

CITY OF McMINNVILLE
MINUTES OF CITY COUNCIL MEETING
Held at the Kent L. Taylor Civic Hall on Gormley Plaza
McMinnville, Oregon

Tuesday, January 28, 2020 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Claudia Cisneros

Councilors:	<u>Present</u>	<u>Excused Absence</u>
	Kellie Menke	
	Remy Drabkin	
	Adam Garvin	
	Sal Peralta	
	Wendy Stassens	
	Zack Geary	

Also present were City Manager Jeff Towery, City Attorney Spencer Parsons, City Recorder Claudia Cisneros, Chief of Police Matt Scales, Planning Director Heather Richards, Senior Planner Chuck Darnell, Parks and Recreation Director Susan Muir, Community Development Director Mike Bisset, and Jerry Eichten, McMinnville Community Media.

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:06 p.m. and welcomed all in attendance.
2. PLEDGE:
Councilor Geary led the Pledge of Allegiance.
3. PUBLIC HEARING:
 - a. CPA 1-19/ Ordinance 5084 – Comprehensive Plan Amendment
 - b. ZC 1-19/ Ordinance 5085 – Zone Change
 - c. PDA 2-19/ Ordinance 5086 – Planned Development Amendment
 - d. PD 1-19/ Ordinance 5087 – Planned Development
 - e. S 1-19/ Ordinance 5088 – Tentative Subdivision
 - f. L 12-19/ Ordinance 5089 – Landscape & Street Tree Plan

Opening Statement: Mayor Hill read the opening statement and described the public hearing procedure and rules.

Disclosures: Mayor Hill opened the public hearing and asked if there was any objection to the jurisdiction of the Councilor to hear this matter. There was none. He asked if any Councilor wished to make a disclosure or abstain from participating or voting on this application. There was none. Mayor Hill asked if any Councilor needed to declare any contact prior to the hearing with the applicant or any party involved in the hearing or any other source of information outside of staff regarding the subject of this hearing. There was none. Mayor Hill asked if any Councilor had visited the site. If so, did they

wish to discuss the visit to the site? Several Councilors had visited the site, but had no comments to make on the visit.

Staff Presentation: Senior Planner Darnell introduced the Baker Creek North Project. All applications were submitted together as a concurrent review. He described the site location and where each of the applications applied on the map. The Comprehensive Plan amendment would result in a reduction of the existing commercial designation to 6.62 acres. The rest of the property would be designated as residential. The zone change would change the property from the existing County zoning to C-3, General Commercial, and R-4, Residential. The Planned Development amendment was a request to reduce the size of the Planned Development to be consistent with the reduced Comprehensive Plan designation of commercial land and to amend the existing conditions of the approval to allow up to 120 multiple family units and a minimum of two acres of neighborhood commercial uses. No specific development plan was submitted for the site at this time. The review criteria related to the Planned Development amendment were from Code Section 17.74.070 where special physical conditions or objectives of a development which the proposal would satisfy were needed to warrant a departure from the standard regulation requirements. The objectives of the proposed Planned Development amendment were to introduce a mix of uses by allowing multiple family dwelling units and provide neighborhood commercial uses within the site to serve surrounding residential development. The City Council must find that these special objectives, either as proposed or as revised with conditions of approval, warrant a departure from the standard regulation requirements. The Planning Commission found that special objectives could warrant a departure from the existing regulations if the development of the site was designed appropriately given the location was surrounded by residential uses and public parks and the intent was to provide neighborhood serving commercial uses. They recommended that the mixed uses be integrated on the site and that commercial uses were retained. They recommended a condition of approval to require a minimum size of the commercial development of at least five acres and to allow the multiple family development on the remaining two acres and as a mixed use development. Another condition was to allow up to 120 multiple family dwelling units if integrated with the neighborhood commercial uses. It was intended for the development to be incorporated in neighborhood scale development and integration could be either in mixed use buildings or integrated between buildings (which must be approved by the Planning Commission). Walking distance and pedestrian connections were a priority in the integrated design. Another condition was to limit the uses to neighborhood commercial uses. These were uses permitted in C-1 and also allow restaurants and were limited to 10,000 square feet in size except for grocery stores. The Planning Commission would review any other use for consistency with the neighborhood-serving commercial. Another condition required detailed development plans to be reviewed and approved by the Planning Commission. Site design requirements included ensuring neighborhood commercial scale and not strip development typical in other locations. The building entrances would be oriented towards the street, there would be human scale facades, shared access and internal circulation to

minimize strip commercial, and community gathering space, landscaping, and additional open space for multi-family.

Senior Planner Darnell went over the request for a new Planned Development Overlay District to allow 280 single family residential lots, 18 open space tracts, and dedication of a parcel for a public park. It included requests for modifications from: minimum lot sizes (use of lot size averaging), reduced side yard setbacks, lot dimensions (exceeding a 2:1 depth-to-width ratio), driveway and alley widths, block length and block perimeter lengths, and street tree spacing standards. He explained the lot types proposed with a range of lot sizes and how they would spread throughout the subdivision phases. The reduced setbacks were requested as follows: SFD-70, SFD-60, SFD-50, and SFD-40 would have a minimum five foot side yard setback, SFD-45 would have a minimum four foot side yard setback, SFD-30a and SFD-26a would have a minimum of three foot side yard setback, and Lots 131-135 and Lots 269-280 would have a minimum 30 foot rear yard setback for tree preservation. All front, exterior side, and rear setbacks would follow the R-4 requirements. The transition from higher to lower density would go from south to north. The denser lot types would be near the arterial street and future transit route and the less dense lot types would be along the bluff and sloped portions of the site to transition between development and natural areas. Conditions #1 and #2 would require the plan to be binding on the site and allow lot size averaging as proposed. The smaller lots were proposed to be alley-loaded. It would reduce vehicle conflicts with sidewalk space, lessen garage door prominence on front facades, and some front auto common open space tracts. Conditions #15 and #16 required lots less than 40 feet wide to be alley loaded and that the alleys would be private. The larger lots were located along the bluff and sloped area on the north end of the site. The applicant was also proposing to dedicate Parcel D which included floodplains. Conditions #12 and #13 required recommended geo-tech analysis prior to development and geo-tech recommendations during construction. Conditions #5, 6, and 7 required dedication of BPA Trail tracts (tracts I, J, K, & L) and required trail improvement to the same standard as existed south of Baker Creek Road. Condition #9 required an additional connection for pedestrian access from the northwest area of the site. Condition #11 would require an enhanced crossing at Kent Street. Condition #6 required the dedication of a park parcel and easement to connect to Oak Ridge Meadows. Condition #7 required improvement of the BPA Trail, BPA trailhead terminus, and greenway trail around the floodplain. There were a number of private recreational amenities and those would be maintained privately by an HOA. The lot sizes and dimensions proposed would result in denser detached single family housing. To avoid cookie cutter housing, the Planning Commission recommended that specific design standards apply at the time of building permit review. Condition #20 included design standards related to: style and massing, quality and type of exterior materials, front porches/entry areas, roof design and materials, exterior doors and windows, garage door types, exterior lighting, and exterior colors. Condition #21 would not allow any same house design in adjacency to another, including both sides of the street. The tentative subdivision plan would be done in 10 phases. Condition #5 would approve the proposed phasing. Conditions #6 and #7 would require Phase 1A

to expire two years from the date of approval and each subsequent phase would expire five years from the date of the approval. A Landscape Plan was submitted for review to show the open space tracts and street tree plantings. It included a request for removal of 17 deciduous trees, street tree plan for new and improved public rights-of-way, and landscaping in the open space tracts. The conditions of approval verified the approved tree species, allowed variations in spacing of street trees, identified additional locations for street trees, required tree species appropriate for planting near overhead electrical transmission lines, setback from utilities, planting standards, and submittal of a revised landscape plan that achieved all the required conditions of approval.

Senior Planner Darnell discussed comments that had been received related to the Great Neighborhood Principles. These were not applicable to these applications as they were submitted prior to the approval of the Principles. However, the plans that were submitted included components of the Principles related to natural feature preservation, scenic views, parks and open spaces, pedestrian friendly, bike friendly, connected streets, accessibility, human scale design, mix of activities, urban-rural interface, housing for diverse incomes and generations, housing variety, and unique and integrated design elements. A traffic impact analysis had been provided by the applicant. It analyzed the Planned Development plan of 280 single family homes and 100,000 square feet of retail use. The 100,000 square feet of retail use was the worst-case scenario in terms of potential traffic generation as it was completed prior to application submittal. PDA 2-19 Condition #7 would require an updated analysis prior to any development of the commercial site. The traffic study analyzed the intersections in close proximity to the site to meet a volume-to-capacity ratio of 0.90 or less. All of the intersections met the ratio except Michelbook and Baker Creek Road without a signal. The City's Transportation System Plan did not identify the improvements around this site. There was some question about the modeling within the TSP and if what was being proposed was consistent. The TSP included system-wide traffic modeling based on the 2003 McMinnville Growth Management and Urbanization Plan. That plan identified a neighborhood activity center in this location that included some higher density uses similar to what was being proposed. Land west of Hill Road was not included in the Urban Growth Boundary but it was still in the TSP modeling. He gave a comparison of the TSP density assumptions and the Baker Creek North plan. The meetings that had been held on this project included a neighborhood meeting on November 1, 2018 and had 10 attendees and Planning Commission public hearing on December 5, 2019 where two items of written public testimony were received and three people testified in opposition. The applicant provided the suggested revisions to the conditions of approval related to the design standards. Staff was not recommending approval of the suggested revisions due to the changes from the Planning Commission's recommendations. Three additional items of written public testimony had been received and were provided in the memorandum from January 27. Since the memo, staff had received four additional items of written public testimony and one additional letter from the applicant regarding the applicant's traffic engineer's response to the public testimony.

Senior Planner Darnell said the Planning Commission's recommendations were:

CPA 1-19: Approval

ZC 1-19: Approval with conditions (Not to be approved unless PDA 2-19 and PD 1-19 were approved)

PDA 2-19: Approval with conditions

PD 1-19: Approval with conditions

S 1-19: Approval with conditions (Not to be approved unless PD 1-19 was approved)

L 12-19: Approval with conditions (Not to be approved unless S 1-19 was approved)

The Council's options were to complete and close the public hearing, deliberate, and take action on each of the six ordinances individually. They could approve as recommended by the Planning Commission or deny by providing findings of fact and direct staff to include findings in the decision document. The Council could also continue the public hearing to a date specific time. This would require a special City Council meeting tentatively on February 4, 2020. The 120 day deadline was February 8, 2020.

Council Questions: Councilor Drabkin asked about the conditions related to the commercial parcel and the 10,000 square foot restriction. Did a convenience store qualify as a grocery store?

Senior Planner Darnell said there was no definition that differentiated between convenience and grocery store.

Councilor Drabkin asked how the sign ordinance applied to the commercial zone.

Senior Planner Darnell said in the conditions of approval for PDA 2-19, there were regulations for signs. The intention was that the signs would be more neighborhood scale and smaller than typical signs. No individual sign could exceed 36 square feet and internally illuminated signs were prohibited.

Councilor Drabkin asked about the appropriate trees for the BPA Trail.

Senior Planner Darnell said McMinnville Water & Light provided comments on the tree species for the BPA Trail easement and the areas under the power lines. Those changes were in the conditions for L 12-19.

Planning Director Richards said the food store retail use in the commercial zone was not defined. If there was a concern and the Council wanted to define it further, it was something they could amend as a condition.

Councilor Garvin asked why they were allowing a 45 foot height limit in this zone.

Senior Planner Darnell said it had to do with integrating the multi-family in the commercial uses. By allowing the additional height, the applicant could

put in mixed use buildings. Anything above 35 feet would need to be stepped back to reduce the prominence on the façade.

Planning Director Richards clarified in order to have three floors of residential over the ground floor of commercial they raised the height.

Councilor Peralta asked for clarification on the original Development Plan and what was being requested.

Planning Director Richards explained existing today was 11 acres of Commercial and no multi-family development was allowed. The rest of the property was in a County zone and did not have a plan for it yet. The request was to reduce the Commercial to 6 acres and to allow multi-family development with the Commercial. The rest of the property would be rezoned for the 280 single family dwelling units at a higher density than the single family zone. The Planning Commission recommended at least five acres be Commercial and allow for multi-family in a mixed use way.

Councilor Peralta asked what the difference was between the traffic counts if they had 100,000 square feet of commercial and multi-family plus single family residential.

Senior Planner Darnell said the traffic study included an analysis of the 280 single family units and 100,000 square feet of retail. Those numbers showed 3,700 average daily trips and for the 120 multiple family trips it would be 653. The condition that the applicant had to do another analysis before they developed the site was to ensure that whatever mix of use that was built didn't impact the surrounding street network.

Planning Director Richards said the applicant had not submitted a site plan for the commercial acreage. They had to provide a worst case scenario for the rezone application. The 100,000 square feet represented the highest use of the property. They asked to put a maximum of 120 multiple family units on the commercial property, and multiple family generated less trips than retail commercial development. There had been questions as to how the system could accommodate this much housing units and commercial and they tried to show in the analysis what the transportation system was built to accommodate. The proposed applications would be less impactful than the Transportation System Plan modeled.

Councilor Stassens asked how they determined the size of commercial needed to serve this area and were those conditions still consistent today.

Planning Director Richards said through the Urban Growth Boundary discussions in the 1980s, it was identified that more commercial land was needed as neighborhood serving commercial. The five acres was designated for this parcel at that time and was adopted through Ordinance 4506. The Comprehensive Plan designation had 11 acres of commercial for this parcel and the applicant requested 2 acres of commercial. They were trying to honor the past by requiring the 5 acres.

Councilor Geary asked if the conditions were bound to the property.

Senior Planner Darnell said the land use applications would apply to the property and would be transferred if it was sold.

Councilor Geary asked about the enforcement plan for the conditions.

Senior Planner Darnell said most applied to the future development of the parcel and they would be reviewed at the time of subdivision platting, construction plans, building permit plans, and Planning Commission review.

Planning Director Richards explained the process. Several conditions were relative to how the infrastructure was put on the ground and the conditions would need to be achieved before the plat was approved. When they came in for a building permit, it was reviewed by the planning and engineering teams. A permit was not released until those were achieved in the plan documents. The final certificate of occupancy was not released until everything was built to the way the conditions stated and as they were approved.

Councilor Garvin asked about cost recovery for the conditions.

Planning Director Richards said they would not be in cost recovery. Staff worked hard to make sure they were being efficient with their time. Council could discuss at a later time if cost recovery for site and design standards and inspections was something they wanted to pursue.

Councilor Garvin asked if the review would bog down the permit process.

Planning Director Richards said no, the planning review process was not a long process like the Building Department, McMinnville Water & Light, and Engineering Department's processes.

Councilor Geary asked if this was the same property that had the DEQ violations earlier in the year.

Senior Planner Darnell stated those occurred on the south side of Baker Creek Road.

Councilor Garvin asked about Condition #20, if someone wanted to change their exterior doors or paint their house, would they need to get approval from the Planning Department.

Planning Director Richards said the reality was that unless it was triggered by a building permit, it would be driven by a complaint basis that would go into Code Enforcement.

Councilor Stassens asked about the Michelbook and Baker Creek Road improvements.

Senior Planner Darnell said there was nothing in the application related to capping the number of trips before that improvement was made.

Councilor Geary asked what the plan was for the improvements on Baker Creek Road and Michelbook.

Community Development Director Bisset said the Transportation System Plan anticipated that there would be a need for a traffic signal at Michelbook and Baker Creek Road. It was not currently programmed in a capital plan that would identify a target installation date. When the need for the signal became apparent, then they would add it to the capital plan. Included with the current safety improvements ODOT was working on at all of their signals along 99W, there would be signal improvements to Baker Creek Road and Baker Street. He expected those safety improvements to be done in 2021.

Councilor Garvin asked if there were response time concerns regarding this application.

Planning Director Richards responded the application had been sent out to all the agencies to review. The Fire Department had looked at it for safety issues. There were no comments provided to the City by the Fire Department. The applicant had been working for 2 ½ years with the City and the Fire Marshall had been at the table for all those discussions.

Applicant's Testimony: Gordon Root, Stafford Development, introduced the development team. They had been working with staff for 2 ½ years on this project. They were a local developer that worked in small cities in the Willamette Valley. Their focus was an innovative approach to community development dedicated to the ABCs of housing – attainability- balance – choice. They built communities with a diversity of housing types and lot sizes and made the lots they developed available to a variety of builders. They took their investment in the communities seriously. This project would bring \$100 million in homes to this community excluding the commercial. He explained the site orientation and number of dwelling units in Baker Creek South. This was 278 workforce housing units. He understood when they were mandated to provide workforce housing that not everyone would like how it looked from the back. They did address those considerations and concerns. The families inside those homes really enjoyed being home owners. The park in that development was one of the most used parks in the City. They would pull their last permit in March for this development which showed how fast the community absorbed this type of housing. McMinnville had 141 residential 1 & 2 family dwelling limited permits opened between January 2019 and January 2020. Baker Creek South (East and West) represented 117 of those permits or 83% of the total permits pulled. They were meeting a need and building homes because people wanted to be in McMinnville. There was a demonstrated need for additional housing units. The Housing Needs Analysis showed that they would not be able to keep up and the housing shortage was projected to get worse. They were continuing to refine the products they were offering to reflect what residents wanted. He showed some illustrations of what Meadows Drive would look like looking north from Baker Creek Road. They would extend the stubbed streets on Blake Street, Shadden Drive, Meadows Drive, and Hill Road plus add a network of new internal local streets and private alleys. There would be 18 tracts of open space and Parcel D, private HOA open space, extension of the

power line trail north, and donation of a 15 acre parcel for a special use nature park. The ratio of the Planned Development area to new park space was 3:1, 45 acres of housing to 15 acres of park.

Morgan Will, Project Manager, summarized the Comprehensive Plan amendment and Zone Change. Parcel A would be the commercial property and Parcel B would be Phase 2. Ordinance 4633 created the original area designated as Commercial, which was 12.34 acres. With the Hill Road expansion, the Commercial was reduced to 11.3 acres. This application proposed to shrink that to 6.62 acres. The zone change for the area would be to C-3 and the area remaining to the north would be zoned R-4. One of the goals was to provide a sense of uniformity and understanding of the overall picture by presenting all of the applications concurrently. Even though there was no development plan for the commercial area, they wanted the traffic study to show the worst case scenario. In terms of residential uses, the Baker Creek North plan was not an increase in residential density from what was assumed in the Transportation System Plan. They were proposing 280 units at this time. The plan also included commercial use and the traffic study used the assumption that it was developed at 10,000 square feet per acre for a full ten acres which would be 100,000 square feet. The City had required a minimum of five acres be commercial, which would be 50,000 square feet of commercial at the highest. With the 25% for open space, it would be less than that. The traffic study worst case scenario showed 3,775 trips, but it would be at least half of that number. This development would support the overall system with SDCs for sanitary sewer, parks and recreation, and transportation. The total amount of SDC fees would be \$2,006,760. Regarding the traffic signal at Michelbook and Baker Creed Road, the 280 residential lots would not trigger a traffic signal. It would need to go in before the commercial was built. He discussed the review criteria. The project was consistent with the goals and policies of the Comprehensive Plan. It was orderly and timely, considering the pattern of development, surrounding land uses, and any changes in the community to warrant amendment. The utilities and services could be efficiently provided. In addition, the housing policies of the McMinnville Comprehensive Plan gave added emphasis and the other policies contained in the plan shall not be used to exclude needed housing, unnecessarily decrease densities, or allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay. For the Planned Development amendment, there were two existing conditions for this property, no residential was allowed and it had its own development standards per Ordinance 4506. The amendment would change the boundary, allow a maximum of 120 multi-family units, and a minimum of two acres of commercial uses. The City had changed that request to a minimum of five acres and added some new conditions. The PD amendment met all of the review criteria. The applicant may propose alternative design components when detailed development plans were submitted for review. The Planning Commission may review and approve these alternative design components if they were found to be consistent with the intent of the required site design components listed. Any future commercial development would come back to the Planning Commission. They had created a project with multiple lots which would provide a variety in the development pattern. There were 7

different lot types, and 1/3 were large lots (102), 1/3 were medium lots (100), and 1/3 were small lots (78). The SFD-70 and SFD-60 were larger than a standard R-4 lot at 10,962 and 5,978 square foot lot area average, the SFD-50 was similar to a standard R-4 lot at 6,578 square foot lot area average, the SFD-45 was almost the size of a standard R-4 lot at 4,693 square foot lot area average, and SFD-40 was a 4,154 square foot lot area average, and the SFDA-30 interspersed with the SFDA-26 would be 2,977 and 2,660 square foot lot area average. He showed an example of a residential alley with perpendicular parking spaces and showed a map and pictures of the open spaces and trails. There would be both private and public open spaces. The project would be done in 10 phases and he showed a graphic for how it would be done. Many mature trees would be preserved and they would be planting 458 new street trees and over 332 trees and shrubs in the open spaces. The applicant was requesting changes to the conditions of approval. For Condition #18, the applicant was requesting driveway widths in the right-of-way. They were asking for 28 foot driveway widths for the SFD-70 and SFD-60 lots. They were proposing edits to Conditions #20 and Condition #11 as well.

Council Questions: Councilor Drabkin said workforce housing was for teachers, nurses, police officers, etc., a wide range of professions. They seemed to be implying that they could not build an attractive house for workforce housing rates.

Mr. Root said the comments he made related to public feedback about the back of the housing LGI built on Baker Creek West. That had been used as a justification to require Condition #20, which were architectural standards on the proposed homes. They built a full range of various houses. He thought it was an over-reaction and it took away their ability to build some of the highest demand types of housing. What they were proposing was similar to what they were building in Baker Creek East. He thought they would bring a variety of housing and a welcoming environment that the community would like. They needed to have the ability to build a single level three car garage house in McMinnville and the staff proposed provisions did not provide for that. The products that were not selling were single level homes with double car garages that backed up to the golf course and two story homes with two car garages. They wanted to provide a variety of homes that appealed to various people. The three car garage would provide more storage as well as more parking which would help keep people from parking on the street.

Mr. Will said Condition #20 tried to require the rear yard of homes that were public facing to have special treatments and in their proposed change to the condition they added options for those elevation treatments. The condition was too prescriptive and the changes allowed a palette of options.

There was discussion regarding the driveway widths and the requested change to Condition #18. The wider width would allow for rectangular driveways.

Public Testimony:

Proponents: Jeff Odaw was a builder in Baker Creek South. He discussed how development would be affected by Condition #20. The reason he built in McMinnville was he could find a lot and build a single story house with a three car garage that he could sell for under half a million dollars which could not be done elsewhere in the Portland metro area. He would like to see the constraints on the development standards and driveways be removed.

Vince Vincery was a builder in Baker Creek East. He would like to go back to the 30 foot driveway for the SFD-70 lots instead of the 28 feet.

Brittney Ruiz, McMinnville resident, said since development on Hill Road, she had to find other alternate routes to get her kids to school because of the traffic. She was in support of the development, but wanted to make sure the traffic had been studied properly because there already was a lot of traffic and the area had not been built out yet.

Duane Wilson, builder, requested approval of the application. Regarding Conditions #18 and #20, he thought the change to the driveway widths would make for a lot better situation. If they were too small, people would drive over the landscape area. It was very expensive for the builder for the length of time it took for review and to make the architectural changes. None of the other homes in the remainder of the Baker Creek community had the condition for the rear yard facades. He thought the development as proposed by the applicant solved most of the concerns, but it gave flexibility. By making it so restrictive on the builders and the costs involved, it prevented them from building a three car garage single story home.

Jeff Bettneilli said he had been building homes in Yamhill County for 25 years. When they got a 60-70 foot lot, it gave them the ability to build a single level home with three car garage. These lots sold fast. He had a lot in Baker Creek East that was a two level home with two car garage that had been sitting for months. He bought 10 lots in that subdivision and found that single level homes with three car garages were the demand. He thought the driveways needed to be the full width of the wing walls, which would be 30 feet for a three car garage. The width was needed to maneuver vehicles and for not stepping out on the lawns. If someone had a small boat or trailer, they would need to be parked in the three car garage. He thought it was pretty diverse housing arrangement in Baker Creek East. It had a lot of diversity without putting tight parameters on the building components.

Opponents: Rick Weidner, McMinnville resident, was concerned about uniqueness and authenticity. Overbuilding would turn them into another Sherwood. There was a lack of executive level housing opportunities in McMinnville. He asked what retail company would want to be in that northwest corner of the City limits. He asked if Stafford would sell the retail site to become medical office buildings. He thought there should be higher income apartment options as well. Stafford would build some of these lots, but they would also sell some of them. He thought the apartments were out of scale and out of place.

Pat Stinson, McMinnville resident, was a retired civil engineer. He was concerned about the traffic problems on 2nd Street and on Baker Hill Road. The assumption that traffic would be fine was hard to believe. Having ground floor commercial with residential on top would cause parking issues as residents would need parking as well as customers. They deserved quality development.

Linda Lindsey, McMinnville resident, discussed what affordable housing was for the community. She handed out mortgage information to the Council. The median income for McMinnville was \$57,246 and for that amount of money people qualified for a \$250,000 to \$280,000 loan for a house. The workforce housing from LGI was on average \$345,000. They were able to buy the homes with zero down but in order to qualify they had to make \$68,000 to \$84,000 per year. This was not affordable. She thought they needed to look at other options for affordable builds.

Scott Larson, McMinnville resident, had done a traffic report on Baker Creek Road. The report from the applicant was done in July when the kids were out of school. About 10,000 people went to the schools every day and caused much more traffic. In his report they came up with 8,100 trips and it did not include certain streets. With what the developer wanted to do, it would increase the trips by 6,677 when it was built out which was an 80% increase in traffic from what they had now. This was not where the density should be in the City.

Mike Colvin, McMinnville resident, said his concerns were density and traffic. Putting this development in the northwest corner of Hill and Baker Creek Road would affect the quality of life of the current residents, especially with the potential traffic congestion. It would be an additional 3,000 trips per day and Baker Creek Road was a hybrid street that connected at least eight cul-de-sac developments. It was the only exit from these developments and those residents would have to wait for a safe break from the east/west traffic before they could exit their developments. They already struggled with this during rush hours, especially when school was in session. There were future developments in the southwest Hill Road area that would be built and the traffic issues would be increased even more. Improvements needed to be added to the Transportation System Plan. Several policies in the Comprehensive Plan and TSP recommended spreading high density fairly around town close to highways and major arterials instead of a mile from the nearest highway. This area was not suited for high density and the proposed density would create the worst transportation corridor in town. He hoped they came up with a solution to the transportation before they made a decision. – see attachment exhibit.

Markus Pfahler, McMinnville resident, said construction of this development coupled with other developments already approved or under construction in the proximity to Baker Creek Road would lead to problematic traffic. The most current traffic analysis in the Transportation System Plan was from 2010. That analysis determined the peak evening delay at the intersection of Baker Creek and Pacific Highway was 13.3 seconds. It estimated that in the year 2023 it would be 19.6 seconds. Here in 2020 he sometimes had to wait 2

light cycles to make the left turn onto Pacific Highway. Oakridge Meadows had a traffic study done where they estimated 1,020 trips for 100 single family homes which was 9.44 trips per home. The Baker Creek developments were adding 786 new homes and apartments which would generate 7,420 daily trips. They were constrained by two major arterial streets, 2nd Street and Baker, and the plans did not honor those constraints. They needed a traffic study before they built. He also discussed the dwelling design standards and how the 45 foot height was too high.

Phil Loving, McMinnville resident, was a custom home builder. He urged the Council to vote no against the project moving forward as presented. He was against the design of the subdivision and the attitude towards density. Getting rid of R-1 subdivisions was not the answer and this was not affordable housing. Livability was what the City brought to people who lived here. There were 160 lots that were 4,500 square feet or less in size and more than 70 lots that were 2,400 to 2,700 square feet in size. There were only 3 foot setbacks between most of the houses which meant less than 4 feet between gutters. How would people paint the outsides of their houses or what would happen when one of the houses caught on fire? There were no fire stations in the area. There would be no trees planted between the houses. All of the problems the developer was having could be solved by increasing the lot sizes. The standard used to be 9,000 square feet and that was how they got three car garages on the lots. They were trying to cram as much as they could into a small space, but the City did not need that. There would be nowhere to park on the street because of all the curb cuts and he questioned whether there would be space for garbage cans and fire trucks.

Kathy Loving, McMinnville resident, said people moved to McMinnville because they were tired of the high traffic areas they were living in, being crammed into small spaces, and they wanted privacy and a backyard. This was 280 homes and there had been testimony about traffic issues. This was a huge development. If they wanted three car garages, the lots could be bigger and fewer units could be built. This proposal did not promote livability.

Lana Brown, McMinnville resident, discussed the development creep that had happened in Portland that created livability issues and made her move to McMinnville. She had seen the increase in traffic in the time she had lived here. Today she had to wait through three lights to turn left from 99 to Baker Creek Road. She avoided 2nd Street because of the traffic. The density of the proposal would be using the only three streets in the area. She thought they needed to look at the traffic and livability before more homes were built.

Larry Yoder, McMinnville resident, opposed the density of this development. High density did not produce livability. They had spent time talking about what brought people to McMinnville and it was the small town atmosphere. High density did not promote small town atmosphere. He challenged them to keep McMinnville's small town atmosphere.

Councilor Peralta asked how they could balance the issues of housing affordability and density with maintaining the small town atmosphere that had brought so many to the City which had contributed to overcrowding and a significant shortage of supply.

Mr. Yoder thought the density needed to be around downtown, but putting the high rises on the perimeter did not make sense. People would have to drive everywhere and if they wanted a more walkable City they needed to put the high rises downtown.

Rebuttal: Mr. Will said the traffic study in the application addressed the traffic counts. They had analyzed the background traffic from the existing approved subdivisions in the area including Oakridge Meadows and Baker Creek South as well as applied the future growth rate. For the 280 dwellings using the 9.44 seconds was industry standard. The trips would be 2,643 trips per day and for the 10,000 square foot 10 acre commercial development, the estimate was 3,775 trips. The study was done by a professional engineer and showed that there was plenty of capacity.

Mr. Root said traffic came with development. There was not much more that the developers could do about it as far as this property being on a couple of arterials and within the City limits with density mandates and designs. The development would provide SDCs for improvements to the infrastructure. It was important for the building community to be able to have the driveway widths as they had proposed. They were also requesting approval of the revised Condition #20, or if the Council did not want to approve the revised condition, he asked that they continue the hearing so they could work with staff to come up with a workable condition. Councilor Garvin asked if they could make the driveway widths work by having fewer lots.

Mr. Root said \$345,000 was a difficult price point to get to and they were trying to provide a diversity of housing. There were many would-be homeowners who liked the diversity of housing and Planned Developments. He did not think they wanted another homogenized unaffordable neighborhood.

Council President Menke asked what the price point would be for the 2,600 square foot lots.

Mr. Root said they were trying to shoot for \$300,000. They could not do it for less due to the cost of materials and labor. It was the most affordable new home that they could deliver to the market.

Councilor Garvin asked if they went from 280 lots to 270 lots, would they be able to meet the setbacks and driveway widths.

Mr. Root said if they could not arrive at a compromise on Condition #20, they would come in as a subdivision and do it in pieces. It would take away the City's ability to extract the community benefit of the natural park. They were asking for a variance to the side setback. It was more efficient to come in as a whole. The development would be done in ten phases over several years.

Councilor Garvin asked when in those years would the roads be connected to Oakridge Meadows.

Mr. Root said it would be done in 3b after the pump station was built. That would be three to four construction seasons.

Councilor Peralta asked how many years it would take to do all 10 phases.

Mr. Root stated if the economy didn't break, they were projecting a 5 year development cycle and a 7 year buildout.

Council Discussion: There was discussion regarding Condition #20.

Councilor Peralta asked about the policy they were making with respect to the width of the driveways, because of the smaller setbacks there would be less street parking?

Planning Director Richards replied they had discussed the on street parking relative to how wide the driveway cuts were. Also as the lots got smaller, density became higher and they struggled to fit in street trees, utilities, and landscaping.

Councilor Drabkin asked why those were preferred over common wall units. Planning Director Richards said they had heard from the development community that townhomes and common walls were difficult to sell in McMinnville.

Councilor Drabkin asked about the revisions proposed by the applicant.

Planning Director Richards said staff had not had time to vet it entirely, the revisions were submitted just days before the packet was sent out. If the Council wanted staff to review and vet them, they would need to continue the hearing. The crux of the issue for the single family three car garage was the requirement in the design standards that not more than 50% of the home be a garage wall for the front façade. Staff looked at what other communities had done and they allowed for the greater than 50% if there was something above it. They had heard tonight that single story three car garages were the most problematic with the design standards.

Mayor Hill was in favor of continuing the public hearing for staff to go back and find a solution.

Planning Director Richards said the applicant was willing to toll the clock to February 25 which would give staff time to review and vet the materials. A decision would need to be made that night. Another action the Council could take was to keep the record open but close the public hearing. They would come back on February 25 to deliberate and make a decision.

City Attorney Parsons explained the options.

Councilor Peralta had concerns about the revisions to the conditions as well as the density, parking, and trees. However he was mindful of the opportunity for park land and an intentional and planned development. He was in favor of continuing the hearing but deliberate tonight to make the next meeting shorter.

Councilor Stassens thought they should give it more time so they could get direction from staff on the revisions and to review the late material that was submitted. She thought they should continue the hearing and deliberate at the next meeting.

Councilor Geary did not need more time as he was opposed to the revised Condition #20.

Councilor Garvin agreed that they needed a different version of Condition #20. There were other items in the applications that he was not in favor of, such as the 45 foot height and 2 acres of commercial.

Councilor Drabkin hadn't been able to compare the revised conditions and what she had seen in the revisions she did not like. There were a lot of adjustments throughout the application. She could deliberate on the applications and continue the hearing with the record open as long as they gave staff enough time to review the changes proposed.

Council President Menke was not in favor of the revised Condition #20. She thought they should deliberate tonight and keep the record open so staff and the applicant could work out a compromise.

Mayor Hill said he would not be in attendance on February 25 and he suggested continuing the hearing to March 10.

The applicant was willing to extend the timeline to March 10. They formally requested that the hearing be continued.

Councilor Geary was ready to make the decision tonight. The rest of the Council was willing to continue the hearing,

Councilor Peralta MOVED to continue the hearing to March 10, leaving the record open for written testimony until February 4, applicant response until February 11, and final written arguments until February 18; SECONDED by Councilor Drabkin. Motion PASSED 5-1 with Councilor Geary opposed.

Council direction to staff was based on the conditions recommended by the Planning Commission, to continue to analyze and bring back in a different way these items:

- Clarifying traffic for a grocery store vs. convenience store
- Condition #20 in the PD application and mirror Condition #11 in the Subdivision application
- Taking the fragmented information regarding the traffic and putting it into context with the science taking into account the cumulative effect of the recently approved applications

- Parking for the commercial/residential mixed use
- Injecting language that drive thru-restaurants were not permitted

4. Ordinances – continued to March 10

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

There were no public comments.

6. ADVICE/ INFORMATION ITEMS

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

Council President Menke said Visit McMinnville met and discussed how Transient Lodging Tax could be used.

Mayor Hill announced next Monday he would give the State of the City address as well as volunteer recognition at the Mac Market.

6.b. Department Head Reports – None

7. RESOLUTION

7.a. **Resolution No. 2020-07:** A Resolution appointing members to the Enrichment Services Advisory Committee

Parks and Recreation Director Muir said this was a follow up item from the Council's October 22 Work Session. Staff was working on a Facilities Master Plan to replace the aging Community Center and the Aquatic Center into one facility. The Council asked that a study of the Library be included as well as City Hall and Fire Administration. The first step was to create an advisory committee. Staff kicked off the recruitment on November 18. They used NeoGov for the recruitment and had 40 applicants. They planned to provide childcare during the meetings. She was recommending a list of 20 committee members and meetings would kick off on February 6 at 6:30 p.m.

Councilor Geary asked if they would start using the NeoGov process for all of the City committees.


Parks and Recreation Director Muir got some negative feedback about it because it was a lengthier process. It was good for collecting demographic data.

Councilor Garvin thought there would be a good balance of demographics on the committee.

Councilor Drabkin MOVED to adopt Resolution No. 2020-07 appointing members to the Enrichment Services Advisory Committee; SECONDED by Councilor Garvin. Motion PASSED 6-0.

8.

ADJOURNMENT: Mayor Hill adjourned the City Council Meeting at 11:10 p.m.



Claudia Cisneros, City Recorder