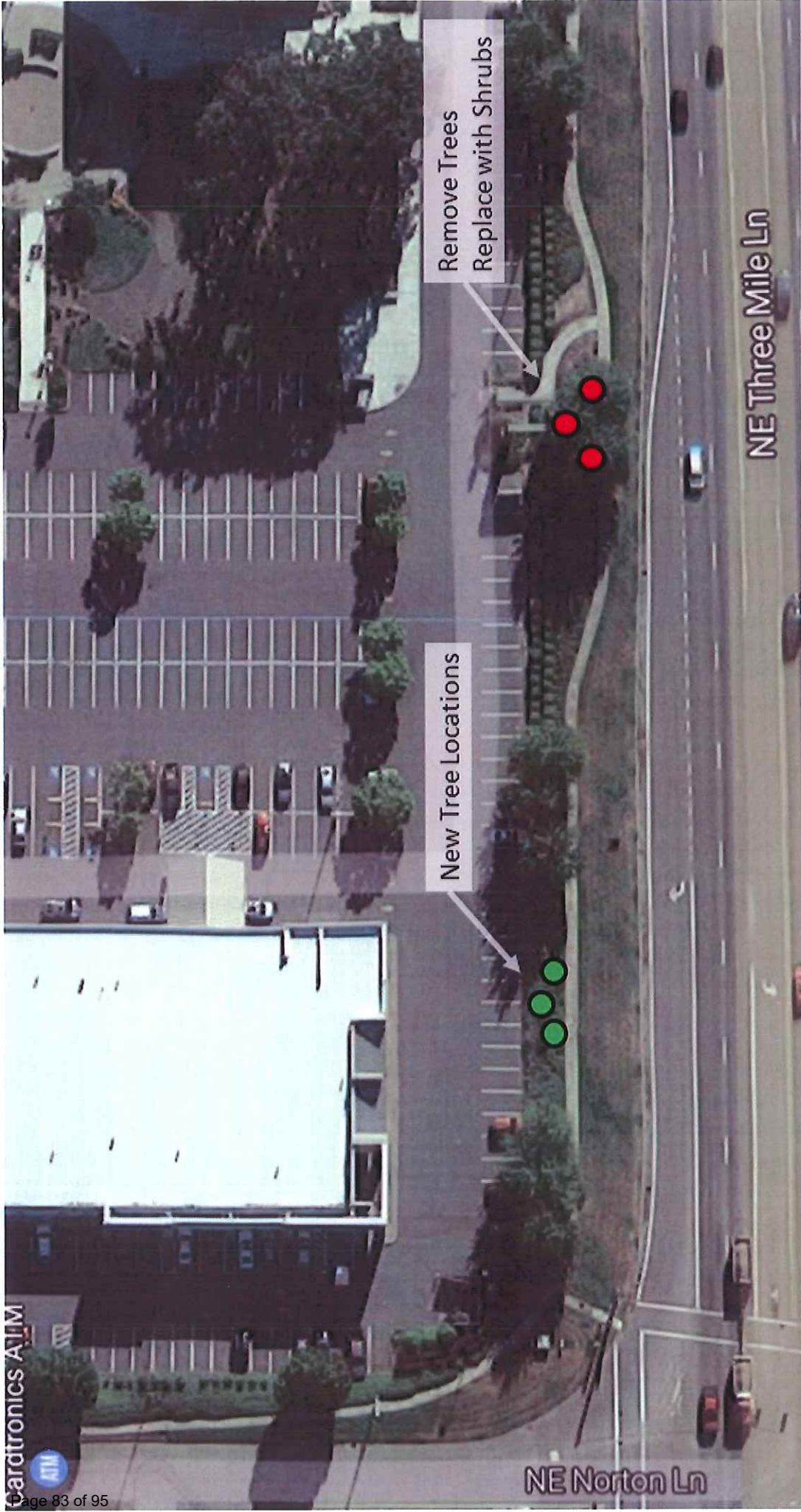
I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.


Applicant's Signature

4-5-17
Date


Property Owner's Signature

4/5/17
Date



Chemeketa Community College Yamhill Valley Campus 2017 Proposed Tree Remove/Replant

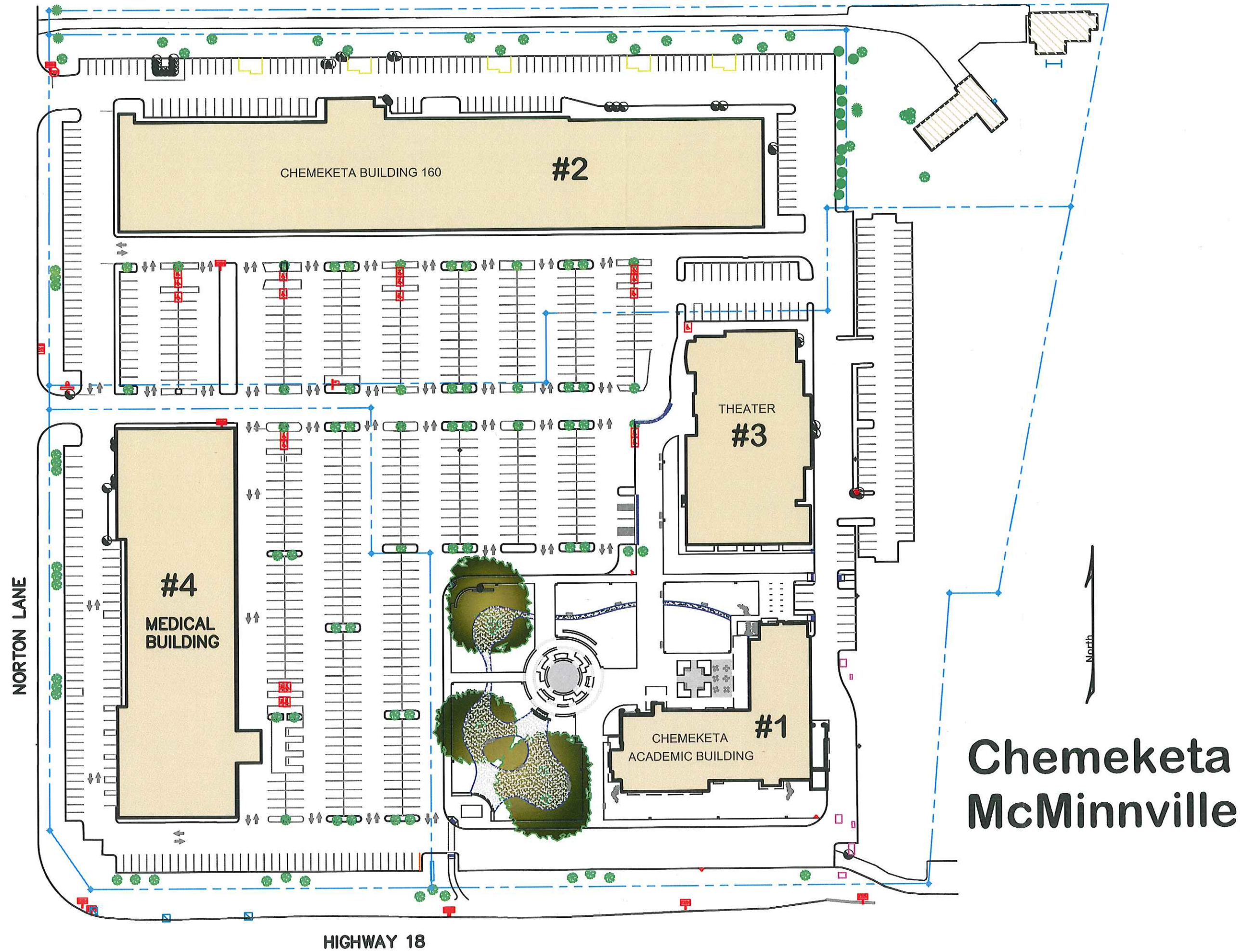


The Oregon Map

New Directions



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

503-434-7311
www.mcminnvilleoregon.gov

DECISION DOCUMENT – 288 NE NORTON LANE

DECISION, CONDITIONS OF APPROVAL, AND FINDINGS OF FACT OF THE MCMINNVILLE LANDSCAPE REVIEW COMMITTEE FOR APPROVAL OF A TREE REMOVAL AND LANDSCAPE PLAN AMENDMENT REQUEST AT 288 NE NORTON LANE

- DOCKET:** L 15-17 (Tree Removal)
- REQUEST:** The applicant requested the removal of three (3) street trees. The three (3) trees proposed to be removed are located in the public right-of-way, but the trees were installed as part of an approved landscape plan (L 3-93) and were improperly planted within the right-of-way. Therefore, the request has been treated as an amendment to the approved landscape plan.
- LOCATION:** The subject site is located at 288 NE Norton Lane. The subject property is more specifically described as Tax Lots 3600 and 3701, Section 22, T. 4 S., R. 4 W., W.M.
- ZONING:** The subject site is designated as Commercial on the McMinnville Comprehensive Plan Map, and is zoned C-3 (General Commercial).
- APPLICANT:** Bill Riffle, on behalf of Chemeketa Community College
- STAFF:** Chuck Darnell, Associate Planner
- DECISION-MAKING BODY:** McMinnville Landscape Review Committee
- DATE & TIME:** April 19, 2017. Meeting was held at the Community Development Center, 231 NE 5th Street, McMinnville, OR 97128
- COMMENTS:** No public notice of the application was required by the McMinnville Zoning Ordinance. No additional comments were received by the Planning Department.

ATTACHMENTS:

1. Application for Tree Removal

DECISION

Based on the findings and conclusions, the Landscape Review Committee recommends **APPROVAL WITH CONDITIONS** of the street tree removal request (L 15-17).

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

Planning Staff: _____
Chuck Darnell, Associate Planner

Date: _____

Planning Department: _____
Heather Richards, Planning Director

Date: _____

Application Summary:

The applicant requested the removal of three (3) street trees. The three (3) trees proposed to be removed are located in the public right-of-way, but the trees were installed as part of an approved landscape plan (L 3-93) and were improperly planted within the right-of-way. Therefore, the request has been treated as an amendment to the approved landscape plan.

CONDITIONS OF APPROVAL

1. That the applicant contact the appropriate utility-locate service (dial 811 or 800-332-2344) prior to digging to ensure that underground utilities are not damaged during this process.
2. That the tree's stumps and remaining surface roots shall be removed at least six (6) inches below grade.
3. That the applicant shall plant six (6) trees in place of the trees being removed. The trees shall be Red Sunset Maple (*Acer rubrum* 'Red Sunset') trees, and shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade. The replacement trees shall be planted in locations spread along the southern property line, with three (3) trees installed west of the existing freestanding sign and three (3) trees installed east of the existing freestanding sign.
4. That the applicant shall verify that the proposed planting areas for the replacement trees are located outside of Oregon Department of Transportation (ODOT) right-of-way.
5. That the applicant is reminded that trees are not to be planted within:
 - a. Ten (10) feet of a fire hydrant, transformer, power or water vault, water meter box, utility pole, sanitary sewer, storm or water line; or
 - b. Twenty (20) feet of street light standards or street intersections.
6. That the planter areas shall be restored to original grade immediately following the planting of the replacement tree.
7. That all costs and liability associated with the tree's removal shall be borne by the applicant.
8. That the applicant shall complete the removal within six (6) months of this approval notification, or October 19, 2017.

ATTACHMENTS

1. Application for Tree Removal

COMMENTS

This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. Comments were received by the Planning Department and have been incorporated into the conditions of approval.

FINDINGS OF FACT

1. Bill Riffle, on behalf of Chemeketa Community College, submitted a tree removal application requesting the removal of three (3) street trees. The three (3) trees proposed to be removed are located in the public right-of-way, but the trees were installed as part of an approved landscape plan (L 3-93) and were improperly planted within the right-of-way. Therefore, the request has been treated as an amendment to the approved landscape plan. The subject site is located at 288 NE Norton Lane. The subject property is more specifically described as Tax Lots 3600 and 3701, Section 22, T. 4 S., R. 4 W., W.M.
2. The site is currently zoned C-3 (General Commercial), and is designated as Commercial on the McMinnville Comprehensive Plan Map, 1980.
3. This matter was referred to the following public agencies for comment: McMinnville Public Works Department and McMinnville Water and Light. No comments in opposition have been provided.
4. A public meeting was held by the Landscape Review Committee on April 19, 2017 to review the application and proposed landscape plan. No comments in opposition were provided by the public prior to the public meeting.
5. The following Goals and policies from Volume II of the McMinnville Comprehensive Plan of 1981 are applicable to this request:

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

Finding: Goal IV 3 and Policy 32.00 are satisfied in that the subject site is landscaped and the replacement trees will provide for additional screening of the commercial development.

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 X 1 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.

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

17.57.010 Purpose and intent. The purpose and intent of this chapter is to enhance the appearance of the city by encouraging quality landscaping which will benefit and protect the health, safety, and welfare of the general public. By relating all the requirements of the zoning ordinance to the project in one review procedure, the review will assist the developer in integrating the uses of the property with the landscaping, will relate the project to surrounding property uses in existence or projected, and will attempt to minimize project costs. The landscaping provisions in Section 17.57.050 are in addition to all other provisions of the zoning ordinance which relate to property boundaries, dimensions, setback, vehicle access points, parking provisions and traffic patterns. The landscaping objectives shall also seek to accomplish the purposes set forth in Section 17.03.020.

Finding: The landscaping of the subject site is quite extensive, and does enhance the appearance of the city and will benefit the health, safety, and welfare of the general public. The removal and replacement of the trees on the site will ensure that the landscaping on the site is consistent and continues to be compatible with surrounding uses and properties.

17.57.030 Plans—Submittal and review—Approval—Time limit for completion.

- C. The landscaping plan shall be approved if it is found to be compatible with the purpose, intent, and requirements of this chapter. Approval of the landscaping plan shall be indicated upon the plot plans. Any modifications shall be specified on the plans and agreed to in writing by the applicant prior to the issuance of a building permit. One copy of said approved plan shall be retained by the Planning Department and included within the permanent file;

Finding: The tree removal and replacement, as proposed and as required with conditions of approval, meets the intent and purpose of the Landscaping chapter, as described in the findings for the specific landscape plan review criteria below. Modifications as required by the conditions of approval will be discussed with the applicant and agreed to prior to the issuance of a building permit.

17.57.050 Area Determination—Planning factors.

- A. Landscaping shall be accomplished within the following ranges:
2. Commercial, at least seven percent of the gross area. This may be reduced to not less than five percent upon approval of the review committee. (The gross area to be landscaped may only be reduced by the review committee if there is a showing by the applicant that the intent and purpose of this chapter and subsection B of this section are met.)

Finding: Specific measurements of the landscaped area of the site were not provided. However, the applicant is not proposing to change or remove any of the landscaped areas as they were previously approved by the Landscape Review Committee in 1993 (L 3-93). The landscaping of the subject site is quite extensive between the commercial development and the community college building, and the landscaped area does exceed seven (7) percent of the gross area of the site.

- B. The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:
1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

Finding: The subject site is part of a larger commercial shopping center, which originally was to be the Tanger Factory Outlet shopping center. The trees were part of an approved landscape plan, which were installed prior to Chemeketa Community College owning the site. The trees were planted in a landscape area in front of the freestanding sign on the site. However, the original landscape plan did not show the trees to be planted in this area. The original landscape plan (L 3-93) showed that the trees would be installed within the property line and behind the freestanding sign.

The applicant and current owner of the property is now proposing to remove the trees and replace the trees within their property lines. The applicant is proposing to install three (3) replacement trees further west, in a location between other groups of existing trees. The proposed location would create a more consistent planting pattern through this western portion of the southern property line. However, the removal of the existing trees would create a void in the center of the subject site's frontage along SE Three Mile Lane (Highway 18). In order to reduce the immediate and long-term landscape aesthetic impacts of the removal of the proposed trees a condition of approval has been included to require that six (6) replacement trees be installed. Those replacement trees could be spread in existing voids along the southern property line to create a more consistent planting pattern, with three (3) trees installed west of the existing freestanding sign and three (3) trees installed east of the existing freestanding sign.

The replacement trees will be required to be Red Sunset Maple (*Acer rubrum* 'Red Sunset') trees, which will be compatible with the surrounding area and the abutting uses. The original landscape plan also showed more trees being installed along the eastern portion of the south property line, which were not installed once the Chemeketa Community College building was constructed.

The trees proposed to be removed were not planted in the correct location, as shown on the original landscape plan (L 3-93). These trees were planted in their existing location by a previous owner, and the applicant and current owner are now proposing to correct the improper placement of the trees within the right-of-way. Public Works staff inspected the site, and determined that there are no immediate health concerns that would warrant removing the trees. The removal request, as stated above, is mainly to increase visibility of the freestanding sign on the site. Public Works staff determined that visibility could be improved by doing some trimming and pruning of the trees. However, if that practice is continued for an extended period of time, it could eventually have more significant impacts on the trees and alter their natural growth and shape. Given that, the replacement of new trees in locations that would allow for them to grow unimpeded would result in a healthier tree canopy long-term. The additional replacement trees spread along the south property line as required by the condition of approval would also be more compatible with the original landscape plan that was approved.

2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.

Finding: The proposed use is screened on the side most visible from the public right-of-way, SE Three Mile Lane (Highway 18), by the existing Red Sunset Maple (*Acer rubrum* 'Red Sunset') trees. However, the removal of the trees will create a void in the screening of the subject site around the center of the site. To ensure that an adequate level of screening is provided soon after replanting, a condition of approval has been included to require that six (6) replacement trees be installed and spread along the southern property line to create a more consistent planting pattern, which will also provide for more screening of the proposed use from the public right-of-way.

3. The retention of existing trees and natural areas that may be incorporated in the development of the project. The existing grade should be preserved to the maximum practical degree. Existing trees shall be provided with a watering area equal to at least one-half the crown area.

Finding: Three (3) existing trees will be removed as part of this project. A condition of approval will require six (6) replacement trees to reduce the immediate and long-term aesthetic impacts of the removal of the trees.

4. The development and use of islands and plantings therein to break up parking areas.

Finding: The general location of the existing trees were not intended to be planting islands to break up parking areas. However, the trees do provide screening of the existing parking areas. The condition of approval to add six (6) replacement trees on the site will ensure that the parking areas continue to be screened, and will provide for shade in the parking areas as well once the trees develop a mature canopy.

5. The use of suitable street trees in the development of new subdivisions, shopping centers and like developments. Certain trees shall be prohibited in parking areas: poplar, willow, fruit, nut, birch, conifer, and ailanthus.

Finding: The landscape plan does not include the installation of street trees, as the areas shown to be planted are all within the subject site and are not within the public right-of-way. The replacement trees to be planted will be adjacent to parking areas, and the tree species, Red Sunset Maple (*Acer rubrum* 'Red Sunset'), is not one that is prohibited in parking areas.

6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

Finding: Irrigation exists in the landscaped areas, and is not proposed to be removed or changed.

CD:sjs



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EXHIBIT 7 - STAFF REPORT

DATE: April 19, 2017
TO: Landscape Review Committee Members
FROM: Chuck Darnell, Associate Planner
SUBJECT: Agenda Item 4F: Amendments to Landscaping and Trees Chapters

Report in Brief:

The purpose of this discussion item is to receive an update on the status of the proposed amendments to the Landscaping chapter (Chapter 17.57) and the Trees chapter (Chapter 17.58) of the McMinnville Zoning Ordinance.

Background:

The Landscape Review Committee reviewed the existing Landscaping (Chapter 17.57) and Trees (Chapter 17.58) chapters of the McMinnville Zoning Ordinance at previous meetings, and eventually developed recommended amendments to those chapters. In January, the Landscape Review Committee recommended that the amendments be brought forward to the Planning Commission for consideration as zoning text amendments.

Since that time, staff brought the proposed amendments forward to the Planning Commission for review during a public hearing at their regular meeting on March 16, 2017. Public comments were received at the public hearing, and the Planning Commission decided to continue the public hearing to allow for the comments provided by the public to be reviewed by staff and incorporated into the proposed amendments to the Landscaping and Trees chapters.

Discussion:

The comments provided at the public hearing from the public have been reviewed by Planning Department staff. Staff will provide a more detailed update at the Landscape Review Committee meeting on the changes that have been incorporated based on the additional comments received at the Planning Commission meeting.

Fiscal Impact:

None.

Attachments: None

Recommendation/Suggested Motion:

Staff is recommending that the Landscape Review Committee recommend to the Planning Commission that the Landscaping and Trees chapters of the zoning ordinance be amended as suggested by staff. The Planning Department would then present the proposed zoning ordinance amendments and bring them forward at the continued public hearing, which is scheduled for the regular meeting of the Planning Commission on May 18, 2017.

Motion: “I move to recommend to the Planning Commission that the Landscape and Trees chapters (Chapters 17.57 and 17.58) of the zoning ordinance be amended as suggested by staff and as supported by the Landscape Review Committee.”

CD:sjs