



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

**City Council Meeting Agenda**  
**Tuesday, March 24, 2020**  
**7:00 p.m. – Regular Council Meeting**

*Welcome! In abundance of caution we will not be taking Citizens Comment during this meeting as we are limiting the duration of the City Council Meeting. The public is welcome to attend, however if you are not feeling well, please stay home and take care of yourself. In accordance with Governor Kate Brown's Executive Order 2020-07 we are limiting the amount of people at Civic Hall and if we meet capacity we may ask you to leave.*

You can watch the City Council Meeting here:

<http://schedule.mcm11.org/CablecastPublicSite/watch/2?channel=1>

You may join online via Zoom Meeting:

<https://mcminnvilleoregon.zoom.us/j/342054084?pwd=NXp3bEthTUlwZmN2dVM1QVMvQ3ZuQT09>

Zoom ID: 342-054-084

Zoom Password: 910191

Or you can call in and listen via zoom: 1-253- 215- 8782

ID: 342-054-084

**7:00 PM – REGULAR COUNCIL MEETING – COUNCIL CHAMBERS**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADVICE/ INFORMATION ITEMS
  - a. Reports from Councilors on Committee & Board Assignments
    - Child Abuse Prevention Month
  - b. Department Head Reports
4. CONSENT AGENDA
  - a. Authorize City Manager to sign the Airport Property Lease Amendment with Van Holland Farms.
  - b. Consider the Minutes of the September 24, 2019 City Council Work Session and Regular City Council Meeting.
5. RESOLUTION
  - a. Consider **Resolution No. 2020-18**: A Resolution for City of McMinnville, Oregon Ratifying the Declaration of State of Emergency signed by Mayor Scott Hill on March 16, 2020.
  - b. Consider **Resolution No. 2020-19**: A Resolution approving the award of a Personal Services Contract to Jacobs for Phase 1 of the Water Reclamation Facility (WRF) Biosolids Storage Tank and Grit System Expansion, Project 2019-10.

Kent Taylor Civic Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made a least 48 hours before the meeting to the City Recorder (503) 435-5702 or [Claudia.Cisneros@mcminnvilleoregon.gov](mailto:Claudia.Cisneros@mcminnvilleoregon.gov).

## 6. ORDINANCE

- a. Consider second reading of **Ordinance No. 5084**: An Ordinance Amending the Comprehensive Plan Map Designation of the Property at the Northeast Quadrant of the Intersection of NW Hill Road and NW Baker Creek Road from a Commercial Designation to a Mix of Residential and Commercial Designations.
- b. Consider second reading of **Ordinance No. 5085**: An Ordinance Approving a Zone Change of the Property at the Northeast Quadrant of the Intersection of NW Hill Road and NW Baker Creek Road from a Mix of R-1 (Single Family Residential) and EF-80 (Exclusive Farm Use) to C-3 (General Commercial) and R-4 (Multiple Family Residential).
- c. Consider second reading of **Ordinance No. 5086**: An Ordinance Approving a Planned Development Amendment to Amend the Conditions of Approval and Reduce the Size of an Existing Planned Development Overlay District at the Northeast Quadrant of the Intersection of NW Hill Road and NW Baker Creek Road.
- d. Consider second reading of **Ordinance No. 5087**: An Ordinance Approving a Planned Development Overlay District to Allow for the Development of a 280 Lot Residential Subdivision with Modifications from the Underlying Zoning Requirements at the Northeast Quadrant of the Intersection of NW Hill Road and NW Baker Creek Road.
- e. Consider second reading of **Ordinance No. 5088**: An Ordinance Approving a Tentative Subdivision for a 280 Lot, Phased Single-Family Detached Residential Development at the Northeast Quadrant of the Intersection of NW Hill Road and NW Baker Creek Road.
- f. Consider second reading of **Ordinance No. 5089**: An Ordinance Approving a Landscape Plan and Street Tree Plan for the Baker Creek North Subdivision.

## 7. ADJOURNMENT



## PROCLAMATION

**Whereas**, child abuse is considered to be one of our nation's most serious public health problems with scientific studies documenting the link between the abuse and neglect of children and a wide range of medical, emotional, psychological, and behavioral disorders if left untreated; and

**Whereas**, it is estimated that 1 in 4 children will suffer significant abuse before the age of 18 and annually over 84,000 Oregonian children are reported to the Department of Human Services as having been abused or neglected with over 12,500 child abuse victims confirmed in 2018 (latest data); and

**Whereas**, the physical, emotional, and financial impact of abuse and neglect falls most heavily on children of all ages and abilities, who come from all economic, racial, cultural and social backgrounds; and these crimes affect an exponential number of family members, friends, neighbors, and coworkers; and

**Whereas**, a trauma-informed response to victims promotes healing and fosters strength in survivors; and

**Whereas** child victims who feel understood and supported are more likely to disclose their victimization, seek services to find healing, continue in their treatment, and participate in the justice process; and

**Whereas**, providing victims and their families with knowledge of their rights and available services further strengthens their ability to recover by restoring a sense of self-empowerment; and

**Whereas**, effective child abuse prevention programs succeed because of partnerships created among Children's Advocacy Centers, government agencies, schools, faith communities, civic organizations, law enforcement, the business community, and other stakeholders; and

**Whereas**, McMinnville is dedicated to strengthening child abuse survivors and their non-offending families in the aftermath of crime, building resilience in our communities, and working to prevent abuse and neglect all together to create a safer, healthier, and more thriving community;

**NOW, THEREFORE, I, Scott A. Hill**, Mayor of the City of McMinnville, do hereby proclaim April 2020 as

### **National Child Abuse Prevention Month**

**In Witness Whereof**, I have hereunto set my hand and caused the official Seal of the City of McMinnville to be affixed this 24<sup>th</sup> day of March, 2020.

We reaffirm McMinnville's commitment to help prevent child abuse through awareness efforts, prevention promotion, and training. We call upon all citizens to invest in the lives of all our children, to be aware of their safety and well-being, and celebrate those who provide prevention education, intervention, and treatment to victims of child abuse and neglect, ensuring that all children are afforded their rights to be safe from harm, as well as promote the healing and ongoing development of these our most precious resource - our children!

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Scott A. Hill, Mayor



**City of McMinnville**  
**Community Development Department**  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7312  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## STAFF REPORT

**DATE:** March 17, 2020  
**TO:** Jeff Towery, City Manager  
**FROM:** Mike Bisset, Community Development Director  
**SUBJECT:** Airport Property Lease Amendment – Van Holland Farms

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**Report in Brief:** This lease amendment extends the term of the lease with Van Holland Farms for farming of 34.7 acres of airport property to September 1, 2026, and adjusts the lease rate to \$150.00 per acre per year.

**Discussion:** Van Holland Farms has been actively farming property at the airport since 1980. In 2012, Van Holland Farms entered into a lease with the City for farming of 34.7 acres of airport property (see attached lease document).

The term of the 2012 was for five years, with the ability to extend the lease to September 1, 2022 via five one-year extensions. Currently, the lease has been extended to September 1, 2020 (see attached lease extension).

The lease rate in the 2012 lease was \$34.58 per acre per year (\$1,200 per year total). As part of the lease extension in 2019, the lease rate was adjusted to \$75.00 per acre per year (\$2,602 per year total).

Van Holland Farms replanted the fescue crop on the leased property in 2019, and that replanting failed. They are interested in investing in an additional replanting the crop this spring, but have asked that the lease be extended to 2026 so that they can recoup the costs of the additional investment over the length of the crop.

As part of the lease amendment, Van Holland Farms has agreed to increase the lease rate to \$150.00 per acre per year (\$5,205 per year total).

Given the Van Holland Farms' long term historical commitment to farming airport property, and their willingness to increase the lease rate, staff is in support of the lease amendment.

**Attachments:**

1. Proposed Lease Amendment
2. 2012 Farm Lease w/ map
3. Farm Lease Extension through September 1, 2020.

**Recommendation:** Staff recommends that the City Council approve the lease amendment with Van Holland Farms for the lease of 34.7 acres of airport property.

LEASE AMENDMENT

This lease amendment is entered into on this \_\_\_\_ day of \_\_\_\_\_, 2020, by and between the City of McMinnville, a municipal corporation of the State of Oregon (Lessor), and Van Holland Farms (Lessee).

RECITALS:

The Lessor and Lessee are parties to a lease agreement entered into on the 18th day of September, 2012, the "Premises" described as Parcel A (34.7 acres), all as more particularly described in the lease agreement attached hereto as Exhibit A.

The original term of that agreement expired on September 1, 2017, and the parties have agreed to three out of the five available one-year extensions of the lease, which have extended the term of the lease to September 1, 2020.

The parties desire to amend the lease term to expire on September 1, 2026.

NOW THEREFORE, the Parties agree as follows:

1. The term of the above-reference lease agreement is hereby amended to continue through August 31, 2026, expiring on September 1, 2026.
2. During the amended term from September 1, 2020 through August 31, 2026, the Lessee agrees to pay as rent for the premises, the sum of \$150.00 per acre per lease year.
3. All remaining terms and conditions of the Lease shall remain unchanged.

CITY OF MCMINNVILLE

VAN HOLLAND FARMS

\_\_\_\_\_  
By: Jeff Towery, City Manager

\_\_\_\_\_  
By: Gary Van Holland

**LEASE OF REAL PROPERTY  
BY AND BETWEEN  
CITY OF McMinnville, OREGON  
AND  
VANHOLLAND FARMS**

This lease is made and entered into on 9-18-12, by and between City of McMinnville, a municipal corporation of the State of Oregon (Lessor), and VanHolland Farms. (Lessee).

**1. Premises:** In consideration of the covenants and agreements contained in this lease, Lessor leases to Lessee the following property: Parcel A, consisting of approximately thirty four and seven tenths (34.7) acres as indicated in Exhibit A, attached to this lease and incorporated by this reference. Parcel A (Premises) is located in Yamhill County, Oregon.

**2. Period of the Lease:** The lease on the Premises shall commence upon execution of this document and, unless terminated at a different time pursuant to Sections 10, 17, 20 or 21 of this lease, shall continue through August 31, 2017, expiring on September 1, 2017. Lessee covenants with Lessor that, upon termination of this lease either as anticipated by this paragraph or by paragraph 8, Lessee will quit and deliver the Premises and all future erections, improvements, or additions to or upon the Premises, to Lessor, peaceably and in as good an order and condition as the Premises are now or may in the future be put by Lessor. Loss by fire, flood, unavoidable casualty, and reasonable use and wear of the Premises is excepted.

**3. Consideration:** Lessee agrees to pay Lessor, as rent for the premises, the sum of \$34.58 per acre for each lease year. The lease year immediately following execution of this lease shall run from the date the lease is fully executed through August 31, 2012 and payment for this lease year will be prorated. The remaining lease years shall commence September 1<sup>st</sup> each year, and shall end on the 31<sup>st</sup> day of the following August. Payment for the first lease year shall be in cash, due within thirty (30) days of the date the lease is fully executed. Payment for subsequent lease years shall be in cash, due on or before December 31<sup>st</sup> of the previous year. Payments shall be made to City of McMinnville and be mailed or delivered to City of McMinnville, Attn: Finance Department, 230 NE 2nd Street, McMinnville, OR 97128. Lessee will include with the payment a statement that the payment relates to the "Airport Farm Lease."

After recording  
Return to: City of McMinnville  
231 NE 5<sup>th</sup> St.  
McMinnville OR 97128

Tax Statements: N/A

OFFICIAL YAMHILL COUNTY RECORDS  
REBEKAH STERN DOLL, COUNTY CLERK

2012-14298



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\$91.00

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\$60.00 \$5.00 \$11.00 \$15.00

Any lease payment required of Lessee that is not paid within ten days of the due date shall bear interest at the rate of the maximum rate of interest permitted by law (at the time of the signing of this agreement, 9% per annum) from the due date until paid.

**4. Expenses Caused by Lease Termination:** Lessor agrees not to terminate the lease during the normal crop growing season unless required to do so in order to meet Airport facility expansion needs, or other future Lessor needs. Lessor shall not be liable for any expense incurred by Lessee in producing crops, except upon termination of lease by Lessor for Lessor's beneficial use of the premises under the terms of this section. Should Lessor terminate the lease pursuant to the terms of this section, Lessee shall be entitled to out of pocket expenses and labor and equipment costs but shall not be entitled to any future profits from crops. In no event shall the Lessee be entitled to any expenses or potential profits beyond the current lease year relative to crops with multi-year production.

**5. Taxes:** Lessor agrees to pay, on or before November 15 each tax year, all taxes due on the Premises. Lessee shall pay, as due, all taxes on its personal property located on the Premises.

**6. Encumbrances:** Should there ever be a mortgage or other encumbrance on the Premises, Lessor agrees to keep the encumbrance in good standing at all times, to make all payments when due, and not to suffer or permit payments to be or become in default.

**7. Relationship of the Parties:** The Lessor and Lessee agree that under no circumstances shall this lease be construed as giving rise to a partnership between them, and neither Lessor nor Lessee shall be liable for the debts or obligations of the other.

**8. Lease Term Extensions:** The lease may, upon mutual agreement of the Lessor and the Lessee, be extended for five (5) renewal terms of one year each. Lessee shall provide written notification to the Lessor, at least thirty (30) days prior to the expiration of the lease, that Lessee wishes to extend the lease. The parties will, at that time, renegotiate the lease price and the comprehensive general liability insurance coverage amount. If a mutually acceptable price and coverage amount can not be agreed upon, the extension of the lease will fail.

**9. Notices Directed to:** Notices required or permitted under this lease shall be directed to:

Lessor:

City of McMinnville  
Attn: Community Dev. Dir  
231 NE 5<sup>th</sup> Street  
McMinnville, OR 97128

Lessee:

Gary Van Holland  
Van Holland Farms  
11525 SE Cruickshank Rd.  
Dayton, OR 97114

(503) 434-7312  
(503) 474-4955 (Fax)

(503) 864-2327

**10. Use of the Premises:** The Premises will not be used in any way prohibited by law or governmental regulation. Should they be so used, the lease will automatically terminate immediately.

In connection with the use of the Premises, Lessee will conform to all applicable laws and regulations of any public authority affecting the premises and the use, and correct, at Lessee's own expense, any failure of compliance created through Lessee's fault or by reason of Lessee's use. Lessee shall refrain from any activity that would make it impossible to insure the Premises against casualty, would increase the insurance rate, or would prevent Lessor from taking advantage of any available reduction in insurance rates unless Lessee pays the additional cost. Lessee shall refrain from any use that would be reasonably offensive to owners or tenants or users of neighboring premises or that would tend to create a nuisance.

Lessee shall not cause or permit any hazardous substances or contaminants to be spilled, leaked, disposed of, or otherwise released on the Premises without strict environmental controls satisfactory to Lessor. Lessee shall comply with all environmental laws (including federal, state, and local laws, and any judicial or other governmental orders pertaining to the protection of health, safety, or the environment) and exercise the highest degree of care in handling hazardous substances or contaminants and shall take all practicable measures to minimize the quantity and toxicity of hazardous substances on the Premises. Upon the expiration or termination of this agreement, Lessee shall remove all hazardous substances or contaminants from the Premises.

**11. Special Conditions of Use:** The Lessee further agrees to:

(a) Farm and cultivate the Premises in a judicious manner; keep the fences, hedges, buildings and improvements thereon in as good condition and repair as the same are now or as they may be put in subsequently by either party hereto, ordinary wear and tear and damage by fire, flood, unavoidable casualty, and the elements alone excepted;

(b) Not allow noxious weeds to go to seed on the premises, but to destroy them, and keep out the weeds and grass on roads within and adjoining the Premises;

(c) Haul out and spread on fields to be agreed on at least once per year all manure and compost produced on the Premises;

(d) Not burn any straw or crop residues except as permitted by law, and then only with Lessor's permission;

(e) Follow standard treatment for diseases of all seed sown on the Premises and pay the cost thereof;

(f) Take proper care of all trees, vines and shrubs and prevent injury to them and, except when needed for fences, not cut down any live trees except with Lessor's permission;

(g) Keep all ditches clean, open and free from brush and growth;

(h) Allow no stock on the premises except the stock of Lessee;

(i) Not plow pastures or meadow-land without Lessor's consent;

(k) Not allow damage or waste to Lessor's property;

(m) Pay all expenses of delivering crops to market;

(o) Not assign this lease, nor sublet or permit any person(s) other than members of Lessee's family and employees to occupy the Premises without consent of Lessor being first obtained in writing; and

(p) Plant only annual crops, or perennial crops that would allow the application of biosolids and abstain from planting any crop that could prohibit the application of biosolids.

**12. Access:** Lessee is required to coordinate access with the owner(s) and lessee(s) of the adjacent properties (if any) and minimize the disruption or damage caused. Any cost associated with damage or alteration to adjacent properties related to this lease will be paid by the Lessee.

(a) Airport Security - Lessee recognizes its obligations to comply with federal airport security regulations applicable to the Airport. The City shall notify Lessee of any such federal airport security regulations which City becomes aware of and which are or may become applicable to Lessee's use or occupancy of the Premises. As of the date of execution of this lease, there are no applicable security regulations that apply to the use or occupancy of the Premises.

(b) Lessee shall ensure that the airfield environment is kept continuously free of debris, equipment, and/or other materials that might endanger aircraft.

(c) For emergency purposes, all vehicles shall be equipped with radio, telephone, or similar devices for contact by City or Airport Operations personnel. In the event of an emergency, Lessee acknowledges the need to be prepared to move workers, vehicles, and equipment immediately at the direction of the City or Airport Operations.

(d) No smoking will be allowed within the airfield environment except as designated by the City.

### **13. Vehicles on Airport Property**

The purpose of this section is to provide for the safety of vehicle operations in the airfield environment, should such vehicle operation occur. Enforcement of these requirements will be by the City, Police, or Airport Operations Staff. Violations of the requirements may be cause for Lessee's work to be stopped and Lessee's safety procedures to be evaluated. The City, in its sole discretion, will have the authority to determine when Lessee's work may safely be continued.

The driving requirements are as follows:

(a) Yield the right-of-way to a) moving aircraft, whether under tow or their own power, and b) pedestrians.

(b) Within the airfield environment, equipment, vehicle, and personnel travel outside the work area is restricted to established route(s).

(c) Obey stop signs and markings.

(d) Yield right-of-way to emergency vehicles displaying rotating beacons (other than amber) and/or using sirens and other audible emergency signals.

(e) Observe the posted speed limits.

(f) Regardless of a posted speed limit, a lower speed may be required in order to account for congestion, reduced visibility, slippery surfaces, or other hazardous conditions. No vehicle shall be driven in a manner that endangers persons or property.

(g) The speed limit of all service roads is 25 MPH or as posted.

(h) Motor vehicles shall be equipped with omni-directional amber flashing lights, head lights, tail lights, and flashers that shall be used between sunset and sunrise or when visibility is low.

(i) Non-motorized equipment shall have reflective devices displayed on the front, back, and sides.

(j) Vehicle operators shall have a current and valid state driver's license on their person.

(k) Unattended vehicles shall not be left with engines running.

(l) Vehicles operating in aircraft movement areas may require the following:

1. Escort provided by Airport Operations Personnel or other designated personnel.
2. Radio equipped with Ground Control Frequency

(m) Unattended vehicles will be parked clear of service and perimeter roads.

(n) Loads being carried shall be contained by sufficient means to assure no loss of any portion of the load.

(o) Equipment that extends 15 feet or more above ground level shall be cleared through the City prior to moving onto site. Equipment that may be lowered readily shall be lowered at night, during reduced daytime visibility, and during other periods of storage to comply with the 15-foot height limitation.

(p) If directed by the City, equipment that cannot be lowered below the 15-foot height limitation shall be lighted at night and during periods of reduced daytime visibility. The lighting shall be mounted on the highest point of the equipment, shall be omnidirectional, and shall consist of, as a minimum, one 100-watt bulb enclosed within an aviation red lens. Also, for daytime operations, an FAA-approved three-foot square orange and white checkered flag shall be mounted at the high point.

**14. Maintenance:** Lessee shall have full responsibility for maintenance of the Premises. Lessee shall keep the Premises clean and in good appearance. Lessee shall make no physical alterations without permission of the Lessor.

**15. Insurance Requirements:** Lessor shall keep the Premises insured at Lessor's expense against fire and any other risks covered by a standard fire insurance policy. Lessee shall insure any property of Lessee on the Premises against the same risks. Neither party shall be liable to the other (or to the other's successors or assigns) for any loss or damage caused by fire or any of the risks enumerated in a standard fire insurance policy, and in the event of insured loss, neither party's insurance company shall have a subrogated claim against the other. This waiver shall be valid only if the insurance policy in question expressly permits waiver of subrogation or if the insurance company agrees in writing that such a waiver will not affect coverage under the policies. Each party agrees to use best efforts to obtain such an agreement from its insurer if the policy does not expressly permit a waiver of subrogation.

Lessee shall, before the commencement of this agreement, procure and, during the term of this agreement, maintain the following insurance at Lessee's cost: Comprehensive general liability insurance in a responsible company with limits of not less than \$1,000,000 for injury to persons or property. This insurance shall cover all risks arising directly or indirectly out of Lessee's activities on or any condition of the Premises. Such insurance shall protect Lessee against the claims of Lessor on account of the indemnification obligations assumed by Lessee above. The insurance shall name the Lessor as an additional insured. Certificates evidencing this insurance and bearing

endorsements requiring thirty days' written notice to Lessor prior to any change or cancellation shall be furnished to Lessor prior to Lessee's occupancy of the Premises.

**16. Indemnification:** Lessee shall indemnify and defend Lessor from any claim, loss, or liability arising out of or related to any activity of Lessee on the Premises or any condition of the Premises in the possession or under the control of Lessee. Lessor shall have no liability to Lessee for any injury, loss, or damage caused by third parties, or by any condition of the Premises except to the extent caused by Lessor's negligence or breach of duty under this agreement.

**17. Damage to or Destruction of the Premises:** If the Premises are partially damaged, they shall be repaired as soon as practicable at Lessor's expense. If the Premises are destroyed or damaged to the extent that the cost of repair exceeds 25% of the value of the Premises before the destruction or damage, either party may elect to terminate this lease as of the date of the destruction or damage by written notice to the other party not more than thirty (30) days following the date of the destruction or damage. In such circumstances, the rights and obligations of the parties will cease as of the date of the termination and Lessee shall be entitled to reimbursement of any prepaid lease amount, prorated. If neither party elects to terminate, Lessor shall, as soon as practicable, restore the Premises to substantially the same condition as before the destruction or damage. Lessee shall be reimbursed a prorated amount of lease payments for any period during which the Premises are not usable.

**18. Warranties:** Lessor warrants that it is the owner of the Premises and has the right to lease them free of all encumbrances. Lessor will defend Lessee's right to quiet enjoyment of the Premises from the lawful claims of all persons during the lease term.

**19. Assignment, Mortgage, Subleases:** No part of the Premises may be assigned, mortgaged, or subleased, nor may a right of use of any portion of the Premises be conferred on any third person by any other means, without prior written consent of Lessor. This provision shall apply to all transfers by operation of law, including a transfer of a majority voting interest in stock or partnership interest of Lessee. No consent in one instance shall prevent this provision from applying to a subsequent instance. Lessor may withhold or condition consent in its sole and arbitrary discretion. Lessor shall consent to a transaction covered by this provision when withholding consent would be unreasonable in the circumstances. Lessor shall not unreasonably delay consent.

**20. Early Termination of Lease by Agreement:** If the Lessee desires to terminate this lease agreement at times other than those anticipated by Section 2 or Section 8, a request must be submitted in writing to the Lessor at least thirty (30) days in advance of the intended termination date. If the request for early termination of the lease agreement is granted, the Lessee will quit and deliver the Premises to the Lessor by the agreed upon termination date, peaceably and in as good an order and condition as the

Premises are now or may in the future be put by Lessor. Rent payments shall not be pro-rated when the lease is terminated under this section.

**21. Default and Remedies:** The following events shall constitute default:

Failure of Lessee to pay any lease payments within thirty (30) days after payment is due.

Failure of Lessee to comply with any term or condition or fulfill any obligation of this agreement (other than the payment of lease payments) within twenty (20) days after written notice from the Lessor specifying the nature of the default with reasonable particularity. If the default is of a nature that cannot be completely corrected within twenty (20) days, this provision shall be complied with if Lessee commences correction within twenty (20) days (or as soon as practicable) and proceeds with reasonable diligence and in good faith.

Insolvency of the Lessee, an assignment by Lessee for the benefit of creditors, filing by Lessee of a voluntary petition of bankruptcy, an adjudication that Lessee is bankrupt or the appointment of a receiver for the properties of Lessee, filing of any involuntary petition of bankruptcy and failure of Lessee to secure a dismissal of the petition within thirty (30) days after filing, attachment of or the levying of execution on the leasehold interest and failure of Lessee to secure discharge of the attachment or release of the levy of execution with ten (10) days.

Failure of the Lessee to occupy the Premises for the purposes permitted under this agreement for the period of one (1) year.

In the event of a default, this agreement may be terminated at the option of the Lessor by written notice to Lessee. Whether or not the lease is terminated by the election of Lessor, Lessor shall be entitled to recover damages from Lessee for the default and Lessor may re-enter, take possession of the Premises, and remove any persons or property by legal action or by self-help with the use of reasonable force and without liability for damages and without having accepted a surrender. Following re-entry or abandonment, Lessor may re-let the Premises, or any part thereof, but Lessor shall not be required to re-let.

In the event of termination or re-taking of possession following default, Lessor shall be entitled to recover immediately, without waiting until the due date of any future lease payment or until the date fixed for expiration of the lease, the following amounts as damages:

The loss of lease payments from the date of default until a new tenant is, or with the exercise of reasonable efforts could have been, secured and paying.

The reasonable costs of re-entry and re-letting, including without limitation the cost of any cleanup, removal of Lessee's property and fixtures, and any other costs or expenses incurred through Lessee's default.

Any excess of the value of the rent and all of Lessee's other obligations under this agreement over the reasonable expected return from the Premises for the period commencing on the earlier of the date of trial or the date the premises are re-let, and continuing through the end of the term.

Lessor may sue periodically to recover the damages during the period corresponding to the remainder of the lease term, and no action for damages shall bar a later action for damages subsequently accruing.

The above remedies are in addition to and shall not exclude any other remedy available to Lessor under applicable law.

The limitations on remedies shall not preclude either party from seeking or obtaining injunctive relief or from seeking recovery against the other under any contractual indemnity set out in this agreement or for causing physical damage or injury to persons or property.

**22. Strict Performance:** Waiver by either party of strict performance of any provision of this agreement shall not be a waiver of or prejudice the party's right to require strict performance of the same provision or of any other provision in the future.

**23. Attorney Fees:** If suit or action is instituted in connection with any controversy arising out of this agreement, the prevailing party shall be entitled to recover, in addition to costs, such sums as the court may adjudge reasonable as attorney fees at trial, on petition for review, and on appeal.

**24. Successors and Assigns:** Subject to the above-stated limitations on transfer of Lessee's interest, this agreement shall be binding on and inure to the benefit of the parties and their respective successors and assigns.

**25. Recording:** This agreement shall be recorded at the expense of Lessor.

**26. Lessor's Rights:** Lessor shall have the right to enter upon the Premises at any time to determine Lessee's compliance with the terms of this agreement, and, in addition, shall have the right, at any time during the last year of the term of the lease, to place and maintain upon the Premises notices for leasing or selling the Premises.

**27. Time of the Essence:** Time is of the essence of the performance of each of Lessee's obligations under this agreement.

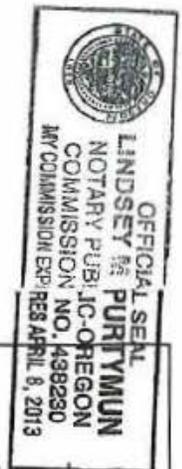
**28. Arbitration:** If any dispute arises between the parties, either party may request arbitration and appoint as an arbitrator an independent real estate appraiser having knowledge of leased properties comparable to the premises. The other party shall also choose an arbitrator with such qualifications, and the two arbitrators shall choose a third. If the choice of the second or third arbitrator is not made within ten (10) days of the choosing of the prior arbitrator, then either party may apply to the presiding judge for the judicial district where the premises are located to appoint the required arbitrator. The arbitrators shall proceed according to the Oregon statutes governing arbitration, and the award of the arbitrators shall have the effect therein provided. The arbitration shall take place in Yamhill County. Costs of the arbitration shall be shared equally by the parties, but each party shall pay its own attorney fees incurred in connection with the arbitration.

Gary VanHolland  
 Gary VanHolland  
 VanHolland Farms

Kent L. Taylor  
 Kent L. Taylor  
 City Manager

9-18-12  
 Date

9-24-12  
 Date  
CLB  
 Approved as to Form



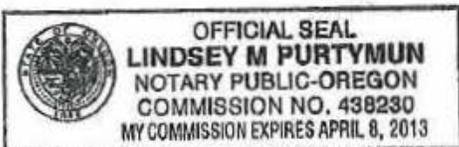
STATE OF OREGON,

County of Yamhill } ss.

On September 18, 2012 before me personally appeared Garry VanHolland

whose identity was established to my satisfaction, and who executed the foregoing instrument, acknowledging to me that the same was executed freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on the date first written above.



Lindsey M. Purtymun  
 Notary Public for Oregon  
 My commission expires 4-8-2013

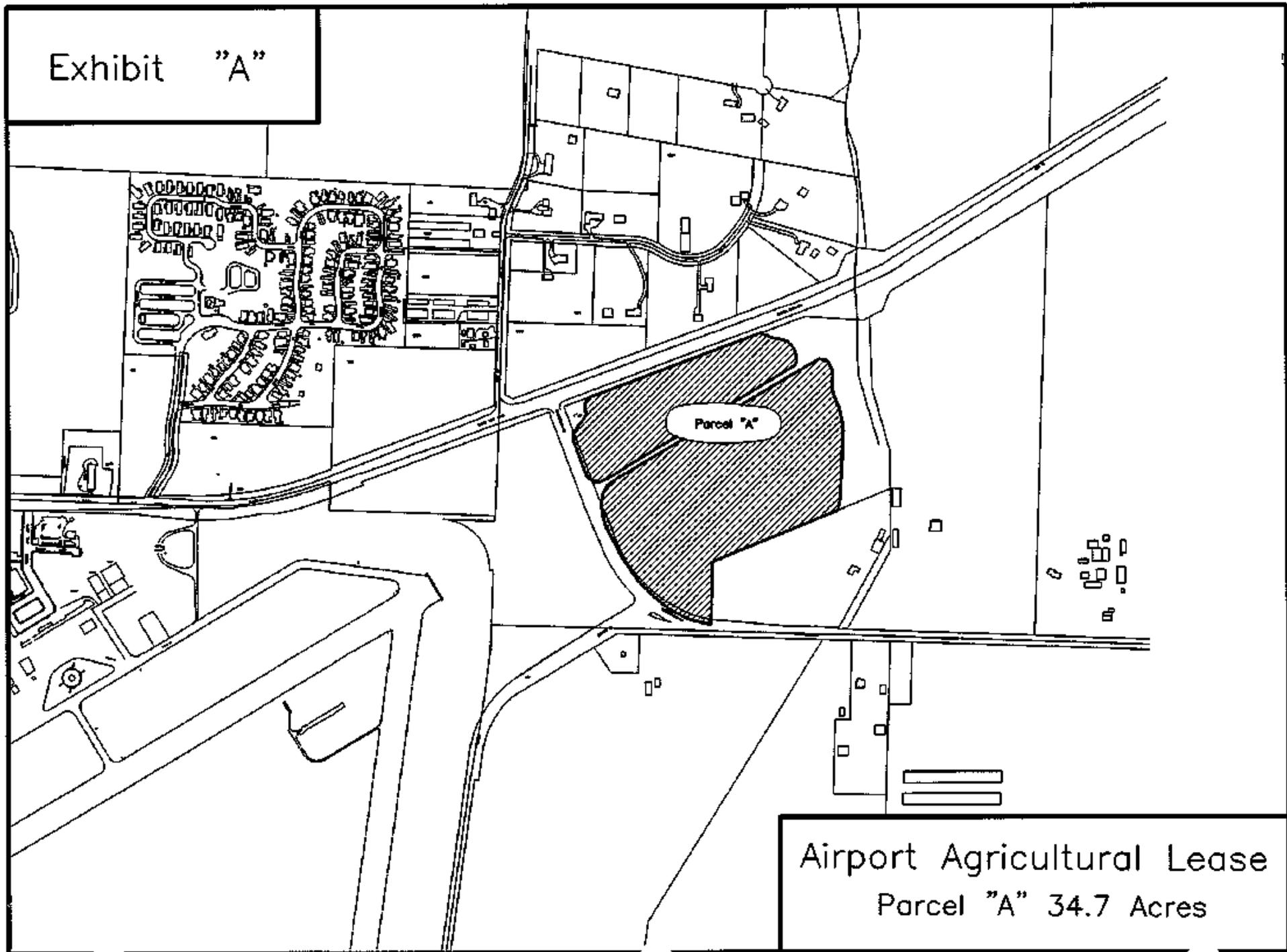
EXHIBIT "A"

A tract of land in Section 24 and 25, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, said tract, being a portion of land deeded to the City of McMinnville and recorded in Yamhill County deed records on January 22<sup>nd</sup> 1974 Book 98, Page 598 and shown on Yamhill County Survey, CSP 7717 recorded December 29<sup>th</sup>, 1980, and more particularly described as follows:

Beginning at a point, said point being the "place of beginning" described in the above mentioned recorded deed and being the "True Point of Beginning" of this description. Thence North 00d29'30" West, 322.13 feet; thence North 65d46'11" East, 758.96 feet along the Southeast boundary of the above mentioned tract of land. Thence North 01d23'6" East, 480.25 feet; thence North 11d00'57" West, 93.45'; thence North 22d10'37" West, 126.13 feet; thence North 00d02'34" East, 95.89 feet; thence North 27d55'44" West, 47.40 feet; thence North 67d53'17" West, 53.59 feet; thence South 81d38'5" West, 128.90 feet; thence North 15d18'02" West, 79.49 feet; thence North 44d18'54" West, 50.33 feet; thence North 74d47'03" West, 158.44 feet; thence South 67d38'21" West, 1030.22 feet along the South boundary of Salmon River Highway No. 18 said boundary also being the North boundary of the above mentioned tract of land. Thence leaving said boundary and traveling South 24d45'38" West, 34.57 feet; thence South 07d30'56" East, 62.14 feet; thence South 32d33'14" West, 122.27 feet to the East boundary of Cruickshank Rd (formerly Market Rd No. 32), said boundary as shown on the above mentioned Yamhill County recorded survey CSP 7717, said boundary also being the west boundary of the above mentioned tract of land; thence along said boundary to the "True Point of Beginning" of this description.

Excepting that portion of the above mentioned tract of land covered by the City of McMinnville Airport runway lights.

Exhibit "A"



Parcel "A"

Airport Agricultural Lease  
Parcel "A" 34.7 Acres

LEASE EXTENSION

This lease extension is entered into on this 26<sup>th</sup> day of July, 2019, by and between the City of McMinnville, a municipal corporation of the State of Oregon (Lessor), and Van Holland Farms (Lessee).

RECITALS:

The Lessor and Lessee are parties to a lease agreement entered into on the 18th day of September, 2012, the "Premises" described as Parcel A (34.7 acres), all as more particularly described in the lease agreement attached hereto as Exhibit A.

The original term of that agreement expired on September 1, 2017, and the parties have agreed to two out of the five available one-year extensions of the lease, which have extended the term of the lease to September 1, 2019.

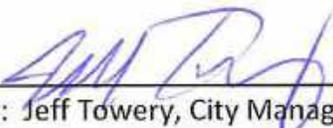
The parties desire to extend the lease a third time for a period of one additional year, to expire on September 1, 2020.

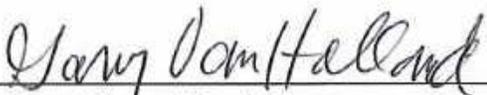
NOW THEREFORE, the Parties agree as follows:

1. The term of the above-reference lease agreement is hereby extended for a third time to continue through August 31, 2020, expiring on September 1, 2020.
2. During the third extended term from September 1, 2019 through August 31, 2020, the Lessee agrees to pay as rent for the premises, the sum of \$75.00 per acre per lease year.
3. All remaining terms and conditions of the Lease shall remain unchanged.

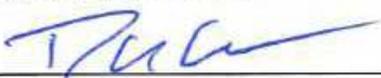
CITY OF MCMINNVILLE

VAN HOLLAND FARMS

  
By: Jeff Towery, City Manager

  
By: Gary Van Holland

Approved as to Form:

  
City Attorney

RECEIVED

JUL 29 2019

COMMUNITY DEVELOPMENT  
CENTER

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

Tuesday, September 24, 2019 at 6:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Melissa Bisset

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

Also present were City Attorney David Koch, City Manager Jeff Towery, Fire Chief Rich Leipfert, Operations Chief Amy Hanifan, Fire Marshall Debbie McDermott, Interim Finance Director Elizabeth Comfort, Police Chief Matt Scales, and Jerry Eichten, McMinnville Community Media.

1. CALL TO ORDER: Mayor Hill called the meeting to order at 6:07 p.m. and welcomed all in attendance.

2. DISCUSSION – Possible Changes to Regulations on Licensed Care Facilities

Fire Chief Leipfert provided a history of the Fire Department’s interactions with the care facility industry and how non-emergency calls and code enforcement challenges had continued to rise. When the Ordinance was initiated:

- 15 Care Facilities in the McMinnville City limits
- 1093 available beds creating an average of 151 calls per month.
- 3% of the City’s population lives in care facilities
- 35%-38% of EMS calls in the City are to care facilities
- Large number of non-emergency use of the EMS system
- Staff routinely refer to corporate policy requiring transport
- 11/1/18 – 9/1/19 1060 care home calls (post-ordinance)
- 11/1/17 – 9/1/18 1473 care home calls (pre-ordinance)

Fire Chief Leipfert explained that fire prevention was important because it helped protect the most vulnerable citizens with limited mobility, there

were limited operations responders, and engineering, enforcement, and education were paramount.

Nine months before the ordinance was passed former EMS Chief Dale Mount and Fire Chief Leipfert met with care facilities to explain the ordinance. Four months before the ordinance there was a joint meeting with hospital, care facilities, and City Manager to explain the ordinance. Two months before the ordinance there was a letter sent to all care homes advising them of the ordinance on the City Council agenda. It was noted that there was some turnover with care facility directors during that time.

Discussion ensued regarding communication with the Oregon Health Care Association (OHCA).

City Attorney Koch noted that the first communication with OHCA was in December of 2018 which was after the ordinance had been passed.

Councilor Peralta asked what conversations took place with OHCA.

City Attorney Koch stated that there was a letter from OHCA in December 2018 and there was correspondence between Mayor Hill and Fee Stubblefield. Many of the concerns were addressed by the revised ordinance that was on the Council's agenda tonight. There was also a telephone call that occurred between him and members of the OHCA regarding the petition and also other emails between the City and OHCA in trying to set up meetings.

Councilor Peralta said although it seemed like there had been outreach efforts, they had not had a lot of engagement.

City Attorney Koch stated that there had been a lot of outreach with local businesses affected by the ordinance. There wasn't outreach to the state-wide lobbying association for the care facilities and none of the businesses referred the City to them. OHCA contacted the City after the ordinance was passed.

Councilor Stassens asked if there was a way to more effectively communicate in the future. She asked if there were any takeaways, such as better communication with out of state property owners.

It was noted that letters were sent to the directors of the facilities.

Fire Chief Leipfert stated that there had been a lot of feedback since the ordinance was passed. He reviewed the draft revised ordinance. The following items of Ordinance 5059 would be staying:

- Specialty business license required to operate a care facility
- Annual inspection of all facilities

- Fees charged when care facility uses City's EMS system for non-emergency purposes
- All fees set by Council resolution

The items that were new were:

- New definitions related to care standards, resident safety, and facility oversight
- Facilities required to cooperate with City inspections and investigations
- Prompt notice to City required after change of facility ownership or operator
- Facility staffing, orientation, and training requirements
- Disaster, fire, and life safety planning and drills
- Prompt notice to City after disaster, fire, or incident endangering resident safety
- Requirement to provide certain support services to residents
- Requirement to provide certain health monitoring and services to residents
- Designation of resident rights
- Collection charges, interest, and penalties for delinquent payments
- Classification of infractions and designation of enforcement process

These updates were being done now due to updated research on gaps in care facility regulatory oversight. He had gotten feedback from the Oregon Health Care Association, local care facility residents, and local firefighters.

He reviewed the regulatory gaps and provided examples of code violations from 2017-2018. He reviewed the OHCA request for guidance and clarification and how all of those items had been answered and the ordinance had been changed to reflect the responsiveness to the letter. They also had a meeting with local care facilities management, staff, and residents and also community members to review the inspection reports and get feedback on the current ordinance. Language had been cleaned up and it was clarified that the ordinance did not apply to facilities operating outside the City, adult foster care homes, and individual living communities.

Councilor Garvin asked how facilities would know 45 days in advance about terminating an operator. Fire Chief Leipfert said there would be a purchase or transfer process for new owners or operators. City Attorney Koch noted that there was a state licensing requirement related to transfer of ownership and operation and this was consistent with the reporting

requirement to the state. The City wanted to know this information as well.

Council President Menke asked if the facilities were required to have a disaster preparedness plan in writing. Fire Chief Leipfert said they were required by the state to have a plan.

City Attorney Koch clarified that it would be important for the local agency that would be responding to an emergency to have access to the facilities' written disaster plans.

Fire Marshall McDermott stated one of the biggest challenges was the high staff turnover of these facilities and having to reeducate staff on the types of systems they had, how to operate them, and what the requirements were for maintaining them. It was paramount to making sure residents were safe and that they had those systems working when needed. If they were not maintained, it put residents at a high risk of danger. That was why she thought the annual inspection was so important.

Councilor Peralta asked what the estimated costs were for providing the annual inspections. Fire Chief Leipfert said they had not done a cost analysis on the inspections.

Councilor Peralta asked if other cities required cost recovery for inspections. Fire Marshall McDermott said not specific to this type of ordinance, but several cities had enacted inspection fees.

Councilor Peralta asked how much what was in the proposed ordinance would be touched by the charter amendment petition.

City Attorney Koch stated that would be a legal opinion and he could prepare a legal briefing for the Council. The revisions to the ordinance had been in development for more than six months. They were presented to the Council in a Work Session in March and staff had spoken to various groups about the revisions and some changes were made based on the feedback. It was always the intention to bring the revised ordinance back once they finished the code compliance work. He had reached out to OHCA about meeting in October to discuss the revisions, but OHCA had not responded.

Fire Chief Leipfert further reviewed the draft ordinance. He discussed the updated language regarding fees and noted that some of the feedback was that the \$1,500 fee for non-emergency calls was a significant amount of money for a first time offense. No one had paid this fee yet. He recommended a tiered penalty charge instead.

Operations Chief Hanifan explained the process for identifying a non-emergency call. She noted that there had been opportunities for education but nothing that had been determined as needing to charge the fee.

Fire Chief Leipfert said they were also recommending a reduced fee schedule for successful, non-life threatening violations. It would start with a \$200 per bed fee, but would go down if in subsequent years they were properly managing their fire code issues.

Mayor Hill stated that there had been a community meeting and they would continue to meet. There was a first reading of the ordinance on tonight's agenda, and he asked if Council wanted to move forward with that or take more time and make any changes.

Councilor Garvin wanted to wait until after the election.

Councilor Peralta thought the City should engage with the OHCA attorneys for feedback and wait until after the election.

Council President Menke and Councilor Geary thought that it would be good to wait till after the election.

Councilor Geary did not think that the City should move from its original position. This was a private industry using public services to underwrite their efforts to have as little overhead as possible and provide adequate level of service to their customers.

Councilor Stassens expressed her thanks for the process and dialogue. She supported what they were trying to do and the revisions suggested. It would be good to continue the dialogue and let the political piece play out. They should not compromise on addressing the problems either. She was also in support of waiting to take action, but also making sure they were covering their bases for their citizens.

Mayor Hill was in full support of the \$1,500 non-emergency use fee. He added that he would like to see the true cost of the inspections and code enforcement.

3. ADJOURNMENT: Mayor Hill adjourned the meeting at 7:05 pm.

s/s Claudia Cisneros  
Claudia Cisneros, City Recorder

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

Tuesday, September 24, 2019 at 7:00 p.m.

Presiding: Scott Hill, Mayor

Recording Secretary: Melissa Bisset

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

Also present were City Attorney David Koch, City Manager Jeff Towery, Fire Chief Rich Leipfert, Operations Chief Amy Hanifan, Fire Marshall Debbie McDermott, Interim Finance Director Elizabeth Comfort, Police Chief Matt Scales, and Jerry Eichten, McMinnville Community Media.

1. CALL TO ORDER: Mayor Hill called the meeting to order at 7:10 p.m. and welcomed all in attendance.

2. PLEDGE OF ALLEGIANCE

Councilor Stassens led the Pledge of Allegiance.

3. INVITATION TO CITIZENS FOR PUBIC COMMENT

Del Zook, McMinnville resident, wanted to make sure the Fire Department had ambulances where they were needed. He thought the ordinance was the wrong way to go about addressing problems in the senior care centers. He thought they needed to address the problems, but not charging it on the backs of the seniors. Most of the regulations in the ordinance the care centers already had to do. He asked why they would add more regulations to what they were already doing. He discouraged any kind of fee that put it on the backs of seniors.

Mark Davis, McMinnville resident, had attended the last Council Work Session with Visit McMinnville. He found it both inspiring and troubling. He discussed the Economic Opportunities Analysis data, particularly the employment and average pay for the different employment sectors. Accommodation and food services had the lowest average pay per employee and the second lowest was arts, entertainment, and recreation. These were the industries that Visit McMinnville was impacting and despite the good stories, the reality of the situation was that there were a lot of people struggling to make ends meet. His concern was the housing piece. They had lost some of the affordable housing because of the Visit McMinnville impact. Tourism was growing in the community before Visit McMinnville but with Visit McMinnville it was like tourism on steroids. He was uncomfortable with the direction they were headed and they needed to figure out how to supply housing for those making less than \$20,000 per year. The City needed to be part of the solution.

Cherry Haas, McMinnville resident, urged support for Ordinance 5059. She thought it would provide safety for senior citizens in care facilities. The majority of the care facilities in McMinnville were owned by out of state corporations who were for profit. They had a different direction and goal in allocating resources for staff and care for the residents. One of the operators wrote in the *News Register* that the cost incurred to provide the non-emergency assistance would be passed on. She stated that it did not need to be passed on as it was part of the profit equation. She thought they were currently providing a subsidy for business operating expenses of the care home facilities.

Phil Bently with the Oregon Health Care Association stated that they had not been directly involved in the draft ordinance presented this evening. He stated that they had made many attempts at communication with the City regarding this issue and opportunities for meaningful conversations that could have potentially led to a different outcome than a ballot measure. They had not been aware of the ordinance before it was passed. Once they were aware of it, they made multiple attempts to engage.

Dr. Jim Davis, representing the Oregon State Council for Retired Citizens and United Seniors of Oregon and State Affiliates of the National Council on Aging, was extremely opposed to the ordinance that was recently passed that would tax seniors. He thought the process had many questionable aspects to it. This was a terrible precedent and would inflict a significant burden on local seniors. He thought the revenue was to cover the budget shortfall, not directly benefitting senior residents or creating needed oversight. They were the only City in the US to attempt to adopt its own set of long term care regulations and standards. The policy was

flawed start to finish. The City of McMinnville did not have the expertise, knowledge, and resources to effectively regulate or enforce care standards. The ordinance conflicted with extensive state and federal regulations.

4. PROCLAMATION

4.a. MADE Day and National Manufacturing Day

Mayor Hill read the proclamation declaring October 4, 2019 as MADE Day in conjunction with National Manufacturing Day and presented it to Scott Cooper.

5. PRESENTATION

5.a. McMinnville Economic Development Partnership (MEDP) Annual Update

Scott Cooper provided the annual update for the McMinnville Economic Development Partnership (MEDP). He reviewed the recent business retention and expansion projects in McMinnville. He also highlighted industrial land projects and workforce programs. He discussed the work of MEDP over the last year including the Launch Mid-Valley and Oregon WORKS grant. In the coming years, they would be focusing on MEDP's Strategic Goals. These were: business retention and expansion, business attraction, workforce development, and innovation development.

Councilor Stassens asked about the Tech Terroir project. Mr. Cooper stated that was a new project and they would be continuing to work on advancing the concept.

Mayor Hill thanked MEDP for their work and the report.

Councilor Garvin asked what the City could do from a policy standpoint to help. Mr. Cooper stated that the Urban Growth Boundary was an issue that affected every facet of the economy and the attention to it was critical. He thought it would be good if the City had some incentives to offer businesses, such as a revolving loan fund to provide for gap financing in a SBA loan.

6. ADVICE/INFORMATION ITEMS

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

Councilor Geary stated that the Historic Landmarks Committee would meet this week and would be looking at a proposed new building for First Federal. Kids on the Block would be presenting information to the School Board. He also attended the Air Show.

Councilor Stassens stated that she had been checking in with citizens about how they felt about the City and would have a report later.

Councilor Garvin stated that the Air Show went well. There were some concerns about the noise but overall it was a well-planned and organized event.

Councilor Peralta stated that the Mid Willamette Council of Governments met and discussed priorities for the 2020-2021 legislative session. There had been significant work done by the Yamhill Watershed Council in parks around the City. This work was done by grants through the Oregon Watershed Enhancement Board. That Board allocated \$15,000 grants three times a year with only a \$5,000 match of cash or in-kind services (i.e. volunteer/staff time). He thought they should ask the Yamhill Watershed Council to work with City staff to apply for a grant to increase their restoration work and to leverage City resources with the grant funding. He had been meeting with downtown business owners and had discussed various aspects of redevelopment. He also met with the State Historic Preservation Office (SHPO) who echoed the requests of property owners that they review the city codes about redevelopment of commercial and residential properties in the downtown core. SHPO suggested putting together a work group to review the code and make recommended changes. In 2016 the Multnomah County Commission put forward a charter amendment that enacted limits on campaign contributions and made requirements on campaign disclosures on printed materials. He thought that the Council should consider adopting requirements for disclosures on paid communications in municipal elections. He put together a presentation on homelessness that he would like to enter into the record.

Council President Menke stated that the affordable Housing Task Force would be meeting Wednesday. They would be looking at a CDBG grant from the Oregon Housing Development Department and discussing the multi-family housing land acquisition program. She had a chance to speak with YCAP regarding funding for a Housing Position. She would be attending the League of Oregon Cities Annual Conference this week.

Mayor Hill had attended the Oregon Transportation Committee meeting where the Bypass was discussed. He also attended the Parkway Committee meeting where support letters were being updated. They needed \$32 million to purchase the right-of-way for Phase 2 of the Bypass. He reported on the McMinnville Water and Light meeting where acquisition of water rights and a proposed water rate increase were discussed. He would also be attending the League of Oregon Cities Conference. He thought the Air Show was successful and that the Chiefs

did a great job organizing. He was there for three full days and thanked everyone for their work and for the work on the negotiations to bring the show to the City.

6.b. Department Head Reports

Police Chief Scales stated that the heavy lift for the Air Show was done by the Captains, Sergeants, and Officers. They would have a formal debrief with the Air Show within the month. There had been no major issues. He commended the State Police for their work. The traffic mitigation plan needed to be worked on for next year.

Fire Chief Leipfert stated that six law enforcement agencies coordinated for the Air Show as well as five fire departments, two ambulance services, and a hospital/first aid tent. It was pulled off in three months. The event was successful and a tremendous effort was made by staff with limited resources and a very short planning time frame. They had received a quote for the consolidation study and more information would be brought to the Council. It was noted that there would be full cost recovery on the Air Show for the City.

Mayor Hill stated that on November 12 the Oregon Air Show would be giving a report to the Council.

Councilor Geary asked about any complaints received about the Air Show. Fire Chief Leipfert stated that there were some noise complaints. Mayor Hill stated that he had also heard a few complaints.

Interim Finance Director Comfort stated that the City received the Government Finance Officer Association's Certificate of Achievement for Excellence in Financial Reporting Award for 2017-18. It was the highest form of recognition in governmental accounting and finance. She announced effective September 30 the Municipal Court Team would be transitioning to reporting to the Finance Department from the City Attorney. This would provide separation of duties between the offices.

The City Manager and Mayor recognized City Recorder Bisset for her work with the City over the last three years.

7. CONSENT AGENDA

- a. Consider the Minutes of the July 17, 2019 City Council Work Session.
- b. Consider request from 7-Eleven Inc. at 840 NE 3rd Street for an off-premises liquor license.

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

8. ORDINANCE

- 8.a. Consider first reading with possible second reading of **Ordinance No. 5083**: An Ordinance for the protection of elderly and disabled persons living in Residential Support Facilities; repealing and replacing Ordinance 5059.

This item was postponed until after the election.

9. RESOLUTION

- 9.a. Consider **Resolution No. 2019-61**: A Resolution awarding the sole source contract for the regular maintenance of the City of McMinnville Public Safety Radio System.

Police Chief Scales stated this resolution would award the sole source contract to Day Wireless for the public safety radio system. A new simulcast system was installed in 2013, which was a three repeater system. Day Wireless was the only provider for maintenance in the McMinnville area. The contract with Day Wireless had been renewed in 2016 and was going to expire on September 30, 2019. Day Wireless was again identified by Motorola as the only provider authorized to work on the equipment. The new contract was set for a five year period and would be a total of \$44,080.80 annually.

Councilor Garvin asked what prompted the five year contract rather than the three year. Police Chief Scales said they were getting new radios and they would not exceed the service life of the radio system and equipment. He did not think it was too long of a contract.

Councilor Garvin MOVED to adopt **Resolution No. 2019-61**, awarding the sole source contract for the regular maintenance of the City of McMinnville Public Safety Radio System; SECONDED by Councilor Peralta. Motion PASSED unanimously.

10. ADJOURN: The meeting was adjourned at 8:25 pm.

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Claudia Cisneros, City Recorder



City of McMinnville  
Fire Department  
175 NE 1<sup>st</sup> Street  
McMinnville, OR 97128  
(503) 435-5800  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

# STAFF REPORT

**DATE:** March 17, 2020  
**TO:** Mayor and City Councilors  
**FROM:** Rich Leipfert, Fire Chief  
**SUBJECT:** Ratification of Resolution No. 2020-18 Declaring Local State of Emergency for City of McMinnville  
**STRATEGIC PRIORITY & GOAL:**



**OBJECTIVE/S:** Lead and plan for emergency preparedness

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**Report in Brief:** On March 16<sup>th</sup>, 2020, Mayor Hill declared a State of Emergency for the City of McMinnville due to the COVID-19 Virus and its impact on the City of McMinnville. This action is allowed by City Emergency Operations Plan adopted by City Council in 2009, and ORS 401.

**Background:** ORS Chapter 401, establishes the authority for the highest elected official of the City Council to declare a state of emergency. The Mayor has the authority to declare a state of emergency initially and the City Council should convene as soon as practical to ratify the State of Emergency Declaration. This action is scheduled to take place at the City Council meeting on March 24<sup>th</sup>.

**Discussion:** A declaration of a state of emergency by the City is the first step in accessing federal emergency funding assistance due to the COVID-19. The declaration of a state of emergency facilitates and provides the City Manager the authority to coordinate an effective response by redirecting funding for emergency use as needed and suspending standard procurement procedures. It also provides for the ability to modify work schedules of emergency responders to meet reduced staffing or increased emergency responses and allows all departments the flexibility to change operations, staffing and services to focus on changing needs in the community.

**Attachments:**  
Resolution Number 2020-18  
Signed Declaration of State of Emergency

**Fiscal Impact:** No changes

**Recommendation:** Council Ratify the Mayor's Declaration of a State of Emergency for the City of McMinnville by approving Resolution No. 2020-18.

## **RESOLUTION NO. 2020-18**

A Resolution for City of McMinnville, Oregon Ratifying the Declaration of State of Emergency signed by Mayor Scott Hill on March 16, 2020.

### **RECITALS:**

**WHEREAS**, Governor Kate Brown, on March 8, 2020 declared a state of emergency due to the COVID-19 virus, finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1); and

**WHEREAS**, The World Health Organization, on March 11, 2020 declared COVID-19 to be a pandemic threat that causes respiratory distress with the potential to cause serious illness and loss of life; and

**WHEREAS**, The City of McMinnville may require significant resources to provide for the health and safety of residents; and

**WHEREAS**, The State of Oregon, pursuant to ORS 401.309(1); authorizes the governing body of Oregon cities and counties to declare a local state of emergency; and

**WHEREAS**, The City of McMinnville, pursuant to the Emergency Operation Plan authorized the Mayor to declare a local state of emergency; and

**WHEREAS**, The Mayor of the City of McMinnville finds that conditions require a local state of emergency; and

**WHEREAS**, The Mayor of the City of McMinnville signed a Declaration of State of Emergency on March 16, 2020;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MCMINNVILLE OREGON, HEREBY RATIFY THE DECLARATION OF STATE OF EMERGENCY SIGNED BY MAYOR SCOTT HILL ON MARCH 16,2020 AND AUTHORIZES THE FOLLOWING:**

1. City Manager of the City of McMinnville, as the Emergency Manager as indicated in the Emergency Operation Plan, may take any and all necessary steps authorized by law to coordinate a response to this emergency; and
2. The state of emergency declaration provides the City Manager of the City of McMinnville is authorized to reallocate any city funds for emergency use; and
3. City Manager of the City of McMinnville is authorized to coordinate an effective response by redirecting funding for emergency use as needed and suspending standard procurement procedures; and
4. This resolution is effective immediately and shall remain in effect until at least May 1, 2020, but may be extended as necessary.

Adopted by the Common Council of the City of McMinnville at a meeting held the 24<sup>th</sup> day of March 2020 by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Approved this 24<sup>th</sup> day of March 2020.

\_\_\_\_\_  
MAYOR

Approved as to form:

Attest:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Recorder



## DECLARATION OF STATE OF EMERGENCY

To: Brian Young, Yamhill County Emergency Manager,  
Yamhill County Office of Emergency Management

From: Mayor Scott Hill,  
City of McMinnville, Oregon

At 3/16/2020 (time) on 1:20 pm (date),

The COVID -19 Pandemic is spreading within the State of Oregon, Yamhill County

The current situation and conditions are:

Taking this action allows City staff greater flexibility to address hazards posed by the COVID-19 by facilitating more expedient coordination with public agencies and quicker deployment of resources and staffing to safeguard the community. It also provides for the ability to modify work schedules of emergency responders to meet reduced staffing or increased emergency responses due to the COVID-19.

The state of emergency declaration provides the City Manager with the latitude to coordinate an effective response by redirecting funding for emergency use as needed and suspending standard procurement procedures.

City Manager of the City of McMinnville, as the Emergency Manager, may take any and all necessary steps authorized by law to coordinate a response to this emergency.

City Manager of the City of McMinnville is authorized to initiate emergency request for aid from Yamhill County, the State of Oregon, and the Federal Emergency Management Agency as necessary.

The Common Council of the City of McMinnville will ratify the Declaration of State of Emergency with Resolution No. 2020-18 on March 24, 2020.

Additionally, the designation aides the City's efforts when requesting assistance and/or reimbursement for expenditures related to COVID -19 response.

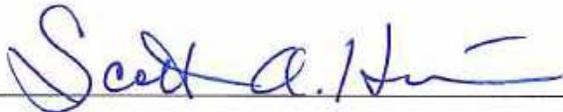
The declaration, set to expire on May 1, 2020 may be renewed if necessary

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The geographic boundaries of the emergency are:  
The City Limits of McMinnville, OR 97128

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WE DO HEREBY DECLARE THAT A STATE OF EMERGENCY NOW EXISTS IN THE CITY OF MCMINNVILLE AND THAT THE CITY HAS EXPENDED OR WILL SHORTLY EXPEND ITS NECESSARY AND AVAILABLE RESOURCES. WE RESPECTFULLY REQUEST THAT THE COUNTY PROVIDE ASSISTANCE, CONSIDER THE CITY AN "EMERGENCY AREA" AS PROVIDED FOR IN ORS 401, AND, AS APPROPRIATE, REQUEST SUPPORT FROM STATE AGENCIES AND/OR THE FEDERAL GOVERNMENT.

Signed:  \_\_\_\_\_

Title: Mayor Scott Hill

Date & Time: 3/16/2020 1:20pm

*This request may be passed to the County via radio, telephone, or fax. The original signed document must be sent to the County Emergency Management Office, with a copy placed in the final incident package.*



**City of McMinnville**  
**Community Development Department**  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7312  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

## STAFF REPORT

**DATE:** March 24, 2020  
**TO:** Jeff Towery, City Manager  
**FROM:** Larry Sherwood, Engineering Services Manager  
**SUBJECT:** WRF Biosolids Storage Tank and Grit System Expansion

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### **Report in Brief:**

This action is the consideration of Resolution No. 2020-19 to award a Personal Services Contract to Jacobs (formerly CH2MHill) for Phase 1 of the Water Reclamation Facility (WRF) Biosolids Storage Tank and Grit System Expansion, Project 2019-10.

### **Background:**

In May 2010, the City adopted both an updated *Conveyance System Master Plan* and an updated *Water Reclamation Facilities Plan* that strikes a balance between conveyance and treatment to reach a cost-effective comprehensive plan for wastewater management for a 20-year planning period through 2029. Additionally, the City adopted an associated *Wastewater System Financial Plan*. The adopted financial plan indicated that the City can rely on a “pay as you go” approach to funding the significant operations, maintenance, and capital needs contained in the wastewater master plans.

In alignment with the adopted *Water Reclamation Facilities Plan*, the City completed a project in 2016 to construct additional secondary treatment facilities, including a third oxidation ditch, third secondary clarifier, and the expansion of the return activated sludge pumping facilities. In 2019, the City completed another project identified in the plan to expand tertiary treatment capacity and upgrade the UV equipment. The next capital project identified includes the need to address biosolids storage capacity and improve grit removal processes to provide sufficient capacity for future peak hour flows.

The City stores liquid biosolids during the wet weather months, but quantities can occasionally approach tank capacity. The City contracts the hauling and spreading of the product in farm fields during the dry weather months, but the ability to land apply liquid biosolids may change suddenly due to poor weather conditions, transportation issues, land ownership, or changes in regulatory requirements. In addition, liquid biosolids cannot be taken to landfills. To provide flexibility in biosolids disposal options and to prepare for future uncertainties and growth, the intent of this Project is to construct an additional biosolids storage tank with mixing capabilities.

### **Discussion:**

On November 13, 2019, a Request for Proposal (RFP) for “Consulting Services Related to the Design and Construction of the Biosolids Storage Tank and Grit System Expansion” was published in the Daily Journal of Commerce to solicit proposals from qualified firms or individuals to provide engineering

services related to the design of the project. The RFP documents are included as Attachment 2 for the Council's reference.

On December 20, 2019, a single proposal was received from Jacobs. The proposal was reviewed and evaluated by a selection committee of Community Development Department staff. The evaluation criteria, as outlined in the RFP documents, included a review of the firm's experience and qualifications, the understanding of the project and services requested, project management capabilities, consultant availability, and cost estimating capabilities. Jacob's RFP Submittal is included as Attachment 3 for the Council's reference.

The results of the evaluation process concluded that Jacob's proposal met all expectations and requirements of the RFP. In addition, Jacob's proposed staff includes team members involved in several successful completed projects at the WRF. In short, the team proposed by Jacobs has vast industry knowledge and historical experience with our plant, its operations, and our staff.

Per the RFP Documents, the City has negotiated the type of services, work scope, project team, sub-consultants, fee, and schedule for Phase 1 of the project. Termed "Project Definition," Phase 1 will reevaluate the adopted Facilities Plan assumptions and recommendations related to the Headworks and Biosolids processes, and recommend solutions to address biosolids storage and grit removal capacity concerns. This holistic approach, where the consultant evaluates the process needs and constraints before beginning major engineering and design efforts, has been successfully used with the secondary treatment and UV treatment expansion projects.

Upon completion of Phase 1, future detailed design and construction phases are anticipated. Jacob's Scope and Fee Proposal for Phase 1 is included as Attachment 4 for the Council's reference.

The estimate for this scope of work is \$ 255,541.

**Attachments:**

1. Resolution No. 2020.19
2. RFP Documents
3. Jacobs RFP Submittal
4. Scope of work and estimate
5. Vicinity Map

**Fiscal Impact:**

Funds for the design work are included in the adopted FY20 and proposed FY21 Wastewater Capital Fund (77).

**Recommendation:**

Staff recommends that the City Council adopt the attached Resolution No. 2020-19 approving a Personal Services Contract with Jacobs for the Phase 1 of the WRF Biosolids Storage Tank and Grit System Expansion project.

**RESOLUTION NO. 2020 - 19**

A Resolution approving the award of a Personal Services Contract to Jacobs for Phase 1 of the Water Reclamation Facility (WRF) Biosolids Storage Tank and Grit System Expansion, Project 2019-10.

**RECITALS:**

On November 13, 2019, a Request for Proposal for “Consulting Services Related to the Design and Construction of the Biosolids Storage Tank and Grit System Expansion” was published in the Daily Journal of Commerce to solicit qualified firms or individuals to provide engineering services related to the design of the project.

On December 20, 2019, a single proposal was received from Jacobs. The proposal was reviewed and evaluated by a selection committee of Community Development Department staff. The evaluation criteria, as outlined in the RFP documents, included a review of the firm’s experience and qualifications, the understanding of the project and services requested, project management capabilities, consultant availability, and cost estimating capabilities.

The results of the evaluation process concluded that Jacob’s proposal met all expectations and requirements of the RFP. In addition, Jacob’s proposed staff includes team members involved in several successful completed projects at the WRF.

The City has negotiated the type of services, work scope, project team, sub-consultants, fee, and schedule with Jacobs for Phase 1 of the project. Future detailed design and construction phases are anticipated.

The estimate for this scope of work is \$ 255,541.

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

1. That entry into a Personal Services Contract with Jacobs for Phase 1 of the Water Reclamation Facility (WRF) Biosolids Storage Tank and Grit System Expansion, Project 2019-10, in the amount of \$ 255,541 is hereby approved.
2. The City Manager is hereby authorized and directed to execute the contract with Jacobs.
3. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until revoked or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 24<sup>th</sup> day of March, 2020 by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Approved this 24<sup>th</sup> day of March, 2020.

\_\_\_\_\_  
MAYOR

Approved as to form:

Attest:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Recorder



**CITY OF McMINNVILLE  
REQUEST FOR PROPOSAL**

QUALIFICATION BASED SELECTION (QBS) PROCESS  
FOR CONSULTING SERVICES RELATED TO  
THE DESIGN AND CONSTRUCTION OF:

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**WATER RECLAMATION FACILITY  
BIOSOLIDS STORAGE TANK AND GRIT SYSTEM EXPANSION**  
*Project 2019 -10*

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**PROPOSALS DUE:** December 20, 2019 by 5:00 p.m.

**SUBMIT PROPOSAL TO:** Community Development Center  
City of McMinnville  
231 NE Fifth Street  
McMinnville, OR 97128

**REFER QUESTIONS TO:** Larry Sherwood, Engineering Services Manager  
(503) 474-5119 Direct; (503) 434-7312 Office  
[Larry.Sherwood@mcminnvilleoregon.gov](mailto:Larry.Sherwood@mcminnvilleoregon.gov)

**PRE-PROPOSAL CONFERENCE:** A mandatory pre-proposal conference and site tour for all firms interested in submitting a proposal for the project will be held at **2:00 p.m., Wednesday, December 4, 2019** at the **Water Reclamation Facility, 3500 NE Clearwater Drive, McMinnville, OR 97128**

**RFP ISSUE DATE:** November 13, 2019

## REQUEST FOR PROPOSAL

The City of McMinnville will receive written, sealed proposals until 5:00 p.m. on Friday, December 20, 2019 at the Community Development Center, 231 NE Fifth Street, McMinnville, OR 97128, for the following services:

CONSULTING SERVICES RELATED TO THE  
DESIGN AND CONSTRUCTION OF THE  
BIOSOLIDS STORAGE TANK AND GRIT SYSTEM EXPANSION  
Project 2019-10

This solicitation and selection will be conducted using the Qualification Based Selection (QBS) process. The intent is to select one firm to provide services. Facsimile or electronically transmitted proposals will not be accepted. Late proposals will not be considered.

The Request for Proposal (RFP) documents may be obtained from Larry Sherwood, Engineering Services Manager, 231 NE Fifth Street, McMinnville, OR 97128; (503) 474-5119 or (503) 434-7312; [Larry.Sherwood@mcminnvilleoregon.gov](mailto:Larry.Sherwood@mcminnvilleoregon.gov).

Information about the RFP can also be found on the City's website at:  
<http://www.mcminnvilleoregon.gov/rfps>

A mandatory pre-proposal conference and site tour for all firms interested in submitting a proposal for the project will be held at 2:00 p.m. on Wednesday, December 4, 2019 at the Water Reclamation Facility located at 3500 NE Clearwater Drive, McMinnville. **Attendance at the pre-proposal conference is mandatory, and proposals received from firms that do not attend the pre-proposal conference will not be considered.**

Any addenda to this RFP will be distributed via email to those who receive proposal packets and will also be posted on the City's website at: <http://www.mcminnvilleoregon.gov/rfps>

LARRY SHERWOOD  
ENGINEERING SERVICES MANAGER  
CITY OF McMINNVILLE

Dated & Published: Daily Journal of Commerce – November 13, 2019

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## SECTION I – BACKGROUND AND SCOPE OF WORK

### A. INTRODUCTION

The City of McMinnville is requesting proposals from multi-disciplinary design teams headed by qualified, licensed, professional engineers to provide design and construction support services for the **Biosolids Storage Tank and Grit System Expansion** project at the Water Reclamation Facility (WRF) located at 3500 NE Clearwater Drive in McMinnville, Oregon. The City will complete a Qualification Based Selection (QBS) process to select the most qualified design team from among those firms that submit proposals according to the requirements of the RFP. Proposers responding to the RFP do so solely at their expense, and the City is not responsible for any costs or expenses associated with the preparation of the RFP.

### B. BACKGROUND

The City of McMinnville has a population of nearly 35,000 and is located approximately 35 miles southwest of Portland, in the heart of Oregon’s wine country. The City’s Community Development Department is tasked with providing wastewater collection and treatment services to the residents, businesses, and industries within the City’s urban growth boundary.

The City has invested over \$90 million in the sanitary sewer system since 1991. The \$28 million Water Reclamation Facility (WRF) was completed in 1996, and since that time it has consistently complied with some of the most stringent treatment requirements in the state. During its nearly 24 years of operation, the WRF and wastewater staff have been recognized with numerous compliance, operations, and improvement project awards.

Major treatment processes include offsite influent pumping, screening, grit removal, secondary treatment in advanced oxidation ditches, secondary clarification, tertiary clarification, filtration, ultraviolet disinfection, and post aeration prior to discharge to the South Yamhill River. The solids treatment processes include thickening and autothermal thermophilic aerobic digestion (ATAD). Biosolids are stored onsite during the wet weather months, and land applied, in liquid form, during the dry weather months. (Attachment 1- shows the existing WRF plant layout).

In May 2010, the City adopted both an updated *Conveyance System Master Plan* and an updated *Water Reclamation Facilities Plan* that strikes a balance between conveyance and treatment to reach a cost-effective comprehensive plan for wastewater management for a 20-year planning period through 2029. (Note: The *Conveyance System Master Plan* and the *Water Reclamation Facilities Plan* can be viewed on the City’s website at:

<https://www.mcminnvilleoregon.gov/engineering/page/documents-publications>

Concurrently, the City adopted an associated *Wastewater System Financial Plan*. The adopted financial plan indicated that the City can rely on a “pay as you go” approach to funding the significant operations, maintenance, and capital needs contained in the wastewater master plans. The approximately \$63 million of identified necessary wastewater capital improvements can be accommodated under the City’s existing wastewater rate structure with only slight rate increases and no additional debt over the life of the Plans.

In 2011, the City completed a project to modify the oxidation ditches to maximize the efficiency and capability of the existing secondary treatment infrastructure, and to improve the overall system hydraulics so that critical equipment is not submerged during high plant flows.

In 2016, the City completed an expansion project which added secondary treatment facilities, including a third oxidation ditch, third secondary clarifier, and the expansion of the return activated sludge (RAS) pumping facilities.

In 2019, the City completed projects to upgrade the ultraviolet treatment and effluent filtration systems, and to apply new coatings to the interior of ATAD #3 and all steel mechanisms in both tertiary clarifiers.

Additionally, the City has focused on rehabilitation and replacement of aging pipelines in the conveyance system (which currently totals over 150 miles of public sanitary sewer lines) to reduce inflow and infiltration (I&I) in the system. The implementation of the private sewer lateral ordinance, adopted by the City Council in 1997, has resulted in the evaluation of over 2,100 private laterals, and property owner replacements and repairs to over 1,300 defective sewer laterals. These efforts have significantly reduced unwanted storm water in the sanitary sewer system, increasing the available capacity of the system and limiting the chances of system overflows.

While it is clear that the system needs are great, it is equally apparent that these plans represent the continuation of a *tremendous McMinnville success story*. In short, the often difficult decisions and commitments regarding investments in the City's sanitary sewer pipelines and treatment facilities over the last 20 years have positioned the City well to address the needs of the next planning period.

### C. DESCRIPTION OF PROJECT

The adopted *Water Reclamation Facilities Plan* provides several alternatives for managing the solids produced at the WRF. The plant's processing technology currently produces Class A biosolids, which allows the most flexibility in options for the beneficial reuse of the product. The City intends to continue to produce Class A biosolids, and therefore solids management strategies only consist of processes that continue to meet this criteria. In alignment with the recommendations contained in Chapter 8 of the adopted facilities plan, the City is following alternative SM2, *ATAD Treatment and Dewatering Stabilization*. (See Attachment 4 Figure 10-3)

The City stores liquid biosolids during the wet weather months, but quantities can occasionally approach tank capacity. The City contracts the hauling and spreading of the product in farm fields during the dry weather months, but the ability to land apply liquid biosolids may change suddenly due to poor weather conditions, transportation issues, land ownership, or changes in regulatory requirements. In addition, liquid biosolids cannot be taken to landfills.

To provide flexibility in biosolids disposal options and to prepare for future uncertainties and growth, the intent of this Project is to construct an additional biosolids storage tank with mixing capabilities. Future dewatering and dryer installation projects will produce a dried Class A product that may be sold to the public, spread on local farm fields, or hauled to the landfill for disposal giving the City options in an uncertain future.

The grit removal process currently includes one vortex tank for grit removal. As part of this project, a second vortex tank is planned to be constructed to provide sufficient capacity for future peak hour flows and to enable staff to remove one grit tank from service for maintenance. Modifications to the existing grit tank to correct existing hydraulic deficiencies will also be necessary.

The adopted *Financial Plan* allocates approximately \$8.7-million between FY2019-20 and FY2021-22 for the completion of the design, permitting, and construction of the **Biosolids Storage Tank and Grit System Expansion** project.

#### D. QUALIFICATIONS AND REQUESTED SERVICES

The selected consultant shall provide design and consulting services for the **Biosolids Storage Tank and Grit System Expansion** project. Expected consultant work will include all services necessary to design, permit, facilitate, construct and commission the planned facilities.

The City will work jointly with the selected consultant to develop a final, comprehensive scope of work, project schedule, and associated consulting services fees for the proposed project. Submitted proposals should demonstrate the consultant's (particularly key staff) experience and expertise with the following broad range of services that may be included in the project scope of work:

- Wastewater treatment facility planning and pre-design activities, including design alternative development and analysis;
- Land use planning and permitting (Note: The WRF is located on City owned property outside of the current City limits for McMinnville. Therefore, the project will be subject to Yamhill County land use planning and permitting requirements);
- Structural, hydraulic, and process evaluation and recommendations for integrating and incorporating the planned improvements into the existing WRF infrastructure;
- Construction phasing evaluation and recommendations for integrating and incorporating the planned improvements into the existing WRF infrastructure;
- Facilitation, coordination, and management of both internal stakeholder input, review, and approval; as well as required regulatory input, review, and permit approval;
- Structural, electrical, mechanical, and geotechnical engineering services;
- Accurate project cost estimating from pre-design through design completion;
- Preparation of final project plans, specifications, and bid documents for the purpose of construction bidding;
- Construction bidding support services including facilitation of pre-bid meetings, preparation and issuance of addenda, bid review, and recommendation of bid award;
- Construction support services, including technical assistance, onsite inspection, and contract administration services; and
- Facility start-up and commissioning assistance and support.

## SECTION II – PROPOSAL PROCESS

### A. RFP SCHEDULE

The planned schedule of events for the RFP process is as follows (Note that the dates are approximate and subject to change):

November 13, 2019	RFP advertised in Daily Journal of Commerce
December 4, 2019 (2:00pm)	Mandatory pre-proposal conference and site tour
December 10, 2019 (5:00pm)	Deadline for questions, requests for clarification, and solicitation protests
December 13, 2019 (5:00pm)	Deadline for City responses to questions, requests for clarification, and solicitation protests
December 20, 2019 (5:00pm)	Proposals due
December 27, 2019 (tentative)	Selection of finalists to be interviewed *
January 14, 2020 (tentative)	Interviews (if necessary)
January 17, 2020 (tentative)	Written notification of highest ranked proposer
January 21, 2020 (tentative)	Begin contract negotiations
February 3, 2020 (tentative)	Notice of intent to award
February 13, 2020 (tentative)	Deadline for written protest of award
February 14, 2020 (tentative)	City response to protest of award
February 25, 2020 (tentative)	City Council award of contract

\* The need for interviews will be determined by the City.

### B. PRE-PROPOSAL CONFERENCE

A mandatory pre-proposal conference and site tour for all firms interested in submitting a proposal for the project will be held at 2:00 p.m. on Wednesday, December 4, 2019 at the Water Reclamation Facility located at 3500 NE Clearwater Drive, McMinnville. **Attendance at the pre-proposal conference is mandatory, and proposals received from firms that do not attend the pre-proposal conference will not be considered.**

### C. PROPOSAL DUE DATE

Proposers shall submit sealed proposals containing one (1) signed, clearly marked, easily reproducible original and four (4) complete copies of the proposal to:

**Larry Sherwood, Engineering Services Manager**  
City of McMinnville Community Development Center  
231 NE Fifth Street  
McMinnville, OR 97128

**The sealed proposals are due no later than 5:00 p.m. on Friday, December 20, 2019.** Proposals received after the deadline will be rejected and returned unopened. Proposals may be mailed to the

City, but must be received by the Engineering Services Manager no later than the above stated date and time. Facsimile and electronically transmitted proposals will not be accepted.

D. QUESTIONS AND CLARIFICATION

Questions and requests for clarification regarding this RFP solicitation must be directed in writing (either email or fax is acceptable) to:

**Larry Sherwood, Engineering Services Manager**

City of McMinnville  
231 NE Fifth Street  
McMinnville, OR 97128

Direct: (503) 474-5119

Office: (503) 434-7312

Email: [Larry.Sherwood@mcminnvilleoregon.gov](mailto:Larry.Sherwood@mcminnvilleoregon.gov)

**The deadline for submitting questions or requests for clarification is seven (7) days prior to the proposal due date.** If a substantive clarification is necessary, an addendum will be issued no later than 72 hours prior to the due date to all recorded holders of the RFP solicitation. Note that statements made by the City are not binding upon the City unless confirmed by written addendum.

E. SOLICITATION PROTEST

A proposer who believes the proposal requirements or specifications are unnecessarily restrictive or limit competition may submit a protest, or request to change, in writing. Protests or requests to change any provision of this RFP, including the submittal requirements, evaluation criteria, or contract terms, **must be submitted no later than seven (7) days prior to the proposal due date.** No protest of the selection of a consultant, or award of a contract, because of a RFP provision, submittal requirements, evaluation criteria, or contract term will be considered after such time.

The protest or request for change shall include:

- The reason for the protest or change;
- The proposed language to address the protest or change; and
- The reason(s) why the proposed language will benefit the City.

The City shall consider the protest or request for change, and may reject the protest or request for change, issue an addendum, or cancel the RFP.

Protests or requests for change must be submitted in writing to:

**Larry Sherwood, Engineering Services Manager**

City of McMinnville  
231 NE Fifth Street  
McMinnville, OR 97128

Direct: (503) 474-5119

Phone: (503) 434-7312

Email: [Larry.Sherwood@mcminnvilleoregon.gov](mailto:Larry.Sherwood@mcminnvilleoregon.gov)

F. PROPOSAL MODIFICATIONS OR WITHDRAWAL

Proposal modifications or erasures made before signing by the authorized representative must be initialed in ink. Once submitted, proposals may be modified in writing before the time and date set for proposal closing. Any modifications shall be prepared on company letterhead, signed by an authorized representative, and state that the new document supersedes or modifies the prior proposal. Modifications must be submitted in a sealed envelope clearly marked "Proposal Modification", and identifying the proposal title and closing date and time. Proposer may not modify proposal after proposal closing time.

Any proposal may be withdrawn at any time before the proposal due date and time by providing a written notification on company letterhead by an authorized person. The withdrawal of a proposal will not prejudice the right of the proposer to file a new proposal.

G. CANCELLATION, DELAY OR SUSPENSION OF RFP SOLICITATION; REJECTION OF PROPOSALS

Nothing in this RFP shall restrict or prohibit the City from cancelling, delaying, or suspending the RFP solicitation at any time. The City may reject any or all proposals, in whole or in part, if in the best interest of the City, as determined by the City.

H. IRREGULARITIES

The City reserves the right to waive any non-material irregularities or information contained in this RFP, or in any received proposal.

I. PROPOSAL COSTS

The City is not liable for any costs incurred by a proposer in the preparation and/or presentation of a proposal. Execution of a contract by the City is subject to the availability of funds in the City's adopted budget(s).

J. AVAILABILITY OF RFP RESPONSES; PROPRIETARY INFORMATION

Per the terms of ORS 279C.107, the City will open the proposals so as to avoid disclosing the contents to competing proposers during the process of negotiation. Proposals will not be available for public review until after the issuance of the Notice of Intent to Award.

The City will withhold from disclosure to the public trade secrets, as defined in ORS 192.501, and information submitted to the City in confidence, as described in ORS 192.502, that are contained in the proposal. Proposals must clearly identify such material, keep it separate, and provide separate notice in writing of the status of this material to:

**Larry Sherwood, Engineering Services Manager**  
City of McMinnville  
231 NE Fifth Street  
McMinnville, OR 97128

Direct: (503) 474-5119

Office: (503) 434-7312

Email: [Larry.Sherwood@mcminnvilleoregon.gov](mailto:Larry.Sherwood@mcminnvilleoregon.gov)

## SECTION III – PROPOSAL FORMAT AND EVALUATION CRITERIA

### A. ORGANIZATION OF PROPOSAL

Proposals shall be prepared simply and economically, providing a straightforward and concise description of the proposer’s capabilities to satisfy the requirements of this RFP. Emphasis should be on the completeness and clarity of the content of the proposal.

Proposers shall submit one (1) signed, clearly marked, easily reproducible original and four (4) complete copies of the proposal. Proposals shall be easily recyclable; plastic and wire bindings are discouraged.

The proposal shall not exceed twenty (20) pages in length, including pictures, charts, graphs, tables, and text. Pages shall be 8 ½” x 11”, and the text font shall not be less than 10-point type. Resumes of key individuals proposed to be involved in the project are exempted from the 20-page limit if they are appended to the end of the proposal. All pages of the proposal shall be consecutively numbered.

### B. TRANSMITTAL LETTER

All proposals shall contain a transmittal letter identifying the authorized representative of the business; the existing location(s) of the business; and a summary of the key provisions of the proposal.

### C. EVALUATION CRITERIA

Evaluation of the written response portion to the RFP will be based on a point system where responses to the following requests for information will be scored by members of the Evaluation Committee. The possible point values are listed by each evaluation criterion. Please see SECTION IV – PROPOSAL EVALUATION AND CONTRACT AWARD for a summary of the complete evaluation process.

Results obtained in reference checks may be used to score any relevant evaluation criteria. Reference checks will be limited to information that is listed within the evaluation criteria.

The Evaluation Committee may contact Proposers for clarification of proposal responses; however no additions, deletions or substitutions that cannot be termed as clarifications may be made to proposals.

#### 1. PROJECT UNDERSTANDING (Maximum 20 points)

Provide a detailed statement to demonstrate the Proposer understands the project, including but not limited to:

- The purpose of the project;
- The proposer’s expertise and experience related to the specific tasks that must be accomplished to complete the project;
- Key project milestones, including which milestones are most important and the consequences of missing milestones;
- Key deliverables required by the project; and

- The proposer’s familiarity with the City organization, City staff, and the WRF processes.

2. QUALIFICATIONS AND EXPERIENCE (Maximum 30 points)

Provide a brief history of the Proposer’s firm, type of work executed, and capabilities. Highlight recent and local project experience within the last ten (10) years, with a particular emphasis on experience that is relevant to the type of work outlined in this RFP.

Provide project descriptions including project scope, type of facility, year completed, project size, and project setting. For all projects listed, provide name of the owner, the owner’s contact person and current phone number. Contact information must be current and accurate to be considered. No special measures will be taken by the City to locate incorrectly listed contacts.

The proposer shall highlight projects that demonstrate the qualifications, specialized experience, and technical competence of the staff that will work directly with the City rather than describing the general experience and qualifications of the firm. The City will not consider promotional literature of a general nature.

Provide any other information that the proposer feels applicable to the evaluation of their qualifications for accomplishing the project. Use this section to identify and address those aspects of proposer’s services that distinguish the proposer from other proposers.

3. PROJECT STAFFING (Maximum 20 points)

Provide a staffing plan to demonstrate the structure and responsibilities of the proposed project team. Include a project organization chart showing proposed staff, including any proposed sub-consultants. (Note that resumes for key personnel should be appended to the proposal).

List the qualifications of the project team members, highlighting specific knowledge and experience that will be beneficial to this project. Identify the length of employment for key personnel with their respective firms, their intended responsibilities on this project, their primary office location (noting their availability to the project location), and their experience with, and/or knowledge of, the City organization, City staff, and the WRF processes.

List the project team member’s current assignments; their availability to work on this project; and their time commitment for this project during design and construction administration.

Describe how the proposed project team structure will benefit the project.

4. PROJECT MANAGEMENT (Maximum 10 points)

Describe the proposer's ability to manage projects, including information regarding processes used to:

- Ensure project completion on schedule and within the allocated budget;
- Coordinate the work of sub-consultants;
- Facilitate City stakeholder input, review, and approval of project design elements;
- Obtain the required regulatory input, review, and permit approval;
- Minimize errors and omissions in the construction documents, noting the proposer's approach to addressing errors and/or omissions discovered in the documents after construction has commenced;
- Perform effective contract administration and high quality construction inspection, noting the proposer's system for managing construction change issues; and
- Foster successful Owner – Design Team – Construction Contractor relations.

5. PROJECT SCHEDULE (Maximum 10 points)

Describe the proposer's planned approach to managing the project schedule. Include a timeline to deliver the project in organized and manageable increments. Provide a complete list of anticipated design workshops, review periods, and key deliverables.

Describe how proposer will use City personnel, if at all, to assist during the project and indicate the approximate time requirement.

6. COST ESTIMATING (Maximum 10 points)

This evaluation criterion will help determine how well the proposer estimates design and construction costs. Describe proposer's approach to developing cost estimates. Provide a breakdown of a minimum of two (2) recently completed, related projects including:

- Proposed engineering cost for listed projects;
- Associated engineering cost change orders for listed projects;
- Proposer prepared construction cost estimates for listed projects; and
- Actual construction costs for listed projects – noting the initial bid costs and total of construction related change orders.

For the projects listed, provide the name of the owner, the owner's contact person and current phone number.

SECTION IV – PROPOSAL EVALUATION AND CONTRACT AWARD

A. RESPONSIVE PROPOSER

Proposers that submit all of the required information, on time and in the requested format, per the requirements of this RFP will be considered responsive proposers. Only those proposals from responsive proposers will be considered for evaluation. Non-responsive proposers will be notified in writing that they did not meet the submittal requirements and will be disqualified for further consideration.

**B. EVALUATION CRITERIA**

The City will make a selection based on the evaluation of the written proposals from responsive proposers, and any interviews it conducts. The City may elect to interview all responsive proposers or only the highest ranked responsive proposers. The City reserves the right to make a selection based only on the evaluation of the written proposals and not conduct any interviews. Written proposals and interviews will be evaluated based on the following criteria:

<b>EVALUATION CRITERIA</b>	<b>POINTS</b>
1. PROJECT UNDERSTANDING	20
2. QUALIFICATIONS AND EXPERIENCE	30
3. PROJECT STAFFING	20
4. PROJECT MANAGEMENT	10
5. PROJECT SCHEDULE	10
6. COST ESTIMATING	10
<b>TOTAL POINTS POSSIBLE :</b>	<b>100</b>

Information gained during an interview may be used to re-evaluate proposals according to the above criteria.

**C. METHOD OF SELECTION**

A selection committee comprised of the Community Development Department staff will evaluate each submitted written proposal and each interview, when applicable, to determine the responsive proposer whose proposal is the most advantageous to the City based on the evaluation process and evaluation criteria outlined in this RFP. The City will enter contract negotiations with the highest ranked proposer.

**D. NEGOTIATIONS**

Following the evaluation process, the City will begin contract negotiations with the highest ranked proposer.

The matters subject to negotiation shall be limited to the following:

1. Comprehensive scope of work;
2. Proposer personnel committed to the project;
3. Project schedule;
4. Professional fees, including reimbursable expenses; and
5. Agreement to the City’s contract terms (Note: A copy of the City’s standard Personal Services Contract is attached to this RFP as Attachment 3).

In the event that a contract cannot be negotiated with the highest ranked proposer, negotiations will be permanently discontinued, and the City will start contract negotiations with the next highest ranked proposer. Nothing in this RFP shall restrict or prohibit the City from cancelling the solicitation at any time.

E. NOTICE OF INTENT TO AWARD

Based on successful negotiations with the highest ranked proposer, the City will issue a Notice of Intent to Award.

F. RIGHT TO PROTEST

Proposers who disagree with the City's selection decision may protest that decision. The judgment used in the scoring by individual evaluators is not grounds for appeal. No protest because of a solicitation provision, evaluation criteria, scope of work, specification or contract term that could have been raised as a solicitation protest will be considered. The selection protest must be submitted in writing within seven (7) calendar days of the Notice of Intent to Award. The protest shall be submitted to the City Manager's office at the following address:

**Jeff Towery, City Manager**  
City of McMinnville  
230 NE Second Street  
McMinnville, OR 97128

The selection protest must state all the relevant facts that establish that all higher ranked proposers were ineligible for selection because their proposals were nonresponsive or the proposer was not responsible. A written decision will be sent to the protester.

The award by the City Council shall constitute a final decision of the City to award the contract if no written protest of the award is filed with the City within seven (7) calendar days of the Notice of Intent to Award. The City will not entertain a protest submitted after the time period established in this section.

G. CONTRACT AWARD

The City Council will consider award of the project based on the selection committee's recommendation and will authorize the City Manager to execute a contract. The contract will be awarded to the proposer who, in the opinion of the City Council, is the most qualified, and meets all required specifications. The City may reject any proposal not in compliance with all prescribed public procurement procedures and requirements and may reject for good cause any and all proposals upon a finding of the City that it is in the public interest to do so. The City also reserves the right to waive any informality in any proposal and to delete certain items listed in the proposal as set forth herein.

SECTION V – ADDITIONAL INFORMATION

A. WRF AS-BUILTS

As-built drawings of the Water Reclamation Facility (WRF) in PDF format are available for viewing on the City's FTP site at: <ftp://gis.ci.mcminnville.or.us/wrfasbuilts>



**WRF FACILITY  
PLANT LAYOUT  
2019**

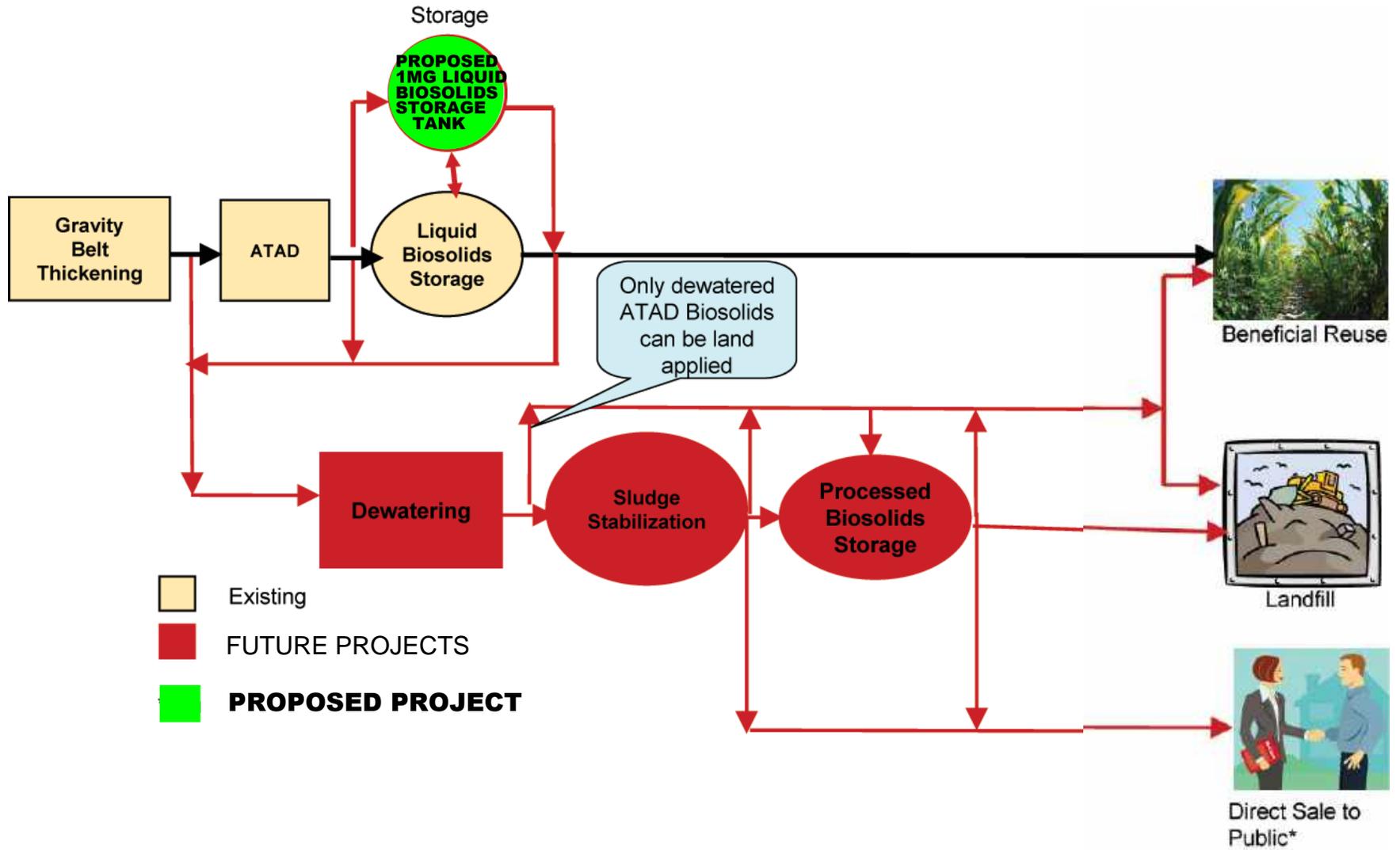
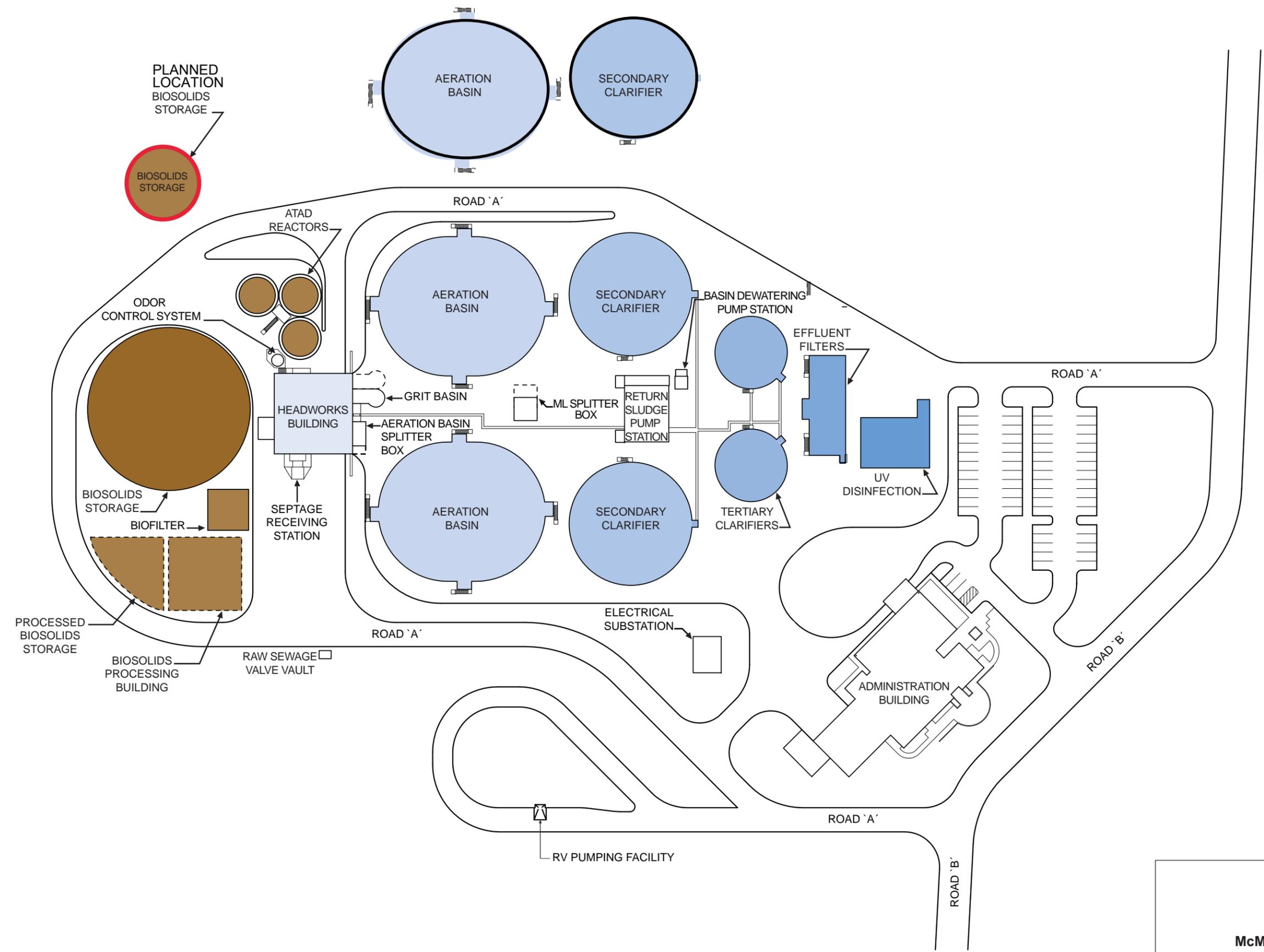


Figure ES-7



**LEGEND**

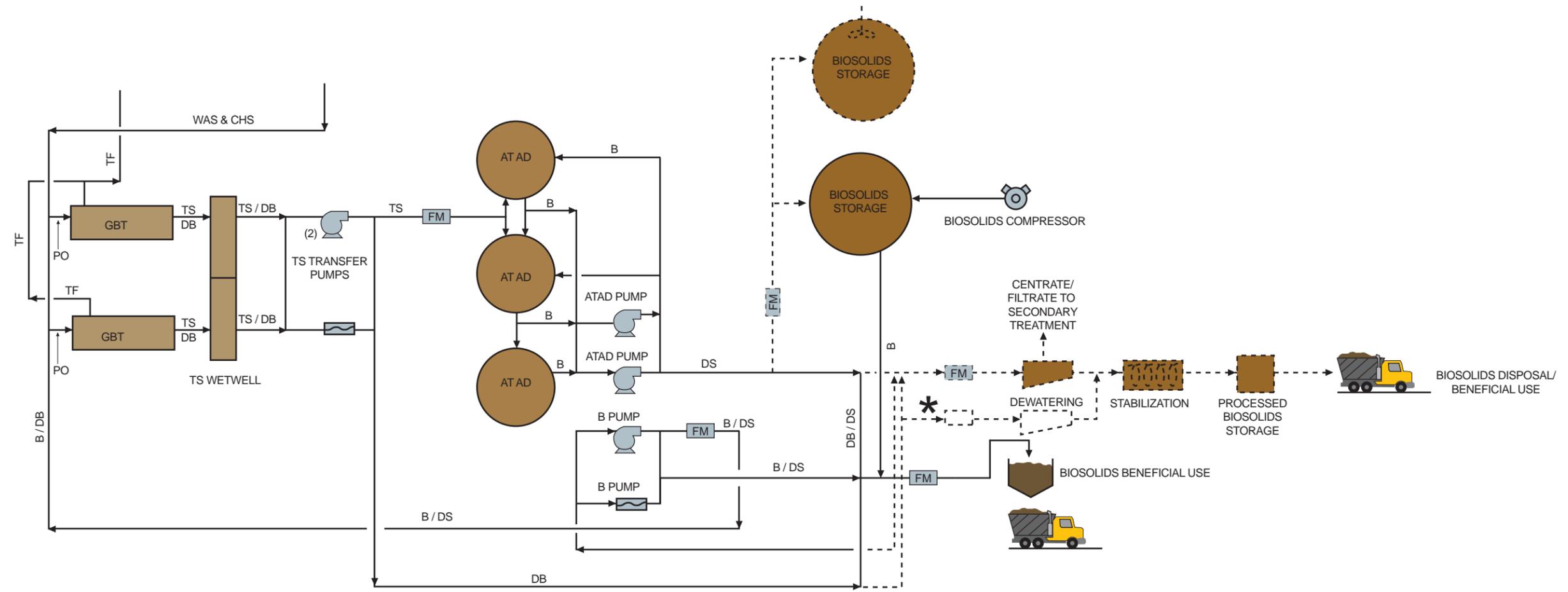
- Existing
- New
- - - Future



**Figure ES-8**

**McMinnville Water Reclamation Facility**  
RECOMMENDED SITE PLAN AND PLANT LAYOUT





**FLOW STREAM IDENTIFICATION**

- ABI — AERATION BASIN INFLUENT
- AL — ALUM
- B — BIOSOLIDS
- BYP — BYPASS
- CHS — CHEMICAL SLUDGE
- DB — DEWATERED BIOSOLIDS
- DS — DIGESTED SLUDGE
- EF — EFFLUENT
- GR — GRIT SLURRY
- ML — MIXED LIQUOR
- NAOH — SODIUM HYDROXIDE
- NAOCL — SODIUM HYPOCHLORITE
- PDD — PLANT DRAIN DISCHARGE
- PO — POLYMER SOLUTION
- RAS — RETURN ACTIVATED SLUDGE
- RS — RAW SEWAGE
- SE — SECONDARY EFFLUENT
- SEP — SEPTAGE
- SSM — SECONDARY SCUM
- TE — TERTIARY EFFLUENT
- TF — THICKENING FILTRATE
- TS — THICKENED SLUDGE
- WAS — WASTE ACTIVATED SLUDGE
- FM — FLOWMETER
- GBT — GRAVITY BELT THICKENERS

**LEGEND**

- Existing
- - - - - New
- \* Raw TS dewatered separately from ATAD or stored sludge for landfilling

**Figure 10-3**

**McMinnville Water Reclamation Facility**

**BIOSOLIDS HANDLING  
PROCESS FLOW SCHEMATIC**

**CITY OF McMinnville, Oregon**

**PERSONAL SERVICES CONTRACT**

**for  
TITLE**

This Contract is between the CITY OF McMinnville, a municipal corporation of the State of Oregon (City) and **CONSULTANT**. (Contractor). The City's Project Manager for this Contract is Roy Markee, Project Manager.

The parties mutually covenant and agree as follows:

- 1. Effective Date and Duration.** This contract is effective on the date at which every party has signed the contract and will expire, unless otherwise terminated or extended, on **COMPLETION DATE**.
  
- 2. Statement of Work.** The work to be performed under this contract consists of **PROJECT SCOPE AND TITLE**. The statement of work, including the delivery schedule for the work, is contained in Exhibit A.
  
- 3. Consideration.**
  - a. City agrees to pay Contractor for actual hours worked, and allowable expenses incurred for accomplishing the work required by this contract, with a total sum not to exceed **COST**.
  - b. Contractor will furnish with each invoice for services an itemized statement showing both the work performed and the number of hours devoted to the project by the Contractor and its agents. City will pay the Contractor for services within 30 days of receiving an itemized bill that has been approved by the Project Manager.
  - c. City certifies that sufficient funds are available and authorized for expenditure to finance the cost of this contract.
  
- 4. Additional Services.** Additional services, not covered in Exhibit A, will be provided if mutually agreed upon by the parties and authorized or confirmed in writing by the City, and will be paid for by the City as provided in this Contract in addition to the compensation authorized in subsection 3a. If authorized by the City, the additional services will be performed under a series of Task Orders defining the services to be performed, time of performance, and cost for each phase of services.

***[CONTINUED ON NEXT PAGE]***

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**CONTRACTOR DATA, CERTIFICATION, AND SIGNATURE**

Name (please print):

Address:

Social Security #: \_\_\_\_\_

Federal Tax ID #: \_\_\_\_\_

State Tax ID #: \_\_\_\_\_

Citizenship: Nonresident alien  Yes  No

Business Designation (check one):  Individual  Sole Proprietorship  Partnership  
 Corporation  Government/Nonprofit

The above information must be provided prior to contract approval. Payment information will be reported to the Internal Revenue Service (IRS) under the name and taxpayer I.D. number provided above. (See IRS 1099 for additional instructions regarding taxpayer ID numbers.) Information not matching IRS records could subject you to 31 percent backup withholding.

I, the undersigned, understand that the Standard Terms and Conditions for Personal Services Contracts and Exhibits A, B, C, and D are an integral part of this contract and agree to perform the work described in Exhibit A in accordance with the terms and conditions of this contract; certify under penalty of perjury that I/my business am not/is not in violation of any Oregon tax laws; and certify I am an independent contractor as defined in ORS 670.600.

Signed by Contractor:

\_\_\_\_\_  
Signature/Title

\_\_\_\_\_  
Date

*NOTICE TO CONTRACTOR: This contract does not bind the City of McMinnville unless and until it has been fully executed by the appropriate parties.*

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**CITY OF McMINNVILLE SIGNATURE**

Approved:

\_\_\_\_\_  
City Manager or Designee

\_\_\_\_\_  
Date

Reviewed:

\_\_\_\_\_  
City Attorney or Designee

\_\_\_\_\_  
Date

**CITY OF McMinnville**  
STANDARD TERMS AND CONDITIONS FOR PERSONAL SERVICES CONTRACTS

**1. Contractor is Independent Contractor.**

a. Contractor will perform the work required by this contract as an independent contractor. Although the City reserves the right (i) to determine (and modify) the delivery schedule for the work to be performed and (ii) to evaluate the quality of the completed performance, the City cannot and will not control the means or manner of the Contractor's performance. The Contractor is responsible for determining the appropriate means and manner of performing the work.

b. The Contractor represents and warrants that Contractor (i) is not currently an employee of the federal government or the State of Oregon, and (ii) meets the specific independent contractor standards of ORS 670.600, as certified on the Independent Contractor Certification Statement attached as Exhibit D.

c. Contractor will be responsible for any federal or state taxes applicable to any compensation or payment paid to Contractor under this contract.

d. If Contractor is a contributing member of the Public Employees' Retirement System, City will withhold Contractor's contribution to the retirement system from Contractor's compensation or payments under this contract and make a corresponding City contribution. Contractor is not eligible for any federal Social Security, unemployment insurance, or workers' compensation benefits from compensation or payments to Contractor under this contract, except as a self-employed individual.

**2. Subcontracts and Assignment.** Contractor will not subcontract any of the work required by this contract, or assign or transfer any of its interest in this contract, without the prior written consent of the City. Contractor agrees that if subcontractors are employed in the performance of this contract, the Contractor and its subcontractors are subject to the requirements and sanctions of ORS Chapter 656, Workers' Compensation.

**3. No Third Party Beneficiaries.** City and Contractor are the only parties to this contract and are the only parties entitled to enforce its terms. Nothing in this contract gives or provides any benefit or right, whether directly, indirectly, or otherwise, to third persons unless such third persons are individually identified by name herein and expressly described as intended beneficiaries of the terms of this contract.

**4. Successors in Interest.** The provisions of this contract will be binding upon and will inure to the benefit of the parties, and their respective successors and approved assigns, if any.

**5. Early Termination**

a. The City and the Contractor, by mutual written agreement, may terminate this Contract at any time.

b. The City, on 30 days written notice to the Contractor, may terminate this Contract for any reason deemed appropriate in its sole discretion.

c. Either the City or the Contractor may terminate this Contract in the event of a breach of the Contract by the other party. Prior to termination, however, the party seeking the termination will give to the other party written notice of the breach and of the party's intent to terminate. If the Party has not entirely cured the breach within 15 days of the notice, then the party giving the notice may terminate the Contract at any time thereafter by giving a written notice of termination.

**6. Payment on Early Termination**

a. If this contract is terminated under 5(a) or 5(b), the City will pay the Contractor for work performed in accordance with the Contract prior to the termination date. Payment may be pro-rated as necessary.

b. If this contract is terminated under 5(c) by the Contractor due to a breach by the City, then the City will pay the Contractor as provided in subsection (a) of this section.

c. If this contract is terminated under 5(c) by the City due to a breach by the Contractor, then the City will pay the Contractor as provided in subsection (a) of this section, subject to set off of excess costs, as provided for in section 7, Remedies.

**7. Remedies**

a. In the event of termination under 5(c) by the City due to a breach by the Contractor, the City may complete the work either itself, by agreement with another contractor, or by a combination thereof. In the event the cost of completing the work exceeds the remaining unpaid balance of the total compensation provided under this contract, the Contractor will pay to the City the amount of the reasonable excess.

b. The remedies provided to the City under section 5 and section 7 for a breach by the Contractor are not exclusive. The City will also be entitled to any other equitable and legal remedies that are available.

c. In the event of breach of this Contract by the City, the Contractor's remedy will be limited to termination of the Contract and receipt of payment as provided in section 5(c) and 6(b).

**8. Access to Records.** Contractor will maintain, and the City and its authorized representatives will have access to, all books, documents, papers and records of Contractor which relate to this contract for the purpose of making audit, examination, excerpts, and transcripts for a period of three years after final payment. Copies of applicable records will be made available upon request. Payment for the cost of copies is reimbursable by the City.

**9. Ownership of Work.** All work products of the Contractor, including background data, documentation, and staff work that is preliminary to final reports, and which result from this contract, are the property of the City. Contractor will retain no ownership interests or rights in the work product. Use of any work product of the Contractor for any purpose other than the use intended by this contract is at the risk of the City.

**10. Compliance with Applicable Law.** Contractor will comply with all federal, state, and local laws and ordinances applicable to the work under this contract, including, without limitation, the provisions of ORS 279B.220, 279B.230, and 279B.235, as set forth on Exhibit B. Without limiting the foregoing, Contractor expressly agrees to comply with: (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 (Pub L No. 101-336), ORS 659A.142, and all regulations and administrative rules established pursuant to those laws; and (iv) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules, and regulations.

**11. Indemnity and Hold Harmless**

a. Except for the professional negligent acts covered by paragraph 11.b., Contractor will defend, save, hold harmless, and indemnify the City, its officers, agents, and employees from all claims, suits, or actions of whatsoever nature resulting from or arising out of the activities of Contractor or its officers, employees, subcontractors, or agents under this contract.

b. Contractor will defend, save, hold harmless, and indemnify the City, its officers, agents, and employees from all claims, suits, or actions arising out of the professional negligent acts, errors, or omissions of Contractor or its officers, employees, subcontractors, or agents under this contract.

**12. Insurance.** Contractor will provide insurance in accordance with Exhibit C.

**13. Waiver.** The failure of the City to enforce any provision of this contract will not constitute a waiver by the City of that or any other provision.

**14. Errors.** The Contractor will perform such additional work as may be necessary to correct errors in the work required under this contract without undue delays and without additional cost.

**15. Governing Law.** The provisions of this contract will be construed in accordance with the laws of the State of Oregon and ordinances of the City of McMinnville, Oregon. Any action or suits involving any question arising under this contract must be brought in the appropriate court in Yamhill County, Oregon. Provided, however, if the claim must be brought in a federal forum, then it will be brought and conducted in the United States District Court for the District of Oregon.

**16. Severability.** If any term or provision of this contract is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected, and the rights and obligations of the parties will be construed and enforced as if the contract did not contain the particular term or provision held invalid.

**17. Merger Clause.** THIS CONTRACT AND ATTACHED EXHIBITS CONSTITUTE THE ENTIRE AGREEMENT BETWEEN THE PARTIES. NO WAIVER, CONSENT, MODIFICATION, OR CHANGE OF TERMS OF THIS CONTRACT WILL BIND EITHER PARTY UNLESS IN WRITING, SIGNED BY BOTH PARTIES. ANY WAIVER, CONSENT, MODIFICATION, OR CHANGE, IF MADE, WILL BE EFFECTIVE ONLY IN THE SPECIFIC INSTANCE AND FOR THE SPECIFIC PURPOSE GIVEN. THERE ARE NO UNDERSTANDINGS, AGREEMENTS, OR REPRESENTATIONS, ORAL OR WRITTEN, NOT SPECIFIED HEREIN REGARDING THIS CONTRACT. BY ITS SIGNATURE, CONTRACTOR ACKNOWLEDGES IT HAS READ AND UNDERSTANDS THIS CONTRACT AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

**EXHIBIT A**  
**STATEMENT OF THE WORK**

(See attached)

**EXHIBIT B**  
**COMPLIANCE WITH APPLICABLE LAW**

**279B.220 Conditions concerning payment, contributions, liens, withholding.** Every public contract shall contain a condition that the contractor shall:

(1) Make payment promptly, as due, to all persons supplying to the contractor labor or material for the performance of the work provided for in the contract.

(2) Pay all contributions or amounts due the Industrial Accident Fund from the contractor or subcontractor incurred in the performance of the contract.

(3) Not permit any lien or claim to be filed or prosecuted against the state or a county, school district, municipality, municipal corporation or subdivision thereof, on account of any labor or material furnished.

(4) Pay to the Department of Revenue all sums withheld from employees under ORS 316.167. [2003 c.794 §76a]

**279B.230 Condition concerning payment for medical care and providing workers' compensation.**

(1) Every public contract shall contain a condition that the contractor shall promptly, as due, make payment to any person, copartnership, association or corporation furnishing medical, surgical and hospital care services or other needed care and attention, incident to sickness or injury, to the employees of the contractor, of all sums that the contractor agrees to pay for the services and all moneys and sums that the contractor collected or deducted from the wages of employees under any law, contract or agreement for the purpose of providing or paying for the services.

(2) Every public contract shall contain a clause or condition that all subject employers working under the contract are either employers that will comply with ORS 656.017 or employers that are exempt under ORS 656.126. [2003 c.794 §76c]

**279B.235 Condition concerning hours of labor; compliance with pay equity provisions; employee discussions of rate of pay or benefits.** (1) Except as provided in subsections (3) to (6) of this section, every public contract subject to this chapter must provide that:

(a) A contractor may not employ an employee for more than 10 hours in any one day, or 40 hours in any one week, except in cases of necessity, emergency or when the public policy absolutely requires otherwise, and in such cases, except in cases of contracts for personal services designated under ORS 279A.055, the contractor shall pay the employee at least time and a half pay for:

(A)(i) All overtime in excess of eight hours in any one day or 40 hours in any one week if the work week is five consecutive days, Monday through Friday; or

(ii) All overtime in excess of 10 hours in any one day or 40 hours in any one week if the work week is four consecutive days, Monday through Friday; and

(B) All work the employee performs on Saturday and on any legal holiday specified in ORS 279B.020.

(b) The contractor shall comply with the prohibition set forth in ORS 652.220, that compliance is a material element of the contract and that a failure to comply is a breach that entitles the contracting agency to terminate the contract for cause.

(c) The contractor may not prohibit any of the contractor's employees from discussing the employee's rate of wage, salary, benefits or other compensation with another employee or another person and may not retaliate against an employee who discusses the employee's rate of wage, salary, benefits or other compensation with another employee or another person.

(2) A contractor shall give notice in writing to employees who work on a public contract, either at the time of hire or before work begins on the contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the contractor may require the employees to work.

(3) A public contract for personal services, as described in ORS 279A.055, must provide that the contractor shall pay the contractor's employees who work under the public contract at least time and a half for all overtime the employees work in excess of 40 hours in any one week, except for employees under a personal services public contract who are excluded under ORS 653.010 to 653.261 or under 29 U.S.C. 201 to 209 from receiving overtime.

(4) A public contract for services at a county fair, or for another event that a county fair board authorizes, must provide that the contractor shall pay employees who work under the public contract at least time and a half for work in excess of 10 hours in any one day or 40 hours in any one week. A contractor shall notify employees who work under the public contract, either at the time of hire or before work begins on the public contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the contractor may require the employees to work.

(5)(a) Except as provided in subsection (4) of this section, a public contract for services must provide that the contractor shall pay employees at least time and a half pay for work the employees perform under the public contract on the legal holidays specified in a collective bargaining agreement or in ORS 279B.020 (1)(b)(B) to (G) and for all time the employee works in excess of 10 hours in any one

day or in excess of 40 hours in any one week, whichever is greater.

(b) A contractor shall notify in writing employees who work on a public contract for services, either at the time of hire or before work begins on the public contract, or by posting a notice in a location frequented by employees, of the number of hours per day and days per week that the contractor may require the employees to work.

(6) This section does not apply to public contracts:

(a) With financial institutions as defined in ORS 706.008.

(b) Made pursuant to the authority of the State Forester or the State Board of Forestry under ORS 477.406 for labor performed in the prevention or suppression of fire.

(c) For goods or personal property. [2003 c.794 §77; 2005 c.103 §8f; 2015 c.454 §4]

**EXHIBIT C  
INSURANCE**

(The Project Manager must answer and initial 2, 3, and 4 below).

During the term of this contract, Contractor will maintain in force at its own expense, each insurance noted below:

1. **Workers Compensation** insurance in compliance with ORS 656.017, which requires subject employers to provide Oregon workers' compensation coverage for all their subject workers. (Required of contractors with one or more employees, unless exempt under ORS 656.027).

Required by City                       I am exempt. Signed \_\_\_\_\_

2. **Professional Liability** insurance with a combined single limit of not less than  \$1,200,000,  \$2,000,000, or  \$3,000,000 each claim, incident, or occurrence. This is to cover damages caused by error, omission, or negligent acts related to the professional services to be provided under this contract. The coverage must remain in effect for at least  one year  two years after the contract is completed.

Required by City     Not required by City    By: \_\_\_\_\_

3. **General Liability** insurance, on an occurrence basis, with a combined single limit of not less than  \$1,200,000,  \$2,000,000, or  \$3,000,000 each occurrence for Bodily Injury and Property Damage. It must include contractual liability coverage. This coverage will be primary and non-contributory with any other insurance and self-insurance.

Required by City     Not required by City    By: \_\_\_\_\_

4. **Automobile Liability** insurance with a combined single limit, or the equivalent of not less than  \$1,200,000,  \$2,000,000, or  \$3,000,000 each accident for Bodily Injury and Property Damage, including coverage for owned, hired or non-owned vehicles.

Required by City     Not required by City    By: \_\_\_\_\_

5. **Notice of cancellation or change.** There will be no cancellation, material change, reduction of limits, or intent not to renew the insurance coverage(s) without prior written notice from the Contractor or its insurer(s) to the City.

6. **Certificates of insurance.** As evidence of the insurance coverages required by this contract, the Contractor will furnish acceptable insurance certificates to the City at the time the Contractor returns the signed contracts. For general liability insurance and automobile liability insurance, the certificate will provide that the City, and its agents, officers, and employees, are additional insureds, but only with respect to Contractor's services to be provided under this contract. The certificate will include the cancellation clause, and will include the deductible or retention level. Insuring companies or entities are subject to City acceptance. If requested, complete copies of insurance policies will be provided to the City. The Contractor will be financially responsible for all pertinent deductibles, self-insured retentions, and self-insurance.

**EXHIBIT D**  
**CERTIFICATION STATEMENT FOR INDEPENDENT CONTRACTOR**  
**(Contractor complete A or B below, Project Manager complete C below.)**

**A. CONTRACTOR IS A CORPORATION**

**CORPORATION CERTIFICATION:** I am authorized to act on behalf of the entity named below, and certify under penalty of perjury that it is a corporation.

Entity	Signature	Date

**B. CONTRACTOR IS INDEPENDENT.**

**Contractor certifies he/she meets the following standards:**

1. The individual or business entity providing services is free from direction and control over the means and manner of providing the services, subject only to the right of the person for whom the services are provided to specify the desired results,
2. The individual or business entity is licensed under ORS chapters 671 or 701 if the individual or business entity provides services for which a license is required by ORS chapters 671 or 701,
3. The individual or business entity is responsible for obtaining other licenses or certificates necessary to provide the services,
4. The individual or business entity is customarily engaged in an independently established business, as any three of the following requirements are met **(please check three or more of the following):**
  - \_\_\_ A. The person maintains a business location i) that is separate from the business or work location of the person for whom the services are provided or ii) that is in a portion of the person’s residence and that portion is used primarily for the business.
  - \_\_\_ B. The person bears the risk of loss related to the business or the provision of services as shown by factors such as i) the person enters into fixed-price contracts, ii) the person is required to correct defective work, iii) the person warrants the services provided, or iv) the person negotiates indemnification agreements or purchases liability insurance, performance bonds, or errors and omissions insurance.
  - \_\_\_ C. The person provides contracted services for two or more different persons within a 12 month period or the person routinely engages in business advertising, solicitation, or other marketing efforts reasonably calculated to obtain new contracts to provide similar services.
  - \_\_\_ D. The person makes a significant investment in the business, through means such as i) purchasing tools or equipment necessary to provide the services, ii) paying for the premises or facilities where the services are provided, or iii) paying for licenses, certificates, or specialized training required to provide the services.
  - \_\_\_ E. The person has the authority to hire other persons to provide or to assist in providing the services and has the authority to fire those persons.

Contractor Signature	Date

(Project Manager complete C below.)

**C. CITY APPROVAL**

**ORS 670.600 Independent contractor standards.** As used in various provisions of ORS chapters 316, 656, 657, 671, and 701, an individual or business entity that performs services for remuneration will be considered to perform the services as an “independent contractor” if the standards of this section are met. The contractor meets the following standards:

1. The Contractor is free from direction and control over the means and manner of providing the services, subject only to the right of the City to specify the desired results,
2. The Contractor is responsible for obtaining licenses under ORS chapters 671 and 701 when these licenses are required to provide the services,

3. The Contractor is responsible for obtaining other licenses or certificates necessary to provide the services,
4. The Contractor has the authority to hire and fire employees to provide or assist in providing the services, and
5. The person is customarily engaged in an independently established business as indicated in B. 4 above.

Project Manager Signature

Date

PROPOSAL FOR

# Water Reclamation Facility **Biosolids Storage Tank and Grit System Expansion**

Project 2019-10



Submitted to  
**City of McMinnville**

December 20, 2019

**Jacobs**

# Transmittal Letter

December 20, 2019

Mr. Larry Sherwood, Engineering Services Manager  
City of McMinnville Community Development Center  
231 NE Fifth Street  
McMinnville, OR 97128

# Jacobs

Jacobs Corvallis  
1100 NE Circle Blvd., Suite 300  
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**Subject:** Water Reclamation Facility (WRF) Biosolids Storage Tank and Grit System Expansion

Dear Larry,

The success of the Biosolids Storage Tank and Grit System Expansion project will benefit the City of McMinnville (the City) and its ratepayers for decades. Since the 1990s with our work on the treatment plant original water reclamation facility (WRF) project, and we have sustained our partnership with McMinnville through collaboration on subsequent improvement projects. We look forward to continuing to be a part of the McMinnville success story. Our current proposal reflects a thorough understanding of your goals and a thoughtful approach to deliver another successful project.

Our experienced team will bring this approach to reality. Our Project Manager, Josh Koch, has been working with you since 2011 and is committed to delivering a successful project. He is leading the same team that delivered the last two projects for the City – both on time, on budget, and with excellent quality. The team includes Luke Scoggins, the previous WRF lead structural engineer who is familiar with the challenging soil conditions at the WRF and is well-positioned to optimize tank design. To address the headworks and biosolids aspects of the current project, Josh has augmented the core team with specialists, including Brett Reistad, located in Corvallis, with over 20 years' experience in alternatives evaluations, design, and startup of biosolids treatment processes; Dave Oerke with 25 years Autothermal Thermophilic Aerobic Digestion (ATAD) experience on 15 ATAD projects; former WRF operator Ernie Strahm to facilitate seamless interaction between the Jacobs engineering team and the current WRF operations staff; and Bryan Youker with almost three decades of grit system and headworks design experience.

We will apply our thorough understanding of the existing facility, including the dynamic process modeling recently developed by Bill Leaf, to efficiently evaluate the plant's current solids processing status. We will incorporate the results into an alternatives analysis that examines the recommendations from the 2009 Facilities Plan, along with new options. This includes a close look at the ATAD process – the core of the existing solids stabilization process. Our team will work with the City to recommend a path forward that provides the greatest value while meeting project milestones. The last WRF project included expansion of the tertiary filters; however, Josh and his team recommended upgrades, rather than expansion, reducing project construction costs by 66%.

Our approach to grit expansion will take a similar, holistic approach. We understand evaluating performance of the grit system requires an understanding of the processes upstream and downstream, from screening through the oxidation ditches. We anticipate opportunities to leverage our design tools to minimize construction costs and maximize benefits.

We bring:

- **MOMENTUM:** For 30 years, the Jacobs' team has worked collaboratively with the City to develop a sound understanding of your wastewater system. Our knowledge of your system, processes, and staff means we can hit the ground running, saving time and money.
- **VALUE:** Project Manager Josh Koch has assembled a team with proven alternatives evaluation and design execution that have resulted in maximized value for the City while minimizing construction costs.
- **COMFORT WITH PROJECT TEAM:** Most of our team has worked with the City on multiple projects, and we specifically selected our new team members based on the solutions they can bring to this project. Our team cares about the success of this project for the City.

Mark Johnson (mark.johnson6@jacobs.com), Geographic Director of Projects, is authorized to sign any agreement that may result from this proposal. Please contact Josh Koch, our Project Manager, if you have questions or for additional information. You can reach him at 541.768.3689 or by email at joshua.koch@jacobs.com. Josh's mailing address is provided in the letterhead above, and he will manage the project from our existing Corvallis office location.

Sincerely,  
Jacobs Engineering Group, Inc.



Joshua Koch, PE  
Project Manager



Mark Johnson, PE  
Geographic Director of Projects

# 1. Project Understanding

Since startup of the Water Reclamation Facility (WRF) in 1996, the City of McMinnville has provided exceptional management and operation, maximizing the community's investment. **Jacobs' presence throughout the last three decades means we understand the value of the WRF to the community, and we commit to partnering with the City to deliver a project that expands this value.**

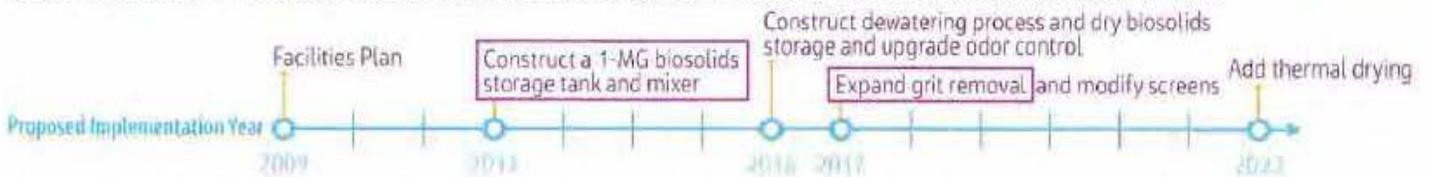
## Project Purpose

McMinnville's Water Reclamation Facilities Plan (2009, CH2M HILL/West Yost) recommended expanding the WRF in conjunction with reducing collection system infiltration and inflow (I&I) to address future wastewater treatment needs. Related to the solids treatment and headworks processes, the Facilities Plan included the following recommendations. Those recommendations that have been included in this Biosolids Storage Tank and Grit System Expansion are show below in boxes.

*Establishing solutions for your project means a thorough understanding of your facilities.*



Those recommendations that have been included in this Biosolids Storage Tank and Grit System Expansion are show below in boxes.



Constructing a 1-MG biosolids storage tank will provide additional biosolids storage capacity and tank redundancy and eliminate the need to decant supernatant. Expanding grit removal will provide increased grit removal capacity in wet weather flow conditions and provide redundancy to the grit removal process. A redundant grit process will also allow for upgrades to the existing vortex grit removal unit.

## Expertise and Experience with Project Tasks

Our Corvallis Design Center is a world leader in treatment plant design, with decades of experience in all wastewater unit processes, including completion of all major projects at the WRF. Some of our proposed team members were involved in the original design and construction in the 1990s, and most of our team has been part of the last several projects. **Simply put, we know your WRF inside and out.**

Our most recent projects at the WRF, including developing a dynamic plant model, have provided unique insights into plant operations. Ernie Strahm and the Jacobs team helped develop the Facility Plan assumptions and conclusions and can provide continuity for an updated alternatives evaluation. **Our familiarity with the WRF means we can hit the ground running.**

## We have the right experts for the right solution

We suggest beginning with a thorough evaluation and projection of flows and loads, followed by comparison of unit process options and corresponding construction estimates for those process options. Pursuing these developments is supported by the Facilities Plan, which recommends, "Each of the processes offer advantages in capital cost, operational cost, or characteristics of the final product. A more detailed process evaluation should be performed in a Predesign Phase." With advancements in technology, changes to plant flows and loads, and a changing regulatory environment, we find the Facilities Plan recommendation for a more detailed process evaluation appropriate today.

If the Project Definition Report confirms the Facilities Plan recommendation to construct a 1-MG biosolids storage tank and expand grit removal, our Corvallis design resources will deliver it. **Luke Scoggins**, our lead structural engineer, has designed numerous tanks throughout the Northwest, including those with challenging soil conditions. For example, Luke's implementation of deep soil mixing for the City of Hillsboro Will Crandall Reservoir and Pump Station saved money and prevented neighborhood noise concerns over a pile foundation construction approach. His experience on the WRF Expansion project, familiarity with the liquefiable soils at the WRF, and understanding of new ASCE requirements mean that **Luke understands the cost and complications associated with ground improvements.**

To address grit expansion, we added **Bryan Youker**, our headworks expert with 29 years of plant design experience including 21 grit removal improvement designs. He will focus on the specific challenges of the WRF's grit removal system. Both Luke and Bryan are within one hour of the WRF site.

We have identified several areas that may provide opportunities for the City to minimize project cost and add value. To evaluate these options, in addition to Bryan Youker, we have added Brett Reistad, Dave Oerke, and Ernie Strahm to our team.

- **Brett Reistad** – 20 Years of design and solids process start-up experience means that our solids treatment expert will be a short drive away during all design, construction, and commissioning phases.
- **Dave Oerke** – Led and supported designs for 15 ATAD projects (Exhibit 3), including multiple conversions of first to second generation reactor design; Dave's recommendations will ensure the ATAD process remains a valuable asset well into the future.
- **Ernie Strahm** – Well-respected throughout Oregon for his operations knowledge and his longevity at the WRF, including involvement in

the original WRF construction, stabilizing operation of the ATADs, and development of the Facilities Plan. Ernie's involvement informs our alternative recommendations with the benefit of 32 years of operations knowledge specific to the WRF.

## Our approach is based on past successes

Our approach to the Biosolids Storage Tank and Grit System Expansion project will begin with a thorough evaluation of alternatives to confirm the path forward. The focus of this evaluation will be a recommendation that **maximizes value for the City and provides the facilities you need at a cost that is within your budget**. You can depend on our exceptional track record of delivering designs on budget, estimating construction costs accurately, and minimizing construction change orders as shown in Section 6, Exhibit 11. We will continue to be a committed partner with the City throughout the process. We will evaluate the existing process and alternatives to set the project direction early, and deliver a quality, efficient design for the selected design alternative.

## Evaluate the existing process and alternatives to set project direction early

Your exceptional WRF operations staff, pretreatment group, and existing system improvements have allowed the City to defer implementation of some of the Facilities Plan recommendations and optimize plans moving forward. Examples include:

- Operations staff have optimized aeration equipment to maximize secondary treatment capacity, allowing for a redundant oxidation ditch and extending the capacity of your existing infrastructure.
- The pretreatment group's proactive approach with industrial dischargers has allowed the WRF to limit influent loads and anticipate the timing of increased loads, so that costly WRF infrastructure upgrades are not driven by a handful of industrial dischargers.
- I&I improvements have dramatically reduced peak flows. For the Tertiary Expansion Project, the I&I reduction demonstrated that facility expansion was not necessary. **This resulted in Jacobs' recommendation for improvements to the existing filters rather than expansion, which resulted in a 66% savings of the original cost.**

**The City's responsible stewardship of the wastewater system has created an opportunity for a holistic evaluation of the solids and headworks portion of the WRF.** We look forward to the opportunity to share our ideas for how the City can best leverage this value, as symbolized by the lightbulb icon. 💡

In preparation for this RFP, we performed a comprehensive review of the Facilities Plan, a preliminary analysis of solids process data and investigated process alternatives. We identified the following items as potentially influencing the direction of the project and present critical knowledge or developments not available when the Facilities Plan was developed:

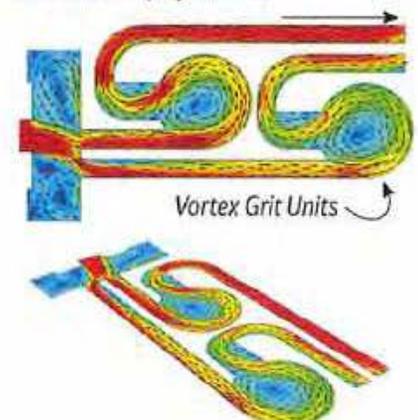
- **The soil beneath the WRF site has high potential for seismic liquefaction.** Although previously known, recent building code changes are likely to significantly impact the construction cost of any new facilities, particularly tanks.
- **Reductions in plant influent flow, combined with the ability to take an oxidation ditch offline for cleaning, minimize the need for grit removal expansion.** Because the grit removal system sizing is largely driven by flow rate and because peak flows have dropped, the existing grit basin size is adequate for the foreseeable future. Any grit that carries through the grit basin settles in the exterior channel of the oxidation ditches. While not an ideal location, grit in this area does not negatively impact the process and is inexpensive to remove periodically.
- **Plant influent loads have not increased at the same rate as expected in the Facilities Plan.** This has resulted in less-than-expected solids processing requirements.
- **Improvements in solids processing technology provide treatment options not available when the Facilities Plan was developed.** This includes the next generation of ATAD reactor design and the option to convert existing ATADs to second generation.
- **Emerging contaminants, specifically polyfluoroalkyl substances (PFAS), should be considered when evaluating solids management for long-term sustainability.** Class A Exceptional Quality (EQ) biosolids requirements are focused primarily on pathogen and vector attraction reduction as well as the concentration of metal contaminants; however, future regulatory requirements and public perception could influence technology selection.
- **Costs for hauling, fuel, technologies, and site work have changed considerably since 2009.** These factors were critical in calculating life cycle costs in the Facilities Plan, therefore changes in the last 10 years may affect the outcome of the analysis.

## Headworks Improvements

We have reviewed the grit removal process with Bryan Youker, Ernie Strahm, and Steve Reynolds to identify the construction issues, operations history, and recommendations for upgrade and expansion. Because grit basin sizing is largely driven by hydraulics and plant flows were expected to increase, the Facilities Plan recommended expansion of grit removal in 2017. Instead, plant flows have stabilized since implementing I&I improvements, minimizing the need for increased grit removal capacity. Additionally, expansion of the secondary process in 2015 demonstrates grit can be inexpensively removed (although somewhat labor intensive) from an offline oxidation ditch on an infrequent basis. Although expanding the grit removal process increases capacity and provides redundancy, a refreshed evaluation of facility needs is prudent to avoid stranded investments.

The WRF issues related to grit performance are complex and not isolated to the grit basin itself. We recommend the City consider a comprehensive evaluation of screening and headworks

*Exhibit 1. Jacobs has experience with CFD headworks modeling, which often results in simple, cost-effective improvements that enhance performance.*



performance, rather than addressing screening issues in a future standalone project. The Facilities Plan recommended modification of the screens in 2017. WRF operations staff are aware that the screens are becoming a weak link in the headworks process, and grit deposition in the screening channels should be considered when evaluating the grit expansion project.

**We suggest the City consider a thorough evaluation of the existing screening and grit removal processes to identify targeted opportunities for economical upgrades. Jacobs leads the industry in computational fluid dynamic (CFD) modeling, and the WRF's existing screening and grit removal process is an ideal application that could result in simple, cost-effective recommendations like baffling to improve performance of the existing system.**

### Biosolids Storage Tank

The Facilities Plan recommended adding a 1-MG biosolids storage tank in 2012. This work has not yet been implemented, and while the current tank is at capacity, there are opportunities to optimize the existing process to defer or even eliminate construction of the new tank.

Each year in late winter through spring, when the existing biosolids storage tank is full, approximately 1,500 pounds per day of solids in the decant flow is recirculated around the plant, substantially reducing the ATAD capacity. The ATAD capacity is so limited during these seasons, that solids retention time (SRT) and volatile solids reduction (VSR) suffer, resulting in increased solids to the existing biosolids storage tank.

**If the solids load in the decant can be reduced, the quantity of solids to the ATAD would be reduced, providing the ability to operate at longer SRTs, increasing the VSR, reducing the quantity of biosolids produced, thus reducing the required biosolids storage quantity.**

The reduction could be great enough to eliminate the need for expanded biosolids storage, which could be accomplished with an existing offline gravity belt thickener or with a standalone, packaged plate-settler unit. Each would require some operational changes and compromises but could result in a substantial cost savings to the City. The change is also likely to result in improved ATAD performance and expanded ATAD capacity, as a portion of ATAD volume would no longer be dedicated to retreating recirculated solids from decant.

### ATADs

When the 2009 Facilities Plan was developed, the City was just becoming comfortable with ATAD process operation, which had exhibited inconsistent performance for the first 10 years and was a major factor in the Facilities Plan recommendation to avoid expansion of the ATAD process.

Since completion of the Facilities Plan, a second generation of ATAD reactor design has arrived in the marketplace. The second generation has had many successful installations that have resulted in a system that operates at lower temperatures, higher VSR, and reduced odors. Second generation features are available for new construction and can be retrofitted into first-generation ATAD systems. Dave Oerke will assist the City in determining if an ATAD process retrofit or expansion is beneficial. Construction sequencing and timing of ATAD retrofit are important considerations and would likely occur in summer when one reactor can be offline. Our team's knowledge of plant operations and experience with construction sequencing are key in identifying opportunities for retrofit activities.

**The savings realized by implementing decant improvements and eliminating the biosolids storage expansion could be further leveraged by converting one of the ATAD reactors from first to second generation design and improving VSR, dewaterability, and odors. Improved VSR further reduces the required biosolids storage volume.**

### Dewatering

Concurrent with construction of a 1-MG biosolids storage tank, the Facilities Plan recommended constructing a dewatering process to initially manage digested sludge that exceeded the capacity of liquid biosolids storage and eventually manage the thickened sludge that was expected to exceed the ATAD capacity. (Thermal drying after dewatering of thickened sludge was proposed to achieve Class A treatment.) Adding a parallel dewatering process would also diversify the solids product that exits the WRF. If land application of liquid biosolids is no longer viable, this diversity of solids products would ensure the WRF could still dispose of solids.

With the combination of lower-than-anticipated plant loads and suggested improvements to the decant stream, the existing solids process may be capable of managing the solids load through the planning period. If this is confirmed in the Project Definition Phase, the following would still be prudent to consider as a more immediate trigger for the dewatering process planning:

- The concern over liquid biosolids viability
- The need to diversify product
- The desire to make an early investment in a longer planning period where dewatering would be needed, 10 years or more in the future

Exhibit 2. ATAD Capacity



Exhibit 3. David Oerke Quick Facts

#### David Oerke

has been involved in more than

**15 ATAD projects including:**

- 12 Studies
- 7 Designs
- 8 2nd Generation ATADs
- 5 1st Generation ATADs
- 7 Retrofits

**As part of this project, we suggest developing a detailed**

**conceptual plan for the dewatering process addition, even if implementation is deferred. Brett Roistad's experience evaluating solids alternatives and designing facilities can be applied to develop a plan you can depend 71.**

## Emerging Contaminants Including PFAS

Emerging contaminants, including PFAS, have received increased attention in recent years. We have added **Scott Greico**, our national subject matter expert, to navigate this area. As we learned with you at the recent Association of Clean Water Agencies (ACWA) Biosolids Committee Meeting, preliminary recommendations related to PFAS include developing a public communications plan and sampling. Scott will work with the City to solidify its communication and sampling plans early in the design. Once alternatives evaluation begins, Scott will work with Josh and Brett to ensure PFAS is considered in our evaluation.

## We will deliver a quality, efficient design for the selected design alternative

Jacobs' Five-Phase Design Process ensures significant decisions are made early, before time and budget are spent fine-tuning the details. Exhibit 4 shows this approach. For this project, our existing dynamic process model development and site knowledge will result in early evaluation of alternatives, project scope definition and direction in the design process.

**Exhibit 4. Jacobs' Five-Phase Design Process**



## Key Project Milestones

Jacobs' extensive history working at the WRF means **we understand plant operations, construction impacts, and sequencing required to result in the lowest construction cost for the City.** Depending on the project ultimately selected by the City, the following milestones shown in Exhibit 5 may be incorporated into the project schedule. Each of these items represents a construction sequencing constraint that influences development of construction milestones. Our design schedule will be adjusted accordingly to accommodate a bid advertisement and construction window that simplifies the project, thus minimizing cost and complications for the City.



The most important driver for leveraging this understanding of the WRF is a bid advertisement that brings a contractor in at the right time.

**Exhibit 5. Key Milestones and Consequences of Missing**

Important Milestone	Definition/Activity	Consequence of Missing
<b>Schedule Liquids process work for dry weather flows in the summer.</b>	Work affecting the WRF liquids process should be performed in summer when flows are lowest. Although full plant shutdowns should be avoided, experience has shown that summer nights present the best opportunity for a plant shutdown. Upgrades to the existing grit system could require a shutdown or temporary pumping.	In winter and the "shoulder" months, wet weather flow rates mean that temporary provisions, including pumping, are more costly. Wet weather flows also eliminate the opportunity to take units offline or use offline basins for equalization, resulting in less flexibility and increased cost.
<b>ATAD reactors can only be taken offline in summer.</b>	Summer is the only window to take a reactor offline because the three ATAD reactors must be online in the fall, winter, and spring. If conversion of existing ATAD reactors from first to second generation is recommended in the Project Definition Phase, conversions must be carefully sequenced to complete all three in one summer, or the work must take place over multiple summers.	Because all three ATADs must be online in winter, if work is not completed in summer, remaining work must be deferred to the following summer, resulting in longer construction schedule and increased costs.
<b>Schedule decant process modifications in summer and as soon as practical.</b>	Decant is performed from late December through April each year, so improvements to the decant process likely must be implemented in summer. We believe that improvements to decant will have positive impacts on ATAD operation and biosolids storage capacity, so we recommend implementation quickly.	Attempting decant improvements in wet weather means construction activities occur while decanting is active, complicating construction and adding cost. Delaying improvements risks exceeding ATAD capacity, creates a regulatory risk, and further stresses the existing biosolids storage tank.
<b>Excavation and foundation preparation in dry weather.</b>	Soils excavation and foundation preparation should occur during dry weather. While this is typically the case in the Willamette Valley, our experience on the Tertiary Expansion Project indicates the soil at the WRF is particularly challenging.	If major excavation or soil improvements are required, some of this work may be impossible in wet weather. Not completing this during the dry weather window could mean delaying work 9 to 12 months to the following summer, increasing costs.

## Key Deliverables

Key deliverables required by the project are as shown in Exhibit 6.

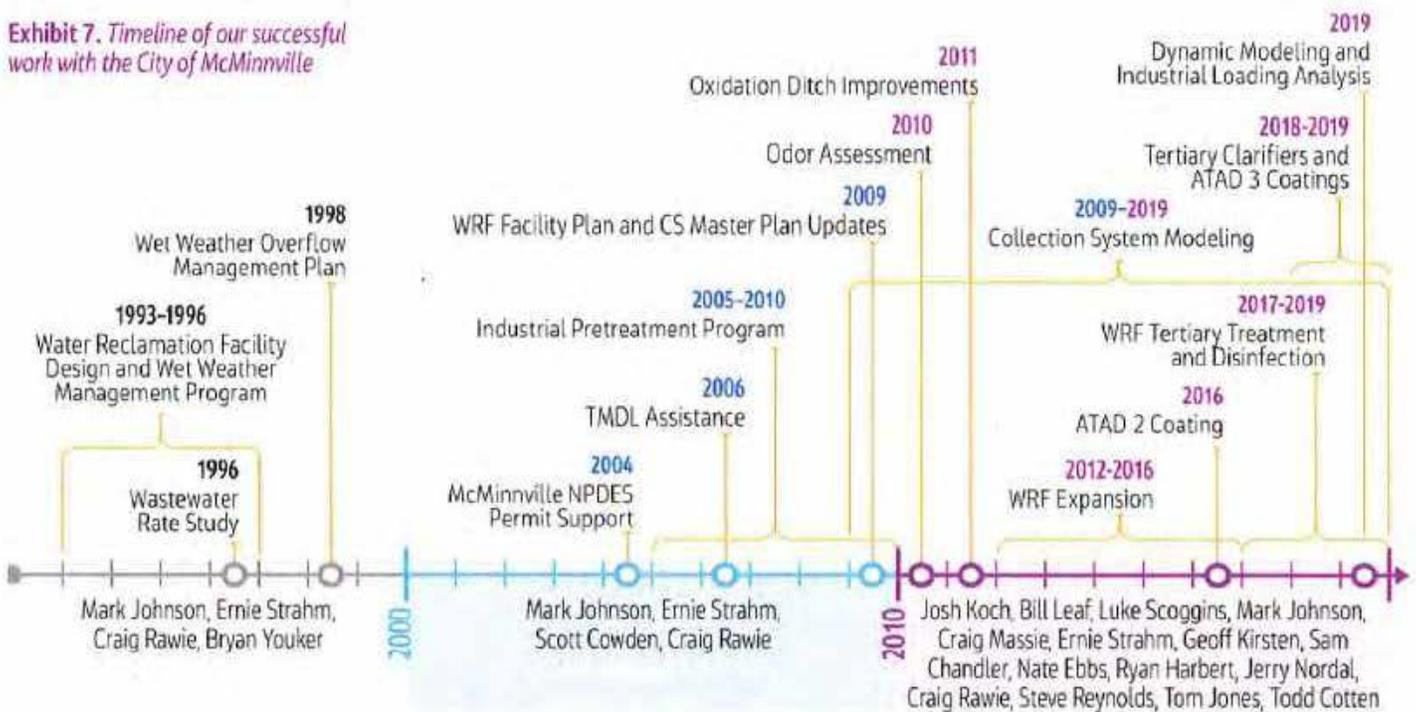
Exhibit 6. Key Deliverables by Phase

Project Definition	10-15%	Schematic Design	30%	Design Development	60%	Contract Documents	90%	Bid Documents	100%	
<ul style="list-style-type: none"> <li>Update Geotechnical Report</li> <li>Sampling and update SUMO model</li> <li>Document flows, loads, and buildout criteria</li> <li>Evaluate alternatives</li> <li>Project Definition Report including documentation of alternatives, design criteria, cost, and schedule</li> </ul>		<ul style="list-style-type: none"> <li>Schematic Design Report including facility narratives and process control narratives</li> <li>Schematic drawings, one-line diagrams, and P&amp;IDs</li> <li>Cost estimate and schedule</li> </ul>		<ul style="list-style-type: none"> <li>Detailed drawings and design details</li> <li>Major equipment specifications</li> <li>Divisions 0/1 specifications</li> <li>Cost estimate and schedule</li> </ul>		<ul style="list-style-type: none"> <li>Detailed drawings and design details</li> <li>Full draft specifications</li> <li>Construction sequence</li> <li>Cost estimate and schedule</li> </ul>		<ul style="list-style-type: none"> <li>Bid-ready drawings, details, and specifications</li> <li>Stamped structural calculations</li> <li>Final Engineer's estimate</li> </ul>		

## Familiarity with the City and WRF Processes

Our team has completed numerous, major projects for the City of McMinnville's wastewater system and the WRF for nearly 30 years. While we work on projects all over the world each day, the long history of projects with you demonstrates our commitment to delivering consistent, high-quality work here at home. As proof of our familiarity with the City organization, staff, and the WRF, Exhibit 7 shows the numerous projects we have worked on together and our team member involvement during the last three decades.

Exhibit 7. Timeline of our successful work with the City of McMinnville



## 2. Qualifications and Experience

### History of Jacobs

Jacobs has a distinguished history of providing Oregon municipal water and wastewater clients with engineering design and construction services for 72 years. Founded just 46 miles down Hwy 99 from McMinnville, our Corvallis office currently serves clients throughout Oregon, the Northwest, and the world. We are ranked the 2019 Number 1 Design Firm by Engineering News-Record.

Jacobs is a project-centric organization focused on sustained client loyalty; our staff have a proven track record of delivering to your standards for nearly three decades. Today, our more than 52,000 employees around the world provide a broad range of technical services to our industrial, commercial, and government clients in multiple industries.

Our global network includes more than 230 offices in North America, South America, Europe, the Middle East, India, Australia, Africa, and Asia. With 2018 revenues of \$15 billion, we offer full-spectrum services including scientific and specialty consulting, all aspects of engineering design and construction, architecture, project/program and construction management, and operations and maintenance.

### Jacobs' Types of Work and Capabilities

- Industry-leading, nationally-recognized solids treatment experts with dozens of completed projects in the areas of:
  - ATAD design and analysis, including conversion of original ATAD process to Generation 2 ATAD
  - Thickening and dewatering processes
  - Composting system design and implementation
  - Lime stabilization
  - Drying
  - Odor control
- Expertise in emerging contaminants, including PFAS
- Analysis of grit removal process alternatives, including greenfield, expansion, and retrofit
- Dynamic process modeling capabilities, including an existing model of the McMinnville WRF
- Structural experts in tank design, experienced with tanks on challenging Northwest soil conditions
- Instrumentation and control planning, design, and recent experience performing full programmable logic controller (PLC) replacement on multiple projects in the Northwest
- Construction management, inspection, and operations
- Condition assessment and rehabilitation services
- Environmental documentation and permitting

## Relevant Experience in the Last 10 Years

Exhibit 8 shows a selection of project experience within the last 10 years with similarities to the type of work outlined in this RFP.

**Exhibit 8.** Our experience with projects with similar scope will inform and benefit the City of McMinnville

Your Jacobs Team's Recent Project Experience		Planning	Design	Construction	Startup	Key Team Members
TEAM SYNERGY	McMinnville WRF Expansion Project	●	●	●	●	Mark Johnson, Josh Koch, Luke Scoggins, Ryan Harbert, Bill Leaf, Steve Reynolds, Geoffrey Kirsten, Nate Ebbs, Tom Jones, Craig Rawie, Ernie Strahm, Todd Cotten
	McMinnville WRF Tertiary Treatment and Disinfection Project	●	●	●	●	Mark Johnson, Josh Koch, Luke Scoggins, Steve Reynolds, Ryan Harbert, Geoffrey Kirsten, Sam Chandler, Tom Jones, Bill Leaf, Craig Rawie, Jerry Nordal
HEADWORKS	Oak Lodge Sanitary District WRF, Oak Grove, OR	●	●	●	●	Nate Ebbs, Tom Jones, Bryan Youker
	Waianae WWTP Improvements and Upgrade, Honolulu, HI (Construction in Progress)	●	●	●	●	Josh Koch, Scott Cowden, Bryan Youker, Ryan Harbert, Geoffrey Kirsten, Nate Ebbs, Tom Jones
SOLIDS TREATMENT	Clackamas Tri-City WRRF Solids Handling Improvements, OR (Construction in Progress)	●	●	●	●	Ben Herman, Scott Cowden, Brett Reistad, Ryan Harbert, Josh Koch, Geoffrey Kirsten, Mark Johnson, Nate Ebbs, Dave Oerke, Tom Jones, Bill Leaf, Todd Cotten
	Upper Occoquan Service Authority Residuals Replacement and Upgrades to Building D2, VA (Construction in Progress)	●	●	●	●	Josh Koch, Brett Reistad, Ryan Harbert, Sam Chandler, Dave Oerke
ATAD	Eagle River Water and Sanitation District CEPC Design/Construction, Avon WWTP, and Edwards WWTP Design, CO	●	●	●	●	Dave Oerke
	Conversion of First to Second Generation Facilities, Grand Chute Menasha West Sewerage Commission WWTP, WI	●	●	●	●	Dave Oerke
	South Fort Collins Sanitation District WRF Solids Handling Improvements and Soil Stabilization Study, Preliminary and Final Design, CO	●	●	●	●	Dave Oerke
TANKS	City of Hillsboro Will Crandall 10-MG Reservoir & Pump Station, OR	●	●	●	●	Luke Scoggins, Geoffrey Kirsten, Todd Cotten
	Clackamas Tri-City WRRF Solids Handling Improvements 1.3-MG, OR (Construction in Progress)	●	●	●	●	Ben Herman, Scott Cowden, Brett Reistad, Ryan Harbert, Josh Koch, Geoffrey Kirsten, Mark Johnson, Nate Ebbs, Dave Oerke, Tom Jones, Bill Leaf, Todd Cotten
	City of Vancouver WS1, Phase 2, WA	●	●	●	●	Luke Scoggins, Geoffrey Kirsten, Todd Cotten

## Project Descriptions

The projects profiled beginning on the next page are examples of where our team has delivered work that is directly related to the work expected in the current project. The project descriptions demonstrate the qualifications, specialized experience, and technical competence of the staff we are proposing.

## Tertiary Treatment and Disinfection Project, City of McMinnville, OR



*UV retrofit with challenging construction sequencing.*

### PROJECT DETAILS

**Scope:** Tertiary filter upgrade and UV retrofit design | **Type of facility:** WRF | **Completed:** 2019 | **Size:** \$1.9 million | **Setting:** Existing WRF adjacent to light industrial and farmland

The Tertiary Treatment and Disinfection project was originally advertised as expansion of the tertiary filter facility and replacement of the UV system. Jacobs' preliminary design evaluation recommended upgrade of the existing filters, instead of expansion, saving the City 66%. The UV system was replaced as anticipated; however, we used a pre-selection process and pre-negotiation for UV equipment, so it arrived on site before the dry weather window. Detailed design of the UV replacement included navigating complicated construction sequencing limitations based on maintaining existing system operations.

- Replaced existing Trojan UV3000 with Trojan UV3000+ without interruptions to plant operation.
- Implemented back-up PAA system.
- Alternatives evaluation identified filter facility upgrade, instead of expansion.

**KEY PERSONNEL DIRECTLY INVOLVED** Josh Koch, Luke Scoggins, Ryan Harbert, Geoffrey Kirsten, Sam Chandler, Tom Jones, Bill Leaf, Craig Rawie, Jerry Nordal, Steve Reynolds | **OWNER REFERENCE** City of McMinnville, Larry Sherwood, 503.434.7312

## Secondary Expansion, City of McMinnville, OR



*Award-winning expansion project.*

### PROJECT DETAILS

**Scope:** Secondary expansion design | **Type of facility:** WRF | **Completed:** 2016 | **Size:** \$10.4 million | **Setting:** Existing WRF adjacent to light industrial and farmland

Our team designed a third secondary treatment train to increase secondary capacity to 32 MGD. The project included a new Orbal oxidation ditch, secondary clarifier, RAS pumping station, mixed liquor split box and associated large-diameter influent, mixed liquor, and secondary effluent piping. We evaluated headworks tie-in options to balance cost and flexibility with minimal process interruption. Optimized aerator design for energy efficiency and process performance. Designed mixed liquor and RAS piping to provide maximum flexibility for combinations of online basins. Developed detailed construction sequence to accommodate complicated tie-ins during existing facility operation.

- Optimized oxidation ditch aerator layout to gain an additional 10% aeration capacity
- Developed piping and pump approach that allows any combination of oxidation ditches to be used with any secondary clarifiers.
- Received the 2014 Pacific Northwest Clean Water Association – Lower Columbia Section "Project of Year Award."

**KEY PERSONNEL DIRECTLY INVOLVED** Josh Koch, Luke Scoggins, Ryan Harbert, Bill Leaf, Geoffrey Kirsten, Nate Ebbs, Tom Jones, Craig Rawie, Steve Reynolds | **OWNER REFERENCE** City of McMinnville, Leland Koester, 503.434.7313

## City of Hillsboro Will Crandall Reservoir & Pump Station, OR



*The soils at the reservoir site are highly susceptible to seismic-induced liquefaction and required extensive deep soil mixing techniques to build a seismically-resilient facility.*

### PROJECT DETAILS

**Scope:** Reservoir and Pump Station Design | **Type of Facility:** Finished water storage and delivery | **Completed:** 2014 | **Size:** \$26 million | **Setting:** Residential with liquefiable soils

Jacobs has an extensive history designing concrete water-holding structures in high-seismic locations, including in the Pacific Northwest. The Will Crandall Reservoir and Pump Station project included challenges that were resolved through innovative engineering and team collaboration. Soils at the Crandall Reservoir site and the Evergreen Reservoir site were determined to be highly susceptible to seismically-induced liquefaction. At Crandall, the liquefaction depths went to about 80 feet. Jacobs designed cement deep soil mixing (CDSM) ground improvements for the Crandall Reservoir and Pump Station, which consisted of a 10-MG storage tank, 20-mgd pump station, 72kW hydroelectric generator, and an 800kW backup diesel generator.

Over 1,000 CDSM panels, each 7-feet long and 3-feet wide, down to 80 feet below ground, were installed below the storage tank, pump station, and interconnecting pipelines between the tank and pump station. Created a seismically-resilient facility, protecting against the Maximum Credible Earthquake: during an earthquake, facilities will remain intact, hold water, and operate after the event.

- Soils were determined to be highly susceptible to seismically-induced liquefaction, similar to the soils at the McMinnville WRF
- CDSM ground improvements implemented to protect against the design seismic event.

**KEY PERSONNEL DIRECTLY INVOLVED** Luke Scoggins, Geoffrey Kirsten, Todd Cotten | **OWNER REFERENCE** City of Hillsboro, Jamie Davis, Lead Operator, 503.347.2138

## Oak Lodge Sanitary District WRF, Oak Grove, OR



*New headworks with influent screens and grit removal.*

### PROJECT DETAILS

**Scope:** Design of complete WRF replacement | **Type of facility:** WRF, including headworks | **Completed:** 2012 | **Size:** \$58.9 million | **Setting:** Residential, adjacent to Willamette River, high seismicity, high flood waters, irregular subsurface conditions

The Oak Lodge WRF is a conventional, activated sludge plant with an average dry weather capacity of 4 mgd and a peak design capacity of 20 mgd serving a population of approximately 40,000. The bulk of the treatment components were 40 to 50 years old and deteriorated. The upgrade and replacement of facilities protects the Willamette River by going beyond current regulatory requirements to provide high-quality, reclaimed water and reduce sanitary sewer overflows. The design documents accommodated phased construction.

The project included a new influent pump station, headworks, aeration basins, secondary clarifiers, UV disinfection, interchange reactors, digesters, plant water (3W) system, and vehicle storage. Designed for straightforward expansion, including the adding tertiary facilities to provide reuse water in the future.

- Bryan Youker performed early evaluation of headworks alternatives, including evaluation of grit removal technologies.
- I&I reduction strategies minimize collection system improvements.
- Yard piping and buried valves allow for construction of future tertiary filtration with minimal impact to plant operations.
- Innovative technical solutions that meet water quality goals and community values.
- Specific emphasis on aligning capital spending with cash flow and financing constraints through implementation of improvements.

**KEY PERSONNEL DIRECTLY INVOLVED** Nate Ebbs, Tom Jones, Bryan Youker | **OWNER REFERENCE** Water Dude Solutions, Mark Walter, Operations Manager, 971.413.4126 (previously with Oak Lodge Sanitary District)

## South Fort Collins Sanitation District (SFCSD) WRF, Solids Handling Alternative Evaluation Study, Preliminary Design Report, and Final Design and Construction (50% Complete) for Phase I Expansion & Improvements, CO



*Construction of ATAD retrofit.*

### PROJECT DETAILS

**Scope:** Solids handling evaluation and design | **Type of facility:** ATAD | **Year completed:** 2017 – current | **Size:** \$35.3 million | **Setting:** Existing WRF

*"The wastewater treatment and solids processing experience and professionalism demonstrated by Dave Oerke ... and the team identified clear, sensible direction and budgetary breakdown for our expansion and improvements. We are pleased to be working with them on the final Design Phase of the project."*

– Chris Matkins, General Manager, SFCSD

Performed a detailed evaluation of aerobic and anaerobic digestion and "second generation" ATAD as the solids digestion alternatives and detailed cost-benefit analysis. Net present value cost for "second generation" Class "A" ATAD facilities was 15% lower than Class "B" anaerobic digestion and 17% lower than Class "B" aerobic digestion facilities. More advantages of the Class "A" ATAD process:

- High volatile solids reduction (55-65%), overall biosolids volume reduction and improved dewaterability
- Maximized use of six existing aerobic digesters and two existing aerated sludge storage tanks
- Smallest, most compact footprint that was compatible with existing facilities
- Excellent jet aeration mixing to maintain aerobic conditions and two-stage (wet scrubber and biofilter) odor treatment resulting in minimal odor generation
- Positive input from Colorado ATAD operators; enhanced SCADA control, accessible maintenance
- Minimal sidestream impact with MesoAer tank treatment (100 to 300 mg/L ammonia at other WWTFs) critical to minimize the size of liquid treatment facilities
- Produce Class "A" low-odor biosolids with more flexible biosolids reuse outlets, including land application and future product distribution and marketing

District WRF staff were more comfortable moving forward with the installation of ATAD facilities after extensive research on the ATAD process and other ATAD facilities including first-hand operator information from tours of multiple installations Edwards WWTF, St. Vrain WWTF, and Fruita WWTF. Jacobs contacted 10 other ATAD facilities including four that converted existing tankage and have been operating from 7-15 years and received positive responses on training, service, and follow-up from vendor staff, and overall performance.

**KEY PERSONNEL DIRECTLY INVOLVED** Dave Oerke | **OWNER REFERENCE** SFCSD, Chris Matkins, PE, General Manager, 970.226.3104, ext. 101

## Tri-City WRRF Solids Handling Improvements, Clackamas County, OR



*Digester addition on constrained site.*

### PROJECT DETAILS

**Scope:** Design of expansion and retrofit of existing digestion and solids handling facility | **Type of facility:** Additional digester, feed tanks and system | **Completed:** Anticipated early 2021 | **Size:** \$33.5 million | **Setting:** Urban industrial area, adjacent to Clackamas River, high seismicity, high flood waters, irregular subsurface conditions

One year after this design project started, the County approached Jacobs to take over this project from the originally awarded design team. We worked with the owner to utilize information developed by the prior team to narrow down equipment types and digester expansion capacity, but otherwise started from scratch.

Scope of work included the addition of 1.3-MG Digester 3, feed tanks, feed system, dewatering feed tanks and building; digester gas storage; and replacement for existing cogeneration engine, centrate management, odor control, digester mixing, gas handling, heating water, and electrical power feed systems.

- Jacobs delivered the entire design in approximately 12 months.
- Complex retrofit in a small space in the middle of an operating plant. Secant piles were required to accommodate deep excavations adjacent to an operating facility. Scheduling was critical to ensure major excavation was not compromised during wet weather season due to adjacent river levels.
- Brett Reistad and Ben Herman developed a facility layout that accommodated all desired functions without extending beyond the existing plant boundaries.
- Solids experts developed a digester design allowing operations to take full advantage of the capacity of both existing digesters; addition of the 4th digester postponed for roughly 20 years.

**KEY PERSONNEL DIRECTLY INVOLVED** Ben Herman, Scott Cowden, Brett Reistad, Ryan Harbert, Josh Koch, Geoffrey Kirsten, Mark Johnson, Nate Ebbs, Dave Oerke, Tom Jones, Bill Leaf | **OWNER REFERENCE** Clackamas County WES, Lynne Chicoine, 503.953.2587 mobile

## Distinguishing Qualifications

### Our 3D modeling and design automation tools enhance feedback and design

Just as we prepared the McMinnville WRF Expansion design using 3D CAD tools, we propose a similar approach for this project. The investments we've made in equipment libraries, conceptual layout tools, and integration of equipment and instrument lists into our technical specifications and startup documentation provide additional value and efficiencies that differentiate us from our competitors. We provide 3D PDF files that **allow WRF staff to easily view and understand new facilities and provide timely design feedback, resulting in improved maintenance access, safety features, and design refinements.**

### We already developed the WRF dynamic model

Our modeling approach includes integrating dynamic modeling benefits through the project lifecycle – from planning and design through startup and operation. Because all validation and modeling for the WRF are already complete, we propose leveraging the investment the City already made with Jacobs to develop a SUMO model. Bill Leaf will continue working with you to refine this model to capitalize on the combined knowledge of the City and Jacobs. **Effectively executing modeling tasks with this team and thoroughly documenting the results, are key** to taking full advantage of our combined knowledge.

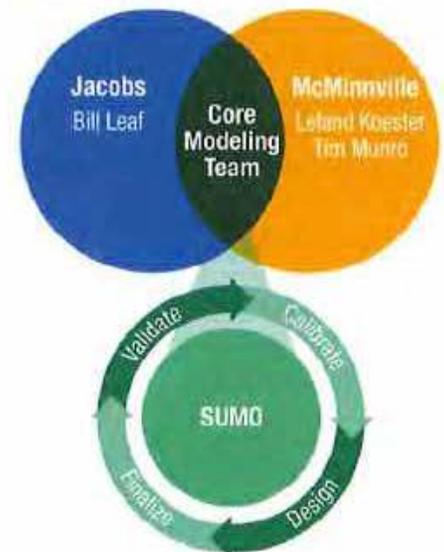
### Our Corvallis Design Center brings innovation and consistency

Our Corvallis Design Center differentiates Jacobs from our competitors, in that your entire project is designed within an hour's drive from the WRF. Your project will be designed by engineers and technicians who have experience on your project as well as some of the most complex and challenging projects in our global portfolio. Our project quality assurance team is in Corvallis with increased access to, and interaction with, the lead design engineers. We have trusted the same team working on your project with Jacobs' highest-profile design-build projects, with our money at risk. This confidence in our capability translates to cost-effective, efficient delivery for your project.

### Construction sequencing is critical to project success

Careful attention to construction sequencing and phasing is often overlooked by our competitors. As our team experienced on the WRF Expansion Project and Tertiary Treatment and Disinfection Project, construction sequencing is vital for a successful project. During the Design Phase, Josh developed a detailed construction sequence that was reviewed with WRF staff and the design team. Throughout the construction projects, both contractors referred to this sequence for guidance. For this project, once a treatment process is selected and layout established, Josh will develop a **construction sequence that provides the City with confidence the project is constructible in the contract time allotted with an acceptable risk profile, like the last two projects at the WRF.**

*Our modeling approach relies on full integration of City and Jacobs resources.*



# 3. Project Staffing

## Staffing Plan

We plan to staff our team according to the organizational chart, structure and responsibilities shown in Exhibit 9.

## Qualifications of Team

Our core design team, which has delivered the last two projects for the City, knows the WRF inside and out. Understanding how to deliver the McMinnville WRF design differentiates us from other teams. Our knowledge extends beyond the WRF infrastructure itself. We know the WRF staff's technical preferences, operating procedures, and day-to-day responsibilities. Not only do we understand the technical preferences of the WRF staff, we know who to contact for additional input.

## We have augmented our core team with hand-picked experts

For this project, we have augmented our core team with individuals with expertise related to the specific project scope. Bryan Youker's headworks design experience, Brett Reistad's depth and breadth of solids treatment knowledge, Dave Oerke's ATAD experience, and Ben Herman's experience as a structural engineer and solids project design manager add value to an already solid team. Paul Hicks brings 8 years' experience permitting large, industrial projects in Oregon, and Craig Massie brings a relationship with McMinnville Water & Light (MW&L), many years of project management experience in Oregon, and has served as QC Manager on numerous projects in Oregon.

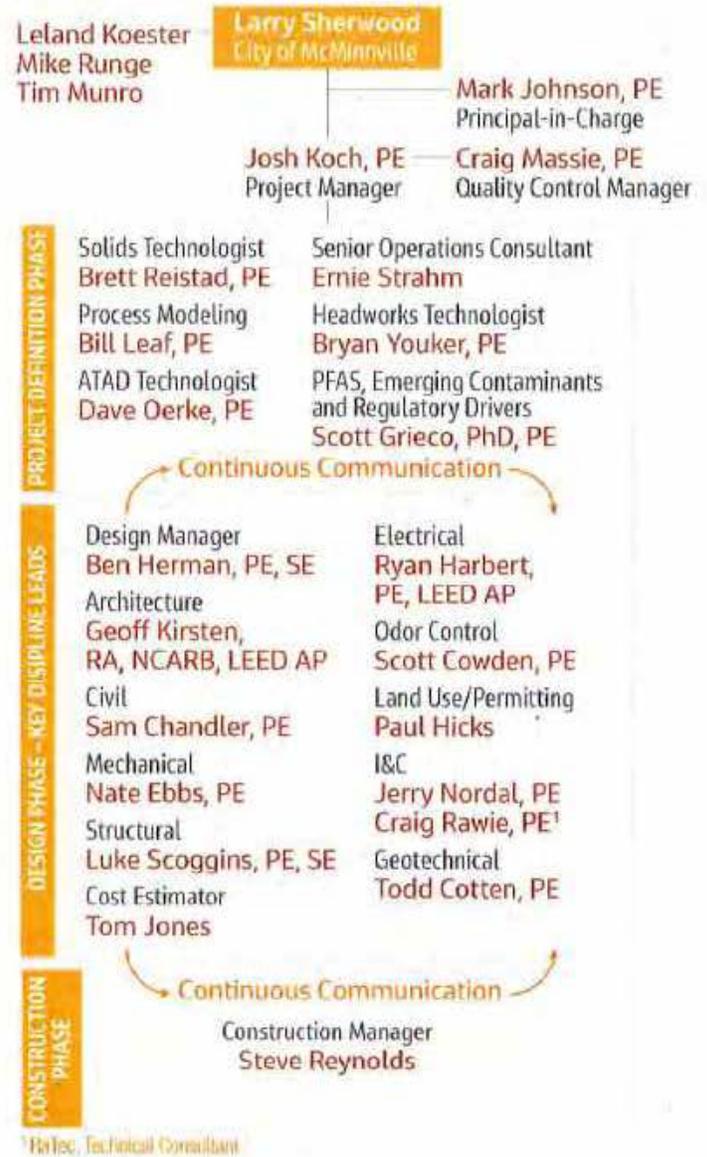
## We are there when you need us

Our design leads are Oregon-based with all key design staff located in Corvallis and Portland. We will continue to work cost effectively, communicate clearly, and respond to your needs in a timely manner. Our door is always open and we encourage City staff and stakeholders to join us at our Corvallis office. External communication is always an important aspect of successful project implementation.

## Team Structure Benefits

Our team structure ensures our team members that are the best fit for the task are in the driver's seat at all times, and all team members are accessible when needed. As Project Manager, Josh is the main point of contact with the City and will oversee all work by our team, providing the City streamlined communication with the design team for the project duration. The experts selected for the Project Definition Phase are experienced in developing high-level decisions to set the project direction early. As needed, the engineering discipline leads identified for the Design Phase will support development of the Project Definition Report. Once the project direction is set and the Design Phase begins, Design Manager Ben Herman, will guide our discipline leads to a quality design delivery. The Project Definition Phase experts will remain involved, providing review of major concepts to ensure project goals are met. Once design is complete and construction begins, our construction manager, Steve Reynolds, will rely on the design team to ensure the design intent is met.

Exhibit 9. Team Organization Chart



## Meet Your Team

### Joshua Koch, PE, an experienced and committed project manager



- **Proven Project Manager, Design Manager, and Project Engineer with the City and other clients.** Josh's internal experience managing Jacobs design teams and external experience working with clients means he can leverage his in-depth knowledge of Jacobs design capabilities to deliver projects that meet his clients' goals and exceed their expectations, including recent work at the WRF.
- **Connection to the City.** Josh has been working on projects for McMinnville Water and Light and the City for over 10 years, particularly during construction phases, and spends so much time in "MAC" that he considers it his second office.

- **Commitment from start to finish.** Josh understands the importance of engaging experts early to set the project direction, and the importance of following the project through design and construction, identifying solutions and working through complex challenges.

*"It is a true pleasure to work with the folks at the City and the WRF. I am fortunate to have had the opportunity to work with them so closely during the last 8 years. I feel a great responsibility to continue the legacy of successful projects delivered by the City and Jacobs."*

*- Josh Koch,  
Jacobs Project Manager*

*"We all have really appreciated your professional and personal drive, your attention to every detail, your leadership and your listening to everyone's input. These words are echoed by all that you have worked with here in the City. You are surrounded with good people and it is very apparent that your team members trust your judgment and are encouraged and motivated by your leadership. Thank you for all your hard work, Josh. It has meant more to me than you know or that I can express adequately."*

*- Dave Gehring, City of McMinnville Plant Manager (Retired)*

Team Member Information	Relevant Project Experience
<p><b>RESPONSIBILITIES:</b> As the Project Manager, Josh will direct the technical activities, manage schedule and budget, and be a single, accountable point of contact for successful delivery.</p> <p><b>AVAILABILITY:</b> 40%</p> <p><b>AVAILABILITY TO TRAVEL TO SITE:</b> 100%</p> <p><b>TIME COMMITMENT:</b> 40%</p> <p><b>LENGTH AT JACOBS:</b> 14 years</p> <p><b>OFFICE:</b> Corvallis, OR</p> <p><b>CURRENT ASSIGNMENTS:</b> Dallas WWTP Recycled Water Project Design, Sunnyvale Secondary Treatment Design</p>	<ul style="list-style-type: none"> <li>• <b>Project Manager, McMinnville WRF Tertiary Treatment and Disinfection Project</b></li> <li>• <b>Project Manager, McMinnville WRF ATAD Coating Projects</b></li> <li>• <b>Project Manager, McMinnville WRF Secondary Expansion Project</b></li> <li>• <b>Resident Engineer, McMinnville WRF Oxidation Ditch Improvements</b></li> <li>• Design Manager, Residuals Renovations and Improvements to Thickening, UOSA, Centreville, VA</li> <li>• Project Manager, Durham 5B2 Hydraulic Improvements, Clean Water Services, Durham, OR</li> <li>• Quality Manager, Tri-City WRRF Solids Handling Improvements, Clackamas County Water Environment Services (WES)</li> <li>• Resident Engineer, Scott WTP Upgrade and Expansion, MW&amp;L</li> </ul>

## Our key personnel bring exceptional insight and skill

The following key personnel will be instrumental throughout the project, leading key phases and tasks. Most key personnel are located within an hour from the City. Those located outside Oregon, are available as needed, a short flight to Portland. Information regarding our experience with, and knowledge of, the City organization, staff, and the WRF processes is shown Exhibit 7. Full resumes can be found in the Appendix.

Key Team Member Information	Qualifications and Specific Knowledge
<p><b>Mark Johnson, PE, Principal-In-Charge</b></p>  <p><b>AVAILABILITY:</b> 15%</p> <p><b>TIME COMMITMENT:</b> 5%</p> <p><b>LENGTH AT JACOBS:</b> 34 years</p> <p><b>OFFICE:</b> Portland, OR</p>	<ul style="list-style-type: none"> <li>• Responsibilities: As Principal-in-Charge, will hold the Jacobs team accountable on quality, schedule, and budget goals</li> <li>• 37 years of specialized experience in the analysis and management of sanitary and stormwater collection systems, many in collaboration with treatment analyses and as part of facility planning.</li> <li>• Utility system master planning experience includes hydraulic modeling, condition assessment, cost effectiveness analysis, and improvement planning.</li> <li>• Specializes in alternatives analysis for wet weather flow management in conveyance utility systems, including evaluation of wet weather flow control technologies.</li> <li>• Current Assignments: City of Portland Taggart Outfall Pipe Rehabilitation, Clackamas WES Collection System Planning</li> </ul>

**Key Team Member Information****Qualifications and Specific Knowledge****Brett Reistad, PE, Solids Technologist**

**AVAILABILITY:** 50%  
**TIME COMMITMENT:** 40%  
**LENGTH AT JACOBS:** 19 years  
**OFFICE:** Corvallis, OR

- Responsibilities: Lead analysis of solids unit process alternatives
- Process mechanical design expert for municipal biosolids thickening/dewatering, drying, and storage.
- Broad project experience in solids processing, including anaerobic digestion, thermal drying, and lime stabilization.
- Experienced in technology evaluation, as well as final design of selected technology.
- Current Assignments: Tri-City WRRF Solids Handling Improvements services during construction, Portland BES Columbia Blvd. Solids Handling Facility design

**Bill Leaf, PE, Process Modeling**

**AVAILABILITY:** 25%  
**TIME COMMITMENT:** 10%  
**LENGTH AT JACOBS:** 22 years  
**OFFICE:** Boise, ID

- Responsibilities: Lead the process simulation updates and evaluation of liquids stream impacts based on solids alternatives
- Has worked with McMinnville WRF staff on several recent projects and evaluations, providing detailed process knowledge.
- Developed whole-plant process simulation of the WRF, including liquid and solids streams.
- Knowledge of the interaction of liquids and solids treatment unit processes at the WRF.
- Current Assignments: Portland BES Columbia Blvd. STEP Project, Multiple QA/QC roles on projects throughout the Northwest

**Dave Oerke, PE, BCEE, ATAD Technologist**

**AVAILABILITY:** 30%  
**TIME COMMITMENT:** 20%  
**LENGTH AT JACOBS:** 12 years  
**OFFICE:** Denver, CO

- Responsibilities: ATAD process specialist
- ATAD process specialist with 15+ ATAD evaluation, design, value engineering projects, with strong experience in existing McMinnville WRF ATAD processes.
- First-hand experience with the evaluation and design of ATAD facilities.
- Evaluates options to enhanced existing ATAD facilities, improve existing facilities with second-generation ATAD equipment, overall project QC
- Current Assignments: Portland BES Columbia Blvd. Solids Handling Facility design, SFCSD ATAD construction, Parker ATAD construction, Farmington New Mexico Evaluation of ATAD Facilities, Sunnyvale California RDT thickening and screw press dewatering facilities

**Luke Scoggins, PE, SE, Structural Lead**

**AVAILABILITY:** 25%  
**TIME COMMITMENT:** 20%  
**LENGTH AT JACOBS:** 12 years  
**OFFICE:** Corvallis, OR

- Responsibilities: Structural Lead for design
- Extensive structural engineering background for water-holding structures in high seismic regions, including conventional reinforced and prestressed tanks/basins, welded steel tanks.
- Has worked on many regional project teams, providing an awareness and understanding of specific structural engineering challenges related to the City and WRF design.
- Current Assignments: San Jose Headworks, Lyons-Mehama Reservoir, Salmon Creek 5B, EWEB Fish Passage

**Bryan Youker, PE, Headworks Technologist**

**AVAILABILITY:** 40%  
**TIME COMMITMENT:** 20%  
**LENGTH AT JACOBS:** 31 years  
**OFFICE:** Corvallis, OR

- Responsibilities: Headworks Evaluation of Alternatives Lead
- Facility Lead Design engineer and QA/QC engineer with 31 years of experience, including more than 20 headworks facilities; 3 of which were followed by oxidation ditches.
- Solid understanding of 1994 McMinnville WRF design, the liquid flow stream, senior engineer input to the 2017 WRF expansion project.
- Current Assignments: King County DNR: South Plant Bar Screen Replacement, West Point Grit Classifier Replacement, West Point Surface Aeration Replacement, San Jose-Santa Clara RWF Headworks Project

## Our technical resource staff are ready to add value to your project

Key Team Member Information	Qualifications and Specific Knowledge
<b>Sam Chandler, PE, Civil</b>	
<b>AVAILABILITY:</b> 35% <b>TIME COMMITMENT:</b> 35% <b>OFFICE:</b> Corvallis, OR	<ul style="list-style-type: none"> <li>• 13 years' experience leading site civil and yard piping upgrades at WWTP sites, as well as previous experience managing projects for a public works department.</li> <li>• Current Assignments: San Jose Headworks 3, Tracy WWTP Phase 2B Expansion, WRCRWA Odor Mitigation, UOSA Residuals Renovations and Improvements to Building D/2 SDC</li> </ul>
<b>Todd Cotten, PE, Geotechnical</b>	
<b>AVAILABILITY:</b> 35% <b>TIME COMMITMENT:</b> 25% <b>OFFICE:</b> Portland, OR	<ul style="list-style-type: none"> <li>• 24 years' experience in design and construction management, resident engineering, and geotechnical engineering for WWTPs, including design of foundations and seismic mitigation systems. Extensive experience with local geotechnical conditions, seismic standards, and proven mitigation. Understands unique challenges associated with potential liquefiable soils present at the WRF.</li> <li>• Current Assignments: Willamette Water Supply Program PLM 5.0 Pipeline Project, Columbia Blvd. Wastewater Treatment Plant STEP, Clark Regional Wastewater Salmon Creek Outfall Project</li> </ul>
<b>Scott Cowden, PE, Odor Control</b>	
<b>AVAILABILITY:</b> 25% <b>TIME COMMITMENT:</b> 25% <b>OFFICE:</b> Corvallis, OR	<ul style="list-style-type: none"> <li>• Recognized odor control expert with more than 100 odor control projects completed, including master plans and designs. Author of 50 papers on odor control and is co-author of the Odor Emissions and Control for Collection Systems and Water Resource Recovery Facilities, MOP 25, 2nd Edition.</li> <li>• Current Assignments: WRCRWA, San Jose Headworks, Doha, Qatar IDRIS</li> </ul>
<b>Nate Ebbs, PE, Mechanical</b>	
<b>AVAILABILITY:</b> 25% <b>TIME COMMITMENT:</b> 25% <b>OFFICE:</b> Corvallis, OR	<ul style="list-style-type: none"> <li>• Process mechanical regional technology lead for the U.S./Canada West Region with 20 years of experience on a wide range of mechanical systems design and on-site construction. Extensive knowledge of the WRF and staff.</li> <li>• Current Assignments: San Jose Cogen DB Startup, Tracy Phase 2B Solids Facilities, Tri-City WRRF Solids Handling Improvements</li> </ul>
<b>Scott Grieco, PhD, PE, PFAS, Emerging Contaminants, and Regulatory Drivers</b>	
<b>AVAILABILITY:</b> 40% <b>TIME COMMITMENT:</b> 15% <b>OFFICE:</b> Syracuse, NY	<ul style="list-style-type: none"> <li>• 28+ years of experience in the evaluation, design, and optimization of wastewater and other treatment systems, including expertise in PFAS remediation and design and implementation of thermal desorption, pyrolysis, and incineration systems.</li> <li>• Current Assignments: Orange County Water District PFAS Treatment Pilot, City of Woodbury PFAS Master Planning and Treatment Design, Ann Arundel County PFAS Assessment and Risk Mitigation, American Water PFAS Surface Water Treatment, U.S. Navy Advanced Treatment of PFAS</li> </ul>
<b>Ryan Harbert, PE, LEED AP, Electrical</b>	
<b>AVAILABILITY:</b> 20% <b>TIME COMMITMENT:</b> 20% <b>OFFICE:</b> Corvallis, OR	<ul style="list-style-type: none"> <li>• 18+ years of wastewater electrical design experience, including work performed previously at the WRF. Familiarity with the electrical systems and plant staff will enhance the efficient delivery of electrical design to this project.</li> <li>• Current Assignments: Columbia Blvd. Secondary Expansion, San Diego SDC, San Luis Obispo SDC</li> </ul>
<b>Ben Herman, PE, SE, Design Manager</b>	
<b>AVAILABILITY:</b> 50% <b>TIME COMMITMENT:</b> 50% <b>OFFICE:</b> Corvallis, OR	<ul style="list-style-type: none"> <li>• Structural engineering background offers perspective on construction techniques and approaches for structurally-challenging projects. Experienced, effective design manager focused on keeping the team on track, allowing the project manager to focus on the client's needs.</li> <li>• Current Assignments: Tri-City WRRF Solids Handling Improvements, Salmon Creek Treatment Plant Phase 5B Improvements, Tracy WWTP Phase 2B Expansion</li> </ul>
<b>Paul Hicks, Land Use/Permitting</b>	
<b>AVAILABILITY:</b> 15% <b>TIME COMMITMENT:</b> 15% <b>OFFICE:</b> Portland, OR	<ul style="list-style-type: none"> <li>• Expert in Oregon's statewide planning process and has obtained land use approvals in over 20 local Oregon jurisdictions. Authors a wide range of documents for land use entitlement and permitting in local city and county jurisdictions for a variety of utility and infrastructure projects.</li> <li>• Current Assignments: St. Johns Landfill, Columbia Slough/Blind Slough Remedial Action, Klondike II Wind Project Repower CUP Amendment, Madras Solar Energy Facility Application for Site Certificate</li> </ul>

Key Team Member Information	Qualifications and Specific Knowledge
<b>Tom Jones, Cost Estimator</b>	
<b>AVAILABILITY:</b> 25% <b>TIME COMMITMENT:</b> 10% <b>OFFICE:</b> Corvallis, OR	<ul style="list-style-type: none"> <li>• 25+ years' experience in overall construction project management, estimating, contract administration, scheduling, material and equipment procurement. Specializes in structural, civil, architectural, and process mechanical cost estimating and developing bid strategies. Has led cost estimating for more than \$1.4 billion in infrastructure projects, of which nearly \$1 billion is related to water and wastewater facilities.</li> <li>• Current Assignments: Columbia Blvd. WWTP, Salmon Creek WWTP, Lyons-Mchama Reservoir, Coos Bay WWTP, Dallas WWTP</li> </ul>
<b>Geoff Kirsten, RA, NCARB, LEED AP, Architecture</b>	
<b>AVAILABILITY:</b> 25% <b>TIME COMMITMENT:</b> 25% <b>OFFICE:</b> Corvallis, OR	<ul style="list-style-type: none"> <li>• Senior architect with 23+ years of experience on wastewater projects and an in-depth understanding of how to deliver quality projects for industrial clients. Experience in both process and non-process spaces.</li> <li>• Current Assignments: 3 Kings Water Treatment Plant, Sunnyvale Secondary and Treatment Project, Salmon Creek Treatment Plant Phase 5B Improvements, Tracy WWTP Phase 2B Expansion, Coos Bay WWTP Upgrade</li> </ul>
<b>Craig Massie, PE, Quality Control Manager</b>	
<b>AVAILABILITY:</b> 15% <b>TIME COMMITMENT:</b> 5% <b>OFFICE:</b> Corvallis, OR	<ul style="list-style-type: none"> <li>• 34+ years' experience in design and QC for complex, multi-disciplinary wastewater treatment projects. Mechanical engineer by training, operates at all levels on the project, engages in detailed issue resolution when required.</li> <li>• Current Assignments: Dallas Recycled Water Project, Dallas, OR; WASSTRIP Improvements, Clean Water Services, Hillsboro; Coos Bay WWTP 1 Design, Coos Bay</li> </ul>
<b>Jerry Nordal, PE, I&amp;C</b>	
<b>AVAILABILITY:</b> 50% <b>TIME COMMITMENT:</b> 25% <b>OFFICE:</b> Corvallis, OR	<ul style="list-style-type: none"> <li>• 36 years' experience in the design and specification of I&amp;C and electrical power distribution systems for municipal facilities and has led I&amp;C for numerous water and wastewater treatment plants and pump stations. Expertise in SCADA, PLC, and HMI development throughout Oregon and the western U.S.</li> <li>• Current Assignments: Leonard WTP, TRWD Cedar Creek PS</li> </ul>
<b>Craig Rawie, PE, I&amp;C Technical Consultant (RaTec Services)</b>	
<b>AVAILABILITY:</b> 50% <b>TIME COMMITMENT:</b> 10% <b>OFFICE:</b> Silverton, OR	<ul style="list-style-type: none"> <li>• Long history with plant operators as a go-to resource for I&amp;C-related issues, ensuring seamless controls for the WRF. Brings a solid working relationship with the WRF staff, with whom he has partnered on numerous recent controls systems upgrades. Working history at the WRF gives him a unique understanding of all the plant's systems.</li> <li>• Current Assignments: City of Redmond SCADA projects, City of McMinnville UV/EcoWash, City of McMinnville SCADA support, miscellaneous non-municipal client projects</li> </ul>
<b>Steve Reynolds, Construction Manager</b>	
<b>AVAILABILITY:</b> 100% <b>TIME COMMITMENT:</b> 80% <b>OFFICE:</b> Portland, OR	<ul style="list-style-type: none"> <li>• Nearly 30 years' construction management experience around the world, including numerous constructed water and wastewater projects in Oregon. Was on site for the original WRF construction in the 1990s, as well as the most recent projects, bringing an exceptional understanding of the WRF.</li> <li>• Current Assignments: None</li> </ul>
<b>Ernie Strahm, Senior Operations Consultant</b>	
<b>AVAILABILITY:</b> 50% <b>TIME COMMITMENT:</b> 10% <b>OFFICE:</b> Carlton, OR	<ul style="list-style-type: none"> <li>• 35 years' wastewater operations experience, including 32 years at the McMinnville WRF. Involved in startup and operations of the WRF, optimizing the existing solids treatment process, and the 2007-2009 facility planning activities, providing unique operations perspective adding value in determining the right solutions for the WRF. Will serve as a Senior Operations Consultant to assist in reviewing process alternatives; familiarity with WRF operations will allow him to interact seamlessly between the Jacobs team and the current WRF staff.</li> <li>• Current Assignments: None</li> </ul>

## Team's Experience with the City of McMinnville

City staff will recognize most of our team members from past projects at the WRF as shown in Exhibit 7. No other team can match our history with, and knowledge of, the WRF. Our long-standing relationships with your staff, familiarity with the WRF, and internal team history on numerous projects means we will deliver your project efficiently, maximizing value for the City.

## 4. Project Management

We will move this project forward, delivering the solutions you need, on schedule and on budget. While avoiding surprises is our goal, successful project management is defined by the way we work together through challenges.

### Management to Ensure Schedule and Budget

Josh will work with Larry to set up the project scope consistent with City funding sources, allowing them to easily track task status and invoice accordingly. Status updates will include estimates aligned with the City's fiscal calendar.

Put simply, project management consists of planning and executing. Both require experience and the ability to communicate clearly with the City and team members. **Jacobs has a disciplined project management system that we use on all projects.** This system establishes our standards, procedures, and protocols and is focused on building predictability and certainty into our project delivery, with the goal of supporting the success of our project teams with consistent use of our best practices. Our project execution plan includes the scope of work, team member responsibilities, budget broken down by individuals' milestones, and schedule. This document will be issued before work begins and serve as a road map for the Design Phase of the project.

### Our project management techniques work

Our **Project Manager Josh Koch** manages his projects by continually monitoring and communicating schedule status to his clients. Our team will meet milestones by planning the work realistically, engaging the City for key input and decisions at the right time, managing our QA program to avoid re-work, and delivering on our commitments. When project changes occur, we will identify the potential change, provide alternatives and recommendations for City consideration, gain City endorsement of the required approach, and implement that change — all with an eye on the project schedule and total project cost. Josh will track budget weekly through Jacobs' system and produce updates for the City either monthly or more frequently if preferred. On the recent Tertiary Treatment and Disinfection project, we worked within a tight budget despite early concerns that the contractor's performance required more attention than planned. **Josh discussed budget with Larry frequently, before a problem occurred, so they could plan accordingly. Continuous communication resulted in finishing the project under budget.**

Similar to other planning and design projects Josh has managed, he will schedule monthly meetings with Larry to provide status updates on all ongoing tasks. Josh will issue meeting notes from these calls documenting action items. Where work involves communication with third parties or other City staff, Josh or the assigned task lead will summarize communication in an email or memorandum and submit it to the City for project documentation. We will clearly identify project communication protocols at the kickoff meeting and follow these protocols to ensure effective communication.

Dedicated Quality Manager, Craig Massie

Evidence of Craig's delivery expertise and attention to quality is clear when you speak with his clients. He has served as QC Manager for numerous wastewater infrastructure design projects in the Northwest and has a proven commitment to design project QC. Craig will drive Jacobs quality process, developing and managing our quality control plan, coordinating review teams for all disciplines supporting the project, and providing leadership and guidance to our team throughout the project.

### Our Quality Management Plan will ensure success

Delivering quality work through all phases of a project is the cornerstone of our success. We will implement our standard practices for QA/QC, completing required internal reviews of all work products prior to client delivery. Josh will work with our QA/QC Lead, **Craig Massie**, to develop a Quality Management Plan that dictates QA/QC practices for the project and the team's roles and responsibilities. Craig has over 34 years' experience in wastewater planning and has worked closely with many of our task leads for more than 15 years. Craig's familiarity with McMinnville makes him a perfect fit for this role.

### Subconsultant Coordination

Because we can deliver this project almost entirely in-house, minimal effort will be spent managing subcontractors and contracts. Our only subcontractor, Craig Rawie of RaTec Solutions, is a former Jacobs employee who has worked successfully with Josh on the recent Tertiary Treatment and Disinfection Project. Craig and Josh communicate weekly to ensure Craig is a fully integrated part of the team.

### Facilitating Stakeholder Input and Approval

The Jacobs team has a proven track record of gaining timely approval of your project with state regulators (DEQ) and gaining land use and building permit approvals.

Our team members are known to DEQ reviewers, and we have worked hard and earned their respect over the years. DEQ plan reviewers have come to expect the best from Jacobs, and they know our documents will be clear and easy to follow. We will keep DEQ apprised of the project schedule throughout design so that we appear on their review docket and submit interim deliverables to facilitate their final review and approval.

### Regulatory Input and Permitting

Depending on the path forward, new WRF facilities may be located on land adjacent to the WRF and owned by the City but outside the city limits and zoned by Yamhill County for Exclusive Farm Use (EFU). Our land use and permitting expert, **Paul Hicks**, has extensive experience obtaining land use approvals for EFU-zoned projects. He has reviewed the Yamhill County Zoning Ordinance and determined the project is consistent with the County's definition of "utility facilities necessary for public service" and may be permitted in the EFU zone administratively by the Planning Director (no public hearing required), subject to the provisions of Yamhill County Zoning Ordinance (YCZO) Section 402.02(F) and ORS8815.275

(utility facilities necessary for public service), development standards in the EFU zone (YCZO Section 402.09), and the County site design review process (YCZO Section 1101).

Applicable County development standards are objective and can be met (30' setback, 45' maximum height, adequate parking, etc.) by this project. The site design review process is straightforward and reasonable. However, because the area is high-value farmland, there is always the possibility of opposition from farm land preservation groups or neighbors. Therefore, it is critical to work closely with County staff to prepare a legally-defensible application. **If the recommended project may impact neighbors, we should also meet in advance with immediate neighbors to gain endorsement.**

Paul Hicks will obtain the necessary regulatory approvals, as he has with Land Use Development approvals for new and expanded transmission line utility projects located on EFU zoned land in Tillamook County and Umatilla County for the Tillamook People's Utility District and Pacific Power, respectively. In both counties, transmission lines met the definition of "utility facilities necessary for public service" and were permitted using the process we will use for the proposed WRF project.

## Approach to Addressing Errors and/or Omissions

Jacobs' past project delivery for the City is the best measure of our quality and commitment to our work. Municipal project change order rates often exceed 5% with successful projects often targeting a range from 3 to 5%. On the WRF Expansion, the total change order rate was less than 1.6% and less than 0.3% was due to items that could be considered errors or omissions. On the recent Tertiary Treatment and UV Project, despite some challenging change situations with the contractor, we still finished with under a 2% change order rate, with a minimal amount attributable to errors and omissions. No client can pay enough to have a perfect design, and no project is immune to some degree of errors and omissions, but how they are managed significantly influences the impact on cost, schedule, and quality. Our presence during construction, especially when we have the opportunity for full-time presence, ensures we work constructively with the contractor to avoid changes and mitigate the impact of those that cannot be avoided.

## Effective Contract Administration and Construction Inspection

We recognize that completing the Design Phase is just the start of a successful project. We will engage **Steve Reynolds**, our Construction Manager, during the Design Phase for constructability reviews and continuity with the design team. Once construction begins, our team is committed to seeing their designs through construction and startup. Steve's close coordination with the design team consistently ensures successful project delivery. He has unique experience at the WRF through his involvement with the original WRF construction in the 1990s and the last two major projects. As demonstrated on the last two projects, Josh and Steve will maintain a regular presence on site. Depending on the size and scope of the project, they will develop a staffing plan accordingly.

## Foster Successful Relationships

Experienced owners, project managers, construction managers, and contractors understand that challenging situations are inevitable, and while minimizing these situations should be a goal, the way the team works together to overcome challenges is the true test of a successful team. Problems should be solved at the lowest level possible. On larger projects, we have successfully implemented a Partnering Program, separate from regular weekly meetings. This is a monthly meeting to ensure the management team agrees the project is moving in the right direction and provides an opportunity to make any course corrections.

# 5. Project Schedule

## Planned Approach to Managing the Schedule

Jacobs' Five-Phase Design Process (Exhibit 4) provides well-defined, measurable milestones as the design progresses. This approach assures we have a structure under which to work collaboratively to make decisions in the right order and identify and address potential issues early. As part of the Project Definition Phase, we will work with the City to determine how to best implement the recommended project. The implementation schedule is largely driven by three factors:

- **Construction Sequencing Constraints:** A construction phase that is coordinated with dry weather and low flows will enable relatively straightforward construction and result in the lowest construction cost for the City. **A critical milestone, therefore, is delivery of a complete design such that we can support a bid advertisement date that accommodates these goals.**
- **Equipment Procurement:** Depending on the project scope recommended in the Project Definition Phase, major equipment procurement may be required. While typically equipment procurement is part of the construction contract, owner-purchase or pre-selection of equipment can be leveraged to create a more aggressive project schedule. These tools are often utilized where another sequencing milestone becomes a project driver. **This was the case for the recent WRF Tertiary and Disinfection Project where UV equipment was pre-selected and pre-negotiated to ensure the equipment arrived on site for installation during dry weather.**
- **Design Duration:** Once the project scope, anticipated schedule, and equipment strategy are defined, the Design Phase duration can be tailored accordingly to meet the project demands. **The depth and breadth of our Corvallis Design Center resources is such that we frequently deliver large designs on accelerated schedules to meet project demands.**

Once the above factors are established, Jacobs will work with the City to develop a project approach that results in a successful project, similar to the recent the WRF Expansion Project and WRF Tertiary Treatment and Disinfection Project. Exhibit 10 summarizes the critical project elements that will be incorporated during schedule development for the current project.

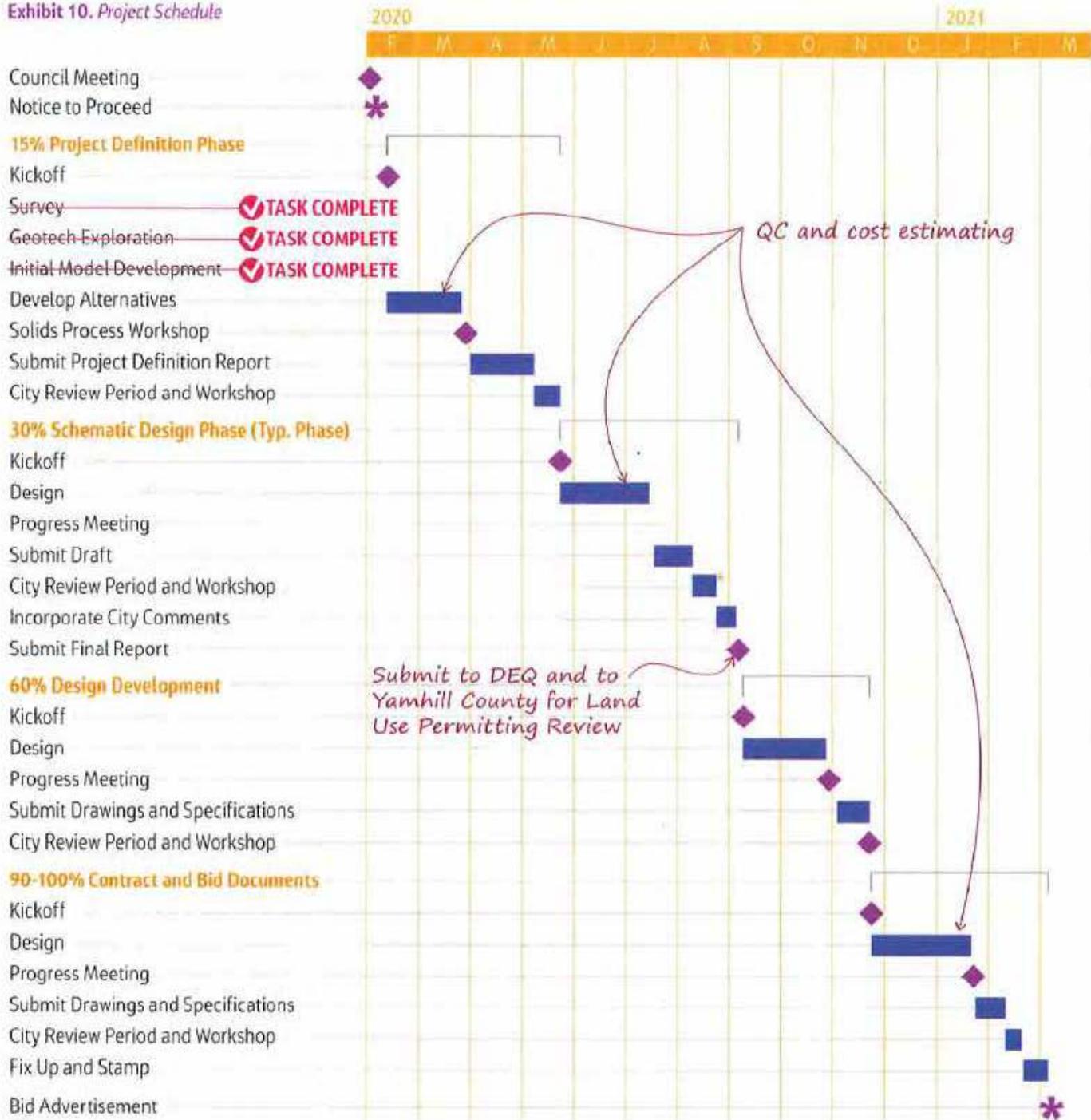
## Timeline to Deliver

The recommendations made in the Project Definition Phase will control the size, scope, and duration of the design and construction project. Depending on the project recommended, the sequencing constraints identified previously may result in project milestones that drive design or construction schedule. Exhibit 10 represents an aggressive design schedule that results in bid advertisement in Spring 2021. The Project Definition Report will include an updated baseline schedule based on the actual project recommended.

## Anticipated Design Workshops, Reviews, and Deliverables

Anticipated design workshops, QC, review periods, and deliverables are shown on the schedule in Exhibit 10.

Exhibit 10. Project Schedule



## Involvement of City Personnel

Communication with City staff is critical throughout the project. We realize that staff have primary job responsibilities outside the project, and we respect their time and limited availability. **Adding Ernie Strahm to our team ensures we incorporate a historical operator's perspective into our design before presenting ideas to the City, which will minimize the time required of City staff.**

The schedule includes City involvement as follows:

- **Kick Off Meetings (1 day per phase).** The Jacobs team will meet with City staff to charter the phase and collaboratively set goals. Because our team and your staff have been working together for years, we begin work immediately.
- **Progress Meetings (1 day per phase).** We will meet with the City at key points during each Design Phase to review progress and gain staff input. We will submit an agenda prior to each meeting for your review and comment to ensure the meetings are productive. Following the meeting, we will submit a meeting summary documenting the discussion. Generally, these meetings will include Josh, Ben, and the discipline leads. Because our design leads are a short drive away, including the relevant leads in meetings is an easy decision. We anticipate that City attendees will include Larry, Leland, Mike, Tim, and other key WRF staff.
- **Review Workshops (1 day per phase).** We will meet with City staff at key milestones to collect comments on major deliverables. We have allowed 2 weeks for City review of milestone deliverables. We will deliver paper and electronic copies of deliverables 2 weeks minimum prior. Cost estimates will be prepared for presentation at each workshop. We will prepare and submit an agenda for your review and a meeting summary with your comments and our responses to ensure each are addressed. Key decisions will be tracked on a decision log.
- **Informal Meetings (as needed, but no more than 2 hours per week).** Our scope of work will include an allowance for informal meetings as needed. The meetings may be focused on an issue or discipline and include specific design team members and City staff, as appropriate. We will prepare and submit an agenda and meeting summaries. We are nearby and available at your convenience.
- **Project Manager Review Meetings (1 hour per month).** Josh will meet with Larry monthly, either in person or by phone, to review the budget and schedule. To facilitate Larry's role in the City budget process, Josh will provide a forecasted expenditure summary through June of each fiscal year.

## 6. Cost Estimating

Cost estimating accuracy is critical to this project's credibility and success. We understand the City has a Capital Improvement Plan budget and those funds are limited.

Jacobs stands behind the estimates we prepare for our clients throughout the lifecycle of a project. Our professional cost estimators bring resources to support the design team with comprehensive and accurate cost estimates.

Jacobs brings direct experience building WWTPs for fixed construction prices through our role as a design-build contractor. We are acutely aware of the impacts of design changes once a planning-level budget has been adopted. **This experience with risks results in cost estimates that are well-reviewed and fully reflect the actual construction cost at the time the estimate is developed, as shown in Exhibit 11.**

Our final cost estimates were within 1.6% and 3.5%, respectively, of the average of all bids on your recent projects.

### Approach to Developing Cost Estimates

To build cost estimates, unit prices are generated using data from similar, regional, and recent projects; actual material and equipment quotations; current local labor and equipment cost data; and, in some cases, published construction cost estimating guides such as Means Construction Cost Data and Richardson Process Plant Construction Estimating Standards. Jacobs' cost estimating follows the standards established by the Association for the Advancement of Cost Engineering International (ACEI). However, even though we use the latest data available to develop estimates, some contractor variables are outside our control, therefore we include an accuracy range developed by ACEI to account for these variables. Our estimates are developed to be well within accuracy ranges.

We bring an effective understanding of risk and will suggest appropriate use of allowances and unit price bid items. We used this strategy successfully on the recent ATAD recoating project, where unit cost for repair work was included in the bid form.

At each Design Phase, **Tom Jones** will work with Josh and the design team to develop a cost estimate for review. The team will confirm that Tom has accurately accounted for major project components, including equipment pricing and quantities; constructability and sequencing issues, such as temporary pumping and bulkheads; pipe sizes and lengths; and major electrical and instrumentation components. Tom and Josh have utilized this review approach on multiple projects, resulting in accurate estimates our clients depend on. Exhibit 11 presents two WRF projects and one Clean Water Services project where Tom and Josh worked closely producing excellent results.

### We use the most effective tools for cost control

**Jacobs uses 3D design as our standard approach on new facilities, because we can produce documents more cost effectively.** These powerful tools reduce design costs and allow for better communication of improvements to operations staff and elected officials. Utilizing the model during construction enhances contractor understanding.

Process alternatives can be quickly evaluated using our whole-plant modeling and cost estimating tools. **Our team has already developed a complete process model for the McMinnville WRF.** This model allows our design team to quickly and accurately assess the impacts to the

whole treatment process from the smallest process modifications, and provides planning-level construction cost estimates, including lifetime operational costs with current and projected energy costs, chemical costs, and other cost inputs.

**As demonstrated on the last two WRF projects, we closely review construction sequencing throughout the Design Phase and incorporate this understanding into our cost estimates such that the City can rely on our accuracy.** Construction sequencing is often overlooked but plays a critical role in anticipating how a contractor will schedule work and any temporary provisions required to accomplish the work. On the last two WRF projects, the construction contractors relied heavily on the construction sequence Jacobs developed, and while not required, adopted most of the same steps we identified during the Design Phase.

## Recent Construction Cost Estimate Accuracy and Engineering Cost Examples

Tom Jones and Josh Koch work jointly to ensure that the cost estimates throughout the design process assure you your project is on track. In the recent WRF Tertiary Treatment and Disinfection Project and WRF Expansion Project, our cost estimates remained consistent from conceptual design through final design. Our final cost estimates were within 1.6% and 3.5%, respectively, of the average of all bids on your recent projects. Your projects were no exception, as shown in Exhibit 11.

Our engineering costs rarely change, including for our three reference projects. Our commitment to delivering a successful project is evidenced by more than our commitment to maintaining design cost and providing accurate estimates. Typical industry standard errors and omissions rates have been reported as 3 to 7%. Our overall change order rates are substantially less and changes due to errors and omissions are a fraction of our competition.

**Exhibit 11. Cost Estimate Bid Comparison and Engineering Cost Examples Table**

Team Member	Engineering Cost		Jacobs Construction Cost Estimate	Average Bid	Estimate Difference from Average Bid	Actual Construction Cost	
	Proposed	Change Orders				Initial Bid	Total Change Orders*
<b>MCMINNVILLE TERTIARY TREATMENT AND DISINFECTION (2019)</b>							
Josh Koch, PM	\$864,794	\$0	\$2,682,357	\$2,641,089	1.6%	\$2,417,775	\$32,250
Tom Jones, Estimator			(based on single contract)	(based on single contract)		(based on awarded bid of each contract)	
Reference Contact Information: City of McMinnville, Larry Sherwood, Engineering Services Manager, 503.434.7312							
<b>MCMINNVILLE WRF EXPANSION (2016)</b>							
Josh Koch, PM	\$1,395,913	\$0	\$12,028,814	\$11,625,449	3.5%	\$10,415,989	\$168,763
Tom Jones, Estimator							
Reference Contact Information: City of McMinnville, Leland Koester, Wastewater Services Manager, 503.434.7313							
<b>CLEAN WATER SERVICES, DURHAM SB2 (2015)</b>							
Josh Koch, PM	\$1,144,323	\$0	\$5,243,846	\$5,294,308	-1.0%	\$4,956,960	\$231,164
Tom Jones, Estimator							

Reference Contact Information: Clean Water Services, Dan Garbely, Principal Engineer, 503.927.9447

\* All values shown include change order costs for all reasons, including errors, omissions, owner-requested changes, and changed site conditions. The portion attributable to errors and omissions in all cases is less than 30% of the cost of change orders.

## Resumes

### Key Personnel

Josh Koch, PE, Project Manager  
Mark Johnson, PE, Principal-in-Charge  
Brett Reistad, PE, Solids Technologist  
Bill Leaf, PE, Process Modeling  
Dave Oerke, PE, BCEE, ATAD Technologist  
Luke Scoggins, PE, SE, Structural Lead  
Bryan Youker, PE, Headworks Technologist

### Technical Resource Staff

Sam Chandler, PE, Civil  
Todd Cotten, PE, Geotechnical  
Scott Cowden, PE, Odor Control  
Nate Ebbs, PE, Mechanical  
Scott Grieco, PhD, PE, PFAS, Emerging Contaminants, and Regulatory Drivers  
Ryan Harbert, PE, LEED AP, Electrical  
Ben Herman, PE, SE, Design Manager  
Paul Hicks, Land Use/Permitting  
Tom Jones, Cost Estimator  
Geoff Kirsten, RA, NCARB, LEED AP, Architecture  
Craig Massie, PE, Quality Control Manager  
Jerry Nordal, PE, I&C  
Craig Rawie, PE, RaTec Solutions, I&C Technical Consultant  
Steve Reynolds, Construction Manager  
Ernie Strahm, Senior Operations Consultant

## Joshua Koch, PE

PROJECT MANAGER

### Distinguishing Qualifications

- Over 13 years of experience delivering water and wastewater treatment projects, from preliminary design through construction and startup.
- Experienced with a variety of project roles including detailed designer, design manager, quality manager, construction manager, and project manager on projects including both conventional and alternative delivery methods.
- Extensive experience in the field, including serving as client representative, resident engineer, and on-site inspector for a range of wastewater treatment facilities.
- Expertise developing construction sequences and solving field issues relating to multiple engineering and construction disciplines.

### Representative Projects

**Project Manager, McMinnville WRF Tertiary Treatment and Disinfection Project, City of McMinnville, OR.** Managed the engineering services for retrofit of the City's existing UV system and tertiary filters from planning through construction on this \$1.9M project that required closely reviewing the WRF Master Plan assumptions, adjusting where necessary, and implementing solutions that provide exceptional value for the City. Project required development of detailed construction sequencing that incorporated complicated constraints based on maintaining existing WRF operations.

**Design Manager, Residuals Renovations and Improvements to Building D/2, Upper Occoquan Service Authority, Centreville, VA.** Managed the design team on complicated replacement of existing digester pipe gallery, addition of centrifuges, and extensive electrical upgrades. CM/CG delivery required coordination with contractor during design on this \$18.3M project.

**Project Manager, Assistant Design Manager, and Process Lead, McMinnville WRF Expansion Project, City of McMinnville, OR.** Led facility design of the new Orbal oxidation ditch, secondary clarifier, return sludge pump station, and hydraulic modifications to multiple existing facilities on \$10.4M water reclamation facility expansion. Negotiated sole-source equipment package with vendor for \$530,000 of aeration equipment. Coordinated Engineer's construction cost estimate within 1% of average of all contractor bids. Managed day-to-day design activities, resulting in on-time, on-budget design project. Managed design team during construction.

**Construction Manager, McMinnville WRF Oxidation Ditch Improvements, City of McMinnville, OR.** Worked with the contractor and the owner to successfully complete improvements project. Small construction project included many of the same obstacles as larger projects, including sequencing constraints, changed site conditions, safety concerns, and construction scope changes. Duties included site safety coordinator, daily inspection, management, pay request review, change order review, startup sequencing, and owner coordination.

**Quality Manager, Tri-City WRRF Solids Handling Improvements Project P632162, Clackamas County Water Environment Services, OR.** Managed the team of senior QC review engineers to ensure continuous QC and coordination with engineering leads, documentation of review comments and responses, and facilitation of high-level coordination between disciplines.

**Resident Engineer, Scott Water Treatment Plant Upgrade and Expansion, McMinnville Water & Light, McMinnville, OR.** Worked as resident observer with construction management, resident engineering, inspection, and Site Safety Coordinator tasks on a challenging, remote \$30M CM/GC drinking water treatment plant upgrade and expansion. Construction management duties included tracking contractor's schedule, reviewing pay requests and contingency adjustments, presenting construction progress to client, managing special inspection subcontractor, and organizing Jacobs' on-site staffing. Project was delivered on schedule and on budget. Minimal contingency usage exceeded expectations and was well below industry average. Resident engineering duties

### EDUCATION

MS, Civil and Environmental Engineering, University of Wisconsin-Madison  
 BS, Civil and Environmental Engineering, University of Wisconsin-Madison

### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon, Washington, Hawaii

included reviewing and approving Requests for Information (RFI) and submittal responses, coordinating contractor, design engineers, and startup activities. Inspection duties included soil and rock compaction, concrete, masonry, grout, rebar and anchor, process pipe and hydraulic structure leak testing, and equipment performance testing. Site safety coordinator duties included responsibility for all Jacobs staff and subcontractor safety with no reportable incidents.

**Project Manager and Design Manager, Phase 5B2 Primary Treatment and Hydraulics Improvements Project, Clean Water Services, OR.** Managed design of new Headworks Effluent Structure, primary influent piping, biofilter, chemical metering pumps, and various site improvements on \$4.9M project. Developed construction sequence to meet complicated existing conditions and constraints. Coordinated Engineer's construction cost estimate within 2.5% of average of all contractor bids. Design schedule was constrained, but completed on time and under budget. Managed design team during construction under budget.

**Project Manager and Design Manager, Upgrade and Expansion Projects, Hollingsworth & Vose, Corvallis, OR.** Managed multiple projects from design through construction for an industrial facility with continuous operations. Worked closely with the Owner and designers to ensure continuous operation of existing facilities. Projects included significant electrical, instrumentation, and controls upgrades and seismic retrofit of existing facilities.

**Tertiary Treatment Design Lead, Denver Metro Northern Treatment Plant, Denver Metro Wastewater Reclamation District, Denver, CO.** Managed team of engineers to complete 50% and 70% designs of ten facilities comprising the tertiary treatment portion of a \$250M wastewater treatment plant. Facilities included multiple pump stations, flocculation, inclined plate sedimentation, gravity filters, UV disinfection, and cascade aerator outfall. Performed detailed design for vertical turbine pump station with surge system, super-oxygenated water system, and liquid oxygen system.

**Process Mechanical Lead, Secondary Process Improvements Project, City of Pullman, WA.** Designed secondary clarifier mechanism replacement, addition of aeration basins, and retrofit of process piping systems. Coordinated complicated construction sequence activities to meet strict process and discharge limitations. Construction activities included frequent contractor coordination to plan challenging process connections.

**Mechanical Quality Control Inspector, City of North Las Vegas Water Reclamation Facility, City of North Las Vegas, NV.** Provided full-time, independent inspection of mechanical subcontractor on \$300M membrane bioreactor water reclamation facility with CMAR construction delivery. Performed pipe pressure testing, critical path identification, and schedule coordination. Worked with engineer and contractor to solve mechanical installation issues involving piping, pumps, valves, and pipe support systems.

**Pre-Procurement Package Engineer – Tertiary Membranes, Enterprise Water Resource Center (WRC), Clark County Water Reclamation District, Clark County, NV.** Treatment process engineer responsible for writing process-related specifications for Enterprise WRC's tertiary membrane facility. Researched technologies and developed specification sections required for pre-procurement of tertiary wastewater MF/UF system to treat 32 mgd of municipal wastewater secondary effluent.

## Mark Johnson, PE

PRINCIPAL-IN-CHARGE

### Distinguishing Qualifications

- Collection system and water resources engineer with 34 years of specialized experience in the analysis and management of municipal sanitary and stormwater collection systems.
- Brings extensive experience managing planning work for the City of McMinnville's collection system, including McMinnville collection system modeling for over 10 years.
- Sanitary sewer master planning experience includes hydraulic and hydrologic modeling, condition assessment, cost-effectiveness analysis, and the production of implementable improvement plans.
- Specializes in alternatives analysis for wet weather flow management in conveyance utility systems, including evaluation of wet weather flow control technologies.
- Experienced in the design, installation, and management of sanitary, combined, and flood and drainage control structures to meet specific capacity and water quality objectives.

### Representative Projects

**Project Manager, Multiple Collection System Analysis Projects, City of McMinnville, OR.** Most recently managed a project that assessed reduction in infiltration and inflow (I&I) rates (based on recent flow monitoring) resulting from recent sewer rehabilitation projects. Other recent work has included tasks to assess impacts to collection system capacity due to various proposed developments. The model used for these analyses was developed as part of previous projects, including the Sanitary Sewer Conveyance Master Plan Update that identified conveyance improvements and I/I reduction requirements to manage sanitary sewer overflows. This work was an update to the previous Wet Weather Overflow Management Plan. These projects developed cost-effective solutions for flow management and service to growth areas, including a combination of I/I control, conveyance, and treatment. The Master Plan Update included a sensitivity analysis of design storm duration, frequency, and historical system performance to contribute to the facilities plan recently approved by Oregon Department of Environmental Quality (DEQ), and the completion of a CMOM checklist.

**Project Manager, Sanitary Sewer Master Plan, Hoodland Area and Tri-City and Service District No. 1, Clackamas County Water Environment Services, OR.** These are two master planning projects for Clackamas County WES. The Hoodland Area plan includes capacity and condition assessments of the collection system, treatment plant, and outfall to the Sandy River. This project is near completion and applied many of the same approaches used in the most current Master Plan for Tri-City and Service District No. 1 that evaluates needs for both Service Districts and the two existing treatment facilities given the hydraulic intertie that allows for the management of wet weather flows between the two systems. The most recent project is an update to two previous Master Plans performed by Jacobs (as CH2M). The current project combines condition assessment of the collection system (including pump stations) with a capacity assessment of the collection system using a risk-based asset management approach. The team is developing I&I estimates through monitoring that occurred during the 2015/16 wet season. That data will allow for the assessment of potential peak flow reduction through pipeline rehabilitation and maximizing the use of available conveyance capacity and storage in the existing system. The collection system improvement options will be assessed relative to treatment capacity needs at the two treatment plants.

**Project Manager, Sanitary Sewer Model Calibration and GIS Integration, Clean Water Services, Hillsboro, OR.** The project resulted in the calibration of converted InfoSWMM hydraulic models for the Rock Creek and Durham basins for the sanitary sewer system. The team reviewed the model data that represents the existing system and identified continuity or other discrepancies that would impact model function and output, developed new flow-based design storms, and assessed deficiencies for multiple land use and design storm combinations. The results of this project were recently applied to a new master planning project that As project manager, managing for CWS for the high-growth areas in the Durham basin served by the Upper Tualatin Interceptor.

### EDUCATION

MS, Civil Engineering (Infrastructure Planning and Management/Water Studies), Stanford University  
BS, Civil Engineering, University of Santa Clara

### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon (#17666)

## Brett Reistad, PE

SOLIDS TECHNOLOGIST

### Distinguishing Qualifications

- Lead process mechanical engineer with 19 years of experience in the design of mechanical systems and wastewater residual process systems, with an emphasis in wastewater residuals handling and treatment systems.
- Extensive project experience in municipal biosolids thickening/dewatering and drying, anaerobic digestion, and drying.
- Design experience includes centrifuge dewatering systems, sludge drying systems, dewatered and dried sludge conveyance, storage, and loadout systems, sludge mixing systems, polymer storage, makedown, and feed systems.

#### EDUCATION

B.S., Mechanical Engineering,  
Oregon State University

#### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon  
(#54903PE)

### Representative Projects

**Centrifuge Lead, Durham AWWTF Dewatering Centrifuge Replacement Project, Clean Water Services, Tigard, OR.** Responsible for performing centrifuge pilot testing and developing technical specifications for centrifuge procurement. Responsible for final design to incorporate Owner-procured centrifuges into existing solids facility to replace existing units and add a liquid polymer makedown unit. Assisted with incorporation of Owner-procured feed sludge, centrate, and dewatered cake instrumentation.

**Process Lead, Dewatering and Drying Facility, Wilsonville WTP Design-Build-Operate (DBO) Project, Wilsonville, OR.** Responsible for developing final design for solids dewatering and drying facility to process undigested solids from treatment plant with average capacity of 4 mgd, expandable to 7 mgd. Process equipment consisted of two skid-mounted dewatering centrifuge package systems, including polymer makedown systems and discharge cake conveyors, and an indirect solids drying package system. Facility equipment included a backup electrical generator and cooling tower system for the drying system condensate discharge flow.

**Process Lead, Biogas Treatment and Cogeneration Systems, Water Environment Services Clackamas County, Solids Handling Improvements Project, Oregon City, OR.** Responsible for developing final design to retrofit existing Digester Control Building with replacement cogeneration engine system and add new facilities, including dual-membrane low-pressure biogas holder system, 250-scfm capacity gas treatment system, and hot water heating equipment. The gas cleaning system consisted of hydrogen sulfide removal by granular media, gas boosting and moisture removal, and siloxane removal with activated carbon. The cogeneration package included a single 600kW engine-generator, switchgear, heat recovery equipment, external radiator, and exhaust silencer.

**Process Lead/Design Manager, Southeast Plant Biosolids Digestion Facilities Project (BDFP), San Francisco Public Utilities Commission (SFPUC), San Francisco, CA.** Responsible for developing final design for a biosolids dewatering and loadout facility. Building design includes four dewatering belt filter presses, biosolids conveyance storage and loadout system with four silos/two enclosed truck loading bays with in-ground truck scales, filter press feed pumps, dry polymer makedown and feed systems, filtrate and spent washwater return pumping systems, and belt cleaning system. As design manager, was responsible for overall layout and design of the facility, process-mechanical lead, and coordinating all design disciplines.

**Process Lead/Design Manager, Regional Water Quality Control Plant (RWQCP) Sludge Dewatering and Loadout Facility, City of Palo Alto, Palo Alto, CA.** Responsible for developing final design for a sludge dewatering and loadout facility and associated retrofit of adjacent sludge pumping facilities. Building design includes four dewatering belt filter presses, cake conveyance storage and loadout system with enclosed truck drive-through, dry polymer makedown and feed systems, scum concentrator system, odor control system, and hot water flushing system. Project expanded the plant electrical supply loop, including backup engine generator system. As design manager, was responsible for coordinating process and discipline leads, client deliverables, and construction and air permit applications.

**Process Lead, Dewatering Centrifuge Facility, Pima County Regional Wastewater Reclamation Department, Tucson, AZ.** Responsible for developing final design for solids handling improvements to existing centrifuge facility. Retrofit included replacement of three 30-inch dewatering centrifuges, sludge feed pumps, polymer makedown and feed systems, and dewatered solids pump systems. Included a dewatered solids storage and

loadout system addition with enclosed truck drive-through. This plant upgrade expands the treatment capacity from 25 to 50 mgd, with solids handling capacity equivalent to 80 mgd.

**Design Manager, Interim Biosolids Facilities, Pima County Regional Wastewater Reclamation Department, Tucson, AZ.** This final design for a new digester complex provides solids handling capacity equivalent to 80 mgd. The \$18M project included design and construction phase services. New facilities include two anaerobic digesters and digester control building as well as a temporarily installed gravity belt thickener for biosolids. The design included provisions to allow construction of the facilities coordinated with construction of adjacent overall upgrade project facilities and two future digesters. As design manager, was responsible for coordinating process and discipline leads, client deliverables, and construction permit applications.

**Facility Lead, Gas Cleaning and Cogeneration Facilities, Durham AWWTF Brown Grease Receiving and Cogeneration Project, Tigard, OR.** Responsible for developing final design for a cogeneration facility including a digester gas cleaning system with capacity of 600 scfm and a cogeneration engine facility with two 850kW engine generators. The gas cleaning system consisted of hydrogen sulfide removal by media, gas boosting and moisture removal, and siloxane removal with activated carbon. The cogeneration package included the two engine-generators, switchgear, heat recovery equipment, external radiators, and exhaust silencers. The facility design focused on noise mitigation to meet site noise requirements.

**Design Manager and Lead, Rotary Dryer System, Upper Occoquan Service Authority, Centreville, VA.** Managed the final design of a rotary dryer system addition into an existing facility, which included building retrofits and installation of the pre-selected rotary dryer system equipment. Responsible for coordinating process and discipline leads, client deliverables, and construction and air permit applications. Also responsible for development of Request for Proposals and pre-selection documents. Coordinated design review meetings with the selected dryer system vendor and finalized procurement contract scope.

**Design Manager and Process Lead, Raw Sewage Pump Station Improvements, Upper Occoquan Service Authority, Centreville, VA.** Managed the final design for raw sewage pump station improvements to increase firm pumping capacity to 108 mgd. The \$45M project included both design and construction phase services. New facilities included submersible pump station, engine generator building, odor control facility, and maintenance building. Existing drywell pump station improvements included replacement pumps and additional surge control chamber. As process lead, was responsible for major equipment selection and specification, including drywell and submersible raw sewage pumps, channel grinders, surge chamber, and hoisting systems. Coordinated discipline leads, client deliverables, and construction permit applications.

**Centrifuge Lead, Solids Dewatering Facility, Clark County Water Reclamation District, Las Vegas, NV.** Project to develop final design for solids handling improvements to dewater 180 dry tons of solids per day. Facilities include sludge transfer pump station, conveyance pipelines, centrifuge feed tanks, dewatering building, and foul air biofilters. As centrifuge lead, was responsible for developing specifications, including the legal procurement portions, for the procurement of centrifuges. Centrifuge procurement package included eight 30-inch dewatering centrifuges, centrifuge automation and optimization system, and a centrifuge servicing and maintenance agreement. Centrifuge procurement was completed prior to facility development, and centrifuge supplier shop drawing information was used to finalize facility contract documents. As centrifuge lead, was also responsible for the sizing, selection, and specification of progressing cavity centrifuge feed pumps. Other responsibilities included the sizing, selection, and specification of primary sludge screens, screening hoppers and gates, and facility bridge cranes, monorails, and hoists.

**Facility Lead, Dewatering Building, Tahoe Truckee Sanitation Agency, Truckee, CA.** The project scope was to develop final design for plant expansion from 7.5 mgd to 10 mgd, including the addition of sludge dewatering and biological nitrogen removal facilities. Biological nitrogen removal is required to meet plant effluent quality requirements, and the dewatering facility will reduce residual disposal costs. As dewatering building facility lead, responsibilities included investigation and cost evaluation of dewatering alternatives, centrifuge pilot testing, coordination of multiple discipline facility design, development of process and instrumentation diagrams and process control narratives, and design and specification of all facility process equipment. Process equipment includes a sludge receiving tank and mixer, sludge feed pumps, dewatering centrifuges, polymer storage, makedown, and feed system, dewatered sludge conveyors, storage hoppers, and rotary dischargers, centrate receiving tank and transfer pumps, and hoisting equipment.

## Bill Leaf, PE

### PROCESS MODELING

### Distinguishing Qualifications

- Senior technologist specializing in wastewater reclamation with over 26 years of experience in planning, process evaluations and design, and mechanical system layouts for wastewater treatment facilities.
- Expertise in modeling wastewater treatment plant processes and performance, including the use of Dynamita SUMO and Envirosim Biowin process simulators.
- Involved in the construction oversight and startup of wastewater treatment facilities with various unit processes, as well as permit negotiation assistance, pretreatment, water quality, and user charge studies for wastewater systems.

### EDUCATION

M.Eng., Civil Engineering  
(Wastewater Treatment),  
University of Idaho

B.S., Civil Engineering, University of  
Idaho

### PROFESSIONAL REGISTRATIONS

Professional Engineer: Idaho  
(#9414), Washington (#45464)

### Representative Projects

**Senior Technologist, McMinnville WRF Secondary Expansion, McMinnville, OR.** Assisted with initial review of treatment technologies for possible use for expansion of the City's WRF. Once the decision was made to expand the facility with a bioreactor (oxidation ditch) to match the existing system, provided a level of senior review throughout the project, including QA/QC on the design documents prepared as part of the project.

**Senior Technologist, McMinnville WRF Tertiary and UV System Upgrades, McMinnville, OR.** Provided guidance on evaluation of the tertiary treatment system and associated improvements required to maintain the high level of total phosphorus removal at the facility. This included development of a whole-plant process simulation for the facility, helping identify the interactions between unit processes specific to total phosphorus management.

**Senior Technologist, Columbia Blvd WWTP, OR.** Leading the secondary treatment evaluation for the Columbia Blvd WWTP design, which includes evaluation of new secondary clarifier features and potential aeration basins optimization features. This task also included the development of a whole-plant process simulation to address the impacts of the new solids handling facilities on the overall treatment process. The overall capacity of the secondary treatment process was determined given the new unit processes proposed for the facility.

**Senior Technologist, Bend WRF Secondary Expansion, Bend, OR.** The expansion project included a value planning step followed by a process evaluation phase, where a number of treatment technologies were evaluated for expansion of the existing secondary treatment process. The integrated fixed-film activated sludge (IFAS) process was selected with the City staff for incorporation into the facility. This allows the City to reliably meet their total nitrogen limit of 10 mg/L throughout the year. In addition, the process is designed to provide flexibility for ease of future capacity expansion. Developed the concept for incorporation of the IFAS system into the existing bioreactors, then provided senior review of the detailed design phase and assisted with optimization of the IFAS system that was commissioned in part in fall of 2016.

**Senior Technologist, Water Restoration Plant Improvements Project, City of Grants Pass, OR.** Provided the overall process concepts and approach for the improvement project, which was completed under a progressive design-build delivery model. The improvements involve expansion of the primary treatment system, secondary treatment process, and upgrade to ancillary systems.

**Project Manager, Twin Falls WWTP Dewatering Facility Improvements, City of Twin Falls, ID.** Led expansion of the City dewatering facility, which addressed impacts to the liquids stream unit processes. The new dewatering system includes three, 2-meter BFPs. This system replaces the existing dewatering system that has been in operation since 1982. The existing system was in significant need of replacement, with both the equipment and building being essentially beyond their useful life. The new building is designed to accommodate the three BFPs, operator laboratory, and office. The new system can provide solids processing for an equivalent influent wastewater flow of 16 mgd (on an average day maximum month [ADMM]) basis, with the current operational

schedule and three BFPs in service. Features for facility expansion have been incorporated into the design. Managed this project from conceptual planning through services during construction.

**Senior Technology Consultant, West Boise WWTF Total Phosphorus (TP) Removal Project, City of Boise, ID.** Involved in the planning, design, and services during construction for the expansion of the treatment facility to meet TP limits. The expansion included conversion of aeration basins to accommodate enhanced biological phosphorus removal (EBPR), primary sludge fermentation, and nutrient recovery (through intentional struvite precipitation). The planning phase for this project involved evaluation of biological nutrient removal alternatives, chemical treatment alternatives, and side-stream treatment technologies. As part of the project, a model of an intentional struvite precipitation system was developed and incorporated into the whole-plant process simulator. Involved in an extensive optimization effort at the facility since commissioning in 2015, focusing on the key features required for reliable EBPR working together with the nutrient recovery facility.

**Senior Technology Consultant/Lead Process Engineer, Spokane County Regional Water Reclamation Facility, Spokane County, WA.** Involved as the senior engineer tasked to optimize the treatment facility and develop cost-effective capacity improvements. This involves a detailed calibration and validation of Jacobs' (as CH2M) Pro2D2™ whole-plant process simulator, followed by the development of a calibrated EnviroSim Biowin™ process simulation. A number of treatment alternatives are evaluated, trying to provide a cost-effective capacity expansion without a significant impact to the overall site layout at the facility. Also served as lead process design engineer for the secondary treatment process during the development of the design-build-operate proposal. This involved completing the conceptual evaluation and design of a secondary treatment process that provides high levels of nitrogen and phosphorus removal to meet a total phosphorus limit of 0.05-mg TP/L. Involved in the startup and commissioning of this facility, helping optimize the plant to meet the effluent total phosphorus limit. This involved development of a dynamic process simulation to help evaluate the treatment facility.

**Process Engineer, Corvallis Wastewater Reclamation Plant (WWRP) Regulatory Assistance, City of Corvallis, OR.** Completed a process analysis of the WWRP to determine the capacity of the secondary treatment system. This involved the process simulation of a rock-media trickling filter system followed by solids contact basins. The results provide the City with a better understanding of the "treatment to maximum extent practicable" listed in their NPDES permit.

**Lead Process Engineer, Lighthouse Point Water Reclamation Facility Plan, City of Blaine, WA.** Lead process engineer for the planning and analysis for a new treatment facility to serve the City. This involved the evaluation and process simulation of multiple treatment alternatives for the Lighthouse Point facility. Conceptual-level process schematics and layouts were developed for the recommended alternative, a biological membrane treatment system.

**Lead Process Engineer/Design Manager, Idaho Falls Water Pollution Control Plant (WPCP) Headworks Expansion Projects, City of Idaho Falls, ID.** This headworks facility design included fine screening, screenings washing/compacting, and screenings loadout for a 36-mgd facility. Lead process engineer for design of the Sludge Thickening and Grit Removal Improvements project for the Idaho Falls WPCP, including design for a new thickening facility and grit removal equipment within the treatment facility. Developed a process simulation of the WPCP to determine the capacity of the existing facility. This facility includes primary treatment followed by an activated biotower and complete-mix activated sludge basins. The process simulation was used to identify process limitations, and determine the impact resulting from proposed NPDES permit modifications.

**Process Engineer, MK Nelson Wastewater Treatment Complex – TF/SC Process Sizing, Johnson County Wastewater, KS.** Completed an evaluation of incorporating the trickling filter/solids contact process into the Nelson Complex's two treatment plants to improve effluent quality. The objectives of the evaluation were to estimate the performance of addition of the solids contact unit process to the existing trickling filter treatment system and to determine the size and components required for the proposed basins. A process simulation was developed to determine preliminary unit process sizing and estimated treatment plant effluent concentrations.

## Dave Oerke, PE, BCEE

ATAD TECHNOLOGIST

### Distinguishing Qualifications

- Wastewater engineer with 36 years of experience managing and coordinating numerous large, successful wastewater treatment plant (WWTP) master plan and evaluation/design projects.
- Nationally recognized wastewater solids processing facility design expert and first-generation and second-generation autothermal thermophilic aerobic digestion (ATAD) process specialist with experience on over 15 ATAD evaluation, design, construction, and value engineering (VE) projects for over 25 years.
- Solids thickening and dewatering project experience with more than 120 units installed on his design projects.
- Has been involved in the evaluation and design of more than 50 headworks, primary clarifier facilities, oxidation ditch, nutrient removal, aerobic, ATAD and anaerobic digestion, screw press, centrifuge, and truck loading facilities.

### Representative Projects

**Senior Technical Consultant, Tri-City WRRF, Solids Handling Improvements, Clackamas County, OR.** Led the evaluation of thickening and dewatering equipment and the design of centrifuge feed pumps from the digested solids storage tank to the centrifuges, emulsion polymer feed facilities, dewatering centrifuges, cake storage hoppers, and biosolids truck loading facilities for the \$38M project. Performed QC review of technical memos, cost estimates, and design drawings/ specifications. Construction to be completed in 2020.

**Senior Technical Consultant, Residuals Replacement and Upgrades to Building D2, Upper Occoquan Service Authority (UOSA), VA.** Performed quality control review of preliminary and final design documents of WAS storage tanks, WAS centrifuge thickening, TWAS storage tanks and anaerobic digester pumping and boiler facilities.

**Project Manager, Chemically Enhanced Primary Clarifier Facilities (CEPC) Design/Construction, Avon WWTP and Edwards WWTP Design, Eagle River Water and Sanitation District, CO.** Prepared site application and design documents for CEPC facilities project for the 4.3-mgd Avon WWTP to increase BOD demand capacity of the Avon WWTP by 25%. As value engineer, performed a detailed evaluation of latest ATAD expansion of Edwards WWTP. Project manager for preliminary design of ATAD, thickening, and odor control facilities for 3-mgd Edwards WWTP. Project manager for design, construction, and startup of \$16M expansion of the Edwards WWTP that included headworks, primary clarifiers, rotary drum thickening and ATAD, centrifuge, and odor control facilities.

**Project Manager, Solids Handling Improvements and Soil Stabilization Study, Preliminary and Final Design, South Fort Collins Sanitation District Water Reclamation Facility (WRF), CO.** Managed the detailed evaluation of existing oxidation ditch and new bioreactor nutrient removal facilities for expansion of the WRF to 6-mgd capacity. Evaluated digestion alternatives and recommended ATAD with the reuse of existing aerobic digestion tanks. Coordinated tours of Edwards, Fruita, and St. Vrain WWTPs with ATAD facilities. Managing preliminary and final design and construction (50% complete) phases.

**Senior Technical Consultant, Grand Chute-Menasha West WWTP, Grand Chute, WI.** Senior technologist for the preliminary/final design of the \$35M WWTP expansion and improvements project that included second generation ATAD tanks, centrate equalization tank, retrofitted solids handling building including WAS storage tank, two gravity belt thickeners, storage tank, two belt filter presses, and biofilter odor control system for the 7-mgd WWTP.

### EDUCATION

MS, Environmental Engineering,  
Marquette University  
BS, Civil/Environmental  
Engineering, University of  
Cincinnati

### PROFESSIONAL REGISTRATIONS

Professional Engineer: CO

**Biosolids Specialist, Fruita WWTP, Fruita, CO.** Biosolids specialist for conceptual and preliminary design of \$8M solids processing facility expansion that includes oxidation ditches, "second generation" ATAD Thermair and Mesoair tanks, pump station, two rotary drum thickeners, one centrifuge, and odor control system for the 2-mgd WWTP.

**Senior Technical Consultant and Solids Lead, Parker Water and Sanitation District North Water Reclamation Facility Master Plan and Design Project, Parker, CO.** Solids lead for wastewater facility master plan for an expansion and consolidation of two facilities with a total permitted capacity of 4 mgd. Project elements include plant-wide improvements to headworks, biological nutrient removal basins, rotary drum thickening, and ATAD solids stabilization. Senior technical consultant for QC review of preliminary and final design of thickening, ATAD stabilization, BFP dewatering, cake conveyance, and truck loading facilities.

**Senior Technology Consultant, Wastewater Master Plan, MillerCoors WWTPs, Golden, CO.** Provided detailed evaluation of nitrogen and phosphorus nutrient removal facilities and regulatory issues to meet the Colorado Department of Public Health and Environment (CDPHE). Regulation 85 for the 8.5-mgd Process WWTP and 6.5-mgd General WWTPs. The study involved an evaluation of plant flows and loads, meeting future nutrient limits, and the need for future improvements. The solids handling systems evaluation including thickening, digestion and dewatering, and cogeneration.

**Senior Technical Consultant, Wastewater Treatment Master Plan and Aerobic Digester Design, City of Steamboat Springs, CO.** The project included an assessment of the City's WWTP to compile a facility capital improvements plan including assessments of mechanical equipment, HVAC systems, electrical and SCADA systems. Wastewater process modeling was conducted to determine future treatment modifications to meet pending nutrient regulations from CDPHE. Reviewed existing and future sludge production and aerobic digester alternatives. Providing quality control on aerobic digestion final design project.

**Senior Technology Specialist, QA/QC Design Review and Startup Assistance, Northern Treatment Plant, Metro Wastewater Reclamation District (MWRD), Brighton, CO.** Responsible for detailed value engineering and QA/QC of the 30, 60, and 90% design reviews of gravity thickeners, rotary drum thickeners, anaerobic digestion, centrifuge dewatering, cake storage, and truck loading facilities for this \$275M design-build project.

**Project Manager, Plum Creek WWTP Improvements and Expansion, Castle Rock, CO.** Managed the comprehensive utility plan, design, construction, and startup of the award-winning PCWRA's nitrifying activated sludge plant to 6.44 mgd capacity. New facilities included enclosed screw pumping, headworks equipment, three oxidation ditches, three secondary clarifiers, return activated sludge/waste activated sludge (RAS/WAS) pump station, aerobic digesters, two dewatering centrifuges, and shaftless screw cake conveyance and truck loading system. Also managed the conceptual study and preliminary design of grit removal and dewatering facilities for the PCWRA plant.

**Project Manager, WWTP Evaluation Study and Design, Marcy Gulch WWTP, Centennial Water and Sanitation District, Highlands Ranch, CO.** Managed the detailed evaluation of existing and new nitrogen and phosphorus nutrient removal facilities to meet new CDPHE Regulation 85 limits. The study also included an evaluation of the existing and recommended new headworks and digester mixing facilities and WTP residuals thickening and pumping facilities. Project manager for design of headworks, chemically enhanced primary clarifier, and digestion facilities for 8.5-mgd WWTP.

**Project Manager, ATAD Engineering Analysis and Biosolids Management Study, Vail, CO.** Directed a study to evaluate design, operational, odor control, and cost criteria to implement the ATAD process for the Vail, Avon, and Edwards WWTPs. Performed study to evaluate ATAD compared to aerated static pile composting.

**Senior Technology Specialist, Several Evaluations of ATAD Compared to Other Processes.** Directed studies and evaluations of the ATAD process for Albany, OR; Boulder, Breckenridge and Parker, CO, Camp Pendleton, CA, Farmington, NM; Greene County, OH, and others.

## Luke Scoggins, SE, PE

### STRUCTURAL

#### Distinguishing Qualifications

- More than 12 years of experience in the structural design of new and retrofit liquid holding (hydraulic) concrete structures, below-grade facilities, and building structures of various materials for water and wastewater treatment facilities.
- Proficient in structural design of structures in areas of high seismicity.
- Conducts on-site structural inspections and structural observations during construction.
- Member, American Institute of Steel Construction, The Masonry Society, and American Concrete Institute.

#### Representative Projects

**Lead Structural Design Engineer, McMinnville Water Reclamation Facility (WRF) Expansion Project, City of McMinnville, OR.** Designed treatment plan expansion including two new reinforced-concrete below-grade water-holding structures, a special reinforced masonry pump station with a concrete below-grade pump room. Evaluated two existing concrete tank structures and developed design for demolition and tie-in of new process piping and concrete diversion box.

**Lead Structural Design Engineer, Will Crandall Reservoir and Pump Station, City of Hillsboro, OR.** Designed a masonry pump station and 10-MG circular, prestressed concrete reservoir with an anchored, flexible base for a site with liquefiable soils. The project complied with provisions of AWWA D110, including seismic considerations per ASCE 7. Led team in structural design of a masonry pump station structure.

**Lead Structural Engineer, SJSC RWF Headworks Improvements Design-Build Project, San Jose, CA.** Leading structural design of new facilities and modifications to existing facilities for addition of a new headworks facility. Project is a design-build framework.

**Lead Structural Engineer, Water Station 1, Phase 2, City of Vancouver, WA.** Designed two 4-MG circular, prestressed concrete reservoirs to AWWA D110, Type 1 standards. Designed foundation and performance specified 1-MG, 45-foot-diameter, 97-foot-tall welded steel standpipe per AWWA D100.

**Lead Structural Engineer, Water Resource Recovery Facility Project, City of San Luis Obispo, CA.** Designed and managed design team for a treatment plan expansion including over 12 new and modifications to over 14 existing structures. New structures included facilities for fine screening, bioreactors, membranes, UV disinfection, sidestream treatment, and digestion.

**Lead Structural Engineer, Wastewater Treatment Plant Upgrade and Expansion 5A and 5B, Clark Regional Wastewater District, Vancouver, WA.** Leading the structural design through several phases for addition of odor control systems, site facility improvements, and additions for expansion of plant.

**Structural Design Engineer, Scott Water Treatment Plant Upgrade and Expansion, McMinnville Water & Light, McMinnville, OR.** Assisted in the design of a new, special reinforced-concrete shear wall filter complex and the expansion of the flocculation and sedimentation basin. Designed a concrete truck containment area for retention of accidental chemical release.

**Structural Design Engineer, Wastewater Treatment Plant 2 Expansion and Upgrade, City of Coos Bay, OR.** Designed new facilities for headworks, UV treatment, and maintenance. Performed services during construction including on-site structural observation.

**Structural Lead, Durham AWWTF Cogeneration and Brown Grease Facilities Phase 5D2, Clean Water Services, Tualatin, OR.** Leading structural design of project. Involves design of a new special reinforced-masonry

#### EDUCATION

M.S., Civil Engineering (Major: Structural, Minor: Mechanical), Oregon State University  
B.S., Civil Engineering, Oregon State University

#### PROFESSIONAL REGISTRATIONS

Structural Engineer: Oregon (#76316PE), Washington (#48008), California (#S6390)

Professional Engineer: Oregon (#76316PE), Washington (#48008), California (#C75341), Arizona (#52413)

cogeneration facility, a brown grease receiving facility of composite construction with a masonry building integrated with two conventionally-reinforced concrete mixer tanks, and modifications to an existing hexagonal, concrete walled digester structure for change in processes.

**Lead Structural Design Engineer, Durham Cogeneration and Brown Grease Facilities Phase 5D2, Tualatin, OR.** Led structural design for a new special reinforced-masonry cogeneration facility, a brown grease receiving facility of composite construction with a masonry building integrated with two conventionally reinforced-concrete mixer tanks, and modifications to an existing hexagonal, concrete-walled digester structure for change in processes.

**Lead Structural Design Engineer, Organic Solids Dewatering UOSA C54 Deferred Facilities, Upper Occoquan Service Authority, Centreville, VA.** Analyzed existing concrete moment frame structure and designed modifications to support installation of additional solids dryer system.

**Structural Design Engineer, Pima County WRF Design-Build-Operate Project, Pima County, AZ.** Led facility structural design effort for the design of a masonry chemical storage facility, a below-grade concrete tank filter complex, and a below- grade concrete retaining wall structure odor control facility with pre-engineered aluminum covers.

**Structural Design Engineer, Ina Road WRF Capacity and Effluent Quality Upgrade, Pima County, AZ.** Designed several below-grade, circular, ordinary-reinforced concrete secondary clarifiers. Performed a dynamic analysis of an existing elevated concrete slab-on-beam system subjected to harmonic equipment loading. Designed a masonry truck load-out structure enclosing sludge silos. Designed a building slab foundation with cantilever concrete columns supporting a composite deck over steel beam walkway surrounding three gravity belt thickener machines. Designed and coordinated the foundation for a prefabricated metal building canopy to enclose the gravity belt thickener structure. Provided structural analysis of existing structures to facilitate occupancy and process-related changes.

**Structural Design Engineer, Oxnard Advanced Water Purification Facility, City of Oxnard, CA.** Designed an open chemical facility with a steel, special-moment frame canopy. Designed multiple below-grade, reinforced-concrete circular 'split-flow' basins. Analyzed an existing concrete basin and designed a 42-inch-diameter pipe tie-in with a reinforced-concrete drop box. Designed multiple elevated steel access platforms within masonry structures.

**Structural Analyst, Egg-Shaped Digester Complex, Spokane County Division of Utilities, Spokane, WA.** Analyzed an existing elevated concrete roof slab subjected to future crane bearing to determine critical load magnitudes and locations. Developed a detailed technical memorandum and load rating for the roof slab.

**Structural Analyst and Design Engineer, Intake No. 3 Connector Tunnel, Southern Nevada Water Authority, Las Vegas, NV.** Performed solid element finite element analysis and designed a reinforced-concrete tunnel and surge shaft intersection located more than 400 feet below grade. Tunnel and shaft used for transmission of water underground from Lake Mead to the city of Las Vegas. Analysis and design effort were focused on a redesign of the tunnel and surge shaft intersection to address constructability concerns.

**Lead Structural Design Engineer, Powell Butte Reservoir No. 2 Phase 2 Project, Portland Water Bureau, Portland, OR.** Led the structural design of multiple reinforced-concrete, below-grade, concrete vaults and dechlorination basins for large-diameter finished water pipelines servicing the City of Portland. Tasks included steel pipe penstock and concrete thrust block design. Managed structural design staff to assist with the design of vault structures. Led the structural design of a concrete masonry maintenance building with a wood roof diaphragm.

**Structural Design Engineer, 141st Avenue Reservoir Retrofit and Pump Station Project, Rockwood Water for People, Portland, OR.** Designed a special reinforced clay masonry pump station with a wood roof diaphragm as an essential facility.

**Lead Structural Design Engineer, Clearwell No. 3 and Improvements to Clearwells No. 1 and No. 2, South Fork Water Board, Oregon City, OR.** Designed a 2-MG rectangular, below-grade reinforced-concrete clearwell. Coordinated and designed 42-inch-diameter pipe tie-ins to two existing, below-grade concrete clearwells. Analyzed existing clearwell and filter structures to determine effects of construction excavation while still in operation.

**Lead Facility Design Engineer, Carmen-Smith Hydroelectric Project, Eugene Water & Electric Board, McKenzie Bridge, OR.** Coordinated discipline efforts and led design of a concrete fish ladder structure. Led structural design staff for all aspects of ladder facility. Structural aspects of note include analysis and design of water-holding, soil retaining structure with soil anchors, micropiles, and tangent pile wall system. Compared and integrated several concrete design codes including ACI 318, ACI 350, and various U.S. Army Corps of Engineers (USACE) engineering manuals related to hydraulic concrete, stability analysis of concrete structures, and earthquake design and evaluation of concrete hydraulic structures.

**Structural Design Engineer, Gibbs Street Pedestrian Bridge over I-5, Oregon Department of Transportation, Portland, OR.** Led the structural design of two building structures, including a 75-foot-tall, steel, dual-elevator tower. The non-building structure elevator tower was a displacement-controlled design subject to pedestrian bridge movements. The design involved a unique structural system with circular hollow structural section (HSS) horizontal moment frames and vertical, concentric cable bracing.

## Bryan Youker, PE

HEADWORKS TECHNOLOGIST

### Distinguishing Qualifications

- Senior technologist and process mechanical engineer for water and wastewater treatment plant projects for over 30 years.
- Experienced in all phases of water and wastewater treatment plant design, including preliminary and primary treatment, secondary treatment, filtration, disinfection, solids handling, and overall plant hydraulics.

### Representative Projects

**Senior Technologist and QC Reviewer, Oak Lodge Sanitation District WWTP Expansion Project, Oak Grove, OR.** This treatment plant expansion project included a new headworks facility and new aeration basin system incorporating the Cannibal Process, UV disinfection, and solids treatment improvements. Provided continuous senior oversight and QA/QC reviews of milestone deliveries for preliminary treatment facility. Early in the project, provided alternative analysis and preliminary layout of a new headworks facility that included new 6-mm raw sewage influent screens, grit removal process including Hydro International's Eutek Headcell and Slurrycup technologies, and 250-micron drum screens utilized in the Cannibal treatment system.

**Senior Technologist and QC Reviewer, Grants Pass WRP, Phase 2 Upgrade Project, Grants Pass, OR.** The Grants Pass Phase 2 Upgrade Project was executed as a Design-Build project and included a new primary clarifier, upgraded primary sludge dewatering and primary sludge thickening, and a new aeration basin with aeration blower system. During design, Bryan provided QA/QC reviews of milestone deliveries, and continuous senior oversight and mentoring of junior engineers working on the primary clarifiers, primary sludge dewatering, and primary sludge thickening systems. During construction, he provided support of junior engineers reviewing equipment submittals, and assisted in troubleshooting of primary sludge pumping.

**QC Reviewer, Durham Advanced Wastewater Treatment Plant (AWTP), Phase 5B1 Headworks Improvement Project, Clean Water Services, Washington County, OR.** The project consisted of the expansion of screening and screenings handling facilities from 150 mgd to 195 mgd (peak flow), and included a new Headworks building, screening and washer/compactor equipment, screenings conveyance sluice, grit treatment equipment and odor control. During design, served as a QC reviewer of milestone deliverables, and provided senior technologist input and continuous quality control for the screening and screenings handling portions of the project.

**Senior Process Mechanical Engineer and QC Reviewer, Wilsonville WWTP Improvements Project, Wilsonville, OR.** The Wilsonville WWTP Improvements project was required to expand the existing 2.7-mgd plant to a 4 mgd facility with buildout capacity of 7 mgd (annual average basis). The client chose to procure and execute this project as a design-build-operate (DBO) project. During the proposal period, was responsible for the analysis, layout, and development of the new headworks facility, and for the analysis and development of the noncompliant alternative including the reuse of existing primary clarification. During the design phase of the project, provided continuous senior engineer oversight and QA/QC reviews of milestone deliveries for the liquid treatment system including preliminary treatment, contact-stabilization secondary treatment system, tertiary filtration, and overall gravity-flow hydraulics.

**Senior Technologist and QC Reviewer, Salmon Creek Treatment Plant Phase 5B Project, Discovery Clean Water Alliance, WA.** The Salmon Creek Phase 5B Project was required to increase peak treatment plant capacity to 33.1 mgd with emphasis on the secondary treatment systems and provide odor control improvements. Bryan provided continuous senior engineer oversight and QA/QC reviews of milestone deliveries for the liquid treatment system including the aeration basin modifications, secondary clarifier upgrades, and RAS/WAS Pump Station improvements.

### EDUCATION

M.Engr., Environmental Systems Engineering, Clemson University  
B.S., Civil Engineering, Purdue University

### PROFESSIONAL REGISTRATIONS

Registered Professional Engineer:  
Oregon (#16114), Washington (#45708), Arizona (#52424), Texas (#110561), Oklahoma (#29914)

**Senior Technologist and QC Reviewer for headworks and primary clarification, Waianae WWTP Improvements and Upgrade Project, City and County of Honolulu, HI.** This treatment plant upgrade project includes headworks facility and primary clarifier improvements. Currently providing continuous senior oversight, mentoring of junior staff engineer, and QA/QC reviews of milestone deliveries for Headworks and primary clarifier improvements. Early in the project, produced Design Alternative Report including alternative analysis and preliminary layout of new influent screening and washer-compactors, channel isolation gates, and grit classification. Similarly, also provided alternative analysis and documentation for new primary clarifier mechanisms and scum collection and pumping system.

**Senior Process Mechanical Engineer, Facility Lead, and QC Reviewer, Northern Treatment Plant, Metro Wastewater Reclamation District, Denver, CO.** The Northern Treatment Plant is a new wastewater treatment facility capable of treating wastewater flows up to a peak flow of 51 mgd. During initial design, served as a QC reviewer of milestone deliverables and provided senior technologist input and continuous quality control for the influent pumping and headworks facility including raw sewage pumping, screenings and screenings handling equipment, grit removal and grit handling equipment, and odor control; the Primary Clarification process including clarifiers, primary influent flow splitting, and primary sludge and scum pumping; the Secondary Treatment process including conventional activated sludge aeration basins with anoxic zone mixing, and fine bubble aeration, blower building with high-speed turbo blowers, secondary clarifiers, and the RAS/WAS Sludge Pump Station; and the Chemical Building. Following the 70 percent deliverable review, completed the detail design of the aeration basins, and maintained quality control and senior guidance for the secondary clarifiers, RAS/WAS pump station, and blower building. During the construction phase, provided support of construction team through review and response to submittals, requests for information, and design enhancements as identified throughout the construction period. Also attended and witnessed blower PTC-10 testing at manufacturer's facility. The blowers were unique magnetic-bearing turbo type technology.

**Senior Process Mechanical Engineer and Facility Lead, Agua Nueva WRF DBO, Pima County, AZ.** This new 32-mgd (annual average) WRF was designed, constructed, and operated by Jacobs (as CH2M). During the design phase, served as Facility Lead and process-mechanical design engineer for the influent pump station and headworks facility, responsible for coordinating the design of the raw sewage screening and pumping, screenings handling, grit slurry treatment, thickened sludge pumping, and support utilities such as instrument air system, ferric chloride and polymer feed systems. For the bioreactor facility, responsible for coordination of the design of four concrete covered step-feed aeration basins including mixing systems, diffused aeration system with fine-bubble membrane diffusers and high-speed turbo blowers, mixed-liquor recycle systems, waste activated sludge system. Also provided support of the construction team through review and response to submittals, Requests for Information, and design enhancements as identified throughout the construction period, as well as support during the startup and commissioning phase.

**Senior Process Mechanical Engineer, Spokane County Regional Water Reclamation Facility, Spokane County, WA.** Overall Liquid Process lead engineer and Facility Lead engineer for the new 8.5-mgd wastewater reclamation facility. As Overall Liquid Process lead responsibilities include providing guidance and continuous quality assurance for the Headworks facility design which includes 2 mm band screens applied to raw sewage screening, screenings washer-compactors, aerated grit removal and septage receiving, and the chemically enhanced primary treatment which utilizes metal salt addition for first stage of two-stage chemical phosphorous removal process. In addition to the preliminary and primary process, as Facility Lead responsible for the Membrane Bioreactor (MBR) design including four concrete covered aeration basins utilizing a step-feed process with metal salt addition (stage 2) to meet ultra-low phosphorous effluent limits and submerged hollow-fiber membrane filtration system.

**QC Reviewer, Twin Falls WWTP Phase 2 Expansion, City of Twin Falls, ID.** The Twin Falls WWTP was expanded to 16-mgd capacity while maintaining compliance with the existing NPDES permit. The project realized additional funds were available to construct a new headworks facility as a change-order to the project to supplement the existing headworks facility capacity and provide a total peak-flow capacity of 32 mgd. This fast-track design required timely reviews and continuous involvement of the quality control reviewers. Provided process, mechanical, and hydraulic review for this project and worked closely with the headworks facility lead to verify approach and equipment selection.

**QC Reviewer, Longmont WWTP Headworks Improvement Project, Longmont, CO.** The project consisted of a new screening and screenings handling facility capable of treating wastewater flows up to a peak of 31 mgd. The headworks includes a new building, screening and washer/compactor equipment, screenings conveyance (sluice), grit treatment equipment and odor control. During design, served as a QC reviewer of milestone deliverables, and provided senior technologist input and continuous QC for the screening and screenings handling portions of the project.

**QC Reviewer, Missouri River WWTP Combined Sewer Overflow (CSO) Improvements Project, Omaha, NE.** The project included design of a new municipal wastewater headworks facility, including screening and screenings handling facilities for wastewater flows ranging between a maximum dry weather flow of 30 mgd to a peak wet weather flow of 180 mgd. The headworks included a new building, screening and washer/compactor equipment, screenings conveyance sluice, grit treatment equipment and odor control. During design, served as a QC reviewer of milestone deliverables and provided senior technologist input and continuous quality control for the screening and screenings handling portions of the project.

## Sam Chandler, PE

CIVIL

### Distinguishing Qualifications

- Site civil engineer with combined total of 13 years of design experience with a focus on leading site civil and yard piping designs for all sizes of water and wastewater treatment plants, advanced facilities, and reservoirs.
- Skills include implementation of stormwater management design and practices, stormwater hydraulics, wastewater conveyance, erosion control, permitting, site grading, underground utility and yard piping design, sanitary sewer and conveyance pipeline design, and pavement design.
- Experience in grading, piping, and site layout design using Microstation, InRoads, AutoCAD 2018, Civil 3D, Plant Space and Navigator, Flowmaster.
- Experienced with conventional, design-build, CMAR, CMGC, and design-build-operate delivery methods.

### Representative Projects

**Lead Civil Engineer, McMinnville Tertiary Treatment and Disinfection Project, City of McMinnville, OR.** Provided engineering support for improvements to the Tertiary Treatment and UV Disinfection systems. Tasks included developing details for pavement restoration, coordinating new duct bank route with existing yard piping, and erosion control plan.

**Lead Civil and Yard Piping Engineer, SJSJ Regional Wastewater Facility (RWF) Headworks Improvements Design-Build, San Jose, CA.** Led civil and yard piping design for \$105M expansion of the RWF. Layout of new facilities included new screening, raw sewage pump stations, grit removal, and electrical building. Layout of yard piping included 1,500 LF of 96" RS piping, 120" and 108" RS piping, new recycled water and non-potable water systems, stormwater piping, and multiple connections to existing piping. Additional responsibilities included providing stormwater calculations for runoff and volume for pump station sizing, pavement design, and erosion control layout. Facility lead for lining an existing raw sewage overflow basin.

**Lead Civil Engineer, Residuals Replacement and Upgrades to Building D2, Upper Occoquan Service Authority, Centreville, VA.** Civil lead for upgrades to the existing Digester Complex Building and Thickening and Screening Building. Tasks included erosion control, surface restoration, pavement overlay, and yard piping.

**Lead Civil Engineer, Tri-City WRRF Solids Upgrade, Water Environment Services, Oregon City, OR.** Lead civil engineer for 30% design phase of delivery of upgrades to the Tri-City WRRF. Project included construction of new digester and dewatering facility. Tasks included developing truck route through site, facility locations, site grading, yard piping, and stormwater design.

**Lead Civil Engineer, Confidential Client, OR.** Civil improvements required to support emissions upgrades for production process. Responsibilities included site grading, coordination with landscaping subcontractor, stormwater management, land use permitting, erosion control, yard piping, underground utility coordination, traffic control plans, and as-built drawings.

**Lead Civil Engineer, Confidential Client, OR.** Project involved 30% design of directional drill storm line under a river for an operating production site. Responsibilities included identification of laydown and drilling areas, drilling alignment, erosion control, and underground utility coordination.

**Resident Engineer, Grants Pass WRP Phase 2 Upgrades DB Project, City of Grants Pass, OR.** Resident Engineer for initial construction phase of a plant-wide upgrade to the City of Grants Pass WRP. Responsibilities onsite included responding to contractor requests for information (RFIs), reviewing submittals, inspecting erosion control measures, providing oversight during excavation for new facilities, yard piping, and installation of shoring to protect existing facilities.

**Lead Civil and Yard Piping Engineer, Tracy Phase 2B Wastewater Treatment Plant (WWTP,) Tracy, CA.** Provided site layout for new digester and support facility, electrical building, dewatering facility, grit removal facility, and

### EDUCATION

BS, Civil and Environmental Engineering, Portland State University

### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon (#78020)

primary clarifier. Coordinated yard piping between the new facilities. Responsible for coordination between new electrical duct banks and yard piping, pavement design, and erosion control.

**Lead Civil Engineer, Songbird Water Storage Tank, Placer County Water Agency, Rocklin, CA.** Lead civil engineer for 60%, 90%, and 100% deliverables for the site civil design on a 10-MG water storage tank. Responsibilities included site grading, stormwater management, erosion control, yard piping, and underground utility coordination with offsite utility providers.

**Lead Civil Engineer, Haikey Creek WWTP, Regional Metropolitan Utility Authority, Broken Arrow, OK.** Lead civil engineer for 30% design phase of delivery of new blower building and aeration basin at the Haikey Creek WWTP. Tasks included site layout and grading for the new facilities, yard piping, and expansion of existing plant road network.

**Staff Civil Engineer, Clay Street Water Pipeline Replacement, City of Dallas, OR.** Provided design for 24-inch HDPE water main at a creek crossing. Provided support for the permitting process and erosion control requirements.

**Staff Civil Engineer, Opal Springs Hydroelectric Project – Pool Raise and Fish Passage Improvements, Deschutes Valley Water District, Culver, OR.** Assisted senior civil engineer on coordination of temporary construction access to the dam and fish ladder, site grading, and erosion control.

**Staff Civil Engineer, Lahaina WRRF Modifications, City of Lahaina, HI.** Assisted senior engineers on utility design, coordination, design of site details, and general civil design.

**Lead Civil Engineer, San Luis Obispo WRRF, City of San Luis Obispo, CA.** Lead yard piping engineer for 60% design phase of delivery of a plant-wide upgrade to the WRRF. Tasks included yard piping design, coordination of site grading and stormwater design with subconsultant, replacement liner for the equalization basin, and semi-truck access to the solids facility.

**Staff Civil Engineer, Durham AWWTF, Clean Water Services, Durham, OR.** Provided services during construction and markups for as-built drawings.

**Staff Civil Engineer, Waianae WWTP Improvements and Upgrade, City and County of Honolulu, Waianae, Oahu, HI.** Assisted senior engineers on utility and general civil design.

**Assistant Civil Engineer, Chorley WWTW, United Utilities, Chorley, United Kingdom.** Assisted lead engineer with project coordination, yard piping design, site layout for three new clarifiers, odor control, blower building, and improvements to the existing headworks facility. Project challenges included identification of existing underground utilities from record drawings and field reconnaissance, coordination of major piping tie-ins, and redesign of existing storm drain system.

**Staff Civil Engineer, PXD-Midland WPCP Upgrades EPC, City of Midland, TX.** Assisted lead civil engineer with developing an existing yard piping report based on underground exploration through utility potholes and ground penetrating radar.

**Assistant Civil Engineer, Paradise Point WTP, Clark Public Utilities, Ridgefield, WA.** Assisted lead civil engineer with site layout, stormwater design, and yard piping for new water treatment plant on a greenfield site.

**Staff Civil Engineer, Water Station 1 Improvements, City of Vancouver, WA.** Assisted lead civil engineer for the site civil design on a new booster pump station at the existing water treatment plant. Responsibilities included yard piping, site grading, and development of construction details.

**Assistant Civil Engineer, Engineering Services, City of Millersburg, OR.** Assisted senior engineer with City Engineer services for Millersburg, including site development plan review, preliminary design for water main extension, preliminary design for road improvements, and design of concrete pavement repairs.

**Assistant Civil Engineer, Millersburg Temporary Fire Station, City of Millersburg, OR.** Assisted senior engineer with design of temporary fire station to be used while permanent fire station is constructed. Project constraints included high groundwater, limited site size, and requirement to use facilities not optimized for project site. Provided design for erosion control, site grading and layout, utility connections, and pavement design.

## Todd Cotten, PE

### GEOTECHNICAL

#### Distinguishing Qualifications

- Geotechnical engineer and project manager with 24 years of professional experience on a variety of environmental, energy, water and wastewater, and transportation projects.
- Experience includes design, construction, and environmental projects, including wastewater and water treatment facilities, earth dams, reservoir tanks, large-diameter pipelines, dredging and sediment capping, highway expansion, hard rock tunnels, auger boring, horizontal directional drilling, tunnel grouting, and landslide investigation and stabilization.
- Has worked extensively on the design of shallow and deep foundation systems and has extensive design and construction management experience with large earthwork projects that involve excavation, transport, and reuse or disposal of soil and rock, and engineering control of fill placement.
- Develops geotechnical baseline reports that establish the contractual understanding of geotechnical and groundwater condition anticipated to be encountered during construction.
- Construction management experience on projects with multiple construction firms and subcontracts as resident engineer and project geotechnical engineer.
- Operations Leader for CH2M's Geotechnical Engineering, Computer Aided Drafting, Civil Engineering, and Building Commissioning Groups in the Portland, Oregon office and the Geotechnical Engineering Group in Corvallis, Oregon office.

#### Representative Projects

**Geotechnical Engineer, McMinnville WRF Expansion Project, City of McMinnville, OR.** Geotechnical design lead for expansion of the secondary treatment capacity of the WRF. Developed the geotechnical exploration plan, conducted geotechnical analysis, and developed the geotechnical recommendations for design and construction of the expansion. The project included construction of a third Orbal and secondary clarifier in order to increase dry weather nitrification capacity so that one Orbal could be taken offline for maintenance and increase wet weather capacity to at least 32 mgd to eliminate blending. Geotechnical challenges included the presence of deep deposits of liquefiable silt, sand, and silty sand. An initial evaluation of liquefaction and lateral spread potential suggested that ground improvement beneath the proposed facilities would be required to limit seismically induced settlement and lateral spread to acceptable levels. A site-specific seismic analysis with development of site-specific ground response was performed to refine the evaluation of seismically induced liquefaction and lateral spread. The analyses allowed for design and construction of the Orbal and secondary clarifiers without ground improvement, which resulted in an estimated cost savings of approximately \$3M.

**Geotechnical Engineer, McMinnville WRF Tertiary Treatment and Disinfection Project, City of McMinnville, OR.** Provided geotechnical engineering services for improvements that included replacing the existing UV system, modifying the existing Tertiary Filter system, recoating the Tertiary Clarifiers No. 1 and 2, and recoating ATAD No. 3.

**Geotechnical Engineer, Tri-City Solids Handling Improvements, Clackamas County, OR.** Served in the role of senior geotechnical engineering reviewer for the project that includes modifications to existing solids handling facilities as well as expanded biosolids dewatering and handling facilities. Geotechnical investigation and evaluations were performed to assess the lateral spreading susceptibility of the site, and to assess potential settlement due to liquefaction. Ground improvement methods were assessed and developed for design. A secant pile wall with tie-backs was designed to provide excavation support required because of the proximity of the new digester to existing adjacent structures.

#### EDUCATION

M.S., Engineering/Geotechnical Engineering, Colorado State University  
 B.S., Civil Engineering, Colorado State University

#### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon (#58496PE), Washington (#55243), Alaska (CE-110522), Arizona (#70512)

Geotechnical Engineer: Oregon (#58496PE)

**Geotechnical Engineer, Will Crandall Reservoir and Pump Station, City of Hillsboro, OR.** Provided geotechnical engineering services for design and construction of a masonry pump station and 10-MG circular, prestressed concrete reservoir. The soils at the project site were determined to be highly susceptible to seismic induced liquefaction to depths of up to 100 feet. Alternative methods to mitigate the liquefaction induced settlement below the reservoir and pump station, including the use of piles, cement deep soil mixing (CDSM), and jet grouting were evaluated. CDSM was selected as the least cost and least disruptive alternative and an extension ground improvement program was incorporated into the contract. Assisted with development of earthwork and ground improvement specifications and coordinated with construction management staff to perform geotechnical observations and testing during construction.

**Geotechnical Engineer, Westside Wastewater Treatment Plant (WWTP) WS1 Phase 2 Expansion, Vancouver, WA.** Conducted a geotechnical and environmental field exploration. Assisted in both geotechnical and environmental analysis for the project. Project involved the design and construction of several large, deep structures and interrelated geotechnical and environmental issues, such as excavation of contaminated soil and waste materials and control of potentially contaminated groundwater. Evaluated liquefaction potential and settlement for expansion structures, and estimated cost of liquefaction mitigation for several design alternatives.

**Geotechnical Task Lead, Portland Terminal Expansion, NuStar Energy, Portland, OR.** Geotechnical lead for complete geotechnical services for the addition of two new aboveground steel storage tanks at the NuStar Portland terminal adjacent to the Willamette River. Project included a site-specific seismic hazard evaluation, including evaluation of near-source effects from the Portland Hills Fault. Planned and directed the geotechnical site investigation and laboratory testing program. Performed and oversaw foundation evaluations for the steel tanks included bearing pressure, liquefaction analyses, static and seismically-induced settlement analyses, overturning, base sliding, and global stability. Designed ground improvement and prepared technical contract documents for a jet grout ground improvement zone paralleled the Willamette River to prevent lateral movement of the steel tanks during a seismic event.

**Geotechnical Engineer, Columbia Boulevard Wet Weather Treatment Plant Expansion, Portland, OR.** Assisted in geotechnical tasks and analysis. Project involved the design and construction of new primary clarifiers, effluent pump station, and odor control building along with associated piping. Assisted in developing laboratory testing program and evaluating laboratory test results. Responsible for developing appropriate design seismic events, and performing geotechnical analysis include bearing capacity and estimated settlement of soils, lateral earth pressure, and liquefaction and lateral spread assessment. Evaluated liquefaction potential and settlement for expansion structures.

**Geotechnical Engineer, Bend Southeast Interceptor, City of Bend, OR.** Supported design and construction of this 6.5-mile- long, 24-inch to 30-inch-diameter, Southeast Interceptor. Developed specifications for monitoring excavation and blasting rock trenches up to 25 feet deep.

**Geotechnical Engineer, Troutdale Water Pollution Control Facility, Troutdale, OR.** Assisted with the evaluation of seismic hazards associated with the construction of a new wastewater treatment facility for City of Troutdale. The evaluation included an assessment of the potential for seismically induced settlement and lateral spread as a result of both the Operating Basis Earthquake and the Design Basis Earthquake events.

**Geotechnical Task Lead, Ina Road WRF Capacity and Effluent Quality Upgrade Project, Pima County, AZ.** Geotechnical task lead for the design of new preliminary, primary, and biosolids treatment and storage facilities, including overseeing field exploration (17 borings) and laboratory testing. Evaluated and incorporated existing site-specific geotechnical information, developed seismic design recommendations, and conducted traditional geotechnical analyses. Developed geotechnical design and construction recommendations and detailed design of biosolids storage lagoon liner and floating geomembrane cover. Currently involved in service during construction including response to requests for information and submittal review.

**Geotechnical Engineer, Fairview Water Reservoir Slope Stability Analysis, Fairview, OR.** Provided static and dynamic slope stability analysis of a 2-MG steel water reservoir. Performed slope stability analysis using PCSTABL5 computer program and prepared a technical memorandum providing results of the analysis.

**Geotechnical Engineer, Field Exploration for Hunters Heights Reservoir, Clackamas River Water District, Clackamas, OR.** Coordinated and completed a field exploration consisting of drilling, rock coring, and test pit explorations, and assisted in selecting a laboratory test program for a proposed 1-MG water storage reservoir. Also assisted in preparing a geotechnical data report for the project.

**Geotechnical Engineer, Wilsonville Wastewater Treatment Plant Expansion, Wilsonville, OR.** Completed a field exploration and assisted in geotechnical analysis of settlement, bearing capacity, lateral earth pressures, and underdrain design. Assisted in providing recommendations for earthwork specifications, control of water, and foundation and underdrain designs and preparation of geotechnical reports, technical reports, construction specifications, and construction drawings.

**Geotechnical Engineer, Groundwater Treatment Facility Geotechnical Exploration, Springfield, OR.** Performed a geotechnical exploration and prepared a technical memorandum for a proposed groundwater treatment facility. The memorandum described the field exploration and laboratory test program and summarized recommendations for support of foundations, site preparation, seismic considerations, and general earthwork.

**Geotechnical Engineer, Preliminary Engineering Design and Construction for Water Storage Reservoirs, Medford, OR.** Provided geotechnical services for preliminary engineering design information for design and construction of three concrete water storage reservoirs. Performed the geotechnical field exploration and assisted in selecting a laboratory test program, performing engineering analyses, and preparing a geotechnical report for each of the three reservoirs. Engineering analyses included seismic assessment, bearing capacity and settlement, and lateral earth pressures. Assisted in preparing recommendations for site preparation and structural fill.

**Geotechnical Task Lead, Klamath Falls Bioenergy Facility, Northwest Energy Systems Company, LLC, Klamath Falls, OR.** Geotechnical task lead responsible for development of subsurface investigations, analyses, development of design recommendations and recommendations reports, and addressing regulator questions for the EFSC permitting of a 42-MW wood fired biomass incinerator project in southern Oregon. The geotechnical design for the project was complicated by deep (>200 feet) deposits of diatomaceous silt. Preloads were designed as an economical alternative to deep piles to reduce potential settlements of planned facilities to acceptable magnitudes.

## Scott Cowden, PE

### ODOR CONTROL

#### Distinguishing Qualifications

- Recognized as an industry icon in the field of odor control.
- Managed, designed, and provided senior review on numerous odor control projects, including high-visibility projects requiring close synergy with architects to achieve a visually appealing design.
- More than 33 years of experience in odor control design lead odor control designer on several large, complex wastewater treatment facilities with systems up to 1 million cfm.
- Has presented on odor control technologies and design considerations for Water Environment Federation (WEF) odor/air specialty conferences, Water Environment Federation Technical Exhibition and Conference (WEFTEC), and Pacific Northwest Clean Water Association (PNCWA) Odor and Air Quality Committee workshops, among others, and authored over 25 papers on the topic of odor control.

#### Representative Projects

**Odor Control Engineer, Odor Assessment of Organic Biofilter at the McMinnville Wastewater Treatment Plant (WWTP), City of McMinnville, OR.** Jacobs (as CH2M) conducted an evaluation of the organic biofilter serving their ATAD (Autothermal Thermophillic Aerobic Digestion) system. Reviewed operating parameters including moisture content and ammonia removal. It was determined that the biofilter was performing effectively although the media appeared to be starting to consolidate.

**Lead Odor Control Engineer, Odor Assessment and Recommendations at the McMinnville High School Area, City of McMinnville, OR.** Odor control lead assisting the city of McMinnville in assessing odor emissions at the local high school. Odor complaints became an issue at the high school and surrounding community between 2002 and 2009. One source of odors was believed to be the Farmers Cooperative Creamery (FCC). Jacobs conducted a comprehensive sampling campaign in which sewer pressures were monitored, smoke testing was conducted, and gas samples analyzed for sulfur compounds and volatile fatty acids. Findings revealed plumbing integrity issues at the high school and some odor spikes when the FCC discharged. Recommendations included continuation of operation of two biofilter units and annual pressure cleaning of the sewer system.

**Lead Odor Control Engineer, San Jose Headworks Design-Build, City of San Jose, CA.** Lead designer for a biotrickling filter system for serving a new headworks facility. Project included air dispersion modeling for confirming location and stack height requirements for vapor phase system for meeting strict offsite odor goals.

**Lead Odor Control Engineer, Odor Control System Predesign for Sewage Treatment Plant Expansion, Tri-City Service District, Clackamas County, OR.** Provided complete predesign for several odor control systems serving a headworks facility, influent pump station, primary clarifiers and solids facilities. Predesign included a thorough evaluation of odor control technologies for determining preferred type. Evaluation included present worth evaluations and non-monetary evaluations for biofilters, carbon units, single-stage packed towers, and two-stage packed towers.

**Lead Odor Control QC Reviewer, Bureau of Environmental Services Columbia Boulevard WWTP Solids and Secondaries Improvements, City of Portland, OR.** Project includes extensive source sampling, complete plant odor characterization using AERMOD, and design of odor control systems for a new solids handling facility.

**Lead Odor Control Engineer, Valhalla Sewer Relocation, City of Bend, OR.** Designed below-grade biofilter system located in a roundabout. Biofilter was concealed for aesthetic purposes with exposed stack that blended with the environment. System was commissioned and proved to meet strict offsite odor goals with adjacent sensitive receptors.

#### EDUCATION

B.S., Mechanical Engineering,  
University of California-Santa  
Barbara

#### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon  
(#84296PE), California  
(#M29146), Minnesota (#40642),  
Washington (#45727),  
Arizona (#52321)

**Lead Odor Control Engineer, Colorado Pump Station, City of Bend, OR.** Designed packaged vapor phase biofilter system for serving a new pump station located adjacent to residential housing and recreational area. Packaged system was designed to meet stringent offsite odor goals. Liquid phase odor control was also designed for mitigating odor potential from high organics sewage from upstream brewery waste.

**Lead Odor Control Engineer, Waianae WWTP Improvements and Upgrade, Honolulu, HI.** The City and County of Honolulu is evaluating improvements needed at the Waianae WWTP in order to meet regulatory requirements and future wastewater demands. Evaluated odor control technologies to determine the preferred type for the WWTP improvements.

**Lead Odor Control Engineer, EQ Tank Odor Control for Spokane County Regional Water Reclamation Facility (WRF), Spokane, WA.** Odor control lead for the design of a radial flow carbon odor control system serving new flow equalization basin. Project included completion of a Notice of Construction (NOC) permit application document for meeting all Spokane Regional Clean Air Agency (SRCAA) requirements.

**Lead Odor Control QC Reviewer, Salmon Creek WWTP Improvements, Phase 5B, Vancouver, WA.** Project includes biotrickling filter odor control system for serving the headworks and primary clarifiers and odor mitigation improvements for solids facility sources. Pilot testing of photo-ionization unit for quantifying performance and operations and maintenance (O&M) requirements.

**Lead Odor Control Engineer, Wilsonville WWTP Improvements, City of Wilsonville, OR.** Lead odor control engineer for design of an engineered biofilter system and dispersion air system. Biofilter design was unique in that the biofilter infrastructure was designed around a proprietary engineered media as opposed to using a more costly packaged system approach. Dispersion air system was designed to serve the aeration basins expected to exhibit lower odor emissions. Design was intended to meet strict offsite odor goals.

**Lead Odor Control Engineer, Odor Control Improvements, Mill City, OR.** Odor control lead for design of a small biofilter system serving an energy-absorbing manhole and metering manhole at the front end of a WWTP. Design accommodated high odor loadings due to extensive hydraulic residence times in the upstream forcemain. Ventilation rates were maximized to reduce corrosion potential.

**Lead Odor Control Engineer, Oak Lodge WWTP, Lake Grove, OR.** Odor control lead for the design of a centralized odor control biofilter system serving headworks, grit basins, influent pump station, and plant drain pump station. Design included a 6,000-cfm open organic biofilter to meet offsite odor goals. Treatment plant included nutrient removal via nitrification and biological nutrient removal (BNR). Also designed retrofit improvements to an existing chemical scrubber system.

**Lead Odor Control Engineer, Tryon Creek Enhancement Plan, City of Lake Oswego, OR.** Successfully developed odor control solutions to meet the goal of non-detectable odors at adjacent developments to the plant that also meshed with aesthetic and community guiding principles. Provided technical guidance and senior review of the odor control sizing and evaluation work completed as part of the facilities plan. Work included sizing and selection of odor control systems for the new proposed headworks and dry weather clarifiers as well as future phase odor control systems.

**Lead Odor Control Engineer/Design Manager, Biofilter Evaluation and Recommendation, City of Gresham, OR.** Odor control lead assisting the city of Gresham in biofilter media removal activities and selecting appropriate biofilter replacement media.

**Lead Odor Control Engineer/Design Manager, Primary Clarifier Odor Control Design, City of Hood River, Hood River, OR.** Led odor control design for serving an existing primary clarifier and managed services during construction. The odor control design task was a follow-up to extensive dispersion modeling performed previously by Jacobs. Design included engineered media biofilter, in which design changes came in at less than two percent of the total construction cost.

**Lead Odor Control Engineer/Design Manager, Odor Control Improvements, City of Sweet Home, Sweet Home, OR.** Odor control lead for implementing odor control improvements at an existing sludge mixing tank. Project was

challenging because of budget constraints and highly sensitive offsite receptors. Design consisted of a low-cost organic biofilter and aluminum geodesic dome cover.

**Lead Odor Control/Design Manager, Rock Creek Advanced Wastewater Treatment Facility, Dewatering Building Odor Control Improvements, Clean Water Services, Washington County, OR.** Design manager and lead odor control engineer for improvements to a large chemical packed tower scrubber system. Improvements for ductwork repairs, installation of vacuum relief doors, and revising the two tower systems from stand alone to in-parallel through extensive ductwork and piping modifications.

## Nathan Ebbs, PE

MECHANICAL

### Distinguishing Qualifications

- 20 years of experience in process mechanical system design for water and wastewater treatment, including cogeneration systems, pumping systems, membrane bioreactors (MBRs), gravity belt thickeners (GBTs), blower/aeration systems, anaerobic digesters, polymer and other chemical feed systems, odor control systems, mechanical evaporators/brine concentrators (falling film vapor recompression evaporation), brine crystallizers, reverse osmosis, ultraviolet disinfection, clarifiers, aeration basins, various pumping systems including sludge pumping.
- Experience with HVAC system design for treatment facilities includes direct expansion cooling (split and packaged), air-source heat pumps, chilled water cooling, hot water heating, indirect and direct gas-fired heating, indirect and direct evaporative cooling, ventilation cooling.
- Technical specification coordinator (TSC) for gravity belt thickeners.
- Experience with 2D and 3D MicroStation, AutoCAD, and Pro-E, Applied Fluid Technology Fathom and Arrow software packages for analysis of fluid systems; thermal expansion and other various mechanical calculations; and Carrier HAP software for HVAC load calculations and energy simulation.

### Representative Projects

**Lead Mechanical Engineer, Return Sludge Pump Station 1 Facility Lead, McMinnville Water Reclamation Facility (WRF) Expansion Project, City of McMinnville, OR.** Lead mechanical engineer responsible for coordinating plant-wide mechanical standards including piping, valves, gates, and pumps. Coordinated plant standards with City operations and maintenance (O&M) staff. Facility lead for Return Sludge Pump Station 1 modifications. Responsible for mechanical design and coordination of all engineering disciplines to complete design of this facility. Worked with the other facility lead and civil lead on the project to lay out remaining facilities and yard piping while considering constructability.

**Lead Mechanical Engineer and Facility Lead, SJSC RWF Cogeneration Facility Design-Build, City of San Jose, CA.** Lead mechanical engineer responsible for coordinating mechanical standards including piping, valves, and pumps. Responsible for mechanical design, facility layout, and coordination of all engineering disciplines to complete design of the 12+ MWe cogeneration facility while considering constructability, maintainability, and operability. Responsible for procurement specifications for digester gas treatment system. Assisted with procurement specifications for cogeneration engines and accessories. Coordinated facility design with selected cogeneration engine and gas treatment system suppliers.

**Lead Mechanical Engineer, Waianae Wastewater Treatment Plant (WWTP) Improvements and Upgrades Project, City and County of Honolulu, Waianae, HI.** Lead mechanical engineer responsible for coordinating plant-wide mechanical standards including piping, valves, gates, and pumps. Coordinated plant standards with City O&M staff. Worked with the facility leads and other discipline engineers on the project to lay out facilities, facility improvements, and yard piping while considering constructability and operability. Responsible for mechanical services during construction.

**Lead Mechanical Engineer, Tri-City Solids Handling Improvements, Water Environment Services, Clackamas County, OR.** Lead mechanical engineer responsible for coordinating plant-wide mechanical standards including piping, valves, and pumps for solids handling improvements project. Improvements include new digesters, rehabilitation of existing digesters, new thickening equipment, new dewatering equipment, new truck loading facilities, and new cogeneration systems.

**Lead Mechanical Engineer, Secondary Clarifier and Plant Water (3W) Pumping Facility Lead, Oak Lodge Sanitary District Water Reclamation Facility Phase 1B Improvements, Oak Grove, OR.** Lead mechanical engineer

### EDUCATION

B.S. with Honors, Mechanical Engineering, South Dakota State University

### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon (#77689 PE), Arizona (#49028), California (#M38905), Hawaii (#17269), Idaho (#17914), South Dakota (#13922), Texas (#119517), Washington (#56474)

responsible for coordinating plant-wide mechanical standards including piping, valves, gates, and pumps. Facility lead for two new 70-ft-diameter secondary clarifiers and associated return activated sludge (RAS) pump station. Facility lead for plant water (3W) pumping facility. Coordinated relocation of 3W pumps from existing facility to new 3W wetwell downstream of UV disinfection facility. Final 3W installation rated for 1.8 mgd with one pump out of service. Responsible for mechanical design and coordination of all engineering disciplines to complete design of these facilities.

**Facility Lead, Influent Pump Station and Interim Plant Water (3W) Pumping Facility Lead, Oak Lodge Sanitary District Water Reclamation Facility Phase 1A Improvements, Oak Grove, OR.** Facility lead for the influent pump station. Divided wet-well sized for future buildout to six pumps rated at 7.2 mgd each (36 mgd total with one pump out of service). The current installation houses five pumps with a total flow range of 0.8 to 23.5 mgd with one pump out of service. Facility lead for interim plant water (3W) pumping facility. Coordinated installation of "final" 3W pumps (to be relocated under future Phase 1B project) in existing chlorine contact basin. Responsible for mechanical design and coordination of all engineering disciplines to complete design of influent pump station and interim 3W pumping facilities. Assisted lead mechanical engineer with coordination of plant-wide mechanical standards including piping, valves, gates, and pumps.

**Mechanical Engineer, The Dalles WWTP Odor Control System, City of The Dalles, OR.** Designed an odor control system consisting of dual-bed activated carbon adsorption vessel and FRP odorous air fan. The system was designed to treat odorous air from a grit handling and thickening facility at the rate of 2,900 cfm. Performed 3D modeling and drafting in addition to engineering design work.

**Lead Mechanical Engineer, Spokane NLT Phase 1, City of Spokane, WA.** Lead mechanical engineer responsible for coordinating plant-wide mechanical standards including piping, valves, gates, and pumps for multiple facilities in preparation for the City's next level of treatment project (NLT Phase 2). Coordinated plant standards with City O&M staff. Worked with the facility leads and other discipline engineers on the project to lay out facilities, facility improvements, and yard piping while considering constructability and operability. Responsible for mechanical services during construction.

**Design Manager and Lead Mechanical Engineer, Frontera Lift Station Superoxygenation System, El Paso Water Utilities, El Paso, TX.** Responsible for mechanical design and coordination of all engineering disciplines to complete design. Incorporated packaged liquid-phase odor control system, Superoxygenation System from ECO2 Technologies, into existing Frontera Lift Station to reduce concentration of dissolved sulfides in force main. Responsible for managing design team for services during construction contract.

**Facility Lead, Gravity Belt Thickener Facility Lead, Ina Road Wastewater Reclamation Facility Capacity and Effluent Upgrade Project and Interim Biosolids Project, Pima County, AZ.** Facility lead for a GBT facility for thickening secondary sludge [waste activated sludge (WAS)] and associated dry polymer system for the Upgrade Project. Designed a GBT facility for thickening digested sludge for the Interim Biosolids Project. Responsible for mechanical design and coordination of all engineering disciplines to complete design of these facilities.

**Membrane Bioreactor Facility Lead, City of North Las Vegas Wastewater Treatment Plant, North Las Vegas, NV.** Facility lead for a MBR facility for treatment of municipal wastewater. Responsible for mechanical design and coordination of all engineering disciplines to complete design of facility. Delegated tasks and provided oversight of other mechanical engineers on project. Assisted with 3D modeling in addition to performing engineering work. Plant was designed for average annual flow of 25 mgd, with a peak hydraulic capacity of 50 mgd, with planned expansion to 50 mgd average/100 mgd peak. At the time of construction, this was the largest MBR plant in North America.

**Mechanical Engineer, Salmon Creek Wastewater Treatment Plant Improvements, Clark County, WA.** Designed a biotower odor control system consisting of a two-stage biological scrubber, irrigation system, and fiberglass-reinforced plastic (FRP) pressure blower. The system was designed to treat air from a sludge blend tank at the rate of 1,000 cubic feet per minute (cfm). Designed a heating, ventilation, and air conditioning (HVAC) system for the sludge blend tank pump/odor control building. Performed 3D modeling and drafting for HVAC and odor control systems in addition to engineering design work.

## Scott Grieco, PhD, PE

PFAS, EMERGING CONTAMINANTS, AND REGULATORY DRIVERS

### Distinguishing Qualifications

- More than 28 years of experience in the evaluation, design, and optimization of leachate treatment, groundwater remediation, and industrial wastewater treatment systems.
- Expert in physical/chemical treatment of persistent organic compounds and microconstituents; evaluation and design of PFAS treatment in liquid and solid matrices; and design and implementation of thermal desorption, pyrolysis, and incineration systems.
- Lead Section Author for Interstate Technology and Regulatory Council (ITRC) PFAS Remediation/Treatment Documents.
- Has led remedial treatment projects for private market sectors, including chemical manufacturing, metals, aerospace, pharmaceuticals, landfills, and the U.S. Department of Defense, U.S. Department of Energy, and U.S. Army Corps of Engineers.
- Working with multi-disciplinary teams of engineers and scientists, interacts with senior technologists and management, and works directly with client senior leadership in assessing technical solutions, minimizing projected life cycle costs, and reducing environmental liabilities at industrial facilities.
- Served as senior technologist for internally funded research on Thermal Desorption of Soils. Coordinates testing for small-scale low-temperature thermal desorption trials for PFAS removal including a system that was a 1 ft<sup>3</sup> infrared heating batch unit. Evaluated removal and identified kinetic desorption rates for specific soil media, test temperatures, and PFAS chemicals.
- Prior to joining Jacobs (CH2M), directed activities for a private technology development and treatability testing laboratory. Under his direction, bench- and pilot-scale technology development programs were completed for precipitation, adsorption, biological treatment, thermal desorption, advanced oxidation, and electro-coagulation.
- Member, National Council of Examiners for Engineering and Surveying (NCEES).

### Representative Projects

**Lead Technologist, Melbourne Airport PFAS Construction Waters Treatment, Melbourne Airport, Melbourne, Australia.** Design of water treatment system for removing PFAS from site construction waters. Evaluated several alternatives before selecting adsorbent-based treatment system design. System included chemical precipitation, filtration, and adsorption. Reviewed construction bids prior to award.

**Lead Technical Reviewer, Whidbey Island, U.S. Navy, Whidbey Island, WA.** PFAS potable water treatment system (ground water source). Project assessed on site and off site well data to develop projected basis of design for PFAS concentrations. Flow data was developed based on user demand. Considered granular activated carbon, anion exchange, and reverse osmosis treatment systems. Alternative evaluation report included technical considerations and conceptual-level costs for comparison of alternatives. The report was prepared for state and federal regulatory review. Discussed review comments with regulators and prepared responses to address concerns.

**Lead Technologist, Evaluation of PFAS Treatment, Solid Waste Landfill Leachate, Private Landfill Company, Confidential.** Developed Technical PFAS Document to educate site personnel on PFAS in landfills and leachate. Developed technology matrix and test plant to evaluate several technologies for PFAS treatment in leachate.

**Senior Technologist, Leachate Bench Scale Testing, Private Landfill Company, Confidential.** Conducting bench-scale testing on leachate to evaluate conventional and novel treatments physical/chemical treatment for removal of PFAS compounds. Developed testing plans, working with treatability lab partner, vendor laboratories, and academic researchers to accomplish the testing. Evaluating data and preparing a report of findings for the client.

### EDUCATION

Ph.D., Bioprocess Engineering,  
State University of New York  
College of Environmental Science  
& Forestry

M.S., Environmental Engineering,  
Syracuse University

B.S., Chemical Engineering, State  
University of New York at Buffalo

### PROFESSIONAL REGISTRATIONS

Professional Engineer: New York  
(#073554)

**Senior Technologist, Biosolids, Confidential.** Oversees laboratory selection, methodology review by internal chemist, and review of PFAS data collected from biosolid samples prior to biosolid compost pilot project. Samples during pilot project will be collected, analyzed, and review for PFAS and other trace organics.

**Senior Technologist, Compost, Portland Metro.** Developed white paper to educate commercial composting facility on sources, existing data, potential guidance values/regulations, and mitigation related to PFAS.

**Project Director and Senior Technical Lead Landfill Leachate, Private Landfill Company, Confidential.** Evaluated activated carbon and ion exchange resin for removal of high levels of PFOA/PFOS from landfill leachate. Program evaluated technologies on the bench-scale and executed powdered activated carbon treatment on the pilot scale. Conducted U.S. Environmental Protection Agency LEAF testing on spent carbon residual.

**Project Director and Senior Technical Lead, Thermal Process, Waste Solids Reclaim Design, Gateway Technologies, Bronx, NY.** Developed process for converting waste materials into a beneficial saleable product. Conducted pilot-scale testing of a rotary kiln furnace, ribbon mixer, and rotary dryer for processing waste metals sludge and biosolids into novel biochar adsorbent material. Developed and implemented a comprehensive sampling plan for characterization of feed, product, and waste streams, which included vapor, liquid, and solids sampling. Conducted a full-scale design for a waste sludge pyrolysis facility, including air pollution controls and heat recovery, using pilot-scale data.

**Technical Director, Thermal Process, Solids/Soil Remediation, Honeywell, Syracuse, NY.** Led process development and pilot systems design for thermal treatment of organic solids from chemical distillation process to be remediated from existing pits. System included material conveyance, neutralization, low temperature thermal desorption, and air emissions management.

**Technical Advisor, Thermal Oxidation, Environmental Remediation, Honeywell, Syracuse, NY.** Provided evaluation, selection, and design of recuperative thermal oxidizer for treatment of emissions from solids separation and dewatering process.

## Ryan Harbert, PE, LEED AP

### ELECTRICAL

#### Distinguishing Qualifications

- Electrical engineer with 18 years of experience on a variety of projects, including numerous water and wastewater treatment facilities, public and private facilities design, and lighting systems for airports.
- Provides detailed electrical design for required facility systems with primary responsibility for delivery of the electrical project work deliverables (drawings, specifications, and reports as required).
- Special interest and expertise in photovoltaic systems, sustainable design, and lighting.
- Technology leader in photovoltaic power systems, including technical specification coordinator for the firm's master specification on grid-tied photovoltaic systems, and completion of North American Board of Certified Energy Practitioners (NABCEP) certification training for grid-direct solar electric facilities.
- Provide electrical design integration with instrumentation and control (I&C) systems.
- Works with utilities to provide electrical work that incorporates state-of-the-art technologies.

#### EDUCATION

B.S., Electrical Engineering, Oregon State University

#### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon (#71826PE), Maryland (#35052), Rhode Island (#10127), Hawaii (#15786), Washington (#52587), California (#21673)

LEED Accredited Professional

#### Representative Projects

**Lead Electrical Engineer, McMinnville Water Reclamation Facility (WRF) Expansion, City of McMinnville, OR.** Performed electrical design for new RAS pump station, new clarifier, new aeration basin, and various other plant upgrades as part of an expansion project. New electrical room in RAS pump station was designed to serve the upgrades.

**Quality Control and Stamping Electrical Engineer, McMinnville Tertiary Treatment and Disinfection Project, City of McMinnville, OR.** Performed electrical design to support a new UV disinfection system, and various tertiary upgrades. Project involved a new outdoor, covered electrical area, harmonic mitigation, and used existing underground conduit systems to avoid extensive trenching through a crowded underground piping area.

**Lead Electrical Engineer, Waianae Wastewater Treatment Plant (WWTP) Improvements and Upgrade, Honolulu, HI.** Performed electrical design for various treatment plant upgrades, including improved headworks facility with new screens and washer/compactors, upgrades to existing electrical room to support headworks equipment, rehabilitated primary clarifiers, improved 2W water system, and brought sludge gallery into National Fire Protection Association (NFPA) 820 compliance with new ventilation and alarming.

**Quality Control Electrical Engineer, Tri-City Solids Handling Improvements, Clackamas County, OR.** Performed preliminary electrical design and transitioned to quality control reviewer for this improvements project. Project included close coordination with local electrical utility to facilitate a new cogeneration facility and increase the capacity of the secondary utility feeder to the plant. Other project components included a digester and digester control building upgrades and dewatering and thickening upgrades.

**Lead Electrical Engineer, Residuals Replacement and Upgrades to Building D2, Upper Occoquan Service Authority, VA.** Performed electrical design to support upgrades to an existing digester facility and also a dewatering/thickening building. Project included extensive upgrades to bring facilities into NFPA 820 compliance, with monitored ventilation fans and alarms. Electrical building serving the digester complex was improved with four replaced high-voltage switches and multiple new motor control centers (MCCs) and low-voltage switchboards.

**Lead Electrical Engineer, Scott Water Treatment Plant, McMinnville Water & Light, McMinnville, OR.** Performed all electrical design for retrofit and upgrade of an existing water plant. New facilities included filters, a clearwell, and a new chemical building. Existing control building and filters were also upgraded. A new electrical service was designed for the plant, along with a standby generator. The project used a database to enhance quality and provide a means to use in-house automation tools, such as automatically generated one-line diagrams, panelboard schedules, and a complete circuit and raceway schedule.

**Lead Electrical Engineer, Durham AWWTF Cogeneration and Brown Grease Facilities, Clean Water Services, Tigard, OR.** Performed electrical design for a new cogeneration facility and brown grease facility at the Durham AWWTF. Cogeneration uses digester and natural gas and is sized to provide most of the plant electricity on an annual basis. Project included new unit substation with paralleling switchgear, and all MCC equipment required to support the cogeneration, gas handling, and brown grease facility processes.

**Lead Electrical Engineer, Durham AWWTF Phase 5B1 Headworks Improvements, Clean Water Services, Tigard, OR.** Performed all electrical design for modifications and expansion of an existing headworks facility. New facilities and processes included influent screens, washer compactors, odor control, and modified grit classifiers. Electrical improvements included new outdoor medium-voltage switchgear, site distribution and duct banks, redundant 13.2kV-480V unit substations, and a main-tie-main motor control center.

**Lead Electrical Engineer, Columbia Boulevard WWTP, City of Portland Bureau of Environmental Services, Portland, OR.** Performed all electrical design for retrofit and upgrade of an existing, unused screening facility. Project involved complete gutting of the existing building and installation of a new screening process. Project also included a new biofilter and upgrades to odor control equipment. Major design components were automated screens and washer/compactors, a standby generator, new control system, and NFPA 820 hazardous area analysis.

**Electrical Quality Control Engineer, Columbia Boulevard WWTP Secondary Process Improvements Project, City of Portland Bureau of Environmental Services, OR.** Performed design review and oversight, and some detailed design for retrofit and upgrade of existing secondary process facilities. Project involved modifying existing MCCs, wiring for new and replaced equipment, lighting, and wiring for power, control, and instrumentation.

**Electrical Design Lead, Durham AWWTF Phase 5D1 Preliminary Solids Handling Modifications, Clean Water Services, Washington County, OR.** Electrical designer for solids handling modifications. Work included modifications to various existing MCCs to support process improvements (new sludge grinders, gas booster, and electrically actuated valves) and considerations for NEC hazardous/classified areas.

**Electrical Design Lead, Hillsboro Wastewater Treatment Facility Aeration Basin Modifications, Clean Water Services, Washington County, OR.** Electrical designer for secondary process improvements. Work included expansion of existing MCCs, new air compressors, new high-speed turbo blower, new mixers, and electrically actuated valves.

**Lead Electrical Engineer, Wilsonville WWTP Improvements, City of Wilsonville, OR.** Performed all electrical design for modifications and expansion of the existing treatment plant. New or modified facilities and processes included a new headworks facility (with influent screens and washer compactors), odor control, secondary clarification, UV disinfection, disk filtering, upgrading and expanding existing aeration basins and secondary process facility (including high speed turbo blowers), and a new dewatering and drying facility (with dryer system and centrifuges). Electrical work included a new service established with Portland General Electric, "smart" networked motor control centers, two standby generators, medium and low voltage distribution design, security and fire alarm systems, and NFPA 820 hazardous area analysis.

**Lead Electrical Engineer, North City WRF Expansion and North City Pure Water Facility Influent Pump Station and Pipeline Clean Water Services, San Diego, CA.** Managed and led an electrical design team to support the expansion at this existing wastewater facility. Project included four distinct design packages, and work was shared with electrical design sub-consultants. Work included four new secondary clarifiers, new equalization tank, expanded primary treatment facilities, new and refurbished secondary treatment processes, new influent pump station to a new pure water facility (pure water facility by others), replacement of all unit substations, provisions for new 15kV service switchgear, relocation of existing gas fired power generator, and various other improvements at almost every process facility onsite.

**Electrical Designer, Water Reclamation Facility, Spokane County, WA.** Assisted with all aspects of electrical design for a new wastewater treatment facility. Project included a headworks facility, primary clarifiers, membrane/bioreactor facilities, solids handling facilities, anaerobic and aerobic digesters, and cogeneration. Project also included maintenance and administrative type facilities. Project delivery was design-build-operate (DBO). Portions of the project were LEED certified.

## Benjamin Herman, PE, SE

DESIGN MANAGER

### Distinguishing Qualifications

- Senior structural engineer and design manager with more than 24 years of experience specializing in the design of concrete and steel structures, and water and wastewater infrastructure and tanks.
- Proven track record of delivering complex and challenging infrastructure design projects while meeting schedules, budgets, and margin metrics.
- Ability to pull together strong teams and proactively manage staff members to utilize their strengths; ability to assess situations and challenges and develop workplans that allow the team to be successful.
- Experience serving in management roles, including Structural Discipline Operations Leader, Structural Global Lead Technologist, and Northwest Geography Engineering and Design Manager.

### Representative Projects

**Design Manager, Tri-City WRRF Solids Handling Improvements, Clackamas County Water and Environmental Services, Oregon City, OR.** This \$35M upgrade to the existing solids handling facility included improvements to mixing and foam suppression systems in the existing digesters, odor control improvements, thickening facility improvements, installation of a new cogeneration engine, and addition of a third digester and new dewatering and solids load-out facility. The design included a new 1.3-MG prestressed digester and retrofits on two existing 1.0-MG digesters. This project had challenging issues with liquefaction, and construction excavation and dewatering. Worked closely with the dewatering facility lead to develop a facility layout that allowed the client to maximize the use of the available space in a land-locked location on site. As design manager, led a multi-discipline engineering team from conceptual through final design and currently managing office support during construction.

**Design Manager, Leonard Water Treatment Plant (WTP) and Pipelines Project, North Texas Municipal Water District, Bois d'Arc Lake, TX.** This \$250M greenfield 70-mgd water treatment plant was designed to be expandable to 280 mgd. The project includes rapid mix, flocculation and parallel plate settling, ozone disinfection, filtration, solids settling and drying, and pumping/surge systems. The plant includes five large prestressed tanks: one 1.5-MG water storage tank, 50-foot side wall depth, pile supported; two 1.6-MG reclaim basins, 18-foot side wall depth, with rock anchors to resist buoyancy; and two 1.4-MG gravity thickeners, 17-foot side wall depth. Managed design efforts from 60% to final delivery and currently managing office support during construction. Responsible not only for managing the design, but also for coordination with the CMAR to incorporate their constructability and cost ideas to optimize the project for owner.

**Assistant Design Manager and Quality Control (QC) Manager, San José-Santa Clara Regional Wastewater Facility (RWF), City of San Jose, CA.** This \$85M design-build project includes adding 14MW of cogeneration capacity at the RWF, including nearly \$30M of equipment for early procurement. Assisted design manager with leading multi-discipline engineering team to ensure team stays on track with quality objectives, schedules, and budgets. Worked with Jacobs Construction Management team and client's project management team to ensure that design met construction and client directives. Developed Design Quality Control Plan. Managed quality review team and coordinated milestone reviews between design team, QC reviewers, and client review team. Ensured that discipline leads are properly addressing and incorporating QC and client review comments into work as design progressed. Worked with quality assurance manager to audit and record QC activities to ensure they followed procedures detailed in Quality Control Plan.

**Lead Structural Engineer, Spokane County Regional WRF DBO, Spokane County, WA.** Overall lead structural engineer for design of a new \$120M WRF that included a headworks facility, two circular primary clarifiers, circular aeration basin integrated with an exterior chlorine contact basin, membrane filtration facility, maintenance building, two silo anaerobic digesters, circular aerobic digester, and solids handling facility. The

### EDUCATION

BSE, Civil Engineering, Arizona State University

### PROFESSIONAL REGISTRATIONS

Structural Engineer: Arizona (#35219)

Professional Engineer: Oregon (#85489PE), Washington (#45668)

project included two 600,000-gallon anaerobic digesters with 66-foot side-wall depth, and a 700,000-gallon aerobic digester with 20-foot side wall depth. Coordinated and managed the work of 12 structural engineers and supporting technician staff. The project was completed on schedule and under budget.

**Design Manager, Camas North Shore Sewer Transmission System, City of Camas, WA.** This is a \$11M, 5-mile-long installation of new sewer main including three pump stations. Design Manager for multi-discipline engineering team designing project pump stations. Coordinated team design efforts with client and developers.

**Quality Control Manager, Kline Biofilter, Discovery Clean Water Alliance, Clark County, WA.** Managed QC efforts for \$1M replacement of an existing biofilter. Ensured that discipline leads and QC reviewers were coordinating and meeting project deadlines. Assisted in review and coordination of front-end specifications to ensure they properly addressed specific needs of this unique project.

**Structural Engineer, West Seattle Reservoir, Seattle Public Utilities, Seattle, WA.** This project involves a \$3M seismic retrofit of existing 25-MG buried reservoir. First of four reservoirs designed by other consulting company that were found to be structurally deficient shortly after being brought into service. Assisted project manager and structural engineering team to help integrate Jacobs' standard technical specifications and client front-end specifications. Worked with the client project manager and procurement team as well as CH2M construction management staff to ensure that front-end specifications properly addressed specific needs of this unique project.

**Assistant Project Manager and Lead Structural Engineer, Carmen-Smith Improvements Project, Eugene Water & Electric Board (EWEB), McKenzie Bridge, OR.** Assistant project manager, Aquatics Management Plan (AMP) Design Manager and overall lead structural engineer for design of fish passage improvements required for federal relicensing of a 60-year-old hydropower project in addition to upgrades and refurbishment of existing facilities. The owner is using a construction manager/general contractor (CM/GC) contract and the design team has been working in conjunction with CM/GC to optimize the design and schedule for owner. New facilities include a 1,800-foot-long fish ladder climbing 90 feet over an existing dam, and a floating fish screen connected directly to the existing powerhouse intake. Facility improvements include complete retooling of all powerhouse equipment as well as replacing existing turbines and generators. Constructed value of all improvements is in excess of \$165M. Leading multi-discipline team through design of AMP with constructed value in excess of \$65M. Coordinating and managing the overall structural work effort for a total of 20 structural engineers, including QC reviewers, and a staff of 10 technicians in four different offices.

**Lead Structural Engineer, Henderson WRF, City of Henderson, NV.** Lead structural engineer for a number of facilities at this new water reclamation facility. Led structural design during construction after project lead took oversea assignment.

## Paul Hicks

LAND USE / PERMITTING

### Distinguishing Qualifications

- Environmental and land use planner specializing in land use entitlement and environmental permitting on a variety of complex municipal, infrastructure, and industrial projects in Oregon and Washington, such as water treatment and distribution, transmission lines, site remediation projects, and other energy and transportation projects.
- Expert in Oregon's statewide planning process and authors a wide range of documents for land use entitlement in local city and county jurisdictions throughout Oregon. Has obtained land use approvals in over 20 local jurisdictions in Oregon, including but not limited to the Cities of Ashland, Corvallis, and Portland, and surrounding counties.
- Effectively leads complex permitting efforts with detailed technical analysis and written findings of fact that meet Oregon's Statewide Planning Goals.
- Experienced in obtaining state-level energy siting certificates and conducting environmental impact assessments in compliance with the National Environmental Policy Act (NEPA) and Washington State Environmental Policy Act (SEPA).
- Experienced in, and comfortable with, public policy, administrative processes, and community involvement; supports client goals by coordinating with state and local agencies to address and formulate solutions to permitting challenges.
- Member, American Planning Association and Oregon Chapter of the American Planning Association

### Representative Projects

**Permitting Task Lead and Author, Wastewater Treatment Plant (WWTP) Outfall Relocation Project, City of Ashland, OR.** Authored and obtained relevant Physical and Environmental Constraints, Limited Activities and Uses, and Tree Removal permits for the City of Ashland's WWTP outfall relocation project. The project included developing a new WWTP connection and effluent flow diversion, new outfall pipeline alignment, new outfall to Bear creek, and modifications to the emergency pond outfall and intake components. The project was implemented as part of the facility's National Pollution Discharge Elimination System (NPDES) permit renewal and to comply with water quality standards for mixing zones, temperature, and toxics designed to protect fish and other aquatic resources in jurisdictional waters.

**Permitting Task Lead and Author, St. Johns Landfill (SJLF), Columbia Slough/Blind Slough Remedial Action, City of Portland, OR.** Authored and obtained Remedial Action Exempt Review approval to perform remediation of contaminated sediment in Columbia Slough at Ramsey Reach and Blind Slough, immediately adjacent to the SJLF, a closed, municipal solid-waste landfill in Portland. The approval demonstrated compliance with City of Portland's Environmental Conservation zoning district criteria, Environmental Review Submittal Checklist, Smith and Bybee Wetlands Natural Area, and provisions of Metro's Comprehensive Natural Resource Plan. The project was implemented to reduce the bioavailability of organic and inorganic contaminants in compliance with Oregon Department of Environmental Quality (DEQ) oversight and cleanup authority.

**Permitting Task Lead and Author, Kinder Morgan Linnton Terminal Slope Treatment and Permeable Amendment Barrier, City of Portland, OR.** Authored and obtained Greenway Review and Remedial Action Exempt Review approval to remedy and prevent intermittent petroleum hydrocarbon sheens, originating from the bank of the Kinder Morgan Linnton Terminal, from migrating into the Willamette River. Permit approvals authorized construction activities within the Willamette River Greenway setback while demonstrating compliance with the City's Heavy Industrial, River Industrial, and Environmental Conservation zoning district criteria.

### EDUCATION

M.S., Community and Regional Planning, University of Oregon

M.S., Public Policy and Administration, University of Oregon

B.A., Political Science and History, University of California, Davis

**Permitting Task Lead and Author, Air Emissions Control Equipment Replacement at the Hollingsworth & Vose Fiber Company Glass Plant 1, City of Corvallis, OR.** Authored and obtained a Willamette River Greenway Conditional Development Permit to replace emissions control equipment with state-of-the-art filtration technology. The permitted upgrades replaced existing wet scrubbing systems with dry filtration technology to reduce air emissions, eliminate the plant's steam plume, and reduce noise emissions associated with facility operations. The project was subject to Conditional Development Review approval within the City's Willamette River Greenway overlay zone and was approved unanimously by the City of Corvallis Planning Commission.

**Permitting Task Lead and Author, Pacific Power Substation Replacement Project, Coos County, OR.** Authored and obtained an Administrative Conditional Use Permit for construction of a new distribution substation to replace two existing substations on the North Spit, north of the City of North Bend, in Coos County, Oregon. Permitting authorized construction and operation of associated transmission and distribution system upgrades located within the County's IND zoning district and outside of County public road right-of-way.

**Permitting Task Lead and Author, Tango Photovoltaic Solar Power Generation Project, SunPower Corporation, Crook County, OR.** Authored and obtained a Conditional Use Permit and associated permits necessary to develop SunPower's proposed photovoltaic solar power generation facility in Crook County, Oregon. Provided technical analysis, written findings of fact, and experience addressing regulations specific to nonfarm development in Crook County's Exclusive Farm Use (EFU) zone.

**Deputy Project Manager, Task Lead, and Author, Tillamook to Oceanside 150-kV Transmission Line Project, Tillamook People's Utility District, Tillamook County, OR.** Served as deputy project manager, task lead, and author on various permitting efforts for an 8-mile-long transmission line and associated substation in the City of Tillamook and Tillamook County. Permitting included a 4-mile-long portion of the line in the County's EFU zone. Author on separate local land use applications including administrative review, conditional use approval, and floodplain development permits in Tillamook County. Applicable permits were approved in 2019.

**Permitting Task Lead and Author, Wallula to McNary 230-kV Transmission Line Project, Pacific Power, Umatilla County, OR.** Task lead and primary author for local permits necessary to develop Pacific Power's 30-mile-long transmission line between the McNary Substation in Umatilla County, Oregon, and the Wallula Substation in Walla Walla County, Washington. Provided technical analysis, written findings of fact, and presented before the Umatilla County Planning Commission and the Walla Walla County Hearing Officer to obtain Pacific Power's Conditional Use Permit and Land Use Development approvals for the portion of the line in Umatilla County's EFU zone and to secure Conditional Use Permit approval for the substation in Walla Walla County. Experience addressing permitting criteria for Oregon's land use development regulations specific to EFU zones.

## Tom Jones

COST ESTIMATOR

### Distinguishing Qualifications

- Senior cost estimator with more than 25 years of experience in the construction industry, including construction project management, estimating, contract administration, scheduling, and material and equipment procurement.
- Experience developing construction and cost estimates for a range of infrastructure projects, including nearly \$1B of water and wastewater treatment facilities.
- Experience in estimating complex projects, anticipating market conditions, prevailing wages, production rates, and other factors that affect costs. Proven record producing cost estimates that are accurate in scope and within the range of accuracy established by AACE International.
- Responsible for survey and pricing of complex self-performed and subcontracted work, managing the bid team, developing the bid strategy, and maintaining subcontractor relationships.
- Extensive experience in hard bid cost estimating while working of a large utility contractor. Was responsible for preparing competitive hard bid cost estimates by using an estimating team, coordinating and negotiating with subcontractors, and review and problem solving on how to construct large, complex projects.

### Representative Projects

**Lead Cost Estimator, McMinnville Water Reclamation Facility (WRF) Expansion Project, City of McMinnville, OR.** The McMinnville WRF consists of preliminary, secondary, and tertiary treatment and solids processing facilities. Based on recommendations from the *McMinnville Water Reclamation Facility Facilities Plan Update* (West Yost Associates and CH2M, 2008), the City chose to expand the secondary treatment capacity of the WRF. The Facilities Plan Update recommended construction of a third Orbal and secondary clarifier in order to increase dry weather nitrification capacity so that one Orbal could be taken offline for maintenance and increase wet weather capacity to at least 32 mgd to eliminate blending. The project definition phase focused on confirming that a third Orbal and secondary clarifier were the best solution for the secondary treatment expansion. Responsibilities included preparing a Class 2 cost estimate based on 90% design documents. Collected data and performed quantity take-offs to use as inputs for the cost estimate to determine and reconcile project scope. Applied costs to scope items and compiled the information into a Basis of Estimate document. Worked with the project team to review and confirm project scope and estimate pricing.

**Lead Cost Estimator, McMinnville Tertiary Treatment and Disinfection Project, City of McMinnville, OR.** This \$2.7M project is for the improvement to the Tertiary Treatment and Disinfection systems of the McMinnville WRF. Improvements include replacement of the existing UV system, modifications to the existing Tertiary Filter system, recoating of the Tertiary Clarifiers No. 1 & 2, and recoating ATAD No. 3. Responsibilities included preparing a Class 3 and Class 2 cost estimates based on 60% and 90% design documents. Collected data and performed quantity take-offs to use as inputs for the cost estimate to determine and reconcile project scope. Applied costs to scope items and compiled the information into a Basis of Estimate document. Worked with the project team to review and confirm project scope and estimate pricing.

**Lead Cost Estimator, Waianae Wastewater Treatment Plant (WWTP) Improvements and Upgrade, Honolulu, HI.** The City and County of Honolulu are evaluating improvements needed at the Waianae WWTP in order to meet regulatory requirements and future wastewater demands. This project has an estimated \$14.6M project value. Responsibilities included preparing a Class 2 cost estimate based on 90% design documents. Collected data and performed quantity take-offs to use as inputs for the cost estimate to determine and reconcile project scope. Applied costs to scope items and compiled the information into a Basis of Estimate document. Worked with the project team to review and confirm project scope and estimate pricing.

### EDUCATION

University of New Mexico, various undergraduate classes  
United States Air Force,  
Engineering Assistant Training

### PROFESSIONAL REGISTRATIONS

Member, Association for the Advancement of Cost Engineering (AACE) International

**Lead Cost Estimator, Tri-City Solids Handling Improvements, Clackamas County, OR.** This project includes modifications to existing solids handling facilities as well as expanded biosolids dewatering and handling facilities which included a new digester, digester feed tanks, dewatering feed tanks, dewatering/digester building, and gas treatment system. Estimated \$35.4M project value. Responsibilities included preparing a Class 2 cost estimate based on 90% design documents. Collected data and performed quantity take-offs to use as inputs for the cost estimate to determine and reconcile project scope. Applied costs to scope items and compiled the information into a Basis of Estimate document. Worked with the project team to review and confirm project scope and estimate pricing.

**Lead Cost Estimator, Columbia Boulevard WWTP Secondary Process Improvements, City of Portland Bureau of Environmental Services, OR.** The project improved the reliability and maximized the capacity of the secondary treatment system, including aeration basins, RAS/WAS system, and secondary clarifiers. Responsibilities included preparation of Class 3 to Class 1 cost estimates based on design documents, collecting data, and performing quantity take-offs to use as inputs for the cost estimate to determine and reconcile project scope, applying costs to scope items and compiling the information into a Basis of Estimate document, and working with project team to review and confirm project scope and estimate pricing.

**Lead Cost Estimator, Peak Flow Management Improvements, Metropolitan Wastewater Management Commission, Eugene/Springfield, OR.** The \$20M project included the following improvements to the existing wastewater treatment facility: new chlorine contact basin, modification to the existing aeration basin, and the installation of 96- and 84-inch conveyance lines. Delegated cost estimating assignments to cost estimating team to prepare three separate cost estimates based on 30%, 60%, and 90% design documents. Collected data and performed quantity take-offs to use as inputs for the cost estimate to determine and reconcile project scope. Applied costs to scope items and compiled the information into a Basis of Estimate document. Worked with project team to review and confirm project scope and estimate pricing.

**Lead Cost Estimator, Palo Alto Sludge Dewatering and Loadout Facility, City of Palo Alto, CA.** This \$20M facility includes four belt filter presses (BFPs) designed to dewater undigested sludge and thermally hydrolyzed and digested biosolids. The dewatered cake is conveyed to three cake storage bins, and then loaded into trucks. The existing sludge equalization/blend tank, mix pumps, and aeration blower will continue to be used. New BFP feed pumps will replace the existing feed pumps at the blending facility. New dry polymer makeup systems and polymer solution feed pumps will be provided. A new scum concentrator will be provided in the facility to replace the existing unit in the solids incineration building.

**Lead Cost Estimator, THP and Mesophilic Anaerobic Digestion (MAD) Facilities, City of Palo Alto, CA.** Once this \$60M project is complete, thickened sludge and WAS will be further dewatered and then undergo THP followed by MAD. FOG will be received and combined with dewatered sludge and WAS just upstream of the THP system. If food scraps are received by the RWQCP in the future, the pre-processed food scraps would be combined with pre-dewatered PS, WAS, and FOG before being fed to THP and then co-digested in the MAD. The digested solids are dewatered, and the resulting biosolids are a Class A product. The biogas will be combined with landfill gas and routed to a biogas treatment and utilization facility, also termed, combined heat and power system (CHP). The CHP system will provide most of the RWQCP power without food scraps and more than the RWQCP power with food scraps. Heat will be recovered from the CHP composite boiler to create steam for the THP system. RWQCP effluent will provide cooling water for the MAD system.

**Lead Cost Estimator, Ina Road WRF Capacity and Effluent Quality Upgrade and Interim Biosolids, Pima County, Tucson, AZ.** The project will expand the Ina Road WRF from its current design capacity of 37.5 mgd to the 50 mgd average capacity projected for the year 2030. The project will also provide handling capacity for solids from both the Ina Road WRF plus from the future Water Reclamation Campus (WRC) at its projected year 2030 capacity of 32 mgd. The project was constructed under a CMAR contract with approximate construction costs of \$210M. Led preparation of three separate cost estimates based on 30%, 60%, and 90% design documents. Collected data and performed quantity take-offs to use as inputs for the cost estimate to determine and reconcile project scope. Applied costs to scope items and compiled the information into a Basis of Estimate document. Worked with the project team to review and confirm project scope and estimate pricing. Reconciled cost estimates with the CMAR contractor at each level of design.

**Lead Cost Estimator, Enterprise Water Resource Center, Clark County Water Reclamation District, NV.** Lead cost estimator for a \$200M, 16-mgd advanced WRF that includes influent pumping, headworks, primary treatment, enhanced biological nutrient removal, membrane filtration, and ozone treatment to provide both disinfection and endocrine disrupting compound (EDC) removal. All tankage is covered and odor scrubbed with a two- or three-stage odor control process. The plant is designed to be easily expandable to 40 mgd. Delegated cost estimating assignments to cost estimating team to prepare Class 3 cost estimate based on 30% design documents. Collected data and performed quantity take-offs to use as inputs for the cost estimate to determine and reconcile project scope. Applied costs to scope items and compiled the information into a Basis of Estimate document. Worked with the project team to review and confirm project scope and estimate pricing.

## Geoffrey Kirsten, RA, NCARB, LEED AP

### ARCHITECTURE

#### Distinguishing Qualifications

- Project architect and lead designer with more than 23 years of experience on municipal water and wastewater treatment plants and other facilities throughout the Northwest and Southwest.
- Experienced in coordinating multi-discipline designs, including structural, mechanical, electrical, HVAC, plumbing, I&C, and landscape architecture.
- Experienced in a wide variety of building systems, materials, and sustainable design features, as well as UFC 4-010-01 anti-terrorism standards for buildings.
- Alternative delivery experience includes DB, DBO, progressive DB, and CMAR.

#### Representative Projects

**Quality Control Reviewer for Architectural Design, McMinnville Water Reclamation Facility (WRF) Expansion, City of McMinnville, OR.** Provided quality control (QC) review for architectural scope of work that includes a new Return Sludge Pump Station Building.

**Quality Control Reviewer for Architectural Design, McMinnville Tertiary Treatment and Disinfection Project, City of McMinnville, OR.** Provided QC review for architectural scope of work.

**Quality Control Reviewer for Architectural Design, SJSC RWF Headworks Improvements Design-Build, City of San Jose, CA.** Provided QC review for architectural scope of work that includes a new Control Building and Headworks.

**Quality Control Reviewer for Architectural Design, Tri-City Water Resource Recovery Facility Solids Handling Improvement Project, Water Environment Services, Clackamas County, OR.** Provided QC review for architectural scope of work that included a new Dewatering and Digestion Control Building, a new digester and upgrades to existing Thickening and Digester Control Buildings.

**Quality Control Reviewer for Architectural Design, Will Crandall Reservoir and Pump Station, City of Hillsboro, OR.** Provided QC review for architectural scope of work that included a new Pump Station Building.

**Architect, Plant Instrument Air System Upgrade, San Jose-Santa Clara Regional Wastewater Facility, San Jose, CA.** Architectural scope of work included a new plant air compressor building. The new structure consisted of load-bearing masonry walls with single-ply membrane roofing over steel roof framing. Responsible for concept design, design development, and construction documents.

**Architect, Water Station 1 – Phase 1, City of Vancouver, WA.** Architectural scope of work included a new Tower Booster Building and Chemical Building. The new structures consisted primarily of load-bearing masonry walls with sheet metal roofing over steel roof framing.

**Architect, City of Spokane, Riverside Park WRF, Next Level of Treatment Phase 2, Spokane, WA.** Architectural scope of work includes a new 36,000-SF Membrane Filtration Building. The new structure consists primarily of insulated metal wall and roof panels over pre-engineered metal framing system. The building contains administrative, process, and piloting spaces.

**Architect, City of Spokane, Riverside Park WRF, Next Level of Treatment Phase 1, Spokane WA.** Architectural scope of work included a new Pump Station and Chemical Building. The new structures consisted primarily of load-bearing masonry and brick veneer walls with sheet metal roofing over steel roof framing.

**Architect, Leonard Water Treatment Plant, North Texas Municipal Water District, Leonard, TX.** Architectural scope of work includes 15 new buildings (Operations, Maintenance, Warehouse, Influent Pump Station, <sup>125</sup>lime,

#### EDUCATION

BAARC, Architecture, University of North Carolina-Charlotte

#### PROFESSIONAL REGISTRATIONS

Registered Architect: Oregon (#5141), Washington (#9500), California (#C33068), Colorado (#401829), Hawaii (#17245), Nevada (#6358), Texas (#26787), Utah (#10090684-0301)

National Council of Architectural Registration Boards (NCARB) Certified

Accredited Professional: Leadership in Energy and Environmental Design (LEED®) BD&C

Ozone, four Chemical buildings, Electrical and various Pump Stations). The new structures consisted primarily of insulated precast concrete walls with insulated metal panel roofs or low-slope single-ply membrane roofs.

**Architect, Naval Air Station (NAS) Fallon, Waste Water Treatment Plant, NAVFAC Southwest, Fallon, NV.**

Architectural scope of work included two buildings (Plan Operations Building and Plant Drain Pump Station). The new structures consisted primarily of pre-engineered metal building structures with insulated metal panel roofs and walls. The Plant Operations Building and immediate surrounding area is targeting LEED® Silver certification.

**Quality Control Reviewer for Architectural Design, Robindale Wastewater Treatment Plant (WWTP) Design-Build, Brownsville Public Utilities Board, Brownsville, TX.** Provided QC review for architectural scope of work that included new headworks and electrical buildings.

**Quality Control Reviewer, Wilsonville WWTP Improvements Design-Build-Operate, Wilsonville, OR.** Provided QC review for architectural scope of work that included new buildings: Headworks and Dewatering and Drying buildings.

**Architect, Northern Treatment Plant, Metro Wastewater Reclamation District, Denver CO.** Architectural scope of work for the design-build project included more than 20 new buildings. Most of new structure consisted of load-bearing masonry or concrete walls with brick veneer with single-ply membrane roofing over steel roof framing. Responsible for design development and construction documents (including specifications and detailing) for 12 of the buildings.

**Lead Architect/Designer, Pima County WRF Design-Build-Operate, Pima County Regional Wastewater Reclamation Department, Pima County, AZ.** Architectural scope of work included two new buildings: administration and maintenance. The new structures consisted primarily of load-bearing masonry walls and tilt-up concrete walls with combination of sloped metal roofing and single-ply membrane roofing over-metal joists. The project achieved LEED® Silver certification. Responsible for design development and construction documents related to the administration and maintenance buildings.

**Lead Architect, Spokane Riverside Park Reclamation Facility, City of Spokane, WA.** Architectural scope of work included significant rehabilitation, upgrade and addition to seven buildings: administration, process, boiler cogeneration, digester thickening, activated sludge gallery, and headworks.

**Designer and Quality Control Reviewer, Albany Wastewater System Improvements Project, City of Albany, OR.** Provided architectural design assistance and QC review for architectural scope of work that included three new buildings: administration, electrical, and headworks. The new structures consisted primarily of load-bearing masonry walls with sheet metal roofing over steel roof framing. Project was delivered utilizing CMAR approach.

**Lead Designer, Wastewater Treatment Plant Phase I Improvements, City of The Dalles, OR.** Lead designer within architectural discipline. Architectural scope of work included one new electrical building, a new shade canopy, and retrofitting two existing buildings. The new structures consisted primarily of load bearing masonry walls with sheet metal roofing over wood trusses. The existing building retrofits consisted primarily of updating roof membranes, adding a few doors, louvers, and new finishes. The overall goal of the project was to expand and improve the plant facilities to support the processing of approximately 11 mgd of influent flow.

**Architect, Cornelius Aquifer Storage and Recovery (ASR) Well, City of Cornelius, OR.** Architectural scope of work included a new Pump Station. The new structure consisted primarily of load-bearing masonry walls with asphalt roofing over prefabricated wood truss roof framing.

**Lead Architect, Control Station Upgrades, Medford Water Commission (MWC), Medford, OR.** Project to expand capacities of three control stations. Served as lead architect for design of two stations (Conrad and Rossanley). Following findings of a predesign evaluation of the third station (Martin), the MWC decided to have a completely new station designed and constructed under a separate contract.

**Lead Architect, Carmen-Smith Headquarters Compound, Eugene Water and Electric Board, OR.** Lead architect for developing a master plan concept to upgrade and expand the current headquarters facilities to include new residential, administrative, storage and maintenance space while preserving the historical character of the existing facilities on site.

## Craig Massie, PE

QUALITY CONTROL MANAGER

### Distinguishing Qualifications

- Quality control manager with over 34 years of experience designing and overseeing major civil/mechanical water and wastewater infrastructure, water resources, fish passage, and hydroelectric projects in the Pacific Northwest.
- In the last 10 years, has managed the planning, design, construction, and quality control efforts for water and wastewater projects totaling over \$300 million in construction value.
- Experienced in alternative delivery, including progressive design-build, design-build-operate, design-bid-build, and construction manager/general contractor (CM/GC).
- Background encompasses municipal and industrial planning, design, construction, and project and program management experience involving water and wastewater treatment, biosolids processing, pumping, piping, valves, materials handling.

### Representative Projects

**Project Manager, Water System Improvements and WTP Expansion, McMinnville Water & Light, McMinnville, OR.** Managed facility planning process and subsequent design and construction of \$27M project to expand the MW&L water treatment plant from 13 to 22 mgd and remodel the existing treatment facilities. The facility plan was a very comprehensive evaluation of options for expanding capacity of the 30-year-old direct filtration plant and the addition of a new parallel plant. After reviewing a broad range of alternatives in light of their own criteria, MW&L elected to expand the plant using plate settlers and media filtration. The existing site is heavily constrained by both the existing facilities and the steep topography. During the evaluation of potential delivery approaches, the decision was made that the CM/GC approach would best serve the project. The conversion from design-bid-build to CM/GC was made following the 60% complete design deliverable.

**Quality Control Manager, Grants Pass WRP Phase 2 Upgrade Project, City of Grants Pass, OR.** Responsible for coordinating overall QA/QC program and performing mechanical review on the City's \$19M WRP upgrade and expansion. Project elements include new primary clarification, new aeration, new blower building and blowers, and electrical system upgrades. Project is being executed as a progressive design build.

**Project Manager, Spokane Riverside Park WRF Next Level of Treatment (NLT) Project, City of Spokane, WA.** Managed the planning and design of the \$200M program to achieve NLT at the Spokane Riverside Park WRF. The NLT project includes addition of tertiary membrane filtration and associated upstream facilities to the 125-mgd peak capacity reclamation facility. Improvements include additional primary clarification, aeration basin improvements, chemical feed system improvements, and secondary clarification improvements in addition to the 50-mgd nominal capacity microfiltration membranes. The tertiary treatment process will remove phosphorus to the lowest level currently targeted in North America. Assisted the City with selection of two membrane vendors for extended piloting to be followed by competitive selection of the membrane vendor. Assisted the City in evaluation of project delivery options and selection of the CM/GC delivery approach. Participated in the CM/GC delivery authorization required by the State of Washington, selection of the CM/GC, and value engineering/constructability reviews with the Owner, engineer, and CM/GC during the design phase.

**Quality Control Manager, Carmen Smith Fish Passage Project, Eugene Water and Electric Board (EWEB), Eugene, OR.** Responsible for coordinating overall QA/QC program and performing mechanical review on EWEB's fish passage improvements project associated with relicensing the Carmen-Smith Hydroelectric project EWEB operates on the upper McKenzie River. Project elements include improvements to the existing Spawning Channel, new trap and haul upstream passage, and downstream passage via the Trail Bridge Dam service spillway. Project is being executed as CM/GC.

### EDUCATION

B.S., Mechanical Engineering,  
Washington State University

### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon  
(#16043), Idaho (#8754),  
Washington (#31685)

**Quality Control Manager, Water Resource Recovery Facility Project, City of San Luis Obispo, CA.** Managed the QA/QC Program; project elements include MBR equipment procurement, flow equalization, primary clarifiers, aeration basins, biosolids treatment, administration building, UV, odor control and other site facilities and utilities. Responsible for coordination of multi-discipline reviews of all deliverables and continuous quality controls processes to ensure work products meet or exceed owner expectations and industry standards.

**Quality Control Manager, Jackson Hydroelectric Project Phase 2 Water Temperature Conditioning Project, Snohomish County PUD No. 1, Everett, WA.** Managed the QA/QC program for the Water Temperature Conditioning Project. Responsible for coordination of multi-discipline reviews of all deliverables and continuous QC processes to ensure work products meet or exceed owner expectations and industry standards.

**Quality Control Manager, Final Design for WWTP Phase I Group A Liquid Stream Upgrades, City of Nampa, ID.** Responsible for coordinating overall QA/QC program and performing mechanical review on the City of Nampa's \$16M WWTP Phase I Group A liquid stream upgrades project, which includes a new primary effluent pump station as well as modifying two existing aeration basins and building one new aeration basin for EBPR.

**Quality Control Manager, Twin Falls WWTP Phase 2 Expansion, City of Twin Falls, ID.** Quality manager responsible for coordinating overall QA/QC program and performing mechanical review for the \$32M design and construction of a secondary expansion to 16 mgd. The project includes a new integrated fixed-film activated sludge (IFAS) process, new blower system, and new secondary clarifier, and new and modified randomly activated sludge (RAS) pump stations.

**Quality Control Manager, Albany-Millersburg Joint Water Project, City of Albany, OR.** Responsible for coordinating overall QA/QC program and performing mechanical review on this \$23M water supply and treatment project that included a new river intake, 4 miles of transmission pipeline, an 18-mgd membrane treatment plant, and 5.7-MG storage reservoir. Review responsibilities included overall coordination of reviewers and/or review of mechanical discipline design.

**Program Manager, Wastewater System Improvements, City of Albany, OR.** Managed the \$83M program that included conveyance and treatment plant improvements to eliminate sanitary sewer overflows from the city of Albany wastewater system and manage effluent temperature. Managed Jacobs' design of the \$55M (construction) treatment plant improvements that included new headworks, aeration, secondary clarification, disinfection, and innovative cannibal biosolids reduction process. Managed the \$3.2M (construction) North Albany Lift Station and Forcemain Project executed through CM/GC delivery. Providing program management oversight to the \$17M (project cost) wetlands treatment project associate with the thermal load reduction of the Albany effluent plus the effluent of an industrial partner. Closely involved with development of an inter-governmental agreement between the Cities of Albany and Millersburg for construction and operation of the facilities.

**Project Manager, Control Station Improvements, Medford Water Commission, Medford, OR.** Managed project to expand capacities of pressure-reducing valves at three control stations. Project involved predesign evaluations of all three stations and complete design of two stations (Conrad and Rossanley). Following findings of the predesign evaluation of the third station (Martin), the MWC decided to have a completely new station designed and constructed.

**Project Manager, Coos Bay WWTP 1 Facility Plan (FP) Amendment, City of Coos Bay, OR.** Managed planning services associated with updating the FP. Successfully worked with the City to convince DEQ that a full FP was not required, instead a lower cost amendment focusing on the plant condition, liquids treatment alternatives, and flow and load analysis updates was sufficient. During the execution of this amendment, additional scope to evaluate solids handling, recognizing the impact of sludge transferred from WWTP2 was added, as was bench-scale testing of chemically-enhanced, primary treatment (CEPT). CEPT is a promising and cost-effective way to minimize treatment expansion within the footprint of the existing plant infrastructure. Also managed design of a \$20M WWTP 2 upgrade and expansion using the CM/GC delivery method. Plant improvements included all new influent pumping, headworks, sequencing batch reactor, and UV disinfection.

**Program Manager, Water and Wastewater Treatment, Distribution, and Collection, City of Dallas, OR.** Served as client service manager/program manager for numerous water and wastewater system projects for the City. Jacobs (as CH2M) conducted 14 projects under water system and wastewater system engineering services contracts. Projects included filter-to-waste improvements at the City's water plant, reservoir cover addition, water master plan update, wastewater collection system improvements including a 3-mile gravity interceptor, WWTP plant security improvements, and biosolids management planning.

**Principal-in-Charge, Wastewater and Water System Capital Improvements, City of Lebanon, OR.** Principal-in-charge for water and wastewater projects, including the \$3M biosolids reduction process project utilizing the Siemens Cannibal process executed through DBO delivery. Water projects included the Water Master Plan and Water Treatment Plant Predesign.

## Jerry Nordal, PE

I&C

### Distinguishing Qualifications

- 36 years of experience in the design and specification of instrumentation and control (I&C) systems and electrical power distribution systems, as well as services during construction, for municipal water and wastewater treatment facilities.
- Specializes in planning, designing, and constructing remote process control, data acquisition, and monitoring for water and wastewater treatment plants, pump stations, reservoirs, and conveyance systems.
- Expertise in programmable logic controller (PLC) programmer and human-machine interface (HMI) development.

### Representative Projects

**I&C Quality Control (QC) Review, Tri-City WRRF Solids Handling Improvements, Clackamas County, OR.** QC reviewer of I&C design for improvements at existing plant. Design includes new digester feed tanks, one new digester and upgrades to two existing digesters, digester gas storage and treatment, new gas-powered Cogen generator, heating system upgrades, sludge dewatering centrifuges and loadout system, and associated pumping and support systems. Control system upgrades include new Siemens PLCs on existing plant network, and integration of vendor package systems. QC effort extended to detailed review of control narratives, and ongoing review of testing and startup activities.

**I&C Design Lead, Water Station 1 Tower Booster Pump Station and Site Electrical Upgrades, Vancouver, WA.** Lead I&C designer for Water Station 1 campus site improvements. Work included new booster pump station, new sodium hypochlorite generation and storage, and improvements to 12 existing wells and two existing pump stations. New instrumentation included flow, level, and pressure transmitters, pump vibration monitoring, chlorine analyzer, and various switches for process and facility monitoring and alarm. Project involved integration of Owner-furnished sodium hypochlorite equipment and new SCADA system control panels. New fiber optic cable connects all of the facilities together on a SCADA network. Pump controls include smart overloads which incorporate some of the pump control logic. In addition to I&C design for this project, reviewed ongoing SCADA system design and coordinated requirements between the two projects.

**I&C Design Lead, Durham AWWTF Cogeneration and Brown Grease Receiving Facilities Design, Clean Water Services, Tigard, OR.** Performed I&C design for a new cogeneration facility and brown grease facility at the Durham AWWTF. Cogeneration uses digester gas and is sized to provide the majority of plant electricity. Provided extensive onsite construction and startup assistance including coordination with the owner, contractor, engine and switchgear supplier, and control system programmer. One notable accomplishment was to provide significant troubleshooting; a few examples included correcting brown grease flow meter configuration to fix reporting error, identifying soft shutdown conditions that were incorrectly causing a hard trip, and evaluating generator protection relay settings and providing updated IEEE 1547 setting recommendations to correct for nuisance trips.

**I&C Lead Engineer, Durham AWWTF Preliminary Solids Handling Modifications, Clean Water Services, Washington County, OR.** Project includes equipment and piping modifications to transition sludge processing to a second digester complex in preparation for future cogeneration project. Provided instrumentation and control design, control narratives, and preparation of contract documents, including specifications and drawings. One interesting and notable feature of the design included a retractable and removable installation of radar level measurement for digester sludge level.

**I&C Lead Engineer, Hillsboro Wastewater Treatment Plant (WWTP) Aeration Basin Modifications, Clean Water Services, Hillsboro, OR.** This project upgraded existing aeration basins with new mixers, diffusers, air piping, and associated instrumentation and valves. Responsibilities included I&C design, integration with existing controls, and preparation of contract documents, including specifications and drawings, inspection, and test witnessing. Worked with the owner to provide all wiring diagrams in the owner's standard format.

### EDUCATION

B.S., Electrical Engineering, Oregon State University

### PROFESSIONAL REGISTRATIONS

Registered Electrical Engineer: Nevada (#8271), Alaska, California, Texas

**I&C Design Lead, Leonard WTP, Leonard, TX.** Lead I&C designer for new 70-mgd WTP. Design includes control room, redundant network ring, distributed PLCs, and virtual SCADA servers. The plant processes include raw water delivery and flow split, chemical treatment systems, flocculation, sedimentation, ozone treatment, filtration, disinfection, solids handling and recycle.

**I&C Design Lead, RWQCP Sludge Dewatering and Loadout Facility, Palo Alto, CA.** Led the I&C design for a new sludge dewatering facility at existing plant. Design includes new sludge pumps, polymer make-down system, polymer feed pumps, four belt presses, conveyors, dry cake storage and loadout, and scum concentrator. Project included PLC-based control system and SCADA computer for the new facility. The control system integrates various vendor-provided PLCs, as well as networked intelligent motor control centers (MCCs). Responsible for developing process and instrumentation drawings, control network drawings, I&C system specifications, and detailed control strategies. Also reviewed and provided input to motor control diagrams, intelligent motor control center specifications, and several process specifications for vendor-packaged equipment and controls. Provided onsite inspection and startup test witnessing.

**I&C/SCADA Design Engineer and Quality Reviewer, Agua Nueva WRF, Tucson, AZ.** Worked with process engineers to develop preliminary Process & Instrumentation Diagrams (P&IDs) control strategies, and cost estimate. Provided design assistance and QCl of the I&C portion of this design-build project, as well as onsite assistance with programming, testing, and startup. New facility is a 32-mgd WWTP incorporating screenings and grit removal, dissolved air flotation (DAF), aerated bioreactors, sludge pumping, secondary clarification, filtration, and chlorine contact. Effluent is piped to an existing reuse pump station. Control system includes distributed Allen-Bradley Control Logix PLCs with Ethernet/IP communication on a multi-mode fiber optic backbone ring. Onsite HMI system is Wonderware System Platform. Design includes interface to both County and Tucson Water SCADA systems by Ethernet/IP and DH-Plus over fiber optic cable.

**Lead I&C Engineer, City of Olivehurst WWTP Expansion, City of Olivehurst, CA.** Led I&C design for this 10-mgd plant. The design included all new networked PLC-based control with computers for HMI. Project included facilities for headworks screening and grit removal, six pump stations, oxidation ditches, secondary clarification, RAS/WAS, equalization basin, disc filters, and UV disinfection. Led control system application software development including PLC programming and HMI development and integration. Control system comprises five Allen-Bradley Control Logix PLCs and included integration of PLC by UV system manufacturer. HMI software is Wonderware InTouch. HMI application included alarm notification by auto-dialer, historical trending, and report generation from historical data.

**I&C Design Lead, Multiple Reclaimed Water Booster Pump Stations, Subregional Water Reclamation System—Geysers Recharge Project, Utilities Department, City of Santa Rosa, CA.** Lead I&C designer for series of reclaimed water booster pump stations. Four stations provide 16-mgd firm capacity to deliver reclaimed water for injection in the Geysers steamfields for increased energy production. System includes two reservoirs and 40 miles of piping. Total lift is 3,250 feet. A control center houses the SCADA system, allowing operators to remotely monitor and control the system. Normal operation is fully automatic, using reservoir levels to control the pumps. Each pump station has two adjustable-speed drives to allow the system to match the flow being withdrawn. Control system network backbone is single-mode optical fiber cable that follows the entire length of the pipeline, with radio telemetry serving as backup for crucial communications.

**SCADA Planning and Design, LACOSAN Northwest SCADA System, Lakeport, CA.** Designed the radio communication for the Northwest SCADA system, including hardware and software upgrades to increase system polling rate. Provided programming of PLC and Wonderware InTouch SCADA system. Worked with District staff to provide SCADA system features to improve system operation and troubleshooting. On numerous occasions, provided on-site assistance and troubleshooting. Provided design and construction support for control system hardware upgrades at several sites.

**SCADA Planning and Design, LACOSAN Southeast SCADA System, Clearlake, CA.** Designed a new SCADA system for a regional wastewater treatment facility, 20 remote sewage collection pump stations, and three water pump stations. Provided programming of PLC and Wonderware InTouch SCADA system. Provided design and construction support for control system hardware upgrades at several sites. Worked with District staff to provide

SCADA system features to improve system operation and troubleshooting. On numerous occasions, provided on-site assistance and troubleshooting.

**Lead I&C Engineer, Rinconada WTP Residuals Management Project-Planning and Predesign Phase, Santa Clara Valley Water District, San Jose, CA.** Developed P&IDs, worked with District staff to define control philosophies for the project, developed process control strategies, established sequence of operation for starting and stopping an equipment train, including centrifuge feed pumps, polymer feed, centrifuge, and conveyance.

**Lead Electrical/I&C, Kelseyville WWTP Upgrades, Lake County Special Districts, CA.** Provided design for the upgrade of the facility. Replaced two 60-hp pumps with two 200-hp pumps and added a backup generator. The project also included converting existing ponds to aeration ponds. Designed electrical system to support addition of aerators.

## Craig Rawie, PE

I&amp;C

### EDUCATION

B.S., Electrical Engineering

### PROFESSIONAL REGISTRATIONS

Professional Engineer: Oregon

### Distinguishing Qualifications

- Electrical engineer and information solutions consultant with more than 30 years of experience in industrial engineering, including I&C system design for water and wastewater treatment facilities, large power system design and analysis, network design, plant software design and configuration, database design, and application programming.
- Solid working relationship with the City's Water Reclamation Facility (WRF) staff, having partnered on numerous controls systems upgrades at the McMinnville WRF, which provides a unique understanding of all the plant's systems and the staff's needs for this project.
- Experience optimizing the Orbal process and other complex WRF processes, and detailed SCADA system knowledge of all plant processes.
- Develops detailed I&C design for required facility systems, facilitates I&C technical coordination and liaison with Owner's staff, and provides instrumentation design/selection, plant networking system design and selection, I&C design integration with electrical systems, I&C design integration with process mechanical systems, and assistance during systems verifications, startup, and commissioning.
- Experienced in control system design in areas such as telemetry, various plant communication designs, relay logic design, and programmable logic controller (PLC) programming and operator interface configuration.
- Skilled in power, facility, and control system design in areas such as fault and coordination studies, power distribution designs, lighting designs, hazardous location considerations, fire system designs, telemetry and various plant communication designs, and relay logic design, PLC and operator interface programming, and design tool development.

### Representative Projects

**I&C Engineer, McMinnville WRF, City of McMinnville, OR.** Responsible for the design of the new facilities and the integration of several existing city-wide collection system facilities into a new plant control system. The digestion processes portion of the system was designed and programmed to support the ATAD process, one of the first installations in the U.S. at that time. For flow management, implemented advanced peak-flow shaving control strategies to maximize capacity of the collection system yet minimize disturbances to the downstream processes.

Used intelligent P&ID and wiring diagram CAE tools for this project and served as lead I&C engineer for the construction phase, which included checkout and startup of all processes. Responsible for the production of 450 wiring diagrams, and through automated routines leveraged the data contained in the design and software databases to significantly reduce production costs. As lead software engineer for the project, developed a database application to manage the 2,000 points used to configure both Allen-Bradley PLCs and Wonderware operator interface systems, developed code to handle the polling of Yokogawa controllers by the PLC, and performed the majority of equipment and software configuration. Integrated into the plant control system, also developed an application to handle the automatic polling of remote site. Client staff were involved throughout the project, participating in standards development and configuration to ensure an end product that met needs and familiarized them with the control system prior to commissioning.

Designed and/or led additional SCADA upgrades and expansions over the years since original commissioning, including an additional large pump station, conversation from a leased line telemetry system to a radio-based system, oxidation ditch level control and gate modifications, secondary expansion, tertiary treatment and UV disinfection upgrades, and others. Has worked with City staff in a variety of work arrangements to minimize consulting costs and leverage the capability of plant staff.

**Lead Controls Engineer, Tri-City Service District Water Pollution Control Plant (WPCP) Expansion, Clackamas County, OR.** Involved in analyzing and recommending upgrades to the existing control system, as well as troubleshooting SCADA system issues.

**Automation CAE Developer and Consultant, Various Projects.** Has been providing consulting services to project teams on the use of electrical design automation tools, Has developed and/or customized several electrical design applications to automate workflow and improve multi-discipline design consistency, in various areas including load management and power analysis, detailed wiring design, circuit and raceway, and lighting design, as well as ongoing tool support.

**Lead Software and Startup Engineer, Columbia Boulevard Wet Weather Treatment Facilities, City of Portland, OR.** Lead software and startup engineer for several phases of plant expansions, including chlorination, dry weather clarifiers, and solids odor control, effluent pump station, hypochlorite conversion, chemically enhanced primary treatment, dry weather clarifier expansion, secondary improvements leveraging Profibus, and as an involved team member in several other projects. Has also demonstrated the ability to work as a subconsultant under other engineering firms to provide software services to plant staff. Worked closely with plant staff on projects involving Modicon PLC and iFIX HMI systems, throughout the several years these projects have spanned, on standards development as well as performing as lead software engineer object-oriented programming approaches and modular, reusable function blocks were developed as part of the standards development, which have been well leveraged.

**I&C Engineer, Columbia Boulevard Wet Weather Treatment Facilities, City of Portland, OR.** Served as design engineer for various projects using both Square D Sy/Max and Modicon Quantum PLC hardware, and Intellution HMI operator interfaces, to develop the control interfaces. Involved in workshops with City staff to develop detailed wiring drawing design standards.

**Lead I&C Engineer, WPCF Control System Software Services, City of Redmond, OR.** Responsible for software development, testing, and startup of plant update and expansion. Involved Modicon Quantum and Momentum PLC hardware, Concept programming software, Wonderware HMI, and an off-line database to manage, configure, and test SCADA system. On separate subconsultant agreements also performed traditional SDC services for design firm Brown & Caldwell, and engineering services to the construction contractor Emery & Sons to streamline contractors' efforts to meet contract deadlines and improve issues contractor was having with design engineering firm. Providing ongoing I&C and software services to City for a variety of projects including power and weather system integrations, package system conversions, adjustable speed drive conversions, various other process optimizations and troubleshooting.

**Lead I&C, Software, and Startup Engineer, WPCF Activated Sludge Holding Tank Blower Installation, City of Redmond, OR.** Responsible for the instrumentation and control design, software, and startup services for a design-build high-speed blower package and other instrumentation

## Steve Reynolds

CONSTRUCTION MANAGER

### Distinguishing Qualifications

- Experienced construction manager and resident observer specializing in water and wastewater systems, including on-site inspection and quality assurance (QA) and quality control (QC)
- Served as resident construction manager for the original McMinnville WRF construction and recent WRF upgrade for the City, providing in-depth knowledge of the facility and operations. Was responsible for all phases of the original wastewater treatment plant (WWTP) project, including construction, field administration, and processing of submittals.
- Responsibilities managing complex construction projects include administering construction contracts, processing and administering contractor clarification requests, procuring and coordinating subcontractors, outlining subcontractor testing and special inspection requirements, reviewing and authorizing monthly pay applications, reviewing and approving contract change orders, reviewing submittals, and managing office and field engineering staff.
- Oversees materials, soils, and concrete testing; construction site sampling; and QC services such as observation of civil, architectural, structural, mechanical, HVAC, and electrical construction.

### Representative Projects

Resident Construction Manager, McMinnville Water Reclamation Facility (WRF) Tertiary Treatment and Disinfection Project, City of McMinnville, OR. Managed construction as supervisor of the WRF Tertiary Treatment and Disinfection project.

**Resident Construction Manager, McMinnville WRF Secondary Expansion Project, City of McMinnville, OR.** Managed construction as supervisor of the WRF upgrade project.

**Construction Manager, McMinnville WRF, City of McMinnville, OR.** Construction manager responsible for contract administration during construction, field observation and inspection of structural, mechanical, electrical, and I&C construction, review and authorization of monthly pay requests, review and processing of field RFIs, field interpretation of contract documents, and being owner's site representative. McMinnville facilities include new headworks facility, Orbal oxidation ditches, secondary clarifiers, tertiary clarifiers, RAS pump station, ATAD reactors, sand filter facility, UV disinfection facility, site utilities, administration building with laboratory, solids handling facility, biofilter facility.

**Construction Manager, Durham Wastewater Treatment Facility Phase 4 Expansion, Clean Water Services, Tigard, OR.** Managed \$30M construction of a new 180-mgd raw sewage influent pump station, influent splitter box, influent meter vault, headworks influent modifications, septage receiving facility, and 60-inch-diameter and 84-inch-diameter force main pipe systems. Also coordinated the connection of these improvements with the existing plant facilities. Managed a crew of five site personnel.

**Field Observer, Rock Creek Advanced Treatment Plant, Clean Water Services (CWS), Hillsboro, OR.** Resident field observer for all phases of construction at the plant operated by CWS (formerly Unified Sewerage Agency). Project involved constructing new dewatering building, primary clarifier, administration building, and two 1.5-MG prestressed DYK tank concrete digesters. Responsible for QC testing of concrete, earth backfill, and structural steel erection, and for yard piping and mechanical system installation. Also assisted with administrative tasks, such as submittal review, contractor clarification, interpretation of design drawings, and monthly pay estimates.

**Owner's Representative and Technical Consultant, Willamette River Water Treatment Plant, City of Wilsonville, OR.** Responsibilities included overseeing the design-build contractor, technical review, review of construction change orders, evaluation of design and construction value engineering proposals, and overall quality assurance. The project was constructed under a \$50M design-build contract.

## Ernie Strahm

SENIOR OPERATIONS CONSULTANT

### EDUCATION

General Science, Oregon State University, Corvallis

### Distinguishing Qualifications

- More than 35 years of wastewater operations experience, including 32 years at the McMinnville Water Reclamation Facility (WRF).
- Involved in startup and operations of the WRF, optimizing the existing solids treatment process, and the 2007-2009 facility planning activities.
- Wastewater management experience includes capital improvement project review and implementation, regulatory compliance and budget development, development of energy efficiency and sustainability programs and projects, and development of engineering project alternatives and plan review.
- Knowledge of wastewater solids digestion technologies; including autothermal thermophilic aerobic digestion (ATAD), anaerobic, and composting.
- Experienced with high-efficiency nutrient removal systems for phosphorus (biological and chemical) and nitrogen.
- Provides systems troubleshooting for efficiency improvements; management of supervisory control and data acquisition (SCADA), asset, and maintenance systems; and start-up and commissioning support for wastewater equipment and systems.

### Professional Experience

**Contract Manager (Temporary), Water Environment Services, Oregon City, OR.** Review of solids treatment process and plans including; anaerobic solids digestion expansion and centrifuge sludge thickening expansion. Computerized maintenance management system (CMMS) review. Systems troubleshooting of odor removal equipment and employee safety requirements.

**Wastewater Manager (Interim), City of Newberg, Newberg, OR.** Owner representative during construction management / general contractor (CM/GC) construction project upgrading the wastewater facilities. Project components included wastewater solids thickening upgrade (rotary drum press), influent screening and grit removal upgrades, new influent pumping station, septage / recreational vehicle dumping station, and on-site hypochlorite generation. Responsible for NPDES permit compliance and management of various wastewater sections.

**ATAD Process Consultant, MDG Process Technology Inc, Boylston, MA.** Development and review of project proposals for various ATAD solids digestion projects.

**Wastewater Manager, City of McMinnville, McMinnville, OR.** Capital improvement project (CIP) assessment and implementation. WRF facility master plan involvement and various systems improvement projects including ATAD digestion, biosolids application program, grit removal, and secondary / tertiary treatment processes.

**Operations Superintendent and other progressive positions, City of McMinnville, McMinnville, OR.** Energy efficiency project assessment and implementation including; compressed air systems, mechanical drive systems, biological treatment improvements, and SCADA logic-controlled systems. Commissioning and start-up of the WRF facility in 1995 and development of staff training programs for the new processes.

# **Exhibit A**

## **Agreement for Professional Services for the City of McMinnville Water Reclamation Facility (WRF) Biosolids Storage Tank and Grit System Expansion Project 2019-10**

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### **PROJECT DESCRIPTION**

McMinnville's Water Reclamation Facilities Plan (2009, CH2M HILL/West Yost) recommended expanding the WRF in conjunction with reducing collection system infiltration and inflow (I&I) to address future wastewater treatment needs. Related to the solids treatment and headworks processes, the Facilities Plan included: construction of a 1-MG biosolids storage tank and mixer; construction of a dewatering process and dry biosolids storage; upgrade of odor control; expansion of grit removal; modification of the influent screens; and, addition of thermal drying. Since the Facilities Plan: the City has deferred some of the recommended projects; population growth, thus flows and lows, have not increased as projected; and, technologies have changed. Those Project Definition phase of the Biosolids Storage Tank and Grit System Expansion will reevaluate the Facilities Plan assumptions and recommendations related to the Headworks and Biosolids processes. After a recommended plan is identified, detailed design and construction phases are anticipated.

The Work is proposed on a Time & Materials basis with a not-to-exceed budget of \$255,541.

### **BASIS OF DESIGN SCOPE AND FEE DEVELOPMENT**

The following key assumptions were made in the compilation of this scope of work and the estimation of the level of effort:

1. The Project Definition phase work on this project will last 36 weeks from authorization to proceed and be completed in calendar year 2020.
2. No additional workshops or deliverables are included beyond those identified in the Work Approach.
3. The design will be based on the federal, state, and local codes and standards in effect on the effective date of the authorization to proceed. Any changes in these codes may necessitate a change in scope.
4. No equipment pre-purchase or pre-negotiation will be required.
5. Where deliverable documents are identified, hereinafter, five (5) hard copies of the deliverable shall be provided in addition to electronic version in original .DOC format.

6. Except where stated otherwise, Consultant will submit deliverables for City review 2 weeks prior to review meeting.
7. All meetings and workshops will be held at the WRF unless noted otherwise.

### **Civil/Geotechnical/Structural**

1. Existing topographic survey information will be used for the design of the new and modified facilities. No additional surveying will be required.
2. The foundation design of the new facilities will be based on boring and site-specific ground motion site response analysis in 2013. No additional borings or tests are assumed. Additional geotechnical investigation, including borings, tests, analyses, and recommendations, can be provided at additional cost.

### **Process/ Mechanical**

1. Hydraulic assessments and liquids/solids balance calculations will be performed as required for only the new or modified facilities.
2. Design concerning “plant-wide” utility systems such as basin drainage, water, and in-plant waste collection/disposal will be limited to extensions and/or changes in existing piping.

### **Electrical and Instrumentation & Controls Systems**

1. Evaluations or upgrades of the existing process control system will not be provided.
2. The existing secondary or emergency electrical power supply system is adequate to handle any new loads. No additional secondary or emergency power source will be provided.

### **City-Provided Services**

1. City will provide to Consultant all data in City’s possession relating to Consultant’s services on the Project. Consultant will reasonably rely upon the accuracy, timeliness, and completeness of the information provided by the City.
2. City will make its facilities accessible to Consultant as required for Consultant’s performance of its services and will provide labor and safety equipment as required by Consultant for such access. City will perform, at no cost to Consultant, such tests of equipment, machinery, pipelines, and other components of City’s facilities as may be required in connection.
3. City will give prompt notice to Consultant whenever City observes or becomes aware of any development that affects the scope or timing of Consultant’s services, or of any defect in the work of Consultant.
4. The City will examine information submitted by Consultant and render in writing or otherwise provide decisions in a timely manner.
5. The City will furnish required information and approvals in a timely manner.
6. The City will provide a utility locate service to mark existing utilities, if necessary.

7. The City will develop any required permit applications, supporting information, and required reports and pay all permit processing fees.

## **WORK APPROACH**

The project design work will be carried out using a phased design delivery approach to assure a logical and progressive completion of the design work. Only the Project Definition phase is included herein, and future design phases will be provided by Amendment. A specific list of work products and deliverables are identified in the tasks below. Design review workshops will be conducted with the City's personnel, key individuals from the Consultant's project team and others as needed; the design review workshops will be conducted at critical design milestones as identified in the following section.

- Task 1: Project Management
- Task 2: Process Selection
- Task 3: Geotechnical Assessment
- Task 4: Project Definition Report
- Task 5: Quality Management
- Task 6: Estimate of Probable Construction Cost
- Task 7: Additional Services

### **Task 1 - Project Management**

The purpose the Project Management task is to establish and monitor compliance with project budget and schedule.

#### **Task 1.1: Progress Meetings and Updates**

The Consultant's project manager will talk or email with the City's project manager weekly to review project progress and discuss upcoming work activities. The Consultant's project manager will provide monthly email summaries of work completed, upcoming activities and unresolved issues.

#### **Task 1.2: Project Management Plan**

The purpose of this task is to prepare the detailed project management plan that will be used during the execution of this project work. Specific elements of the plan will include:

- Project Instructions: Define City and Consultant project organization, communication, project cost control procedures, document control, health and safety considerations, change management and other project management requirements.
- Project Health and Safety Plan: Consultant will develop a health and safety plan to apply to all employees working on this project. It will address safety in the office and during site visits.

### **Task 1.3: Invoicing, Cost and Schedule Control**

The Consultant's project manager will manage, administer, coordinate, and integrate work of the Consultant's team as required to deliver the project within budget and on schedule. Consultant's project manager will prepare and submit to the City's project manager on a monthly basis, a brief cost and schedule status report and updated summary project schedule showing actual versus projected. The report shall include a narrative description of progress to-date, actual costs for each major task, estimates of percent complete, and potential cost variances.

*Deliverables: Monthly status reports and invoices.*

## **Task 2 – Process Selection**

The purpose of this task is to define biosolids and headworks design criteria and to evaluate treatment process changes, including upgrade and expansion, to meet short-term and long-term demands. Alternatives will be selected based on Consultant's experience with viable industry accepted options. Project specific issues, including costs, suitability to Project needs, performance history, reliability, vendor reputation and responsiveness, and operation and maintenance simplicity will be considered.

### **Task 2.1: Evaluate Existing Conditions**

#### ***Task 2.1.1: Confirmation of Present and Future Wastewater Flows and Loads***

The focus of this effort is to evaluate WRF historical operations and define assumptions for buildout. This information is critical to developing sound technical solutions for meeting future needs.

- Review and summarize current and future population projections, flow and loads from the WRF service area.
- Establish the capacity for the WRF based on future populations and historical flow/loading per capita contributions, including solids treatment.

#### ***Task 2.1.2: Review Operating and Solids Production Data***

Collect and review operating and solids production data to be used in assessing facility capacity. WRF staff will provide a summary of this data in an Excel spreadsheet format.

#### ***Task 2.1.3: Review Record Drawings and Investigate Existing Facilities***

Consultant will perform the following investigations:

- Review previous design and as-constructed record drawings for the following systems: screening, grit removal, thickening, ATAD, biosolids storage, and odor control.
- Prior to Kickoff Workshop No. 1, Consultant will tour the plant site to observe the existing infrastructure and discuss known conditions with the staff and with our plant operations specialists. Processes will remain online and observation of the existing processes and tanks will not include confined space entry. Previous investigations of the existing ATAD tanks will be relied upon.

#### **Task 2.1.4: Review of PFAS (Per- and Poly-Fluoroalkyl Substances) Sample Results**

The Consultant will review and summarize the data obtained from samples taken by the City. Sampling results will be compared to EPA guidelines and regulations. If elevated levels are detected, the Consultant will provide a suggested approach for further action.

The level of effort allocated assumes that a limited data set will be generated from samples only obtained at the WRF (not surrounding dischargers or soil/water sources) and that elevated levels are not present. Additional analysis or assistance can be provided for additional cost.

#### **Task 2.1.5: Workshop No. 1: Plant Tour and Project Kickoff**

Kickoff Workshop No. 1 will include or address the following:

- Plant tour and initial liquid and solids facility evaluations.
- Define project communications plan and goals/objectives.
- Identify City staff project concerns and expectations.
- Review geotechnical summary. (See Task 3.)
- Review gaps in data collected and review previously prepared flows/loads.
- Report on condition of existing facilities and processes.
- Develop non-monetary criteria for evaluating headworks and biosolids alternatives.

#### **Task 2.1 Deliverables:**

- *Kickoff Meeting agenda and minutes.*
- *Technical Memorandum (TM) 1 will be completed, summarizing the results of the data collection efforts, review of flows and loads, biosolids data, process/facility review, and biosolids disposal requirements. A draft TM will be electronically submitted to the City, followed by a final TM incorporated into the Project Definition Report.*
- *Results of the PFAS evaluation will be incorporated into TM 1.*

#### **Task 2.2: Off-Site Biosolids Reuse/Disposal Alternatives Analysis**

Upgrades to the WRF will be required to meet capacity needs and potentially to provide diversity of biosolid product. Prior to evaluating biosolids treatment technologies, the following tasks will evaluate the off-site biosolids reuse/disposal alternatives:

##### **Task 2.2.1: Evaluate Offsite Sludge End Use/Disposal Alternatives**

We will solicit input from the City staff and suggest the potential alternatives for end use/disposal of biosolids. Alternatives may include:

1. The current practice of third-party hauling and land application of liquid biosolids on private agricultural sites.
2. Third-party hauling and land application of dewatered/dry biosolids on private agricultural sites.
3. Third-party hauling to the landfill in Eastern Oregon.

Consultant will solicit input on the non-monetary evaluation criteria from the City staff for screening and selecting the best long-term biosolids end use disposal alternative that may include:

1. Ease of O&M and operational simplicity
2. Required City labor
3. Preference for beneficial reuse of biosolids
4. Product end use flexibility
5. Ease of meeting current regulatory requirements
6. Potential odor generation
7. Perceived public acceptance
8. Maximizes City's control of end product

### **Task 2.2.2: Workshop No. 2: Offsite Biosolids Reuse/Disposal Alternatives Screening and Selection**

Workshop No. 2 will include the screening and selection of the offsite biosolids reuse/disposal alternatives. Workshop No. 2 will also develop non-monetary criteria for evaluating on-site solids treatment options. The City staff will screen and select the preferred off-site biosolids reuse/disposal alternatives at Workshop No. 2.

#### **Task 2.2 Deliverables:**

- *Workshop Meeting agenda and minutes.*
- *TM 2 will be completed, summarizing the results of the evaluation and screening of offsite biosolids reuse/disposal options. A draft TM will be electronically submitted to the City, followed by a final TM incorporated into the Project Definition Report.*

### **Task 2.3: Biosolids Treatment Alternatives Analysis**

#### **Task 2.3.1: Evaluate and Screen Biosolids Treatment Alternatives**

The Consultant offers the City our extensive experience to work with you to identify the processes that deserve the most consideration. Our approach is to internally screen from the "universe of technologies" to a reasonable set of fewer technologies that warrant thorough considerations. Specific tasks are:

- Thickening:
  - Evaluate capacity and performance of existing gravity belt thickeners (GBTs) and any minor improvements to extend treatment capacity of the existing infrastructure.
  - Evaluate option to implement recuperative thickening using the existing GBTs.
- ATAD:
  - Evaluate capacity and performance of existing ATAD system and any minor improvements to extend treatment capacity of the existing infrastructure.
  - Evaluate options for converting to or adding tankage to implement the more efficient "second generation" ATAD process that requires a total of 23 days of solids retention time (approximately 13 days for ATAD first-stage process tanks and approximately 10 days for second-stage simultaneous nitrification/denitrification reactor [SNDR]). The "second generation" ATAD systems include process modifications over the "first generation" ATAD systems such as better mixing and process control that have resulted in

higher volatile solids reduction, lower product volume, less odor generation, and less sidestream impacts at more than 50 installations. We would consider repurposing the existing ATAD process tanks as SNDR tanks.

- Biosolids Storage:
  - Evaluate capacity and performance of existing liquid biosolids storage tank and any minor improvements to extend treatment capacity of the existing infrastructure.
  - Evaluate options to improve the quality of the decant flow stream.
  - Evaluate options for expanding biosolids storage capacity. Options that expand footprint will be evaluated conceptually. Detailed engineering of options is not included.
  
- Dewatering
  - Evaluate dewatering options that could be implemented either near-term or long-term to provide in a biosolids cake product. The technologies that will be considered include:
    - Belt Filter Presses
    - Screw Presses
    - Centrifuges
  - Evaluate options for storage of biosolids cake products.
  
- Biosolids drying to produce a lower volume Class A biosolids material that could be implemented either near-term or long-term.
  
- Odor Control:
  - Evaluate capacity and performance of existing odor control system and any minor improvements to extend treatment capacity of the existing infrastructure.
  - Depending on biosolids alternatives selected for implementation, evaluate options for corresponding improvements or expansion of the odor control system.

**Task 2.3.2: Prepare Conceptual Capital, Annual and Net Present Value (NPV) Costs**

Consultant will prepare conceptual capital, annual and present-worth life-cycle costs and other non-monetary evaluation criteria for the on-site solids treatment options. Evaluation will be limited to three complete alternatives with each alternative including the relevant treatment options.

As part of this task, Consultant will work with City to coordinate with Energy Trust of Oregon and McMinnville Water & Light to determine if costs for any of the process alternatives could be offset by incentives offered through either organization.

**Task 2.3.3: Rank Options with Cost and Non-Monetary Criteria**

The on-site solids handling and treatment alternatives will be ranked based on cost and non-monetary criteria.

Consultant will present rankings and cost at Workshop No. 3. A preferred option will be chosen that will match the required offsite biosolids reuse/disposal alternative criteria.

#### **Task 2.3.4: Workshop No. 3, Review On-Site Solids Treatment Options Project Construction Delivery Options**

Workshop No. 3 will include the screening and selection of the on-site solids treatment options and the most effective project construction delivery options.

##### **Task 2.3 Deliverables:**

- *Workshop Meeting agenda and minutes.*
- *TM 3 will be completed, summarizing the results of the evaluation, screening of the on-site solids treatment options, costs and rankings, recommended alternative, and a review of the most effective project construction delivery options. A draft TM will be electronically submitted to the City, followed by a final TM incorporated into the Project Definition Report.*

#### **Task 2.4: Screening and Grit Removal Evaluation**

The Consultant understands that the both the screening and grit removal processes exhibit performance deficiencies and deferred maintenance. To recommend the best long-term solution, both processes will be evaluating concurrently through the following tasks:

##### **Task 2.4.1: Computational Fluid Dynamics Model**

The Jacobs Advanced Hydraulics team has used computational fluid dynamic (CFD) modelling for the design of a range of wastewater processes, including headworks, storage tanks, settling tanks, and digesters. Dr. Kevin Nielsen will lead the CFD modeling and analysis tasks and provide technical support and review of the project. Dr. Nielsen is currently Jacob's global technology leader for hydraulic transient analysis, application of CFD, and advanced hydraulic modeling, evaluation and design.

We anticipate that CFD will be an effective tool for analyzing all or portions of the screening and grit removal processes at the WRF. After completion of Task 2.1 Evaluation of Existing Conditions, and the team gains a better understanding of existing conditions, the Consultant will discuss with the City if use of CFD is recommended. If the City wishes to proceed with CFD, the Consultant will recommend how to best utilize an allowance of \$23,000.

##### **Task 2.4.2: Evaluate Screening Alternatives**

Consultant will evaluate alternatives for addressing issues associated with the screening process. Alternatives are expected to include: no changes recommended; minor changes recommended; and, complete replacement of screens. For each option, conceptual capital costs will be prepared. For complete replacement, the evaluation will be limited to three alternatives.

##### **Task 2.4.3: Evaluate Grit Removal Alternatives**

Consultant will evaluate alternatives for addressing issues associated with the grit removal process. Alternatives are expected to include: no changes recommended; minor changes recommended; and, complete replacement and/or expansion of the grit removal process. For each option, conceptual capital costs will be prepared. For complete replacement and/or expansion, the evaluation will be limited to three alternatives.

##### **Task 2.4.4: Workshop No. 4, Review Screening and Grit Removal Options**

Workshop No. 4 will review the screening and grit removal alternatives and select a recommended implementation plan.

**Task 2.4 Deliverables:**

- *Workshop Meeting agenda and minutes.*
- *TM 4 will be completed, summarizing the results of the CFD analysis. A draft TM will be electronically submitted to the City, followed by a final TM incorporated into the Project Definition Report.*
- *TM 5 will be completed, summarizing the results of the evaluation recommended alternative, and a review of the most effective project construction delivery options. A draft TM will be electronically submitted to the City, followed by a final TM incorporated into the Project Definition Report.*

**Task 3 – Geotechnical Assessment**

CH2M completed a boring and site-specific ground motion site response analysis in 2013. The site-specific assessment was performed using the 2002 release of seismic data from USGS and ASCE 7-05. If new structures are designed, this assessment must be updated to reflect the 2014 release of USGS information and seismic design requirements of ASCE 7-16. ASCE 7-16 requires liquefaction assessment to be completed for the full peak ground acceleration (PGA) associated with the 2,475-year return period seismic event. It also places limitations on the maximum magnitude of allowable lateral movement and differential settlement beneath new facilities as a function of the seismic risk category of each structure. The previously-developed evaluation must be updated to evaluate the more recent ASCE requirements for liquefaction and lateral spread.

The scope for this task includes using simplified procedures to estimate liquefaction induced settlement and lateral spread. The analyses will be completed using the previously completed site-response evaluation. The scope for this task includes development of a technical memorandum that summarizes the potential for liquefaction induced permanent ground deformation and comparing those to limitations included in the updated ASCE 7-16 code. The results of the assessment will help to inform the potential need to mitigate seismic ground displacements if new structures are built. The evaluation may identify the need for additional analysis or investigation, which would be included in the Schematic Design phase.

This task does not include development of a geotechnical data or recommendations report and does not include design recommendations for the new facilities (such as bearing capacity, lateral earth pressure, foundation sizing).

**Task 3 Deliverables:**

- *TM 6 will be completed, summarizing the results of the geotechnical assessment. A draft TM will be electronically submitted to the City, followed by a final TM incorporated into the Project Definition Report.*

## **Task 4 – Project Definition Report**

The primary purpose of the project definition phase is to firmly establish the project design criteria. Following the process selections, the technical memoranda will be combined with additional memoranda described below into the Project Definition Report. A draft report will be submitted to the City for review. City comments will be addressed and incorporated in a final report. The contents of the report are anticipated to be as follows:

### **Task 4.1: Prepare Draft Project Definition Report**

This task includes the compiling all of the Technical Memoranda into chapters of a single integrated draft report document of findings, conclusions, and recommendations for the project. The report will include an implementation plan chapter that includes conceptual site layouts for recommended facilities (in “red-line” markup format), a preliminary project schedule that includes a phased, sequenced and interconnected approach for facility improvements to allow for continued operations during construction and a recommended project construction delivery option. The report will include Workshop meeting minutes in the appendix. The report will serve as the basis for the Schematic Design phase.

### **Task 4.2: Workshop No. 5, Review Draft Report**

This workshop will include the review of the draft report and a discussion of the City’s comments on the draft report. The City’s comments from review of the draft report and those voiced at Workshop No. 5 will be incorporated in the final report.

### **Task 4.3: Final Report and Executive Summary**

We will incorporate the comments from the City on the draft report and prepare a final Project Definition Report, including an Executive Summary.

#### ***Task 4 Deliverables:***

- *Workshop Meeting agenda and minutes.*
- *Draft and Final Project Definition Reports.*

## **Task 5 – Quality Management**

The Consultant will carry out a quality assurance program (QAP). The purpose of this QAP is to monitor the quality of the Project through the use of internal quality assurance/quality control (QA/QC) reviews as described herein. The Consultant will manage multidiscipline internal QA/QC review activities with the senior review team. A QC review will be performed on process and cost calculations. A formal QC review will be performed prior to the City’s review of the draft Project Definition Report.

A Quality Management Plan (QMP) will be prepared for the project to serve as a guide for all phases of the project. Key features of the QMP will include:

- A single point of contact responsible for all quality management.
- Independent quality review performed by discipline-specific quality reviewers to provide critical analysis without bias.

- Procedures for engineers; detailed checks of reports, calculations, drawings, design details and specifications.

Audits by QA personnel will be conducted to verify conformance with the approved QMP and confirm that required checking and review functions are completed.

Design quality review documentation will demonstrate that quality review process is complete and review comments are acceptably addressed as a component of the overall records management system. The following documentation will be prepared, collected and properly stored in the project records system:

- Quality review forms used during internal quality reviews and issue tracking forms used to document those issues.
- Design review forms used by the City to document review comments
- Project checklists or milestone checklists, signed by the reviewer and the appropriate project staff
- Review-related correspondence with City staff and other external agencies or entities
- Audit correspondence, including results and corrective action documentation

The level of effort for this task includes preparation of the QMP and QC reviews for the Project Definition phase.

*Task 5 Deliverables: Written documentation of QC reviews.*

## **Task 6 – Estimate of Probable Construction Cost**

Based on Project Definition Phase documents, Consultant will prepare a process screening level Estimate of Probable Construction Cost. This cost estimate will be prepared without detailed engineering data. The data used will include such information as the Project Definition document submittal flow diagrams, scale-up or scale-down factors, and cost data from other projects. It is intended that the Project Definition estimate will include sufficient contingency to cover expected cost impacts that will be identified as the design evolves.

The estimate provided above will be based on the judgment and experience of the Consultant and shall not be construed as a guarantee of cost. In addition, predictions of economic feasibility, operating efficiency, costs and such other matters developed during designs, are forecasts based upon the judgment and experience of the Consultant and shall not constitute a guarantee of the final project cost.

In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for the Project, Consultant has no control over cost or price of labor and materials; unknown or latent conditions of existing equipment or structures that may affect operation or maintenance costs; competitive bidding procedures and market conditions; time or quality of performance by operating personnel or third parties; and other economic and operational factors that may materially affect the ultimate Project cost or schedule. Therefore, Consultant makes no warranty that City's actual Project costs, financial aspects,

economic feasibility, or schedules will not vary from Consultant's opinions, analyses, projections, or estimates.

If City wishes greater assurance as to any element of Project cost, feasibility, or schedule, City will employ an independent cost estimator, contractor, or other appropriate advisor.

*Task 6 Deliverable: AACE Class 5 estimate of probable construction cost to be included in the Project Definition Report Executive Summary.*

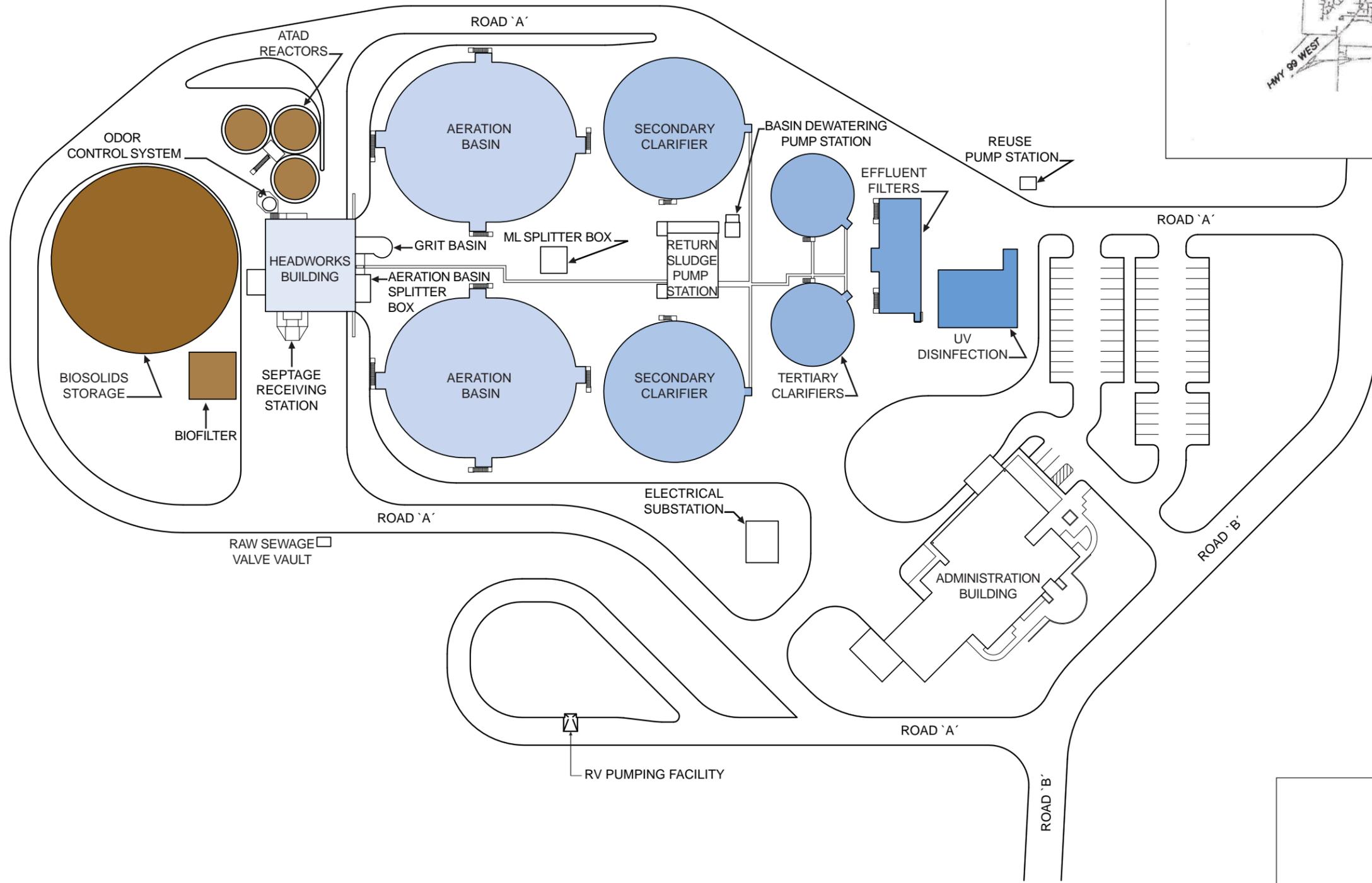
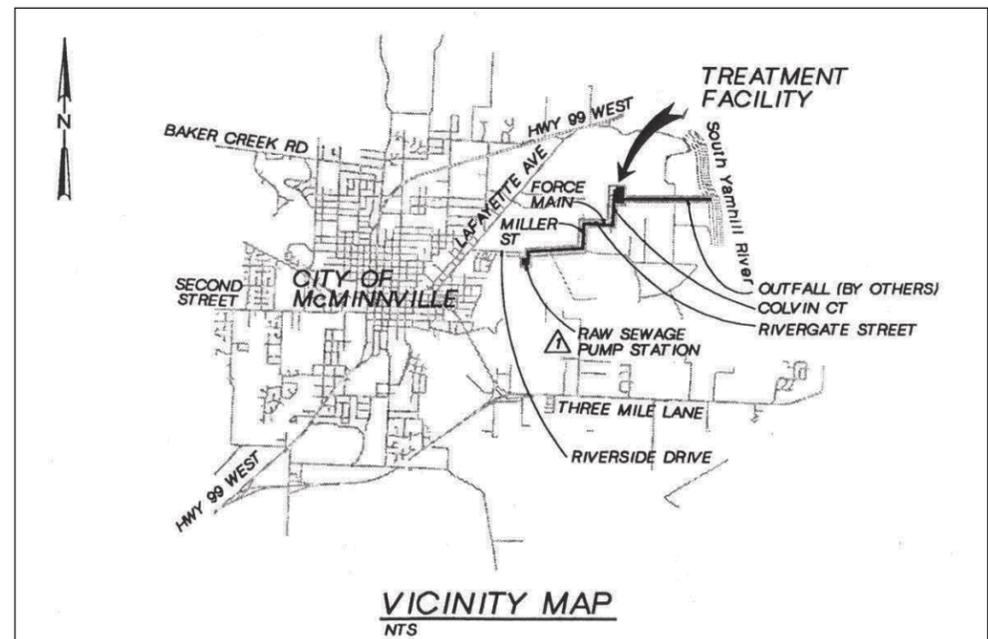
### **Task 7 – Additional Services**

The City may elect to request the following services from Consultant during the course of the project. The scope, schedule and fee for each additional service will be negotiated and approved by the City prior to Consultant beginning the associated work.

- Upgrade or modifications of any existing building or structures including a feasibility study to make sure the proposed modifications can be implemented cost-effectively.
- Power system analyses for existing facilities.
- Modification or expansion of the I&C system or software for the existing processes.
- Installation of sprinkler systems in any existing buildings.
- Multiple construction contracts, phases or schedules.
- Studies, including wetlands mitigation, archaeological investigations, site history investigations, hazardous wastes, corrosion of existing piping, asbestos presence and similar study efforts.
- Legal, easement or plat surveys.
- Additional alternative plant site layouts.
- Evaluation of any structural problems associated with any existing plant facilities.
- Electrical and building code review of existing, unrelated processes to identify areas where the facilities do not meet current codes. Prepurchase of selected equipment.
- Pre-negotiation of prices for selected equipment.
- Location/verification of existing below ground utilities.
- Provision of pile foundations, overexcavation, preload, or underdrain systems.
- 3-D renderings and services to support local public interest efforts.
- Preparation, submittal, negotiations and comment responses and changes associated with obtaining regulatory agency permits. Drawings and specifications to be provided as part of the contract documents will be provided to the Consultant upon request for modification or annotation by the Consultant for use in permit application packages.
- Landscaping or irrigation drawings other than identification of areas to receive seed or sod.

- Site work, including road repaving, in areas outside those needed for the new facilities.
- Site grading and piping profiles.
- Specific routing and location of piping.
- P&IDs.
- Panel/MCC elevations.
- I&C or electrical control or wiring diagrams.
- Detailed drawings and technical specifications.
- Corrosion control systems other than materials selection and coating.
- Adjudication of and response to more than one set of City review comments per deliverable.





**McMinnville Water Reclamation Facility**  
 EXISTING SITE PLAN AND PLANT LAYOUT





**City of McMinnville**  
**Planning Department**  
 231 NE Fifth Street  
 McMinnville, OR 97128  
 (503) 434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

# STAFF REPORT

**DATE:** March 24, 2020  
**TO:** Mayor and City Councilors  
**FROM:** Chuck Darnell, Senior Planner  
**SUBJECT:** Ordinance Nos. 5084 – 5089 – Baker Creek North Development –

- CPA 1-19 (Comprehensive Plan Map Amendment),
- ZC 1-19 (Zone Change),
- PDA 2-19 (Planned Development Amendment),
- PD 1-19 (Planned Development),
- S 1-19 (Tentative Subdivision), and
- L 12-19 (Landscape & Street Tree Plan)

**STRATEGIC PRIORITY & GOAL:**

 <p><b>GROWTH &amp; DEVELOPMENT CHARACTER</b>      Guide growth &amp; development strategically, responsively &amp; responsibly to enhance our unique character.</p>	 <p><b>HOUSING OPPORTUNITIES</b> [ACROSS THE INCOME SPECTRUM]      Create diverse housing opportunities that support great neighborhoods.</p>
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**Report in Brief:**

This is the final consideration of Ordinance Nos. 5084, 5085, 5086, 5087, 5088, and 5089, ordinances approving Baker Creek North, a multiple-phase residential subdivision and adjacent commercial development site. A public hearing was held on January 28, 2020 by the McMinnville City Council. The public hearing was closed on January 28, 2020, but the record was held open for the submittal of additional written testimony and final applicant written arguments. The City Council then met on March 10, 2020 to deliberate on the ordinances. The Council voted unanimously to conduct the first reading of each ordinance and then proceeded to vote on the second reading of each ordinance. Votes were as depicted in the table that follows. Since the second readings of the ordinances were not all unanimous, the ordinances are being brought back before the City Council for final consideration and enactment.

**Attachments:**

- Attachment A: Ordinance No. 5084 including Exhibit A – CPA 1-19 Decision Document
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ORDINANCE	VOTE	MOTION/SECOND	YAYS	NAYS
5084 (CPA 1-19)	5-1	Stassens/Menke	Menke, Drabkin, Garvin, Peralta, Stassens	Geary
5085 (ZC 1-19)	4-2	Drabkin/Stassens	Menke, Drabkin, Peralta, Stassens	Garvin, Geary
5086 (PDA 2-19) (w/amendments)	4-2	Drabkin/Stassens	Menke, Drabkin, Peralta, Stassens	Garvin, Geary
5087 (PD 1-19)	4-2	Drabkin/Menke	Menke, Drabkin, Peralta, Stassens	Garvin, Geary
5088 (S 1-19)	4-2	Menke/Drabkin	Menke, Drabkin, Peralta, Stassens	Garvin, Geary
5089 (L 2-19)	5-1	Drabkin/Menke	Menke, Drabkin, Garvin, Peralta, Stassens	Geary

The proposed development plan for Baker Creek North, which is being requested by Stafford Development Company, LLC, requires the following six land-use applications and ordinances:

- 1) **Ordinance No. 5084: CPA 1-19, Comprehensive Plan Map Amendment** on the southwestern portion of the site to reduce the size of an existing area designated as Commercial on the Comprehensive Plan Map. The proposed amendment would result in the Commercial designation being reduced from 11.3 acres to 6.62 acres, and the remaining 4.68 acres of existing Commercially designated land being designated as Residential;
- 2) **Ordinance No. 5085: ZC 1-19, Zone Change** from mix of R-1 (Single Family Residential) and EF-80 (remnant County Exclusive Farm Use zone from prior to annexation) to a mix of 6.62 acres of C-3 (General Commercial) and 48.7 acres of R-4 (Multiple Family Residential);
- 3) **Ordinance No. 5086: PDA 2-19, Planned Development Amendment** to reduce the size of the existing Planned Development Overlay District governed by Ordinance 4633 to the size of the proposed 6.62 acre C-3 (General Commercial) site and amending the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site;
- 4) **Ordinance No. 5087: PD 1-19, Planned Development** to allow for the development of 280 single family detached dwelling units, public right-of way improvements, and open spaces on the proposed 48.7 acres of R-4 (Multiple Family Residential) land with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities;
- 5) **Ordinance No. 5088: S 1-19, Tentative Subdivision** to allow for a 10-phase subdivision including a total of 280 single family detached dwelling units, public right-of-way improvements, and open spaces consistent with the proposed Planned Development plan;

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- 6) **Ordinance No. 5089: L 12-19, Landscape Plan Review** for the landscaping of proposed open space tracts within the subdivision phases and a street tree plan for the planting of street trees in the planter strips within the right-of-way adjacent to the single family dwelling unit lots.

Although all land-use applications support one larger commercial and residential development being referred to as Baker Creek North, they each need to be treated as individual land-use decisions and are governed by different regulations and criteria.

Since some of the land-use decisions are dependent upon the successful approval of another land-use decision, the order of consideration and approval should be:

- CPA 1-19 – Comprehensive Plan Map Amendment
- ZC 1-19 – Zone Change
- PDA 2-19 – Planned Development Amendment
- PD 1-19 – Planned Development
- S 1-19 – Tentative Subdivision
- L 12-19 – Landscape Plan, Tree Removal, and Street Tree Plan

The six land use applications were submitted by the applicant for concurrent review, as allowed by Section 17.72.070 of the MMC. When applications are submitted for concurrent review, the applications are subject to the hearing procedure that affords the most opportunity for public hearing and notice. Therefore, the Planning Commission is making a recommendation to the City Council for all six land-use applications, and City Council will take final action on all six applications.

Following the public hearing on December 5, 2019, the Planning Commission deliberated and then took action on each of the six land use applications referenced above. The Planning Commission recommended approval of each of the six land use applications to the City Council, subject to conditions of approval.

Per the McMinnville Municipal Code (MMC), these recommendations were brought to the City Council in the form of ordinances at the City Council meeting on January 14, 2020. Each Ordinance has an exhibit with the recommended Decision Document, outlining the application, recommended decision, conditions of approval and legal findings for the decision. City staff provided a presentation on each Ordinance to the City Council at their meeting on January 14, 2020. Following the staff presentation, the City Council then called for a public hearing on the ordinances and land-use applications. That public hearing was scheduled for and held during the regular City Council meeting on Tuesday, January 28, 2020. The City Council decided to close the public hearing on January 28, 2020, but left the record open for the submittal of additional written testimony, rebuttal to that additional written testimony, and final written arguments from the applicant. The City Council received that additional written testimony as it came in and on March 10, 2020 held a public meeting to deliberate on the ordinances. The Council then conducted first and second readings of the ordinances on March 10, 2020. All of the ordinances were voted on with a majority “Yay” vote, but since the voting was not unanimous the ordinances could not be adopted and enacted in that one meeting

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The McMinnville City Charter, in Chapter VIII, Section 36(2), states that “Except as this section provides to the contrary an ordinance may be enacted at a single meeting of the council by unanimous vote of all council members present, upon being read first in full and then by title.” Because the second readings of the ordinances were not all unanimous, as will be described in more detail below, the ordinances are being brought back before the City Council for final consideration and enactment at the March 24, 2020 City Council meeting.

The City Council will need to take action on the applications on March 24, 2020. The City’s 120-day decision timeframe required by state statute (ORS 227.178), originally expired on February 8, 2020. However, the applicant provided, on the record during the January 28, 2020 and March 10, 2020 City Council meetings, an extension of the City’s decision timeframe to March 24, 2020.

### **Background:**

The subject site includes approximately 70.26 acres of land. Of those 70.26 acres, 48.7 acres are proposed to be zoned R-4 (Multiple Family Residential), 6.62 acres are proposed to be zoned C-3 (General Commercial), and 14.92 acres are proposed to be dedicated as a public park.

The 48.7 acre R-4 portion of the site is also proposed to be included in a new Planned Development (PD 1-19) that will allow for the development of 280 single family detached dwelling units, which is shown as a ten phase subdivision in the Tentative Subdivision (S 1-19) plans. The 14.92 acre parcel that is proposed to be dedicated as a public park would be dedicated at the time of platting a subdivision phase within this residential Planned Development Overlay District.

The 6.62 acre C-3 portion of the site is currently subject to a Planned Development Overlay District regulated by Ordinance 4633. The applicant is proposing to amend this existing Planned Development Overlay District by reducing its size to be the same size as the 6.62 acre C-3 portion of the Baker Creek North site, and also by amending existing conditions of approval in Ordinance 4633 that regulate uses allowed and development of the commercial property within the Planned Development Overlay District. The 6.62 acre C-3 portion of the site would be located in a separate Planned Development Overlay District than the remaining 48.7 acre R-4 portion of the site. Specific development plans have not been submitted for the 6.62 acre C-3 portion of the site, and would be required at a later time (this will be discussed in more detail below).

The site is generally located northeast of the intersection of Baker Creek Road and Hill Road. The entire site is currently undeveloped. **See Figure 1 (Vicinity Map) below.**

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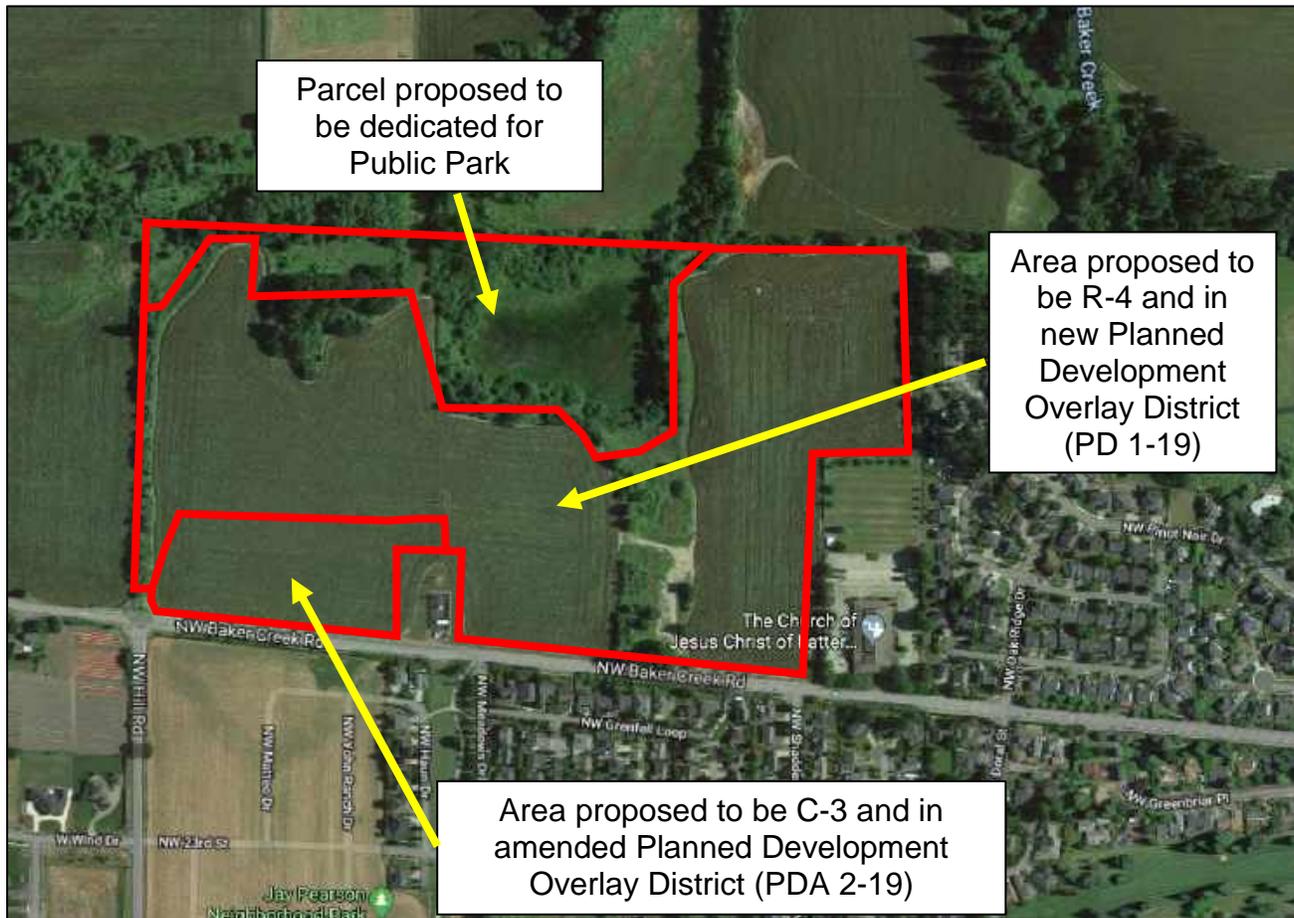
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**Figure 1. Vicinity Map (Subject Site Areas Approximate)**

The zoning as proposed is identified in Figure 2 below. The Comprehensive Plan Map amendments proposed by the applicant would correspond with the proposed zoning map, with the C-3 portion of the site being designated as Commercial and the remainder of the site being designated as Residential.

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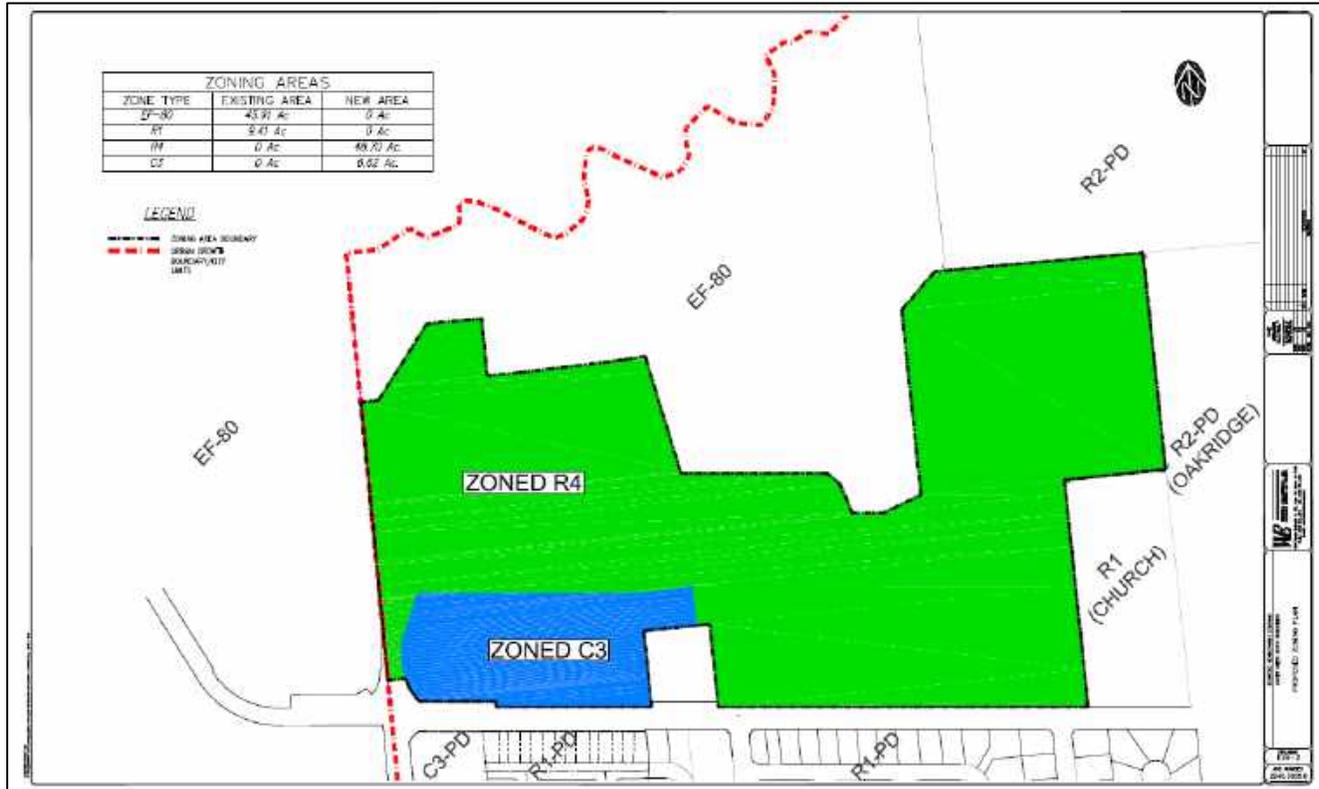
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Figure 2. Proposed Zoning



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The development plan associated with the Planned Development (PD 1-19), and as shown in the corresponding Tentative Subdivision (S 1-19) plans, would result in the development of 280 single family detached dwelling units. The plans also include the creation of 18 open space tracts that provide recreational space, pedestrian connectivity, and natural open space in various locations throughout the Planned Development Overlay District. The proposed development plan is identified in Figure 3 below.

**Figure 3. Proposed Development Plan**



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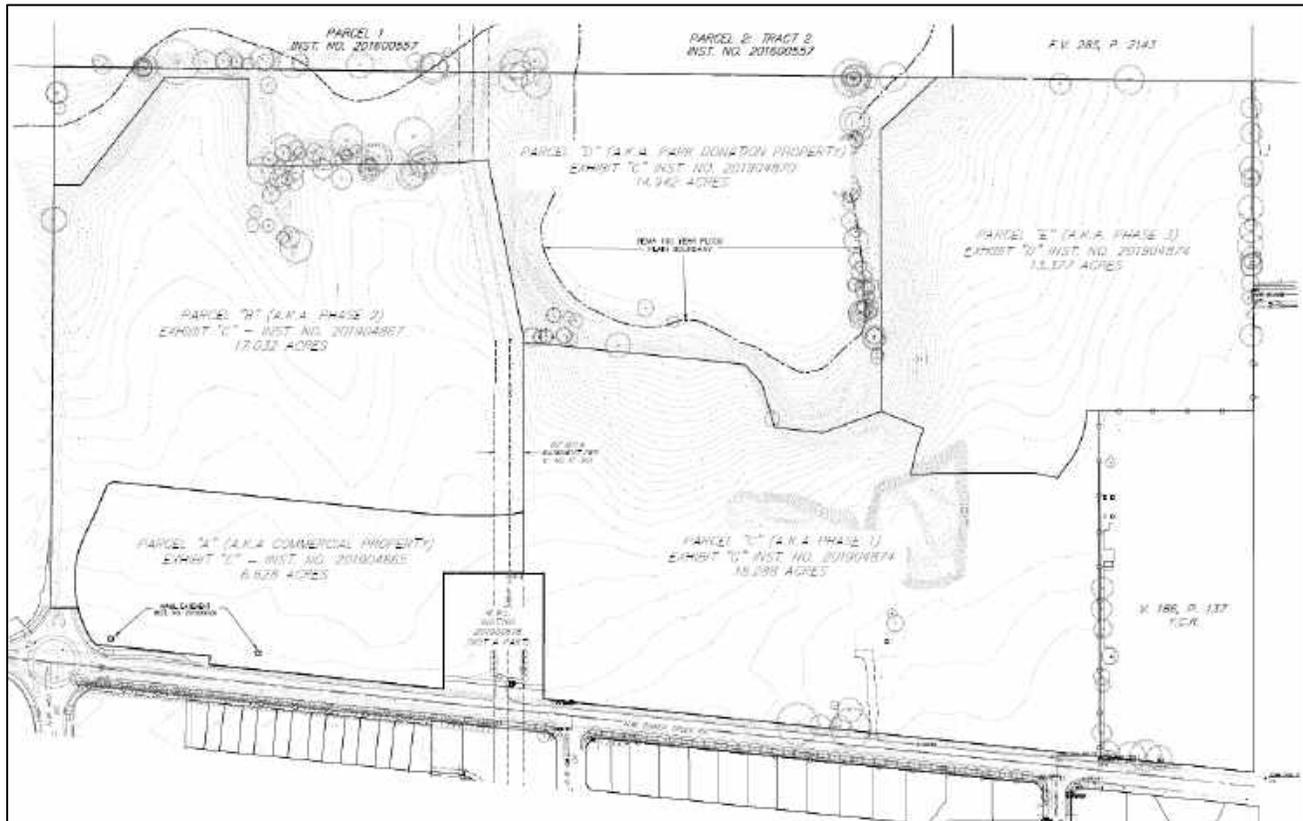
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The Planned Development (PD 1-19) application includes a description of the dedication of a parcel for a public park. This parcel is not proposed to be included in the Planned Development Overlay District, because it exists today as a parcel and will not need to be created as a tract during future subdivision of the property, if the land-use applications are approved as proposed. This park dedication parcel is identified as “Parcel D” in Figure 4 below.

**Figure 4. Proposed Park Dedication Parcel (Parcel D)**



### **Discussion:**

More detailed analysis of the land use applications has been provided in staff reports from the previous City Council meetings where the requests were considered. Links to those staff reports are provided below:

January 14, 2020 City Council Staff Report:

[https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/14251/cc\\_staff\\_report\\_-\\_baker\\_creek\\_north\\_1-14-20.pdf](https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/14251/cc_staff_report_-_baker_creek_north_1-14-20.pdf)

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January 28, 2020 City Council Staff Report:

[https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/14251/cc\\_staff\\_report\\_-\\_baker\\_creek\\_north\\_1-28-20\\_final.pdf](https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/14251/cc_staff_report_-_baker_creek_north_1-28-20_final.pdf)

March 10, 2020 City Council Staff Report:

[https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/14251/cc\\_staff\\_report\\_-\\_baker\\_creek\\_north\\_3-10-20\\_final.pdf](https://www.mcminnvilleoregon.gov/sites/default/files/fileattachments/planning/page/14251/cc_staff_report_-_baker_creek_north_3-10-20_final.pdf)

### **Overview of Actions Taken at March 10, 2020 City Council Meeting**

Following the receipt of the additional written testimony submitted after the January 28, 2020 public hearing, the City Council held first and second readings of each of the six ordinances under consideration. The City Council elected to hold a first reading of all six ordinances together by title only, which passed unanimously. The City Council then elected to hold a second reading on each of the six ordinances individually.

The second reading of Ordinance No. 5084 (CPA 1-19) was passed with a vote of 5-1 (Nay vote from Councilor Geary).

There was a motion by Councilor Drabkin, seconded by Councilor Stassens, to consider the second reading of Ordinance No. 5085 (ZC 1-19) and Ordinance No. 5086 (PDA 2-19) simultaneously, which passed so those ordinances were considered together. There was discussion and deliberation on some of the components of the commercial site, which were associated with the conditions of approval related to the Planned Development Overlay District (PDA 2-19) that would apply to the commercially zoned portion of the Baker Creek North site.

Following discussion, Councilor Drabkin provided a motion to consider the prohibition of stand-alone drive-through facilities on the site, referencing findings for Comprehensive Plan policies 25.00 and 26.00. The motion was seconded by Councilor Menke, and passed with a vote of 4-2 (Nay votes from Councilors Garvin and Peralta).

Councilor Garvin then expressed his concerns with the 45 foot maximum height in PDA 2-19 (Ordinance No. 5086). He felt it was too tall for the neighboring residential neighborhoods. Following further discussion, Councilor Peralta provided a motion to consider the limitation of the height of buildings within the commercial area to no more than two stories rather than having a specific number of feet for maximum building height. The motion was seconded by Councilor Garvin, and passed with a vote of 5-1 (Nay vote from Councilor Drabkin).

Councilor Geary then asked about the condition of the intersection at Baker Creek Road and Michelbook Road which the applicant's TIA showed would be above the city's v/c standard of 0.90 at full build-out of the project. Following further discussion, Councilor Geary provided a motion to require that the future traffic impact analysis required by the condition of approval for the commercial site

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include an analysis of the intersection of Baker Creek Road and Michelbook Road and the intersection of Baker Creek Road and Highway 99W, but not to limit the traffic impact analysis to those intersections. The motion was seconded by Councilor Drabkin, and passed with a vote of 6-0.

A motion to consider the second reading of Ordinance No. 5085 and Ordinance No. 5086, with the amendments described above, was made by Councilor Drabkin, seconded by Councilor Stassens, and passed with a vote of 4-2 (Nay votes from Councilors Garvin and Geary).

The second reading of Ordinance No. 5087 (PD 1-19) was passed with a vote of 4-2 (Nay votes from Councilors Garvin and Geary).

The second reading of Ordinance No. 5088 (PD 1-19) was passed with a vote of 4-2 (Nay votes from Councilors Garvin and Geary).

The second reading of Ordinance No. 5089 (L 12-19) was passed with a vote of 5-1 (Nay vote from Councilor Geary).

### **Updates to Ordinance No. 5086 and the Decision Document for PDA 2-19**

Based on the amendments made to Ordinance No. 5086 (PDA 2-19) as described above, staff updated the Ordinance and Decision Document to reflect those amendments as outlined below:

The conditions of approval for Ordinance No. 5086 and the Planned Development Amendment (PDA 2-19) have been updated as follows (shown in **bold underline** or ~~strikethrough~~):

1. That Ordinance 4633 is repealed in its entirety.
2. That up to 120 multiple family dwelling units are allowed within the Planned Development Overlay District, but only if the multiple family units are integrated with neighborhood commercial uses. “Integrated” means that uses are within a comfortable walking distance and are connected to each other with direct, convenient and attractive sidewalks and/or pathways. This integration of multiple family units and neighborhood commercial uses shall either be within a mixed use building or in a development plan that integrates the uses between buildings in a manner found acceptable to the Planning Commission.
3. For the purposes of this Planned Development Overlay District, allowed neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, “Restaurant” shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. No retail uses should exceed 10,000 square feet in size, except for grocery stores. The applicant may request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site.

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- 4. That stand-alone drive-through facilities shall be prohibited within the Planned Development Overlay District.**
5. Detailed development plans showing elevations, site layout, signing, landscaping, parking, and lighting must be submitted to and approved by the Planning Commission before actual development may take place. The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance may be used to place conditions on any development and to determine whether or not specific uses are permissible. The detailed development plans shall identify the site design components listed below. The applicant may propose alternative design components when detailed development plans are submitted for review. The Planning Commission may review and approve these alternative design components if they are found to be consistent with the intent of the required site design components listed below.
- a. That the future commercial development of the site is designed with shared access points and shared internal circulation. Parking and vehicle drives shall be located away from building entrances, and not between a building entrance and the street, except as may be allowed when a direct pedestrian connection is provided from the sidewalk to the building entrance.
  - b. Parking shall be oriented behind the buildings or on the sides. Surface parking shall not exceed 110% of the minimum parking requirements for the subject land uses. Shared parking is encouraged. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; and a significant bicycle corral that is connected to the BPA bicycle/pedestrian trail. Parking lot landscaping will meet or exceed city standards.
  - c. Buildings shall be oriented towards the surrounding right-of-ways and must have at least one primary entrance directly fronting a public right-of-way. Building facades shall be designed to be human scale, for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the surrounding neighborhoods. Special attention should be paid to roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, the public parks and the adjacent neighborhood. No building shall exceed a height of ~~45 feet~~ **two stories** without a variance. If any building is proposed to exceed 35 feet, the building shall be designed with a step back in the building wall above 35 feet to reduce the visual impact of the height of the building.
  - d. Pedestrian connections shall be provided between surrounding sidewalks and right-of-ways. The plans shall also identify how the development provides pedestrian connections to adjacent residential development and the BPA Bike/Pedestrian Trail system located adjacent and to the east of the site.
  - e. The commercial development shall maximize connectivity with the BPA Bike/Pedestrian Trail and the other adjacent public parks but minimize bicycle and pedestrian conflicts within the site.
  - f. Sidewalks and/or plazas will be provided with weather protection (e.g. awnings/canopies). Appropriate pedestrian amenities such as space for outdoor

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- seating, trash cans, sidewalk displays, outdoor café seating and public art will also be provided.
- g. That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee. A minimum of 14 percent of the site must be landscaped with emphasis placed at the street frontage. All public right-of-ways adjacent to the site will be improved with street tree planting as required by Chapter 17.58 of the MMC.
  - h. The plan must provide a community gathering space that is easily accessible via pedestrian and bicycle access from all of the uses within the commercial development as well as the adjacent BPA Bike/Pedestrian Trail. If multiple family dwelling units are developed on the site, a minimum of 10 percent of the site must be designated as usable open space. The usable open space will be in addition to the minimum 14 percent of the site that must be landscaped, and may be combined with the community gathering space required for the commercial uses. The usable open space shall be in a location of the site that is easily accessible from all buildings and uses, shall not be located in a remnant area of the site, and shall not be disconnected from buildings by parking or driving areas.
  - i. That signs located within the planned development site be subject to the following limitations:
    1. All signs, if illuminated, must be indirectly illuminated and nonflashing, and the light source may not be visible from any public right of way and may not shine up into the night sky;
    2. No individual sign exceeding thirty-six (36) square feet in size shall be allowed.
    3. Internally illuminated, signs on roofs, chimney and balconies, and off-site signage are prohibited.
    4. Each building may have a maximum of two signs to identify the name and street address of the building. These signs must be integral to the architecture and building design and convey a sense of permanence. Typically these sign are secondary or tertiary building elements as seen on historic urban buildings. Maximum sign area shall be no more than 6 square feet. Maximum sign height shall be 18 feet above the sidewalk to the top of the sign.
    5. Each building may have one directory sign immediately adjacent to a front/main or rear entry to the building. A directory sign is allowed at each entry to a common space that provides access to multiple tenants. Directory signs shall be limited to 12 square feet in area and their design shall integrate with the color and materials of the building.
    6. One freestanding monument sign shall be permitted within 20 feet of each driveway access to a public right-of-way. The maximum sign area shall be 24 square feet. Monument signs must be positioned to meet the City's clear vision standards. The maximum height from the ground of the monument sign shall be 6 feet.
    7. Each building may have a total of two signs per tenant identifying the leased/occupied space. These signs must be located on the façade containing

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the primary entry or façade immediately adjacent to the primary entry to the tenant's space. In all cases these signs must be on a wall attached to the space occupied by the tenant. Tenants may select from the following sign types: Awning, Project/Blade or Wall.

A. Awning Sign

- i. Maximum sign area shall be 6 square feet on the main awning face or 3 square feet of the awning valance.
- ii. Lettering may appear but shall not dominate sloped or curved portions, and lettering and signboard may be integrated along the valance or fascia, or free-standing letters mounted on top of and extending above the awning fascia.
- iii. Lettering and signboard may be integrated along the valance or awning fascia.

B. Projecting and Blade Sign

- i. Maximum sign area shall be 4 square feet (per side).
- ii. The sign must be located with the lower edge of the signboard no closer than 8 feet to the sidewalk and the top of the sign no more 14 feet above the sidewalk.
- iii. For multi-story buildings, at the ground floor tenant space signage, the top signboard edge shall be no higher than the sill or bottom of the average second story window height.
- iv. Distance from building wall to signboard shall be a maximum of 6 inches.
- v. Maximum signboard width shall be 3 feet with no dimension to exceed 3'.
- vi. Occupants/tenants above the street level are prohibited from having projecting blade signage.

C. Wall Signs

- i. Maximum sign area shall be a maximum of 10 square feet. For small tenant spaces the ARC may limit sign size to less than 10 square feet.
- ii. The sign shall be located on the tenant's portion of the building. Maximum sign height for multiple story buildings shall be 14 feet above the sidewalk to the top of the sign. The maximum sign height for single story buildings is 18 feet above the sidewalks to the top of the sign. The measurement is from the top of the sign to the lowest point on the sidewalk directly below the sign.
- iii. Applied lettering may be substituted for wall signs. Lettering must fit within the size criteria above.

- j. Outside lighting must be directed away from residential areas and public streets.

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6. No use of any retail commercial use shall normally occur between the hours of 1:00 a.m. and 5:00 a.m.
7. All business, service, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
  - a. Off-street parking and loading;
  - b. Temporary display and sales of merchandise, providing it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation;
  - c. Seating for food and beverage establishments; and
  - d. Food carts.
8. Prior to any future development of the site, a traffic impact analysis shall be provided. The traffic impact analysis shall include an analysis of the internal circulation system, the shared access points, and the traffic-carrying capacity of all adjacent streets and streets required to provide eventual access to Baker Creek Road. **The traffic impact analysis shall include an analysis of the intersection of Baker Creek Road and Michelbook Lane and the intersection of Baker Creek Road and Highway 99W, but shall not be limited to only those intersections.**
9. The minimum commercial development shall be five acres. Five acres of this site must retain ground floor commercial uses, allowing multiple family development to occur on the remainder of the site and as part of a mixed-use development. The five acres of commercial development will be calculated based upon all of the development requirements associated with the commercial development including any standards related to the mixed-use residential development.

Findings within the Decision Document for the Planned Development Amendment (PDA 2-19) associated with Ordinance No. 5086 were also updated where necessary to reflect the amendments passed by the City Council. In addition, condition numbers were updated throughout the Decision Document in order to reference the correct findings, after the addition of a new finding to reflect one of the amendments. The findings that were updated are provided below, and are also reflected in an updated version of Ordinance No. 5086 attached to this staff report (Attachment C). Updates are shown in **bold underline** or ~~striketrough~~:

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

**APPLICANT'S RESPONSE:** There will be minimal impacts to adjacent land uses by the proposed C3 zoned parcel. It is appropriately located adjacent to a minor arterial on the south side and buffered from adjacent high density residential land by a full public street on all other sides. In addition, a power substation is sited to the east side of the commercial zoned land. The proposed commercial land location has readily available City utility services, including sanitary sewer services installed in 2018.

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**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #2 - 9.** The existing Planned Development Overlay District is surrounded by land that is either developed or guided for residential use. The applicant is proposing to limit the use of the property to “neighborhood commercial uses” and multifamily units. While the intent of the “neighborhood commercial uses” may be to limit conflicts and impacts on adjacent residential land uses, “neighborhood commercial uses” are not defined in the McMinnville Municipal Code. Therefore, a condition of approval is included to define that, for the purposes of this Planned Development Overlay District, neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, “Restaurant” shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. The condition of approval allows for the applicant to request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site. **Another condition of approval is included to prohibit stand-alone drive-through facilities to minimize conflicts with adjacent residential land uses from commercial uses that are automobile oriented.** [...]

*Policy 26.00 The size of, scale of, and market for commercial uses shall guide their locations. Large-scale, regional shopping facilities, and heavy traffic-generating uses shall be located on arterials or in the central business district, and shall be located where sufficient land for internal traffic circulation systems is available (if warranted) and where adequate parking and service areas can be constructed.*

**APPLICANT’S RESPONSE:** No specific commercial use is proposed at this time. Any commercial uses proposed in the future on the C3 zoned area of the site will be appropriately scaled. As proposed with the amended planned development overlay, future development will contain at least 2-acres of commercial use and no more than 120 multifamily dwelling units. Existing commercial designated land on the site is located on a minor arterial and not in the central business district. The existing commercial land is capable of developing 10 acres of commercial use, or 100,000 square feet of commercial development which generates “heavy traffic”. That type of commercial should be located on arterials and in the central business district per this policy. The applicant’s attached traffic analysis supports proposed development plans for the site. The proposed commercial land area of just over 6 acres will have less intense traffic demands than would 10 acres. Future development plans for the commercial property will demonstrate that the commercial use will have sufficient internal circulation, parking, and service areas.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #2 - 9.** The City concurs with the applicant’s responses. However, the City adds that the existing Planned Development Overlay District is surrounded by land that is either developed or guided for residential use. To ensure that future commercial uses are appropriately scaled and integrated with the surrounding area, a condition of approval is included to define that, for the purposes of this Planned Development Overlay District, neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, “Restaurant” shall be permitted as a neighborhood commercial use in this Planned Development Overlay District.

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The condition of approval allows for the applicant to request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site. **In addition, another condition of approval is included to prohibit stand-alone drive-through facilities to minimize automobile oriented and heavy traffic-generating uses.**

The City also finds that the location and design of buildings that will contain the commercial uses in the Planned Development Overlay District can significantly reduce any potential conflict or impact on adjacent residential land uses. Therefore, a condition of approval is included to require that detailed development plans be provided for review and approval by the Planning Commission. Existing conditions of approval in Ordinance 4633 already required that development plans would be provided for review and approval by the Planning Commission. Existing conditions of approval in Ordinance 4633, as amended as described in other findings in this Decision Document, also include requirements that will result in the reduction of any potential conflict or impact on adjacent residential land uses, including requirements for landscaping a minimum of 14% of the site, limiting building height to **two stories**45 feet (with a requirement that building walls be stepped back if above 35 feet), including building siting and façade standards, limiting lighting and signage on the site, and restricting hours of operation for the commercial uses.

*Policy 29.00 New direct access to arterials by large-scale commercial developments shall be granted only after consideration is given to the land uses and traffic patterns in the area of development as well as at the specific site. Internal circulation roads, acceleration/deceleration lanes, common access collection points, signalization, and other traffic improvements shall be required wherever necessary, through the use of planned development overlays.*

**APPLICANT’S RESPONSE:** No specific commercial use is proposed at this time. Consideration to land uses and traffic patterns will be given for any commercial uses proposed in the future on the proposed C3 zoned area, if access to arterials is sought. The proposed residential development plans internal circulation roads and access to the minor arterial Baker Creek Road at three points: 1) An extension of the north leg of Hill Road and Baker Creek Road roundabout in the form of a street proposed as Hill Lane, 2) An extension of Meadows Drive north from its current intersection with Baker Creek Road where new striping will be added for bike lanes, and 3) An extension of Shadden Drive north from its current intersection with Baker Creek Road where new striping will also be added for bike lanes. Both Meadows and Shadden drive will have additional pavement width on the west side of their sections to allow for a right turn lane.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 & 8.** The Planned Development Overlay District is located on an arterial street, and no specific commercial development plan has been provided by the applicant. In order ensure that the future commercial development of the site does not negatively impact traffic patterns in the area and is designed with adequate access and internal circulation systems, a condition of approval is included to require that a traffic impact analysis be provided prior to any future development of the site. The traffic impact analysis shall

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analyze proposed access points to the commercial site, the functionality of the internal circulation system, and the impacts of the traffic patterns created by the commercial development on the surrounding streets. **The traffic impact analysis shall include an analysis of the intersection of Baker Creek Road and Michelbook Lane and the intersection of Baker Creek Road and Highway 99W, but shall not be limited to only those intersections. These intersections shall be included in the future traffic impact analysis because they were referenced in testimony and because the intersection of Baker Creek Road and Michelbook Lane did not meet the volume-to-capacity standard of 0.90 adopted by the City of McMinnville Transportation System Plan in the applicant’s traffic impact analysis at full build-out of the project.**

In addition, a condition of approval is included to require that the property within the Planned Development Overlay District be developed with shared access points and a shared internal circulation system.

*Policy 30.00 Access locations for commercial developments shall be placed so that excessive traffic will not be routed through residential neighborhoods and the traffic-carrying capacity of all adjacent streets will not be exceeded.*

**APPLICANT’S RESPONSE:** The C3 zoned area is located adjacent to NW Baker Creek Road, a minor arterial street. Future access to the commercial uses will not focus traffic through residential neighborhoods or reduce the carrying capacity of the adjacent streets. The traffic analysis provided with this application showed that, in the worst case scenario, the capacity of adjacent streets is sufficient.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #8.** No specific commercial development plan has been provided by the applicant. The Planned Development Overlay District is surrounded by land that is either developed or guided for residential use. In order ensure that the future commercial development of the site is not designed to route excessive traffic through adjacent residential neighborhoods or exceed the traffic-carrying capacity of adjacent streets, a condition of approval is included to require that a traffic impact analysis be provided prior to any future development of the site. **The traffic impact analysis shall include an analysis of the intersection of Baker Creek Road and Michelbook Lane and the intersection of Baker Creek Road and Highway 99W, but shall not be limited to only those intersections. These intersections shall be included in the future traffic impact analysis because they were referenced in testimony and because the intersection of Baker Creek Road and Michelbook Lane did not meet the volume-to-capacity standard of 0.90 adopted by the City of McMinnville Transportation System Plan in the applicant’s traffic impact analysis at full build-out of the project.**

**17.74.070(A).** *There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements; [...]*

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #1 - 9. [...]**

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*Section 2(d) - No building shall exceed the height of 35 feet.*

The applicant has stated that the building height of 35 feet would be restrictive to the development of mixed-use buildings with neighborhood commercial uses on the ground floor and multiple family dwelling units on the upper floors. The City concurs with the applicant, and also notes that other conditions of approval described above in this Decision Document require the integration of multiple family dwelling units with commercial uses through the development of mixed-use buildings or in a development plan that integrates the uses between buildings in a manner found acceptable to the Planning Commission. Therefore, the condition of approval related to building height is amended to limit the height of buildings to **two stories**~~45 feet, as described by the applicant~~. The condition of approval specifies that if buildings are proposed to exceed 35 feet, that they are designed with a step back in the building wall to reduce the visual impact of the height of the building. [...]

In regards to the allowance of multiple family dwelling units on the site, the City concurs with the applicant's findings that there is a shortage of land for residential use in the City of McMinnville and a need for additional multiple family development to support future population growth. The City also notes that per the findings in the zone change request associated with this project (ZC 1-19) that this is an ideal location for multiple family development. However, the City has also planned for at least five acres of commercial development in this area since Ordinance 4506 was adopted on December 10, 1991. The need for neighborhood serving commercial development in this area has carried forward into subsequent Ordinances, including Ordinance 4633 and the 2013 Economic Opportunities Analysis. Recognizing the need to maintain space for commercial development and to accommodate additional multiple family development, the City will require that five acres of this site retain ground floor commercial uses, allowing multiple family development to occur on the remainder of the site and as part of a mixed-use development. ~~Increasing the height restriction of Ordinance 4633 from 35 feet to 45 feet helps to support mixed-use development as well.~~ The five acres of commercial development will be calculated based upon all of the development requirements associated with the commercial development including any standards related to the mixed-use residential development. [...]

**17.74.070(E).** *The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;*

**APPLICANT'S RESPONSE:** The site of the planned development amendment is adjacent to a minor arterial with capacity planned in the City's Transportation Plan adequate to serve the area with over ten acres of commercial use. The applicant's traffic analysis shows this. The proposed use is 6.62 acres with no less than 2 acres of neighborhood commercial and no more than 120 multi-family dwelling units. The intensity of the proposed uses in the application are less than the intensity of the commercial use planned for in the City's plans under the current planned development scenario. Therefore, development of the site as the amendment proposes will not overload the streets, rather the impact will be lighter than planned for by the City.

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**FINDING: SATISFIED WITH CONDITION #5 & #8.** The City concurs with the applicant's findings, and adds that a condition of approval is included to allow for the review and approval of the access and internal circulation of the commercial development site. A condition of approval is also included to require a traffic impact analysis that will analyze proposed access points to the commercial site, the functionality of the internal circulation system, and the impacts of the traffic patterns created by the commercial development on the surrounding streets. The traffic impact analysis will also ensure that the future commercial development of the site is not designed to route excessive traffic through adjacent residential neighborhoods or exceed the traffic-carrying capacity of adjacent streets. **The traffic impact analysis shall include an analysis of the intersection of Baker Creek Road and Michelbook Lane and the intersection of Baker Creek Road and Highway 99W, but shall not be limited to only those intersections. These intersections shall be included in the future traffic impact analysis because they were referenced in testimony and because the intersection of Baker Creek Road and Michelbook Lane did not meet the volume-to-capacity standard of 0.90 adopted by the City of McMinnville Transportation System Plan in the applicant's traffic impact analysis at full build-out of the project.** The condition of approval requires that the traffic impact analysis be provided prior to any future development of the site.

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### **Fiscal Impact:**

The recommended conditions of approval for the Planned Development Overlay District (PD 1-19) and Tentative Subdivision (S 1-19) result in the donation and dedication of 4 land tracts within the subdivision phases and one additional parcel for use as public parks (the total size of these land tracts and parcels

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is 16.211 acres). These tracts and parcel encompass the land and improvements that would allow for the extension of the BPA multi-use path system north of Baker Creek Road, and the larger parcel proposed to be accepted by the City as a public special use park. Maintenance costs are associated with the public ownership of these tracts and parcels. Conditions of approval are included to require that the larger 14.92 acre parcel (Parcel D) that will be dedicated as a public park be maintained by the Homeowner's Association until 2032, at which time the maintenance responsibility will be transferred to the City. This is included to allow time for discussion and preparation for the increase in maintenance costs associated with additional park land within the City's park system.

### **Alternative Courses of Action:**

At the meeting on March 10, 2020, the following votes were taken:

<b>ORDINANCE</b>	<b>VOTE</b>	<b>MOTION/SECOND</b>	<b>YAYS</b>	<b>NAYS</b>
5084 (CPA 1-19)	5-1	Stassens/Menke	Menke, Drabkin, Garvin, Peralta, Stassens	Geary
5085 (ZC 1-19)	4-2	Drabkin/Stassens	Menke, Drabkin, Peralta, Stassens	Garvin, Geary
5086 (PDA 2-19) (w/amendments)	4-2	Drabkin/Stassens	Menke, Drabkin, Peralta, Stassens	Garvin, Geary
5087 (PD 1-19)	4-2	Drabkin/Menke	Menke, Drabkin, Peralta, Stassens	Garvin, Geary
5088 (S 1-19)	4-2	Menke/Drabkin	Menke, Drabkin, Peralta, Stassens	Garvin, Geary
5089 (L 2-19)	5-1	Drabkin/Menke	Menke, Drabkin, Garvin, Peralta, Stassens	Geary

The City Charter, in Chapter VIII, Section 36(2), requires that "Except as this section provides to the contrary an ordinance may be enacted at a single meeting of the council by unanimous vote of all council members present, upon being read first in full and then by title." Because unanimous approval did not occur at the March 10, 2020 meeting, another City Charter provision, in Chapter VIII, Section 36(1), becomes applicable as follows: "Except as this section provides to the contrary, every ordinance of the council shall, before being put upon its final passage, be read fully and distinctly in open council meeting on two different days."

To comply with that provision, legal counsel is recommending that the City Council re-conduct the second readings of the ordinances by title only, before voting to approve each ordinance. Legal counsel will be available at the March 24, 2020 meeting, and will guide Council through the appropriate procedures and motions.

## CD

### *Attachments:*

*Attachment A: Ordinance No. 5084 including Exhibit A – CPA 1-19 Decision Document*

*Attachment B: Ordinance No. 5085 including Exhibit A – ZC 1-19 Decision Document*

*Attachment C: Ordinance No. 5086 including Exhibit A – PDA 2-19 Decision Document*

*Attachment D: Ordinance No. 5087 including Exhibit A – PD 1-19 Decision Document*

*Attachment E: Ordinance No. 5088 including Exhibit A – S 1-19 Decision Document*

*Attachment F: Ordinance No. 5089 including Exhibit A – L 12-19 Decision Document*

*Attachment G: Public Notices*

*Attachment H: Agency Comments (McMinnville Water and Light; All other agency comments provided in Decision Documents)*

*Attachment I: Public Testimony*

*Attachment J: Draft Planning Commission Minutes, December 5, 2019*

*Attachment K: CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Application Materials*

## ORDINANCE NO. 5084

**AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP DESIGNATION OF THE PROPERTY AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD FROM A COMMERCIAL DESIGNATION TO A MIX OF RESIDENTIAL AND COMMERCIAL DESIGNATIONS**

## RECITALS:

The Planning Department received an application (CPA 1-19) from Stafford Development Company, LLC requesting approval of a Comprehensive Plan Map Amendment. The property is currently designated on the Comprehensive Plan Map as Commercial land. The requested Comprehensive Plan Map Amendment would result in the Commercial designation being reduced in size and the balance of the property being designated as Residential on the Comprehensive Plan Map; and

The subject property is located at the northeast quadrant of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records, and a portion of Exhibit C in Instrument No. 201904867, Yamhill County Deed Records. The property is also identified as a portion of Tax Lot 100, Section 18, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on December 5, 2019 at 6:30 p.m., before the McMinnville Planning Commission after due notice had been provided in the local newspaper on November 26, 2019, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said requests, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the Comprehensive Plan Map Amendment review criteria listed in Section 17.74.020 of the McMinnville Municipal Code based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The Planning Commission recommended approval of said Comprehensive Plan Map Amendment to the City Council; and

The City Council having received the Planning Commission recommendation and staff report, elected to schedule a second public hearing on the application; and

A public hearing was held on January 28, 2020 at 7:00 p.m., before the McMinnville City Council after due notice had been provided in the local newspaper on January 21, 2020, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The City Council decided to close the public hearing on January 28, 2020, but left the record open for the submittal of additional written testimony. The City Council provided seven additional days for the submittal of additional written testimony until February 4, 2020. The City Council then provided

another seven days for the submittal of rebuttal testimony until February 11, 2020. The City Council then provided another seven days for the applicant to submit final written argument until February 18, 2020; and

The City Council having completed the public hearing, received the Planning Commission recommendation and staff report, received all additional written testimony, and having deliberated; and

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

1. That the Council adopts the Findings of Fact, Conclusionary Findings, and Decision as documented in Exhibit A; and
2. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 24<sup>th</sup> day of March, 2020, by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_

MAYOR

Attest:

Approved as to form:

\_\_\_\_\_  
CITY RECORDER

\_\_\_\_\_  
CITY ATTORNEY



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A COMPREHENSIVE PLAN MAP AMENDMENT FROM A COMMERCIAL DESIGNATION TO A MIX OF RESIDENTIAL AND COMMERCIAL DESIGNATIONS AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD**

**DOCKET:** CPA 1-19 (Comprehensive Plan Map Amendment)

**REQUEST:** Approval to amend the Comprehensive Plan Map designations of a property from its current designation of Commercial to a mix of Commercial and Residential designations. The proposal would reduce the size of the existing Commercially designated area from 11.3 acres to 6.62 acres of Commercially designated land and 4.68 acres of Residentially designated land.

**LOCATION:** The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records, and a portion of Exhibit C in Instrument No. 201904867, Yamhill County Deed Records. The property is also identified as a portion of Tax Lot 100, Section 18, T. 4 S., R. 4 W., W.M.

**ZONING:** EF-80 (Exclusive Farm Use)

**APPLICANT:** Stafford Development Company, LLC

**STAFF:** Chuck Darnell, Senior Planner

**DATE DEEMED COMPLETE:** October 11, 2019

**HEARINGS BODY & ACTION:** The McMinnville Planning Commission makes a recommendation for approval or denial to the City Council.

**HEARING DATE & LOCATION:** December 5, 2019, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.

**HEARINGS BODY & ACTION:** The McMinnville City Council approves or denies the land-use application.

**HEARING DATE & LOCATION:** January 28, 2020, March 10, 2020, and March 24, 2020, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville Oregon



Planning Department: \_\_\_\_\_ Date: \_\_\_\_\_  
Heather Richards, Planning Director

## **I. APPLICATION SUMMARY:**

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the history of land use decisions for the subject site(s) and the request(s) under consideration. The City has found the information provided to accurately reflect the current Comprehensive Plan Map Amendment request and the relevant background, and excerpted portions are provided below to give context to the request, in addition to the City's comments.

### ***Subject Property & Request***

The subject property is located at the northeast quadrant of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records, and a portion of Exhibit C in Instrument No. 201904867. The property is also identified as a portion of Tax Lot 100, Section 18, T. 4 S., R. 4 W., W.M.

The application (CPA 1-19) is a request for a Comprehensive Plan Map Amendment to amend the Comprehensive Plan Map designation of a property from the current designation of Commercial to a mix of Residential and Commercial. The requested amendment would reduce the size of the existing Commercially designated area from 11.3 acres to 6.62 acres in size and designate the remaining 4.68 acres of land Residential. The Comprehensive Plan Map Amendment request was submitted for review concurrently with five other land use applications, as allowed by Section 17.72.070 of the MMC. The requested amendment is being reviewed concurrently with a Planned Development Amendment, Zone Change, Planned Development, Subdivision, and Landscape Plan Review process to allow for the development of a 280 lot subdivision and future commercial development.

***See Vicinity Map (Figure 1), Existing Comprehensive Plan Map (Figure 2), and Proposed Site Plan (Figure 3) below.***

Figure 1. Vicinity Map (Subject Site Area Approximate)

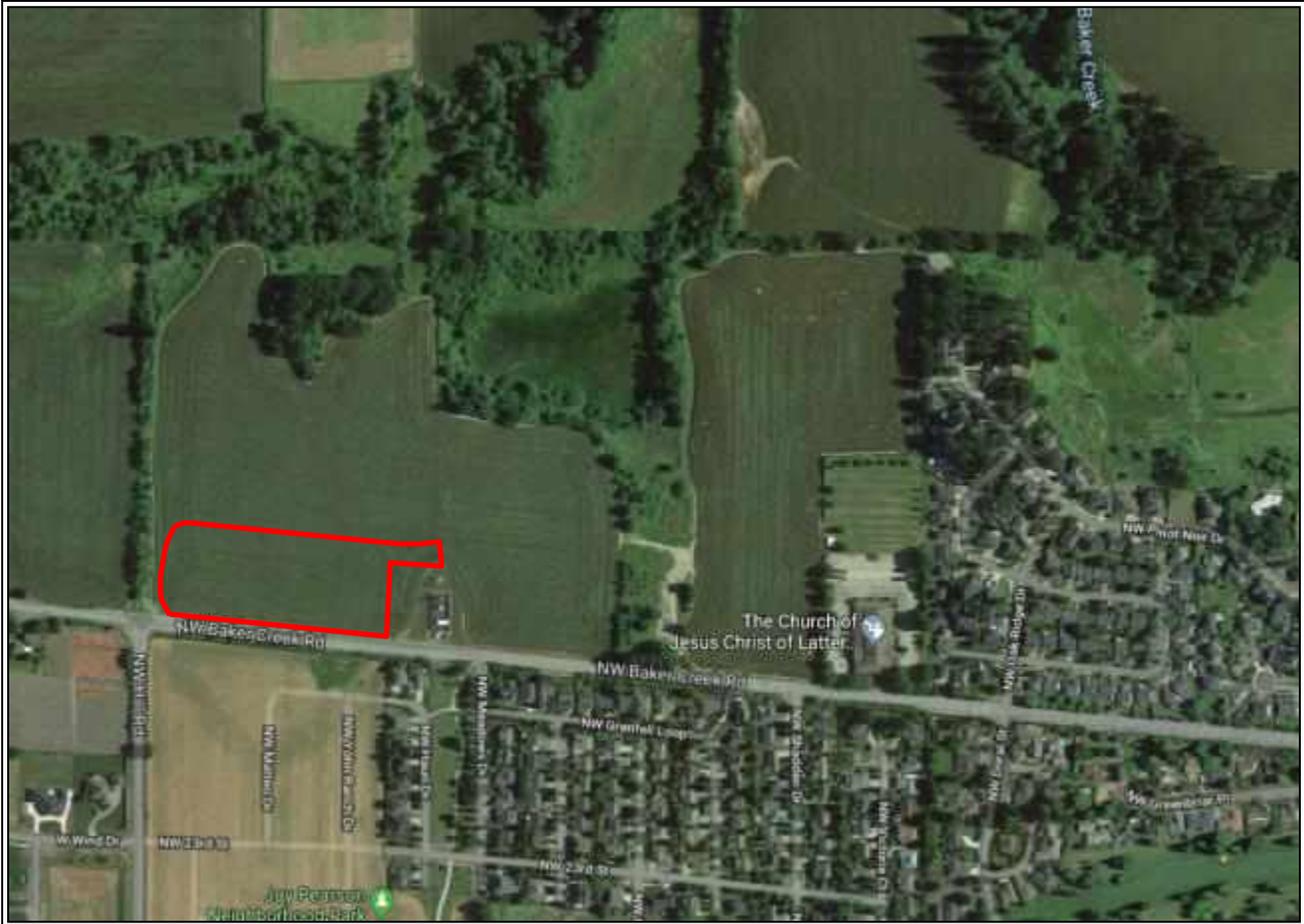
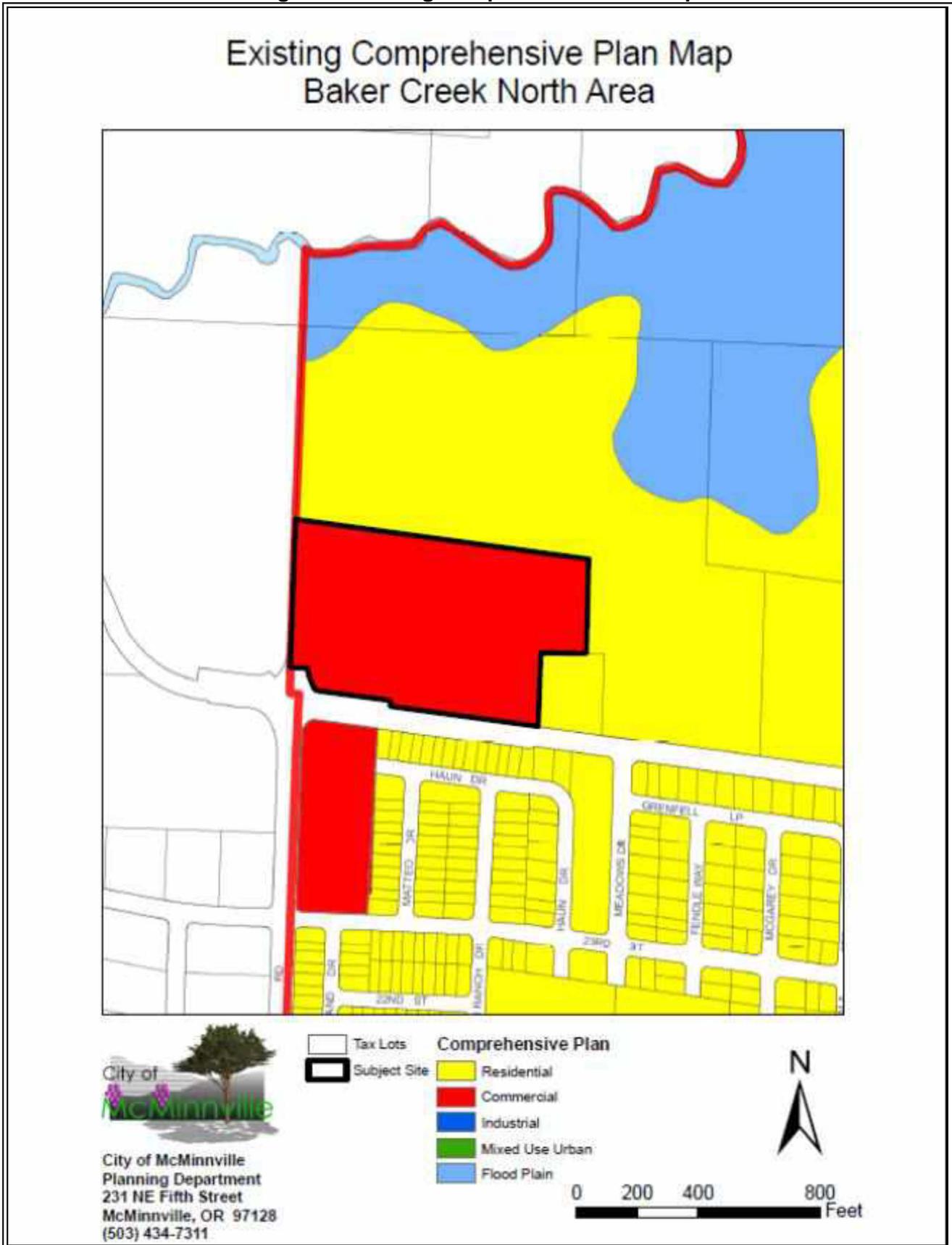
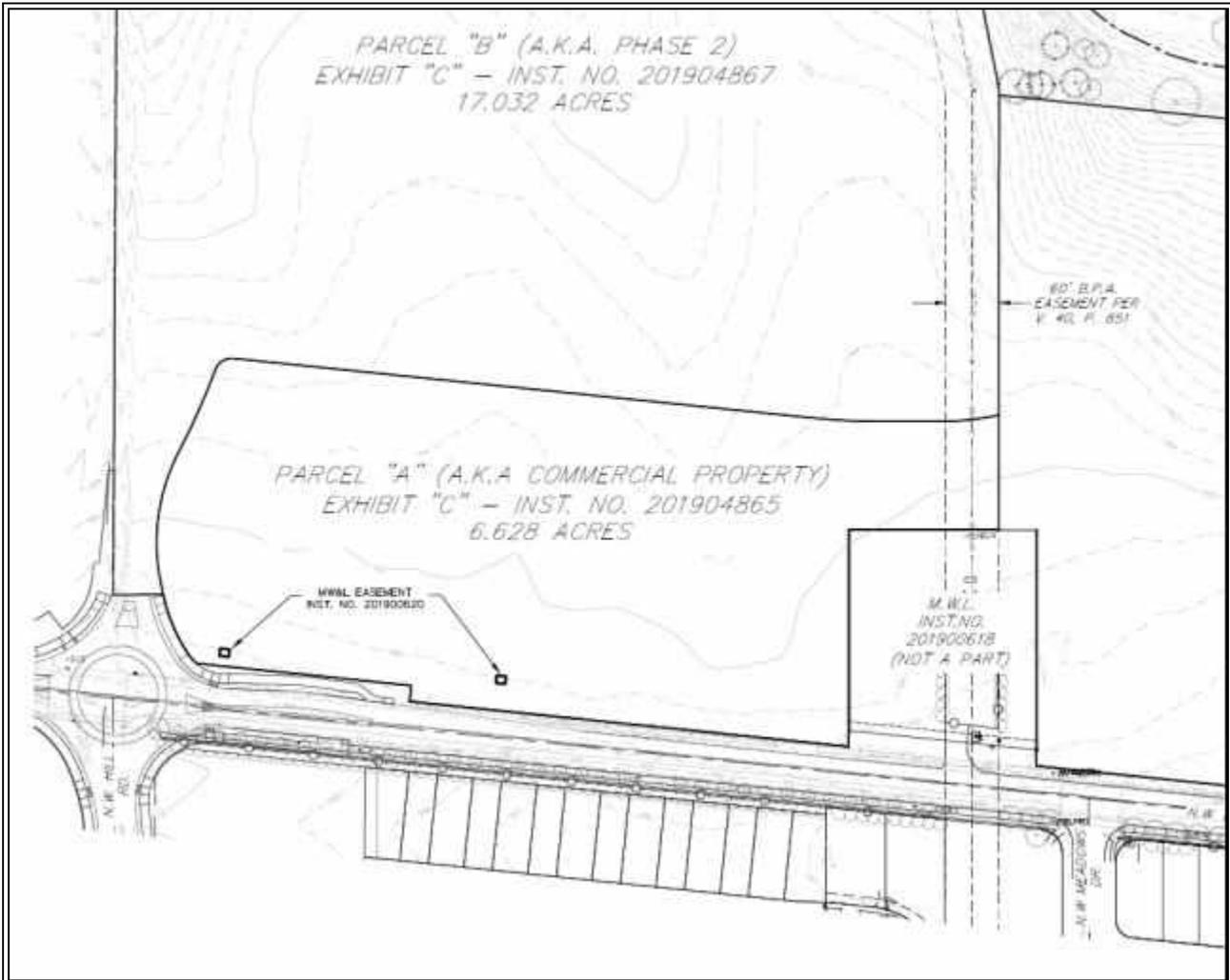


Figure 2. Existing Comprehensive Plan Map



### Figure 3. Proposed Site Plan

**\*Note – Parcel A identifies proposed Commercial Comprehensive Plan Designation.  
Remainder of site proposed to be Residential**



### **Background**

Excerpts from Land Use Application Narrative and Findings:

“Ordinance 4633 was approved in October of 1996 resulting in the commercial designation of 11.3 acres of the site and a commercial planned development overlay (C3-PD) which restricts development with two conditions of approval.

\* \* \*

The applicant is requesting to amend the boundary of the planned development overlay, as previously delineated by Ordinance 4633, to correspond to the current boundary of Parcel A of this application. Furthermore, the applicant requests to replace the two conditions of approval of the planned development overlay created under Ordinance 4633 with the following conditions:

1. No more than 120 multi-family units may be developed on the site.

2. At least 2-acres of neighborhood commercial uses shall be developed on the site.

The proposed conditions of approval would allow for a future development application to include a request for neighborhood commercial and multi-family residential uses allowed in the C3 zone.

It is the applicant's understanding that this area was designated commercial at a time when expansion of the City's urban growth boundary (UGB) westward was being pursued and this commercial area was hoped to be a large commercial center for McMinnville's (north)westward expansion. This UGB expansion to the northwest did not materialize. This has left the site with a glut of commercial land on the fringe of the urban area in a market that cannot support that much commercial land on the edge of town. The applicant, being a developer who has owned the site for almost four years, and having purchased it from a bankruptcy trustee, attests to this lack of demand for so much commercial land based on the lack of interest from others in the property for such uses. The commercially designated area is too large for the current pattern of development in McMinnville. A large commercial development is not appropriate since it would drain economic activity from the downtown commercial core and other established commercial centers in McMinnville. The proposed planned development amendment as established by Ordinance No. 4633, and an amendment to the Comprehensive Plan Map to decrease the area designated commercial as proposed, will allow the remaining commercial area to be regulated under current C3 zone standards. This will allow the property to more freely meet the market needs for uses allowed by the C3 zone, supporting a mix of uses such as neighborhood commercial and needed multi-family housing. The proposed amended planned development conditions will ensure this outcome."

The City notes that much of the applicant's narrative above describes the Planned Development Overlay District that was adopted by Ordinance 4633. That same ordinance also amended the Comprehensive Plan Map to create the current Commercially designated property that is the subject of the current Comprehensive Plan Map Amendment request. The City notes that any findings for the amendments to the Planned Development Overlay District that was adopted by Ordinance 4633 will be addressed in the Decision Document for the Planned Development Amendment (PD 2-19) land use application that was submitted for concurrent review with the Comprehensive Plan Map Amendment.

### ***Summary of Criteria & Issues***

The application (CPA 1-19) is subject to Comprehensive Plan Map Amendment review criteria in Section 17.74.020 of the Zoning Ordinance. Requests to amend the Comprehensive Plan Map are processed in accordance with Section 17.72.120. The goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

The specific review criteria for Comprehensive Plan Map Amendments in Section 17.74.020 of the McMinnville Zoning Ordinance require the applicant to demonstrate that:

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

When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statute), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

The applicant has provided findings to support the request for a Comprehensive Plan Map Amendment. These will be discussed in detail in Section VII (Conclusionary Findings) below.

## **II. CONDITIONS:**

None.

## **III. ATTACHMENTS:**

1. CPA 1-19 Application and Attachments (on file with the Planning Department)
2. Agency Comments (on file with the Planning Department)
3. Testimony Received (on file with the Planning Department)
  - a. Public Testimony
    - i. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received December 4, 2019 (on file with the Planning Department)
    - ii. Markus Pfahler, 2515 West Wind Drive, Letter received December 5, 2019 (on file with the Planning Department)
    - iii. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 24, 2020 (on file with the Planning Department)
    - iv. Jeff and Lori Zumwalt, Premier Home Builders, Inc., Letter received January 24, 2020 (on file with the Planning Department)
    - v. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 26, 2020 (dated January 27, 2020) (on file with the Planning Department)
    - vi. Steve Dow, Black Hawk Homes, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - vii. Vince Vincer, Symbiotik Development, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - viii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - ix. Mike Colvin, Letter received January 28, 2020 (on file with the Planning Department)
    - x. Stafford Development Company (Applicant), Memorandum from Frank Charbonneau received January 28, 2020 (on file with the Planning Department)
    - xi. Linda Lindsay, Letter received at public hearing on January 28, 2020 (on file with the Planning Department)
    - xii. Sandy Colvin, Traffic report data received January 29, 2020 (on file with the Planning Department)
    - xiii. Jim Cena, 15080 NW Blacktail Court, Email received January 30, 2020 (on file with the Planning Department)
    - xiv. Larry and Hersheil Steward, 14200 NW Orchard View Road, Email received January 30, 2020 (on file with the Planning Department)

- xv. Caroline Moore, 205 NE 6<sup>th</sup> Street, Email received January 31, 2020 (on file with the Planning Department)
  - xvi. Nancy and Surinder Singh, 2200 SW West Wind Drive, Email received February 1, 2020 (on file with the Planning Department)
  - xvii. David Cutter, 15000 NW Blacktail Lane, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xviii. Lane Roemmick, Email received February 3, 2020 (on file with the Planning Department)
  - xix. Jim and Jean Semph, 2175 SW Homer Ross Loop, Email received February 3, 2020 (on file with the Planning Department)
  - xx. Vincent Taft and Allison Best, 2025 SW Fox Swale Lane, Email received February 3, 2020 (on file with the Planning Department)
  - xxi. Patrick Stinson, 2065 NW Willamette Drive, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxii. Mike Colvin, Letter received February 3, 2020 (on file with the Planning Department)
  - xxiii. Gary and Suzanne Farmer, Email received February 3, 2020 (on file with the Planning Department)
  - xxiv. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxv. Rick Weidner, 2075 SW Sailing Court, Email received February 3, 2020 (on file with the Planning Department)
  - xxvi. Kari Rex, Email received February 4, 2020 (on file with the Planning Department)
  - xxvii. Melba Smith, 2780 NW Pinot Noir Drive, Email received February 4, 2020 (on file with the Planning Department)
  - xxviii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxix. Linda Lindsay, Email received February 4, 2020 (on file with the Planning Department)
  - xxx. Scott Larsen, Email received February 4, 2020 (on file with the Planning Department)
  - xxxi. Cathy Goekler, 2684 NW Pinot Noir Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxii. Stafford Development Company (Applicant), Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxiii. Mike Colvin, Email with rebuttal testimony received February 5, 2020 (on file with the Planning Department)
  - xxxiv. Stafford Development Company (Applicant), Emailed letter with rebuttal testimony received February 11, 2020 (on file with the Planning Department)
- b. Staff Memorandums
- i. Planning Department Staff, Memorandum describing revisions to conditions of approval, December 5, 2019 (on file with the Planning Department)
  - ii. Planning Department Staff, Memorandum describing additional testimony received prior to January 28, 2020 public hearing, January 27, 2020 (on file with the Planning Department)
- 4. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, December 5, 2019 (on file with the Planning Department)
  - 5. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 14, 2020 (on file with the Planning Department)
  - 6. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 28, 2020 (on file with the Planning Department)

7. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 10, 2020 (on file with the Planning Department)
8. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 24, 2020 (on file with the Planning Department)

#### **IV. COMMENTS:**

##### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development. The following comments were received:

- McMinnville Engineering Department

The Engineering Department provided comments, but they were applicable to the Planned Development and Tentative Subdivision applications that were submitted for concurrent review with the Comprehensive Plan Map Amendment request. The Engineering Department comments are included in the Decision Documents for the Planned Development and Tentative Subdivision land use applications.

- McMinnville Water and Light

Included as Attachment #2

- Oregon Department of State Lands

Sounds like you screened previously for wetlands and waters, found none and went forward. I did a quick check and we didn't have any records about these sites in our database. We would have no comment on the changes proposed.

##### **Public Comments**

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, November 26, 2019. As of the date of the Planning Commission public hearing on December 5, 2019, one item of public testimony had been received by the Planning Department. One additional item of written testimony was submitted at the December 5, 2019 public hearing. Those items of testimony are described in Section III (Attachments) above.

#### **V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. The applicant, Stafford Development Company, LLC, held a neighborhood meeting on November 1, 2018.
2. The applicant submitted the Comprehensive Plan Map Amendment application (CPA 1-19) on April 30, 2019.

3. The application was deemed incomplete on May 30, 2019. The applicant submitted revised application materials on September 11, 2019.
4. Based on the revised application submittal, the application was deemed complete on October 11, 2019. Based on that date, the 120 day land use decision time limit expires on February 8, 2020.
9. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development.

Comments received from agencies are addressed in the Decision Document.

6. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance on Thursday, November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.
7. Notice of the application and the December 5, 2019 Planning Commission public hearing was published in the News Register on Tuesday, November 26, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance.
8. No public testimony was submitted to the Planning Department prior to the Planning Commission public hearing.
9. On December 5, 2019, the Planning Commission held a duly noticed public hearing to consider the request.

## **VI. FINDINGS OF FACT – GENERAL FINDINGS**

1. **Location:** The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records, and a portion of Exhibit C in Instrument No. 201904867. The property is also identified as a portion of Tax Lot 100, Section 18, T. 4 S., R. 4 W., W.M
2. **Size:** Approximately 11.3 acres.
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** EF-80 (Exclusive Farm Use)
5. **Overlay Zones/Special Districts:** Planned Development Overlay District (Ordinance No. 4633)
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**

- a. **Historic Resources:** None
  - b. **Other:** None
8. **Other Features:** The site is generally flat, with a minor slope to the north. There are no significant or distinguishing natural features associated with this property.
9. **Utilities:**
- a. **Water:** Water service is available to the subject site.
  - b. **Electric:** Power service is available to the subject site.
  - c. **Sewer:** Sanitary sewer service is available to the subject site.
  - d. **Stormwater:** Storm sewer service is available to the subject site.
  - e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.
10. **Transportation:** The site is adjacent to NW Baker Creek Road, which is identified as a minor arterial in the McMinnville Transportation System Plan.

**VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Zone Change are specified in Section 17.74.020 of the Zoning Ordinance.

**Comprehensive Plan Volume II:**

Per Section 17.74.020 (A) of the McMinnville Zoning Ordinance the application must be consistent with the goals and policies of the Comprehensive Plan;

The following Goals and Policies from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals and policies as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL IV 1: TO ENCOURAGE THE CONTINUED GROWTH AND DIVERSIFICATION OF McMINNVILLE'S ECONOMY IN ORDER TO ENHANCE THE GENERAL WELL-BEING OF THE COMMUNITY AND PROVIDE EMPLOYMENT OPPORTUNITIES FOR ITS CITIZENS.

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

*Policy 21.01 The City shall periodically update its economic opportunities analysis to ensure that it has within its urban growth boundary (UGB) a 20-year supply of lands designated for commercial and industrial uses. The City shall provide an adequate number of suitable, serviceable sites in appropriate locations within its UGB. If it should find that it does not have an adequate supply of lands designated for commercial or industrial use it shall take corrective actions which may include, but are not limited to, redesignation of lands for such*

*purposes, or amending the UGB to include lands appropriate for industrial or commercial use. (Ord.4796, October 14, 2003)*

**APPLICANT'S RESPONSE:** This policy is supported by the applications for a Comprehensive Plan Map and Proposed Zoning Map amendment, along with the proposed Planned Development Amendment to replace the conditions of approval associated with the planned development overlay approved by Ordinance No. 4633. This will allow larger commercial uses to be developed and maintained in preferred business districts in the City. With the removal of Conditions 1 and 2 of the ordinance, at least 2-acres of neighborhood commercial use and no more than 120 multi-family dwelling units can be developed on the proposed commercial area of the site. With the proposed planned development amendment for Ordinance 4633, the boundary of the current planned development overlay will be reduced to the size of the proposed C3 designated area, which is equal to 6.62 acres. (see Exhibit 3).

The applicant reviewed City documents and found that the City's last Economic Opportunity Analysis (EOA) was completed in 2013. The study concluded that that the Commercial land supply for the 2013-2033 planning period was deficient by 35.8 acres, while the Industrial land supply held a surplus. To adjust for the deficient Commercial land supply, the EOA recommends to re-designate excess industrial land for commercial use to make up for forecasted land needs. Since there are approximately 235.9 acres of Industrial land supply that can be converted to a Commercial designation, there is more than enough Industrial land to not only meet forecasted commercial land needs, but to also replace the proposed loss of commercial land on the subject site. Of the area removed from a commercial designation, about 2 acres is proposed right-of-way to support adjacent commercial and residential land use, so there is really only approximately 2.7 acres of functional land converted from commercial designation to residential.

As demonstrated by the attached Proposed Comprehensive Plan Map, the applicant is proposing to zone Commercial designated land at the intersection of NW Baker Creek Road and NW Hill Lane. The City has recently installed a roundabout at this location to serve as a new northwest gateway into McMinnville. This application does not include a specific development proposal for the C3 zoned land, however the intent is to facilitate future development of uses allowed in the C3 zone such as neighborhood commercial and multi-family housing. Therefore, the C3 zoned parcel is appropriately sized as proposed to support the development of commercial uses typical of this zone.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but only in regards to Comprehensive Plan Map Amendment request. Findings related to the Planned Development Amendment request, which was submitted for concurrent review with the Comprehensive Plan Map Amendment, are provided in the Decision Document for the Planned Development Amendment land use application. The City clarifies that the Comprehensive Plan Map Amendment and Planned Development Amendment described by the applicant, though processed concurrently in accordance with applicable State law and Section 17.72.070 of the McMinnville Municipal Code, are two separate requests, and that the Comprehensive Plan Map Amendment could move forward without the Planned Development Amendment.

The City adds that Section 17.74.020 of the McMinnville Municipal Code states that when considering a comprehensive plan map amendment, "the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay. (Ord. 4242 §3, 1983; Ord. 4221 §4, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968)."

The most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, identified a need for additional land for housing and residential uses of approximately 537 buildable acres, of which only 217 buildable acres have been added to the city's urban growth boundary leaving the city with approximately 320 acres of residential land deficit.

Also, the City adds that the most recently acknowledged Economic Opportunities Analysis for the City of McMinnville, which was acknowledged in 2013, identified a deficit of commercial land within the McMinnville Urban Growth Boundary. The deficit was identified at an amount of 35.8 acres, as shown in Figure 26 from the Economic Opportunities Analysis below:

**Figure 26. Comparison of Land Demand to Supply (2013-33)**

Acres by Plan Designation				
	Commercial	Industrial	Total	Comments
<b>Vacant Land Demand</b>				Based on 2013-33 jobs forecast
Commercial	164.6	-	164.6	Commercial retail & service need
Industrial	-	145.1	145.1	Manufacturing & related sectors
Institutional	2.2	8.0	10.2	62% of need w/ per job method
<b>Totals</b>	<b>166.8</b>	<b>153.2</b>	<b>319.9</b>	Employment land demand
<b>Available Land Supply</b>				Fully & partially vacant sites
2013 BLI Update	130.9	389.1	520.0	Revised per BLI update 7/13
<b>Surplus/(Deficit)</b>	<b>(35.8)</b>	<b>235.9</b>	<b>200.1</b>	As of 2033 forecast year

Notes: All acreage figures are rounded to nearest 1/10<sup>th</sup> of an acre.  
 Source: E. D. Hovee & Company, LLC.

The need for residential land is much higher than the need for additional commercial land. The proposed Comprehensive Plan map amendment would address the residential land deficit identified in the McMinnville Buildable Land Needs Analysis and Growth Management Plan by adding an additional 4.68 acres of Residential land and still retaining 6.62 acres of Commercial land.

The 2013 Economic Opportunities Analysis also included new suggested findings, on page 70-72, that the City could consider future neighborhood and community serving commercial lands in order to continue to support Goal IV 3 of the Comprehensive Plan, which is "To ensure commercial development that maximizes efficiency of land use through utilization of existing commercially designated lands, through appropriately locating future neighborhood and community serving commercial lands and discouraging strip development." More specifically, the 2013 Economic Opportunities Analysis suggested that "appropriately locating future neighborhood and community serving commercial lands". The proposed Comprehensive Plan Map Amendment will reduce the size of the commercial land to a size that is more suitable for neighborhood or community serving commercial lands.

*Policy 21.04 The City shall make infrastructure investments that support the economic development strategy a high priority, in order to attract high-wage employment.*

**APPLICANT'S RESPONSE:** The City has recently constructed a roundabout at the intersection of NW Hill Road and NW Baker Creek Road and also improved NW Hill Road North south of Baker Creek Road, adjacent to the site. The Commercial designated land is located adjacent to these roadways where recent City investments have provided the site with adequate access

to public transportation and utility facilities. The City has also recently made improvements to the City's Sanitary Sewer system's capacity to facilitate additional development. The housing and commercial development at this site as proposed will capitalize on those City investments to support further economic development in the form of good housing for the local economy's workforce and appropriately scaled commercial area.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 21.05 Commercial uses and services which are not presently available to McMinnville residents will be encouraged to locate in the city. Such uses shall locate according to the goals and policies in the comprehensive plan.*

**APPLICANT'S RESPONSE:** The proposed C3 zoned area of the site is in an area already designated for commercial on the City's comprehensive plan. By allowing uses listed in the C-3 zone, development of the commercial area will occur according the City's comprehensive plan goals and policies.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but clarifies that the Comprehensive Plan Map Amendment reduces the size of the Commercial designated area within the subject site. However, the Comprehensive Plan Map Amendment results in 6.62 acres of Commercial property, which is large enough to support neighborhood serving commercial uses and services that would be available to residents in the northwest area of the city.

**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.**

**APPLICANT'S RESPONSE:** The proposed commercial area will maximize efficiency of land, as it is utilizing an area for commercial uses that is existing commercial designated land. The site is also not a strip of land, but rather a node at the intersection of two minor arterial streets.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but clarifies that the Comprehensive Plan Map Amendment reduces the size of the Commercially designated area within the subject site. This does result in a lesser utilization of existing Commercially designated land. However, as described in the finding for Policy 21.01 above, both commercial and residential lands were identified as needed land types in the Economic Opportunities Analysis and Residential Buildable Lands Inventory. The need for residential land was much higher than the need for additional commercial land. Additionally, per Comprehensive Plan Policy #27, which states that, "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers." By reducing the size of the comprehensive plan map commercially designated land in this area, it will help to ensure that the commercial development is compatible for a neighborhood commercial center.

In addition, the 2013 Economic Opportunities Analysis also included new suggested findings, on page 70-72, that the City could consider future neighborhood and community serving commercial lands in order to continue to support Goal IV 3 of the Comprehensive Plan, which is "To ensure commercial development that maximizes efficiency of land use through utilization of existing commercially designated lands, through appropriately locating future neighborhood

and community serving commercial lands and discouraging strip development.” More specifically, the 2013 Economic Opportunities Analysis suggested that “appropriately locating future neighborhood and community serving commercial lands”. The proposed Comprehensive Plan Map Amendment will reduce the size of the commercial land to a size that is more suitable for neighborhood or community serving commercial lands.

The proposed Comprehensive Plan map amendment would address the residential land deficit identified in the McMinnville Buildable Land Needs Analysis and Growth Management Plan by adding an additional 4.68 acres of Residential land and still retaining 6.62 acres of Commercial land. The Comprehensive Plan Map Amendment results in 6.62 acres of Commercial property oriented towards the intersection of NW Hill Road and NW Baker Creek Road. The Commercial property will allow for efficient use of land in a node at that intersection which will not result in strip development along either street corridor.

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

**APPLICANT’S RESPONSE:** As mentioned above, the applicant is requesting a Planned Development Amendment to modify several conditions of approval associated with Ordinance No. 4633. The applicant is proposing to reduce the size of the existing C3-PD designation from 11.3 to 6.62 acres and increase the amount of Residential designated land with a concurrent Comprehensive Plan Map Amendment by the difference (see Exhibit 3). The City’s 2013 EOA recommends to re-designate some of the 235.9 acres of excess industrial land to make up for forecasted commercial land needs. Much of the available excess industrial land is adjacent to the downtown core, therefore large-scale regional commercial uses can be efficiently sited in this location. By developing additional commercial uses near the downtown core, revitalization of unused industrial properties will occur. Conversely, with the reduction of C3-PD zoned area on the site, smaller-scaled commercial uses can be developed to serve the needs of Baker Creek North residents and other northwest neighborhoods in McMinnville.

**FINDING: SATISFIED.** The City does not concur with the applicant’s findings. The Comprehensive Plan Map Amendment reduces the size of the Commercially designated area within the subject site. This does result in a lesser utilization of existing Commercially designated land. However, as described in the finding for Policy 21.01 above, both commercial and residential lands were identified as needed land types in the Economic Opportunities Analysis and Residential Buildable Lands Inventory. The need for residential land was much higher than the need for additional commercial land. The proposed Comprehensive Plan map amendment would address the residential land deficit identified in the McMinnville Buildable Land Needs Analysis and Growth Management Plan by adding an additional 4.68 acres of Residential land and still retaining 6.62 acres of Commercial land. The Comprehensive Plan Map Amendment results in 6.62 acres of Commercial property oriented towards the intersection of NW Hill Road and NW Baker Creek Road. The Commercial property will allow for efficient use of land in a node at that intersection which will not result in strip development along either street corridor.

In addition, the 2013 Economic Opportunities Analysis also included new suggested findings, on page 70-72, that the City could consider future neighborhood and community serving commercial lands in order to continue to support Goal IV 3 of the Comprehensive Plan, which is “To ensure commercial development that maximizes efficiency of land use through utilization of existing commercially designated lands, through appropriately locating future neighborhood and community serving commercial lands and discouraging strip development.” More specifically, the 2013 Economic Opportunities Analysis suggested that “appropriately locating

future neighborhood and community serving commercial lands”. The proposed Comprehensive Plan Map Amendment will reduce the size of the commercial land to a size that is more suitable for neighborhood or community serving commercial lands. Larger commercial sites may be better suited for larger, general commercial uses that serve the entire community as city-wide destinations. Neighborhood and community serving commercial lands would be smaller in scale and intended to serve the surrounding neighborhood as the name suggests. Therefore, reducing the size of the commercial land would reduce the potential for the site to operate as a destination commercial site and would support neighborhood or community serving commercial uses in an appropriate area of the city, as the surrounding area is all developed and guided for residential use.

*Policy 24.00 The cluster development of commercial uses shall be encouraged rather than auto-oriented strip development.*

**APPLICANT’S RESPONSE:** The commercial area is a node and can be developed with appropriately scaled and clustered uses allowed by the C3 zone.

**FINDING: SATISFIED.** The Comprehensive Plan Map Amendment results in the reduced 6.62 acres of Commercial property still being oriented towards the intersection of NW Hill Road and NW Baker Creek Road. The Commercial property will be in a node at that intersection which will not result in strip development along either street corridor.

*Policy 24.50 The location, type, and amount of commercial activity within the urban growth boundary shall be based on community needs as identified in the Economic Opportunities Analysis. (Ord.4796, October 14, 2003)*

**APPLICANT’S RESPONSE:** The City of McMinnville completed their last Economic Opportunity Analysis (EOA) in 2013. As discussed above, the report indicates that there is a 35.8-acre deficit of Commercial designated land for the 20-year planning horizon. To address this need, the report recommends that the City re-designated some of the 235.9 acres of surplus Industrial land for commercial use. Since there is such a surplus of Industrial land that can be converted to a Commercial designation, the applicant’s proposal to reduce the amount of Commercial land from 11.3 acres to 6.62 acres will not significantly diminish the City’s ability to meet its commercial land needs.

The EOA provides specific recommendations to fulfill the City’s economic development objectives. One key objective in the report is to reduce out-shopping from this trade area by providing a full range of commercial services in McMinnville. Another strategic objective is to promote the downtown as the cultural, administrative service, and retail center of McMinnville. The applicant’s proposed reduction in Commercial designated land on the subject site to allow the development of smaller-scaled uses allowed by the C3 zone is consistent with these objectives. By reducing the amount of the Commercial designated land on the subject site, larger-scaled regional commercial uses will be encouraged to locate in the Downtown area, where revitalization efforts continue, and an oversupply of Industrial land is present.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

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

**APPLICANT'S RESPONSE:** There will be minimal impacts to adjacent land uses by the proposed C3 zoned parcel. It is appropriately located adjacent to a minor arterial on the south side and buffered from adjacent high density residential land by a full public street on all other sides. In addition, a power substation is sited to the east side of the commercial zoned land. The proposed commercial land location has readily available City utility services, including sanitary sewer services installed in 2018.

**FINDING: SATISFIED.** The City concurs with the applicant's response, and adds that the reduction in the size of the Commercially designated land may result in less conflict with adjacent land uses based on the reduced footprint and potentially scale of development that would be available for the development of commercial uses.

*Policy 26.00 The size of, scale of, and market for commercial uses shall guide their locations. Large-scale, regional shopping facilities, and heavy traffic-generating uses shall be located on arterials or in the central business district, and shall be located where sufficient land for internal traffic circulation systems is available (if warranted) and where adequate parking and service areas can be constructed.*

**APPLICANT'S RESPONSE:** No specific commercial use is proposed at this time. Any commercial uses proposed in the future on the C3 zoned area of the site will be appropriately scaled. As proposed with the amended planned development overlay, future development will contain at least 2-acres of commercial use and no more than 120 multifamily dwelling units. Existing commercial designated land on the site is located on a minor arterial and not in the central business district. The existing commercial land is capable of developing 10 acres of commercial use, or 100,000 square feet of commercial development which generates "heavy traffic". That type of commercial should be located on arterials and in the central business district per this policy. The applicant's attached traffic analysis supports proposed development plans for the site. The proposed commercial land area of just over 6 acres will have less intense traffic demands than would 10 acres. Future development plans for the commercial property will demonstrate that the commercial use will have sufficient internal circulation, parking, and service areas.

**FINDING: SATISFIED.** The City concurs with the applicant's responses, and adds that although Baker Creek and Hill Road are minor arterials, due to the location of this property in a residential development, the City does not feel that it should be a large regional shopping facilities, but should be a neighborhood serving commercial center per Comprehensive Plan Policy #27, which states that, "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers." By reducing the size of the comprehensive plan map commercially designated land in this area, it will help to ensure that the commercial development is compatible for a neighborhood commercial center. Additionally the reduction in allowable space for commercial uses will reduce the impacts of the future commercial uses on the surrounding transportation network and utility infrastructure.

In addition, the 2013 Economic Opportunities Analysis also included new suggested findings, on page 70-72, that the City could consider future neighborhood and community serving commercial lands in order to continue to support Goal IV 3 of the Comprehensive Plan, which is "To ensure commercial development that maximizes efficiency of land use through utilization of existing commercially designated lands, through appropriately locating future neighborhood and community serving commercial lands and discouraging strip development." More specifically, the 2013 Economic Opportunities Analysis suggested that "appropriately locating

future neighborhood and community serving commercial lands”. The proposed Comprehensive Plan Map Amendment will reduce the size of the commercial land to a size that is more suitable for neighborhood or community serving commercial lands, as described above.

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

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

*Policy 59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.*

**APPLICANT’S RESPONSE:** In 2001, the City adopted the Residential Land Needs Analysis, which evaluated housing needs for the 2000-2020 planning period. The study determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs, of which 63.9 acres would need to be zoned R4 to meet higher density housing needs. To address its deficient residential land supply, the City moved forward with an UGB amendment application. However, the UGB expansion effort was shelved in 2011 after LUBA remanded City Council’s land use decision.

While the 2001 analysis provides some insight into McMinnville’s on-going housing challenges, Policy 71.05 does not require use of a State acknowledged planning document when evaluating what is required to achieve a continuous 5-year supply of buildable land for all housing types. Since the City’s deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently updating its Housing Needs Analysis. Current analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R4 land within the UGB. This acreage will accommodate the development of 891 dwelling units which are unable to be accommodated by the current R4 land supply.

While the current Housing Needs Analysis has not been acknowledged by the State, it still qualifies as a beneficial study and provides helpful information regarding McMinnville’s current and future housing needs. The study received grant funding from DLCD, and a condition of the grant award, this State agency prepared a scope of work and qualified the consultant Econorthwest to prepare the report. DLCD staff currently serves as a member of the project’s Technical Advisory Committee and has ensured that the study’s methodology follows Oregon Administrative Rule standards.

It is due to rising housing costs, as well as McMinnville’s persistent challenge to maintain an adequate residential land supply, that the City is currently updating its Buildable Lands Inventory and Housing Needs Analysis. These studies have identified how many acres of additional residential land must be added to the Urban Growth Boundary (UGB) to meet housing demands over the next 20-year planning period. The City has also identified new strategies to encourage the development of a greater variety of housing types including single-family detached homes, townhomes, mobile homes, condominiums, duplexes, apartments, and affordable housing options.

As demonstrated by the attached Preliminary Development Plans, the proposed project will facilitate the development of 280 small, medium, and large sized single-family lots within the Baker Creek North Planned Development area. The proposed planned development amendment to the overlay created by Ordinance 4633 will allow for the future development of up to 120 apartment units within the C3 zoned area as demand for commercial uses and housing determines. This will further help to address McMinnville’s current housing needs. A future development application will be submitted for the development of the multi-family dwelling units on the C3 zoned portion of the site. As discussed throughout this narrative, the proposed map and planned development amendments are consistent with applicable residential policies and the land development regulations of the City.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, but notes that the 2018 Buildable Lands Inventory referenced in the applicant’s findings has not yet been acknowledged. In addition, Section 17.74.020 of the McMinnville Municipal Code states that when considering a comprehensive plan map amendment, “the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay. (Ord. 4242 §3, 1983; Ord. 4221 §4, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968).”

The most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, identified a need for additional land for housing and residential uses of approximately 537 buildable acres, of which only 217 buildable acres have been added to the city’s urban growth boundary leaving the city with approximately 320 acres of residential land deficit.

Also, the City adds that the most recently acknowledged Economic Opportunities Analysis for the City of McMinnville, which was acknowledged in 2013, identified a deficit of commercial land within the McMinnville Urban Growth Boundary. The deficit was identified at an amount of 35.8 acres, as shown in Figure 26 from the Economic Opportunities Analysis below:

**Figure 26. Comparison of Land Demand to Supply (2013-33)**

Acres by Plan Designation			
	Commercial	Industrial	Total Comments
<b>Vacant Land Demand</b>			
Commercial	164.6	-	164.6 Based on 2013-33 jobs forecast
Industrial	-	145.1	145.1 Commercial retail & service need
Institutional	2.2	8.0	10.2 Manufacturing & related sectors
<b>Totals</b>	<b>166.8</b>	<b>153.2</b>	<b>319.9</b> 62% of need w/ per job method
<b>Available Land Supply</b>			
2013 BLI Update	130.9	389.1	520.0 Fully & partially vacant sites
<b>Surplus/(Deficit)</b>	<b>(35.8)</b>	<b>235.9</b>	<b>200.1</b> Revised per BLI update 7/13
Notes: All acreage figures are rounded to nearest 1/10 <sup>th</sup> of an acre.			
Source: E. D. Hovee & Company, LLC.			

The need for residential land is much higher than the need for additional commercial land. The proposed Comprehensive Plan map amendment would address the residential land deficit identified in the McMinnville Buildable Land Needs Analysis and Growth Management Plan by

adding an additional 4.68 acres of Residential land and still retaining 6.62 acres of Commercial land.

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

*Policy 71.00 The City of McMinnville shall designate specific lands inside the urban growth boundary as residential to meet future projected housing needs. Lands so designated may be developed for a variety of housing types. All residential zoning classifications shall be allowed in areas designated as residential on the Comprehensive Plan Map.*

*Policy 71.05 The City of McMinnville shall encourage annexations and rezoning which are consistent with the policies of the Comprehensive Plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types. (Ord.4840, January 11, 2006; Ord. 4243, April 5, 1983; Ord. 4218, November 23, 1982)*

**APPLICANT'S RESPONSE:** As required, the applicant has addressed applicable policies of the Comprehensive Plan to demonstrate consistency with the proposed Zoning Map amendments. The 2001 McMinnville Residential Land Needs Analysis evaluated housing needs for the 2000-2020 planning period and determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs. At the time, the needed residential acreage included 63.9 acres of additional R4 zoned land beyond what was available within the UGB. Although the City moved forward with an UGB expansion in 2011 to address its deficient residential land supply, the boundary amendment was shelved after LUBA remanded City Council's land use decision in 2011. As a result, residential land needs dating back to 2001 have yet to be addressed.

While the 2001 Residential Land Needs Analysis provides some insight into McMinnville's ongoing housing challenges, Policy 71.05 does not require use of a State acknowledged planning document when evaluating what is required to achieve a continuous 5-year supply of buildable land for all housing types. Since the City's deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently updating its Housing Needs Analysis. Current analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R-4 land within the UGB. This acreage will accommodate the development of 891 dwelling units which are unable to be accommodated by the current R4 land supply. As indicated by the attached Preliminary Development Plans, the applicant is proposing to rezone a portion of the site R4 to develop 280 dwelling units, helping to address the McMinnville's current housing needs (see Exhibit 3).

**FINDING: SATISFIED.** The City concurs with the applicant's findings. In addition, Section 17.74.020 of the McMinnville Municipal Code states that when considering a comprehensive plan map amendment, "the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay. (Ord. 4242 §3, 1983; Ord. 4221 §4, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968)."

Although the most recently acknowledged Economic Opportunities Analysis for the City of McMinnville, which was acknowledged in 2013, identified a deficit of commercial land within the McMinnville Urban Growth Boundary (please see figure 26 below), the most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, identified a need for additional land for housing and residential uses of approximately 537 buildable acres, of which only 217 buildable acres have been added to the city's urban growth boundary leaving the city with approximately 320 acres of residential land deficit.

**Figure 26. Comparison of Land Demand to Supply (2013-33)**

Acres by Plan Designation				
	Commercial	Industrial	Total	Comments
<b>Vacant Land Demand</b>				Based on 2013-33 jobs forecast
Commercial	164.6	-	164.6	Commercial retail & service need
Industrial	-	145.1	145.1	Manufacturing & related sectors
Institutional	2.2	8.0	10.2	62% of need w/per job method
<b>Totals</b>	<b>166.8</b>	<b>153.2</b>	<b>319.9</b>	Employment land demand
<b>Available Land Supply</b>				Fully & partially vacant sites
2013 BLI Update	130.9	389.1	520.0	Revised per BLI update 7/13
<b>Surplus/(Deficit)</b>	<b>(35.8)</b>	<b>235.9</b>	<b>200.1</b>	As of 2033 forecast year

Notes: All acreage figures are rounded to nearest 1/10<sup>th</sup> of an acre.  
 Source: E. D. Hovee & Company, LLC.

The need for residential land is much higher than the need for additional commercial land. The proposed Comprehensive Plan map amendment would address the residential land deficit identified in the McMinnville Buildable Land Needs Analysis and Growth Management Plan by adding an additional 4.68 acres of Residential land and still retaining 6.62 acres of Commercial land.

- GOAL X 1:** TO PROVIDE OPPORTUNITIES FOR CITIZEN INVOLVEMENT IN THE LAND USE DECISION MAKING PROCESS ESTABLISHED BY THE CITY OF McMINNVILLE.
- GOAL X 2:** TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

*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.*

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The process for a Comprehensive Plan Map Amendment provides an opportunity for citizen involvement throughout the process through the neighborhood meeting provisions, the public notice, and the public hearing process. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within

300 feet of the subject property and was published in the News Register on Tuesday, November 26, 2019 in accordance with Section 17.72.120 of the MMC on November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.

Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public hearing(s). The application materials are posted on the City's website as soon as they are deemed complete, and copies of the staff report and Planning Commission meeting materials are posted on the City's website at least one week prior to the public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

### **McMinnville Zoning Ordinance**

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

#### **Chapter 17.03. General Provisions**

**17.03.020 Purpose.** The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

#### **17.74.020 Comprehensive Plan Map Amendment and Zone Change - Review Criteria.**

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

***17.74.020(A).*** *The proposed amendment is consistent with the goals and policies of the Comprehensive Plan;*

**APPLICANT'S RESPONSE:** This Applicant's Statement has demonstrated how the proposed Comprehensive Plan Map and Zoning Map Amendment applications are consistent with applicable goals and policies of the Comprehensive Plan in the responses above under III. Findings A. of the McMinnville Comprehensive Plan.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and also refers to the findings provided for the applicable Comprehensive Plan goals and policies in Section VII (Conclusionary Findings) above.

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

**APPLICANT'S RESPONSE:** Several changes have occurred in the neighborhood or community to warrant the proposed amendments. First of all, the October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I designated Baker Creek Road adjacent to the site as a planned transit corridor. This makes it an appropriate action for the R-1 zoned parcel to be rezoned to R-4, as well as applying the R-4 zone to the remainder of the planned development site's area that does not have urban zoning. This type of residential zone will promote the type of density proposed with the planned development overlay and the type of density needed to support future transit service along this corridor. All of the lots are within ¼ mile of this planned transit corridor, providing consistency with Comprehensive Plan policies for this zoning classification.

It is the applicant's understanding, that a portion of the subject site was designated commercial at a time when a northwest expansion of the City's urban growth boundary was being pursued and a future commercial center was desired for this area of McMinnville. However, this expansion to the northwest did not materialize. This has left the site with an excess of commercial land on the fringe of the urban area in a market that cannot support that much commercial land on the edge of town. The applicant, who is a developer who has owned the site for almost four years after purchasing it from a bankruptcy trustee, attests to the lack of demand for so much commercial land through the lack of interest from others in the property for such uses. The commercially designated area is too large given the current pattern of development in McMinnville. A large commercial development is not appropriate and would drain economic activity from the downtown core and established commercial centers in McMinnville. The proposed planned development amendment and the amendment to the Comprehensive Plan Map will decrease the area designated commercial and will allow the property to more freely meet the market needs permitted under the C-3 zone. As discussed previously, development of the remaining commercial land will likely be a mix of neighborhood commercial and multi-family housing.

An additional change in the community is the successful development of the surrounding area with medium and high-density single-family housing. For example, the Baker Creek East and West development to the south, which was a modification of the original Shadden Claim planned development, improved the area with a gross housing density of 5.83 dwelling units per acre. The proposed Baker Creek North development is proposed to be 5.75 dwelling units per acre, so the proposed amendments allow the proposed development which is of a similar gross density to the adjacent developments.

The proposed amendments are also timely as the demand for housing increases. As the last large tracts of buildable land in the City are consumed, the proposed amendments will ensure that the subject site is efficiently developed with high density housing and provides housing diversity in an area that contains medium and low density neighborhoods (i.e. Oak Ridge, Michelbook Meadows, Adjacent new development to the northeast).

Approval of the amendments will allow for an orderly development of the area. The earlier phases of the planned development are along the south side of the site, where utilities exist and small and medium sized lots meet the current market needs. Later phases will allow for more housing diversity with small, medium, and large lots to serve the broad housing needs of the community. The new lots in the planned development, and the development of multi-family units

on the commercial lot, will provide economic support for neighborhood commercial uses on the C-3 zoned parcel.

The City of McMinnville completed its last Economic Opportunity Analysis (EOA) in 2013. The report indicates that there is a 35.8 acre deficit of Commercial designated land for the 20-year planning horizon. To address this need, the report recommends that the City re-designate some of the 235.9 acres of surplus Industrial land for commercial use. Since this surplus of Industrial land can be converted to a Commercial designation, the applicant's proposal to reduce the amount of Commercial designated land from 11.3 acres to 6.62 acres will not diminish the City's ability to meet its commercial land needs.

In 2001, the City of McMinnville completed a Residential Land Needs Analysis for the 2000-2020 planning period and determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs. At the time, the needed residential acreage included 63.9 acres of additional R-4 zoned land beyond what was available within the UGB. Although the City moved forward with an UGB expansion in 2011 to address its deficient residential land supply, the boundary amendment was shelved after LUBA remanded City Council's land use decision in 2011. As a result, residential land needs dating back to 2001 have yet to be addressed.

Over the last two decades, the City's deficient residential land supply has continued to be a lingering problem and housing costs have risen to a point where they are now unattainable for many residents. To address these issues, the City is currently updating its Housing Needs Analysis. This study indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R-4 land within the UGB. This acreage will allow the development of 891 dwelling units which can't be accommodated by the current R-4 land supply.

The applicant's proposal to zone 48.7 acres of the site R-4 will increase the density of existing Residential designated land to permit the develop additional housing in the community. As demonstrated by the attached Typical Lots Plan and Site Plan, the proposed Comprehensive Plan Map and Zoning Map Amendments will facilitate the development of 280 small, medium, and large sized single-family lots within the proposed planned development area. The proposed map amendments will also allow the future development of apartment units in addition to neighborhood commercial within the C-3 zoned portion of the site, further working to meet the housing needs of the community.

**FINDING: SATISFIED.** The City concurs with the applicant's findings. In addition, Section 17.74.020 of the McMinnville Municipal Code states that when considering a comprehensive plan map amendment, "the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay. (Ord. 4242 §3, 1983; Ord. 4221 §4, 1982; Ord. 4128 (part), 1981; Ord. 3380 (part), 1968)."

Although the most recently acknowledged Economic Opportunities Analysis for the City of McMinnville, which was acknowledged in 2013, identified a deficit of commercial land within the McMinnville Urban Growth Boundary (please see figure 26 below), the most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, identified a need for additional land for housing and residential uses of approximately 537 buildable acres,

of which only 217 buildable acres have been added to the city's urban growth boundary leaving the city with approximately 320 acres of residential land deficit.

**Figure 26. Comparison of Land Demand to Supply (2013-33)**

Acres by Plan Designation				
	Commercial	Industrial	Total	Comments
<b>Vacant Land Demand</b>				Based on 2013-33 jobs forecast
Commercial	164.6	-	164.6	Commercial retail & service need
Industrial	-	145.1	145.1	Manufacturing & related sectors
Institutional	2.2	8.0	10.2	62% of need w/ per job method
<b>Totals</b>	<b>166.8</b>	<b>153.2</b>	<b>319.9</b>	Employment land demand
<b>Available Land Supply</b>				Fully & partially vacant sites
2013 BLI Update	130.9	389.1	520.0	Revised per BLI update 7/13
<b>Surplus/(Deficit)</b>	<b>(35.8)</b>	<b>235.9</b>	<b>200.1</b>	As of 2033 forecast year

Notes: All acreage figures are rounded to nearest 1/10<sup>th</sup> of an acre.  
 Source: E. D. Hovee & Company, LLC.

The need for residential land is much higher than the need for additional commercial land. The proposed Comprehensive Plan map amendment would address the residential land deficit identified in the McMinnville Buildable Land Needs Analysis and Growth Management Plan by adding an additional 4.68 acres of Residential land and still retaining 6.62 acres of Commercial land.

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

**APPLICANT’S RESPONSE:** This narrative and the attached plans show that utilities and services can be efficiently provided to serve the proposed and potential uses in the proposed residential and commercial zoning districts.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and would add that the City provided opportunity for review and comment by city departments, other public and private agencies and utilities, and McMinnville Water and Light to ensure the coordinated provision of utilities and services to the subject site based on the proposed land use request. Based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. No comments were provided that were in opposition or identified any issues with providing utilities and services to the subject site for the intended use. At the time of development of the site, final development plans will be required to provide a detailed storm drainage plan, a sanitary sewer collection plan (if necessary for the use), and the provision of water and power services. Any right-of-way improvements required for the subject site will be required at the time of development as well.

CD

## ORDINANCE NO. 5085

**AN ORDINANCE APPROVING A ZONE CHANGE OF THE PROPERTY AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD FROM A MIX OF R-1 (SINGLE FAMILY RESIDENTIAL) AND EF-80 (EXCLUSIVE FARM USE) TO C-3 (GENERAL COMMERCIAL) AND R-4 (MULTIPLE FAMILY RESIDENTIAL)**

## RECITALS:

The Planning Department received an application (ZC 1-19) from Stafford Development Company, LLC requesting approval of a Zone Change to amend the zoning designations of a 55.32 acre property from its current mixture of both R-1 (Single Family Residential) zoning and remnant county EF-80 (Exclusive Farm Use) zoning from the time that the property was annexed into the city limits to R-4 (Multi-Family Residential) and C-3 (General Commercial); and

The subject property is located at the northeast quadrant of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records; Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit D in Instrument No. 201904874, Yamhill County Deed Records. The property is also identified as Tax Lots 105 and 107, Section 18, T. 4 S., R. 4 W., W.M. and portions of Tax Lots 100 and 106, Section 18, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on December 5, 2019 at 6:30 p.m., before the McMinnville Planning Commission after due notice had been provided in the local newspaper on November 26, 2019, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said requests, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the Zone Change review criteria listed in Section 17.74.020 of the McMinnville Municipal Code based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The Planning Commission recommended approval of said Comprehensive Plan Map Amendment to the City Council; and

The City Council having received the Planning Commission recommendation and staff report, elected to schedule a second public hearing on the application; and

A public hearing was held on January 28, 2020 at 7:00 p.m., before the McMinnville City Council after due notice had been provided in the local newspaper on January 21, 2020, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The City Council decided to close the public hearing on January 28, 2020, but left the record open for the submittal of additional written testimony. The City Council provided seven additional days

for the submittal of additional written testimony until February 4, 2020. The City Council then provided another seven days for the submittal of rebuttal testimony until February 11, 2020. The City Council then provided another seven days for the applicant to submit final written argument until February 18, 2020; and

The City Council having completed the public hearing, received the Planning Commission recommendation and staff report, received all additional written testimony, and having deliberated; and

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

1. That the Council adopts the Findings of Fact, Conclusionary Findings, and Decision as documented in Exhibit A; and
2. That the requested Zone Change is approved, subject to the following condition:
  - 1) That the decision for approval of Zone Change (ZC 1-19) is not rendered, and does not take effect, until and unless the Planned Development (PD 1-19) and Planned Development Amendment (PDA 2-19) applications submitted for concurrent review are approved by the City Council.
3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 24<sup>th</sup> day of March, 2020, by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

Attest:

Approved as to form:

\_\_\_\_\_  
CITY RECORDER

\_\_\_\_\_  
CITY ATTORNEY



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A ZONE CHANGE FROM A MIX OF R-1 (SINGLE FAMILY RESIDENTIAL) and EF-80 (EXCLUSIVE FARM USE) TO C-3 (GENERAL COMMERCIAL) AND R-4 (MULTIPLE FAMILY RESIDENTIAL) AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD**

- DOCKET:** ZC 1-19 (Zone Change)
- REQUEST:** Approval to amend the zoning designations of a 55.32 acre property from its current mixture of both R-1 (Single Family Residential) zoning and remnant county EF-80 (Exclusive Farm Use) zoning from the time that the property was annexed into the city limits to R-4 (Multi-Family Residential) and C-3 (General Commercial). The requested amendment would rezone the southwestern portion of the site that is designated as Commercial on the Comprehensive Plan Map to C-3 (6.62 acres) and the remainder of the subject site to R-4 (48.7 acres).
- LOCATION:** The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records; Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit D in Instrument No. 201904874, Yamhill County Deed Records. The property is also identified as Tax Lots 105 and 107, Section 18, T. 4 S., R. 4 W., W.M. and portions of Tax Lots 100 and 106, Section 18, T. 4 S., R. 4 W., W.M.
- ZONING:** R-1 (Single Family Residential) & EF-80 (Exclusive Farm Use)
- APPLICANT:** Stafford Development Company, LLC
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** October 11, 2019
- HEARINGS BODY & ACTION:** The McMinnville Planning Commission makes a recommendation for approval or denial to the City Council.
- HEARING DATE & LOCATION:** December 5, 2019, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.
- HEARINGS BODY & ACTION:** The McMinnville City Council approves or denies the land-use application.

**HEARING DATE  
& LOCATION:**

January 28, 2020, March 10, 2020, and March 24, 2020, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville Oregon

**PROCEDURE:**

An application for a Zone Change is processed in accordance with the procedures in Section 17.72.120 of the McMinnville Municipal Code. The application is reviewed by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the McMinnville Municipal Code.

**CRITERIA:**

The applicable criteria for a Zone Change are specified in Section 17.74.020 of the McMinnville Municipal Code. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

**APPEAL:**

As specified in Section 17.72.190 of the McMinnville Municipal Code, the City Council's decision may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of decision is mailed. The City's final decision is subject to a 120 day processing timeline, including resolution of any local appeal. The deadline for the 120 day processing timeline was February 8, 2020. However, the applicant, on the record during the January 28, 2020 public hearing requested that the deadline be extended to March 10, 2020, and then at the March 10, 2020 City Council meeting, requested that the 120 day deadline be extended to March 24, 2020.

**COMMENTS:**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications; Comcast; Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development. Their comments are provided in this document.

**DECISION**

Based on the findings and conclusionary findings, the City Council finds the applicable criteria are satisfied and **APPROVES** the Zone Change (ZC 1-19), **subject to the conditions of approval provided in Section II of this document.**

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

City Council: \_\_\_\_\_ Date: \_\_\_\_\_  
Scott Hill, Mayor of McMinnville

Planning Commission: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Hall, Chair of the McMinnville Planning Commission

Planning Department: \_\_\_\_\_ Date: \_\_\_\_\_  
Heather Richards, Planning Director

## **I. APPLICATION SUMMARY:**

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the history of land use decisions for the subject site(s) and the request(s) under consideration. The City has found the information provided to accurately reflect the current Zone Change request and the relevant background, and excerpted portions are provided below to give context to the request, in addition to the City's comments.

### ***Subject Property & Request***

The subject property is located at the northeast quadrant of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records; Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit D in Instrument No. 201904874, Yamhill County Deed Records. The property is also identified as Tax Lots 105 and 107, Section 18, T. 4 S., R. 4 W., W.M. and portions of Tax Lots 100 and 106, Section 18, T. 4 S., R. 4 W., W.M.

The application (ZC 1-19) is a request for a Zone Change to rezone a 55.32 acre property from its current mixture of both R-1 (Single Family Residential) zoning and remnant county EF-80 (Exclusive Farm Use) zoning from the time that the property was annexed into the city limits. The requested amendment would rezone the southwestern 6.62 acres of the site to C-3 (General Commercial), and the remaining 48.7 acres of the site to R-4 (Multiple Family Residential). The Zone Change request was submitted for review concurrently with five other land use applications, as allowed by Section 17.72.070 of the MMC. The requested amendment is being reviewed concurrently with a Comprehensive Plan Map Amendment, Planned Development Amendment, Planned Development, Subdivision, and Landscape Plan Review process to allow for the development of a 280 lot subdivision and future commercial development.

Excerpts from Land Use Application Narrative and Findings:

The requested amendment will rezone two areas of the site. The applicant is proposing to zone a total of 48.7 acres of the site to an R4 designation. Of the 48.7 acres, the southwest 9.41 acres is existing R1 zoned land that will convert to R4 with this request. The remaining 39.29 acres to be zoned R4 currently has no urban zoning, only remnant County zoning. In addition, the requested map amendment will zone another 6.62 acres to C3, which also is an area that currently has no urban zoning, only remnant County zoning. The portion of the site to be zoned C3 conforms to the previously mentioned Comprehensive Plan Map amendment. [...]

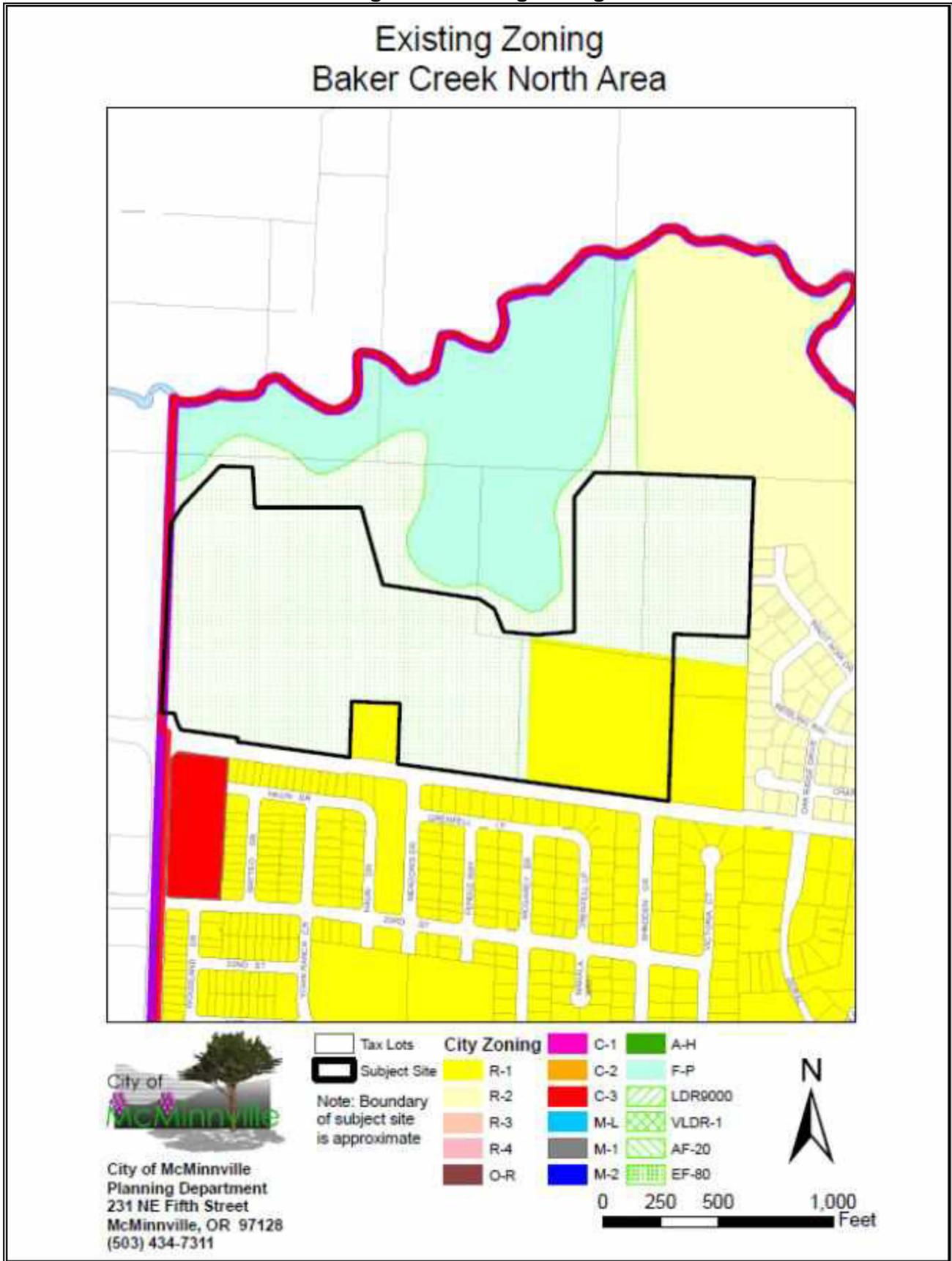
The 6.62 acre portion of the site proposed to be zoned C-3 (General Commercial) is consistent with the property designated as Commercial on the Comprehensive Plan Map as reduced in size by the Comprehensive Plan Map Amendment request (Docket Number CPA 1-19) submitted for concurrent review with the proposed Zone Change.

***See Vicinity Map (Figure 1), Existing Zoning (Figure 2), and Proposed Zoning (Figure 3) below.***

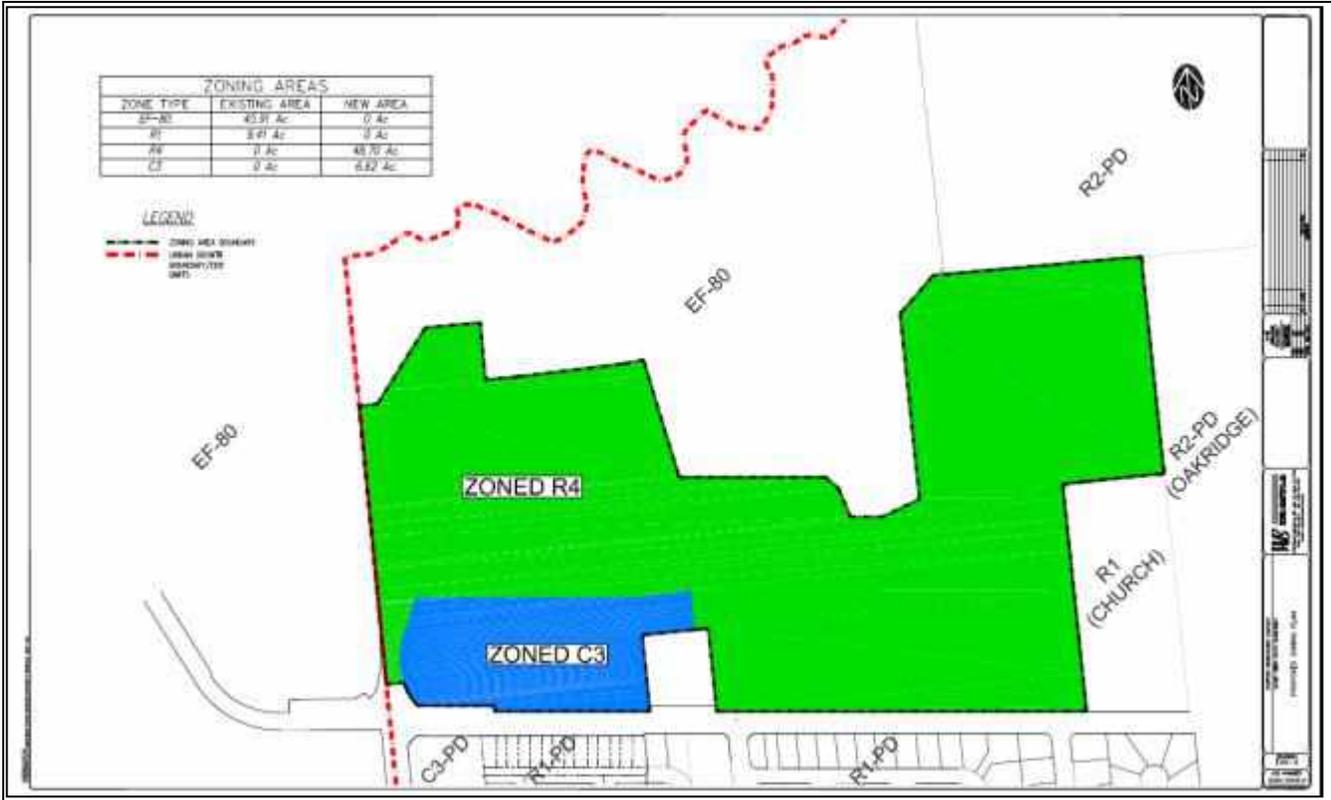
Figure 1. Vicinity Map (Subject Site Area Approximate)



Figure 2. Existing Zoning



**Figure 3. Proposed Zoning**



**Summary of Criteria & Issues**

The application (ZC 1-19) is subject to Zone Change review criteria in Section 17.74.020 of the Zoning Ordinance. Requests to amend the Zoning Map are processed in accordance with Section 17.72.120. The goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

The specific review criteria for Zone Change requests in Section 17.74.020 of the McMinnville Zoning Ordinance require the applicant to demonstrate that:

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

When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statute), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed

housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

The applicant has provided findings to support the request for a Zone Change. These will be discussed in detail in Section VII (Conclusionary Findings) below.

## **II. CONDITIONS:**

1. That the decision for approval of Zone Change (ZC 1-19) is not rendered, and does not take effect, until and unless the Planned Development (PD 1-19) and Planned Development Amendment (PDA 2-19) applications submitted for concurrent review are approved by the City Council.

## **III. ATTACHMENTS:**

1. ZC 1-19 Application and Attachments (on file with the Planning Department)
2. Agency Comments (on file with the Planning Department)
3. Testimony Received (on file with the Planning Department)
  - a. Public Testimony
    - i. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received December 4, 2019 (on file with the Planning Department)
    - ii. Markus Pfahler, 2515 West Wind Drive, Letter received December 5, 2019 (on file with the Planning Department)
    - iii. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 24, 2020 (on file with the Planning Department)
    - iv. Jeff and Lori Zumwalt, Premier Home Builders, Inc., Letter received January 24, 2020 (on file with the Planning Department)
    - v. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 26, 2020 (dated January 27, 2020) (on file with the Planning Department)
    - vi. Steve Dow, Black Hawk Homes, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - vii. Vince Vinceri, Symbiotik Development, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - viii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - ix. Mike Colvin, Letter received January 28, 2020 (on file with the Planning Department)
    - x. Stafford Development Company (Applicant), Memorandum from Frank Charbonneau received January 28, 2020 (on file with the Planning Department)
    - xi. Linda Lindsay, Letter received at public hearing on January 28, 2020 (on file with the Planning Department)
    - xii. Sandy Colvin, Traffic report data received January 29, 2020 (on file with the Planning Department)
    - xiii. Jim Cena, 15080 NW Blacktail Court, Email received January 30, 2020 (on file with the Planning Department)
    - xiv. Larry and Hersheil Steward, 14200 NW Orchard View Road, Email received January 30, 2020 (on file with the Planning Department)
    - xv. Caroline Moore, 205 NE 6<sup>th</sup> Street, Email received January 31, 2020 (on file with the Planning Department)
    - xvi. Nancy and Surinder Singh, 2200 SW West Wind Drive, Email received February 1, 2020 (on file with the Planning Department)

- xvii. David Cutter, 15000 NW Blacktail Lane, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xviii. Lane Roemmick, Email received February 3, 2020 (on file with the Planning Department)
  - xix. Jim and Jean Semph, 2175 SW Homer Ross Loop, Email received February 3, 2020 (on file with the Planning Department)
  - xx. Vincent Taft and Allison Best, 2025 SW Fox Swale Lane, Email received February 3, 2020 (on file with the Planning Department)
  - xxi. Patrick Stinson, 2065 NW Willamette Drive, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxii. Mike Colvin, Letter received February 3, 2020 (on file with the Planning Department)
  - xxiii. Gary and Suzanne Farmer, Email received February 3, 2020 (on file with the Planning Department)
  - xxiv. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxv. Rick Weidner, 2075 SW Sailing Court, Email received February 3, 2020 (on file with the Planning Department)
  - xxvi. Kari Rex, Email received February 4, 2020 (on file with the Planning Department)
  - xxvii. Melba Smith, 2780 NW Pinot Noir Drive, Email received February 4, 2020 (on file with the Planning Department)
  - xxviii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxix. Linda Lindsay, Email received February 4, 2020 (on file with the Planning Department)
  - xxx. Scott Larsen, Email received February 4, 2020 (on file with the Planning Department)
  - xxxi. Cathy Goekler, 2684 NW Pinot Noir Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxii. Stafford Development Company (Applicant), Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxiii. Mike Colvin, Email with rebuttal testimony received February 5, 2020 (on file with the Planning Department)
  - xxxiv. Stafford Development Company (Applicant), Emailed letter with rebuttal testimony received February 11, 2020 (on file with the Planning Department)
- b. Staff Memorandums
- i. Planning Department Staff, Memorandum describing revisions to conditions of approval, December 5, 2019 (on file with the Planning Department)
  - ii. Planning Department Staff, Memorandum describing additional testimony received prior to January 28, 2020 public hearing, January 27, 2020 (on file with the Planning Department)
- 4. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, December 5, 2019 (on file with the Planning Department)
  - 5. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 14, 2020 (on file with the Planning Department)
  - 6. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 28, 2020 (on file with the Planning Department)
  - 7. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 10, 2020 (on file with the Planning Department)
  - 8. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 24, 2020 (on file with the Planning Department)

## **IV. COMMENTS:**

### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development. The following comments were received:

- McMinnville Engineering Department

The Engineering Department provided comments, but they were applicable to the Planned Development and Tentative Subdivision applications that were submitted for concurrent review with the Comprehensive Plan Map Amendment request. The Engineering Department comments are included in the Decision Documents for the Planned Development and Tentative Subdivision land use applications.

- McMinnville Water and Light

Included as Attachment #2

- Oregon Department of State Lands

Sounds like you screened previously for wetlands and waters, found none and went forward. I did a quick check and we didn't have any records about these sites in our database. We would have no comment on the changes proposed.

### **Public Comments**

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, November 26, 2019. As of the date of the Planning Commission public hearing on December 5, 2019, one item of public testimony had been received by the Planning Department. One additional item of written testimony was submitted at the December 5, 2019 public hearing. Those items of testimony are described in Section III (Attachments) above.

## **V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. The applicant, Stafford Development Company, LLC, held a neighborhood meeting on November 1, 2018.
2. The applicant submitted the Zone Change application (ZC 1-19) on April 30, 2019.
3. The application was deemed incomplete on May 30, 2019. The applicant submitted revised application materials on September 11, 2019.
4. Based on the revised application submittal, the application was deemed complete on October 11, 2019. Based on that date, the 120 day land use decision time limit expires on February 8, 2020.

9. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development.

Comments received from agencies are addressed in the Decision Document.

6. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance on Thursday, November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.
7. Notice of the application and the December 5, 2019 Planning Commission public hearing was published in the News Register on Tuesday, November 26, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance.
8. No public testimony was submitted to the Planning Department prior to the Planning Commission public hearing.
9. On December 5, 2019, the Planning Commission held a duly noticed public hearing to consider the request.

## **VI. FINDINGS OF FACT – GENERAL FINDINGS**

1. **Location:** The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records; Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit D in Instrument No. 201904874, Yamhill County Deed Records. The property is also identified as Tax Lots 105 and 107, Section 18, T. 4 S., R. 4 W., W.M. and portions of Tax Lots 100 and 106, Section 18, T. 4 S., R. 4 W., W.M.
2. **Size:** Approximately 55.32 acres
3. **Comprehensive Plan Map Designation:** Mix of Commercial and Residential
4. **Zoning:** R-1 (Single Family Residential) & EF-80 (Exclusive Farm Use)
5. **Overlay Zones/Special Districts:** Planned Development Overlay District (Ordinance No. 4633)
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** An area to the north of the subject site is located within Zone A of the 100-year floodplain of Baker Creek, as identified on the FEMA Flood Insurance Rate Map (FIRM)

panels, but is not part of this zone change application.

8. **Other Features:**

- a. **Slopes:** A majority of the site is relatively flat, but the property begins to slope to the north along the northern edges of the subject site. This portion of the property slopes downward towards Baker Creek, which is located to the north of the subject site.
- b. **Easements and Utilities:** A 60 foot wide easement, as identified in Film Volume 40, Page 851, Yamhill County Deed Records, for the benefit of the Bonneville Power Administration exists running south to north through the center portion of the site, in the general location of the existing electrical power transmission lines.

9. **Utilities:**

- a. **Water:** Water service is available to the subject site.
- b. **Electric:** Power service is available to the subject site.
- c. **Sewer:** Sanitary sewer service is available to the subject site.
- d. **Stormwater:** Storm sewer service is available to the subject site.
- e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.

10. **Transportation:** The site is adjacent to NW Baker Creek Road, which is identified as a minor arterial in the McMinnville Transportation System Plan.

**VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Zone Change are specified in Section 17.74.020 of the Zoning Ordinance.

**Comprehensive Plan Volume II:**

Per Section 17.74.020 (A) of the McMinnville Zoning Ordinance the application must be consistent with the goals and policies of the Comprehensive Plan;

The following Goals and Policies from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals and policies as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL IV 1: TO ENCOURAGE THE CONTINUED GROWTH AND DIVERSIFICATION OF McMINNVILLE'S ECONOMY IN ORDER TO ENHANCE THE GENERAL WELL-BEING OF THE COMMUNITY AND PROVIDE EMPLOYMENT OPPORTUNITIES FOR ITS CITIZENS.

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

*Policy 21.01 The City shall periodically update its economic opportunities analysis to ensure that it has within its urban growth boundary (UGB) a 20-year supply of lands designated for commercial and industrial uses. The City shall provide an adequate number of suitable, serviceable sites in appropriate locations within its UGB. If it should find that it does not have an adequate supply of lands designated for commercial or industrial use it shall take corrective actions which may include, but are not limited to, redesignation of lands for such purposes, or amending the UGB to include lands appropriate for industrial or commercial use. (Ord.4796, October 14, 2003)*

**APPLICANT'S RESPONSE:** This policy is supported by the applications for a Comprehensive Plan Map and Proposed Zoning Map amendment, along with the proposed Planned Development Amendment to replace the conditions of approval associated with the planned development overlay approved by Ordinance No. 4633. This will allow larger commercial uses to be developed and maintained in preferred business districts in the City. With the removal of Conditions 1 and 2 of the ordinance, at least 2-acres of neighborhood commercial use and no more than 120 multi-family dwelling units can be developed on the proposed commercial area of the site. With the proposed planned development amendment for Ordinance 4633, the boundary of the current planned development overlay will be reduced to the size of the proposed C3 designated area, which is equal to 6.62 acres. (see Exhibit 3).

The applicant reviewed City documents and found that the City's last Economic Opportunity Analysis (EOA) was completed in 2013. The study concluded that that the Commercial land supply for the 2013-2033 planning period was deficient by 35.8 acres, while the Industrial land supply held a surplus. To adjust for the deficient Commercial land supply, the EOA recommends to re-designate excess industrial land for commercial use to make up for forecasted land needs. Since there are approximately 235.9 acres of Industrial land supply that can be converted to a Commercial designation, there is more than enough Industrial land to not only meet forecasted commercial land needs, but to also replace the proposed loss of commercial land on the subject site. Of the area removed from a commercial designation, about 2 acres is proposed right-of-way to support adjacent commercial and residential land use, so there is really only approximately 2.7 acres of functional land converted from commercial designation to residential.

As demonstrated by the attached Proposed Comprehensive Plan Map, the applicant is proposing to zone Commercial designated land at the intersection of NW Baker Creek Road and NW Hill Lane. The City has recently installed a roundabout at this location to serve as a new northwest gateway into McMinnville. This application does not include a specific development proposal for the C3 zoned land, however the intent is to facilitate future development of uses allowed in the C3 zone such as neighborhood commercial and multi-family housing. Therefore, the C3 zoned parcel is appropriately sized as proposed to support the development of commercial uses typical of this zone.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's findings in regards to the proposed zoning of the Commercially designated 6.62 acres as C-3 (General Commercial). The proposed C-3 zoned area of the site is consistent with the area that is proposed to be designated as Commercial on the Comprehensive Plan Map, which is proposed under the Comprehensive Plan Map Amendment (CPA 1-19) that was submitted for concurrent review with this Zone Change request. The proposed zoning of C-3 will allow for the continued growth and diversification of McMinnville's economy, and will provide employment opportunities, goods, and services for residents in the surrounding area of the city.

The City also notes that this zone change application is bundled with a Planned Development Amendment application (PDA 2-19) for the commercially designated property which will define

allowed commercial uses per the city's expressed need in neighborhood commercial serving areas.

Per Condition of Approval #1 this zone change will not be rendered unless PD 1-19 and PDA 2-19 are approved.

*Policy 21.04 The City shall make infrastructure investments that support the economic development strategy a high priority, in order to attract high-wage employment.*

**APPLICANT'S RESPONSE:** The City has recently constructed a roundabout at the intersection of NW Hill Road and NW Baker Creek Road and also improved NW Hill Road North south of Baker Creek Road, adjacent to the site. The Commercial designated land is located adjacent to these roadways where recent City investments have provided the site with adequate access to public transportation and utility facilities. The City has also recently made improvements to the City's Sanitary Sewer system's capacity to facilitate additional development. The housing and commercial development at this site as proposed will capitalize on those City investments to support further economic development in the form of good housing for the local economy's workforce and appropriately scaled commercial area.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 21.05 Commercial uses and services which are not presently available to McMinnville residents will be encouraged to locate in the city. Such uses shall locate according to the goals and policies in the comprehensive plan.*

**APPLICANT'S RESPONSE:** The proposed C3 zoned area of the site is in an area already designated for commercial on the City's comprehensive plan. By allowing uses listed in the C-3 zone, development of the commercial area will occur according the City's comprehensive plan goals and policies.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's findings, and adds that the proposed C-3 zoned area of the site is consistent with the area that is proposed to be designated as Commercial on the Comprehensive Plan Map, which is proposed under the Comprehensive Plan Map Amendment that was submitted for concurrent review with this Zone Change request.

The City also notes that this zone change application is bundled with a Planned Development Amendment application (PDA 2-19) for the commercially designated property which will define allowed commercial uses per the city's expressed need in neighborhood commercial serving areas.

Per Condition of Approval #1 this zone change will not be rendered unless PD 1-19 and PDA 2-19 are approved.

**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.**

**APPLICANT'S RESPONSE:** The proposed commercial area will maximize efficiency of land, as it is utilizing an area for commercial uses that is existing commercial designated land. The site is also not a strip of land, but rather a node at the intersection of two minor arterial streets.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's findings, and adds that the proposed C-3 (General Commercial) zone allows for the widest range and variety of commercial uses on the existing Commercially designated land, which maximizes the efficiency of the use of those lands.

Per Comprehensive Plan Policy #27, "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers."

The City notes that this zone change application is bundled with a Planned Development Amendment application (PDA 2-19) for the commercially designated property which will define allowed commercial uses per the city's expressed need in neighborhood commercial serving areas.

Per Condition of Approval #1 this zone change will not be rendered unless PD 1-19 and PDA 2-19 are approved.

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

**APPLICANT'S RESPONSE:** As mentioned above, the applicant is requesting a Planned Development Amendment to modify several conditions of approval associated with Ordinance No. 4633. The applicant is proposing to reduce the size of the existing C3-PD designation from 11.3 to 6.62 acres and increase the amount of Residential designated land with a concurrent Comprehensive Plan Map Amendment by the difference (see Exhibit 3). The City's 2013 EOA recommends to re-designate some of the 235.9 acres of excess industrial land to make up for forecasted commercial land needs. Much of the available excess industrial land is adjacent to the downtown core, therefore large-scale regional commercial uses can be efficiently sited in this location. By developing additional commercial uses near the downtown core, revitalization of unused industrial properties will occur. Conversely, with the reduction of C3-PD zoned area on the site, smaller-scaled commercial uses can be developed to serve the needs of Baker Creek North residents and other northwest neighborhoods in McMinnville.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The proposed C-3 (General Commercial) zone allows for the widest range and variety of commercial uses on the existing Commercially designated land, which maximizes the efficiency of the use of those lands. The City notes that a Planned Development Overlay District regulated by Ordinance No. 4633 does exist that regulates use and development of the portion of the subject site proposed to be zoned C-3. The applicant has submitted a Planned Development Amendment application for concurrent review with this Zone Change request, and any amendments to Ordinance No. 4633 as a result of the Planned Development Amendment request will be addressed in the Decision Document for that land use application.

Per Comprehensive Plan Policy #27 "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers."

The City notes that this zone change application is bundled with a Planned Development Amendment application (PDA 2-19) for the commercially designated property which will limit

allowed commercial uses per the city's expressed need in neighborhood commercial serving areas.

Per Condition of Approval #1 this zone change will not be rendered unless PD 1-19 and PDA 2-19 are approved.

*Policy 24.00 The cluster development of commercial uses shall be encouraged rather than auto-oriented strip development.*

**APPLICANT'S RESPONSE:** The commercial area is a node and can be developed with appropriately scaled and clustered uses allowed by the C3 zone.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The Zone Change results in 6.62 acres of C-3 zoned property being oriented towards the intersection of NW Hill Road and NW Baker Creek Road. The C-3 zoned property will be in a node at that intersection which will not result in strip development along either street corridor.

Per Comprehensive Plan Policy #27 "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers."

The City notes that this zone change application is bundled with a Planned Development Amendment application (PDA 2-19) for the commercially designated property which will limit allowed commercial uses per the city's expressed need in neighborhood commercial serving areas.

Per Condition of Approval #1 this zone change will not be rendered unless PD 1-19 and PDA 2-19 are approved.

*Policy 24.50 The location, type, and amount of commercial activity within the urban growth boundary shall be based on community needs as identified in the Economic Opportunities Analysis. (Ord.4796, October 14, 2003)*

**APPLICANT'S RESPONSE:** The City of McMinnville completed their last Economic Opportunity Analysis (EOA) in 2013. As discussed above, the report indicates that there is a 35.8-acre deficit of Commercial designated land for the 20-year planning horizon. To address this need, the report recommends that the City re-designated some of the 235.9 acres of surplus Industrial land for commercial use. Since there is such a surplus of Industrial land that can be converted to a Commercial designation, the applicant's proposal to reduce the amount of Commercial land from 11.3 acres to 6.62 acres will not significantly diminish the City's ability to meet its commercial land needs.

The EOA provides specific recommendations to fulfill the City's economic development objectives. One key objective in the report is to reduce out-shopping from this trade area by providing a full range of commercial services in McMinnville. Another strategic objective is to promote the downtown as the cultural, administrative service, and retail center of McMinnville. The applicant's proposed reduction in Commercial designated land on the subject site to allow the development of smaller-scaled uses allowed by the C3 zone is consistent with these objectives. By reducing the amount of the Commercial designated land on the subject site, larger-scaled regional commercial uses will be encouraged to locate in the Downtown area, where revitalization efforts continue, and an oversupply of Industrial land is present.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's findings in regards to the C-3 zoning of the site allowing for the development of smaller-scaled uses on the area of the subject site designated as Commercial.

Per Comprehensive Plan Policy #27, "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers."

The City notes that this zone change application is bundled with a Planned Development Amendment application (PDA 2-19) for the commercially designated property which will limit allowed commercial uses per the city's expressed need in neighborhood commercial serving areas.

Per Condition of Approval #1 this zone change will not be rendered unless PD 1-19 and PDA 2-19 are approved.

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

**APPLICANT'S RESPONSE:** There will be minimal impacts to adjacent land uses by the proposed C3 zoned parcel. It is appropriately located adjacent to a minor arterial on the south side and buffered from adjacent high density residential land by a full public street on all other sides. In addition, a power substation is sited to the east side of the commercial zoned land. The proposed commercial land location has readily available City utility services, including sanitary sewer services installed in 2018.

**FINDING: SATISFIED.** The City concurs with the applicant's responses, and adds that a Planned Development Overlay District regulated by Ordinance No. 4633 does exist that regulates use and development of the portion of the subject site proposed to be zoned C-3. The future review of the specific development plans for the site, which is required by Ordinance No. 4633, will provide an opportunity to ensure that the proposed commercial uses minimize conflicts with adjacent land uses.

The applicant has submitted a Planned Development Amendment application for concurrent review with this Zone Change request, and any amendments to Ordinance No. 4633 as a result of the Planned Development Amendment request will be addressed in the Decision Document for that land use application.

Per Comprehensive Plan Policy #27, "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers."

This zone change application is bundled with a Planned Development Amendment application (PDA 2-19) for the commercially designated property which will limit allowed commercial uses per the city's expressed need in neighborhood commercial serving areas, and specific design and development standards have been recommended as part of that land-use approval to ensure compatibility with surrounding uses.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 26.00 The size of, scale of, and market for commercial uses shall guide their locations. Large-scale, regional shopping facilities, and heavy traffic-generating uses shall be located on arterials or in the central business district, and shall be located where sufficient land for internal traffic circulation systems is available (if warranted) and where adequate parking and service areas can be constructed.*

**APPLICANT’S RESPONSE:** No specific commercial use is proposed at this time. Any commercial uses proposed in the future on the C3 zoned area of the site will be appropriately scaled. As proposed with the amended planned development overlay, future development will contain at least 2-acres of commercial use and no more than 120 multifamily dwelling units. Existing commercial designated land on the site is located on a minor arterial and not in the central business district. The existing commercial land is capable of developing 10 acres of commercial use, or 100,000 square feet of commercial development which generates “heavy traffic”. That type of commercial use should be located on arterials and in the central business district per this policy. The applicant’s attached traffic analysis supports proposed development plans for the site. The proposed commercial land area of just over 6 acres will have less intense traffic demands than would 10 acres. Future development plans for the commercial property will demonstrate that the commercial use will have sufficient internal circulation, parking, and service areas.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant’s response, and adds that a Planned Development Overlay District regulated by Ordinance No. 4633 does exist that regulates use and development of the portion of the subject site proposed to be zoned C-3. The future review of the specific development plans for the site, which is required by Ordinance No. 4633, will provide an opportunity to ensure that the proposed commercial uses are of a size and scale that is suitable for their location.

The applicant has submitted a Planned Development Amendment application (PDA 2-19) for concurrent review with this Zone Change request, and any amendments to Ordinance No. 4633 as a result of the Planned Development Amendment request will be addressed in the Decision Document for that land use application.

Per Comprehensive Plan Policy #27, “Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers.”

This zone change application is bundled with a Planned Development Amendment application (PDA 2-19) for the commercially designated property which will limit allowed commercial uses per the city’s expressed need in neighborhood commercial serving areas, and specific design and development standards have been recommended as part of that land-use approval to ensure compatibility with surrounding uses.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 27.00 Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector*

*or arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers.*

**APPLICANT'S RESPONSE:** This commercial designated area is across the street from residential areas. No specific commercial use is proposed at this time. Any commercial uses proposed in the future on the proposed C3 zoned area will be appropriately scaled as allowed by the C3 zone. There are residential areas around the commercial parcel and neighborhood oriented commercial uses of no less than 2 acres are proposed with the amendment to the planned development overlay, which will make future commercial uses less intensive than envisioned by the current Ordinance 4633.

**FINDING: SATISFIED.** The City concurs with the applicant's response, and adds that a Planned Development Overlay District regulated by Ordinance No. 4633 does exist that regulates use and development of the portion of the subject site proposed to be zoned C-3. The future review of the specific development plans for the site, which is required by Ordinance No. 4633, will provide an opportunity to ensure that the proposed commercial uses are compatible with surrounding residential areas.

The applicant has submitted a Planned Development Amendment application (PDA 2-19) for concurrent review with this Zone Change request, and any amendments to Ordinance No. 4633 as a result of the Planned Development Amendment request will be addressed in the Decision Document for that land use application.

Per this Comprehensive Plan Policy, the recommended land-use approval for PDA 2-19 contains many conditions that define the allowed commercial uses and the design and development standards for the commercial portion of the planned development that would ensure that the uses are neighborhood commercial serving uses and not large destination commercial uses.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 29.00 New direct access to arterials by large-scale commercial developments shall be granted only after consideration is given to the land uses and traffic patterns in the area of development as well as at the specific site. Internal circulation roads, acceleration/deceleration lanes, common access collection points, signalization, and other traffic improvements shall be required wherever necessary, through the use of planned development overlays.*

**APPLICANT'S RESPONSE:** No specific commercial use is proposed at this time. Consideration to land uses and traffic patterns will be given for any commercial uses proposed in the future on the proposed C3 zoned area, if access to arterials is sought. The proposed residential development plans internal circulation roads and access to the minor arterial Baker Creek Road at three points: 1) An extension of the north leg of Hill Road and Baker Creek Road roundabout in the form of a street proposed as Hill Lane, 2) An extension of Meadows Drive north from its current intersection with Baker Creek Road where new striping will be added for bike lanes, and 3) An extension of Shadden Drive north from its current intersection with Baker Creek Road where new striping will also be added for bike lanes. Both Meadows and Shadden drive will have additional pavement width on the west side of their sections to allow for a right turn lane.

**FINDING: SATISFIED.** The City concurs with the applicant's responses, and adds that a Planned Development Overlay District regulated by Ordinance No. 4633 does exist that

regulates use and development of the portion of the subject site proposed to be zoned C-3. The future review of the specific development plans for the site, which is required by Ordinance No. 4633, will provide an opportunity to ensure that the proposed commercial development of the site is designed with adequate and functional access and circulation patterns to support the specific commercial development proposed in the future.

The applicant has submitted a Planned Development Amendment application for concurrent review with this Zone Change request, and any amendments to Ordinance No. 4633 as a result of the Planned Development Amendment request will be addressed in the Decision Document for that land use application.

Per Comprehensive Plan Policy #27, which states that, "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers," this zone change application is bundled with a Planned Development Amendment application (PDA 2-19) for the commercially designated property which will limit allowed commercial uses per the city's expressed need in neighborhood commercial serving areas, and specific design and development standards have been recommended as part of that land-use approval to ensure compatibility with surrounding uses.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 30.00 Access locations for commercial developments shall be placed so that excessive traffic will not be routed through residential neighborhoods and the traffic-carrying capacity of all adjacent streets will not be exceeded.*

**APPLICANT'S RESPONSE:** The C3 zoned area is located adjacent to NW Baker Creek Road, a minor arterial street. Future access to the commercial uses will not focus traffic through residential neighborhoods or reduce the carrying capacity of the adjacent streets. The traffic analysis provided with this application showed that, in the worst case scenario, the capacity of adjacent streets is sufficient.

**FINDING: SATISFIED.** The City concurs with the applicant's response, and adds that a Planned Development Overlay District regulated by Ordinance No. 4633 does exist that regulates use and development of the portion of the subject site proposed to be zoned C-3. The future review of the specific development plans for the site, which is required by Ordinance No. 4633, will provide an opportunity to ensure that the proposed commercial development of the site is designed with adequate and functional access and circulation patterns to support the specific commercial development proposed in the future. The applicant has submitted a Planned Development Amendment application for concurrent review with this Zone Change request, and any amendments to Ordinance No. 4633 as a result of the Planned Development Amendment request will be addressed in the Decision Document for that land use application.

*Policy 31.00 Commercial developments shall be designed in a manner which minimizes bicycle/pedestrian conflicts and provides pedestrian connections to adjacent residential development through pathways, grid street systems, or other appropriate mechanisms.*

**APPLICANT'S RESPONSE:** No specific commercial use is proposed at this time. A design to minimize bike and pedestrian conflicts and provide connections can be considered at the time of a future commercial development application. These travel modes are facilitated by the

proposed semi-grid like street pattern of the adjacent residential developments and other pathways.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's response, and adds that a Planned Development Overlay District regulated by Ordinance No. 4633 does exist that regulates use and development of the portion of the subject site proposed to be zoned C-3. The future review of the specific development plans for the site, which is required by Ordinance No. 4633, will provide an opportunity to ensure that the proposed commercial development of the site is designed in a manner that minimizes bicycle and pedestrian conflicts and provides pedestrian connections to adjacent residential development.

The applicant has submitted a Planned Development Amendment application for concurrent review with this Zone Change request, and any amendments to Ordinance No. 4633 as a result of the Planned Development Amendment request will be addressed in the Decision Document for that land use application. A condition of approval in that land-use approval has been developed to address this Comprehensive Plan policy.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Proposal 6.00 A planned development overlay should be placed on the large cluster commercial development areas and the entrances to the City to allow for review of site design, on-site and off-site circulation, parking, and landscaping. The areas to be overlaid by this designation shall be noted on the zoning map and/or comprehensive plan map.*

**APPLICANT'S RESPONSE:** The submitted plans indicate that the applicant is not currently proposing to develop the C3 zoned portion of the site. Prior to development of the site, a commercial use development application will be submitted for review of the proposed site design, circulation, parking facilities, and landscaping features. The traffic study provided with this application demonstrates that in the worst case scenario, there is sufficient off-site capacity in the surrounding street network for future uses of the commercial site.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's response, and adds that a Planned Development Overlay District regulated by Ordinance No. 4633 does exist that regulates use and development of the portion of the subject site proposed to be zoned C-3. The future review of the specific development plans for the site, which is required by Ordinance No. 4633, will provide an opportunity to review the future commercial development area for all applicable policies and regulations.

The applicant has submitted a Planned Development Amendment application for concurrent review with this Zone Change request, and any amendments to Ordinance No. 4633 as a result of the Planned Development Amendment request will be address in the Decision Document for that land use application. A condition of approval in that land-use approval has been developed to address this Comprehensive Plan policy.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

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

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

*Policy 59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.*

**APPLICANT'S RESPONSE:** In 2001, the City adopted the Residential Land Needs Analysis, which evaluated housing needs for the 2000-2020 planning period. The study determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs, of which 63.9 acres would need to be zoned R4 to meet higher density housing needs. To address its deficient residential land supply, the City moved forward with an UGB amendment application. However, the UGB expansion effort was shelved in 2011 after LUBA remanded City Council's land use decision.

While the 2001 analysis provides some insight into McMinnville's on-going housing challenges, Policy 71.05 does not require use of a State acknowledged planning document when evaluating what is required to achieve a continuous 5-year supply of buildable land for all housing types. Since the City's deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently updating its Housing Needs Analysis. Current analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R4 land within the UGB. This acreage will accommodate the development of 891 dwelling units which are unable to be accommodated by the current R4 land supply.

While the current Housing Needs Analysis has not been acknowledged by the State, it still qualifies as a beneficial study and provides helpful information regarding McMinnville's current and future housing needs. The study received grant funding from DLCDC, and a condition of the grant award, this State agency prepared a scope of work and qualified the consultant Econorthwest to prepare the report. DLCDC staff currently serves as a member of the project's Technical Advisory Committee and has ensured that the study's methodology follows Oregon Administrative Rule standards.

It is due to rising housing costs, as well as McMinnville's persistent challenge to maintain an adequate residential land supply, that the City is currently updating its Buildable Lands Inventory and Housing Needs Analysis. These studies have identified how many acres of additional residential land must be added to the Urban Growth Boundary (UGB) to meet housing demands over the next 20-year planning period. The City has also identified new strategies to encourage the development of a greater variety of housing types including single-family detached homes, townhomes, mobile homes, condominiums, duplexes, apartments, and affordable housing options.

As demonstrated by the attached Preliminary Development Plans, the proposed project will facilitate the development of 280 small, medium, and large sized single-family lots within the Baker Creek North Planned Development area. The proposed planned development amendment to the overlay created by Ordinance 4633 will allow for the future development of up to 120 apartment units within the C3 zoned area as demand for commercial uses and housing determines. This will further help to address McMinnville's current housing needs. A future development application will be submitted for the development of the multi-family dwelling units on the C3 zoned portion of the site. As discussed throughout this narrative, the proposed map

and planned development amendments are consistent with applicable residential policies and the land development regulations of the City.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the proposed zoning of 48.7 acres of the subject site to the R-4 zone will allow for more opportunity for a variety of housing types and the development of quality housing for all residents of McMinnville. Additionally, the applicant refers to the most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, that identified a need for additional land for housing uses. That inventory, which was titled the McMinnville Buildable Land Needs Analysis and Growth Management Plan, identified a need for additional land for housing and residential uses of approximately 537 buildable acres, of which only 217 buildable acres have been added to the city's urban growth boundary leaving the city with approximately 320 acres of residential land deficit.

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

**APPLICANT'S RESPONSE:** In order to create a more intensive and energy efficient pattern of residential development, the applicant is requesting approval of a Zoning Map Amendment to zone 9.41 acres of existing R1 zoned land and 39.29 acres of currently unzoned land to an R4 classification. The attached Preliminary Development Plans demonstrate that all of the R4 zoned land will be included within the proposed Baker Creek North Planned Development.

The submitted plans illustrate that the planned development will provide an urban level of private and public services. The submitted planned development application includes a request to modify several City Code standards so that unique and innovative single-family detached housing can be developed on the subject site that is land intensive. The plans demonstrate that the proposed housing provides a more compact urban form, is more energy efficient, and provides more variety in housing types than are developed in the R4 zone with a standard subdivision.

The amendment to the planned development overlay ordinance to allow no more than 120 multifamily dwelling units on the commercial parcel will also help facilitate the development of more efficient housing in the area.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's findings, but notes that the specific development plan is associated with a Planned Development application (PD 1-19) submitted for concurrent review with this Zone Change request. Any findings for the Planned Development will be addressed in the Decision Document for that land use application.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.*

**APPLICANT'S RESPONSE:** The site is adjacent to NW Baker Creek Road, an area where urban services are already available, and near NW Hill Road, where the City has recently made improvements to urban services to accommodate development in McMinnville.

**FINDING: SATISFIED.** The City concurs with the applicants findings.

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

**APPLICANT'S RESPONSE:** This is a directive to the City and not an approval criterion. The planned development ordinance which is being used in this application appears to integrate the proposed housing and commercial uses as proposed in the amended planned development in a compatible framework.

**FINDING: SATISFIED.** The City concurs with the applicant's findings. Further, as the applicant has noted and is outlined both above and later in this report, the proposal addresses McMinnville's current identified need for, and severe shortage of, lands zoned for multi-family housing in the City. As the applicant notes, the acreage can accommodate the immediate need for such dwelling units, currently unable to be constructed within the City because of the the City's limited current R4 land supply, without doing so at the expense of long-term planning for either Commercial or Industrial land needs.

*Policy 71.05 The City of McMinnville shall encourage annexations and rezoning which are consistent with the policies of the Comprehensive Plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types. (Ord.4840, January 11, 2006; Ord. 4243, April 5, 1983; Ord. 4218, November 23, 1982)*

**APPLICANT'S RESPONSE:** As required, the applicant has addressed applicable policies of the Comprehensive Plan to demonstrate consistency with the proposed Zoning Map amendments. The 2001 McMinnville Residential Land Needs Analysis evaluated housing needs for the 2000-2020 planning period and determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs. At the time, the needed residential acreage included 63.9 acres of additional R4 zoned land beyond what was available within the UGB. Although the City moved forward with an UGB expansion in 2011 to address its deficient residential land supply, the boundary amendment was shelved after LUBA remanded City Council's land use decision in 2011. As a result, residential land needs dating back to 2001 have yet to be addressed.

While the 2001 Residential Land Needs Analysis provides some insight into McMinnville's on-going housing challenges, Policy 71.05 does not require use of a State acknowledged planning document when evaluating what is required to achieve a continuous 5-year supply of buildable land for all housing types. Since the City's deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently updating its Housing Needs Analysis. Current analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R-4 land within the UGB. This acreage will accommodate the development of 891 dwelling units which are unable to be accommodated by the current R4 land supply. As indicated by the attached Preliminary Development Plans, the applicant is proposing to rezone a portion of the site R4 to develop 280 dwelling units, helping to address the McMinnville's current housing needs (see Exhibit 3).

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the proposed zoning of 48.7 acres of the subject site to the R-4 zone will allow for more opportunity for the development of needed housing types. Additionally, the applicant refers to the most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, that identified a need for additional land for housing uses. That inventory, which was titled the McMinnville Buildable Land Needs Analysis and Growth Management Plan, identified a need for additional land for housing and residential uses of approximately 537 buildable acres, of which only 217 buildable acres have been added to the city's urban growth boundary leaving the city with approximately 320 acres of residential land deficit.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) - The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 dwelling units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes and triplexes, and townhouses. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments:*

**APPLICANT'S RESPONSE:** Much of the proposed planned development area north of Augustine, Charles and Wessex, respectively, will be developed with blocks in a medium-density range (4-8 dwelling units per net acre) like most of McMinnville. Those lots south of Augustine, Charles, and Wessex, respectively, have density ranges by block from about 10 to 15 units a net acre. Bringing the overall site to just over 8 dwelling units per net acre.

**FINDING: NOT APPLICABLE.** This policy is applicable to the Planned Development and Subdivision land use applications submitted for concurrent review with this Zone Change request, but is not specifically applicable to the Zone Change as the Zone Change request on its own does not require a development plan that would specify density of the actual residential development.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]  
1. Areas that are not committed to low density development;*

**APPLICANT'S RESPONSE:** The applicant is requesting approval of a Zoning Map Amendment to change 9.41 acres of existing R1 zoned land to an R4 classification. The 2001 McMinnville Residential Land Needs Analysis evaluated housing needs for the 2000-2020 planning period and determined that 63.9 acres of additional R4 zoned land should be added the UGB. As mentioned above, the City is currently conducting a Housing Needs Analysis and has found that McMinnville currently has a deficit of 217 gross acres of R-4 land within the UGB for the 2018-2041 planning period.

When the City's UGB last expansion effort was undertaken in 2011, a Court of Appeals remand prevented 320.2 acres of identified buildable residential land need from being included in the UGB. Since a future UGB expansion effort could have similar challenges, some existing low-density residential land should be changed to medium and high-density designations. The proposed R4 zoning of the 9.41 acres of existing R1 zoned land will permit an increase in residential density, helping to address the City's critical need for additional housing units without expanding the City's UGB.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the applicant refers to the most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, that identified a need for additional land for housing uses. That inventory,

which was titled the McMinnville Buildable Land Needs Analysis and Growth Management Plan, identified a need for additional land for housing and residential uses of approximately 537 buildable acres, of which only 217 buildable acres have been added to the city's urban growth boundary leaving the city with approximately 320 acres of residential land deficit.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

*2. Areas that have direct access from collector or arterial streets;*

**APPLICANT'S RESPONSE:** The attached Preliminary Development Plans indicate that the proposed R4 zoned portion of the site, and the C-3 zone area, are located directly adjacent to NW Baker Creek Road, a minor arterial street (see Exhibit 3). The proposed planned development is provided consolidated access onto NW Baker Creek Road from the proposed extensions of NW Hill Lane, NW Meadows Drive, and NW Shadden Drive.

**FINDING: SATISFIED.** The City concurs with the applicants findings.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

*3. Areas that are not subject to development limitations such as topography, flooding, or poor drainage;*

**APPLICANT'S RESPONSE:** The submitted Preliminary Development Plans indicate that the proposed R4 zoned area of the site is not constrained by environmental factors such as topography, flooding, or poor drainage. The proposed planned development is located outside of the riparian corridor along Baker Creek north of the site, where a 100-year floodplain limits development.

**FINDING: SATISFIED.** The City concurs with the applicants findings, and clarifies that the areas proposed to be zoned R-4 are south of the existing 100-year floodplain.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

*4. Areas where the existing facilities have the capacity for additional development;*

**APPLICANT'S RESPONSE:** The Existing Conditions Plan demonstrates that adequate public utilities are currently located within NW Baker Creek Road and can be extended to serve the proposed development (see Exhibit 3). The applicant worked with City staff to confirm sewer and other utility capacity exists. The submitted plan also indicates that NW Hill Road's transportation facilities have recently been upgraded and a roundabout has been installed at the intersection with NW Baker Creek Road adjacent to the site. The City is adding center turn lane striping to Baker Creek Road. These transportation facilities can accommodate future development of the subject site as well as other developable properties in McMinnville's northwest quadrant. This is further demonstrated by the transportation study provided with this application.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's findings. However, the City notes that the applicant provided a traffic analysis report that modeled the buildout of a specific development plan that is associated with a Planned Development application (PD 1-19) and Planned Development Application (PDA 2-19) submitted for concurrent review with this Zone Change request. That development plan includes 280 single family homes, and the traffic analysis report only analyzed the transportation network's capacity for the development of those 280 homes and the adjacent commercial parcel.

The traffic analysis is based on the figures provided in the Traffic Analysis Report for Baker Creek North Development (dated July 2019) that accompanied the land use application materials. That memo cited the Institute of Traffic Engineers (ITE) Trip Generation Manual and the number of trips that would be generated by each individual single family dwelling. The average daily trips for a single family dwelling unit is 9.44 trips per unit (ITE 210). As the traffic analysis report and the accompanying Transportation Planning Rule memo assumed the development of only 280 single family dwelling units on the subject site and development on the adjacent commercial parcel, the analysis assumed 2,643 average daily trips generated by the development of the subject site.

The R-4 zone would allow for denser development than is proposed in the Planned Development application submitted for concurrent review. Because the traffic analysis report does not provide an analysis of the impacts of the maximum level of development of the subject site if the zone change to R-4 (Multiple-Family Residential) was approved, a condition of approval is included to tie this land-use approval with the subsequent approval of PD 1-19 and PDA 2-19.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

*5. Areas within one-quarter mile of existing or planned public transportation; and*

**APPLICANT’S RESPONSE:** The proposed R4 zoned area and C3 zoned area are currently located within ¼ mile of planned public transportation as described in the October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I (see also response to Policy 70.01 above).

**APPLICANT’S RESPONSE TO POLICY 71.01:** The Baker Creek North site is located within a ¼ mile of the north side of a planned transit corridor. The October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I, which was adopted on 10/18/18, shows the area of Baker Creek North as adjacent to a planned transit corridor in Figure 2-11 (page 2-18), Figure 6-18 and 6-19 (pages 6-26 and 6-27 respectively).

The area is labeled as 1b. Baker Creek Road and Hill Road on the TDP’s Figure 2-11 Potential Future Transit Service Areas. Route “5” is labeled as a future route serving Baker Creek Road on the TDP’s Figure 6-18 System Map and Figure 6-19 McMinnville map, both subtitled Near-Term, Short-Term and Mid-Term Changes. Finally, the TDP’s page 6-31 shows this planned new transit corridor as Project ID number SL9.

The significance of the proximity of the Baker Creek North site being within ¼ mile of this transit corridor is that that area is not limited by the 6 units per acre density applied to areas outside of ¼ mile of a planned transit corridor by Policy 71.01. The proposed planned development amendment condition to allow no more than 120 dwelling units would allow multi-family to be dispersed into this area. This area is also within a ¼ mile of the transit corridor, so it is not limited by the 6 units per acre policy.

The submitted Preliminary Development Plans indicate that 280 single-family dwellings will be constructed within the site’s 48.7 acre planned development. Virtually the entire planned development site is inside the transit corridor, less than ¼ miles away from Baker Creek Road. The planned development area has a gross density of 5.75 units per acre, and a net density of 8.16 dwelling units per net acre. Therefore, the planned densities meet this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

6. *Areas that can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas.*

**APPLICANT'S RESPONSE:** There are no low density residential areas adjacent to the Baker Creek North site that are planned for high density residential uses.

There is a church and a residential development known as Oak Ridge east of the site that was developed with an R2-PD overlay zone. There is also a proposed development northeast of the site, which is a new residential development and a modification of an old approved development. These areas are not low density even though underlying zoning may be R-2 because net density is over 4 units per acre, classifying them as medium density developments per Policy 71.09 above. The proposed lots in this area of Baker Creek North Planned Development are larger, therefore they will not be development at a higher density. The attached Preliminary Development Plans demonstrate that the proposed lots adjacent to the Oak Ridge development are extra deep to retain the mature trees along this boundary. The trees and extra deep rear yards will help buffer this existing development, regardless of how density is measured for the adjacent development.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City does not concur with the applicant's findings, primarily in that the zoning classification of the land to the northeast is R-2 (Single Family Residential) which is described as "Low Density Residential Development" in Policy 71.06 of the McMinnville Comprehensive Plan. However, the City finds that the size of the proposed R-4 zoned portion of the site allows the opportunity for buffering from these low density residential areas. The specific development plan referenced by the applicant is associated with a Planned Development application submitted for concurrent review with this Zone Change request. Any findings for the Planned Development will be addressed in the Decision Document for that land use application. However, without the development characteristics within the Planned Development described by the applicant, the applicant has not demonstrated that the R-4 zoned area can be buffered from adjacent low density residential areas. Therefore, a condition of approval is included to ensure that the decision for approval of the Zone Change request is not rendered, and does not take effect, until and unless the Planned Development (PD 1-19) application is approved by the City Council.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development:*

1. *Areas which are not committed to low or medium density development;*

**APPLICANT'S RESPONSE:** In 2001, the City adopted the McMinnville Housing Needs Analysis, which evaluated housing needs for the 2000-2020 planning period. The study determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs, of which 63.9 acres would need to be zoned R4 to meeting higher density housing needs. To address its deficient residential land supply, the City moved forward with an UGB amendment application in 2011. However, the UGB expansion effort was shelved in 2011 after LUBA remanded City Council's land use decision.

As mentioned above in response to Policy 71.09 1., the City is currently conducting a Housing Needs Analysis and has found that an additional 449 acres should be added to the UGB to meet housing needs over the next 20 year planning period. When the City's last attempt to expand the UGB occurred in 2011, a Court of Appeals remand prevented 320.2 acres of identified buildable residential land need from being included in the UGB. Since only a portion of the current housing need can currently be accommodated by Residential designated land within the UGB, some low-density residential land will need to be changed to medium and high-density designations. The proposed R4 zoned portion of the site, most of which has not yet received urban zoning, is not currently committed to low or medium density housing. This area and the 9.41 acres zoned R1 that will change to R-4 classification will allow a needed increase in residential density, helping to address the City's critical need for additional housing units. These factors make this area appropriate for high density residential development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings and adds that the applicant refers to the most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, that identified a need for additional land for housing uses. That inventory, which was titled the McMinnville Buildable Land Needs Analysis and Growth Management Plan, identified a need for additional land for housing and residential uses of approximately 537 buildable acres, of which only 217 buildable acres have been added to the city's urban growth boundary leaving the city with approximately 320 acres of residential land deficit.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

- 2. Areas which can be buffered by topography, landscaping, collector or arterial streets, or intervening land uses from low density residential areas in order to maximize the privacy of established low density residential areas;*

**APPLICANT'S RESPONSE:** As mentioned above in response to Policy 71.09 2., there are no established low-density residential areas adjacent to the site. To the south of the site, the proposed planned development is buffered from existing residential areas with an R1-PD zone overlay by NW Baker Creek Road, a minor arterial street. To the east of the site is the Oak Ridge Subdivision, which has been developed with medium-sized lots in the R2-PD zone overlay. The proposed development has extra deep lots adjacent to the Oak Ridge lots to allow existing trees to remain in the rear yards as a buffer. Mitigation measures to buffer the proposed development are not required since there are no low-density residential areas adjacent to the site.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City does not concur with the applicant's findings, primarily in that the zoning classification of the land to the northeast is R-2 (Single Family Residential) which is described as "Low Density Residential Development" in Policy 71.06 of the McMinnville Comprehensive Plan. However, the City finds that the size of the proposed R-4 zoned portion of the site allows the opportunity for buffering from these low density residential areas. The specific development plan referenced by the applicant is associated with a Planned Development application submitted for concurrent review with this Zone Change request. Any findings for the Planned Development will be addressed in the Decision Document for that land use application. However, without the development characteristics within the Planned Development described by the applicant, the applicant has not demonstrated that the R-4 zoned area can be buffered from adjacent low density residential areas. Therefore, a condition of approval is included to ensure that the decision for approval of the Zone Change request is not rendered, and does not take effect, until and unless the Planned Development (PD 1-19) application is approved by the City Council.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

*3. Areas which have direct access from a major collector or arterial street;*

**APPLICANT'S RESPONSE:** As mentioned above in response to Policy 71.09 4., the proposed R4 zoned portion of the site is located directly adjacent to NW Baker Creek Road, an arterial street. The proposed planned development is provided with consolidated access to NW Baker Creek Road, a minor arterial street, from the proposed extensions of NW Hill Lane, NW Meadows Drive, NW Shadden Drive. Therefore, the proposed access is appropriate for the high-density development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

*4. Areas which are not subject to development limitations;*

**APPLICANT'S RESPONSE:** The development site is appropriate for high-density development since it is not constrained by development limitations.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

*5. Areas where the existing facilities have the capacity for additional development;*

**APPLICANT'S RESPONSE:** The submitted Existing Conditions Plan illustrates that adequate public utilities are currently located within NW Baker Creek Road and can be extended to serve the proposed development (see Exhibit 3). The applicant completed analysis in conjunction with the City which concluded sewer capacity exists to serve the site. The submitted plan also indicates that NW Hill Road's transportation facilities were recently upgraded with the addition of a roundabout at the intersection with NW Baker Creek Road. Center turn lanes on Baker Creek Road were also added by the City. The transportation improvements were designed to accommodate future development of the subject site and other developable properties in the northwest area of McMinnville. Sufficient existing capacity of facilities adjacent to the site make it appropriate for high density residential development. This is further evidenced by the traffic analysis provided by the applicant with this application.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's findings. However, the City notes that the applicant provided a traffic analysis report that modeled the buildout of a specific development plan that is associated with a Planned Development application (PD 1-19) and Planned Development Application (PDA 2-19) submitted for concurrent review with this Zone Change request. That development plan includes 280 single family homes, and the traffic analysis report only analyzed the transportation network's capacity for the development of those 280 homes and the adjacent commercial parcel.

The traffic analysis is based on the figures provided in the Traffic Analysis Report for Baker Creek North Development (dated July 2019) that accompanied the land use application materials. That memo cited the Institute of Traffic Engineers (ITE) Trip Generation Manual and

the number of trips that would be generated by each individual single family dwelling. The average daily trips for a single family dwelling unit is 9.44 trips per unit (ITE 210). As the traffic analysis report and the accompanying Transportation Planning Rule memo assumed the development of only 280 single family dwelling units on the subject site and development on the adjacent commercial parcel, the analysis assumed 2,643 average daily trips generated by the development of the subject site.

The R-4 zone would allow for denser development than is proposed in the Planned Development application submitted for concurrent review. Because the traffic analysis report does not provide an analysis of the impacts of the maximum level of development of the subject site if the zone change to R-4 (Multiple-Family Residential) was approved, a condition of approval is included to tie this land-use approval with the subsequent approval of PD 1-19 and PDA 2-19.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

6. *Areas within a one-half mile wide corridor centered on existing or planned public transit routes;*

**APPLICANT'S RESPONSE:** As discussed above in response to Policy 71.09 5., all of the proposed R-4 zoned and C-3 zoned areas are located within one-half mile of planned public transit routes. This proximity to planned public transit routes makes this area appropriate for high density residential development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

7. *Areas within one-quarter mile from neighborhood and general commercial shopping centers;*

**APPLICANT'S RESPONSE:** The applicant is proposing a Zoning Map amendment to designate 6.62 acres within the C3 zone in the southwest corner of the site, conforming to the Commercial Comprehensive Plan designation for that parcel. This proximity to a commercial designated land qualifies this site for high density residential development, and the proposed R4 zoning classification requested.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

8. *Areas adjacent to either private or public permanent open space;*

**APPLICANT'S RESPONSE:** Included with the proposed Baker Creek Planned Development are numerous common open space areas with amenities that will serve a variety of recreational needs in the community. The submitted plans indicate that the proposed open space areas are located in various portions of the site to permit both active and passive recreation uses for all. Proposed recreational amenities include multiple play structures, picnic shelter, picnic tables, park benches, trails and paths, and more. The proposed open space areas have been sited to extend the City's network of park facilities by connecting to the existing BPA powerline trail. The

proposed park improvements will allow the trail to extend north. As indicated by the attached landscape plans, the proposed paved trails will connect to an unpaved off-site trail within the donated park land. The open space tracts and donated park land, if owned by the City, will be excellent assets to the City's park system. Proximity to the proposed open spaces make this subject site suitable for high density residential development per this Policy.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The private and public open space referenced by the applicant are included within the proposed development plans that are associated with a Planned Development application submitted for concurrent review with this Zone Change request. Any findings for the Planned Development will be addressed in the Decision Document for that land use application. However, without those private and public open spaces within the Planned Development, the subject site is not adjacent to either private or public permanent open space. Therefore, a condition of approval is included to ensure that the decision for approval of the Zone Change request is not rendered, and does not take effect, until and unless the Planned Development (PD 1-19) application is approved by the City Council.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

*Policy 79.00 The density allowed for residential developments shall be contingent on the zoning classification, the topographical features of the property, and the capacities and availability of public services including but not limited to sewer and water. Where densities are determined to be less than that allowed under the zoning classification, the allowed density shall be set through adopted clear and objective code standards enumerating the reason for the limitations, or shall be applied to the specific area through a planned development overlay. Densities greater than those allowed by the zoning classification may be allowed through the planned development process or where specifically provided in the zoning ordinance or by plan policy.*

**APPLICANT'S RESPONSE:** The applicant is proposing concurrent Comprehensive Plan Map and Zoning Map amendments to designated 48.7 acres of the site within the R4 district. The attached plans indicate that the Baker Creek Planned Development is located within the proposed R4 zoned portion of the site and will have a net density of 8.16 dwelling units/acre. There are no topographic or utility capacity constraints which limit the subject site's development potential. Water and sewer services are available adjacent to the site and can be extended to serve the development with on-site improvements constructed and paid for by the developer. Some phases of the development can be served by gravity sanitary sewer, but development of other phases include service from a pump station on proposed Tract "G" in Phase 1B. The applicant is not proposing to modify the allowed net density range of 8-30 dwelling units/acre allowed in the R4 zone with this application. See comments below under MMC Section 17.21.

**FINDING: NOT APPLICABLE.** This policy is applicable to the Planned Development and Subdivision land use applications submitted for concurrent review with this Zone Change request, but is not specifically applicable to the Zone Change as the Zone Change request on its own does not require a development plan that would specify density of the actual residential development.

*Policy 80.00 In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.*

**APPLICANT'S RESPONSE:** The applicant is proposing to retain existing trees and wooded areas in common open space tracts and those preservable trees in rear yards where feasible as shown on the Landscape Plans.

**FINDING: NOT APPLICABLE.** This policy is applicable to the Planned Development and Subdivision land use applications submitted for concurrent review with this Zone Change request, but is not specifically applicable to the Zone Change as the Zone Change request on its own does not require a development plan that would specify the actual residential development.

*Policy 81.00 Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as schools, commercial facilities, parks, and other residential areas, shall be encouraged.*

**APPLICANT'S RESPONSE:** Pedestrian and bikeway paths are provided to connect the large active open spaces in the residential areas with convenient routes between residential blocks. The proposed paths and sidewalks also connect to the existing powerline trail which leads to a neighborhood park to the south and provides access to views of the adjacent significant natural space to the north of the site.

**FINDING: NOT APPLICABLE.** This policy is applicable to the Planned Development and Subdivision land use applications submitted for concurrent review with this Zone Change request, but is not specifically applicable to the Zone Change as the Zone Change request on its own does not require a development plan that would specify the actual residential development.

*Policy 90.00 Greater residential densities shall be encouraged to locate along major and minor arterials, within one-quarter mile from neighborhood and general commercial shopping centers, and within a one-half mile wide corridor centered on existing or planned public transit routes.*

**APPLICANT'S RESPONSE:** The site is located along NW Baker Creek Road, a minor arterial street, and within a planned public transit route (see also comments above under Policy 70.01). The proposed zoning and uses are consistent with this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 92.00 High-density housing developments shall be encouraged to locate along existing or potential public transit routes.*

**APPLICANT'S RESPONSE:** As discussed above (see also comments under Policy 70.01), this proposed housing development is located along a potential public transit route per current transit planning documents. The applicant is proposing to develop high density housing along this potential public transit route, meeting this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 92.01 High-density housing shall not be located in undesirable places such as near railroad lines, heavy industrial uses, or other potential nuisance areas unless design factors are included to buffer the development from the incompatible use.*

**APPLICANT'S RESPONSE:** No portion of the site is located near incompatible uses such as railroad lines, heavy industrial uses, or other potential nuisance areas.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 92.02 High-density housing developments shall, as far as possible, locate within reasonable walking distance to shopping, schools, and parks, or have access, if possible, to public transportation.*

**APPLICANT'S RESPONSE:** To the extent possible, this proposed housing development meets this policy. It is within reasonable walking distance to proposed on-site common open space parks and across the street from an existing City park property and trail system beginning at Meadows Drive at Baker Creek Road (with a planned neighborhood park improvement currently under construction south of this existing City park property and west of the existing trail). There is a future school site planned about ¼ miles south of the site on Hill Road. The applicant is proposing a planned development amendment to provide 6.62 acres of Commercial designated land at the corner of Hill Road and Baker Creek Road. The adjacent minor arterial is also planned for future public transportation.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's findings and adds that this zone change request is contingent upon the approval of a Planned Development application (PD 1-19) and Planned Development Amendment (PDA 2-19) that will have conditions of approval to respond to this Comprehensive Plan Policy.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

#### *Urban Policies*

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

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

**APPLICANT'S RESPONSE:** As shown on the preliminary utility plans, each proposed phase of the development will improve public facilities to provide an adequate level of urban services as required by this policy. In coordination with the City, the applicant has confirmed that adequate sanitary sewer capacity exists. Storm sewer improvements will be installed with each phase of the planned development. Streets will be built to City standards as shown by the plans. Water services for the proposed residential uses will be extended to the site from adjacent main lines.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and would add that the City provided opportunity for review and comment by city departments, other public and private agencies and utilities, and McMinnville Water and Light to ensure the coordinated provision of utilities and services to the subject site based on the proposed land use request. Based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage

facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. No comments were provided that were in opposition or identified any issues with providing utilities and services to the subject site for the intended use. At the time of development of the site, final development plans will be required to provide a detailed storm drainage plan, a sanitary sewer collection plan (if necessary for the use), and the provision of water and power services. Any right-of-way improvements required for the subject site will be required at the time of development as well.

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

**GOAL X 2:** TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

*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.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The process for a Comprehensive Plan Map Amendment provides an opportunity for citizen involvement throughout the process through the neighborhood meeting provisions, the public notice, and the public hearing process. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property and was published in the News Register on Tuesday, November 26, 2019 in accordance with Section 17.72.120 of the MMC on November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.

Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public hearing(s). The application materials are posted on the City's website as soon as they are deemed complete, and copies of the staff report and Planning Commission meeting materials are posted on the City's website at least one week prior to the public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

### **McMinnville Zoning Ordinance**

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

#### **Chapter 17.03. General Provisions**

**17.03.020 Purpose.** The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared

services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

**17.74.020 Comprehensive Plan Map Amendment and Zone Change - Review Criteria.**

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

**17.74.020(A).** *The proposed amendment is consistent with the goals and policies of the Comprehensive Plan;*

**APPLICANT'S RESPONSE:** This Applicant's Statement has demonstrated how the proposed Comprehensive Plan Map and Zoning Map Amendment applications are consistent with applicable goals and policies of the Comprehensive Plan in the responses above under III. Findings A. of the McMinnville Comprehensive Plan.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and also refers to the findings provided for the applicable Comprehensive Plan goals and policies in Section VII (Conclusionary Findings) above.

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

**APPLICANT'S RESPONSE:** Several changes have occurred in the neighborhood or community to warrant the proposed amendments. First of all, the October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I designated Baker Creek Road adjacent to the site as a planned transit corridor. This makes it an appropriate action for the R-1 zoned parcel to be rezoned to R-4, as well as applying the R-4 zone to the remainder of the planned development site's area that does not have urban zoning. This type of residential zone will promote the type of density proposed with the planned development overlay and the type of density needed to support future transit service along this corridor. All of the lots are within ¼ mile of this planned transit corridor, providing consistency with Comprehensive Plan policies for this zoning classification.

It is the applicant's understanding, that a portion of the subject site was designated commercial at a time when a northwest expansion of the City's urban growth boundary was being pursued and a future commercial center was desired for this area of McMinnville. However, this expansion to the northwest did not materialize. This has left the site with an excess of commercial land on the fringe of the urban area in a market that cannot support that much commercial land on the edge of town. The applicant, who is a developer who has owned the site for almost four years after purchasing it from a bankruptcy trustee, attests to the lack of demand for so much commercial land through the lack of interest from others in the property for such uses. The commercially designated area is too large given the current pattern of development in McMinnville. A large commercial development is not appropriate and would drain economic

activity from the downtown core and established commercial centers in McMinnville. The proposed planned development amendment and the amendment to the Comprehensive Plan Map will decrease the area designated commercial and will allow the property to more freely meet the market needs permitted under the C-3 zone. As discussed previously, development of the remaining commercial land will likely be a mix of neighborhood commercial and multi-family housing.

An additional change in the community is the successful development of the surrounding area with medium and high-density single-family housing. For example, the Baker Creek East and West development to the south, which was a modification of the original Shadden Claim planned development, improved the area with a gross housing density of 5.83 dwelling units per acre. The proposed Baker Creek North development is proposed to be 5.75 dwelling units per acre, so the proposed amendments allow the proposed development which is of a similar gross density to the adjacent developments.

The proposed amendments are also timely as the demand for housing increases. As the last large tracts of buildable land in the City are consumed, the proposed amendments will ensure that the subject site is efficiently developed with high density housing and provides housing diversity in an area that contains medium and low density neighborhoods (i.e. Oak Ridge, Michelbook Meadows, Adjacent new development to the northeast).

Approval of the amendments will allow for an orderly development of the area. The earlier phases of the planned development are along the south side of the site, where utilities exist and small and medium sized lots meet the current market needs. Later phases will allow for more housing diversity with small, medium, and large lots to serve the broad housing needs of the community. The new lots in the planned development, and the development of multi-family units on the commercial lot, will provide economic support for neighborhood commercial uses on the C-3 zoned parcel.

The City of McMinnville completed its last Economic Opportunity Analysis (EOA) in 2013. The report indicates that there is a 35.8 acre deficit of Commercial designated land for the 20-year planning horizon. To address this need, the report recommends that the City re-designate some of the 235.9 acres of surplus Industrial land for commercial use. Since this surplus of Industrial land can be converted to a Commercial designation, the applicant's proposal to reduce the amount of Commercial designated land from 11.3 acres to 6.62 acres will not diminish the City's ability to meet its commercial land needs.

In 2001, the City of McMinnville completed a Residential Land Needs Analysis for the 2000-2020 planning period and determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs. At the time, the needed residential acreage included 63.9 acres of additional R-4 zoned land beyond what was available within the UGB. Although the City moved forward with an UGB expansion in 2011 to address its deficient residential land supply, the boundary amendment was shelved after LUBA remanded City Council's land use decision in 2011. As a result, residential land needs dating back to 2001 have yet to be addressed.

Over the last two decades, the City's deficient residential land supply has continued to be a lingering problem and housing costs have risen to a point where they are now unattainable for many residents. To address these issues, the City is currently updating its Housing Needs Analysis. This study indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R-4 land within the UGB. This acreage will allow

the development of 891 dwelling units which can't be accommodated by the current R-4 land supply.

The applicant's proposal to zone 48.7 acres of the site R-4 will increase the density of existing Residential designated land to permit the develop additional housing in the community. As demonstrated by the attached Typical Lots Plan and Site Plan, the proposed Comprehensive Plan Map and Zoning Map Amendments will facilitate the development of 280 small, medium, and large sized single-family lots within the proposed planned development area. The proposed map amendments will also allow the future development of apartment units in addition to neighborhood commercial within the C-3 zoned portion of the site, further working to meet the housing needs of the community.

**FINDING: SATISFIED.** The City concurs with the applicant's findings. The City clarifies that the applicant refers to the most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, that identified a need for additional land for housing uses. That inventory, which was titled the McMinnville Buildable Land Needs Analysis and Growth Management Plan, identified a need for additional land for housing and residential uses of approximately 537 buildable acres, of which only 217 buildable acres have been added to the city's urban growth boundary leaving the city with approximately 320 acres of residential land deficit.

It should also be noted that per the McMinnville City Code section 17.74.020, when the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statute), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

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

**APPLICANT'S RESPONSE:** This narrative and the attached plans show that utilities and services can be efficiently provided to serve the proposed and potential uses in the proposed residential and commercial zoning districts.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #1.** The City concurs with the applicant's findings, and would add that the City provided opportunity for review and comment by city departments, other public and private agencies and utilities, and McMinnville Water and Light to ensure the coordinated provision of utilities and services to the subject site based on the proposed land use request. Based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. No comments were provided that were in opposition or identified any issues with providing utilities and services to the subject site for the intended use. At the time of development of the site, final development plans will be required to provide a detailed storm drainage plan, a sanitary sewer collection plan (if necessary for the use), and the provision of water and power services. Any right-of-way improvements required for the subject site will be required at the time of development as well.

The City also notes that the applicant provided a traffic analysis report that modeled the buildout of a specific development plan that is associated with a Planned Development application (PD 1-19) and Planned Development Application (PDA 2-19) submitted for concurrent review with this Zone Change request. That development plan includes 280 single family homes, and the

traffic analysis report only analyzed the transportation network's capacity for the development of those 280 homes and the adjacent commercial parcel.

The traffic analysis is based on the figures provided in the Traffic Analysis Report for Baker Creek North Development (dated July 2019) that accompanied the land use application materials. That memo cited the Institute of Traffic Engineers (ITE) Trip Generation Manual and the number of trips that would be generated by each individual single family dwelling. The average daily trips for a single family dwelling unit is 9.44 trips per unit (ITE 210). As the traffic analysis report and the accompanying Transportation Planning Rule memo assumed the development of only 280 single family dwelling units on the subject site and development on the adjacent commercial parcel, the analysis assumed 2,643 average daily trips generated by the development of the subject site.

The R-4 zone would allow for denser development than is proposed in the Planned Development application submitted for concurrent review. Because the traffic analysis report does not provide an analysis of the impacts of the maximum level of development of the subject site if the zone change to R-4 (Multiple-Family Residential) was approved, a condition of approval is included to tie this land-use approval with the subsequent approval of PD 1-19 and PDA 2-19.

Per Condition of Approval #1 this zone change will not be rendered unless that PD 1-19 and PDA 2-19 is approved.

CD

## ORDINANCE NO. 5086

**AN ORDINANCE APPROVING A PLANNED DEVELOPMENT AMENDMENT TO AMEND THE CONDITIONS OF APPROVAL AND REDUCE THE SIZE OF AN EXISTING PLANNED DEVELOPMENT OVERLAY DISTRICT AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD**

## RECITALS:

The Planning Department received an application (PDA 2-19) from Stafford Development Company, LLC requesting approval of a Zone Change to amend an existing Planned Development Overlay District to reduce the size of the existing Planned Development Overlay District to the size of a proposed 6.62 acre C-3 (General Commercial) site and amending the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site; and

The subject property is located at the northeast quadrant of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records, and a portion of Exhibit C in Instrument No. 201904867, Yamhill County Deed Records. The property is also identified as a portion of Tax Lot 100, Section 18, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on December 5, 2019 at 6:30 p.m., before the McMinnville Planning Commission after due notice had been provided in the local newspaper on November 26, 2019, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said requests, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the Planned Development Amendment review criteria listed in Section 17.74.070 of the McMinnville Municipal Code based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The Planning Commission recommended approval of said Comprehensive Plan Map Amendment to the City Council; and

The City Council having received the Planning Commission recommendation and staff report, elected to schedule a second public hearing on the application; and

A public hearing was held on January 28, 2020 at 7:00 p.m., before the McMinnville City Council after due notice had been provided in the local newspaper on January 21, 2020, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The City Council decided to close the public hearing on January 28, 2020, but left the record open for the submittal of additional written testimony. The City Council provided seven additional days for the submittal of additional written testimony until February 4, 2020. The City Council then provided

another seven days for the submittal of rebuttal testimony until February 11, 2020. The City Council then provided another seven days for the applicant to submit final written argument until February 18, 2020; and

The City Council having completed the public hearing, received the Planning Commission recommendation and staff report, received all additional written testimony, and having deliberated; and

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

1. That the Council adopts the Findings of Fact, Conclusionary Findings, and Decision as documented in Exhibit A; and
2. That the requested Planned Development Amendment is approved, subject to the following conditions:
  1. That Ordinance 4633 is repealed in its entirety.
  2. That up to 120 multiple family dwelling units are allowed within the Planned Development Overlay District, but only if the multiple family units are integrated with neighborhood commercial uses. "Integrated" means that uses are within a comfortable walking distance and are connected to each other with direct, convenient and attractive sidewalks and/or pathways. This integration of multiple family units and neighborhood commercial uses shall either be within a mixed use building or in a development plan that integrates the uses between buildings in a manner found acceptable to the Planning Commission.
  3. For the purposes of this Planned Development Overlay District, allowed neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, "Restaurant" shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. No retail uses should exceed 10,000 square feet in size, except for grocery stores. The applicant may request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site.
  4. That stand-alone drive-through facilities shall be prohibited within the Planned Development Overlay District.
  5. Detailed development plans showing elevations, site layout, signing, landscaping, parking, and lighting must be submitted to and approved by the Planning Commission before actual development may take place. The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance may be used to place conditions on any development and to determine whether or not specific uses are permissible. The detailed development plans shall identify the site design components listed below. The applicant may propose alternative design components when detailed development plans are submitted for review. The Planning Commission may review and approve these alternative design components if they are found to be consistent with the intent of the required site design components listed below.
    - a. That the future commercial development of the site is designed with shared access points and shared internal circulation. Parking and vehicle drives shall be located away from building entrances, and not between a building

- entrance and the street, except as may be allowed when a direct pedestrian connection is provided from the sidewalk to the building entrance.
- b. Parking shall be oriented behind the buildings or on the sides. Surface parking shall not exceed 110% of the minimum parking requirements for the subject land uses. Shared parking is encouraged. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; and a significant bicycle corral that is connected to the BPA bicycle/pedestrian trail. Parking lot landscaping will meet or exceed city standards.
  - c. Buildings shall be oriented towards the surrounding right-of-ways and must have at least one primary entrance directly fronting a public right-of-way. Building facades shall be designed to be human scale, for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the surrounding neighborhoods. Special attention should be paid to roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, the public parks and the adjacent neighborhood. No building shall exceed a height of two stories without a variance. If any building is proposed to exceed 35 feet, the building shall be designed with a step back in the building wall above 35 feet to reduce the visual impact of the height of the building.
  - d. Pedestrian connections shall be provided between surrounding sidewalks and right-of-ways. The plans shall also identify how the development provides pedestrian connections to adjacent residential development and the BPA Bike/Pedestrian Trail system located adjacent and to the east of the site.
  - e. The commercial development shall maximize connectivity with the BPA Bike/Pedestrian Trail and the other adjacent public parks but minimize bicycle and pedestrian conflicts within the site.
  - f. Sidewalks and/or plazas will be provided with weather protection (e.g. awnings/canopies). Appropriate pedestrian amenities such as space for outdoor seating, trash cans, sidewalk displays, outdoor café seating and public art will also be provided.
  - g. That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee. A minimum of 14 percent of the site must be landscaped with emphasis placed at the street frontage. All public right-of-ways adjacent to the site will be improved with street tree planting as required by Chapter 17.58 of the MMC.
  - h. The plan must provide a community gathering space that is easily accessible via pedestrian and bicycle access from all of the uses within the commercial development as well as the adjacent BPA Bike/Pedestrian Trail. If multiple family dwelling units are developed on the site, a minimum of 10 percent of the site must be designated as usable open space. The usable open space will be in addition to the minimum 14 percent of the site that must be landscaped, and may be combined with the community gathering space required for the commercial uses. The usable open space shall be in a location of the site that is easily accessible from all buildings and uses, shall not be located in a remnant area of the site, and shall not be disconnected from buildings by parking or driving areas.
  - i. That signs located within the planned development site be subject to the following limitations:

1. All signs, if illuminated, must be indirectly illuminated and nonflashing, and the light source may not be visible from any public right of way and may not shine up into the night sky;
2. No individual sign exceeding thirty-six (36) square feet in size shall be allowed.
3. Internally illuminated, signs on roofs, chimney and balconies, and off-site signage are prohibited.
4. Each building may have a maximum of two signs to identify the name and street address of the building. These signs must be integral to the architecture and building design and convey a sense of permanence. Typically these sign are secondary or tertiary building elements as seen on historic urban buildings. Maximum sign area shall be no more than 6 square feet. Maximum sign height shall be 18 feet above the sidewalk to the top of the sign.
5. Each building may have one directory sign immediately adjacent to a front/main or rear entry to the building. A directory sign is allowed at each entry to a common space that provides access to multiple tenants. Directory signs shall be limited to 12 square feet in area and their design shall integrate with the color and materials of the building.
6. One freestanding monument sign shall be permitted within 20 feet of each driveway access to a public right-of-way. The maximum sign area shall be 24 square feet. Monument signs must be positioned to meet the City's clear vision standards. The maximum height from the ground of the monument sign shall be 6 feet.
7. Each building may have a total of two signs per tenant identifying the leased/occupied space. These signs must be located on the façade containing the primary entry or façade immediately adjacent to the primary entry to the tenant's space. In all cases these signs must be on a wall attached to the space occupied by the tenant. Tenants may select from the following sign types: Awning, Project/Blade or Wall.
  - A. Awning Sign
    - i. Maximum sign area shall be 6 square feet on the main awning face or 3 square feet of the awning valance.
    - ii. Lettering may appear but shall not dominate sloped or curved portions, and lettering and signboard may be integrated along the valance or fascia, or free-standing letters mounted on top of and extending above the awning fascia.
    - iii. Lettering and signboard may be integrated along the valance or awning fascia.
  - B. Projecting and Blade Sign
    - i. Maximum sign area shall be 4 square feet (per side).
    - ii. The sign must be located with the lower edge of the signboard no closer than 8 feet to the sidewalk and the top of the sign no more 14 feet above the sidewalk.
    - iii. For multi-story buildings, at the ground floor tenant space signage, the top signboard edge shall be no higher than the sill or bottom of the average second story window height.
    - iv. Distance from building wall to signboard shall be a maximum of 6 inches.

- v. Maximum signboard width shall be 3 feet with no dimension to exceed 3'.
- vi. Occupants/tenants above the street level are prohibited from having projecting blade signage.

C. Wall Signs

- i. Maximum sign area shall be a maximum of 10 square feet. For small tenant spaces the ARC may limit sign size to less than 10 square feet.
  - ii. The sign shall be located on the tenant's portion of the building. Maximum sign height for multiple story buildings shall be 14 feet above the sidewalk to the top of the sign. The maximum sign height for single story buildings is 18 feet above the sidewalks to the top of the sign. The measurement is from the top of the sign to the lowest point on the sidewalk directly below the sign.
  - iii. Applied lettering may be substituted for wall signs. Lettering must fit within the size criteria above.
- j. Outside lighting must be directed away from residential areas and public streets.
6. No use of any retail commercial use shall normally occur between the hours of 1:00 a.m. and 5:00 a.m.
7. All business, service, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
- a. Off-street parking and loading;
  - b. Temporary display and sales of merchandise, providing it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation;
  - c. Seating for food and beverage establishments; and
  - d. Food carts.
8. Prior to any future development of the site, a traffic impact analysis shall be provided. The traffic impact analysis shall include an analysis of the internal circulation system, the shared access points, and the traffic-carrying capacity of all adjacent streets and streets required to provide eventual access to Baker Creek Road. The traffic impact analysis shall include an analysis of the intersection of Baker Creek Road and Michelbook Lane and the intersection of Baker Creek Road and Highway 99W, but shall not be limited to only those intersections.
9. The minimum commercial development shall be five acres. Five acres of this site must retain ground floor commercial uses, allowing multiple family development to occur on the remainder of the site and as part of a mixed-use development. The five acres of commercial development will be calculated based upon all of the development requirements associated with the commercial development including any standards related to the mixed-use residential development.

3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 24<sup>th</sup> day of March, 2020, by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

Attest:

Approved as to form:

\_\_\_\_\_  
CITY RECORDER

\_\_\_\_\_  
CITY ATTORNEY



**CITY OF MCMINNVILLE  
PLANNING DEPARTMENT**  
231 NE FIFTH STREET  
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**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A PLANNED DEVELOPMENT AMENDMENT TO AMEND THE CONDITIONS OF APPROVAL AND REDUCE THE SIZE OF AN EXISTING PLANNED DEVELOPMENT OVERLAY DISTRICT AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD AND AMEND THE EXISTING CONDITIONS OF APPROVAL**

**DOCKET:** PDA 2-19 (Planned Development Amendment)

**REQUEST:** Approval to amend an existing Planned Development Overlay District to reduce the size of the existing Planned Development Overlay District to the size of a proposed 6.62 acre C-3 (General Commercial) site and amending the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site.

**LOCATION:** The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records, and a portion of Exhibit C in Instrument No. 201904867, Yamhill County Deed Records. The property is also identified as a portion of Tax Lot 100, Section 18, T. 4 S., R. 4 W., W.M.

**ZONING:** C-3 (General Commercial)

**APPLICANT:** Stafford Development Company, LLC

**STAFF:** Chuck Darnell, Senior Planner

**DATE DEEMED COMPLETE:** October 11, 2019

**HEARINGS BODY & ACTION:** The McMinnville Planning Commission makes a recommendation for approval or denial to the City Council.

**HEARING DATE & LOCATION:** December 5, 2019, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.

**HEARINGS BODY & ACTION:** The McMinnville City Council approves or denies the land-use application.

**HEARING DATE & LOCATION:** January 28, 2020, March 10, 2020, and March 24, 2020, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville Oregon

**PROCEDURE:** An application for a Planned Development Amendment is processed in accordance with the procedures in Section 17.72.120 of the McMinnville Municipal Code. The application is reviewed by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the McMinnville Municipal Code.

**CRITERIA:** The applicable criteria for a Planned Development Amendment are specified in Section 17.74.070 of the McMinnville Municipal Code. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

**APPEAL:** As specified in Section 17.72.190 of the McMinnville Municipal Code, the City Council's decision may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of decision is mailed. The City's final decision is subject to a 120 day processing timeline, including resolution of any local appeal. The 120 day deadline was February 8, 2020. However, the applicant, on the record during the January 28, 2020 public hearing requested that the deadline be extended to March 10, 2020, and then at the March 10, 2020 City Council meeting, requested that the 120 day deadline be extended to March 24, 2020.

**COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications; Comcast; Northwest Natural Gas; and Oregon Department of Transportation. The matter was also referred to the Oregon Department of Land Conservation and Development. Their comments are provided in this document.

**DECISION**

Based on the findings and conclusionary findings, the City Council finds the applicable criteria are satisfied and **APPROVES** the Planned Development Amendment (PDA 2-19), **subject to the conditions of approval provided in Section II of this document.**

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

City Council: \_\_\_\_\_ Date: \_\_\_\_\_  
 Scott Hill, Mayor of McMinnville

Planning Commission: \_\_\_\_\_ Date: \_\_\_\_\_  
 Roger Hall, Chair of the McMinnville Planning Commission

Planning Department: \_\_\_\_\_ Date: \_\_\_\_\_  
Heather Richards, Planning Director

## **I. APPLICATION SUMMARY:**

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the history of land use decisions for the subject site(s) and the request(s) under consideration. The City has found the information provided to accurately reflect the current Planned Development Amendment request and the relevant background, and excerpted portions are provided below to give context to the request, in addition to the City's comments.

### ***Subject Property & Request***

The subject property is located at the northeast quadrant of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records, and a portion of Exhibit C in Instrument No. 201904867. The property is also identified as a portion of Tax Lot 100, Section 18, T. 4 S., R. 4 W., W.M.

The application (PDA 2-19) is a request for a Planned Development Amendment to reduce the size of the existing Planned Development Overlay District governed by Ordinance 4633 to the size of a proposed 6.62 acre C-3 (General Commercial) site and amending the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site. The Planned Development Amendment request was submitted for review concurrently with five other land use applications, as allowed by Section 17.72.070 of the MMC. The requested amendment is being reviewed concurrently with a Comprehensive Plan Map Amendment, Zone Change, Planned Development, Subdivision, and Landscape Plan Review to allow for the development of a 280 lot subdivision and future commercial development.

Excerpts from Land Use Application Narrative and Findings:

“The applicant is requesting to amend the boundary of the planned development overlay, as previously delineated by Ordinance 4633, to correspond to the current boundary of Parcel A of this application. Furthermore, the applicant requests to replace the two conditions of approval of the planned development overlay created under Ordinance 4633 with the following conditions:

1. No more than 120 multi-family units may be developed on the site.
2. At least 2-acres of neighborhood commercial uses shall be developed on the site.

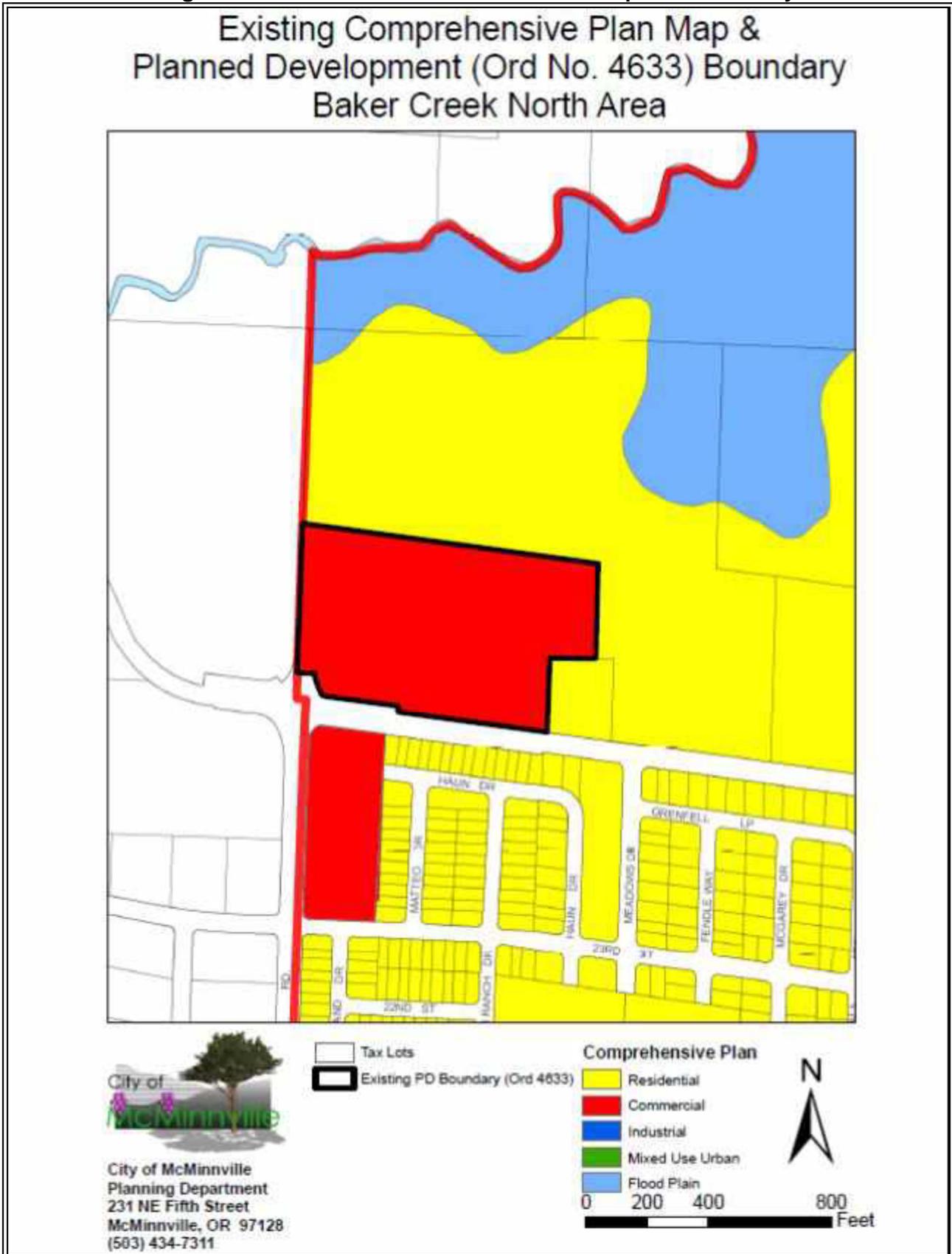
The proposed conditions of approval would allow for a future development application to include a request for neighborhood commercial and multi-family residential uses allowed in the C3 zone.”

***See Vicinity Map (Figure 1), Ordinance No. 4633 Planned Development Boundary (Figure 2), and CPA 1-19 Commercially Designated Area - Proposed Site Plan (Figure 3) below.***

Figure 1. Vicinity Map (Subject Site Area Approximate)

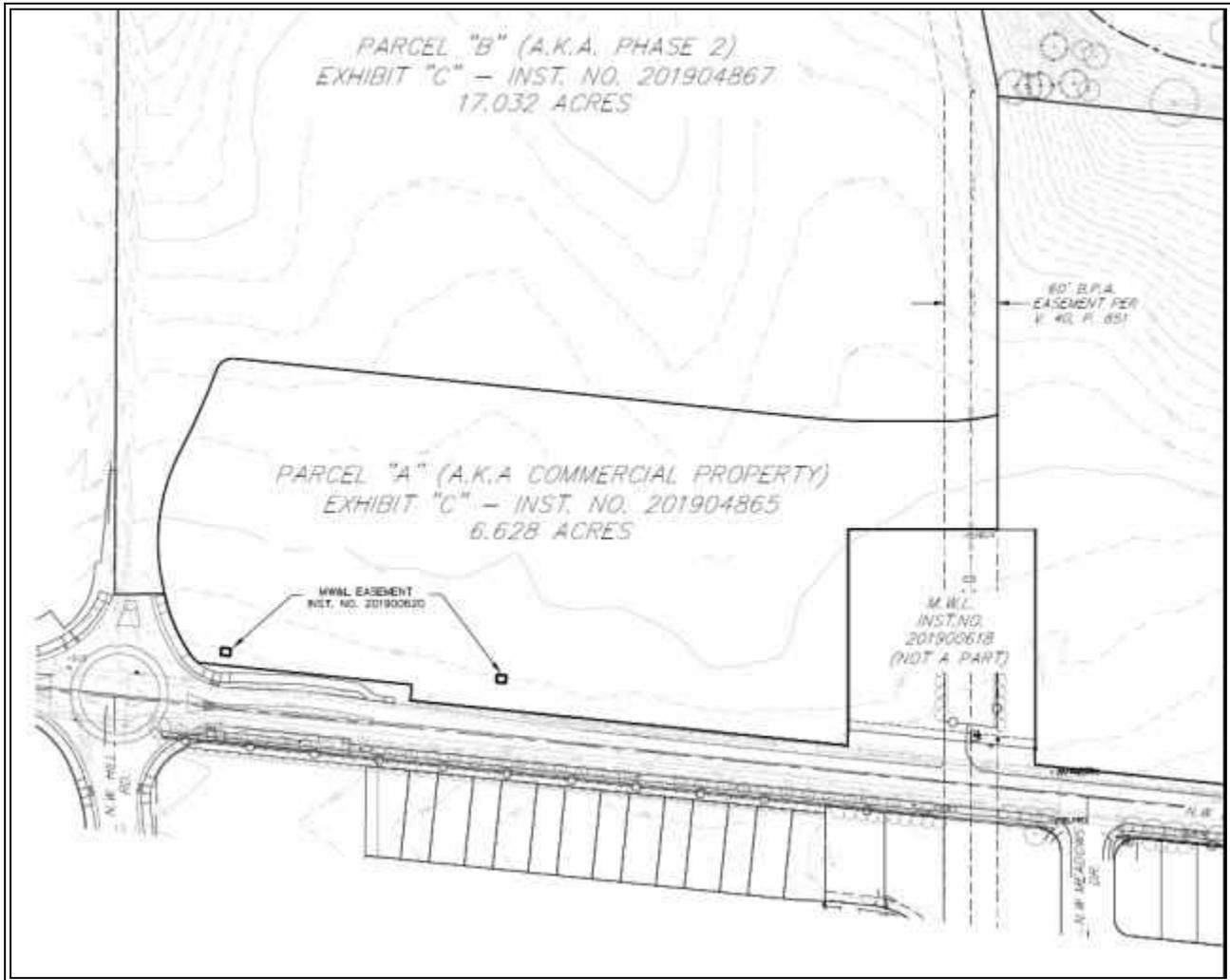


Figure 2. Ordinance No. 4633 Planned Development Boundary



**Figure 3. CPA 1-19 Commercially Designated Area**

**\*Note – Parcel A identifies proposed reduced size of Planned Development Overlay District**



**Background**

Excerpts from Land Use Application Narrative and Findings:

“Ordinance 4633 was approved in October of 1996 resulting in the commercial designation of 11.3 acres of the site and a commercial planned development overlay (C3-PD) which restricts development with two conditions of approval.

\* \* \*

The applicant is requesting to amend the boundary of the planned development overlay, as previously delineated by Ordinance 4633, to correspond to the current boundary of Parcel A of this application. Furthermore, the applicant requests to replace the two conditions of approval of the planned development overlay created under Ordinance 4633 with the following conditions:

1. No more than 120 multi-family units may be developed on the site.
2. At least 2-acres of neighborhood commercial uses shall be developed on the site.

The proposed conditions of approval would allow for a future development application to include a request for neighborhood commercial and multi-family residential uses allowed in the C3 zone.

It is the applicant's understanding that this area was designated commercial at a time when expansion of the City's urban growth boundary (UGB) westward was being pursued and this commercial area was hoped to be a large commercial center for McMinnville's (north)westward expansion. This UGB expansion to the northwest did not materialize. This has left the site with a glut of commercial land on the fringe of the urban area in a market that cannot support that much commercial land on the edge of town. The applicant, being a developer who has owned the site for almost four years, and having purchased it from a bankruptcy trustee, attests to this lack of demand for so much commercial land based on the lack of interest from others in the property for such uses. The commercially designated area is too large for the current pattern of development in McMinnville. A large commercial development is not appropriate since it would drain economic activity from the downtown commercial core and other established commercial centers in McMinnville. The proposed planned development amendment as established by Ordinance No. 4633, and an amendment to the Comprehensive Plan Map to decrease the area designated commercial as proposed, will allow the remaining commercial area to be regulated under current C3 zone standards. This will allow the property to more freely meet the market needs for uses allowed by the C3 zone, supporting a mix of uses such as neighborhood commercial and needed multi-family housing. The proposed amended planned development conditions will ensure this outcome."

### ***Clarification of Land Use History***

Ordinance 4633, which is the subject of this Planned Development Amendment, was adopted on October 6, 1996, and adopted a Comprehensive Plan Map Amendment of approximately 12.34 acres of land as a Commercial designation (Section 2 of Ordinance No. 4633), and also placed a Planned Development Overlay District on the same property (Section 3 of Ordinance No. 4633). These actions were processed under land use application docket number CPA 2-96.

The Comprehensive Plan Map Amendment reviewed and approved under docket number CPA 2-96 and Ordinance 4633 was applied for in response to another Comprehensive Plan Map Amendment and Planned Development request reviewed under land use application dockets CPA 1-96 and ZC 1-96. Applications CPA 1-96 and ZC 1-96 were associated with land south of Baker Creek Road, and amended the Comprehensive Plan Map designation of some of that land from Commercial to Residential and also approved a Planned Development Overlay District south of Baker Creek Road.

Ordinance 4633, which adopted a Comprehensive Plan Map Amendment of approximately 12.34 acres of land as a Commercial designation, and placed a Planned Development Overlay District on the same property, was approved with two conditions of approval. Those conditions of approval were identified in Section 3 of Ordinance 4633 in association with the Planned Development Overlay District and read as follows:

1. That development of the site is subject to the requirements of McMinnville Ordinance No. 4605, Section 2(a) – (g).
2. That no multiple-family residential use shall be allowed on the site.

The first condition of approval references a section within Ordinance 4605. However, Ordinance 4605 does not contain subsections (a) – (g) within Section 2, and Ordinance 4605 was associated with the approval of the annexation of property near Highway 18 and Old Sheridan Road into the City of McMinnville. Upon further inspection, condition #1 in Ordinance 4633 was intended to reference Section 2 (a) – (g) of Ordinance 4506, and it appears that there was a clerical error in the drafting of the

language within Ordinance 4633. The staff report on file with the McMinnville Planning Department for docket number CPA 2-96 includes references to Ordinance 4506, and Ordinance 4506 is also attached to the staff report. The staff report suggests that the conditions of approval from Ordinance 4506 be applied to the site that was the subject of CPA 2-96 and eventually approved by Ordinance 4633.

The applicant is requesting that the two existing conditions of approval within Ordinance 4633 be removed and replaced with the new conditions of approval referenced above as a Planned Development Amendment. The City does not believe that Ordinance No. 4626 is applicable to this review, but does agree that the applicant has the right to apply to amend the Planned Development Overlay conditions of approval in Ordinance No. 4633. This will be discussed in more detail in the findings for applicable policies and review criteria in Section VII (Conclusionary Findings) below.

Finally, the Planned Development Overlay District regulated by Ordinance 4633 was more recently amended by Ordinance 5076, which reduced the size of the Planned Development Overlay District to the existing 11.3 acres that are included in the Baker Creek North site. The reduction of the size of the Planned Development Overlay District resulted in the removal of the McMinnville Water and Light substation property from the overlay district. Therefore, the remaining 11.3 acres of the Planned Development Overlay District within the Baker Creek North site is the entirety of the remaining Planned Development Overlay District.

Of these 11.3 acres, CPA 1-19 (Comprehensive Plan Map Amendment application), if approved and is being considered as part of this project bundle of land-use decision, would amend the Comprehensive Plan Map for the commercially designated land associated with the Planned Development Overlay in Ordinance No. 4633 (as amended by Ordinance No. 5076) from 11.3 acres to 6.62 acres.

### ***Summary of Criteria & Issues***

The application (PDA 2-19) is subject to Planned Development Amendment review criteria in Section 17.74.070 of the Zoning Ordinance. An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120.

The goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

The specific review criteria for Planned Development Amendments in Section 17.74.070 of the McMinnville Zoning Ordinance require the applicant to demonstrate that:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
- D. The plan can be completed within a reasonable period of time;
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;

- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

The applicant has provided findings to support the request for a Planned Development Amendment. These will be discussed in detail in Section VII (Conclusionary Findings) below.

Generally, the purpose of a planned development is to provide greater flexibility and greater freedom of design in the development of land than may be possible under strict interpretation of the provisions of the zoning ordinance. Further, the purpose of a planned development is to encourage a variety in the development pattern of the community; encourage mixed uses in a planned area; encourage developers to use a creative approach and apply new technology in land development; preserve significant man-made and natural features; facilitate a desirable aesthetic and efficient use of open space; and create public and private common open spaces. A planned development is not intended to be simply a guise to circumvent the intent of the zoning ordinance.

Consideration of a planned development request is discretionary in nature and includes weighing the additional benefits provided to the development and city as a whole through the planned development process that go above and beyond what would be provided through a standard land use application against the applicable zoning requirements. In this case, the subject site is already regulated by an existing Planned Development (Ordinance No. 4633) and the request is to reduce the size of the Planned Development Overlay District to the size of the commercially designated area identified by the comprehensive plan map amendment (CPA 1-19) associated with this development project, 6.62 acres that will be rezoned to C-3 (General Commercial) with a zoning map amendment request (ZC 1-19) also associated with this development project, and amend the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site.

The requests for a Comprehensive Plan Map Amendment and Zone Change were submitted for concurrent review with this Planned Development Amendment request, which if all approved, would result in the reduced Planned Development Overlay District having a Commercial designation on the Comprehensive Plan Map and being zoned C-3.

## **II. CONDITIONS:**

1. Ordinance 4633 is repealed in its entirety.
2. That up to 120 multiple family dwelling units are allowed within the Planned Development Overlay District, but only if the multiple family units are integrated with neighborhood commercial uses. "Integrated" means that uses are within a comfortable walking distance and are connected to each other with direct, convenient and attractive sidewalks and/or pathways. This integration of multiple family units and neighborhood commercial uses shall either be within a mixed use building or in a development plan that integrates the uses between buildings in a manner found acceptable to the Planning Commission.
3. For the purposes of this Planned Development Overlay District, allowed neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, "Restaurant" shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. No retail uses should exceed 10,000 square feet in size, except for grocery stores. The applicant may request

any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site.

4. That stand-alone drive-through facilities shall be prohibited within the Planned Development Overlay District.
5. Detailed development plans showing elevations, site layout, signing, landscaping, parking, and lighting must be submitted to and approved by the Planning Commission before actual development may take place. The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance may be used to place conditions on any development and to determine whether or not specific uses are permissible. The detailed development plans shall identify the site design components listed below. The applicant may propose alternative design components when detailed development plans are submitted for review. The Planning Commission may review and approve these alternative design components if they are found to be consistent with the intent of the required site design components listed below.
  - a. That the future commercial development of the site is designed with shared access points and shared internal circulation. Parking and vehicle drives shall be located away from building entrances, and not between a building entrance and the street, except as may be allowed when a direct pedestrian connection is provided from the sidewalk to the building entrance.
  - b. Parking shall be oriented behind the buildings or on the sides. Surface parking shall not exceed 110% of the minimum parking requirements for the subject land uses. Shared parking is encouraged. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; and a significant bicycle corral that is connected to the BPA bicycle/pedestrian trail. Parking lot landscaping will meet or exceed city standards.
  - c. Buildings shall be oriented towards the surrounding right-of-ways and must have at least one primary entrance directly fronting a public right-of-way. Building facades shall be designed to be human scale, for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the surrounding neighborhoods. Special attention should be paid to roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, the public parks and the adjacent neighborhood. No building shall exceed a height of two stories without a variance. If any building is proposed to exceed 35 feet, the building shall be designed with a step back in the building wall above 35 feet to reduce the visual impact of the height of the building.
  - d. Pedestrian connections shall be provided between surrounding sidewalks and right-of-ways. The plans shall also identify how the development provides pedestrian connections to adjacent residential development and the BPA Bike/Pedestrian Trail system located adjacent and to the east of the site.
  - e. The commercial development shall maximize connectivity with the BPA Bike/Pedestrian Trail and the other adjacent public parks but minimize bicycle and pedestrian conflicts within the site.
  - f. Sidewalks and/or plazas will be provided with weather protection (e.g. awnings/canopies). Appropriate pedestrian amenities such as space for outdoor seating, trash cans, sidewalk displays, outdoor café seating and public art will also be provided.
  - g. That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee. A minimum of 14 percent of the site must be landscaped with emphasis placed at the street frontage. All public right-of-ways adjacent to the site will be improved with street tree planting as required by Chapter 17.58 of the MMC.

- h. The plan must provide a community gathering space that is easily accessible via pedestrian and bicycle access from all of the uses within the commercial development as well as the adjacent BPA Bike/Pedestrian Trail. If multiple family dwelling units are developed on the site, a minimum of 10 percent of the site must be designated as usable open space. The usable open space will be in addition to the minimum 14 percent of the site that must be landscaped, and may be combined with the community gathering space required for the commercial uses. The usable open space shall be in a location of the site that is easily accessible from all buildings and uses, shall not be located in a remnant area of the site, and shall not be disconnected from buildings by parking or driving areas.
- i. That signs located within the planned development site be subject to the following limitations:
  1. All signs, if illuminated, must be indirectly illuminated and nonflashing, and the light source may not be visible from any public right of way and may not shine up into the night sky;
  2. No individual sign exceeding thirty-six (36) square feet in size shall be allowed.
  3. Internally illuminated, signs on roofs, chimney and balconies, and off-site signage are prohibited.
  4. Each building may have a maximum of two signs to identify the name and street address of the building. These signs must be integral to the architecture and building design and convey a sense of permanence. Typically these sign are secondary or tertiary building elements as seen on historic urban buildings. Maximum sign area shall be no more than 6 square feet. Maximum sign height shall be 18 feet above the sidewalk to the top of the sign.
  5. Each building may have one directory sign immediately adjacent to a front/main or rear entry to the building. A directory sign is allowed at each entry to a common space that provides access to multiple tenants. Directory signs shall be limited to 12 square feet in area and their design shall integrate with the color and materials of the building.
  6. One freestanding monument sign shall be permitted within 20 feet of each driveway access to a public right-of-way. The maximum sign area shall be 24 square feet. Monument signs must be positioned to meet the City's clear vision standards. The maximum height from the ground of the monument sign shall be 6 feet.
  7. Each building may have a total of two signs per tenant identifying the leased/occupied space. These signs must be located on the façade containing the primary entry or façade immediately adjacent to the primary entry to the tenant's space. In all cases these signs must be on a wall attached to the space occupied by the tenant. Tenants may select from the following sign types: Awning, Project/Blade or Wall.
    - A. Awning Sign
      - i. Maximum sign area shall be 6 square feet on the main awning face or 3 square feet of the awning valance.
      - ii. Lettering may appear but shall not dominate sloped or curved portions, and lettering and signboard may be integrated along the valance or fascia, or free-standing letters mounted on top of and extending above the awning fascia.
      - iii. Lettering and signboard may be integrated along the valance or awning fascia.
    - B. Projecting and Blade Sign
      - i. Maximum sign area shall be 4 square feet (per side).

- ii. The sign must be located with the lower edge of the signboard no closer than 8 feet to the sidewalk and the top of the sign no more 14 feet above the sidewalk.
- iii. For multi-story buildings, at the ground floor tenant space signage, the top signboard edge shall be no higher than the sill or bottom of the average second story window height.
- iv. Distance from building wall to signboard shall be a maximum of 6 inches.
- v. Maximum signboard width shall be 3 feet with no dimension to exceed 3'.
- vi. Occupants/tenants above the street level are prohibited from having projecting blade signage.

C. Wall Signs

- i. Maximum sign area shall be a maximum of 10 square feet. For small tenant spaces the ARC may limit sign size to less than 10 square feet.
  - ii. The sign shall be located on the tenant's portion of the building. Maximum sign height for multiple story buildings shall be 14 feet above the sidewalk to the top of the sign. The maximum sign height for single story buildings is 18 feet above the sidewalks to the top of the sign. The measurement is from the top of the sign to the lowest point on the sidewalk directly below the sign.
  - iii. Applied lettering may be substituted for wall signs. Lettering must fit within the size criteria above.
- j. Outside lighting must be directed away from residential areas and public streets.

- 6. No use of any retail commercial use shall normally occur between the hours of 1:00 a.m. and 5:00 a.m.
- 7. All business, service, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:
  - a. Off-street parking and loading;
  - b. Temporary display and sales of merchandise, providing it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation;
  - c. Seating for food and beverage establishments; and
  - d. Food carts.
- 8. Prior to any future development of the site, a traffic impact analysis shall be provided. The traffic impact analysis shall include an analysis of the internal circulation system, the shared access points, and the traffic-carrying capacity of all adjacent streets and streets required to provide eventual access to Baker Creek Road. The traffic impact analysis shall include an analysis of the intersection of Baker Creek Road and Michelbook Lane and the intersection of Baker Creek Road and Highway 99W, but shall not be limited to only those intersections.
- 9. The minimum commercial development shall be five acres. Five acres of this site must retain ground floor commercial uses, allowing multiple family development to occur on the remainder of the site and as part of a mixed-use development. The five acres of commercial development will be calculated based upon all of the development requirements associated with the commercial development including any standards related to the mixed-use residential development.

### **III. ATTACHMENTS:**

1. PDA 2-19 Application and Attachments (on file with the Planning Department)
2. Agency Comments (on file with the Planning Department)
3. Testimony Received (on file with the Planning Department)
  - a. Public Testimony
    - i. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received December 4, 2019 (on file with the Planning Department)
    - ii. Markus Pfahler, 2515 West Wind Drive, Letter received December 5, 2019 (on file with the Planning Department)
    - iii. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 24, 2020 (on file with the Planning Department)
    - iv. Jeff and Lori Zumwalt, Premier Home Builders, Inc., Letter received January 24, 2020 (on file with the Planning Department)
    - v. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 26, 2020 (dated January 27, 2020) (on file with the Planning Department)
    - vi. Steve Dow, Black Hawk Homes, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - vii. Vince Vinceri, Symbiotik Development, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - viii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - ix. Mike Colvin, Letter received January 28, 2020 (on file with the Planning Department)
    - x. Stafford Development Company (Applicant), Memorandum from Frank Charbonneau received January 28, 2020 (on file with the Planning Department)
    - xi. Linda Lindsay, Letter received at public hearing on January 28, 2020 (on file with the Planning Department)
    - xii. Sandy Colvin, Traffic report data received January 29, 2020 (on file with the Planning Department)
    - xiii. Jim Cena, 15080 NW Blacktail Court, Email received January 30, 2020 (on file with the Planning Department)
    - xiv. Larry and Hersheil Steward, 14200 NW Orchard View Road, Email received January 30, 2020 (on file with the Planning Department)
    - xv. Caroline Moore, 205 NE 6<sup>th</sup> Street, Email received January 31, 2020 (on file with the Planning Department)
    - xvi. Nancy and Surinder Singh, 2200 SW West Wind Drive, Email received February 1, 2020 (on file with the Planning Department)
    - xvii. David Cutter, 15000 NW Blacktail Lane, Emailed letter received February 3, 2020 (on file with the Planning Department)
    - xviii. Lane Roemmick, Email received February 3, 2020 (on file with the Planning Department)
    - xix. Jim and Jean Semph, 2175 SW Homer Ross Loop, Email received February 3, 2020 (on file with the Planning Department)
    - xx. Vincent Taft and Allison Best, 2025 SW Fox Swale Lane, Email received February 3, 2020 (on file with the Planning Department)
    - xxi. Patrick Stinson, 2065 NW Willamette Drive, Emailed letter received February 3, 2020 (on file with the Planning Department)
    - xxii. Mike Colvin, Letter received February 3, 2020 (on file with the Planning Department)
    - xxiii. Gary and Suzanne Farmer, Email received February 3, 2020 (on file with the Planning Department)

- xxiv. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxv. Rick Weidner, 2075 SW Sailing Court, Email received February 3, 2020 (on file with the Planning Department)
  - xxvi. Kari Rex, Email received February 4, 2020 (on file with the Planning Department)
  - xxvii. Melba Smith, 2780 NW Pinot Noir Drive, Email received February 4, 2020 (on file with the Planning Department)
  - xxviii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxix. Linda Lindsay, Email received February 4, 2020 (on file with the Planning Department)
  - xxx. Scott Larsen, Email received February 4, 2020 (on file with the Planning Department)
  - xxxi. Cathy Goekler, 2684 NW Pinot Noir Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxii. Stafford Development Company (Applicant), Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxiii. Mike Colvin, Email with rebuttal testimony received February 5, 2020 (on file with the Planning Department)
  - xxxiv. Stafford Development Company (Applicant), Emailed letter with rebuttal testimony received February 11, 2020 (on file with the Planning Department)
- b. Staff Memorandums
- i. Planning Department Staff, Memorandum describing revisions to conditions of approval, December 5, 2019 (on file with the Planning Department)
  - ii. Planning Department Staff, Memorandum describing additional testimony received prior to January 28, 2020 public hearing, January 27, 2020 (on file with the Planning Department)
4. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, December 5, 2019 (on file with the Planning Department)
  5. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 14, 2020 (on file with the Planning Department)
  6. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 28, 2020 (on file with the Planning Department)
  7. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 10, 2020 (on file with the Planning Department)
  8. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 24, 2020 (on file with the Planning Department)

#### **IV. COMMENTS:**

##### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development. The following comments were received:

- McMinnville Engineering Department

The Engineering Department provided comments, but they were applicable to the Planned Development and Tentative Subdivision applications that were submitted for concurrent review with the Comprehensive Plan Map Amendment request. The Engineering Department comments are included in the Decision Documents for the Planned Development and Tentative Subdivision land use applications.

- McMinnville Water and Light

Included as Attachment #2

- Oregon Department of State Lands

Sounds like you screened previously for wetlands and waters, found none and went forward. I did a quick check and we didn't have any records about these sites in our database. We would have no comment on the changes proposed.

### **Public Comments**

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, November 26, 2019. As of the date of the Planning Commission public hearing on December 5, 2019, one item of public testimony had been received by the Planning Department. One additional item of written testimony was submitted at the December 5, 2019 public hearing. Those items of testimony are described in Section III (Attachments) above.

### **V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. The applicant, Stafford Development Company, LLC, held a neighborhood meeting on November 1, 2018.
2. The applicant submitted five land use applications (CPA 1-19, ZC 1-19, PD 1-19, S 1-19, L 12-19) on April 26, 2019.
3. Those application materials were deemed incomplete on May 30, 2019. One of the reasons for the applications being deemed incomplete is that they impacted the land regulated by Planned Development Overlay District Ordinance No. 4633, and the applicant had not addressed the Planned Development Amendment review process or criteria. The applicant submitted revised application materials on September 11, 2019, which included the Planned Development Amendment request.
4. Based on the revised application submittal, the application was deemed complete on October 11, 2019. Based on that date, the 120 day land use decision time limit expires on February 8, 2020.
5. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier

Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development.

Comments received from agencies are addressed in the Decision Document.

6. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance on Thursday, November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.
7. Notice of the application and the December 5, 2019 Planning Commission public hearing was published in the News Register on Tuesday, November 26, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance.
8. No public testimony was submitted to the Planning Department prior to the Planning Commission public hearing.
9. On December 5, 2019, the Planning Commission held a duly noticed public hearing to consider the request.

## **VI. FINDINGS OF FACT – GENERAL FINDINGS**

1. **Location:** The property is described as Exhibit C in Instrument No. 201904865, Yamhill County Deed Records, and a portion of Exhibit C in Instrument No. 201904867. The property is also identified as a portion of Tax Lot 100, Section 18, T. 4 S., R. 4 W., W.M
2. **Size:** Approximately 11.3 acres.
3. **Comprehensive Plan Map Designation:** Commercial
4. **Zoning:** EF-80 (Exclusive Farm Use)
5. **Overlay Zones/Special Districts:** Planned Development Overlay District (Ordinance No. 4633)
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** None
8. **Other Features:** The site is generally flat, with a minor slope to the north. There are no significant or distinguishing natural features associated with this property.
9. **Utilities:**
  - a. **Water:** Water service is available to the subject site.
  - b. **Electric:** Power service is available to the subject site.
  - c. **Sewer:** Sanitary sewer service is available to the subject site.
  - d. **Stormwater:** Storm sewer service is available to the subject site.
  - e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.

10. **Transportation:** The site is adjacent to NW Baker Creek Road, which is identified as a minor arterial in the McMinnville Transportation System Plan.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Planned Development Amendment are specified in Section 17.74.070 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

### **Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

GOAL IV 1: TO ENCOURAGE THE CONTINUED GROWTH AND DIVERSIFICATION OF McMINNVILLE'S ECONOMY IN ORDER TO ENHANCE THE GENERAL WELL-BEING OF THE COMMUNITY AND PROVIDE EMPLOYMENT OPPORTUNITIES FOR ITS CITIZENS.

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

*Policy 21.01 The City shall periodically update its economic opportunities analysis to ensure that it has within its urban growth boundary (UGB) a 20-year supply of lands designated for commercial and industrial uses. The City shall provide an adequate number of suitable, serviceable sites in appropriate locations within its UGB. If it should find that it does not have an adequate supply of lands designated for commercial or industrial use it shall take corrective actions which may include, but are not limited to, redesignation of lands for such purposes, or amending the UGB to include lands appropriate for industrial or commercial use. (Ord.4796, October 14, 2003)*

**APPLICANT'S RESPONSE:** This policy is supported by the applications for a Comprehensive Plan Map and Proposed Zoning Map amendment, along with the proposed Planned Development Amendment to replace the conditions of approval associated with the planned development overlay approved by Ordinance No. 4633. This will allow larger commercial uses to be developed and maintained in preferred business districts in the City. With the removal of Conditions 1 and 2 of the ordinance, at least 2-acres of neighborhood commercial use and no more than 120 multi-family dwelling units can be developed on the proposed commercial area of the site. With the proposed planned development amendment for Ordinance 4633, the

boundary of the current planned development overlay will be reduced to the size of the proposed C3 designated area, which is equal to 6.62 acres. (see Exhibit 3).

The applicant reviewed City documents and found that the City's last Economic Opportunity Analysis (EOA) was completed in 2013. The study concluded that that the Commercial land supply for the 2013-2033 planning period was deficient by 35.8 acres, while the Industrial land supply held a surplus. To adjust for the deficient Commercial land supply, the EOA recommends to re-designate excess industrial land for commercial use to make up for forecasted land needs. Since there are approximately 235.9 acres of Industrial land supply that can be converted to a Commercial designation, there is more than enough Industrial land to not only meet forecasted commercial land needs, but to also replace the proposed loss of commercial land on the subject site. Of the area removed from a commercial designation, about 2 acres is proposed right-of-way to support adjacent commercial and residential land use, so there is really only approximately 2.7 acres of functional land converted from commercial designation to residential.

As demonstrated by the attached Proposed Comprehensive Plan Map, the applicant is proposing to zone Commercial designated land at the intersection of NW Baker Creek Road and NW Hill Lane. The City has recently installed a roundabout at this location to serve as a new northwest gateway into McMinnville. This application does not include a specific development proposal for the C3 zoned land, however the intent is to facilitate future development of uses allowed in the C3 zone such as neighborhood commercial and multi-family housing. Therefore, the C3 zoned parcel is appropriately sized as proposed to support the development of commercial uses typical of this zone.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #2 and #9.** The amendment of the boundary of the Planned Development Overlay District is necessary to respond to the approval of the Comprehensive Plan Map Amendment and Zone Change on the subject site that were found to meet all applicable Comprehensive Plan goals, policies, and review criteria. The amendment of the boundary results in a reduction of the Planned Development Overlay District size to correspond with the 6.62 acre site that is designated as Commercial and zoned C-3 (General Commercial).

The suggested amendment of the existing conditions of approval could reduce the amount of the site being developed with commercial uses and services to only 2 acres of the site, with the remainder of the site being used as multifamily. To ensure that the site is still utilized for commercial use, a condition of approval is included to allow for multiple family dwelling units within the Planned Development Overlay District, but only if the multiple family units are integrated with commercial uses and that the minimum commercial acreage be increased to five acres. This integration of multiple family units and commercial uses shall either be within a mixed use building or in a development plan that integrates the uses between buildings in a manner found acceptable to the Planning Commission.

For the purposes of this Planned Development Overlay District, neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, "Restaurants" shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. The condition of approval allows for the applicant to request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site.

*Policy 21.04 The City shall make infrastructure investments that support the economic development strategy a high priority, in order to attract high-wage employment.*

**APPLICANT'S RESPONSE:** The City has recently constructed a roundabout at the intersection of NW Hill Road and NW Baker Creek Road and also improved NW Hill Road North south of Baker Creek Road, adjacent to the site. The Commercial designated land is located adjacent to these roadways where recent City investments have provided the site with adequate access to public transportation and utility facilities. The City has also recently made improvements to the City's Sanitary Sewer system's capacity to facilitate additional development. The housing and commercial development at this site as proposed will capitalize on those City investments to support further economic development in the form of good housing for the local economy's workforce and appropriately scaled commercial area.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 21.05 Commercial uses and services which are not presently available to McMinnville residents will be encouraged to locate in the city. Such uses shall locate according to the goals and policies in the comprehensive plan.*

**APPLICANT'S RESPONSE:** The proposed C3 zoned area of the site is in an area already designated for commercial on the City's comprehensive plan. By allowing uses listed in the C-3 zone, development of the commercial area will occur according the City's comprehensive plan goals and policies.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #2 and #9.** Multi-family is an allowed use in the C-3 zone. However, the City would still like to see neighborhood serving commercial in this area that is large enough to serve the northwest residential development of McMinnville, approximately 1000 homes. In order to ensure that the 6.62 acres still has a significant amount of commercial development, two conditions of approval are included that will allow multiple family dwelling units as requested by the applicant, but only if the multiple family units are integrated with commercial uses, and that the minimum amount of acreage for commercial development is five acres and not two acres as requested by the applicant. This integration of multiple family units and commercial uses will ensure the provision of commercial uses and services that are not presently available to residents surrounding the subject site.

**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.**

**APPLICANT'S RESPONSE:** The proposed commercial area will maximize efficiency of land, as it is utilizing an area for commercial uses that is existing commercial designated land. The site is also not a strip of land, but rather a node at the intersection of two minor arterial streets.

**FINDING: SATISFIED WITH CONDITION OF APROVALS #2, #3 and #9.** The proposed Planned Development Amendment would reduce the size of the Planned Development Overlay District. However, the amendment of the boundary of the Planned Development Overlay District is necessary to respond to the approval of the Comprehensive Plan Map Amendment and Zone Change on the subject site that were found to meet all applicable Comprehensive Plan goals, policies, and review criteria. The amendment of the boundary results in a reduction of the Planned Development Overlay District size to correspond with the 6.62 acre site that is designated as Commercial and zoned C-3 (General Commercial).

The suggested amendment of the existing conditions of approval could reduce the amount of the site that could provide commercial uses and services to only 2 acres of the site, with the remainder of the site being used as multifamily. The integration of multifamily units could actually maximize the efficiency of the existing commercially designated land, if designed appropriately. To ensure that the development of the site maximizes the efficiency of the commercial land that is being reduced in size, two conditions of approval are included to allow for multiple family dwelling units within the Planned Development Overlay District, but only if the multiple family units are integrated with commercial uses and that the minimum amount of acreage for commercial development is five acres and not two acres as requested by the applicant. This integration of multiple family units and commercial uses shall either be within a mixed use building or in a development plan that integrates the uses between buildings in a manner found acceptable to the Planning Commission.

Additionally, per Comprehensive Plan Policy #27, "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers." As such, a condition of approval has also been provided that defines neighborhood commercial uses to ensure that this planned development amendment still achieves the city's vision of neighborhood serving commercial development in this northwest residential area, preserving the larger commercial land uses for C3 zones land along major commercial corridors. For the purposes of this Planned Development Overlay District, neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, "Restaurants" shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. The condition of approval allows for the applicant to request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site.

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

**APPLICANT'S RESPONSE:** As mentioned above, the applicant is requesting a Planned Development Amendment to modify several conditions of approval associated with Ordinance No. 4633. The applicant is proposing to reduce the size of the existing C3-PD designation from 11.3 to 6.62 acres and increase the amount of Residential designated land with a concurrent Comprehensive Plan Map Amendment by the difference (see Exhibit 3). The City's 2013 EOA recommends to re-designate some of the 235.9 acres of excess industrial land to make up for forecasted commercial land needs. Much of the available excess industrial land is adjacent to the downtown core, therefore large-scale regional commercial uses can be efficiently sited in this location. By developing additional commercial uses near the downtown core, revitalization of unused industrial properties will occur. Conversely, with the reduction of C3-PD zoned area on the site, smaller-scaled commercial uses can be developed to serve the needs of Baker Creek North residents and other northwest neighborhoods in McMinnville.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #2 and #3.** The amendment of the existing conditions of approval could reduce the amount of the site that could provide commercial uses and services to only 2 acres of the site, with the remainder of the site being used as multifamily. The integration of multifamily units could actually maximize the efficiency of the existing commercially designated land, if designed appropriately. To ensure that the development of the site maximizes the efficiency of the commercial land that is being reduced in size, a condition of approval is included to allow for multiple family dwelling units within the

Planned Development Overlay District, but only if the multiple family units are integrated with commercial uses. This integration of multiple family units and commercial uses shall either be within a mixed use building or in a development plan that integrates the uses between buildings in a manner found acceptable to the Planning Commission.

Additionally, per Comprehensive Plan Policy #27, "Neighborhood commercial uses will be allowed in residential areas. These commercial uses will consist only of neighborhood oriented businesses and will be located on collector and arterial streets. More intensive, large commercial uses will not be considered compatible with or be allowed in neighborhood commercial centers." As such, a condition of approval has also been provided that defines neighborhood commercial uses to ensure that this planned development amendment still achieves the city's vision of neighborhood serving commercial development in this northwest residential area, preserving the larger commercial land uses for C3 zones land along major commercial corridors. For the purposes of this Planned Development Overlay District, neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, "Restaurants" shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. The condition of approval allows for the applicant to request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site.

*Policy 24.00 The cluster development of commercial uses shall be encouraged rather than auto-oriented strip development.*

**APPLICANT'S RESPONSE:** The commercial area is a node and can be developed with appropriately scaled and clustered uses allowed by the C3 zone.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #5.** The Planned Development Amendment results in the reduced 6.62 acres of Commercial property still being oriented towards the intersection of NW Hill Road and NW Baker Creek Road. Based on the size of the Commercial property, it can be developed in such a way as to not result in strip development along either street corridor. To ensure that the development of the site is in the form of a cluster or node, a condition of approval is included to require that the site be developed with shared access points and shared internal circulation, and that the buildings be oriented towards the surrounding right-of-ways. To reduce auto-oriented building design, standards are included to require parking to be located behind or on the sides of buildings, limit the amount of off-street parking, encourage shared parking arrangements, include building façade features that are human scale and pedestrian oriented, and require pedestrian connections between the buildings and the surrounding sidewalks, trails, and right-of-ways.

The condition of approval specifies that these site design components shall be included in the development plans required by other existing conditions of approval to be provided for review and approval by the Planning Commission.

*Policy 24.50 The location, type, and amount of commercial activity within the urban growth boundary shall be based on community needs as identified in the Economic Opportunities Analysis. (Ord.4796, October 14, 2003)*

**APPLICANT'S RESPONSE:** The City of McMinnville completed their last Economic Opportunity Analysis (EOA) in 2013. As discussed above, the report indicates that there is a 35.8-acre deficit of Commercial designated land for the 20-year planning horizon. To address this need, the report recommends that the City re-designated some of the 235.9 acres of surplus Industrial

land for commercial use. Since there is such a surplus of Industrial land that can be converted to a Commercial designation, the applicant's proposal to reduce the amount of Commercial land from 11.3 acres to 6.62 acres will not significantly diminish the City's ability to meet its commercial land needs.

The EOA provides specific recommendations to fulfill the City's economic development objectives. One key objective in the report is to reduce out-shopping from this trade area by providing a full range of commercial services in McMinnville. Another strategic objective is to promote the downtown as the cultural, administrative service, and retail center of McMinnville. The applicant's proposed reduction in Commercial designated land on the subject site to allow the development of smaller-scaled uses allowed by the C3 zone is consistent with these objectives. By reducing the amount of the Commercial designated land on the subject site, larger-scaled regional commercial uses will be encouraged to locate in the Downtown area, where revitalization efforts continue, and an oversupply of Industrial land is present.

**FINDING: SATISFIED.** While the proposal does reduce the size of the Planned Development Overlay District, it does still result in a 6.62 acre Commercial property, which is large enough to support commercial uses and services that would be available to residents in the northwest area of the city.

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

**APPLICANT'S RESPONSE:** There will be minimal impacts to adjacent land uses by the proposed C3 zoned parcel. It is appropriately located adjacent to a minor arterial on the south side and buffered from adjacent high density residential land by a full public street on all other sides. In addition, a power substation is sited to the east side of the commercial zoned land. The proposed commercial land location has readily available City utility services, including sanitary sewer services installed in 2018.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #2 - 9.** The existing Planned Development Overlay District is surrounded by land that is either developed or guided for residential use. The applicant is proposing to limit the use of the property to "neighborhood commercial uses" and multifamily units. While the intent of the "neighborhood commercial uses" may be to limit conflicts and impacts on adjacent residential land uses, "neighborhood commercial uses" are not defined in the McMinnville Municipal Code. Therefore, a condition of approval is included to define that, for the purposes of this Planned Development Overlay District, neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, "Restaurant" shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. The condition of approval allows for the applicant to request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site. Another condition of approval is included to prohibit stand-alone drive-through facilities to minimize conflicts with adjacent residential land uses from commercial uses that are automobile oriented.

The City also finds that the location and design of buildings that will contain the commercial uses in the Planned Development Overlay District can significantly reduce any potential conflict or impact on adjacent residential land uses. Therefore, a condition of approval is included to require that detailed development plans be provided for review and approval by the Planning Commission. Existing conditions of approval in Ordinance 4633 already required that

development plans would be provided for review and approval by the Planning Commission. Existing conditions of approval in Ordinance 4633, as amended as described in other findings in this Decision Document, also include requirements that will result in the reduction of any potential conflict or impact on adjacent residential land uses, including requirements for landscaping a minimum of 14% of the site, limiting building height to 45 feet (with a requirement that building walls be stepped back if above 35 feet), including building siting and façade standards, limiting lighting and signage on the site, and restricting hours of operation for the commercial uses.

*Policy 26.00 The size of, scale of, and market for commercial uses shall guide their locations. Large-scale, regional shopping facilities, and heavy traffic-generating uses shall be located on arterials or in the central business district, and shall be located where sufficient land for internal traffic circulation systems is available (if warranted) and where adequate parking and service areas can be constructed.*

**APPLICANT’S RESPONSE:** No specific commercial use is proposed at this time. Any commercial uses proposed in the future on the C3 zoned area of the site will be appropriately scaled. As proposed with the amended planned development overlay, future development will contain at least 2-acres of commercial use and no more than 120 multifamily dwelling units. Existing commercial designated land on the site is located on a minor arterial and not in the central business district. The existing commercial land is capable of developing 10 acres of commercial use, or 100,000 square feet of commercial development which generates “heavy traffic”. That type of commercial should be located on arterials and in the central business district per this policy. The applicant’s attached traffic analysis supports proposed development plans for the site. The proposed commercial land area of just over 6 acres will have less intense traffic demands than would 10 acres. Future development plans for the commercial property will demonstrate that the commercial use will have sufficient internal circulation, parking, and service areas.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #2 - 9.** The City concurs with the applicant’s responses. However, the City adds that the existing Planned Development Overlay District is surrounded by land that is either developed or guided for residential use. To ensure that future commercial uses are appropriately scaled and integrated with the surrounding area, a condition of approval is included to define that, for the purposes of this Planned Development Overlay District, neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, “Restaurant” shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. The condition of approval allows for the applicant to request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site. In addition, another condition of approval is included to prohibit stand-alone drive-through facilities to minimize automobile oriented and heavy traffic-generating uses.

The City also finds that the location and design of buildings that will contain the commercial uses in the Planned Development Overlay District can significantly reduce any potential conflict or impact on adjacent residential land uses. Therefore, a condition of approval is included to require that detailed development plans be provided for review and approval by the Planning Commission. Existing conditions of approval in Ordinance 4633 already required that development plans would be provided for review and approval by the Planning Commission. Existing conditions of approval in Ordinance 4633, as amended as described in other findings in this Decision Document, also include requirements that will result in the reduction of any potential conflict or impact on adjacent residential land uses, including requirements for

landscaping a minimum of 14% of the site, limiting building height to two stories (with a requirement that building walls be stepped back if above 35 feet), including building siting and façade standards, limiting lighting and signage on the site, and restricting hours of operation for the commercial uses.

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

**APPLICANT’S RESPONSE:** This commercial designated area is across the street from residential areas. No specific commercial use is proposed at this time. Any commercial uses proposed in the future on the proposed C3 zoned area will be appropriately scaled as allowed by the C3 zone. There are residential areas around the commercial parcel and neighborhood oriented commercial uses of no less than 2 acres are proposed with the amendment to the planned development overlay, which will make future commercial uses less intensive than envisioned by the current Ordinance 4633.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #2, #3 and #4.** The existing Planned Development Overlay District is surrounded by land that is either developed or guided for residential use. The applicant is proposing to limit the use of the property to “neighborhood commercial uses” and multifamily units. While the intent of the “neighborhood commercial uses” may be to limit conflicts and impacts on adjacent residential land uses, “neighborhood commercial uses” are not defined in the McMinnville Municipal Code. Therefore, a condition of approval is included to define that, for the purposes of this Planned Development Overlay District, neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, “Restaurant” shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. The condition of approval allows for the applicant to request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site.

*Policy 29.00 New direct access to arterials by large-scale commercial developments shall be granted only after consideration is given to the land uses and traffic patterns in the area of development as well as at the specific site. Internal circulation roads, acceleration/deceleration lanes, common access collection points, signalization, and other traffic improvements shall be required wherever necessary, through the use of planned development overlays.*

**APPLICANT’S RESPONSE:** No specific commercial use is proposed at this time. Consideration to land uses and traffic patterns will be given for any commercial uses proposed in the future on the proposed C3 zoned area, if access to arterials is sought. The proposed residential development plans internal circulation roads and access to the minor arterial Baker Creek Road at three points: 1) An extension of the north leg of Hill Road and Baker Creek Road roundabout in the form of a street proposed as Hill Lane, 2) An extension of Meadows Drive north from its current intersection with Baker Creek Road where new striping will be added for bike lanes, and 3) An extension of Shadden Drive north from its current intersection with Baker Creek Road where new striping will also be added for bike lanes. Both Meadows and Shadden drive will have additional pavement width on the west side of their sections to allow for a right turn lane.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 & 8.** The Planned Development Overlay District is located on an arterial street, and no specific commercial

development plan has been provided by the applicant. In order ensure that the future commercial development of the site does not negatively impact traffic patterns in the area and is designed with adequate access and internal circulation systems, a condition of approval is included to require that a traffic impact analysis be provided prior to any future development of the site. The traffic impact analysis shall analyze proposed access points to the commercial site, the functionality of the internal circulation system, and the impacts of the traffic patterns created by the commercial development on the surrounding streets. The traffic impact analysis shall include an analysis of the intersection of Baker Creek Road and Michelbook Lane and the intersection of Baker Creek Road and Highway 99W, but shall not be limited to only those intersections. These intersections shall be included in the future traffic impact analysis because they were referenced in testimony and because the intersection of Baker Creek Road and Michelbook Lane did not meet the volume-to-capacity standard of 0.90 adopted by the City of McMinnville Transportation System Plan in the applicant's traffic impact analysis at full build-out of the project.

In addition, a condition of approval is included to require that the property within the Planned Development Overlay District be developed with shared access points and a shared internal circulation system.

*Policy 30.00 Access locations for commercial developments shall be placed so that excessive traffic will not be routed through residential neighborhoods and the traffic-carrying capacity of all adjacent streets will not be exceeded.*

**APPLICANT'S RESPONSE:** The C3 zoned area is located adjacent to NW Baker Creek Road, a minor arterial street. Future access to the commercial uses will not focus traffic through residential neighborhoods or reduce the carrying capacity of the adjacent streets. The traffic analysis provided with this application showed that, in the worst case scenario, the capacity of adjacent streets is sufficient.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #8.** No specific commercial development plan has been provided by the applicant. The Planned Development Overlay District is surrounded by land that is either developed or guided for residential use. In order ensure that the future commercial development of the site is not designed to route excessive traffic through adjacent residential neighborhoods or exceed the traffic-carrying capacity of adjacent streets, a condition of approval is included to require that a traffic impact analysis be provided prior to any future development of the site. The traffic impact analysis shall include an analysis of the intersection of Baker Creek Road and Michelbook Lane and the intersection of Baker Creek Road and Highway 99W, but shall not be limited to only those intersections. These intersections shall be included in the future traffic impact analysis because they were referenced in testimony and because the intersection of Baker Creek Road and Michelbook Lane did not meet the volume-to-capacity standard of 0.90 adopted by the City of McMinnville Transportation System Plan in the applicant's traffic impact analysis at full build-out of the project.

*Policy 31.00 Commercial developments shall be designed in a manner which minimizes bicycle/pedestrian conflicts and provides pedestrian connections to adjacent residential development through pathways, grid street systems, or other appropriate mechanisms.*

**APPLICANT'S RESPONSE:** No specific commercial use is proposed at this time. A design to minimize bike and pedestrian conflicts and provide connections can be considered at the time of a future commercial development application. These travel modes are facilitated by the proposed semi-grid like street pattern of the adjacent residential developments and other pathways.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #5.** No specific commercial development plan has been provided by the applicant. In order ensure that the future commercial development of the site is designed to minimize bicycle/pedestrian conflicts and provides pedestrian connections to adjacent residential development, a condition of approval is included to require that detailed development plans be provided for review and approval by the Planning Commission. The detailed development plans shall identify how the future commercial development minimizes bicycle/pedestrian conflicts and provides pedestrian connections to adjacent residential development. The Planned Development Overlay District is also located adjacent to the future northern extension of the BPA trail system, which provides bicycle and pedestrian access to many residential areas in the northwest area of the city. The detailed development plans shall identify how the commercial development connects to the BPA trail system. Other site design requirements, referenced in findings for Policy 24.00 and 29.00, require that the commercial property within the Planned Development Overlay District be developed with shared access points and a shared internal circulation system, which will also reduce bicycle/pedestrian conflicts on the right-of-ways around the perimeter of the site.

*Proposal 6.00 A planned development overlay should be placed on the large cluster commercial development areas and the entrances to the City to allow for review of site design, on-site and off-site circulation, parking, and landscaping. The areas to be overlaid by this designation shall be noted on the zoning map and/or comprehensive plan map.*

**APPLICANT'S RESPONSE:** The submitted plans indicate that the applicant is not currently proposing to develop the C3 zoned portion of the site. Prior to development of the site, a commercial use development application will be submitted for review of the proposed site design, circulation, parking facilities, and landscaping features. The traffic study provided with this application demonstrates that in the worst case scenario, there is sufficient off-site capacity in the surrounding street network for future uses of the commercial site.

**FINDING: SATISFIED.** The proposed Planned Development Amendment retains the Planned Development Overlay District at the northeast corner of the intersection of NW Hill Road and NW Baker Creek Road, which is an existing entrance to the City. Other conditions of approval referenced in findings above and below will allow for future review of site design prior to any future commercial development.

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

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

*Policy 59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.*

**APPLICANT'S RESPONSE:** In 2001, the City adopted the Residential Land Needs Analysis, which evaluated housing needs for the 2000-2020 planning period. The study determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs, of which 63.9 acres would need to be zoned R4 to meet higher density housing needs. To address its deficient residential land supply, the City moved

forward with an UGB amendment application. However, the UGB expansion effort was shelved in 2011 after LUBA remanded City Council's land use decision.

While the 2001 analysis provides some insight into McMinnville's on-going housing challenges, Policy 71.05 does not require use of a State acknowledged planning document when evaluating what is required to achieve a continuous 5-year supply of buildable land for all housing types. Since the City's deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently updating its Housing Needs Analysis. Current analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R4 land within the UGB. This acreage will accommodate the development of 891 dwelling units which are unable to be accommodated by the current R4 land supply.

While the current Housing Needs Analysis has not been acknowledged by the State, it still qualifies as a beneficial study and provides helpful information regarding McMinnville's current and future housing needs. The study received grant funding from DLCDC, and a condition of the grant award, this State agency prepared a scope of work and qualified the consultant Econorthwest to prepare the report. DLCDC staff currently serves as a member of the project's Technical Advisory Committee and has ensured that the study's methodology follows Oregon Administrative Rule standards.

It is due to rising housing costs, as well as McMinnville's persistent challenge to maintain an adequate residential land supply, that the City is currently updating its Buildable Lands Inventory and Housing Needs Analysis. These studies have identified how many acres of additional residential land must be added to the Urban Growth Boundary (UGB) to meet housing demands over the next 20-year planning period. The City has also identified new strategies to encourage the development of a greater variety of housing types including single-family detached homes, townhomes, mobile homes, condominiums, duplexes, apartments, and affordable housing options.

As demonstrated by the attached Preliminary Development Plans, the proposed project will facilitate the development of 280 small, medium, and large sized single-family lots within the Baker Creek North Planned Development area. The proposed planned development amendment to the overlay created by Ordinance 4633 will allow for the future development of up to 120 apartment units within the C3 zoned area as demand for commercial uses and housing determines. This will further help to address McMinnville's current housing needs. A future development application will be submitted for the development of the multi-family dwelling units on the C3 zoned portion of the site. As discussed throughout this narrative, the proposed map and planned development amendments are consistent with applicable residential policies and the land development regulations of the City.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #2.** The City concurs with the applicant's findings in regards to the fact that the suggested amendment to allow up to 120 multiple family dwelling units within the Planned Development Overlay District will provide an increased opportunity for the development of a variety of housing types, specifically multiple family housing. The condition of approval does require that the multiple family units be integrated with the commercial uses also allowed within the Planned Development Overlay District. This integration ensures that commercial uses are included on the site, as described above in findings for commercial Comprehensive Plan goals and policies.

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

**APPLICANT’S RESPONSE:** In order to create a more intensive and energy efficient pattern of residential development, the applicant is requesting approval of a Zoning Map Amendment to zone 9.41 acres of existing R1 zoned land and 39.29 acres of currently unzoned land to an R4 classification. The attached Preliminary Development Plans demonstrate that all of the R4 zoned land will be included within the proposed Baker Creek North Planned Development.

The submitted plans illustrate that the planned development will provide an urban level of private and public services. The submitted planned development application includes a request to modify several City Code standards so that unique and innovative single-family detached housing can be developed on the subject site that is land intensive. The plans demonstrate that the proposed housing provides a more compact urban form, is more energy efficient, and provides more variety in housing types than are developed in the R4 zone with a standard subdivision.

The amendment to the planned development overlay ordinance to allow no more than 120 multifamily dwelling units on the commercial parcel will also help facilitate the development of more efficient housing in the area.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #2.** The City concurs with the applicant’s findings, and adds that a condition of approval is included to allow for up to 120 multiple family dwelling units within the Planned Development Overlay District. The condition of approval does require that the multiple family units be integrated with the commercial uses also allowed within the Planned Development Overlay District. This integration ensures that commercial uses are included on the site, as described above in findings for commercial Comprehensive Plan goals and policies.

*Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.*

**APPLICANT’S RESPONSE:** The site is adjacent to NW Baker Creek Road, an area where urban services are already available, and near NW Hill Road, where the City has recently made improvements to urban services to accommodate development in McMinnville.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #2.** The City concurs with the applicant’s findings, and adds that a condition of approval is included to allow for up to 120 multiple family dwelling units within the Planned Development Overlay District. The condition of approval does require that the multiple family units be integrated with the commercial uses also allowed within the Planned Development Overlay District. This integration ensures that commercial uses are included on the site, as described above in findings for commercial Comprehensive Plan goals and policies. This integration will also encourage a compact form of urban development in an area where services are available to support that type of development.

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

**APPLICANT'S RESPONSE:** This is a directive to the City and not an approval criterion. The planned development ordinance which is being used in this application appears to integrate the proposed housing and commercial uses as proposed in the amended planned development in a compatible framework.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #2.** The City concurs with the applicant's findings. The City adds that a condition of approval is included to allow for up to 120 multiple family dwelling units within the Planned Development Overlay District. The condition of approval does require that the multiple family units be integrated with the commercial uses also allowed within the Planned Development Overlay District. This integration ensures that commercial uses are included on the site, as described above in findings for commercial Comprehensive Plan goals and policies. This integration will also encourage the integration of housing and commercial uses into a compatible framework within the Planned Development Overlay District.

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

**GOAL X 2:** TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

*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.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The process for a Comprehensive Plan Map Amendment provides an opportunity for citizen involvement throughout the process through the neighborhood meeting provisions, the public notice, and the public hearing process. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property and was published in the News Register on Tuesday, November 26, 2019 in accordance with Section 17.72.120 of the MMC on November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.

Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public hearing(s). The application materials are posted on the City's website as soon as they are deemed complete, and copies of the staff report and Planning Commission meeting materials are posted on the City's website at least one week prior to the public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

### **McMinnville Zoning Ordinance**

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

## Chapter 17.03. General Provisions

**17.03.020 Purpose.** The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

## Chapter 17.33 General Commercial Zone

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

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

**APPLICANT'S RESPONSE:** Although no development proposal has been submitted for the C-3 zoned portion of the site, the applicant intends to develop neighborhood commercial uses on a portion of this parcel in the future. As required, only uses which are permitted will be developed on the parcel.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #2 and #3.** The existing Planned Development Overlay District is surrounded by land that is either developed or guided for residential use. The applicant is proposing to limit the use of the property to "neighborhood commercial uses" and multifamily units. While the intent of the "neighborhood commercial uses" may be to limit conflicts and impacts on adjacent residential land uses, "neighborhood commercial uses" are not defined in the McMinnville Municipal Code. Therefore, a condition of approval is included to define that, for the purposes of this Planned Development Overlay District, neighborhood commercial uses are defined as those that are permitted in the C-1 (Neighborhood Business) zone in Section 17.27.010 of the MMC. In addition, "Restaurant" shall be permitted as a neighborhood commercial use in this Planned Development Overlay District. Only the permitted uses in Section 17.27.010 of the MMC and "Restaurants" shall be allowed as commercial uses within the Planned Development Overlay District. However, the condition of approval allows for the applicant to request any other use to be considered permitted within the Planned Development Overlay District at the time of the submittal of detailed development plans for the site.

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

3. Multiple-family dwelling subject to the provisions of the R-4 zone;

**APPLICANT'S RESPONSE:** Again, no development proposal has been submitted for the C-3 zoned portion of the site. The submitted Lot Type Plan illustrates that only the R-4 zoned portion of the site is included within the boundary of the Baker Creek North Planned Development (see Exhibit 3). The applicant intends in the future to develop some apartment units on a portion of the C-3 zoned area of the site, however this will occur with the submittal of a future land use application. Approval of the request to amend the planned development established by Ordinance No. 4633 will facilitate this future uses which are consistent with the requirements of this code.

**FINDING: SATISFIED WITH CONDITION #2.** A condition of approval is included to allow for up to 120 multiple family dwelling units within the Planned Development Overlay District. The condition of approval does require that the multiple family units be integrated with the commercial uses also allowed within the Planned Development Overlay District. This integration ensures that commercial uses are included on the site, as described above in findings for commercial Comprehensive Plan goals and policies.

**17.74.070. Planned Development Amendment – Review Criteria.** An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:

- An increase in the amount of land within the subject site;
- An increase in density including the number of housing units;
- A reduction in the amount of open space; or
- Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas and access.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** While none of the listed changes are specifically applicable, the Planning Director has determined that the proposed Planned Development Amendment, which reduces the size of the Planned Development Overlay District and amends existing conditions of approval, is considered to be a Major amendment and is therefore subject to Section 17.72.120, as addressed herein. The applicant has provided a Planned Development Amendment request to be reviewed by the Planning Commission in accordance with Section 17.72.120.

**17.74.070. Planned Development Amendment – Review Criteria.** [...] An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

**17.74.070(A).** *There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;*

**APPLICANT'S RESPONSE:** This application does not propose to depart from standard regulation requirements of commercial and residential development within the commercial lot, thus this application demonstrates this item is addressed.

**APPLICANT'S RESPONSE TO SECTION 17.51.030(C)(1):** As mentioned previously, the applicant is requesting to modify several Conditions of Approval associated with Ordinance 4633, which is an existing Planned Development Overlay that applies to 12.34 acres of the subject site. The proposed planned development amendment requests the removal of Condition 1, which is carried over from Ordinance 4605, Section 2(a-g) when Ordinance 4633 was

enacted. When Ordinance 4633 was adopted, the City had envisioned a UGB expansion in the NW quadrant. Since the boundary amendment wasn't realized, a large regional commercial area was no longer needed on this area of town. However, certain assumptions were made about the scale and intensity of a future commercial use on the site when Condition 1 was approved in 1996. It was also unanticipated at the time that similar development review provisions and design standards would later be incorporated into the McMinnville Zoning Ordinance (MZO). The following section of the Applicant's Statement address why the provisions of Condition 1 are no longer necessary, duplicative with current C-3 standards, and inconsistent with intended neighborhood uses on the site:

Condition 1 of Ordinance 4633, Referencing Ordinance 4506 – Section 2(a-g)

Section 2(a) - Under 17.58.100 of the MZO, the existing development code already requires landscape plans to be reviewed by the Landscape Review Committee for commercial, industrial, parking lots, and multi-family developments. Also, with the proposed street plan, the entire lot would be surrounded by public streets and a power substation, so the hedge screening is not applicable. As such, this section is not needed.

Section 2(b) - Under Section 17.72.090, detailed elevations, layouts, landscaping, parking, lighting plans are required to be submitted to the Planning Director for review. Therefore, this portion of the condition is inconsistent with current City code standards.

Section 2(c) - The applicant is considering neighborhood commercial uses for the C-3 zoned portion of the site. Since a convenience market could be established with the commercial development, prohibiting retail commercial activity from 12:30 a.m. to 6 a.m. would create an issue for neighborhood residents.

Section 2(d) - The C-3 zone permits the development of structures up to 80-ft. high, while the condition only allows 35 feet high buildings. The applicant envisions the development of buildings up to 50-ft. high, with neighborhood commercial uses on the ground floor and multi-family units on the upper floors. Therefore, this section is inconsistent with current code standards and will prevents the parcel from being efficiently developed.

Section 2(e) - Per Section 17.56.050, exterior lighting plans are currently required for commercial uses and must be directed away from property lines. Therefore, this element of the condition is not required.

Section 2(f) - The City adopted its current sign regulations in 2008, with subsequent revisions during the past 10 years. The current sign code fully addresses this portion of Condition 1; therefore, it is no longer needed.

Section 2(g) - Under Section 17.33.040 outside storage must be enclosed by a sight-obscuring fence. Any additional outdoor use restrictions could be determined and applied as conditions of approval when a future design review application is submitted for the neighborhood commercial development.

In addition to Condition 1, the applicant is also requesting to eliminate Condition 2 from the Planned Development Overlay that was enacted by Ordinance 4633. Condition 2 prohibits residential uses within the area of the site that is currently designated as Commercial on the Comprehensive Plan Map. As discussed above, there is currently a 700 acre shortage of residential zoned land when addressing housing needs in McMinnville during the 2021-2041 planning period. With the proposed Comprehensive Plan Map and Zoning Map Amendments,

6.62 acres of 12.34 acres currently regulated by Ordinance 4633 will be zoned C-3, while the remaining 5.72 acres will be zoned R-4. The applicant is intending to submit a future land use application for the C-3 zoned parcel to permit the development of a mixed-use development with neighborhood commercial and multi-family units. The apartments will help address the need for 1,537 additional multi-family units in the community and will provide economic support for the planned neighborhood commercial use.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #1 - 9.** The proposed Planned Development Amendment would reduce the size of the Planned Development Overlay District. However, the amendment of the boundary of the Planned Development Overlay District is necessary to respond to the approval of the Comprehensive Plan Map Amendment and Zone Change on the subject site that were found to meet all applicable Comprehensive Plan goals, policies, and review criteria. The amendment of the boundary results in a reduction of the Planned Development Overlay District size to correspond with the 6.62 acre site that is designated as Commercial and zoned C-3 (General Commercial), as identified in the Comprehensive Plan Map Amendment and Zone Change that were submitted for concurrent review with the Planned Development Amendment. There are special objectives of the proposed development that warrant the amendment of the Planned Development Overlay District to reduce its size. In particular, the Comprehensive Plan Map Amendment and Zone Change result in a portion of the existing Planned Development Overlay District property being designated as Residential on the Comprehensive Plan Map and being zoned R-4 (Multiple Family Residential). The existing Planned Development Overlay is a Commercial Planned Development. As the portion of the site north of the 6.62 acre Commercial designation is now designated and zoned for residential use, the removal of the site from the Commercial Planned Development is warranted and necessary.

In regards to the existing conditions of approval, those existing conditions of approval are found to be the standard regulation requirements for the existing Planned Development Overlay District because they were adopted by Ordinance 4633 and currently regulate the development of the property. Therefore, amendments to those existing conditions of approval, as suggested by the applicant, may be approved only if there are special physical conditions or objectives of a development that warrant a departure from the standard regulation requirements. The City finds that some amendment of the conditions of approval are warranted given the special objectives of the development and changes in circumstances from the time that the existing Planned Development Overlay District was adopted in 1996. Those amendments and changes are described below. The conditions of approval were also reorganized to capture other conditions of approval, as described above, and to better describe the requirements for the development and future use of the site. In addition, the new condition of approval states that the applicant may propose alternative design components when detailed development plans are submitted for review to allow for the Planning Commission to have some flexibility in the future review of detailed development plans. The condition states that the Planning Commission may review and approve these alternative design components if they are found to be consistent with the intent of the required site design components listed in the conditions of approval.

The existing conditions of approval, and the City's findings for whether they are still applicable, are as follows:

*Section 2(a) - That landscape plans be submitted to and approved by the McMinnville Landscape Review Committee. A minimum of 14 percent of the site must be landscaped with emphasis placed at the street frontage. An arborvitae hedge or some similar type of planted visual screen shall be required along the property lines where adjacent to residentially zoned lands.*

The applicant stated that landscaping is already required by Section 17.58.100 of the MMC. However, the reference to that section of the code is for street tree planting requirements. It is accurate that Section 17.57.030 requires landscaping in the C-3 zone. Also, Section 17.57.070(A) requires a minimum of 7% landscaping for commercial development and 25% landscaping for multiple family development. However, the existing Planned Development Overlay District condition of approval requires a minimum of 14% landscaping of the site, which exceeds the minimum requirement for commercial development in the MMC. This identifies that there was an intention at the time of the adoption of Ordinance 4633 that more of the site would be landscaped than what would be required by the underlying zoning.

Also, if multiple family units are developed on the site, the MMC requires 25% of the portion of the site that is used as multiple family to be landscaped. However, there is no clear standard in the MMC for the amount of landscaping required for mixed-use buildings that contain both commercial and residential uses. Therefore, the existing condition of approval remains and requires a minimum of 14 percent of the site to be landscaped. However, language is added to a condition of approval to require that usable open space be provided within the Planned Development Overlay District if multiple family dwelling units are developed on the site to provide open space for residents. The condition specifies that a minimum of 10 percent of the site must be designated as usable open space. The usable open space may be combined with the community gathering space required for the commercial uses, as described in the same condition of approval.

The City does concur that an arborvitae hedge or visual screen may not be an appropriate planting along the property lines adjacent to residential zones, based on the intended development of the surrounding area. Therefore, the condition of approval is amended to remove that language, but keep the language that requires an emphasis on landscaping placed at the street frontage. Also, the condition of approval is amended to state that all adjacent public right-of-ways will be improved with street tree planting as required by Chapter 17.58 of the MMC.

*Section 2(b) - Detailed plans showing elevations, site layout, signing, landscaping, parking, and lighting must be submitted to and approved by the Planning Commission before actual development may take place. The provisions of Chapter 17.51 of the McMinnville Zoning Ordinance may be used to place conditions on any development and to determine whether or not specific uses are permissible.*

The applicant has stated that Section 17.72.090 of the MMC requires detailed elevations, layouts, landscaping, parking, lighting plans to be submitted to the Planning Director for review. However, that is only accurate if certain development plans are proposed, such as a development that meets the applicability requirements of the Large Format Commercial Development Standards in Chapter 17.56.030 of the MMC. In order to ensure that detailed development plans are submitted for review and approval by the Planning Commission, this condition of approval remains. The condition of approval has been amended to reflect other required conditions of approval based on commercial Comprehensive Plan policies, as described above. Also, Section 17.51.010(B) states that "...the property owner of a particular parcel may apply for a planned development designation to overlay an existing zone without submitting any development plans; however, no development of any kind may occur until a final plan has been submitted and approved." Therefore, the condition of approval requiring the submittal of detailed development plans is consistent with the MMC.

*Section 2(c) - No use of any retail commercial use shall normally occur between the hours of 12:30 a.m. and 6:00 a.m.*

The applicant has stated that prohibiting retail commercial activity from 12:30 a.m. to 6 a.m. would create an issue for neighborhood residents. However, the City finds that the limitation of the hours of the proposed neighborhood commercial uses would assist in mitigating any potential negative impacts of the future commercial uses on the surrounding areas that are either developed or guided for residential use. Therefore, the condition of approval remains but has been amended to 1:00 a.m. to 5:00 a.m..

*Section 2(d) - No building shall exceed the height of 35 feet.*

The applicant has stated that the building height of 35 feet would be restrictive to the development of mixed-use buildings with neighborhood commercial uses on the ground floor and multiple family dwelling units on the upper floors. The City concurs with the applicant, and also notes that other conditions of approval described above in this Decision Document require the integration of multiple family dwelling units with commercial uses through the development of mixed-use buildings or in a development plan that integrates the uses between buildings in a manner found acceptable to the Planning Commission. Therefore, the condition of approval related to building height is amended to limit the height of buildings to two stories. The condition of approval specifies that if buildings are proposed to exceed 35 feet, that they are designed with a step back in the building wall to reduce the visual impact of the height of the building.

*Section 2(e) - That if outside lighting is to be provided, it must be directed away from residential areas and public streets.*

The applicant has stated that lighting plans are required for commercial uses. However, that is only accurate if certain development plans are proposed, such as a development that meets the applicability requirements of the Large Format Commercial Development Standards in Chapter 17.56.030 of the MMC. Therefore, in order to ensure that lighting is controlled and not causing negative impacts on surrounding residential areas, this condition of approval remains.

*Section 2(f) - That signs located within the planned development site be subject to the following limitations:*

- 1) All signs must be flush against the building and not protrude more than 12 inches from the building face, except that up to two free standing monument-type signs not more than six feet in height and which meet the requirements of (2) and (3) below are allowed;*
- 2) All signs, if illuminated, must be indirectly illuminated and nonflashing;*
- 3) No individual sign exceeding thirty-six (36) square feet in size shall be allowed.*

The City finds that the general sign regulations in Chapter 17.62 of the MMC would allow for much more signage in a C-3 zone than what the existing condition of approval allows. In order to minimize visual impacts on surrounding residential areas, the City has updated this condition of approval to reflect a neighborhood commercial development.

*Section 2(g) - All business, service, repair, processing, storage, or merchandise displays shall be conducted wholly within an enclosed building except for the following:*

- 1) Off-street parking and loading*
- 2) Temporary display and sales of merchandise, providing it is under cover of a projecting roof and does not interfere with pedestrian or automobile circulation.*

In order to minimize visual impacts on surrounding residential areas, this condition of approval remains. The City finds that this condition of approval is more conducive for the neighborhood

commercial uses proposed by the applicant, and has added food and beverage outdoor seating and food carts to the exemptions to encourage outside gathering spaces and activities.

In regards to the allowance of multiple family dwelling units on the site, the City concurs with the applicant's findings that there is a shortage of land for residential use in the City of McMinnville and a need for additional multiple family development to support future population growth. The City also notes that per the findings in the zone change request associated with this project (ZC 1-19) that this is an ideal location for multiple family development. However, the City has also planned for at least five acres of commercial development in this area since Ordinance 4506 was adopted on December 10, 1991. The need for neighborhood serving commercial development in this area has carried forward into subsequent Ordinances, including Ordinance 4633 and the 2013 Economic Opportunities Analysis. Recognizing the need to maintain space for commercial development and to accommodate additional multiple family development, the City will require that five acres of this site retain ground floor commercial uses, allowing multiple family development to occur on the remainder of the site and as part of a mixed-use development. The five acres of commercial development will be calculated based upon all of the development requirements associated with the commercial development including any standards related to the mixed-use residential development.

The City finds that conditions within the City of McMinnville have changed significantly since the time the Planned Development Overlay District was originally adopted in 1996. Since that time, the City has completed studies and analyses of the availability of land for the development of residential uses. The most recently acknowledged Residential Buildable Lands Inventory, which was prepared in 2001, identified a need for additional land for housing uses. That inventory, which was titled the McMinnville Buildable Land Needs Analysis and Growth Management Plan, identified a need for additional land for housing and residential uses of approximately 537 buildable acres, of which only 217 buildable acres have been added to the city's urban growth boundary leaving the city with approximately 320 acres of residential land deficit. The City has also completed more recent updates to the Residential Buildable Lands Inventory, which was reference by the applicant. While that analysis has not yet been acknowledged, it also identifies a need for additional land for the development of residential uses. The proposed amendment to allow multiple family dwelling units on the subject site would not increase the amount of land designated specifically for higher density residential use, but it would increase the potential for the development of higher density residential uses on a property with an underlying zone that already permits multiple family residential use (C-3 General Commercial zone).

**17.74.070(B).** *Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;*

**APPLICANT'S RESPONSE:** The Comprehensive Plan Map is proposed to be amended concurrently and consistent with the planned development area proposed in this Planned Development Amendment application. This narrative addresses how the Comprehensive Plan Map and Zoning Map amendments and the commercial and residential uses within the proposed planned development amendment area are consistent with the Comprehensive Plan objectives by providing neighborhood commercial and needed residential housing.

**APPLICANT'S RESPONSE TO SECTION 17.51.030(C)(2):** The applicant is requesting concurrent approval of the proposed amendments to Ordinance No. 4633, an amendment to the Comprehensive Plan Map to change a portion of the Commercial designated land to Residential, and a zone change to designate portions of the area regulated by the ordinance as C-3 and R-4. The applicant is also requesting approval of a zone change to designate the remainder of the Baker Creek North Planned Development area R-4. As discussed in the above narrative,

the proposed land use actions and resulting development are consistent with applicable Comprehensive Plan goals, policies, and objectives of the area.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and also refers to the findings provided for the applicable Comprehensive Plan goals and policies in Section VII (Conclusionary Findings) above.

**17.74.070(C).** *The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;*

**APPLICANT'S RESPONSE:** The area of the planned development amendment is surrounded by existing and proposed streets. Thus, access and services will be available to adjoining parcels from and through those streets. Upon future development of the planned development amendment site with the commercial C3-PD overlay, public right-of-way along Baker Creek Road will be improved and dedicated to the City and a public utility easement along street frontages will be granted. Documents to affect the dedication and granting of right-of-way and easements will be recorded in the local County records.

**FINDING: SATISFIED WITH CONDITION #5 & #8.** The City concurs with the applicant's findings, and adds that a condition of approval is included to allow for the review and approval of the access and internal circulation of the commercial development site. A condition of approval is also included to require a traffic impact analysis that will analyze proposed access points to the commercial site, the functionality of the internal circulation system, and the impacts of the traffic patterns created by the commercial development on the surrounding streets. The traffic impact analysis will also ensure that the future commercial development of the site is not designed to route excessive traffic through adjacent residential neighborhoods or exceed the traffic-carrying capacity of adjacent streets. The condition of approval requires that the traffic impact analysis be provided prior to any future development of the site.

**17.74.070(D).** *The plan can be completed within a reasonable period of time;*

**APPLICANT'S RESPONSE:** The plan to amend the planned development can be completed in a reasonable amount of time. The amendment will be done as soon as the City passes ordinances to affect the change.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

**17.74.070(E).** *The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;*

**APPLICANT'S RESPONSE:** The site of the planned development amendment is adjacent to a minor arterial with capacity planned in the City's Transportation Plan adequate to serve the area with over ten acres of commercial use. The applicant's traffic analysis shows this. The proposed use is 6.62 acres with no less than 2 acres of neighborhood commercial and no more than 120 multi-family dwelling units. The intensity of the proposed uses in the application are less than the intensity of the commercial use planned for in the City's plans under the current planned development scenario. Therefore, development of the site as the amendment proposes will not overload the streets, rather the impact will be lighter than planned for by the City.

**FINDING: SATISFIED WITH CONDITION #5 & #8.** The City concurs with the applicant's findings, and adds that a condition of approval is included to allow for the review and approval of the access and internal circulation of the commercial development site. A condition of

approval is also included to require a traffic impact analysis that will analyze proposed access points to the commercial site, the functionality of the internal circulation system, and the impacts of the traffic patterns created by the commercial development on the surrounding streets. The traffic impact analysis will also ensure that the future commercial development of the site is not designed to route excessive traffic through adjacent residential neighborhoods or exceed the traffic-carrying capacity of adjacent streets. The traffic impact analysis shall include an analysis of the intersection of Baker Creek Road and Michelbook Lane and the intersection of Baker Creek Road and Highway 99W, but shall not be limited to only those intersections. These intersections shall be included in the future traffic impact analysis because they were referenced in testimony and because the intersection of Baker Creek Road and Michelbook Lane did not meet the volume-to-capacity standard of 0.90 adopted by the City of McMinnville Transportation System Plan in the applicant's traffic impact analysis at full build-out of the project. The condition of approval requires that the traffic impact analysis be provided prior to any future development of the site.

**17.74.070(F).** *Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;*

**APPLICANT'S RESPONSE:** The area amended by the planned development has street frontage, sanitary sewer service and other utilities available as shown on the plans that are adequate for development of the site. No development of the site is proposed at this time.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and would add that the City provided opportunity for review and comment by city departments, other public and private agencies and utilities, and McMinnville Water and Light to ensure the coordinated provision of utilities and services to the subject site based on the proposed land use request. Based on comments received, adequate levels of sanitary sewer collection, storm sewer and drainage facilities, municipal water distribution systems and supply, and energy distribution facilities, either presently serve or can be made available to serve the site. No comments were provided that were in opposition or identified any issues with providing utilities and services to the subject site for the intended use. At the time of development of the site, final development plans will be required to provide a detailed storm drainage plan, a sanitary sewer collection plan (if necessary for the use), and the provision of water and power services. Any right-of-way improvements required for the subject site will be required at the time of development as well.

**17.74.070(G).** *The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.*

**APPLICANT'S RESPONSE:** No development of the site is proposed at this time. However, neighborhood commercial and multi-family impacts are those anticipated for typical urban development. Noise, air, and water pollutants from the site will no impact surrounding properties. Surrounding properties are buffered from the site by public streets.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

CD

## ORDINANCE NO. 5087

**AN ORDINANCE APPROVING A PLANNED DEVELOPMENT OVERLAY DISTRICT TO ALLOW FOR THE DEVELOPMENT OF A 280 LOT RESIDENTIAL SUBDIVISION WITH MODIFICATIONS FROM THE UNDERLYING ZONING REQUIREMENTS AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD**

## RECITALS:

The Planning Department received an application (PD 1-19) from Stafford Development Company, LLC requesting approval of a Planned Development Overlay District to allow for the development of 280 single family detached dwelling units, public right-of way improvements, and open spaces on 48.7 acres of R-4 (Multiple Family Residential) land with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities; and

The subject property is generally located northeast of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on December 5, 2019 at 6:30 p.m., before the McMinnville Planning Commission after due notice had been provided in the local newspaper on November 26, 2019, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said requests, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the Planned Development review criteria listed in Section 17.51.030(C) of the McMinnville Municipal Code based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The Planning Commission recommended approval of said Comprehensive Plan Map Amendment to the City Council; and

The City Council having received the Planning Commission recommendation and staff report, elected to schedule a second public hearing on the application; and

A public hearing was held on January 28, 2020 at 7:00 p.m., before the McMinnville City Council after due notice had been provided in the local newspaper on January 21, 2020, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The City Council decided to close the public hearing on January 28, 2020, but left the record open for the submittal of additional written testimony. The City Council provided seven additional days for the submittal of additional written testimony until February 4, 2020. The City Council then provided another seven days for the submittal of rebuttal testimony until February 11, 2020. The City Council then provided another seven days for the applicant to submit final written argument until February 18, 2020; and

The City Council having completed the public hearing, received the Planning Commission recommendation and staff report, received all additional written testimony, and having deliberated; and

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

1. That the Council adopts the Findings of Fact, Conclusionary Findings, and Decision as documented in Exhibit A; and
2. That the requested Planned Development is approved, subject to the following conditions:
  1. That the Baker Creek North Tentative Subdivision plan shall be placed on file with the Planning Department and become a part of this planned development zone and binding on the developer. The developer will be responsible for requesting approval of the Planning Commission for any major change in the details of the adopted site plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Planning Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.
  2. That the average lot size within the Baker Creek North subdivision shall be approximately 4,930 square feet.
  3. That the setbacks for the lots within the Baker Creek North subdivision shall meet the setbacks required in the R-4 zone, with the following exceptions:
    - a. SFD-70, SFD-60, SFD-50, and SFD-40: Minimum 5 foot side yard setback
    - b. SFD-45: Minimum 4 foot side yard setback
    - c. SFD-30a and SFD-26a: Minimum 3 foot side yard setback
    - d. Lots 131-135 and Lots 269-280: Minimum 30 foot rear yard setback
  4. Fences constructed within side yards shall provide a minimum clearance of three (3) feet from the electrical meter to maintain National Electric Safety Code (NESC) and National Electric Code (NEC) clearances.
  5. That Tract G, Tract I, Tract J, Tract K, and Tract L will be dedicated to and accepted by the City as public parks and open space. The tracts shall be dedicated at such time as the subdivision phase that the tract is located within is platted. The City shall accept maintenance responsibility of Tract G, Tract I, Tract J, Tract K, and Tract L immediately at the time of dedication.

6. That the 14.9 acre parcel described in the application narrative as Parcel D (Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) shall be dedicated to the City at the time of the platting of subdivision Phase 2A or Phase 3A, whichever is earlier. The applicant shall also dedicate the trail easement proposed within the property to the north (Tract 2, Parcel 2, Instrument No. 201600557, Yamhill County Deed Records) at the time Parcel D is dedicated to allow for the greenway trail to connect to a planned extension of the greenway trail in the planned Oak Ridge Meadows subdivision. Parcel D and the easement described above, as well as all the required improvements within Parcel D and the easement shall be maintained by a Homeowner's Association (HOA) for the benefit of the public until 2032, at which time all maintenance responsibilities shall be transferred to the City. An agreement between the HOA and the City shall be signed memorializing the responsibilities of the HOA and the City prior to the dedication of the park land to the City of McMinnville.
7. That the tracts and parcel dedicated as public park and open space are improved to City standards prior to dedication to the City of McMinnville. Specifically, the following improvements are required in the following tracts and parcel:
  - a. Tract I – The development of a 12 foot wide paved multi-use trail as identified on Drawing L3.0 and approved as part of L 12-19 as part of this development project. The 12 foot wide paved multi-use trail in this portion of the site shall be allowed to be constructed partly within the right-of-way proposed as Meadows Drive, in lieu of providing the typical sidewalk improvements required for a local residential street. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.
  - b. Tract J - The development of a 12 foot wide paved multi-use trail as identified on Drawing L3.0 and Drawing L8.0 and approved as part of L 12-19 as part of this development project. The 12 foot wide paved multi-use trail in this portion of the site shall be allowed to be constructed partly within the right-of-way proposed as Meadows Drive, in lieu of providing the typical sidewalk improvements required for a local residential street. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.
  - c. Tract K – The development of the beginning of the 12 foot wide paved multi-use trail that will continue into Tract L. The trail identified on Drawing L3.0 and Drawing L8.0 is only 10 feet in width, but the trail shall be improved to 12 feet in width to be consistent with the existing BPA trail corridor south of Baker Creek Road. The remainder of Tract K shall be improved with landscaping, benches, picnic tables, trash receptacles, and dog waste stations as identified on Drawing L3.0 and Drawing L8.0 and approved as part of L 12-19 as part of this development project. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.

- d. Tract L - The development of a 12 foot wide paved multi-use trail that will continue from the connection at Tract K north to the northern boundary of Tract L, where it will continue into Parcel D (Park Dedication Parcel) as identified on Drawing L4.0. The trail identified on Drawing L3.0, Drawing L4.0, and Drawing L8.0 is only 10 feet in width, but the trail shall be improved to 12 feet in width to be consistent with the existing BPA trail corridor south of Baker Creek Road. The remainder of Tract L shall be improved with landscaping and lighting as identified on Drawing L3.0, Drawing L4.0, and Drawing L8.0 and approved as part of L 12-19 as part of this development project. The trail shall be constructed to the same improvement specifications as included in the contract documents for the "BPA Pathway Phase III Improvements" which are on file with the City of McMinnville.
  - e. Parcel D (Park Dedication Parcel) – The development of a 12 foot wide multi-use trail that will continue from the connection at the northern boundary of Tract L to a trailhead that is improved as identified on Drawing L4.0 and approved as part of L 12-19 as part of this development project. The trailhead shall be the terminus of the 12 foot wide multi-use trail identified and required within Tract I, Tract J, Tract K, and Tract L. In addition, a greenway trail shall be developed within Parcel D, starting at the trailhead described above, and continuing along the boundary of the area identified as 100-year floodplain. The greenway trail shall connect to the public park and greenway parcel approved and planned within the Oak Ridge Meadows subdivision to the northeast. The greenway trail shall be a bark chip bicycle/pedestrian trail throughout the greenway, constructed to City specifications. A development plan for the greenway with the trail system and any associated access ways (public or private) shall be submitted to the City for review and approval of the design and engineering prior to construction.
  - f. Tract G – This tract is identified for a sanitary sewer pump station. No specific improvements or landscaping were identified for this tract. Therefore, a landscape plan shall be provided for review by the Landscape Review Committee prior to any development of the tract. The proposed sanitary sewer pump station site also appears to be steeply graded. The pump station site will need to be designed with a site driveway that accommodates the Wastewater Services department's service vehicles so that the pump station can be adequately maintained.
8. That the private open space and recreational tracts be improved or preserved as shown in the Planned Development plans. Specifically, the following improvements are required in the following tracts:
- a. Tract A – The stormwater detention facility, fencing, and landscaping identified on Drawing L2.0 and Drawing L7.0 and approved as part of L 12-19 as part of this development project.
  - b. Tract B – Between Lots 69-72 and Lots 29-32, the development of 10 foot wide paved sidewalks along the west and east edges of the tract, commercial grade play equipment, open lawn space, 4 benches, and landscaping as identified on Drawing L2.0 and Drawing L7.0 and

- approved as part of L 12-19 as part of this development project. Between Lots 25-28 and 21-24, the development of a 10 foot wide paved sidewalk bounded on both sides by landscaping as identified on Drawing L2.0 and approved as part of L 12-19 as part of this development project.
- c. Tract C – The development of the commercial grade play equipment, paved seating area with 3 benches, fencing, and landscaping as identified on Drawing L2.0 and Drawing L7.0 and approved as part of L 12-19 as part of this development project.
  - d. Tract D – The development of a 10 foot wide paved sidewalk, bounded on each side by landscaping, as identified on Drawing L2 and approved as part of L 12-19 as part of this development project.
  - e. Tract E - The development of a 10 foot wide paved sidewalk, bounded on each side by landscaping, as identified on Drawing L2.0 and approved as part of L 12-19 as part of this development project.
  - f. Tract F – The development of a 10 foot wide sidewalk along the southern edge of the tract, 3 benches, a minimum 22'x30' covered shelter structure with 5 picnic tables, a trash receptacle, a wood chip trail connecting from the paved sidewalk to the greenway trail required in Parcel D, and landscaping as identified on Drawing L2.0 and L8.0 and approved as part of L 12-19 as part of this development project.
  - g. Tract H - Between Lots 77-80 and 73-76, the development of a 10 foot wide paved sidewalk bounded on both sides by landscaping as identified on Drawing L2.0 and approved as part of L 12-19 as part of this development project.
  - h. Tract N – The preservation of all trees located with the tract, except those shown as being removed on Drawing L4.0. Prior to the removal of any additional tree within Tract N, a request for removal of the tree shall be provided to the Planning Director for review and approval. The request for removal shall be accompanied by an arborist's report.
  - i. Tract O – The preservation of existing natural vegetation and landscaping as identified on Drawing L3.0 and approved as part of L 12-19 as part of this development project.
  - j. Tract P – The development of a 10 foot wide paved sidewalk, bounded on the west side by landscaping, as identified on Drawing L3.0 and approved as part of L 12-19 as part of this development project.
  - k. Tract Q - The development of a 10 foot wide paved sidewalk, bounded on the east side by landscaping, as identified on Drawing L3.0 and approved as part of L 12-19 as part of this development project.
  - l. Tract R – The improvement of a 10 foot wide paved sidewalk along the eastern portion of the tract, 2 benches on concrete pads near the south end of the tract, 2 benches on concrete pads near the north end of the tract, commercial grade plan equipment with 4 features, 2 picnic tables, and landscaping as identified on Drawing L4.0 and Drawing L9.0 and approved as part of L 12-19 as part of this development project.
  - m. Tract S – The improvement of a 10 foot wide paved path bounded on both sides by landscaping as identified on Drawing L5.0 and approved as part of L 12-19 as part of this development project.

9. In order to provide better pedestrian access to the BPA trail extension within Tract L and the greenway trail in Parcel D (Park Dedication Parcel) from the lots within the northwestern portion of the site, a condition of approval is included to require that an easement or tract be created between Mercia Street or Harold Drive to the BPA trail within Tract L or the greenway trail in Parcel D (Park Dedication Parcel). The easement or tract shall be a minimum of 20 feet in width and include a paved trail of at least 10 feet in width with a five foot buffer on each side. A development plan for the tract or easement, the improvements within the tract or easement, and any resulting change in lot dimensions or configuration within Phase 2A shall be submitted to the City for review and approval of the design and engineering prior to construction.
10. That the 10 foot wide meandering sidewalk be constructed within the Baker Creek Road right-of-way, as identified on Drawing SP-1 and Drawing L2.0 and approved as part of L 12-19 as part of this development project. The fencing proposed in Drawing L2.0 and Drawing L9.0 shall also be provided along the Baker Creek Road right-of-way.
11. That an enhanced crossing be provided where the BPA trail crosses Kent Street, between Tract J and Tract K. The enhanced crossing shall be similar in improvement to the enhanced crossings of the BPA trail at Wallace Road, Meadows Drive (south of the subject site), Cottonwood Drive, and 23rd Street.
12. Prior to any permits being issued for construction activities on the site, an additional geotechnical analysis of the area identified in Figure 3 of the "Preliminary Geotechnical Engineering Report" dated October 2, 2017 shall be submitted to the City for review and approval. Should the additional analysis determine that the lots as proposed are not able to be developed, it shall be the applicant's responsibility to request an amendment to the Planned Development and the adopted site plan. The applicant will be responsible for requesting approval of the Planning Commission for any major change in the details of the adopted site plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Planning Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.
13. That all development of the site outside of the areas identified in Figure 3 of the "Preliminary Geotechnical Engineering Report" dated October 2, 2017 shall follow the recommendations in Section 6.1 through Section 7.1 of the "Preliminary Geotechnical Engineering Report" dated October 2, 2017.
14. That a tree inventory and arborist's report be provided to the Planning Director for review and approval prior to the removal of any tree greater than nine (9) inches in diameter at breast height (DBH) measured 4.5 feet above ground. The inventory and report shall include trees at least nine (9) inches DBH in areas of the site which may be impacted by the construction of streets, utilities, future residences,

public and private park improvements, or other improvements. The inventory and report shall be provided prior to the release of construction or building permits within the planned area.

That existing trees with trunks wholly or partially within the planned area and greater than nine (9) inches DBH (Diameter at Breast Height) shall not be removed by the applicant without prior review and written approval by the Planning Director pursuant to Chapter 17.58 of the Zoning Ordinance. Trees greater than nine inches DBH will not be approved for removal unless a certified arborist determines that they are diseased, dying, or dead or the developer demonstrates that practical development of an approved lot, or required public improvements (i.e. streets, sidewalks, and public utilities), will adversely impact the survival of such tree or trees. In addition, all trees that are not to be removed shall be protected during the construction of all public improvements and residential development in the approved subdivision, as identified in Drawing L 1.0, Drawing L4.0, Drawing L 5.0, Drawing L6.0, and the tree protection detail in Drawing L6.0 and approved as part of L 12-19 as part of this development project.

And that existing trees with trunks wholly or partially within Parcel D (Park Dedication Parcel), Tract N, Tract O, and the rear of Lots 131-135 and Lots 269-280 shall not be removed by the applicant without prior review and written approval by the Planning Director pursuant to Chapter 17.58 of the Zoning Ordinance.

15. That lots with less than 40 feet of street frontage shall be accessed from an alley / alley loaded.
16. That all alleys will be private. Any alley shall be created in the form of a tract or shared access easement. The tracts or easements created for alleys shall be maintained by the Homeowner's Association and/or the properties that utilize the alleys for access.
17. That Lots 206 – 210 shall be allowed to share one private access drive. The access drive shall be provided within an access easement and be maintained by the properties utilizing the access drive for access.
18. That driveways on each private lot shall be the maximum width requested by the applicant depending on the type of lot. The maximum driveway width on the private lot for each lot type shall be:
  - a. SFD-70 and SFD-60 Lots: 30 feet wide driveways
  - b. SFD-50 and SFD-40 Lots: 20 feet wide driveways
  - c. SFD-45 Lots: 18 feet wide driveways
  - d. SFD-30a & SFD-26a Lots: Driveways the same width of the dwelling, and only providing access from an alley

Except for SFD-40 lots, the driveway width shall be tapered down at the property line and not exceed the maximum 40 percent driveway width required by Section

12.20.030(B) between the property line and the street. SFD-40 lots may have maximum driveway widths of 20 feet between the property line and the street.

Variances to driveway width and location due to unique lot configurations may be requested through the process in Section 12.20.080 (Variances-issuance conditions-City Engineer authority) of the McMinnville Municipal Code. Variances will be required for lots that have reduced frontage dimensions on curved corners of streets (Mercia Street, Charles Street, and Edgar Street) and for some corner lots.

19. That the maximum block length within the Baker Creek North Planned Development shall be 645 feet and the maximum block perimeter shall be 2,325 feet.
20. All front facades and public facing building elevations must meet the following design standards.

Prior to issuance of residential building permits, the applicant shall submit dwelling unit building plans for review and approval by the Planning Director. The purpose of this review is to ensure that each dwelling unit constructed within the Planned Development meets the required design standards listed below.

The dwelling unit building plans submitted for review shall contain architectural elevations drawn to scale, details, materials, and colors for each building type. The dwelling unit design standards described below shall apply to all front facades and all public-facing building elevations. The building plans submitted for review shall show how the front façade and public facing building elevations meet the following standards:

- a. Style and Massing
  - i. Elevations shall provide vertical offsets, projections, or recesses to break up the building façade.
    1. Vertical projections may encroach into exterior side yard setbacks by up to 20 percent of the required setback distance.
- b. Type of Exterior Materials
  - i. Elevations shall include horizontal elements the width of the façade. The horizontal elements shall mark the break between floors or be located along rooflines, and may include fascia, band course, band molding, bellyband, or belt course.
  - ii. A minimum of two types of building materials shall be used on the front elevations.
  - iii. Elevations shall have trim with a minimum size of 3 inches on all windows, and shall incorporate a color palette with three colors.
  - iv. In addition, elevations will include at least four of the following.
    1. Windows
    2. Gables
    3. Dormers
    4. Architectural bays
    5. Awnings made of fabric, metal or wood-framed
    6. Change in wall planes

- 7. Ground floor wall lights/sconces
  - 8. Transom windows
  - 9. Balconies or decks
  - 10. Columns or pilasters – not decorative
- c. Front Porches / Entry Areas
    - i. Front porches shall be at least 36 square feet in area, with a minimum depth of 4 feet as measured from the front door.
    - ii. Porch must have a solid roof, and roof may not be more than 12 feet above the floor of the porch.
    - iii. Porch must include one of the following: ornamental fencing, columns demarcating the perimeter of the porch, or columns supporting the roof of the porch. If columns are included, the columns shall be a minimum size of 6 inches by 6 inches.
  - d. Roof Design and Materials
    - i. Use a variation in roof forms to visually break up monotony including pitched or sloping roof elements, variations in pitch and height of roof planes, variations in roof ridgeline directions, dormers, eaves, gable or dormer end brackets, corbels, or decorative wood timbers.
    - ii. Elevations shall contain more than one single, continuous ridgeline or eave. An elevation may have one single, continuous ridgeline or eave over the main portion of the roof structure, but must also have another roof ridgeline or eave, such as a gable or hip roof that extends perpendicularly or at a lower elevation from the larger roof ridgeline.
  - e. Exterior Doors and Windows
    - i. Windows shall be provided on all elevations and blank walls will be avoided.
  - f. Garage Door Types
    - i. Pair garages where possible to maximize planting strip and potential for street trees.
    - ii. The length of a garage wall facing the street shall be no more than 50 percent of the street-facing building façade.
    - iii. The garage wall facing the street may exceed 50 percent of the street-facing building façade if the building meets the following:
      - 1. The garage door opening is not wider than the maximum width of the driveway allowed for the private lot; and
      - 2. The building includes one of the following:
        - a. Interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall;
        - b. A covered balcony above the garage that is:
          - i. At least the same length as the street-facing garage wall;
          - ii. At least 6 feet deep; and
          - iii. Accessible from the interior living area of the dwelling unit.
        - c. If the building is a single story, the front elevation shall include architectural features that create an elevation that is not dominated by garage walls and garage door openings by incorporating at least seven (7) of the following design features:

- i. Change in elevation of roof ridges
    - ii. Change in direction of roof ridges
    - iii. Eave overhangs of over 12 inches
    - iv. Porch or veranda covering at least 40 percent of the overall width of the front façade
    - v. Porch of at least 48 square feet in area
    - vi. Dormer or bay windows
    - vii. Shutters on all windows
    - viii. Accent siding
    - ix. Decorative gable vents
    - x. Garage doors with windows and decorative paneling
    - xi. Decorative front door (minimum 25 percent glazing)
    - xii. Front door with transom and/or sidelight windows
  - iv. Garages shall be recessed from entrances or covered front porches.
- g. Exterior Lighting
- h. Sample Exterior Colors
  - i. A variety of color schemes should be used throughout the development that are distinctly different from each other but enhance each other.

21. In order to eliminate a cookie-cutter stylization of the neighborhood, no same home design shall be built in adjacency to another, including both sides of the street. Similar home design shall be considered as exterior elevations that utilize the same or similar rooflines, projections, garage doors, paint colors, building materials, window sizes, or window orientation.

22. Where sites are graded, the top of the exterior foundation must extend above the street gutter in compliance with the Building Code to facilitate storm drainage. Alternative elevations are permitted subject to the approval of the building official, provided it can be demonstrated that required drainage to the point of discharge and away from the structure is provided at all locations on the site.

Where room on a property does not exist to slope the finished grade away from foundations as required by the Building Code to mitigate storm drainage, alternative diversion or drainage solutions must be provided subject to approval by the building official.

3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 24<sup>th</sup> day of March, 2020, by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

Attest:

Approved as to form:

\_\_\_\_\_  
CITY RECORDER

\_\_\_\_\_  
CITY ATTORNEY



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A PLANNED DEVELOPMENT OVERLAY DISTRICT TO ALLOW FOR THE DEVELOPMENT OF A 280 LOT RESIDENTIAL SUBDIVISION WITH MODIFICATIONS FROM THE UNDERLYING ZONING REQUIREMENTS AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD**

- DOCKET:** PD 1-19 (Planned Development)
- REQUEST:** Approval of a Planned Development Overlay District to allow for the development of 280 single family detached dwelling units, public right-of way improvements, and open spaces on 48.7 acres of R-4 (Multiple Family Residential) land with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities.
- LOCATION:** The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.
- ZONING:** R-4 (Multiple Family Residential)
- APPLICANT:** Stafford Development Company, LLC
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** October 11, 2019
- HEARINGS BODY & ACTION:** The McMinnville Planning Commission makes a recommendation for approval or denial to the City Council.
- HEARING DATE & LOCATION:** December 5, 2019, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.
- HEARINGS BODY & ACTION:** The McMinnville City Council approves or denies the land-use application.

**HEARING DATE & LOCATION:**

January 28, 2020, March 10, 2020, and March 24, 2020, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville Oregon

**PROCEDURE:**

An application for a Planned Development Amendment is processed in accordance with the procedures in Section 17.72.120 of the McMinnville Municipal Code. The application is reviewed by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the McMinnville Municipal Code.

**CRITERIA:**

The applicable criteria for a Planned Development are specified in Section 17.51.030(C) of the McMinnville Municipal Code. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

**APPEAL:**

As specified in Section 17.72.190 of the McMinnville Municipal Code, the City Council's decision may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of decision is mailed. The City's final decision is subject to a 120 day processing timeline, including resolution of any local appeal. The 120 day deadline was February 8, 2020. However, the applicant, on the record during the January 28, 2020 public hearing requested that the deadline be extended to March 10, 2020, and then at the March 10, 2020 City Council meeting, requested that the 120 day deadline be extended to March 24, 2020.

**COMMENTS:**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications; Comcast; Northwest Natural Gas; and Oregon Department of Transportation. The matter was also referred to the Oregon Department of Land Conservation and Development. Their comments are provided in this document.

**DECISION**

Based on the findings and conclusionary findings, the City Council finds the applicable criteria are satisfied and **APPROVES** the Planned Development (PD 1-19), **subject to the conditions of approval provided in Section II of this document.**

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**DECISION: APPROVAL WITH CONDITIONS**  
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City Council: \_\_\_\_\_ Date: \_\_\_\_\_  
Scott Hill, Mayor of McMinnville

Planning Commission: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Hall, Chair of the McMinnville Planning Commission

Planning Department: \_\_\_\_\_ Date: \_\_\_\_\_  
Heather Richards, Planning Director

## **I. APPLICATION SUMMARY:**

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the history of land use decisions for the subject site(s) and the request(s) under consideration. The City has found the information provided to accurately reflect the current Planned Development request and the relevant background, and excerpted portions are provided below to give context to the request, in addition to the City's comments.

### ***Subject Property & Request***

The subject property is located at the northeast quadrant of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.

The application (PD 1-19) is a request for approval of a Planned Development Overlay District to allow for the development of 280 single family detached dwelling units, public right-of way improvements, and open spaces on 48.7 acres of R-4 (Multiple Family Residential) land with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities.

The Planned Development request was submitted for review concurrently with five other land use applications, as allowed by Section 17.72.070 of the MMC. The requested amendment is being reviewed concurrently with a Comprehensive Plan Map Amendment, Zone Change, Planned Development Amendment, Subdivision, and Landscape Plan Review to allow for the development of the 280 lot subdivision proposed in the Planned Development plans and future commercial development.

Excerpts from Land Use Application Narrative and Findings:

"This requested new planned development is for a residential community of 48.7 acres with 280 lots for single-family detached dwelling units. As described above, the applicant is proposing to zone this area R-4, therefore this portion of the site will be designated with an R4-PD planned development overlay. [...]"

#### **Site Description**

All of the subject parcels are currently vacant from an urban perspective, but have been actively farmed, primarily with grass seed. The site generally slopes down from the south to north, although a small area drains surface water to the southeast. The entire site is on top of a long bluff and out of the 100-year floodplain and away from any local drainage. The site is located north of Baker Creek Road, generally west of Shadden Drive, and east of the intersection of Baker Creek Road and Hill Road where there is a new roundabout. The project will extend proposed NW Hill Lane from the roundabout, and extend NW Meadows Drive, NW Shadden Drive, and NW Blake Street into the site from their current termini at intersections and street stubs. The applicant's road profiles and details indicate a half street improvement will be installed along the NW Baker Creek Road frontage from Meadows Dr. to Shadden Dr, and new streets within the development will be fully improved to meet City standards.

## Housing

Consistent with Housing Element goals and policies of the Comprehensive Plan, the proposed Planned Development will include a mix of housing types to meet the diverse needs of McMinnville residents. The applicant's Typical Lots sheet demonstrates that the requested R-4 zoning will allow the construction of various small, medium, and large lot single-family detached dwelling units.

## Open Spaces

Included with the planned development are 19 common open space tracts (Tract "A" - "S"). After the proposed open space tracts are developed with the proposed active and passive recreation amenities, the applicant is proposing to dedicate many of those tracts and facilities to the City of McMinnville as public parks. The applicant requests the City accept them when recording final plats for the phase of development containing the respective tracts. The common open space areas have been designed to meet a variety of recreational needs. They will serve as centers for community interaction within the community. They can also serve as resources for the general public, once accepted as park land by the City. Proposed recreational amenities include multiple play structures, picnic shelter, picnic tables, and park benches, trails and paths, and more. The open space areas have been sited to extend the City's network of park facilities by extending the existing powerline trail north to proposed "Kent Street Trailheads", where users can connect to the nature trail to the north and paved urban off-street path network to the south and park areas. These tracts when owned by the City will be an excellent asset to the City's park system. They will also facilitate access to the City's planned Special Use Park to the north of the site, which will extend the natural trail east to allow connection to other segments leading ultimately to Tice Park as envisioned.

## Modifications

Below is a list of adjusted development standards as requested through the planned development process:

- 1) Lots: The number in the proposed seven lot types (i.e. SFD-70) reflects the typical width of the lot (i.e. 70 feet typical width). "SFD" stands for "Single-Family Detached" dwelling, and the "a" in "SFDa" stands for a lot with a garage loaded from the alley.
  - Area - The proposed seven lot types provide an overall average lot area that exceeds 4,500 square feet per lot.
    - Overall average lot area for large and medium lot types SFD-70, SFD-60, SFD-50, SFD-45, & SFD-40, where the garage faces the street, will be at least 5,000 square feet per lot. This mimics the minimum lot size of a detached single-family dwelling in a standard subdivision.
    - Overall average lot area for small lot types SFD-30a & SFD-26a, where the garage faces an alley, will be at least 2,500 square feet per lot. This mimics the minimum lot size of a common wall construction single-family dwelling in a standard subdivision, even though this planned development approach requests these dwellings types detach from the common wall approach.
  - Orientation – Side property lines are oriented as much as practicable at 90 degrees to the roadway where the dwelling takes access. Approval will require lot orientation at the final plat to substantially conform to preliminary plat drawings PL-1 through PL-5.
- 2) Setbacks: Minimum setbacks in the planned development are illustrated on the Typical Lots exhibit for each of the seven lot types per the Lot Type Plan. Below are setbacks that **differ** from a standard subdivision. Setbacks that meet the code standard, like 20-foot setback to the face of the garage, are not listed below:
  - Internal side yard setbacks shall be 5 feet on SFD-70, SFD-60, SFD-50 and SFD-40 lots, one foot less than the standard.
  - Internal side yard setbacks shall be 4 feet on SFD-45 lots, two foot less than the standard.

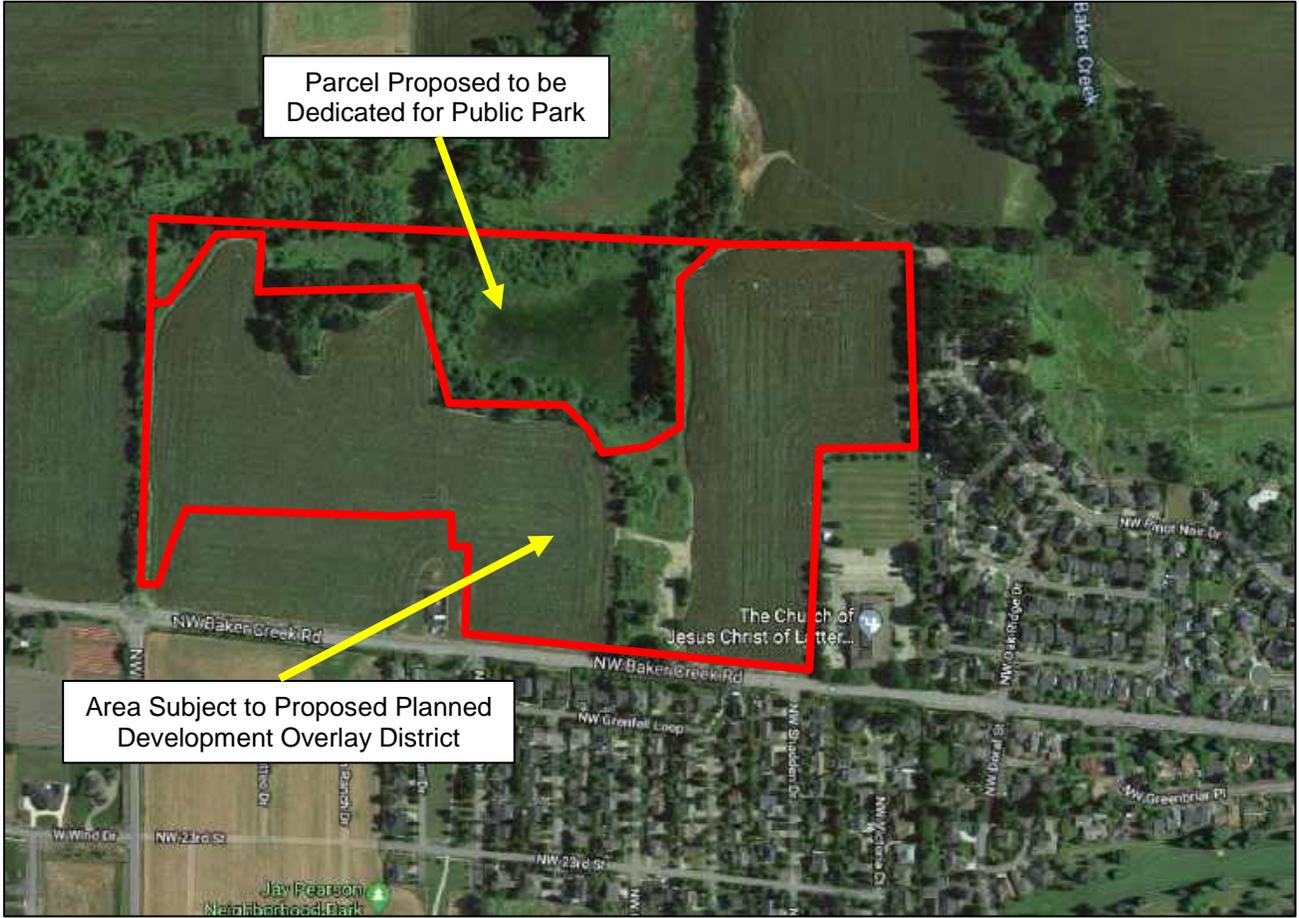
- Internal side yard setbacks shall be 3 feet on each side of the dwelling on SFD-30a and SFD-26a lots, instead of 0 feet and 6 feet as would be required if these lots were built with dwellings in a standard subdivision with common wall construction. This means, the proposed lot types will have the same amount of total side yard as a 2-unit town house lots in a standard subdivision, only no burdensome common wall.
  - Rear building setback from an alley shall be 15 feet.
- 3) Frontage: Most lots have the minimum 25 feet of frontage on a public street required by code. The lots listed below do not and the request is for approval of the access as proposed.
- Lot 131 has a flag pole with 20 feet of frontage on a public street.
  - Lot 270 has a flag pole with 20 feet of frontage on a public street with an easement over it for a private drive, which serves as a common access to serve both Lot 270 and adjacent Lot 269. As preferred by MZO Section 17.53.100C.3, Lot 269 does not have a proposed flag pole.
  - Lots 206-209 have no frontage or flag poles (as preferred by the code section stated above), rather they are served by a private drive that is in a 25-foot wide easement from a public street over the fronts of Lots 207-210.
  - Lots 21-32, 44-49, & 69-80 have more than 25 feet of frontage on a proposed public alley at the rear of the lot. In addition, the lots maintain over 25 feet of frontage on a proposed private open space tract with a pedestrian way (some end lots also have side yard frontage on a public street).
- 4) Private Drives: The following lots are served by a common drive in an easement shown on the preliminary plat, rather than a driveway with frontage on a public street.
- Lots 270 and 269, through an easement over Lot 270, see drawing PL-5.
  - Lots 206-210, through an easement over Lot 207-210, see drawing PL-3.
- 5) Driveways: Modified driveway widths at the public street as shown on the proposed Site Plan drawings SP-1 through SP-5. Driveways are paired, where possible, to facilitate on-street parking between driveways and a street tree planted between them in the parking strip between the curb and sidewalk, where possible.
- SFD-70 & SFD-60 lots have 30 feet wide driveways.
  - SFD-40 lots have 20 feet wide driveways.
  - SFD-45 lots have 18 feet wide driveways.
  - SFD-30a & SFD-26a lots have driveways the same width of the dwelling from an alley.
- 6) Alleys: Both through alleys and dead end alleys (of less than 150 feet) are proposed, all with a right-of-way width of 22 feet.
- 7) Blocks: Some blocks exceed the perimeter dimension standards, but are provided with mid-block pedestrian ways to ensure adequate circulation and access.
- 8) Street Trees: Street tree spacing varies from the standards of the code as shown on the drawing L1.0 Street Tree Plan. In higher density developments lot frontage decreases and frequency of driveways and utilities increase, creating conflicts that require greater spacing between street trees than outlined in the code. The planned development compensates for the increase in spacing in the following ways.
- The planned development avoids the reduction in the allowed street trees that would occur through a strict application of the spacing standards. The applicant is proposing to encroach into the minimum 5-ft. spacing requirement for street trees by wrapping a root barrier from the curb to sidewalk in front of the apron's wing as shown in the Root Barrier Detail on drawing L.1.0 Street Tree Plan. In addition, the applicant is proposing to encroach into 10-

ft. spacing for requirement street trees by wrapping a root barrier adjacent to the water meter as shown in the detail. This is primarily in front of SFD-40 & SFD-34 lots, but may occur on other lots in the development.

- SFD-30a & SFD-26a lots are served with vehicle access from an alley. This reduces the frequency of driveway conflicts allowing more street trees to be provided on the block face.
  - Street tree frequency is maximized on side street block faces where no driveway conflicts exist.
  - The planned development has various common open space tracts. Proposed tree planting in these tracts, as shown on the Landscape Plans L1.0-L10.0 add to the community's overall tree canopy, compensating for gaps in the street tree canopy due to conflicts with driveway and utility improvements.
  - Many large trees are preserved in tracts and in rear yards on larger lots as shown on the drawing L1.0 Street Tree Plan.
- 9) Monument Signs: Two monument signs along Baker Creek Road are proposed with the dimensions described on drawing L9.0 Landscape Plan.
- One will be located in Phase 1A on the NW corner of Shadden Drive oriented to the east, and the other in Phase 1C on the NE corner of Meadows Drive oriented to the west as shown on the Site Plan drawing SP-1.”

***See Vicinity Map (Figure 1), Existing Zoning (as approved with concurrent zone change request) (Figure 2), Proposed Site Plan (Figure 3), and Proposed Park Dedication Parcel (Figure 4) below.***

**Figure 1. Vicinity Map (Subject Site Area Approximate)**



**Figure 2. Existing Zoning**

**\*Note – Zoning shown as proposed with concurrent Zone Change request**

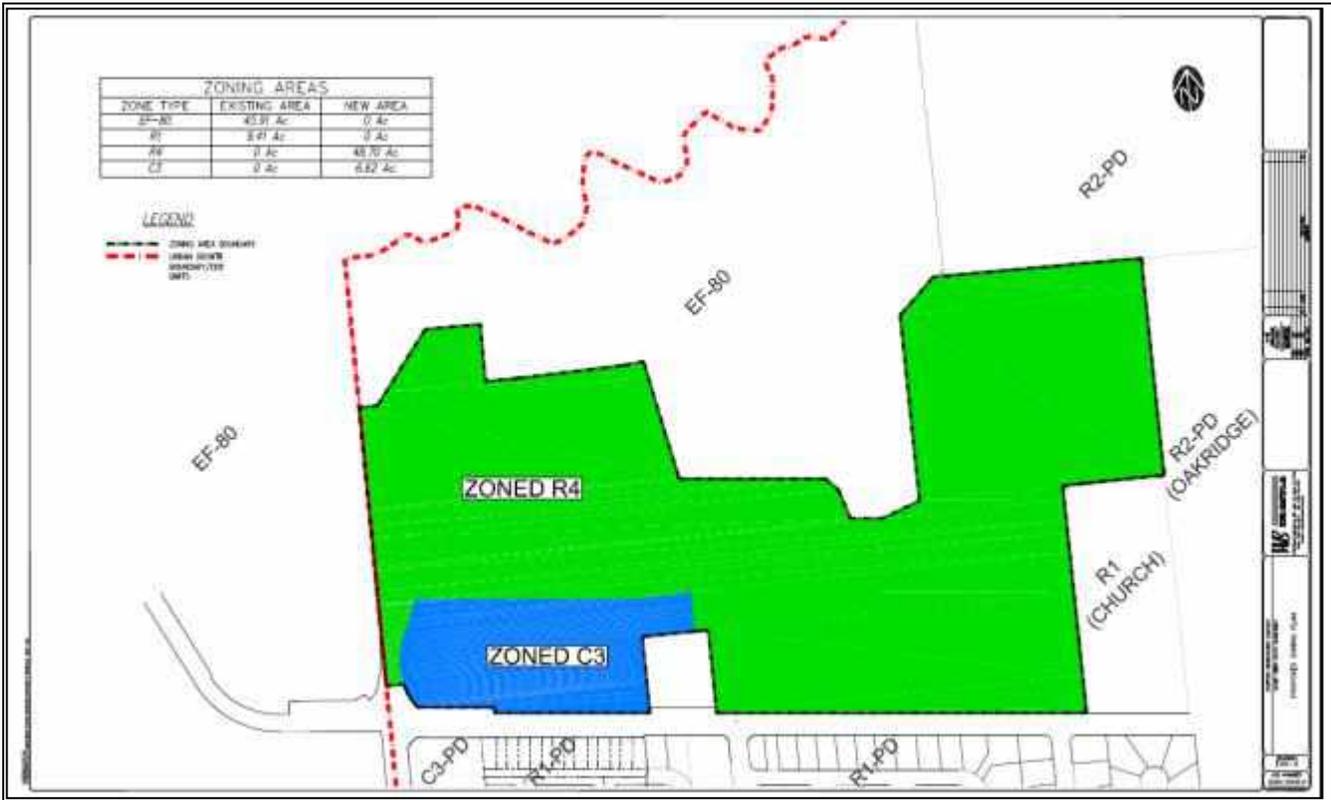
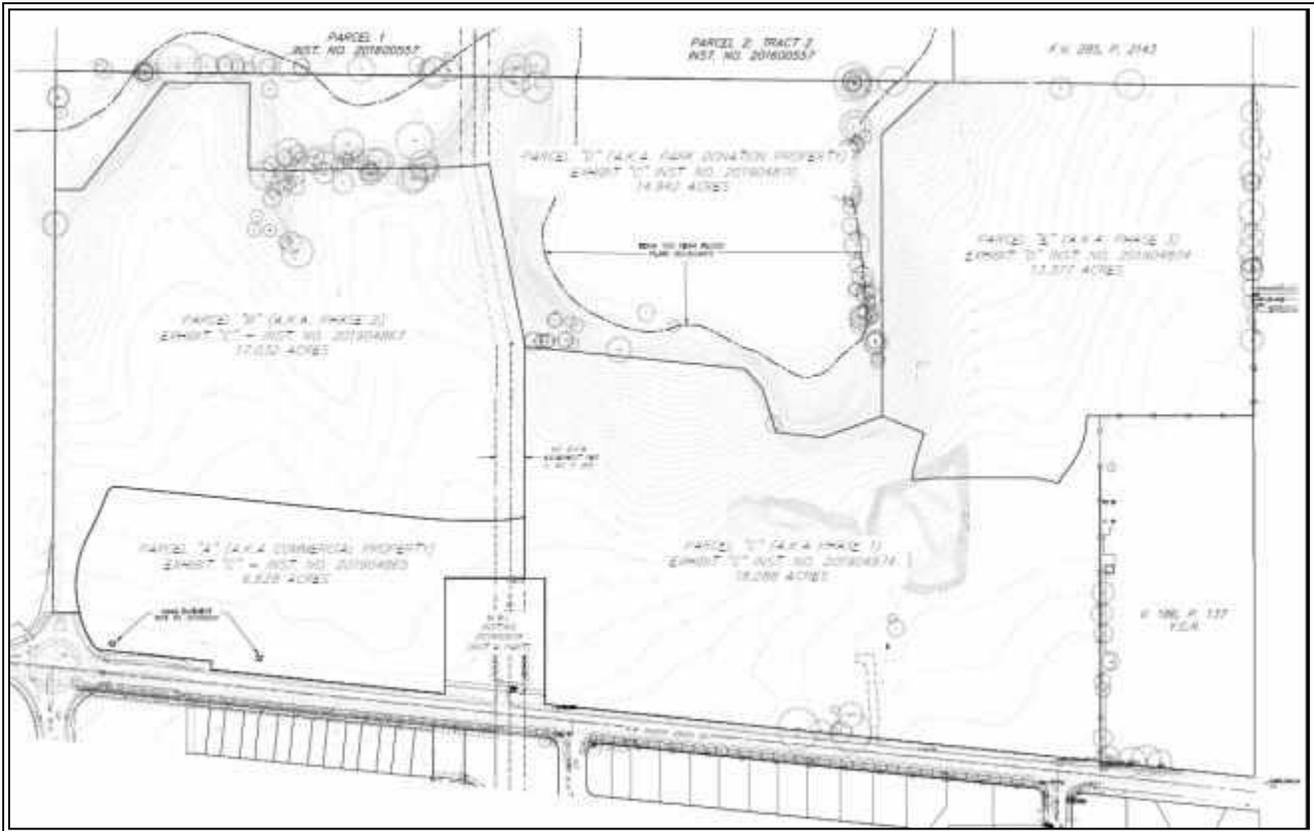


Figure 3. Proposed Site Plan



Figure 4. Proposed Park Dedication Parcel



### **Summary of Criteria & Issues**

The application (PD 1-19) is subject to the Planned Development review criteria in Section 17.51.030(C) of the McMinnville Municipal Code. The goals and policies in Volume II of the Comprehensive Plan are also independent approval criteria for all land use decisions.

The specific review criteria for a Planned Development in Section 17.51.030(C) of the McMinnville Municipal Code require the Planning Commission to determine that:

1. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
2. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
3. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
4. The plan can be completed within a reasonable period of time;
5. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
6. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
7. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole;

The applicant has provided findings to support the request for a Planned Development. These will be discussed in detail in Section VII (Conclusionary Findings) below.

Per Section 17.51.030, the purpose of a planned development is to provide greater flexibility and greater freedom of design in the development of land than may be possible under strict interpretation of the provisions of the zoning ordinance. Further, the purpose of a planned development is to encourage a variety in the development pattern of the community; encourage mixed uses in a planned area; encourage developers to use a creative approach and apply new technology in land development; preserve significant man-made and natural features; facilitate a desirable aesthetic and efficient use of open space; and create public and private common open spaces. A planned development is not intended to be simply a guise to circumvent the intent of the zoning ordinance.

In approving a planned development, the Council and the Planning Commission shall also take into consideration those purposes set forth in Section 17.03.020 of this ordinance, which reads,

*“The purpose of this title is to encourage appropriate and orderly physical development in the city through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, adequate community facilities; and to provide assurance of opportunities for effective utilization of the land resources; and to promote in other ways public health, safety, convenience, and general welfare.”*

Consideration of a planned development request includes weighing the additional benefits provided to the development and city as a whole through the planned development process that go above and beyond what would be provided through a standard land use application against the applicable zoning requirements.

## **II. CONDITIONS:**

1. That the Baker Creek North Tentative Subdivision plan shall be placed on file with the Planning Department and become a part of this planned development zone and binding on the developer. The developer will be responsible for requesting approval of the Planning Commission for any major change in the details of the adopted site plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director’s decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Planning Commission. Review of the Planning Director’s decision by the Planning Commission may be initiated at the request of any one of the Commissioners.
2. That the average lot size within the Baker Creek North subdivision shall be approximately 4,930 square feet.
3. That the setbacks for the lots within the Baker Creek North subdivision shall meet the setbacks required in the R-4 zone, with the following exceptions:
  - a. SFD-70, SFD-60, SFD-50, and SFD-40: Minimum 5 foot side yard setback
  - b. SFD-45: Minimum 4 foot side yard setback
  - c. SFD-30a and SFD-26a: Minimum 3 foot side yard setback
  - d. Lots 131-135 and Lots 269-280: Minimum 30 foot rear yard setback
4. Fences constructed within side yards shall provide a minimum clearance of three (3) feet from the electrical meter to maintain National Electric Safety Code (NESC) and National Electric

Code (NEC) clearances.

5. That Tract G, Tract I, Tract J, Tract K, and Tract L will be dedicated to and accepted by the City as public parks and open space. The tracts shall be dedicated at such time as the subdivision phase that the tract is located within is platted. The City shall accept maintenance responsibility of Tract G, Tract I, Tract J, Tract K, and Tract L immediately at the time of dedication.
6. That the 14.9 acre parcel described in the application narrative as Parcel D (Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) shall be dedicated to the City at the time of the platting of subdivision Phase 2A or Phase 3A, whichever is earlier. The applicant shall also dedicate the trail easement proposed within the property to the north (Tract 2, Parcel 2, Instrument No. 201600557, Yamhill County Deed Records) at the time Parcel D is dedicated to allow for the greenway trail to connect to a planned extension of the greenway trail in the planned Oak Ridge Meadows subdivision. Parcel D and the easement described above, as well as all the required improvements within Parcel D and the easement shall be maintained by a Homeowner's Association (HOA) for the benefit of the public until 2032, at which time all maintenance responsibilities shall be transferred to the City. An agreement between the HOA and the City shall be signed memorializing the responsibilities of the HOA and the City prior to the dedication of the park land to the City of McMinnville.
7. That the tracts and parcel dedicated as public park and open space are improved to City standards prior to dedication to the City of McMinnville. Specifically, the following improvements are required in the following tracts and parcel:
  - a. Tract I – The development of a 12 foot wide paved multi-use trail as identified on Drawing L3.0 and approved as part of L 12-19 as part of this development project. The 12 foot wide paved multi-use trail in this portion of the site shall be allowed to be constructed partly within the right-of-way proposed as Meadows Drive, in lieu of providing the typical sidewalk improvements required for a local residential street. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.
  - b. Tract J - The development of a 12 foot wide paved multi-use trail as identified on Drawing L3.0 and Drawing L8.0 and approved as part of L 12-19 as part of this development project. The 12 foot wide paved multi-use trail in this portion of the site shall be allowed to be constructed partly within the right-of-way proposed as Meadows Drive, in lieu of providing the typical sidewalk improvements required for a local residential street. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.
  - c. Tract K – The development of the beginning of the 12 foot wide paved multi-use trail that will continue into Tract L. The trail identified on Drawing L3.0 and Drawing L8.0 is only 10 feet in width, but the trail shall be improved to 12 feet in width to be consistent with the existing BPA trail corridor south of Baker Creek Road. The remainder of Tract K shall be improved with landscaping, benches, picnic tables, trash receptacles, and dog waste stations as identified on Drawing L3.0 and Drawing L8.0 and approved as part of L 12-19 as part of this development project. The trail shall be constructed to the

- same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.
- d. Tract L - The development of a 12 foot wide paved multi-use trail that will continue from the connection at Tract K north to the northern boundary of Tract L, where it will continue into Parcel D (Park Dedication Parcel) as identified on Drawing L4.0. The trail identified on Drawing L3.0, Drawing L4.0, and Drawing L8.0 is only 10 feet in width, but the trail shall be improved to 12 feet in width to be consistent with the existing BPA trail corridor south of Baker Creek Road. The remainder of Tract L shall be improved with landscaping and lighting as identified on Drawing L3.0, Drawing L4.0, and Drawing L8.0 and approved as part of L 12-19 as part of this development project. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.
  - e. Parcel D (Park Dedication Parcel) – The development of a 12 foot wide multi-use trail that will continue from the connection at the northern boundary of Tract L to a trailhead that is improved as identified on Drawing L4.0 and approved as part of L 12-19 as part of this development project. The trailhead shall be the terminus of the 12 foot wide multi-use trail identified and required within Tract I, Tract J, Tract K, and Tract L. In addition, a greenway trail shall be developed within Parcel D, starting at the trailhead described above, and continuing along the boundary of the area identified as 100-year floodplain. The greenway trail shall connect to the public park and greenway parcel approved and planned within the Oak Ridge Meadows subdivision to the northeast. The greenway trail shall be a bark chip bicycle/pedestrian trail throughout the greenway, constructed to City specifications. A development plan for the greenway with the trail system and any associated access ways (public or private) shall be submitted to the City for review and approval of the design and engineering prior to construction.
  - f. Tract G – This tract is identified for a sanitary sewer pump station. No specific improvements or landscaping were identified for this tract. Therefore, a landscape plan shall be provided for review by the Landscape Review Committee prior to any development of the tract. The proposed sanitary sewer pump station site also appears to be steeply graded. The pump station site will need to be designed with a site driveway that accommodates the Wastewater Services department’s service vehicles so that the pump station can be adequately maintained.
8. That the private open space and recreational tracts be improved or preserved as shown in the Planned Development plans. Specifically, the following improvements are required in the following tracts:
- a. Tract A – The stormwater detention facility, fencing, and landscaping identified on Drawing L2.0 and Drawing L7.0 and approved as part of L 12-19 as part of this development project.
  - b. Tract B – Between Lots 69-72 and Lots 29-32, the development of 10 foot wide paved sidewalks along the west and east edges of the tract, commercial grade play equipment, open lawn space, 4 benches, and landscaping as identified on Drawing L2.0 and Drawing L7.0 and approved as part of L 12-19 as part of this development project. Between Lots 25-28 and 21-24, the development of a 10 foot wide paved sidewalk bounded on both sides by landscaping as identified on Drawing L2.0 and approved as part of L 12-19 as part of this development project.

- c. Tract C – The development of the commercial grade play equipment, paved seating area with 3 benches, fencing, and landscaping as identified on Drawing L2.0 and Drawing L7.0 and approved as part of L 12-19 as part of this development project.
  - d. Tract D – The development of a 10 foot wide paved sidewalk, bounded on each side by landscaping, as identified on Drawing L2 and approved as part of L 12-19 as part of this development project.
  - e. Tract E - The development of a 10 foot wide paved sidewalk, bounded on each side by landscaping, as identified on Drawing L2.0 and approved as part of L 12-19 as part of this development project.
  - f. Tract F – The development of a 10 foot wide sidewalk along the southern edge of the tract, 3 benches, a minimum 22'x30' covered shelter structure with 5 picnic tables, a trash receptacle, a wood chip trail connecting from the paved sidewalk to the greenway trail required in Parcel D, and landscaping as identified on Drawing L2.0 and L8.0 and approved as part of L 12-19 as part of this development project.
  - g. Tract H - Between Lots 77-80 and 73-76, the development of a 10 foot wide paved sidewalk bounded on both sides by landscaping as identified on Drawing L2.0 and approved as part of L 12-19 as part of this development project.
  - h. Tract N – The preservation of all trees located with the tract, except those shown as being removed on Drawing L4.0. Prior to the removal of any additional tree within Tract N, a request for removal of the tree shall be provided to the Planning Director for review and approval. The request for removal shall be accompanied by an arborist's report.
  - i. Tract O – The preservation of existing natural vegetation and landscaping as identified on Drawing L3.0 and approved as part of L 12-19 as part of this development project.
  - j. Tract P – The development of a 10 foot wide paved sidewalk, bounded on the west side by landscaping, as identified on Drawing L3.0 and approved as part of L 12-19 as part of this development project.
  - k. Tract Q - The development of a 10 foot wide paved sidewalk, bounded on the east side by landscaping, as identified on Drawing L3.0 and approved as part of L 12-19 as part of this development project.
  - l. Tract R – The improvement of a 10 foot wide paved sidewalk along the eastern portion of the tract, 2 benches on concrete pads near the south end of the tract, 2 benches on concrete pads near the north end of the tract, commercial grade plan equipment with 4 features, 2 picnic tables, and landscaping as identified on Drawing L4.0 and Drawing L9.0 and approved as part of L 12-19 as part of this development project.
  - m. Tract S – The improvement of a 10 foot wide paved path bounded on both sides by landscaping as identified on Drawing L5.0 and approved as part of L 12-19 as part of this development project.
9. In order to provide better pedestrian access to the BPA trail extension within Tract L and the greenway trail in Parcel D (Park Dedication Parcel) from the lots within the northwestern portion of the site, a condition of approval is included to require that an easement or tract be created between Mercia Street or Harold Drive to the BPA trail within Tract L or the greenway trail in Parcel D (Park Dedication Parcel). The easement or tract shall be a minimum of 20 feet in width and include a paved trail of at least 10 feet in width with a five foot buffer on each side. A development plan for the tract or easement, the improvements within the tract or easement, and any resulting change in lot dimensions or configuration within Phase 2A shall be submitted

to the City for review and approval of the design and engineering prior to construction.

10. That the 10 foot wide meandering sidewalk be constructed within the Baker Creek Road right-of-way, as identified on Drawing SP-1 and Drawing L2.0 and approved as part of L 12-19 as part of this development project. The fencing proposed in Drawing L2.0 and Drawing L9.0 shall also be provided along the Baker Creek Road right-of-way.
11. That an enhanced crossing be provided where the BPA trail crosses Kent Street, between Tract J and Tract K. The enhanced crossing shall be similar in improvement to the enhanced crossings of the BPA trail at Wallace Road, Meadows Drive (south of the subject site), Cottonwood Drive, and 23rd Street.
12. Prior to any permits being issued for construction activities on the site, an additional geotechnical analysis of the area identified in Figure 3 of the "Preliminary Geotechnical Engineering Report" dated October 2, 2017 shall be submitted to the City for review and approval. Should the additional analysis determine that the lots as proposed are not able to be developed, it shall be the applicant's responsibility to request an amendment to the Planned Development and the adopted site plan. The applicant will be responsible for requesting approval of the Planning Commission for any major change in the details of the adopted site plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Planning Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.
13. That all development of the site outside of the areas identified in Figure 3 of the "Preliminary Geotechnical Engineering Report" dated October 2, 2017 shall follow the recommendations in Section 6.1 through Section 7.1 of the "Preliminary Geotechnical Engineering Report" dated October 2, 2017.
14. That a tree inventory and arborist's report be provided to the Planning Director for review and approval prior to the removal of any tree greater than nine (9) inches in diameter at breast height (DBH) measured 4.5 feet above ground. The inventory and report shall include trees at least nine (9) inches DBH in areas of the site which may be impacted by the construction of streets, utilities, future residences, public and private park improvements, or other improvements. The inventory and report shall be provided prior to the release of construction or building permits within the planned area.

That existing trees with trunks wholly or partially within the planned area and greater than nine (9) inches DBH (Diameter at Breast Height) shall not be removed by the applicant without prior review and written approval by the Planning Director pursuant to Chapter 17.58 of the Zoning Ordinance. Trees greater than nine inches DBH will not be approved for removal unless a certified arborist determines that they are diseased, dying, or dead or the developer demonstrates that practical development of an approved lot, or required public improvements (i.e. streets, sidewalks, and public utilities), will adversely impact the survival of such tree or trees. In addition, all trees that are not to be removed shall be protected during the construction of all public improvements and residential development in the approved subdivision, as identified in Drawing L 1.0, Drawing L4.0, Drawing L 5.0, Drawing L6.0, and the

tree protection detail in Drawing L6.0 and approved as part of L 12-19 as part of this development project.

And that existing trees with trunks wholly or partially within Parcel D (Park Dedication Parcel), Tract N, Tract O, and the rear of Lots 131-135 and Lots 269-280 shall not be removed by the applicant without prior review and written approval by the Planning Director pursuant to Chapter 17.58 of the Zoning Ordinance.

15. That lots with less than 40 feet of street frontage shall be accessed from an alley / alley loaded.
16. That all alleys will be private. Any alley shall be created in the form of a tract or shared access easement. The tracts or easements created for alleys shall be maintained by the Homeowner's Association and/or the properties that utilize the alleys for access.
17. That Lots 206 – 210 shall be allowed to share one private access drive. The access drive shall be provided within an access easement and be maintained by the properties utilizing the access drive for access.
18. That driveways on each private lot shall be the maximum width requested by the applicant depending on the type of lot. The maximum driveway width on the private lot for each lot type shall be:
  - a. SFD-70 and SFD-60 Lots: 30 feet wide driveways
  - b. SFD-50 and SFD-40 Lots: 20 feet wide driveways
  - c. SFD-45 Lots: 18 feet wide driveways
  - d. SFD-30a & SFD-26a Lots: Driveways the same width of the dwelling, and only providing access from an alley

Except for SFD-40 lots, the driveway width shall be tapered down at the property line and not exceed the maximum 40 percent driveway width required by Section 12.20.030(B) between the property line and the street. SFD-40 lots may have maximum driveway widths of 20 feet between the property line and the street.

Variations to driveway width and location due to unique lot configurations may be requested through the process in Section 12.20.080 (Variations-issuance conditions-City Engineer authority) of the McMinnville Municipal Code. Variations will be required for lots that have reduced frontage dimensions on curved corners of streets (Mercia Street, Charles Street, and Edgar Street) and for some corner lots.

19. That the maximum block length within the Baker Creek North Planned Development shall be 645 feet and the maximum block perimeter shall be 2,325 feet.
20. All front facades and public facing building elevations must meet the following design standards.

Prior to issuance of residential building permits, the applicant shall submit dwelling unit building plans for review and approval by the Planning Director. The purpose of this review is

to ensure that each dwelling unit constructed within the Planned Development meets the required design standards listed below.

The dwelling unit building plans submitted for review shall contain architectural elevations drawn to scale, details, materials, and colors for each building type. The dwelling unit design standards described below shall apply to all front facades and all public-facing building elevations. The building plans submitted for review shall show how the front façade and public facing building elevations meet the following standards:

- a. Style and Massing
  - i. Elevations shall provide vertical offsets, projections, or recesses to break up the building façade.
    1. Vertical projections may encroach into exterior side yard setbacks by up to 20 percent of the required setback distance.
- b. Type of Exterior Materials
  - i. Elevations shall include horizontal elements the width of the façade. The horizontal elements shall mark the break between floors or be located along rooflines, and may include fascia, band course, band molding, bellyband, or belt course.
  - ii. A minimum of two types of building materials shall be used on the front elevations.
  - iii. Elevations shall have trim with a minimum size of 3 inches on all windows, and shall incorporate a color palette with three colors.
  - iv. In addition, elevations will include at least four of the following.
    1. Windows
    2. Gables
    3. Dormers
    4. Architectural bays
    5. Awnings made of fabric, metal or wood-framed
    6. Change in wall planes
    7. Ground floor wall lights/sconces
    8. Transom windows
    9. Balconies or decks
    10. Columns or pilasters – not decorative
- c. Front Porches / Entry Areas
  - i. Front porches shall be at least 36 square feet in area, with a minimum depth of 4 feet as measured from the front door.
  - ii. Porch must have a solid roof, and roof may not be more than 12 feet above the floor of the porch.
  - iii. Porch must include one of the following: ornamental fencing, columns demarcating the perimeter of the porch, or columns supporting the roof of the porch. If columns are included, the columns shall be a minimum size of 6 inches by 6 inches.
- d. Roof Design and Materials
  - i. Use a variation in roof forms to visually break up monotony including pitched or sloping roof elements, variations in pitch and height of roof planes, variations in roof ridgeline directions, dormers, eaves, gable or dormer end brackets, corbels, or decorative wood timbers.
  - ii. Elevations shall contain more than one single, continuous ridgeline or eave. An elevation may have one single, continuous ridgeline or eave over the main portion of the roof structure, but must also have another roof ridgeline or eave,

such as a gable or hip roof that extends perpendicularly or at a lower elevation from the larger roof ridgeline.

e. Exterior Doors and Windows

- i. Windows shall be provided on all elevations and blank walls will be avoided.

f. Garage Door Types

- i. Pair garages where possible to maximize planting strip and potential for street trees.
- ii. The length of a garage wall facing the street shall be no more than 50 percent of the street-facing building façade.
- iii. The garage wall facing the street may exceed 50 percent of the street-facing building façade if the building meets the following:
  1. The garage door opening is not wider than the maximum width of the driveway allowed for the private lot; and
  2. The building includes one of the following:
    - a. Interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall;
    - b. A covered balcony above the garage that is:
      - i. At least the same length as the street-facing garage wall;
      - ii. At least 6 feet deep; and
      - iii. Accessible from the interior living area of the dwelling unit.
    - c. If the building is a single story, the front elevation shall include architectural features that create an elevation that is not dominated by garage walls and garage door openings by incorporating at least seven (7) of the following design features:
      - i. Change in elevation of roof ridges
      - ii. Change in direction of roof ridges
      - iii. Eave overhangs of over 12 inches
      - iv. Porch or veranda covering at least 40 percent of the overall width of the front façade
      - v. Porch of at least 48 square feet in area
      - vi. Dormer or bay windows
      - vii. Shutters on all windows
      - viii. Accent siding
      - ix. Decorative gable vents
      - x. Garage doors with windows and decorative paneling
      - xi. Decorative front door (minimum 25 percent glazing)
      - xii. Front door with transom and/or sidelight windows
- iv. Garages shall be recessed from entrances or covered front porches.

g. Exterior Lighting

h. Sample Exterior Colors

- i. A variety of color schemes should be used throughout the development that are distinctly different from each other but enhance each other.

21. In order to eliminate a cookie-cutter stylization of the neighborhood, no same home design shall be built in adjacency to another, including both sides of the street. Similar home design shall be considered as exterior elevations that utilize the same or similar rooflines, projections, garage doors, paint colors, building materials, window sizes, or window orientation.

22. Where sites are graded, the top of the exterior foundation must extend above the street gutter in compliance with the Building Code to facilitate storm drainage. Alternative elevations are

permitted subject to the approval of the building official, provided it can be demonstrated that required drainage to the point of discharge and away from the structure is provided at all locations on the site.

Where room on a property does not exist to slope the finished grade away from foundations as required by the Building Code to mitigate storm drainage, alternative diversion or drainage solutions must be provided subject to approval by the building official.

### **III. ATTACHMENTS:**

1. PD 1-19 Application and Attachments (on file with the Planning Department)
2. Agency Comments (on file with the Planning Department)
3. Testimony Received (on file with the Planning Department)
  - a. Public Testimony
    - i. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received December 4, 2019 (on file with the Planning Department)
    - ii. Markus Pfahler, 2515 West Wind Drive, Letter received December 5, 2019 (on file with the Planning Department)
    - iii. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 24, 2020 (on file with the Planning Department)
    - iv. Jeff and Lori Zumwalt, Premier Home Builders, Inc., Letter received January 24, 2020 (on file with the Planning Department)
    - v. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 26, 2020 (dated January 27, 2020) (on file with the Planning Department)
    - vi. Steve Dow, Black Hawk Homes, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - vii. Vince Vincer, Symbiotik Development, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - viii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - ix. Mike Colvin, Letter received January 28, 2020 (on file with the Planning Department)
    - x. Stafford Development Company (Applicant), Memorandum from Frank Charbonneau received January 28, 2020 (on file with the Planning Department)
    - xi. Linda Lindsay, Letter received at public hearing on January 28, 2020 (on file with the Planning Department)
    - xii. Sandy Colvin, Traffic report data received January 29, 2020 (on file with the Planning Department)
    - xiii. Jim Cena, 15080 NW Blacktail Court, Email received January 30, 2020 (on file with the Planning Department)
    - xiv. Larry and Hersheil Steward, 14200 NW Orchard View Road, Email received January 30, 2020 (on file with the Planning Department)
    - xv. Caroline Moore, 205 NE 6<sup>th</sup> Street, Email received January 31, 2020 (on file with the Planning Department)
    - xvi. Nancy and Surinder Singh, 2200 SW West Wind Drive, Email received February 1, 2020 (on file with the Planning Department)
    - xvii. David Cutter, 15000 NW Blacktail Lane, Emailed letter received February 3, 2020 (on file with the Planning Department)
    - xviii. Lane Roemmick, Email received February 3, 2020 (on file with the Planning Department)

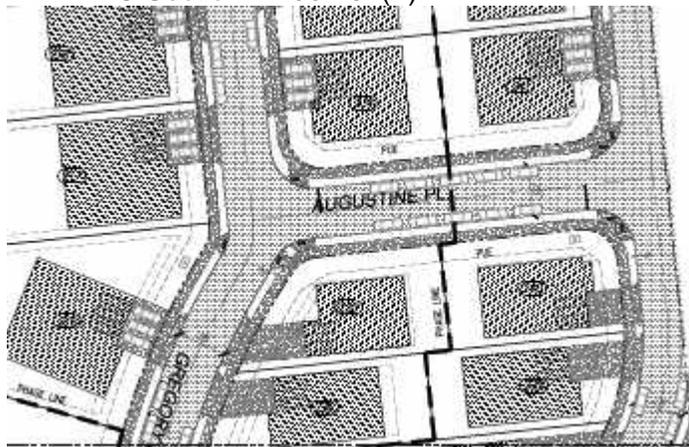
- xix. Jim and Jean Semph, 2175 SW Homer Ross Loop, Email received February 3, 2020 (on file with the Planning Department)
  - xx. Vincent Taft and Allison Best, 2025 SW Fox Swale Lane, Email received February 3, 2020 (on file with the Planning Department)
  - xxi. Patrick Stinson, 2065 NW Willamette Drive, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxii. Mike Colvin, Letter received February 3, 2020 (on file with the Planning Department)
  - xxiii. Gary and Suzanne Farmer, Email received February 3, 2020 (on file with the Planning Department)
  - xxiv. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxv. Rick Weidner, 2075 SW Sailing Court, Email received February 3, 2020 (on file with the Planning Department)
  - xxvi. Kari Rex, Email received February 4, 2020 (on file with the Planning Department)
  - xxvii. Melba Smith, 2780 NW Pinot Noir Drive, Email received February 4, 2020 (on file with the Planning Department)
  - xxviii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxix. Linda Lindsay, Email received February 4, 2020 (on file with the Planning Department)
  - xxx. Scott Larsen, Email received February 4, 2020 (on file with the Planning Department)
  - xxxi. Cathy Goekler, 2684 NW Pinot Noir Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxii. Stafford Development Company (Applicant), Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxiii. Mike Colvin, Email with rebuttal testimony received February 5, 2020 (on file with the Planning Department)
  - xxxiv. Stafford Development Company (Applicant), Emailed letter with rebuttal testimony received February 11, 2020 (on file with the Planning Department)
- b. Staff Memorandums
- i. Planning Department Staff, Memorandum describing revisions to conditions of approval, December 5, 2019 (on file with the Planning Department)
  - ii. Planning Department Staff, Memorandum describing additional testimony received prior to January 28, 2020 public hearing, January 27, 2020 (on file with the Planning Department)
- 4. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, December 5, 2019 (on file with the Planning Department)
  - 5. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 14, 2020 (on file with the Planning Department)
  - 6. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 28, 2020 (on file with the Planning Department)
  - 7. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 10, 2020 (on file with the Planning Department)
  - 8. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 24, 2020 (on file with the Planning Department)

#### **IV. COMMENTS:**

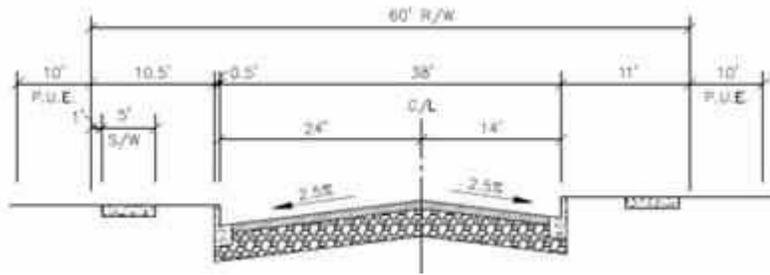
##### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development. The following comments were received:

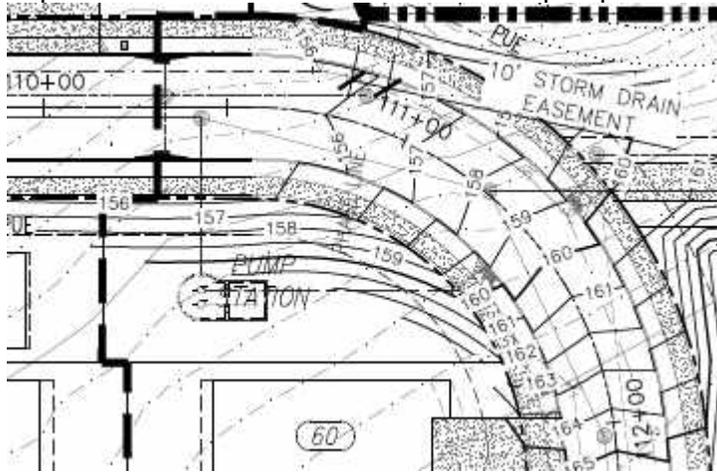
- McMinnville Engineering Department
- McMinnville Municipal Code Section (MMC) 12.20.030(B) requires that the maximum width of driveways for properties with street frontage between 20 and 75 feet wide shall be not more than 40% of the frontage. The proposed lot configurations for SFD-70, SFD-60, and SFD-40, as shown on page EXH-5, do not meet the Ordinance standard. Additionally, a review of the Site Plan (SP) sheets indicates that the driveways for lots 117, 130, 131, 132, 202, 203, 224, 225, 228 and 271 do not comply with the Ordinance standard.
- MMC Section 12.20.070 indicates that if a driveway is constructed or installed on a corner lot, such driveway shall not be built closer than 30 feet from the point of intersection of the two curb lines projected ahead. A review of the Site Plan (SP) sheets indicates that the driveway for lot 35 may not comply with that standard.
- The proposed intersection of Gregory & Augustine Streets shall be redesigned such that the intersection angle is as near to 90° as practical. The current “Y” configuration is not consistent with MMC Section 17.53.101(F):



- MMC 17.53.101(O) indicates that the public alley in the City's street standards applies to commercial and industrial districts, not to residential developments. Thus, the proposed alleys on the proposal shall be private, and shall be maintained by the adjacent property owners or the Home Owners Association.
- Meadows Dr and Shadden Dr are proposed to have an offset crown to accommodate a right turn lane (see cross-section below). We would prefer see the City's typical “Teepee” section so that the curb elevations match on each side of the street.



- The proposed sanitary sewer pump station site appears to be steeply graded. The pump station site will need to be designed with a site driveway that accommodates the Wastewater Services department's service vehicles so that the pump station can be adequately maintained:



- All proposed storm drainage outfalls shall comply with the City's Storm Drainage Master Plan requirements, and sufficient access to the outfalls shall be constructed to accommodate City maintenance activities.
- Per the conclusions and recommendations of the provided "Preliminary Geotechnical Engineering Report", "additional analysis will be required to address Oregon Department of Geology and Minerals (DOGAMI) geologic hazard mapping in the northern portion of the site where engineered fill, residential homes, and public streets are proposed ear slopes extending to the wetland." The report notes that the "primary geotechnical concern associated with development at the site is the potential for slope instability in the northern portion of the site where the client has indicated that significant engineered fills will be proposed." The report further notes that a "slope stability analysis of the area should be conducted which would at a minimum include creation of geologic cross-sections with the proposed development in the northern portion of the site near the wetland slopes, and quantitative slope stability calculations which take into consideration the proposed surcharge loading of the engineered fill." It would be prudent for that work to be done prior to the approval of the proposed lot and street layouts, to ensure that those areas are buildable as proposed.
- Recognizing that street names are approved at a later date by the Planning Director, we did note that City already has a "Harold Court" and a "Emma Drive", and thus different street names for proposed "Harold Drive" and "Emma Street" should be chosen.
- Recognizing that street tree plans are reviewed and approved at a later date by the Planning Department and the Landscape Review Committee, we did note that several of the proposed

tree locations will need to be adjusted due to probable conflicts with utilities and due to street sight distance concerns.

Additionally, the City's Public Works staff offer the following comments re: the proposed open space and park tracts:

***NOTE:*** *The comments provided by Publics Works staff below are based on the original development plans. The development plans were revised by the applicant on November 8, 2019, which revised the proposed improvements within the proposed open space and park tracts, some of which respond to the Public Works comments below. Dedications and improvements of the proposed open space tracts are described in findings and conditions of approval in this Decision Document.*

- There are 19 tracts designated as open space in the proposal. One of these, tract G, is designated for a proposed pump station. Staff's understanding was that only tracts I, J, K and L were being considered for dedication to the City as public open space as part of this development, with developer built improvements constructed on them. However, in reviewing the narrative and findings information, it appears that the applicant is requesting that:
- Parcel D (14.92 acres) be accepted by the City as a future public park. This is flood plain property north of the planned development site, and the application notes that a chipped path would be constructed as an off-site improvement in conjunction with phase 2A and/or phase 3A of the subdivision.
- Tracts F, I, J, K, L, N, and S within the planned development are recommended by the applicant to be accepted by the City as public park land. The proposal shows various developer constructed improvements to be included with these tracts.
- Park Donation: the applicant is requesting that the City accept Parcel D as part of this application. At this time, staff does not believe that the City has the maintenance capacity to take on additional new park acreage, and would not recommend accepting ownership or maintenance responsibility for this parcel.
- Open Space Tracts: Staff's understanding was that tracts I, J, K and L were to be improved as an extension of the BPA pedestrian path, with a concrete pathway, landscaping, pedestrian scale lighting and pedestrian benches. However, in looking at the proposal, I see some significant variation from that understanding:
- Tract I: shows turf, trees and a pathway (sidewalk). Staff's understanding was that this was to be 10' walk; it appears to be drawn as a typical 5' sidewalk.
- Tract J: shows dog park and skate park improvements. Staff's understanding was that this was to be a meandering 10' path with landscaping.
- Tract K: shows turf, trees, landscaping, with benches. This matches our understanding.
- Tract L: shows an offset 10' gravel pathway, and turf for a portion of the tract. The remaining portion is labelled as "existing grass field to remain", with a 10' gravel pathway. This is not similar to the existing BPA pathway design as per earlier discussion, and does not provide an accessible surface for pedestrians.

- As noted above, staff does not believe that the City has the current park maintenance capacity to take on any additional park land. That being said, the opportunity to extend the BPA pathway to the north and connect this development with park improvements to the south is recognized as an important opportunity. It is also recognized that maintenance of the extension will come at the expense of reduced maintenance in other existing facilities. Unfortunately, the proposed improvements on these tracts are not similar to the existing BPA pathway design, and include elements (skate park, dog park) that the City does not have the resources to maintain. So based on that, staff does not believe it would be in the City's best interests to accept these tracts as proposed. The plans for Tracts I, J, K, and L should be modified to match the City's development of the trail system in the rest of the BPA corridor to the south of Baker Creek Road.
- Tract F is shown as a sloped parcel overlooking the floodplain to the north, with a chipped path future connection to the floodplain. Other improvements shown include a shelter, landscaping, turf, trees and park amenities. Staff does not believe the City has the maintenance capacity to accept this tract, and it should remain private with maintenance by the Home Owners Association.
- Tract N is shown as open space. From the narrative, it appears this is proposed as open space to preserve existing trees. Staff does not believe that the City has the maintenance capacity to accept this tract, and it should remain private with maintenance by the Home Owners Association.
- Tract S is shown as a proposed pedestrian connection from Edgar Street to the proposed floodplain park donation. Staff would see this as a pedestrian connection that would be provided and maintained by the developer. Should in the future the floodplain property become the City's, staff would see maintenance access coming from the north end of the BPA path extension and would not need Tract S for maintenance access. Thus, and it should remain private with maintenance by the Home Owners Association.
- From the application materials, it appears that the remaining tracts (excepting tract G) are not being considered for City ownership as public open space and would be owned and maintained by the developer/HOA.
- Some tract specific comments for areas not proposed for City ownership:
- Tract A is shown as a detention pond space with an adjacent soccer/basketball court. While not really in our purview (since we won't own tract A), staff would suggest that this be reconsidered. The city typically requires that detention ponds be fenced. Placing a facility where stray balls could find their way over the fencing into the pond, could well encourage users to climb the fencing and enter the pond area to retrieve their ball, which would not be a safe use of the space.
- Tract B is shown as an active open space with a playground. The tract is adjacent to Baker Creek Road, which a fairly busy roadway. Again, although outside our purview, staff would suggest that consideration is given to securing this tract in such a way as to limit the potential for young park users to wander out near Baker Creek Road. The open space amenities, including play structures, benches, tables, and pathways should be accessible.
- Tract F shows benches, a shelter and tables. Although outside our purview (since we won't own Tract F), the improvements, including the pedestrian walk improvements, should be ADA accessible.
- McMinnville Water and Light

Included as Attachment #2

- Oregon Department of State Lands

Sounds like you screened previously for wetlands and waters, found none and went forward. I did a quick check and we didn't have any records about these sites in our database. We would have no comment on the changes proposed.

## **Public Comments**

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, November 26, 2019. As of the date of the Planning Commission public hearing on December 5, 2019, one item of public testimony had been received by the Planning Department. One additional item of written testimony was submitted at the December 5, 2019 public hearing. Those items of testimony are described in Section III (Attachments) above.

## **V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. The applicant, Stafford Development Company, LLC, held a neighborhood meeting on November 1, 2018.
2. The applicant submitted the Planned Development application (PD 1-19) on April 30, 2019.
3. The application was deemed incomplete on May 30, 2019. The applicant submitted revised application materials on September 11, 2019.
4. Based on the revised application submittal, the application was deemed complete on October 11, 2019. Based on that date, the 120 day land use decision time limit expires on February 8, 2020.
5. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development.

Comments received from agencies are addressed in the Decision Document.

6. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance on Thursday, November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.
7. Notice of the application and the December 5, 2019 Planning Commission public hearing was published in the News Register on Tuesday, November 26, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance.

8. No public testimony was submitted to the Planning Department prior to the Planning Commission public hearing.
9. On December 5, 2019, the Planning Commission held a duly noticed public hearing to consider the request.

## **VI. FINDINGS OF FACT – GENERAL FINDINGS**

1. **Location:** The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.
2. **Size:** The Planned Development Overlay District is proposed to be approximately 48.7 acres in size. The proposal includes the dedication of a 14.92 acre parcel adjacent to the proposed Planned Development Overlay District, which is proposed to be dedicated as a public park.
3. **Comprehensive Plan Map Designation:** Planned Development Area: Residential. Park Dedication Parcel: Residential and Floodplain
4. **Zoning:** Planned Development Area: R-4 (Multiple Family Residential). Park Dedication Parcel: EF-80 (Exclusive Farm Use) and F-P (Flood Plain)
5. **Overlay Zones/Special Districts:** None.
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** An area to the north of the proposed Planned Development Overlay District, and within the Park Dedication Parcel, is located within Zone A of the 100-year floodplain of Baker Creek, as identified on the FEMA Flood Insurance Rate Map (FIRM) panels.
8. **Other Features:**
  - a. **Wetlands:** An area to the north of the proposed Planned Development Overlay District, and within the Park Dedication Parcel, contains wetlands
  - b. **Slopes:** A majority of the site is relatively flat, but the property begins to slope to the north along the northern edges of the subject site. This portion of the property slopes downward towards Baker Creek, which is located to the north of the subject site.
  - c. **Easements and Utilities:** A 60 foot wide easement, as identified in Film Volume 40, Page 851, Yamhill County Deed Records, for the benefit of the Bonneville Power Administration exists running south to north through the center portion of the site, in the general location of the existing electrical power transmission lines.
9. **Utilities:**
  - a. **Water:** Water service is available to the subject site.
  - b. **Electric:** Power service is available to the subject site.
  - c. **Sewer:** Sanitary sewer service is available to the subject site.
  - d. **Stormwater:** Storm sewer service is available to the subject site.

e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.

10. **Transportation:** The site is adjacent to NW Baker Creek Road, which is identified as a minor arterial in the McMinnville Transportation System Plan.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Planned Development are specified in Section 17.51.030(C) of the McMinnville Municipal Code.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

Volume I Background Element is the main body or text of the McMinnville Comprehensive Plan. Included in this volume are all the inventories and research documentation on which the goals and policies were based. The requirements of the statewide goals for inventory information and land use related projections (e.g. population and housing) are also contained in this volume.

### **Comprehensive Plan Volume I:**

The following citations from Volume I Background Element of the McMinnville Comprehensive Plan is applicable to the request:

#### **Chapter V. Housing and Residential Development – Residential Development – Design Considerations:**

The final segment in this section examines the requirements which currently must be met in all new residential developments. Those requirements include the provision of a minimum level of public facilities and services and the retention or creation of parklands and open space. In addition to these requirements, the Citizens' Advisory Committee's subcommittees examined several other design considerations not currently required—including energy-efficient subdivision designs and the provision of bike and pedestrian paths—for their possible application to future residential developments. Each of these design considerations is explored below:

#### **PUBLIC FACILITIES AND SERVICES REQUIREMENTS**

The land division ordinance, as well as other codes, set the minimum requirements for the provision of public facilities and services for new residential developments. Those requirements include the provision of sanitary sewerage collection lines, storm drainage systems, street improvements, and water service. Not only are the minimum requirements set in these ordinances, but the responsibilities of both the city and the developer for providing these facilities and services are established.

It is important that the design standards for these public improvements be adequate to handle the expected levels of development without adding unnecessary costs to the price of housing. It is noted in the transportation element of this plan that street improvement standards, especially for local discontinuous streets, should be reevaluated to allow some flexibility in improvement requirements. Still, the provision of at least a minimum level of these services must remain a priority consideration.

**APPLICANT'S RESPONSE:** The plans demonstrate that the provision of public facilities and services will occur concurrently with the phased development. As required, the facilities have been designed to handle the needs of the proposed development and meet requirements set forth by the McMinnville Zoning Ordinance and Public Works standards. The Applicant has received concurrence from City staff that system capacity exists for the extension of utilities service. Traffic capacity is demonstrated in the Traffic Analysis Report included with this application.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

## OPEN SPACE AND PARKLANDS

Open space is established in residential developments in several ways. First, the setbacks which apply in all residential zones are designed, in part, to leave a portion of each lot in open area for landscaping. In a single-family residential zone, these setbacks can reserve over 50 percent of the lot area for open space. Second, these requirements in the landscape ordinance, which apply to multiple-family developments, currently require up to 25 percent of the area to be landscaped and/or to be left in large recreational open spaces. Planned developments, finally, can combine open spaces into more efficient and usable land areas by clustering development.

Parklands are provided for through the requirements of the land division ordinance, which requires a dedication of land, or money in lieu of land, to the public. As currently written, the ordinance sets a fee per unit for those developments which have not dedicated land. The ordinance does not apply to new lots created through partitioning procedures or to mobile home park developments. The city should review the ordinance to determine the advisability of requiring these future residential units to contribute to the park funds.

**APPLICANT'S RESPONSE:** With approval of the proposed Comprehensive Plan Amendment, and Zoning Map Amendment applications, the applicant requests concurrent approval of the Baker Creek North Planned Development. The planned development includes the creation of 19 common open space tracts. Proposed recreational amenities include multiple play structures, picnic shelter, picnic tables, park benches, and paths. Some of the tracts within the planned development are proposed for dedication to the City for future park land. The proposed tracts efficiently provide open space and recreation amenities, permitting the proposed reductions in lot sizes and in required setbacks, and the clustering of residential uses within the planned development.

In addition to the common open space tracts, the applicant is proposing to donate an additional 14.9 acres of park land adjacent to Baker Creek for a Special Use park.

**FINDING: SATISFIED.** Open space and park areas are provided in the Planned Development, and will be described in more detail in the findings for Policy 75.00 and Policy 76.00 below.

## **Chapter V. Housing and Residential Development – Residential Development – Land Use Controls:**

The traditional tools for land use development—zoning and subdivision ordinances—have been employed almost exclusively in McMinnville. The zoning ordinance controls the land uses permitted within a designated area and such other concerns as minimum lot sizes, setbacks of structures from property lines, and density. The subdivision ordinance controls the actual division of land into lots, and the provision of public facilities and amenities (e.g., parklands)—the actual design of a development.

On the whole, these land development techniques have been successful, accepted by both public and private interests. However, with changes in development technology and changing social and economic patterns, traditional zoning is being viewed as an antiquated method of land use control. Some of the problems associated with zoning include:

- 1) It is arbitrary, with lines on a map bestowing great economic windfalls to a few landowners.
- 2) The uses allowed in certain zones (primarily commercial and industrial) often bear little relationship to the effect a land use would leave on surrounding property. For instance, certain commercial uses may be entirely compatible with residential neighborhoods, but only allowed in commercial zones.

**APPLICANT'S RESPONSE:** The applicant is requesting approval of several map amendment applications to address current economic trends in McMinnville that are related to the above-mentioned residential development goals and policies. This includes the use of the planned development process to deal with "traditional zoning...being...an antiquated method of land use control." This process allows residential development that more closely meets the needs of the community and housing market.

When the existing C3-PD designation was applied to 11.3 acres of the subject site in 1996, there was an expectation that a large UGB expansion would occur in the northwest quadrant of the City and a large regional commercial complex should be developed on the property. It was thought that residential use of the land should be prohibited to reserve it for commercial use. However, this UGB expansion effort was abandoned by the City 2011. In 2013, the City completed its Economic Opportunity Analysis (EOA), which recommends that the City re-designate some of its 235.9 acres of surplus Industrial land for regional commercial uses near the City's downtown core. Consistent with current economic needs of the community, the proposed Planned Development Amendment, Comprehensive Plan Map Amendment, and Zoning Map Amendment will reduce the amount of Commercial designated land to 6.62 acres, which is more appropriately sized for commercial uses. The proposed planned development amendment removing conditions created by Ordinance 4633 will ensure that no less than 2 acres is used for neighborhood commercial and that no more than 120 multi-family dwelling units are created on the remainder of the commercial land area.

The proposed Comprehensive Plan Map and Zoning map amendments also address current housing needs in the community. In 2001, the McMinnville Housing Needs Analysis determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs for the 2000-2020 planning period. However, as indicated above, the City's last UGB expansion effort was unsuccessful. Since the City's deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently completing its Housing Needs Analysis. The updated analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. The attached Preliminary Development Plans indicate that the applicant is proposing to rezone a portion of the site to R4 to develop 280 dwelling units, helping to address the McMinnville's current housing needs, and the proposed C3 zone with a planned development overlay will allow for multi-family dwellings to further address this urgent housing need (see Exhibit 3).

**FINDING: SATISFIED.** The applicant has submitted Comprehensive Plan Map Amendment and Zone Change applications for concurrent review with this Planned Development request.

Findings for the Comprehensive Plan Map Amendment and Zone Change are addressed in the Decision Documents for those land use applications.

- 3) As methods of housing construction and subdivision design change to meet market demand, zoning restrictions often inhibit the new trend.

In reaction to these problems, planners have devised alternate methods of land use controls which try to circumvent the shortcomings of zoning and provide a more equitable method of dispersing land development rights. Some of these techniques include:

#### Performance Standards

A method whereby certain standards concerning traffic generation, noise levels, open space requirements, etc., are set, and as long as any development meets those standards, the use is allowed.

**APPLICANT'S RESPONSE:** Concurrent with the map amendments, the applicant is requesting approval of a Planned Development application. The applicant has addressed the planned development approval criteria with this narrative to demonstrate how the proposal meets applicable performance standards as well or better than residential developments that are approved under typical subdivision standards.

**FINDING: SATISFIED.** The Planned Development standards are achieved, as described in findings for other applicable Comprehensive Plan policies and review criteria below.

#### Density Bonus Incentive Zoning

A variation of traditional zoning that permits the modification of standards to allow developers greater leeway in land use utilization provided that some other public good is offered as a tradeoff. For instance, a developer may be allowed to build additional units on the land as long as a certain amount of open space is provided or a bikeway system is developed.

In McMinnville, the alternative to traditional zoning has been the use of the planned development concept.

**APPLICANT'S RESPONSE:** As mentioned above, the applicant is requesting approval of a Planned Development application with the proposed map amendments. As demonstrated by the attached preliminary development plans, the applicant is not proposing to exceed the maximum density of the R-4 zoning district. The applicant also intends to apply the base zone density to the commercial area of the site, whose amended planned development condition would allow no more than 120 multi-family dwelling units.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

#### Planned Developments

The planned development (PD) is a method by which creative, large-scale development of land is encouraged for the collective benefit of the area's future residents. Unlike conventional zoning, planned developments allow for varying of lot sizes, flexibility in design, and integration of different building types such as townhouses, multi-family units, and single-family homes. In addition, amenities such as common open areas, playgrounds, and recreation centers may be provided to the development's residents. Typically, structures in a planned development are clustered in such a

manner as to achieve the same overall density that would have been achieved if the developer had laid out the project in a conventional grid lotting pattern.

Since the PD concept encompasses planning on the level of a “community” or “neighborhood” area rather than on the basis of “single” or “individual” lots, the elements of the development can have a close relationship to each other. Numerous studies have shown that construction cost of roads can be less for the developer (many PDs require less roads than conventional developments), and municipal services can also be provided at less cost.

McMinnville’s zoning ordinance allows planned developments in two ways—as an overlay over an area in which conditions for approval for development are specified and as an overlay which accompanies a specific development plan submitted by a developer. As written, the planned development provisions are intended to provide specific benefits to a development (e.g., developed parks, retention of unique natural areas, etc.) while allowing developments to achieve the overall density of the underlying zone. The flexibility of these provisions is attractive to developers. It is important that the City continue to scrutinize planned development designs to insure that amenities are being provided in excess of what is normally required. It is also imperative that the conditions attached to these planned developments, especially as they concern the technical aspects of the development (including those requirements of the underlying zone) are carefully considered and then specified.

Based on the information presented on land use controls, the City finds that:

- 1) The traditional tools for land use development—the zoning and subdivision ordinances—have been used almost exclusively in McMinnville until recently.
- 2) A number of alternative development tools are available for land use control; these tools merit future consideration by the City. They include: performance standards, transferable development rights, the purchase of development rights, and density bonus incentive zoning.

**APPLICANT’S RESPONSE:** As stated above, the proposed map amendments will allow approval of Baker Creek North, a residential planned development that maintains the density of the underlying R-4 zone. The attached preliminary development plans demonstrate that housing will be clustered for efficient provision of transportation and utilities facilities. The proposed open space tracts will function as community gathering spaces and will address both active and passive recreational needs of the neighborhood. Proposed recreational facilities also include the development of an off-site trail within 14.9 acres of donated park land north of the development. As such, the proposed amenities on-site and off-site improvements on the donated land are being provided in excess of what is normally required under traditional subdivision and zoning ordinances. These benefits associated with the proposed planned development will be provided without a request for transferable development rights, the purchase of development rights, or density bonus incentive zoning.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and notes that the specific dedications, improvements and amenities included in the Planned Development plans are described in more detail in the findings for other applicable Comprehensive Plan policies and review criteria below.

- 3) The planned development provisions of the zoning ordinance have been used extensively in McMinnville. Advantages of planned developments include:
  - Less expense in development and maintenance than the conventional grid design if properly designed. More efficient use of streets and sewers can allow savings to accrue

not only to the housing consumer, but also to the local government body which must ultimately service the new population's needs.

- Opportunities for the development to design with flexibility, incorporating street patterns and residential arrangements which effectively utilize the land and can protect unique natural areas.

**APPLICANT'S RESPONSE:** The applicant is proposing use of the City's planned development provisions to create attainable housing opportunities for a variety of income levels. The proposed mix of small, medium, and large lot single-family dwellings will address the diverse housing needs of the community. As demonstrated by the attached preliminary development plans, efficient provision of transportation and utility services will be achieved by the proposed street layout and the use of alleys. Smaller yards and increased density along the south side of the site is consistent with the goals of the transit corridor along Baker Creek Road, while larger lots in the northern portion of the site provide a buffer for the natural area associated with the donated special use park land.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the specific dedications, improvements, and amenities included in the Planned Development plans are described in more detail in the findings for other applicable Comprehensive Plan policies and review criteria below.

- 4) Future planned developments should be carefully scrutinized to insure that there are trade-offs favorable to the community when zoning ordinance requirements are varied. Those trade-offs should not just include a mixture of housing types.

**APPLICANT'S RESPONSE:** The Baker Creek North Planned Development provides several public benefits in addition to varied housing options. The mix of housing types will promote social inclusion and a more diverse street scape, adding to homes and property values, as opposed to a monotonous cookie cutter pattern of a standard subdivision approach. Smaller yards and clustering of density along the south side of the project adjacent to the transit corridor will allow for more reduction of resource consumption in terms of yard maintenance costs and use of alternative transportation modes such as walking or biking, and eventually transit use, once added as planned by local authorities.

The attached Landscape Plans demonstrate that 19 open space tracts are proposed to be developed with pedestrian pathways and recreation amenities. The recreational spaces will be attractively landscaped as shown on the landscaping plans included in the application materials. Proposed amenities including multiple play structures, picnic shelter, picnic tables, and park benches. The community spaces will support active and passive recreation interests and promote social interaction among the residents.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the specific dedications, improvements, and amenities included in the Planned Development plans are described in more detail in the findings for other applicable Comprehensive Plan policies and review criteria below.

- 5) When planned developments are utilized, it is important that those requirements which are varied in the zoning ordinance are carefully considered and that new requirements are clearly specified.

**APPLICANT'S RESPONSE:** As required, the applicant has addressed how the proposed Code standard modifications are offset by the proposed amenities. The requested modifications are detailed in this narrative and include variations from the minimum lot size, setback, and frontage requirements. The applicant is also proposing to include common drives, paired driveways, alleys, pedestrian accessways, and modified street tree spacing within the planned development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the specific requirements that are varied in the Planned Development plans are described in more detail in the findings for other applicable Comprehensive Plan policies and review criteria below.

## ADDITIONAL DESIGN CONSIDERATIONS

Two specific areas of concern were examined by the Citizens' Advisory Committee's subcommittees in relation to residential development designs.

The incorporation of solar access review into the land division ordinance received favorable reaction. Such review could require that all subdivision designs seek to maximize access to the sun through orientation of both streets and lots. This requirement has been used in other cities without causing major development problems. By orienting streets and lots towards the optimal access to the sun, the City would not be requiring the installation of active solar energy systems, but would instead encourage and allow the use of both passive and active solar systems. The large size of future areas proposed for residential development further enhances the applicability of this design requirement in McMinnville.

Pedestrian paths (sidewalks) are required by ordinance to be constructed in all new residential developments. Bike paths, however, have only been constructed in a few selected areas. The City should encourage the development of bike paths and foot paths to activity areas, such as parks, schools, and recreation facilities, in all development designs. Close attention to maintenance costs to the public will, however, have to be monitored.

Based on the information presented on residential development design considerations, the City finds that:

- 1) A minimum level of public facilities and services including, but not limited to, sanitary sewer, storm drainage systems, water services, and improved streets should continue to be required for all residential developments. The standards for these facilities and services should be periodically examined to insure the services are commensurate with, but do not exceed, the density of development projected.

**APPLICANT'S RESPONSE:** The submitted plans demonstrate that the proposed development meets City standards for sanitary sewer, storm, and water services. The proposed street improvements will support all modes of transportation. Pedestrian accessways are proposed, helping to encourage alternative modes of travel to parks, schools, and other activity centers.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

- 2) Open space is required in all residential developments in several ways. Traditional zoning setbacks reserve a large portion of each individual lot for potential open space. Planned developments can preserve large open areas for open space by clustering development in smaller areas. The requirements of landscaping ordinance also insure that multiple-family developments provide both open recreational space and landscaped open areas.

**APPLICANT'S RESPONSE:** The attached Preliminary Site Plan indicates that the applicant is proposing to reduce setbacks for some of the housing types in order to cluster the residential development and preserve more of the site for common open space. As a result, larger open space areas are provided with the proposed planned development than what is normally provided if the site were subdivided under traditional zoning. Besides the preservation of open space in tracts to off-set smaller lots and smaller yard setbacks on some lots, some lots have larger yards and larger setbacks, thus open space is also preserved in larger yards (i.e. on the east edge of the site adjacent to Oak Ridge subdivision).

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the specific dedications, improvements, and amenities included in the Planned Development plans are described in more detail in the findings for other applicable Comprehensive Plan policies and review criteria below.

- 3) Parkland requirements in the land division ordinance provide for either the dedication of parkland to the public or payment of moneys in lieu of land to develop the city park system. The requirements of the ordinance need to be examined to see that all future residential developments, including mobile home parks and newly created parcels through partitioning, contribute equitably to the park program.

**APPLICANT'S RESPONSE:** The submitted plans indicate donation to the City of several open space tracts with recreation amenities within the Baker Creek Planned Development. The other tracts not desired as park land for the City will be owned and maintained by a homeowners association. In addition, the applicant is proposing to donate a separate 14.9 acre parcel to the City as park land. To facilitate public use of the park land, the applicant is proposing to install off-site pedestrian trail improvements within the donated land during Phase 2A and/or Phase 3A of the Baker Creek North Planned Development project to connect the BPA corridor to the east, such that it may extend east to Tice Park with improvements off-site by others as envisioned in the City's parks plan of 1999.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the specific dedications, improvements, and amenities included in the Planned Development plans are described in more detail in the findings for other applicable Comprehensive Plan policies and review criteria below.

- 4) The incorporation of solar access review into the land division ordinance should be undertaken. Such review would require the orientation of streets and lots towards the sun in a manner which would best utilize access to solar energy. The requirement should not be designed to lessen the density of development available on any parcel of land.

**APPLICANT'S RESPONSE:** The attached plans illustrate that the proposed streets are laid out in an east-west direction to the maximum extent possible given limitations of the existing topography, significant natural features along the north boundary of the site, and the existing street pattern.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

- 5) The City should encourage the provision of bike and foot paths within residential developments to connect to public and/or private parks, or recreation facilities and to connect to any paths which currently abut the land.

**APPLICANT'S RESPONSE:** The applicant's Preliminary Landscape Plans illustrate how proposed pedestrian paths within the common open space tracts and the proposed pedestrian accessways connect to recreation facilities within the site and to those which abut the site. Specifically, the plans indicate that a proposed pedestrian pathway directly connects to the powerline (BPA easement) trail south of the site. In addition, the plans demonstrate that several pedestrian paths will provide connections to a proposed off-site trail within the donated park land adjacent to Baker Creek.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the specific dedications, improvements, and amenities included in the Planned Development plans are described in more detail in the findings for other applicable Comprehensive Plan policies and review criteria below.

**Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

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

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

*Policy 59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.*

**APPLICANT'S RESPONSE:** In 2001, the City adopted the Residential Land Needs Analysis, which evaluated housing needs for the 2000-2020 planning period. The study determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs, of which 63.9 acres would need to be zoned R4 to meet higher density housing needs. To address its deficient residential land supply, the City moved forward with an UGB amendment application. However, the UGB expansion effort was shelved in 2011 after LUBA remanded City Council's land use decision.

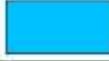
While the 2001 analysis provides some insight into McMinnville's on-going housing challenges, Policy 71.05 does not require use of a State acknowledged planning document when evaluating what is required to achieve a continuous 5-year supply of buildable land for all housing types. Since the City's deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently updating its Housing Needs Analysis. Current analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R4 land within the UGB. This acreage will accommodate the development of 891 dwelling units which are unable to be accommodated by the current R4 land supply.

While the current Housing Needs Analysis has not been acknowledged by the State, it still qualifies as a beneficial study and provides helpful information regarding McMinnville's current and future housing needs. The study received grant funding from DLCDC, and a condition of the grant award, this State agency prepared a scope of work and qualified the consultant Econorthwest to prepare the report. DLCDC staff currently serves as a member of the project's Technical Advisory Committee and has ensured that the study's methodology follows Oregon Administrative Rule standards.

It is due to rising housing costs, as well as McMinnville's persistent challenge to maintain an adequate residential land supply, that the City is currently updating its Buildable Lands Inventory and Housing Needs Analysis. These studies have identified how many acres of additional residential land must be added to the Urban Growth Boundary (UGB) to meet housing demands over the next 20-year planning period. The City has also identified new strategies to encourage the development of a greater variety of housing types including single-family detached homes, townhomes, mobile homes, condominiums, duplexes, apartments, and affordable housing options.

As demonstrated by the attached Preliminary Development Plans, the proposed project will facilitate the development of 280 small, medium, and large sized single-family lots within the Baker Creek North Planned Development area. The proposed planned development amendment to the overlay created by Ordinance 4633 will allow for the future development of up to 120 apartment units within the C3 zoned area as demand for commercial uses and housing determines. This will further help to address McMinnville's current housing needs. A future development application will be submitted for the development of the multi-family dwelling units on the C3 zoned portion of the site. As discussed throughout this narrative, the proposed map and planned development amendments are consistent with applicable residential policies and the land development regulations of the City.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #2.** The City concurs with the applicant's findings, but notes that the proposed Planned Development plans would allow for an average lot size of 4,930 square feet, with lots ranging from 2,340 square feet at the smallest to 17,977 square feet at the largest. The largest lots are proposed in locations with physical characteristics that present difficulty in the development of the lot, such as steeper slopes. The minimum, maximum, and average lot size of each of the seven different lot types proposed is as follows:

LOT TYPE	MIN. LOT AREA	MAX. LOT AREA	AVERAGE LOT AREA
 SFD-70	8820 S.F.	17,977 S.F.	10,962 S.F.
 SFD-60	5400 S.F.	10,083 S.F.	5978 S.F.
 SFD-50	5060 S.F.	12,116 S.F.	6578 S.F.
 SFD-45	4216 S.F.	6484 S.F.	4693 S.F.
 SFD-40	3881 S.F.	6097 S.F.	4154 S.F.
 SFD-30a	2700 S.F.	4401 S.F.	2977 S.F.
 SFD-26a	2340 S.F.	4557 S.F.	2660 S.F.

Lot size averaging allows variety in the size of lots, and therefore variety in the housing products and localized densities within the overall planned area. The overall net density of the planned development is just under the requirements of the underlying R-4 zone at 7.94 dwelling units per acre. This is found to be close to the required density of the underlying R-4 zone, as allowed through a Planned Development by Policy 79.00. A condition of approval is included to allow for the lot size averaging as proposed.

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

**APPLICANT’S RESPONSE:** In order to create a more intensive and energy efficient pattern of residential development, the applicant is requesting approval of a Zoning Map Amendment to zone 9.41 acres of existing R1 zoned land and 39.29 acres of currently unzoned land to an R4 classification. The attached Preliminary Development Plans demonstrate that all of the R4 zoned land will be included within the proposed Baker Creek North Planned Development.

The submitted plans illustrate that the planned development will provide an urban level of private and public services. The submitted planned development application includes a request to modify several City Code standards so that unique and innovative single-family detached housing can be developed on the subject site that is land intensive. The plans demonstrate that the proposed housing provides a more compact urban form, is more energy efficient, and provides more variety in housing types than are developed in the R4 zone with a standard subdivision.

The amendment to the planned development overlay ordinance to allow no more than 120 multifamily dwelling units on the commercial parcel will also help facilitate the development of more efficient housing in the area.

**FINDING: SATISFIED.** The City concurs with the applicants findings, and adds that the subject site of the Planned Development request is designated Residential on the Comprehensive Plan map and is in an area where urban services are already available. The proposed Planned Development would allow development of the land to provide a variety of housing types through the lot size averaging provision of the Planned Development. The proposed Planned Development would help achieve buildable land planned and zoned for residential housing, helping to meet McMinnville's housing needs.

*Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.*

**APPLICANT'S RESPONSE:** The site is adjacent to NW Baker Creek Road, an area where urban services are already available, and near NW Hill Road, where the City has recently made improvements to urban services to accommodate development in McMinnville.

**FINDING: SATISFIED.** The City concurs with the applicants findings.

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

**APPLICANT'S RESPONSE:** This is a directive to the City and not an approval criterion. The planned development ordinance which is being used in this application appears to integrate the proposed housing and commercial uses as proposed in the amended planned development in a compatible framework.

**FINDING: SATISFIED.** The City concurs with the applicants findings.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) - The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 dwelling units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes and triplexes, and townhouses. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments:*

**APPLICANT'S RESPONSE:** Much of the proposed planned development area north of Augustine, Charles and Wessex, respectively, will be developed with blocks in a medium-density range (4-8 dwelling units per net acre) like most of McMinnville. These lots south of Augustine, Charles, and Wessex, respectively, have density ranges by block from about 10 to 15 units a net acre. Bringing the overall site to just over 8 dwelling units per net acre.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but clarifies that the overall net density of the planned development is just under the requirements of the underlying R-4 zone at 7.94 dwelling units per acre. This is found to be close to the required density of the underlying R-4 zone, as allowed through a Planned Development by Policy 79.00.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]  
1. Areas that are not committed to low density development;*

**APPLICANT'S RESPONSE:** The applicant is requesting approval of a Zoning Map Amendment to change 9.41 acres of existing R1 zoned land to an R4 classification. The 2001 McMinnville

Residential Land Needs Analysis evaluated housing needs for the 2000-2020 planning period and determined that 63.9 acres of additional R4 zoned land should be added the UGB. As mentioned above, the City is currently conducting a Housing Needs Analysis and has found that McMinnville currently has a deficit of 217 gross acres of R-4 land within the UGB for the 2018-2041 planning period.

When the City's UGB last expansion effort was undertaken in 2011, a Court of Appeals remand prevented 320.2 acres of identified buildable residential land need from being included in the UGB. Since a future UGB expansion effort could have similar challenges, some existing low-density residential land should be changed to medium and high-density designations. The proposed R4 zoning of the 9.41 acres of existing R1 zoned land will permit an increase in residential density, helping to address the City's critical need for additional housing units without expanding the City's UGB.

**FINDING: SATISFIED.** The applicant has submitted Comprehensive Plan Map Amendment and Zone Change applications for concurrent review with this Planned Development request. Findings for the Comprehensive Plan Map Amendment and Zone Change are addressed in the Decision Documents for those land use applications.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

*2. Areas that have direct access from collector or arterial streets;*

**APPLICANT'S RESPONSE:** The attached Preliminary Development Plans indicate that the proposed R4 zoned portion of the site, and the C-3 zone area, are located directly adjacent to NW Baker Creek Road, a minor arterial street (see Exhibit 3). The proposed planned development is provided consolidated access onto NW Baker Creek Road from the proposed extensions of NW Hill Lane, NW Meadows Drive, and NW Shadden Drive.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

*3. Areas that are not subject to development limitations such as topography, flooding, or poor drainage;*

**APPLICANT'S RESPONSE:** The submitted Preliminary Development Plans indicate that the proposed R4 zoned area of the site is not constrained by environmental factors such as topography, flooding, or poor drainage. The proposed planned development is located outside of the riparian corridor along Baker Creek north of the site, where a 100-year floodplain limits development.

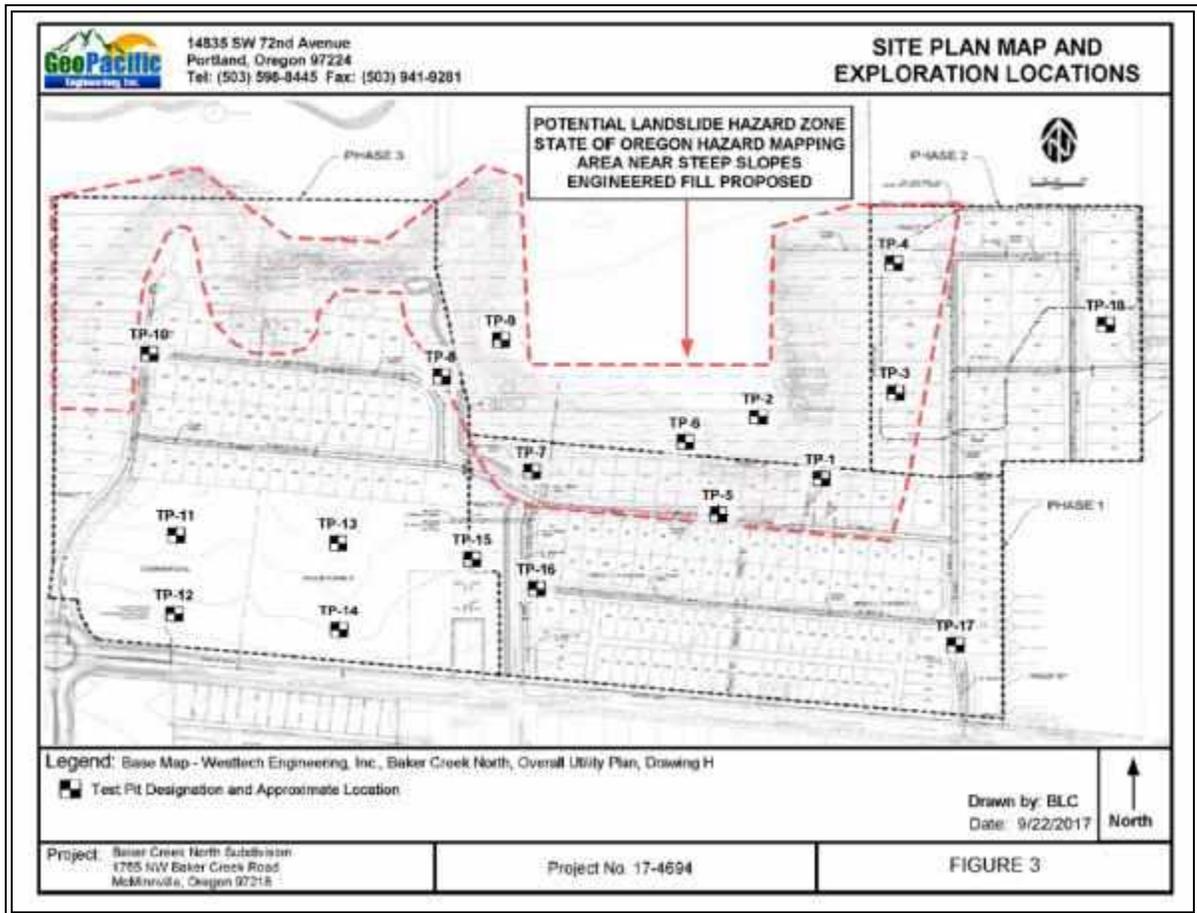
**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #12 & #13.** The City concurs with the applicant's findings. The site is located south of mapped development limitations such as floodplains and wetlands, so the higher density residential development supported by the Planned Development is appropriate. However, the lots along the northern portion of the site are proposed to be located on or near a bluff with a slope, where additional grading is proposed to accommodate development on some of the lots. This area of the site is identified on the Oregon Department of Geology and Minerals (DOGAMI) geologic hazard map as an area with potential landslide susceptibility.

Per the conclusions and recommendations of the provided "Preliminary Geotechnical Engineering Report", "additional analysis will be required to address Oregon Department of Geology and Minerals (DOGAMI) geologic hazard mapping in the northern portion of the site

where engineered fill, residential homes, and public streets are proposed near slopes extending to the wetland.” More specifically, the report notes the following:

“The primary geotechnical concern associated with development at the site is the potential for slope instability in the northern portion of the site where the client has indicated that significant engineered fills will be proposed. Based upon our review of preliminary project plans prepared by Westtech Engineering, Inc., entitled Baker Creek North Subdivision, Drawing H, Overall Utility Plan, dated July 2017, specific areas which appear to be located within the DOGAMI hazard zone include Lots 1-16, 162-172, 192-200, 203-206, 211, C Street, and the pump station (see Figure 3). GeoPacific should be consulted to review the grading plan when it becomes available, and to conduct a slope stability analysis of the northern portion of the site with the proposed grading. The soils observed in the test pits in the northern portion of the site appeared to display moderate plasticity, and moderate to high shear strength, which typically indicates relatively stable sloping conditions under normal loading. The degree of engineered fill proposed in the area will impact stability of the slopes and should be studied further. It appears likely that placement of engineered fill may be accomplished in the area with installation of keyways, subdrains, and benching. However, slope stability analysis of the area should be conducted which would at a minimum include creation of geologic cross-sections with the proposed development in the northern portion of the site near the wetland slopes, and quantitative slope stability calculations which take into consideration the propose surcharge loading of the engineered fill. A static factor of safety of 1.5, and a psuedostatic factor of safety of 1.1 against potential slope instability are considered to be the minimum factors of safety for placement of engineered fill and construction of homesites and roadways near a slope.”

It should be noted that the “Preliminary Geotechnical Engineering Report” was completed under the assumption of an earlier development plan, and the lots identified in the report above are not consistent with the lots that would need to be analyzed further. The specific area of the site requiring additional analysis is identified in Figure 3 of the report and below:



Therefore, a condition of approval is included to require that, prior any permits being issued for construction activities on the site, an additional geotechnical analysis of the area identified in Figure 3 of the “Preliminary Geotechnical Engineering Report” dated October 2, 2017 shall be submitted to the City for review and approval. Should the additional analysis determine that the lots as proposed are not able to be developed, it shall be the applicant’s responsibility to request an amendment to the Planned Development and the adopted site plan. The applicant will be responsible for requesting approval of the Planning Commission for any major change in the details of the adopted site plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director’s decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Planning Commission. Review of the Planning Director’s decision by the Planning Commission may be initiated at the request of any one of the Commissioners.

In addition, a condition of approval is included to require that all development of the site outside of the areas identified in Figure 3 of the “Preliminary Geotechnical Engineering Report” dated October 2, 2017 follow the recommendations in Section 6.1 through Section 7.1 of the “Preliminary Geotechnical Engineering Report” dated October 2, 2017.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

*4. Areas where the existing facilities have the capacity for additional development;*

**APPLICANT’S RESPONSE:** The Existing Conditions Plan demonstrates that adequate public utilities are currently located within NW Baker Creek Road and can be extended to serve the proposed development (see Exhibit 3). The applicant worked with City staff to confirm sewer

and other utility capacity exists. The submitted plan also indicates that NW Hill Road's transportation facilities have recently been upgraded and a roundabout has been installed at the intersection with NW Baker Creek Road adjacent to the site. The City is adding center turn lane striping to Baker Creek Road. These transportation facilities can accommodate future development of the subject site as well as other developable properties in McMinnville's northwest quadrant. This is further demonstrated by the transportation study provided with this application.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

*5. Areas within one-quarter mile of existing or planned public transportation; and*

**APPLICANT'S RESPONSE:** The proposed R4 zoned area and C3 zoned area are currently located within ¼ mile of planned public transportation as described in the October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I (see also response to Policy 70.01 above).

**APPLICANT'S RESPONSE TO POLICY 71.01:** The Baker Creek North site is located within a ¼ mile of the north side of a planned transit corridor. The October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I, which was adopted on 10/18/18, shows the area of Baker Creek North as adjacent to a planned transit corridor in Figure 2-11 (page 2-18), Figure 6-18 and 6-19 (pages 6-26 and 6-27 respectively).

The area is labeled as 1b. Baker Creek Road and Hill Road on the TDP's Figure 2-11 Potential Future Transit Service Areas. Route "5" is labeled as a future route serving Baker Creek Road on the TDP's Figure 6-18 System Map and Figure 6-19 McMinnville map, both subtitled Near-Term, Short-Term and Mid-Term Changes. Finally, the TDP's page 6-31 shows this planned new transit corridor as Project ID number SL9.

The significance of the proximity of the Baker Creek North site being within ¼ mile of this transit corridor is that that area is not limited by the 6 units per acre density applied to areas outside of ¼ mile of a planned transit corridor by Policy 71.01. The proposed planned development amendment condition to allow no more than 120 dwelling units would allow multi-family to be dispersed into this area. This area is also within a ¼ mile of the transit corridor, so it is not limited by the 6 units per acre policy.

The submitted Preliminary Development Plans indicate that 280 single-family dwellings will be constructed within the site's 48.7 acre planned development. Virtually the entire planned development site is inside the transit corridor, less than ¼ miles away from Baker Creek Road. The planned development area has a gross density of 5.75 units per acre, and a net density of 8.16 dwelling units per net acre. Therefore, the planned densities meet this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.09 Medium and High-Density Residential (R-3 and R-4) – [...]*

*6. Areas that can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas.*

**APPLICANT'S RESPONSE:** There are no low density residential areas adjacent to the Baker Creek North site that are planned for high density residential uses.

There is a church and a residential development known as Oak Ridge east of the site that was developed with an R2-PD overlay zone. There is also a proposed development northeast of the site, which is a new residential development and a modification of an old approved development. These areas are not low density even though underlying zoning may be R-2 because net density is over 4 units per acre, classifying them as medium density developments per Policy 71.09 above. The proposed lots in this area of Baker Creek North Planned Development are larger, therefore they will not be development at a higher density. The attached Preliminary Development Plans demonstrate that the proposed lots adjacent to the Oak Ridge development are extra deep to retain the mature trees along this boundary. The trees and extra deep rear yards will help buffer this existing development, regardless of how density is measured for the adjacent development.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #14.** The City concurs with the applicant's findings, and adds that a condition of approval has been included to require the protection of mature trees as identified in the Planned Development plans.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development:*

- 1. Areas which are not committed to low or medium density development;*

**APPLICANT'S RESPONSE:** In 2001, the City adopted the McMinnville Housing Needs Analysis, which evaluated housing needs for the 2000-2020 planning period. The study determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs, of which 63.9 acres would need to be zoned R4 to meeting higher density housing needs. To address its deficient residential land supply, the City moved forward with an UGB amendment application in 2011. However, the UGB expansion effort was shelved in 2011 after LUBA remanded City Council's land use decision.

As mentioned above in response to Policy 71.09 1., the City is currently conducting a Housing Needs Analysis and has found that an additional 449 acres should be added to the UGB to meet housing needs over the next 20 year planning period. When the City's last attempt to expand the UGB occurred in 2011, a Court of Appeals remand prevented 320.2 acres of identified buildable residential land need from being included in the UGB. Since only a portion of the current housing need can currently be accommodated by Residential designated land within the UGB, some low-density residential land will need to be changed to medium and high-density designations. The proposed R4 zoned portion of the site, most of which has not yet received urban zoning, is not currently committed to low or medium density housing. This area and the 9.41 acres zoned R1 that will change to R-4 classification will allow a needed increase in residential density, helping to address the City's critical need for additional housing units. These factors make this area appropriate for high density residential development.

**FINDING: SATISFIED.** The applicant has submitted Comprehensive Plan Map Amendment and Zone Change applications for concurrent review with this Planned Development request. Findings for the Comprehensive Plan Map Amendment and Zone Change are addressed in the Decision Documents for those land use applications.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

- 2. Areas which can be buffered by topography, landscaping, collector or arterial streets, or intervening land uses from low density residential areas in order to maximize the privacy of established low density residential areas;*

**APPLICANT'S RESPONSE:** As mentioned above in response to Policy 71.09 2., there are no established low-density residential areas adjacent to the site. To the south of the site, the proposed planned development is buffered from existing residential areas with an R1-PD zone overlay by NW Baker Creek Road, a minor arterial street. To the east of the site is the Oak Ridge Subdivision, which has been developed with medium-sized lots in the R2-PD zone overlay. The proposed development has extra deep lots adjacent to the Oak Ridge lots to allow existing trees to remain in the rear yards as a buffer. Mitigation measures to buffer the proposed development are not required since there are no low-density residential areas adjacent to the site.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #14.** The City concurs with the applicant's findings, and adds that a condition of approval has been included to require the protection of mature trees as identified in the Planned Development plans.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

*3. Areas which have direct access from a major collector or arterial street;*

**APPLICANT'S RESPONSE:** As mentioned above in response to Policy 71.09 4., the proposed R4 zoned portion of the site is located directly adjacent to NW Baker Creek Road, an arterial street. The proposed planned development is provided with consolidated access to NW Baker Creek Road, a minor arterial street, from the proposed extensions of NW Hill Lane, NW Meadows Drive, NW Shadden Drive. Therefore, the proposed access is appropriate for the high-density development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*

*4. Areas which are not subject to development limitations;*

**APPLICANT'S RESPONSE:** The development site is appropriate for high-density development since it is not constrained by development limitations.

**FINDING: SATISFIED. CONDITIONS OF APPROVAL #12 & #13.** The City concurs with the applicant's findings. The site is located south of mapped development limitations such as floodplains and wetlands, so the higher density residential development supported by the Planned Development is appropriate. However, the lots along the northern portion of the site are proposed to be located on or near a bluff with a slope, where additional grading is proposed to accommodate development on some of the lots. This area of the site is identified on the Oregon Department of Geology and Minerals (DOGAMI) geologic hazard map as an area with potential landslide susceptibility.

Per the conclusions and recommendations of the provided "Preliminary Geotechnical Engineering Report", "additional analysis will be required to address Oregon Department of Geology and Minerals (DOGAMI) geologic hazard mapping in the northern portion of the site where engineered fill, residential homes, and public streets are proposed ear slopes extending to the wetland." Therefore, conditions of approval are included to require additional geotechnical analysis to occur in a portion of the site, and that other recommendations from the "Preliminary Geotechnical Engineering Report" are followed in the development of other portions of the site. These required conditions of approval are described in more detail in the finding for Policy 71.09(3) above.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*  
5. *Areas where the existing facilities have the capacity for additional development;*

**APPLICANT'S RESPONSE:** The submitted Existing Conditions Plan illustrates that adequate public utilities are currently located within NW Baker Creek Road and can be extended to serve the proposed development (see Exhibit 3). The applicant completed analysis in conjunction with the City which concluded sewer capacity exists to serve the site. The submitted plan also indicates that NW Hill Road's transportation facilities were recently upgraded with the addition of a roundabout at the intersection with NW Baker Creek Road. Center turn lanes on Baker Creek Road were also added by the City. The transportation improvements were designed to accommodate future development of the subject site and other developable properties in the northwest area of McMinnville. Sufficient existing capacity of facilities adjacent to the site make it appropriate for high density residential development. This is further evidenced by the traffic analysis provided by the applicant with this application.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*  
6. *Areas within a one-half mile wide corridor centered on existing or planned public transit routes;*

**APPLICANT'S RESPONSE:** As discussed above in response to Policy 71.09 5., all of the proposed R-4 zoned and C-3 zoned areas are located within one-half mile of planned public transit routes. This proximity to planned public transit routes makes this area appropriate for high density residential development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*  
7. *Areas within one-quarter mile from neighborhood and general commercial shopping centers; and*

**APPLICANT'S RESPONSE:** The applicant is proposing a Zoning Map amendment to designate 6.62 acres within the C3 zone in the southwest corner of the site, conforming to the Commercial Comprehensive Plan designation for that parcel. This proximity to a commercial designated land qualifies this site for high density residential development, and the proposed R4 zoning classification requested.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 71.13 The following factors should serve as criteria in determining areas appropriate for high-density residential development: [...]*  
8. *Areas adjacent to either private or public permanent open space.*

**APPLICANT'S RESPONSE:** Included with the proposed Baker Creek Planned Development are numerous common open space areas with amenities that will serve a variety of recreational needs in the community. The submitted plans indicate that the proposed open space areas are located in various portions of the site to permit both active and passive recreation uses for all.

Proposed recreational amenities include multiple play structures, picnic shelter, picnic tables, park benches, trails and paths, and more. The proposed open space areas have been sited to extend the City's network of park facilities by connecting to the existing BPA powerline trail. The proposed park improvements will allow the trail to extend north. As indicated by the attached landscape plans, the proposed paved trails will connect to an unpaved off-site trail within the donated park land. The open space tracts and donated park land, if owned by the City, will be excellent assets to the City's park system. Proximity to the proposed open spaces make this subject site suitable for high density residential development per this Policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that open space and park areas are provided in the Planned Development, and will be described in more detail in the findings for Policy 75.00 and Policy 76.00 below.

### *Planned Development Policies*

*Policy 72.00 Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.*

**APPLICANT'S RESPONSE:** As this narrative and responses to these Policies have demonstrated, the proposed zoning of R4 for the residential designated portions of the site is appropriate due to the site characteristics. The applicant could develop the site with a standard subdivision approach to meet the R4 standards with basic 2,500 square feet common wall dwelling lots (townhouses) and 5,000 square feet cookie cutter detached single-family dwellings. However, because it is written in Policy 72.00 that it is the City's policy that planned developments shall be encouraged and be the favored form of residential development in the City, and in order to allow the developer to use unique and innovative development techniques as is the City's goal (see Goal V 2 above), the applicant has prepared a planned development application for the R4 zoned portion of the site to help meet the City's goals and policies. Likewise, the applicant is proposing to amend the planned development overlay created under Ordinance 4633 to strike the existing conditions and allow no less than 2 acres of neighborhood commercial and no more than 120 multi-family dwelling units on the C3 zoned portion of the site.

The Baker Creek North Planned Development will accrue the benefits sought by this policy in many ways, some of which are highlighted here. The development provides a bounty of open space, common walkways and recreational amenities to support the social fabric of the community and creating habitat space to benefit the environment. The proposed lot sizes and building setbacks create attainable housing choices for a variety of income levels. The mix of housing will promote social inclusion and an aesthetically diverse streetscape adding to the value of homes and property. The volume of new dwellings will help support the community's need for housing, providing economic and social benefits for the City. Smaller yards and clustering of density along the south side of the project adjacent to the transit corridor will allow for a reduction of resource consumption in terms of yard maintenance costs as well as an incremental reduction in transportation costs since more residents will live closer to the arterial and have convenient access to transit options in the future. Therefore, environmental benefits will be provided by a reduction in pollution that comes from less yard maintenance and fewer vehicle trips for residents. Higher density housing in the planned development will support the demand for future planned transit, which will deliver a social, economic and environmental benefit to all residents in that corridor.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #2 - 22.** The proposed Planned Development is consistent with the Planned Development policies of the Comprehensive Plan. Policy 72.00 echoes language found in Oregon Planning Goal 5 regarding the analysis of economic, social, and environmental consequences that could result from a decision to allow a use conflicting with natural resources, scenic and historic areas, and open spaces. The policy encourages the use of Planned Developments when economic, social, and environmental savings accrue to the City. The proposed provision of improved open spaces (public and private) and the protection of natural resources would meet the intention of this policy. Public and private parks within the planned development would provide social and recreation opportunities that would not otherwise exist but for the planned development process. Economic savings for the City would be realized through the arrangement for private maintenance of public open space until 2032 and the inclusion of alleys in private tracts or easements. Environmental savings would be accrued through a number of elements of the Planned Development, including protection of a large area of land that is identified as 100-year floodplain, protection of significant trees, and orientation of lots and streets to reduce development on areas that slope towards the Baker Creek floodplain area. Conditions of approval are included to ensure these economic, social, and environmental savings result from the Planned Development.

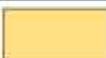
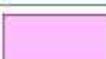
*Policy 73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.*

**APPLICANT'S RESPONSE:** The attached Typical Lots Plan indicates that the applicant is proposing 7 different single-family lot sizes with specifications to provide a variety of housing types within the development. Lots that would normally contain a common wall structure (a.k.a. townhouse) are proposed with side yards, so the lots are wider than the standard to accommodate the yards. These planned development lots allow a product that is similar to a townhouse, but better for the occupant in many ways, including livability, independence and privacy. These two types (SFD-26 & SFD-30) are the "small" lots. The two types (SFD-45 & SFD-40) slightly smaller than standard R-4 lots are "medium" lots. Lots larger than standard R-4 lots (SFD-50, SFD-60, & SFD-70) are "large" lots. The Preliminary Site Plans illustrate that some of the lots will be accessed by alleys and others directly from the street. Some will even have front yards facing a common walkway and green space. Also, lot sizes vary from street to street or block to block, and sometimes even alternate from lot to lot. This unique approach to the lot layout adds to the variety of housing available on a given street. Depending on the lot size, single-family homes will be developed as either one or two-story structures. With different single-family dwelling choices on small, medium and large sized lots, the planned development will offer attainable housing for a wide range of income levels within the community.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #2.** The City concurs with the applicant's findings, and adds that the Planned Development includes the development of 7 different lot types, arranged in a transition of density from higher density on the southern portion of the site to lower density on the northern portion of the site where lots are closer in proximity to the environmentally sensitive area that is proposed to be dedicated as a public park. Lot size averaging allows variety in the size of lots, and therefore variety in the housing products and potential prices within the Planned Development.

The Planned Development plans would allow for an average lot size of 4,930 square feet, with lots ranging from 2,340 square feet at the smallest to 17,977 square feet at the largest. A condition of approval is included to allow for the lot size averaging as proposed. As described by the applicant, the "small" lots (SFD-26 and SFD-30) are narrower and comparable to the lot size that would be required for townhouses, with the one exception that the dwelling units proposed on these lots would be detached. To mitigate the visual and physical compactness of

the narrow lots with detached dwelling units, these lots are proposed to be accessed from an alley on the rear of the. The average lot size of the alley-loaded lots is 2,758 square feet, which exceeds the minimum lot size requirement of the R-4 zone if the dwelling units were attached as townhouses. The average lot size of the front-loaded lots is 5,769 square feet, which exceeds the minimum lot size of the R-4 zone. The minimum, maximum, and average lot size of each of the 7 different lot types are identified below:

<i>LOT TYPE</i>	<i>MIN. LOT AREA</i>	<i>MAX. LOT AREA</i>	<i>AVERAGE LOT AREA</i>
 <i>SFD-70</i>	8820 S.F.	17,977 S.F.	10,962 S.F.
 <i>SFD-60</i>	5400 S.F.	10,083 S.F.	5978 S.F.
 <i>SFD-50</i>	5060 S.F.	12,116 S.F.	6578 S.F.
 <i>SFD-45</i>	4216 S.F.	6484 S.F.	4693 S.F.
 <i>SFD-40</i>	3881 S.F.	6097 S.F.	4154 S.F.
 <i>SFD-30a</i>	2700 S.F.	4401 S.F.	2977 S.F.
 <i>SFD-26a</i>	2340 S.F.	4557 S.F.	2660 S.F.

Each phase of the Planned Development, which is proposed as a 10-phase subdivision, includes at least 3 of the 7 total lot types. This will ensure a variety and mixture of housing types and potential prices within each phase of the development. The number of lots by type within each phase of the development is identified below:

BAKER CREEK NORTH LOT TYPES BY PHASE											
LOT TYPE	PHASE										TOTALS:
	1A	1B	1C	1D	2A	2B	2C	3A	3B	3C	
 SFD-70	-	-	-	7	5	-	2	7	-	-	21
 SFD-60	-	-	-	-	2	-	6	7	14	7	36
 SFD-50	-	-	-	-	4	5	8	8	6	14	45
 SFD-45	5	2	3	4	-	-	-	-	1	1	16
 SFD-40	14	23	-	21	14	12	-	-	-	-	84
 SFD-30a	-	3	-	-	11	10	-	-	-	-	24
 SFD-26a	16	3	16	-	11	8	-	-	-	-	54
TOTAL LOTS:	35	31	19	32	45	35	16	23	22	22	280

AVERAGE SINGLE-FAMILY LOT SIZE = 4,930 SQ. FT.\*

\* AVERAGE ALLEY-LOADED LOT SIZE = 2,758 SQ. FT.  
AVERAGE FRONT-LOADED LOT SIZE = 5,769 SQ. FT.

*Policy 74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.*

**APPLICANT’S RESPONSE:** The applicant has sited the proposed planned development to capitalize on its location along the bluff overlooking the Baker Creek riparian corridor. The general natural topography of the site will be retained with the proposed development. Proposed Tract F is an open space that will have a public path, benches and picnic amenities for the community, with excellent views of this natural feature. Tract L is also an area that will contain a trail with public access to view this significant adjacent natural area. Tract N is being preserved as a common open space with significant trees, and the trees on the rear of the lots along the east boundary adjacent to Oak Ridge development are also preserved, along with various single trees on the rear of lots along the site’s boundary. (see Landscape Plans)

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 - 8, and 14.** The City concurs with the applicant’s findings. The subject site contains many natural, topographic, and aesthetic features that the proposed Planned Development would retain and protect. The most significant of these natural features is the 100-year floodplain area that exists within the parcel proposed to be dedicated as a public park. No development is proposed to occur within that parcel, other than recreational uses, which will preserve the land and the environmental benefits and functionality that these lands serve in the Baker Creek corridor. Open space areas are proposed in Tract N and Tract F to preserve areas of steep slopes and stands of existing significant trees within the Planned Development boundary. The requested zoning departures of lot size averaging and reductions in lot sizes will encourage development of the site that would be sensitive to existing slopes, significant trees, and floodplains that are found within and near the

site. Conditions of approval are included to require the creation of the open space tracts, the preservation of existing natural features where applicable, and to require the review and approval of any tree request where significant trees are proposed to be preserved.

*Policy 75.00 Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.*

**APPLICANT’S RESPONSE:** The Baker Creek Planned Development includes 19 proposed common open space tracts that are designed to directly benefit future residents of the development. After the proposed open space tracts are developed with active and passive recreation amenities as shown on the applicant’s Landscape Plan sheets and the final plat records for the respective phase of development, the applicant is proposing to dedicate those tracts and facilities to the City of McMinnville that the City desires to own. Any tracts not dedicated or accepted by the City will be transferred to an incorporated homeowners association with an assessment and reserve fund to maintain the common areas for the community.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 - 8.** The Planned Development includes the development of 18 tracts for open space or recreational space, and also includes the park dedication parcel to the north of the Planned Development boundary (Parcel D which is described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records). The City is willing to accept some of the tracts and parcels for public use. Conditions of approval are included to verify that, at the time of subdivision of each phase of the Baker Creek North Planned Development, Tract G, Tract I, Tract J, Tract K, and Tract L will be dedicated to the City as public parks. The condition of approval specifies that the City will accept maintenance responsibility of Tract G, Tract I, Tract J, Tract K, and Tract L at the time of dedication.

Another condition of approval is included to require that the 14.9 acre parcel described in the application narrative as Parcel D (Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) be dedicated to the City at the time of the platting of subdivision Phase 2A or Phase 3A. The condition of approval specifies that all required improvements within Parcel D shall be maintained by a Homeowner’s Association (HOA) until 2032, at which time all maintenance responsibilities shall be transferred to the City. The condition of approval also specifies that an agreement between the HOA and the City shall be signed memorializing the responsibilities of the HOA and the City.

A condition of approval is included to ensure that the improvements within the tracts and parcel dedicated as public park and open space are improved to City standards. Specifically, the condition of approval requires the following improvements:

- a. **Tract I** – The development of a 12 foot wide paved multi-use trail as identified on Drawing L3.0. The 12 foot wide paved multi-use trail in this portion of the site shall be allowed to be constructed partly within the right-of-way proposed as Meadows Drive, in lieu of providing the typical sidewalk improvements required for a local residential street. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.
- b. **Tract J** - The development of a 12 foot wide paved multi-use trail as identified on Drawing L3.0 and Drawing L8.0. The 12 foot wide paved multi-use trail in this portion of the site shall be allowed to be constructed partly within the right-of-way proposed as Meadows Drive, in lieu of providing the typical sidewalk improvements required for a local

residential street. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.

- c. **Tract K** – The development of the beginning of the 12 foot wide paved multi-use trail that will continue into Tract L. The trail identified on Drawing L3.0 and Drawing L8.0 is only 10 feet in width, but the trail shall be improved to 12 feet in width to be consistent with the existing BPA trail corridor south of Baker Creek Road. The remainder of Tract K shall be improved with landscaping, benches, picnic tables, trash receptacles, and dog waste stations as identified on Drawing L3.0 and Drawing L8.0. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.
- d. **Tract L** - The development of a 12 foot wide paved multi-use trail that will continue from the connection at Tract K north to the northern boundary of Tract L, where it will continue into Parcel D (Park Dedication Parcel) as identified on Drawing L4.0. The trail identified on Drawing L3.0, Drawing L4.0, and Drawing L8.0 is only 10 feet in width, but the trail shall be improved to 12 feet in width to be consistent with the existing BPA trail corridor south of Baker Creek Road. The remainder of Tract L shall be improved with landscaping and lighting as identified on Drawing L3.0, Drawing L4.0, and Drawing L8.0. The trail shall be constructed to the same improvement specifications as included in the contract documents for the “BPA Pathway Phase III Improvements” which are on file with the City of McMinnville.
- e. **Parcel D (Park Dedication Parcel)** – The development of a 12 foot wide multi-use trail that will continue from the connection at the northern boundary of Tract L to a trailhead that is improved as identified on Drawing L4.0. The trailhead shall be the terminus of the 12 foot wide multi-use trail identified and required within Tract I, Tract J, Tract K, and Tract L. In addition, a greenway trail shall be developed within Parcel D, starting at the trailhead described above, and continuing along the boundary of the area identified as 100-year floodplain. The greenway trail shall connect to the public park and greenway parcel approved and planned within the Oak Ridge Meadows subdivision to the northeast. The greenway trail shall be a bark chip bicycle/pedestrian trail throughout the greenway, constructed to City specifications. A development plan for the greenway with the trail system and any associated access ways (public or private) shall be submitted to the City for review and approval of the design and engineering prior to construction.
- f. **Tract G** – This tract is identified for a pump station. No specific improvements or landscaping were identified for this tract. Therefore, a landscape plan shall be provided for review by the Landscape Review Committee prior to any development of the tract. Also, the proposed sanitary sewer pump station site appears to be steeply graded. The pump station site will need to be designed with a site driveway that accommodates the Wastewater Services department’s service vehicles so that the pump station can be adequately maintained.

All other recreational or open space tracts within the Planned Development will be private and shall be maintained by the Homeowner’s Association in perpetuity. A condition of approval is included to ensure that the private recreational or open space tracts are either improved or preserved as shown in the landscape plans submitted with the Planned Development plans. Specifically, the condition of approval requires the following improvements:

- a. **Tract A** – The stormwater detention facility, fencing, and landscaping identified on Drawing L2.0 and Drawing L7.0.
- b. **Tract B** – Between Lots 69-72 and Lots 29-32, the development of 10 foot wide paved sidewalks along the west and east edges of the tract, commercial grade play equipment,

- open lawn space, 4 benches, and landscaping as identified on Drawing L2.0 and Drawing L7.0. Between Lots 25-28 and 21-24, the development of a 10 foot wide paved sidewalk bounded on both sides by landscaping as identified on Drawing L2.0.
- c. **Tract C** – The development of the commercial grade play equipment, paved seating area with 3 benches, fencing, and landscaping as identified on Drawing L2.0 and Drawing L7.0.
  - d. **Tract D** – The development of a 10 foot wide paved sidewalk, bounded on each side by landscaping, as identified on Drawing L2.0.
  - e. **Tract E** - The development of a 10 foot wide paved sidewalk, bounded on each side by landscaping, as identified on Drawing L2.0.
  - f. **Tract F** – The development of a 10 foot wide sidewalk along the southern edge of the tract, 3 benches, a minimum 22'x30' covered shelter structure with 5 picnic tables, a trash receptacle, a wood chip trail connecting from the paved sidewalk to the greenway trail required in Parcel D, and landscaping as identified on Drawing L2.0 and L8.0.
  - g. **Tract H** - Between Lots 77-80 and 73-76, the development of a 10 foot wide paved sidewalk bounded on both sides by landscaping as identified on Drawing L2.0.
  - h. **Tract N** – The preservation of all trees located with the tract, except those shown as being removed on Drawing L4.0. Prior to the removal of any additional tree within Tract N, a request for removal of the tree shall be provided to the Planning Director for review and approval. The request for removal shall be accompanied by an arborist's report.
  - i. **Tract O** – The preservation of existing natural vegetation and landscaping as identified on Drawing L3.0.
  - j. **Tract P** – The development of a 10 foot wide paved sidewalk, bounded on the west side by landscaping, as identified on Drawing L3.0.
  - k. **Tract Q** - The development of a 10 foot wide paved sidewalk, bounded on the east side by landscaping, as identified on Drawing L3.0.
  - l. **Tract R** – The improvement of a 10 foot wide paved sidewalk along the eastern portion of the tract, 2 benches on concrete pads near the south end of the tract, 2 benches on concrete pads near the north end of the tract, commercial grade play equipment with 4 features, 2 picnic tables, and landscaping as identified on Drawing L4.0 and Drawing L9.0.
  - m. **Tract S** – The improvement of a 10 foot wide paved path bounded on both sides by landscaping as identified on Drawing L5.0.

*Policy 76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.*

**APPLICANT'S RESPONSE:** The submitted Preliminary Site Plans identify the location of 19 common open space tracts that are dispersed throughout the Baker Creek Planned Development and readily accessible to future occupants of the development. They are all adjacent to a public street with a sidewalk.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 – 8, and #9.** The City concurs with the applicant's findings. As discussed above, parks and recreation facilities are proposed in the Planned Development plans. A public open space park and greenway would be dedicated, yet maintained by the Homeowner's Association until 2032, when maintenance responsibilities would be transferred to the City. The private recreational and open space amenities that are proposed would be maintained by the Homeowner's Association in perpetuity. The parks and recreation facilities are located to be readily accessible to all occupants of the planned area and community. However, additional access and connection to the largest open space and recreational facility should be improved. Specifically, a condition of approval is included to require that Tract F include a pedestrian connection to the greenway trail required to be

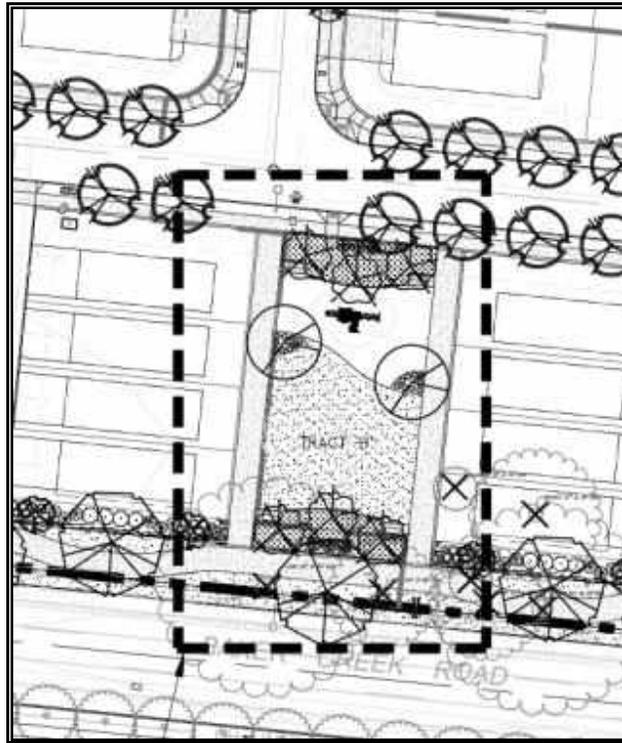
constructed in Parcel D (Park Dedication Parcel). In addition, in order to provide better pedestrian access to the BPA trail extension within Tract L and the greenway trail in Parcel D (Park Dedication Parcel) from the lots within the northwestern portion of the site, a condition of approval is included to require that an easement or tract be created between Mercia Street or Harold Drive to the BPA trail within Tract L or the greenway trail in Parcel D (Park Dedication Parcel). The easement or tract shall be a minimum of 20 feet in width and include a paved trail of at least 10 feet in width with a five foot buffer on each side. The condition of approval requires that a development plan for the tract or easement, the improvements within the tract or easement, and any resulting change in lot dimensions or configuration within Phase 2A be submitted to the City for review and approval of the design and engineering prior to construction.

*Policy 77.00 The internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways.*

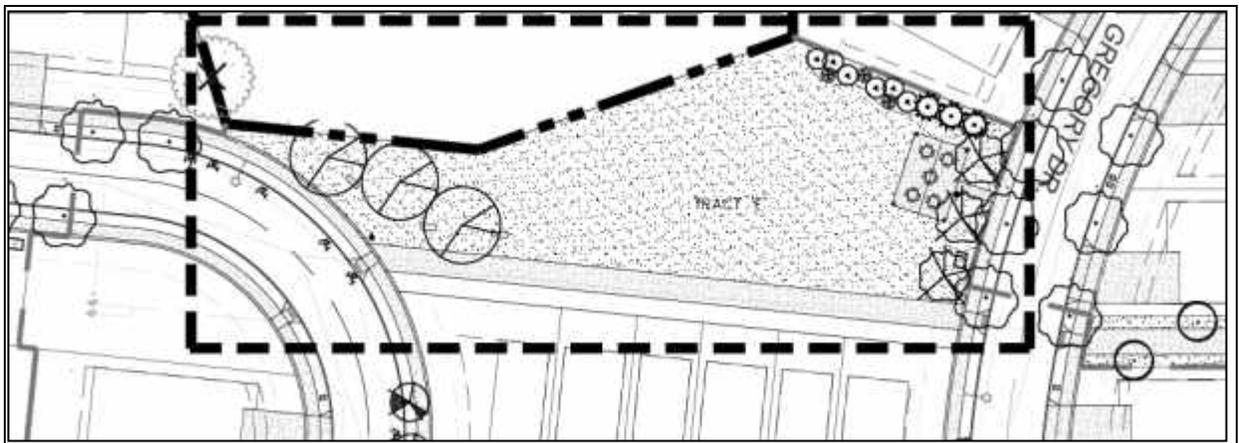
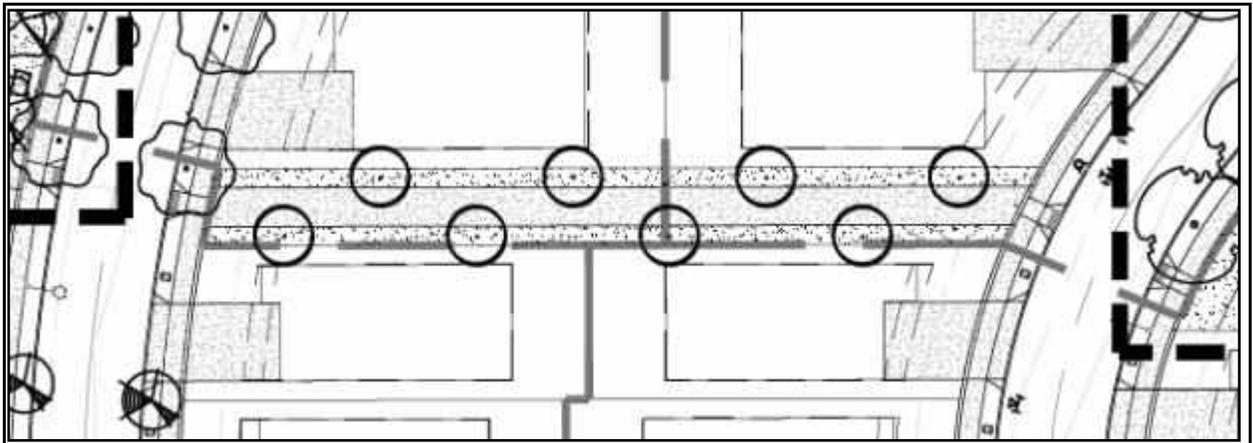
**APPLICANT'S RESPONSE:** The submitted Preliminary Site Plans and Preliminary Landscape Plan demonstrate how the proposed sidewalk and street system promote safe and efficient travel throughout the development. Roadways are fully looped with no cul-de-sacs. The plans illustrate how pedestrian and bicycle travel will be enhanced with the development of accessways which shorten the distance between residential blocks and provide access to open space areas. The proposed improvements include widening and striping the north side of Baker Creek Road to add a bike lane and extra wide sidewalk, as well as a center turn lane. Both Meadows Drive and Shadden Drive include a three-lane section at their southern ends with a right turn lane from these streets onto Baker Creek Road.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #10.** The City concurs with the applicant's findings. The street network would be compatible with existing and anticipated circulation patterns of adjoining properties, as the streets have been designed to align with and extend existing streets south of Baker Creek Road and to the northeast in the planned Oak Ridge Meadows subdivisions. Pedestrian and bicycle pathways between street blocks are proposed throughout the Planned Development area, specifically in Tract B, Tract D, Tract E, Tract F, Tract H, Tract P, Tract Q, Tract R, and Tract S as shown below. In addition, the applicant is proposing to install a wider, meandering sidewalk within the right-of-way adjacent to Baker Creek Road, which will provide a wider pedestrian pathway along this arterial street. A condition of approval is included to require the 10 foot wide meandering sidewalk within the Baker Creek Road right-of-way, as identified on Drawing SP-1 and Drawing L2.0. The condition also requires that the fencing proposed in Drawing L2.0 and Drawing L9.0 be provided along the Baker Creek Road right-of-way.

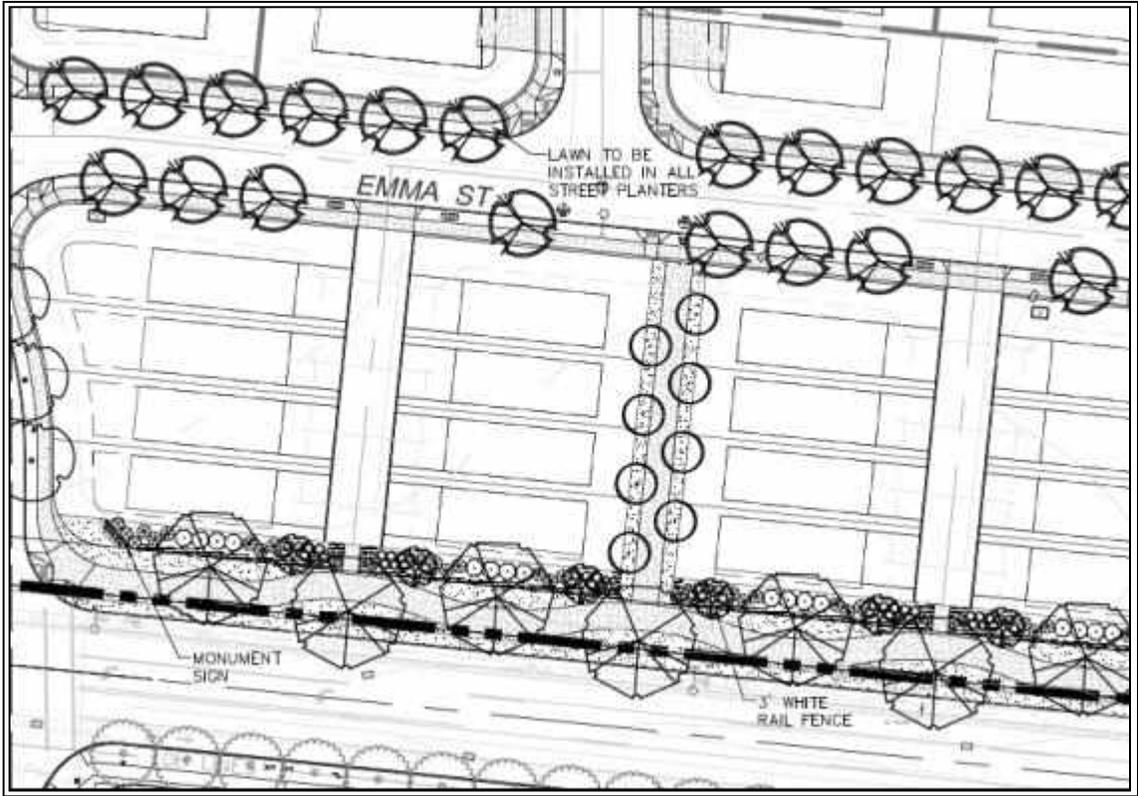
Tract B:



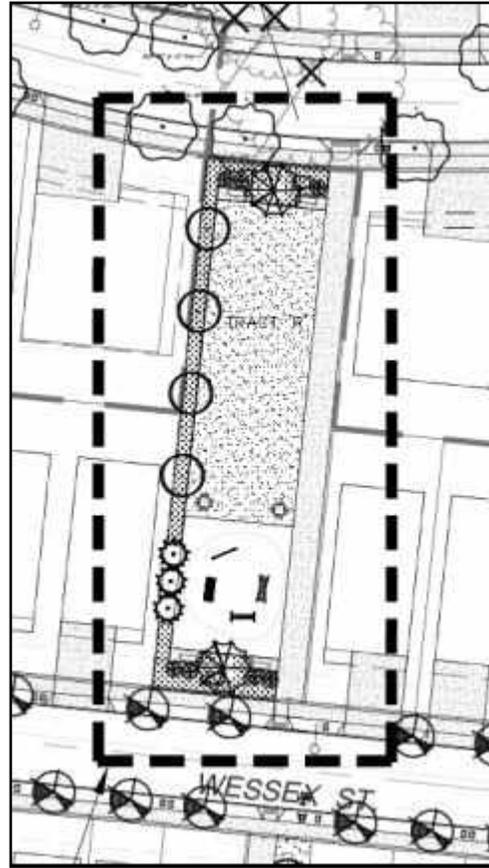
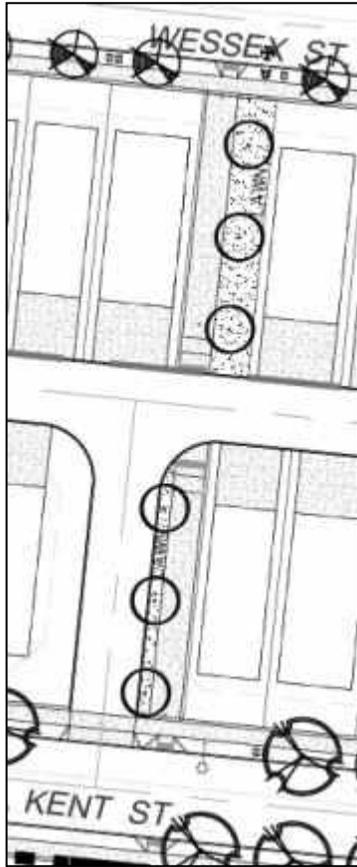
Tract D, E, and F:



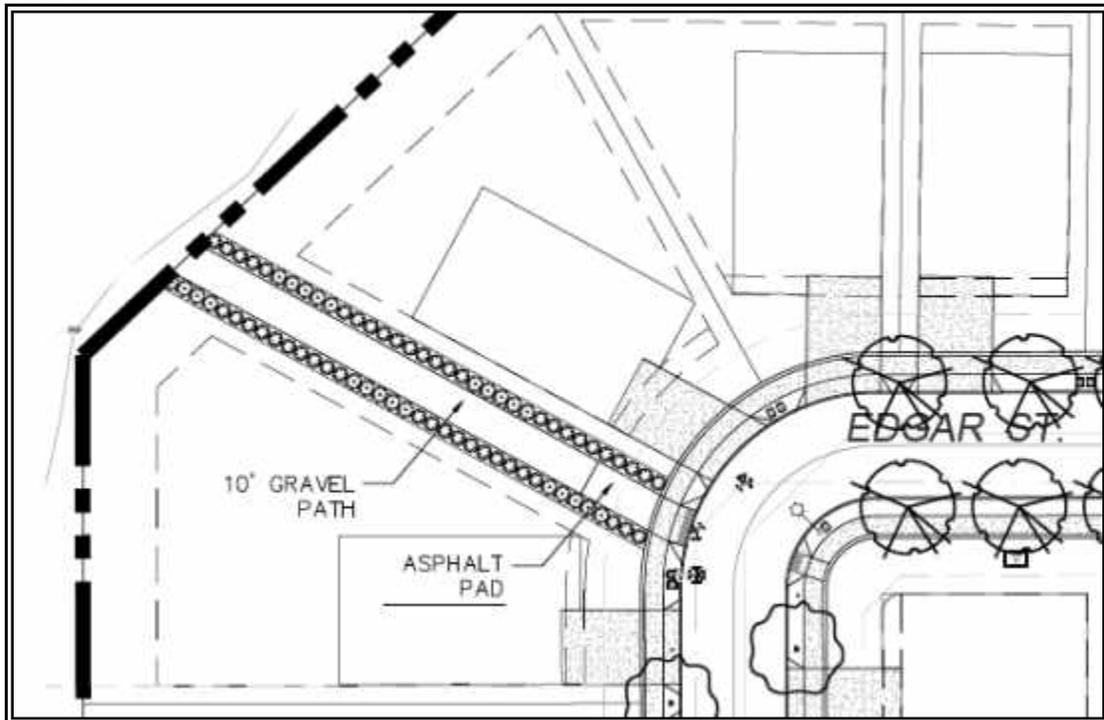
Tract H:



Tract P, Q, and R:



Tract S:



*Policy 78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.*

**APPLICANT'S RESPONSE:** The submitted Preliminary Site Plan demonstrates that the proposed planned development connects to all streets which are stubbed to the subject site (see Exhibit 3). To provide connectivity and compatible circulation with adjoining properties, the applicant is proposing to extend NW Blake Street, NW Shadden Drive, NW Meadows Drive, and proposed NW Hill Lane with the proposed development. The internal streets are also stubbed out to facilitate future development of adjacent underdeveloped parcels.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 79.00 The density allowed for residential developments shall be contingent on the zoning classification, the topographical features of the property, and the capacities and availability of public services including but not limited to sewer and water. Where densities are determined to be less than that allowed under the zoning classification, the allowed density shall be set through adopted clear and objective code standards enumerating the reason for the limitations, or shall be applied to the specific area through a planned development overlay. Densities greater than those allowed by the zoning classification may be allowed through the planned development process or where specifically provided in the zoning ordinance or by plan policy.*

**APPLICANT'S RESPONSE:** The applicant is proposing concurrent Comprehensive Plan Map and Zoning Map amendments to designated 48.7 acres of the site within the R4 district. The attached plans indicate that the Baker Creek Planned Development is located within the proposed R4 zoned portion of the site and will have a net density of 8.16 dwelling units/acre. There are no topographic or utility capacity constraints which limit the subject site's development potential. Water and sewer services are available adjacent to the site and can be extended to serve the development with on-site improvements constructed and paid for by the developer. Some phases of the development can be served by gravity sanitary sewer, but development of other phases include service from a pump station on proposed Tract "G" in Phase 1B. The applicant is not proposing to modify the allowed net density range of 8-30 dwelling units/acre allowed in the R4 zone with this application. See comments below under MMC Section 17.21.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but clarifies that the overall net density of the planned development is just under the requirements of the underlying R-4 zone at 7.94 dwelling units per acre. Policy 79.00 allows for density to be less than that allowed under the zoning classification through a planned development overlay, which has been requested. The City adds that other conditions of approval will require the alleys serving the narrower lots to be private, which will likely increase the net density likely 8 dwelling units per acre to be within the range of the R-4 zone. In addition, as described by the applicant, the Planned Development plans do meet the density requirements of the R-4 zone on a lot size per unit basis per Section 17.12.060.

*Policy 80.00 In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.*

**APPLICANT'S RESPONSE:** The applicant is proposing to retain existing trees and wooded areas in common open space tracts and those preservable trees in rear yards where feasible as shown on the Landscape Plans.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 – 8, and #14.** The City concurs with the applicant’s findings, and adds that distinctive and unique natural features are being preserved within the site, as described in the finding for Policy 74.00 above. Conditions of approval are included to require the creation of the open space tracts, the preservation of existing natural features where applicable, and to require the review and approval of any tree request where significant trees are proposed to be preserved.

*Policy 81.00 Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as schools, commercial facilities, parks, and other residential areas, shall be encouraged.*

**APPLICANT’S RESPONSE:** Pedestrian and bikeway paths are provided to connect the large active open spaces in the residential areas with convenient routes between residential blocks. The proposed paths and sidewalks also connect to the existing powerline trail which leads to a neighborhood park to the south and provides access to views of the adjacent significant natural space to the north of the site.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings. The submitted street layout proposes to connect with the existing surrounding street network and provide for the ability to access other adjacent land planned for residential development. The Planned Development includes paved trails and a greenway trail within the tracts and parcel to be dedicated to the City for public parks, as described in findings for Policy 75.00 and Policy 76.00 above. In addition, pedestrian and bicycle pathways between street blocks are proposed throughout the Planned Development area, as described further in the finding for Policy 77.00 above.

Dedication and construction of the local street network will provide required mobility opportunities for automobiles, as well as for pedestrians and bicyclists (particularly through the provision of public sidewalks built to public standards and through the provision of both private and public pathways leading to and through the open spaces provided as part of this development proposal) in addition to providing public connection opportunities to other developing areas to the northeast.

The City’s transportation design and construction standards and requirements have been adopted to satisfy and implement this and other related Comprehensive Plan policies addressed in these findings, and to preserve and enhance livability in McMinnville. Through this proposal’s compliance and implementation of these applicable policies, standards and requirements and those applicable portions of the City’s adopted Transportation System Plan as addressed by this proposal and these findings of fact, this Policy is satisfied.

*Policy 90.00 Greater residential densities shall be encouraged to locate along major and minor arterials, within one-quarter mile from neighborhood and general commercial shopping centers, and within a one-half mile wide corridor centered on existing or planned public transit routes.*

**APPLICANT’S RESPONSE:** The site is located along NW Baker Creek Road, a minor arterial street, and within a planned public transit route (see also comments above under Policy 70.01). The proposed zoning and uses are consistent with this policy.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and adds that the Planned Development includes a phasing pattern that results in greater residential densities closer to Baker Creek Road (which is designated as a minor arterial street), the neighborhood

commercial uses that will be included in the commercial area near the intersection of NW Hill Road and NW Baker Creek Road, and the planned public transit route along NW Baker Creek Road. The greater residential densities, which transition in density from higher density in the southern portion of the site to lower density in the northern portion of the site, is identified in EXH-4 and shown below:



*Policy 92.00 High-density housing developments shall be encouraged to locate along existing or potential public transit routes.*

**APPLICANT'S RESPONSE:** As discussed above (see also comments under Policy 70.01), this proposed housing development is located along a potential public transit route per current transit planning documents. The applicant is proposing to develop high density housing along this potential public transit route, meeting this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 92.01 High-density housing shall not be located in undesirable places such as near railroad lines, heavy industrial uses, or other potential nuisance areas unless design factors are included to buffer the development from the incompatible use.*

**APPLICANT'S RESPONSE:** No portion of the site is located near incompatible uses such as railroad lines, heavy industrial uses, or other potential nuisance areas.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 92.02 High-density housing developments shall, as far as possible, locate within reasonable walking distance to shopping, schools, and parks, or have access, if possible, to public transportation.*

**APPLICANT'S RESPONSE:** To the extent possible, this proposed housing development meets this policy. It is within reasonable walking distance to proposed on-site common open space parks and across the street from an existing City park property and trail system beginning at Meadows Drive at Baker Creek Road (with a planned neighborhood park improvement currently under construction south of this existing City park property and west of the existing trail). There is a future school site planned about ¼ miles south of the site on Hill Road. The applicant is proposing a planned development amendment to provide 6.62 acres of Commercial designated land at the corner of Hill Road and Baker Creek Road. The adjacent minor arterial is also planned for future public transportation.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that additional public park spaces will be developed and dedicated to the City within the Planned Development, as described further in the finding for Policy 75.00 above.

#### *Urban Policies*

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

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

**APPLICANT'S RESPONSE:** As shown on the preliminary utility plans, each proposed phase of the development will improve public facilities to provide an adequate level of urban services as required by this policy. In coordination with the City, the applicant has confirmed that adequate sanitary sewer capacity exists. Storm sewer improvements will be installed with each phase of the planned development. Streets will be built to City standards as shown by the plans. Water services for the proposed residential uses will be extended to the site from adjacent main lines.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the proposed street access for the proposed development is adequate based on the Traffic Analysis Report provided. The traffic impact analysis (TIA) report provides analysis, and includes a project impact summary with conclusions on page 9. The TIA studied the intersections of Meadows Drive and Baker Creek Road, Shadden Drive and Baker Creek Road, and Michelbook Lane and Baker Creek Road. The TIA studied the traffic impacts of the development of 280 single family homes, as proposed in the Planned Development plans, and the development of 100,000 square feet of retail shopping center commercial uses on the adjacent site that is guided for Commercial on the Comprehensive Plan. The 100,000 square feet of retail shopping center commercial use is not expected to develop on the commercial property, but was selected as the

worst-case scenario in terms of trip generation. The summary table identifying the capacity analysis is provided in Table 2 of the TIA, and is provided below:

**Table 2 Capacity Analysis Summary**

Intersection	Type of Control	Peak Hour	Traffic Scenario											
			2019 Existing				2029 Background				2029 Total			
			Crit. Mov't	LOS	Delay	v/c	Crit. Mov't	LOS	Delay	v/c	Crit. Mov't	LOS	Delay	v/c
Meadows Drive and Baker Creek Road	Two-way Stop	AM	NB	A	9.6	0.03	NB	B	10.6	0.14	SB	C	19.0	0.09
		PM	NB	A	9.4	0.03	NB	B	10.1	0.09	SB	F	56.2	0.20
Shadden Drive and Baker Creek Road	Two-way Stop	AM	NB	A	9.9	0.06	SB	C	18.4	0.17	SB	D	33.2	0.13
		PM	NB	A	9.8	0.06	SB	D	33.3	0.21	SB	F	137.3	0.16
Michelbook Lane and Baker Creek Road	Two-way Stop	AM	NB	B	10.9	0.08	NB	C	16.6	0.21	NB	D	28.7	0.45
		PM	NB	B	12.0	0.14	NB	F	65.6	0.78	NB	F	726.4	2.41
	Signal <sup>1</sup>	AM	-	-	-	-	-	B	11.0	0.39	-	B	15.3	0.47
		PM	-	-	-	-	-	B	11.7	0.54	-	B	19.8	0.70

Notes: 2010 Highway Capacity Manual methodology used in analysis, Synchro v9. NB - Northbound, SB - Southbound, Crit. Mov't - Critical movement or critical approach.

<sup>1</sup> Future signal identified in City's TSP - Not to be installed in conjunction with Baker Creek North Subdivision.

The “Summary and Recommendations” section of the TIA includes the following findings:

The City’s mobility standard for intersection operations requires a v/c ratio of 0.90 or less. The stop controlled intersections on Baker Creek Road at Meadows Drive and at Shadden Drive will experience acceptable volume-to-capacity ratios of 0.20 or less in the peak hours through the year 2029 total traffic scenario. No mitigation is required at these locations. On the southbound access approaches the lane configuration will consist of a separate right turn lane and a combination through/left lane. The approaches shall be controlled with stop signing.

The stop controlled intersection of Baker Creek Road at Michelbook Lane will experience an acceptable volume-to-capacity (v/c) ratio of 0.78 or less in the peak hours through the year 2029 background traffic scenario. For the year 2029 total traffic scenario the intersection operations will exceed the City’s v/c standard with a resulting value of 2.41 in the PM peak hour. This condition can be mitigated to a v/c of 0.70 by installing a traffic signal as identified in the City’s TSP. This improvement has been planned by the City for safety and capacity reasons in order to satisfy the anticipated city-wide traffic growth projections. Therefore, no mitigation at the Baker Creek Road and Michelbook Lane intersection is recommended in conjunction with the proposed development.

**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.

**APPLICANT’S RESPONSE:** The development of the sites outlined in these applications will result in the improvement of the north side of the minor arterial called Baker Creek Road which to allow for the coordinated movement as envisioned by the City’s Transportation System Plan. The proposed on-site streets, pedestrian accessways, and trail improvements will also promote this goal.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the proposed street access for the proposed development is adequate based on the Traffic Analysis Report provided, as described in the finding for Policy 99.00 above.

*Streets*

*Policy 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.*

**APPLICANT'S RESPONSE:** This policy is met by the proposed roadways and lot frontages along those right-of-ways in the application's plans.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 118.00 The City of McMinnville shall encourage development of roads that include the following design factors:*

- 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.*
- 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.*
- 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.*
- 4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths).*
- 5. Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist*

**APPLICANT'S RESPONSE:** The attached preliminary development plans indicate that the proposed road sections meet the City design standards. Where proposed Charles Street does not extend straight east from proposed Alfred Drive to proposed Gregory Drive, a pedestrian path is provided to ensure minimal adverse effects on adjacent natural features as encouraged by factor 1 above. Where large blocks are proposed with mid-block pedestrian paths instead of streets under the flexibility proposed by the planned development application, policy design factor 2 above is being supported. The extra right turn lanes for southbound traffic at Meadows Drive and Shadden Drive are supporting design factor 3 above. The development will support all modes of transportation as encouraged by design factor 4. Connectivity to adjacent developments and extension of existing streets is proposed, while no cul-de-sacs are planned to provide conformance with design factor 5. Therefore, all design factors of this policy are met by the proposal.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 119.00 The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.*

**APPLICANT'S RESPONSE:** The existing Baker Creek Road transportation corridor will be more efficiently utilized with this proposal, meeting the intent of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 120.00 The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.*

**APPLICANT'S RESPONSE:** The applications propose access at existing street intersections with Baker Creek Road. The traffic analysis provided shows this can be done safely even in the worst case scenario. No development or other access to Baker Creek Road from the commercial property is proposed at this time, although it may be proposed at a future time upon application for site development of that parcel.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but clarifies that any future development of the commercial property will be subject to the Planned Development Overlay District that applies to that site, which is a separate overlay district.

*Policy 121.00 The City of McMinnville shall discourage the direct access of small-scale residential developments onto major or minor arterial streets and major collector streets.*

**APPLICANT'S RESPONSE:** No direct access is proposed from the residential development to Baker Creek Road. Street intersections from this large scale residential development are proposed to match up with opposite existing intersections.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

1. *Major, minor arterials.*
  - Access should be controlled, especially on heavy traffic-generating developments.
  - Designs should minimize impacts on existing neighborhoods.
  - Sufficient street rights-of-way should be obtained prior to development of adjacent lands.
  - On-street parking should be limited wherever necessary.
  - Landscaping should be required along public rights-of-way

**APPLICANT'S RESPONSE:** Proposed improvements in all phases developed along Baker Creek Road will control and limit access to the existing intersections. The designs include an extra right turn lane at Meadows Drive and Shadden Drive to minimize delay. Approval of the development will also create additional connectivity to the minor arterial for other developments via streets stubbed to adjacent properties. The proposed extension of exiting streets stubs will also disburse traffic volumes in adjacent residential communities. The attached plans indicate that required right-of-way widths are provided to facilitate the street improvements. No on-street parking is proposed on Baker Creek Road, an arterial street. Street trees will be provided in the planter strips of all proposed street improvements. The planned residential development also proposes landscaping to be installed in a private tract along the arterial as passive open space in support of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

3. *Local Streets*
  - Designs should minimize through-traffic and serve local areas only.

- Street widths should be appropriate for the existing and future needs of the area.
- Sufficient street rights-of-way should be obtained prior to development of adjacent lands.
- Off-street parking should be encouraged wherever possible.
- Landscaping should be encouraged along public rights-of-way.

**APPLICANT'S RESPONSE:** Anticipated through-traffic on local streets will serve this neighborhood only, not the larger regional area. The proposed street widths are standard for local streets. The width increases in the southern segments at the approach to Baker Creek Road to allow right turn only lanes. Off-street parking is encouraged with standard 20-foot driveway depths for two off-street parking spaces in front of the garage at a minimum on all single-family lots. Street trees will be provided along public rights-of-way as shown on the Street Tree Plan, and landscaping will be installed in open spaces adjacent to the streets. Therefore, this policy is met by the proposal.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 123.00 The City of McMinnville shall cooperate with other governmental agencies and private interest to insure the proper development and maintenance of the road network within the urban growth boundary.*

**APPLICANT'S RESPONSE:** All of the proposed street improvements are within the urban grown boundary and rights-of-way will be dedicated to the City after improvements to City standards are installed in compliance with this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.*

**APPLICANT'S RESPONSE:** The proposed developments will achieve sufficient off street parking. Single-family residential lots will all have two off-street parking spaces in front of the garage door at a minimum.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes.*

**APPLICANT'S RESPONSE:** The proposed developments will encourage off-street parking. Single-family residential lots will all have two off-street parking spaces in front of the garage door at a minimum. The commercial parcel will also be provided with off-street parking. No parking will be allowed on Baker Creek Road, an arterial street.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connects residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities.*

**APPLICANT'S RESPONSE:** These development applications will result in the phased improvement of the north side of Baker Creek Road with a bicycle land in the shoulder. The

improvements also include an extension of the power line trail into the site with a connection to on-site walkways. As such, the improvements will connect people with elements called for in this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 130.05 In areas where bikeways are planned, the City may require that new development provide bikeway improvements such as widened streets, bike paths, or the elimination of on-street parking. At the minimum, new development shall be required to make provisions for the future elimination of on-street parking along streets where bikeways are planned so that bike lanes can be striped in the future. Bike lanes and bike paths in new developments shall be constructed to standards recommended in the bikeway plan.*

**APPLICANT'S RESPONSE:** The applicant is proposing to install a bike lane on the north side of Baker Creek Road as phases of the planned development are constructed, meeting this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 131.00 The City of McMinnville shall encourage development of bicycle and footpaths in scenic and recreational areas as part of future parks and activities.*

**APPLICANT'S RESPONSE:** The residential planned development will dedicate several tracts to the City for public park land in phases as part of the amenities offered with the planned development application. The applicant is also providing several private common area tracts which will be retained by the development's homeowners association. The open spaces will include paths and scenic areas for both active and passive enjoyment. In addition, the applicant is offering to donate an adjacent parcel to the City for use as a special use park with high natural recreational value to help the City meet its Park Master Plan goals.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.00 The City of McMinnville shall encourage development of subdivision designs that include bike and foot paths that interconnect neighborhoods and lead to schools, parks, and other activity areas.*

**APPLICANT'S RESPONSE:** The proposed bike lane on Baker Creek Road will connect the surrounding neighborhoods. The connection of proposed sidewalks and open space tracts to the power line trail at Meadows drive will provide a route to other parks and other activity areas to the south of the site. Therefore, this policy is met by the proposed development.

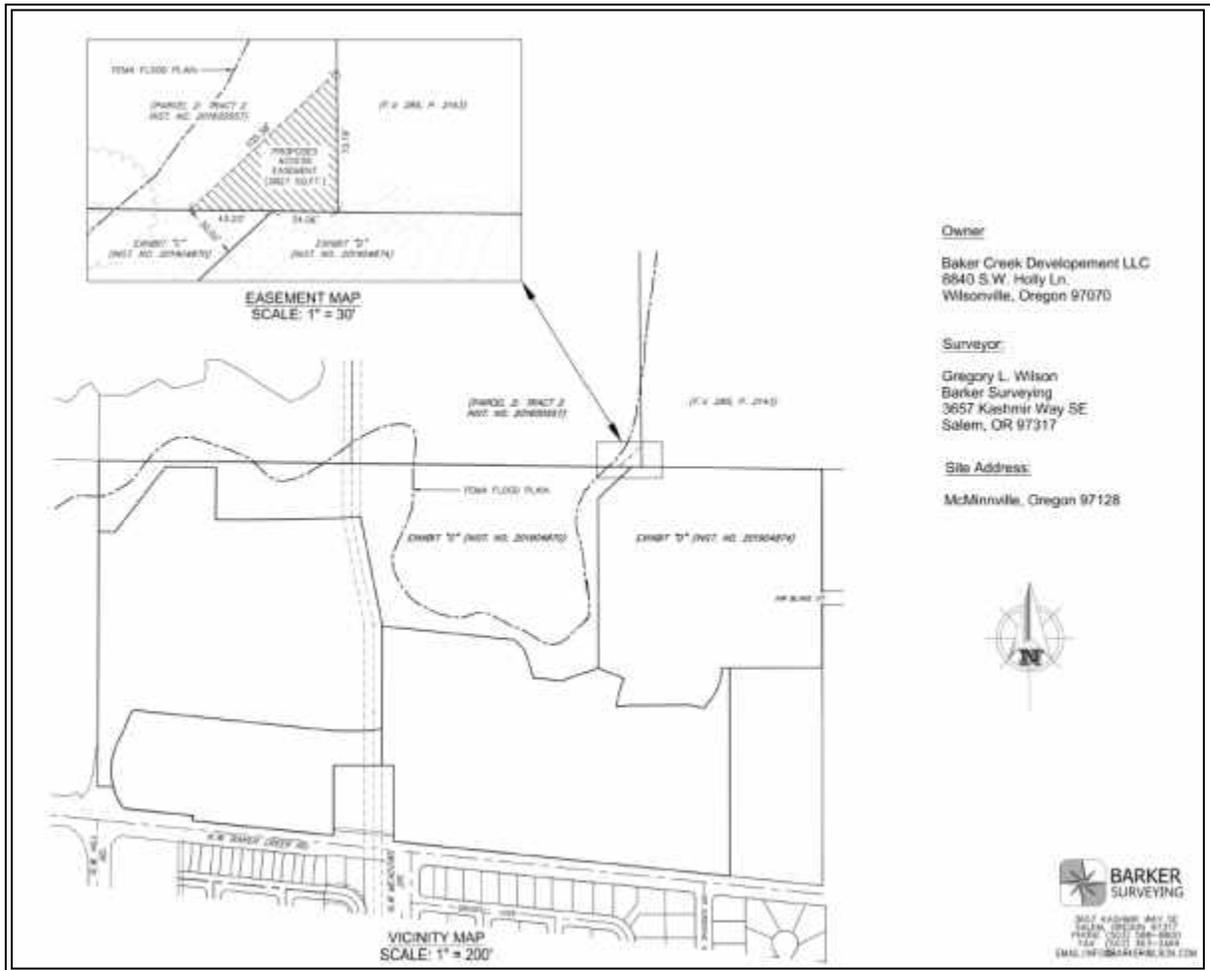
**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.15 The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #6 and #7(e).** The Planned Development has been designed with a street network that connects to surrounding residential development south of Baker Creek Road, and to the northeast in the Oak Ridge and Oak Ridge Meadows existing and planned subdivisions.

The applicant has also proposed that a bark chip trail be installed within the parcel to be dedicated as a public park, which will fulfill an action within the City of McMinnville Parks, Recreation, and Open Space Master Plan of developing a greenway trail between the BPA trail and Tice Park. However, the park dedication parcel does not align with an adjacent parcel within the Oak Ridge Meadows planned subdivision that includes a planned extension of the greenway trail. To address this pedestrian connection between the park parcels and the adjacent neighborhood, the applicant has proposed to also dedicate an easement within a parcel to the north to allow the trail connection to occur. The easement area is identified below:



A condition of approval is included to require that this easement be provided for the greenway trail to connect to the public park and trail network provided within the planned Oak Ridge Meadows subdivision. The condition specifies that this easement will be granted and recorded at the time that Parcel D (Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) is dedicated to the City, which is required at the time of the platting of subdivision Phase 2A or Phase 3A. All required improvements within the easement shall be maintained by a Homeowner's Association (HOA) until 2032, at which time all maintenance responsibilities shall

be transferred to the City. An agreement between the HOA and the City shall be signed memorializing the responsibilities of the HOA and the City.

*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. *Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below).*

**APPLICANT’S RESPONSE:** The site is relatively flat, and the streets, walkways, and ramps are planned to comply with ADA standards.

**FINDING: SATISFIED.** Any right-of-way improvements required for the subject site will be required at the time of development. These required right-of-way improvements will be completed to existing City standards, which are of a design and operation standard that meets ADA accessibility guidelines.

2. *Incorporate features that create a pedestrian friendly environment, such as:*
  - a. *Narrower traffic lanes;*
  - b. *Median refuges and raised medians;*
  - c. *Curb extensions (“bulb-outs”);*
  - d. *Count-down and audible pedestrian signals;*
  - e. *Wider sidewalks;*
  - f. *Bicycle lanes; and*
  - g. *Street furniture, street trees, and landscaping*

**APPLICANT’S RESPONSE:** The internal local streets will have traffic lanes that conform to City local street standards. Wider sidewalks are proposed along the north side of Baker Creek Road, on the west side of Meadows Drive to the roadway’s first intersection, and for internal mid-block paths. The attached landscape plans indicate that street trees and landscaping is proposed throughout the development. Therefore, this policy is met.

**FINDING: SATISFIED.** Any right-of-way improvements required for the subject site will be required at the time of development. These required right-of-way improvements will be completed to existing City standards, except where additional improvements are required by conditions of approval.

3. *Incorporate features that create a pedestrian friendly environment, such as:*
  - a. *Using good geometric design to minimize crossing distances and increase visibility between pedestrians and motorists.*
  - b. *Timing signals to minimize pedestrian delay and conflicts.*
  - c. *Balancing competing needs of vehicular level of service and pedestrian safety.*

**APPLICANT’S RESPONSE:** There are no signalized intersections near or internal to the site. This section is not applicable.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #11.** Policy 132.24.00(2) does not only apply to signalized intersections. However, the plans include crosswalk striping at the

locations where NW Meadows Drive and NW Shadden Drive will cross Baker Creek Road to increase visibility between pedestrians and motorists. To better increase visibility of pedestrians on the BPA trail, a condition of approval is included to require that an enhanced crossing be provided where the BPA trail crosses Kent Street, between Tract J and Tract K. The enhanced crossing shall be similar in improvement to the enhanced crossings of the BPA trail at Wallace Road, Meadows Drive (south of the subject site), Cottonwood Drive, and 23<sup>rd</sup> Street.

*Policy 132.26.00 The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping, and industrial areas, and McMinnville's parks and schools.*

**APPLICANT'S RESPONSE:** The proposed improvements to transportation infrastructure support this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that additional pedestrian and bicycle improvements are proposed within the park and open space tracts within the Planned Development. The specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.26.05 New street connections, complete with appropriately planned pedestrian and bicycle features, shall be incorporated in all new developments consistent with the Local Street Connectivity map.*

**APPLICANT'S RESPONSE:** The proposed new street connections have the elements to create the connectivity envisioned by this policy.

**FINDING: SATISFIED.** The right-of-way improvements proposed in the Planned Development plans include the improvements required for streets, which include pedestrian and bicycle improvements. Additional pedestrian and bicycle improvements are proposed within the park and open space tracts within the Planned Development, and required as conditions of approval.

*Policy 132.27.00 The provision of transportation facilities and services shall reflect and support the land use designations and development patterns identified in the McMinnville Comprehensive Plan. The design and implementation of transportation facilities and services shall be based on serving current and future travel demand—both short-term and long-term planned uses. (Ord. 4922, February 23, 2010)*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Policy 132.27.00 is satisfied by this proposal in that the proposed street design reflects and supports the Residential land use designation of the site as identified on the McMinnville Comprehensive Plan Map and urban development patterns within the surrounding area identified by elements of the Comprehensive Plan identified and addressed within this application. The proposed transportation facilities and services are appropriate to serve the needs of the proposed development and are supportive of adjacent neighborhoods as determined by the City's adopted standards identified in this application, findings and exhibits.

*Policy 132.32.00 The safe, rapid movement of fire, medical, and police vehicles shall be an integral part of the design and operation of the McMinnville transportation system. (Ord. 4922, February 23, 2010)*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Any right-of-way improvements required for the subject site will be required at the time of development. These required right-of-way improvements will be completed to existing City standards, which are of a design and operation standard that allows for required movements for fire, medical, and police vehicles.

*Policy 132.35.00 Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways.*

**APPLICANT'S RESPONSE:** The street layout and the mid-block paths proposed are designed to encourage residents to walk and bike, and with density oriented closer to the future transit corridor, the transportation improvements will facilitate use of public transit in the future as stops will be close and walking distances reasonable. Homes are oriented away from arterial streets and landscaped open space tracts will buffer noise. Therefore, the proposed development supports this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.36.00 Through implementation of its Complete Streets policy and the TSP by enhancing its pedestrian and bicycle systems, the City of McMinnville will help encourage greater physical activity and improved health and welfare of its residents.*

**APPLICANT'S RESPONSE:** The development has been designed to encourage walking to local amenities which will support this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*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.*

**APPLICANT'S RESPONSE:** The street tree plan and landscaping of passive and active open spaces adjacent to public ways support this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.41.00 Residential Street Network – A safe and convenient network of residential streets should serve neighborhoods. When assessing the adequacy of local traffic circulation, the following considerations are of high priority:*

1. *Pedestrian circulation;*
2. *Enhancement of emergency vehicle access;*
3. *Reduction of emergency vehicle response times;*
4. *Reduction of speeds in neighborhoods;; and*
5. *Mitigation of other neighborhood concerns such as safety, noise, and aesthetics.*

**APPLICANT'S RESPONSE:** All proposed street improvements include sidewalks to provide adequate circulation. Emergency vehicle access is ensured through the provision of streets built to City standards and the avoidance of cul-de-sacs through the planned looping of the internal street network. Temporary fire turn-arounds and fire lanes can be provided as necessary with the phasing of the project.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.41.05 Cul-de-sac streets in new development should only be allowed when connecting neighborhood streets are not feasible due to existing land uses, topography, or other natural and physical constraints.*

**APPLICANT'S RESPONSE:** No cul-de-sac streets are proposed, providing conformance with this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.41.10 Limit Physical Barriers – The City should limit the placement of facilities or physical barriers (such as buildings, utilities, and surface water management facilities) to allow for the future construction of streets that facilitate the establishment of a safe and efficient traffic circulation network.*

**APPLICANT'S RESPONSE:** No physical barriers are proposed. This policy is met.

**FINDING: SATISFIED.** The City concurs with the applicant's findings. The only major barriers between the proposed street network occur where the development site is crossed by the BPA power line easement, and on the eastern portion of the site where grades don't allow west to east street connectivity. Where streets are not proposed to connect, pedestrian connections are provided, as described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.41.20 Modal Balance – The improvement of roadway circulation must not impair the safe and efficient movement of pedestrians and bicycle traffic.*

**APPLICANT'S RESPONSE:** The roadway improvements proposed do not impair pedestrian nor bicycle movement. They enhance it through better connectivity and more facilities.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.41.25 Consolidate Access – Efforts should be made to consolidate access points to properties along major arterial, minor arterial, and collector roadways.*

**APPLICANT'S RESPONSE:** Access is consolidated for single family residential properties to new street legs at existing intersections to conform to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.41.30 Promote Street Connectivity – The City shall require street systems in subdivisions and development that promote street connectivity between neighborhoods.*

**APPLICANT’S RESPONSE:** The street connections proposed between adjacent property and rights of way conform to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

*Policy 132.42.00 Generally, a major arterial street should not be widened beyond two through lanes in each direction with auxiliary turn lanes as appropriate. Minor arterials and collector streets should not be widened beyond one through lane in each direction with auxiliary left-turn lanes as appropriate. Major arterial streets with more than five lanes and minor arterial and collector streets with more than three lanes are perceived as beyond the scale that is appropriate for McMinnville.*

**APPLICANT’S RESPONSE:** Baker Creek Road along the site frontage is a minor arterial and is not proposed to be widened beyond one through lane in each direction. The project conforms to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

*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:*

1. *Traffic circles;*
2. *Painted or raised crosswalks (see also recommended crosswalk designation in Chapter 4);*
3. *Landscaping barriers between roadway and non-motorized uses;*
4. *Landscaping that promotes a residential atmosphere;*
5. *Sidewalks and trails; and*
6. *Dedicated bicycle lanes.*

**APPLICANT’S RESPONSE:** There is an existing traffic circle at Hill Road and Baker Creek Road at the SW corner of this project, whose north leg will be connected with a phase of the residential planned development. Crosswalks at Meadows Drive and Shadden Drive across Baker Creek Road are proposed to be striped. Street trees are proposed in planter strips along all streets promoting a residential character. There are sidewalks and trails throughout the project, and dedicated bike lanes will be striped along the site frontage. Therefore, this plan conforms to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

*Policy 132.43.10 Limited Neighborhood Cut-Through Traffic – Local residential streets should be designed to prevent or discourage their use as shortcuts for through traffic. Local traffic control measures should be coordinated with the affected neighborhood.*

**APPLICANT’S RESPONSE:** There is no risk of use of these streets as shortcuts for through traffic as there are no street connections, from the north residential neighborhoods, to other parts of the City or County. These local streets will only be used for local access. The plan conforms to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.46.00 Low impact street design, construction, and maintenance methods should be used first to avoid, and second to minimize, negative impacts related to water quality, air quality, and noise in neighborhoods.*

**APPLICANT'S RESPONSE:** Streets are designed and will be constructed to City standards to meet this policy. Maintenance will be completed by the City. Street trees are proposed to improve air quality, noise buffering, and support water quality, as trees absorb rainfall. The right turn lane added to Meadows Drive and Shadden Drive will also decrease delay at the intersections. This will minimize negative impacts in terms of pollution and noise from cars during idling while queuing. This policy is supported by the project.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.46.05 Conservation – Streets should be located, designed, and improved in a manner that will conserve land, materials, and energy. Impacts should be limited to the minimum necessary to achieve the transportation objective.*

**APPLICANT'S RESPONSE:** Streets are designed and will be constructed to City standards to meet this policy. In some cases, large blocks are proposed with mid-block paths to facilitate pedestrian and bicycle connections. This approach supports this policy as the proposed streets with mid-block paths achieve the transportation objective.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.47.00 The City should update and maintain its street design standards to increase aesthetics of the street's environment through landscaping and streetscape design.*

**APPLICANT'S RESPONSE:** These applications support a street aesthetic discussed in this policy through the proposed street trees and landscaped open space tracts along streets shown on the landscape plans.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that the applicant submitted a Landscape Plan Review application for concurrent review with the Planned Development request. Findings for the Landscape Plan Review (which includes the street tree plan for the Planned Development site) are addressed in the Decision Document for that land use application.

*Policy 132.51.05 Ensuring Future Sidewalk Connections – All future development must include sidewalk and walkway construction as required by the McMinnville Zoning Ordinance and City Code and adopted City of McMinnville Design Standards. All road construction or renovation projects shall include sidewalks. The City will support, as resources are available, projects that would remove identified barriers to pedestrian travel or safety.*

**APPLICANT'S RESPONSE:** The proposed project will provide sidewalks in support of this policy in phases. It will result in sidewalk travel being continuous along the north side of Baker Creek Road, where it currently ends abruptly in the SE corner of the site in front of a church.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.51.10 Complete Connections with Crosswalks – All signalized intersections must have marked crosswalks. School crosswalks will be marked where crossing guards are provided. Subject to available funding, and where appropriate, marked crosswalks, along with safety enhancements (medians and curb extensions), shall be provided at unsignalized intersections and uncontrolled traffic locations in order to provide greater mobility in areas frequently traveled by persons with limited mobility. Marked crosswalks may also be installed at other high volume pedestrian locations without medians or curb extensions if a traffic study shows there would be a benefit to those pedestrians.*

**APPLICANT’S RESPONSE:** The project will construct the north corners of the intersections of Baker Creek Road with Meadows Drive and Shadden Drive, such that all corners are improved, and provide crosswalks across Baker Creek Road in support of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

*Policy 132.51.15 Connecting Shared-Use Paths – The City will continue to encourage the development of a connecting, shared-use path network, expanding facilities along parks and other rights-of-way.*

**APPLICANT’S RESPONSE:** The shared use path under the BPA power lines will be extended north into the project as illustrated on the attached landscape plans in support of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.54.00 Promoting Walking for Health and Community Livability – The City will encourage efforts that inform and promote the health, economic, and environmental benefits of walking for the individual and McMinnville community. Walking for travel and recreation should be encouraged to achieve a more healthful environment that reduces pollution and noise to foster a more livable community.*

**APPLICANT’S RESPONSE:** With the network of proposed sidewalks and paths, this project will promote this policy. Walking to future transit will be more feasible due to the clustering of housing density on the south side of the site closer to Baker Creek Road. The proposed neighborhood commercial area of no less than 2 acres is within reasonable walking distance of most of the proposed residential units, as well as other existing higher density housing to the south of Baker Creek Road. Thus, walking to shops, restaurants, and other services will be feasible. Walking for recreation will also be promoted with the connection/extension of the BPA powerline trail. In addition, a nature trail on the adjacent property proposed to be donated to the City as a Special Use Park will also connect to the BPA trail.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.56.00 Provide Bicycle Facilities on Arterials and some Collector Streets – To the extent possible, arterial and some collector streets undergoing overlays or reconstruction will either be re-striped with bicycle lanes or sharrow (bicycle/auto shared-lane) routes as designated on the Bicycle System Plan Map. Every effort will be made to*

*retrofit existing arterials and selective collectors with bicycle lanes, as designated on the Bicycle System Plan Map.*

**APPLICANT'S RESPONSE:** Baker Creek Road is a minor arterial and will have a bike lane striped on its north side as proposed in this application in support of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.56.05 Mitigation of On-street Parking Loss From Bicycle Projects – New bicycle facilities require the removal of on-street parking spaces on existing streets, parking facilities should be provided that mitigate this loss, to the extent practicable.*

**APPLICANT'S RESPONSE:** No on-street parking will be lost from the proposed bike facilities as no on-street parking exists on the north side of Baker Creek Road along the project frontage. This policy is not applicable.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.56.10 Eliminate Barriers to Bicycle Travel – The City will actively pursue a comprehensive system of bicycle facilities through designing and constructing projects, as resources are available, and implementing standards and regulations designed to eliminate barriers to bicycle travel. As a result of this policy, new developments or major transportation projects will neither create new, nor maintain existing, barriers to bicycle travel.*

**APPLICANT'S RESPONSE:** This is a directive to the City. With the proposed bike lane striping on the north side of Baker Creek Road, this project helps the City meet this policy by removing a barrier to bicycling on Baker Creek Road.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.57.00 Transit-supportive Street System Design – The City will include the consideration of transit operations in the design and operation of street infrastructure.*

**APPLICANT'S RESPONSE:** This is a directive to the City. This policy is not applicable to this application. The proposed street improvements meet 4City standards.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.57.05 Transit-supportive Urban Design – Through its zoning and development regulations, the City will facilitate accessibility to transit services through transit-supportive streetscape, subdivision, and site design requirements that promote pedestrian connectivity, convenience, and safety.*

**APPLICANT'S RESPONSE:** The proposed residential planned development is a subdivision with site design that directly supports this policy. The clustering of density with smaller lots on the south side of the project with multiple pathways to support access to Baker Creek Road, a planned transit route, supports convenient and safe connections to transit. The proposed planned development amendment to allow no less than 2-acres of commercial and no more than 120 multi-family dwelling units on the commercial designated property will likewise promote and support transit service and use in the area by creating a node of activity and density of use needed to support transit use volumes.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

**APPLICANT'S RESPONSE:** This goal is met for this project. Public and private utilities have been and will be planned and provided for in advance of or concurrent with development. This includes parks, streets and ways, water service, storm and sanitary sewer service, power, and other franchise utilities.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Sanitary Sewer System*

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

**APPLICANT'S RESPONSE:** This is a directive to the City. This policy will be met when construction plans are reviewed, field work is inspected, and work accepted.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 138.00 The City of McMinnville shall develop, or require development of, sewer system facilities capable of servicing the maximum levels of development envisioned in the McMinnville Comprehensive Plan.*

**APPLICANT'S RESPONSE:** This is a directive to the City. The applicant will improve on-site sanitary sewer to meet City standards and connect that to the existing facilities already built with capacity for the proposed development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines within the framework outlined below:*

- 1. Sufficient municipal treatment plant capacities exist to handle maximum flows of effluents.*
- 2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*
- 3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized.*
- 4. Extensions will implement applicable goals and policies of the comprehensive plan.*

**APPLICANT'S RESPONSE:** This is a directive to the City. The City can allow extension of sanitary sewage because the proposed project meets the framework outlined in this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

#### *Storm Drainage*

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

**APPLICANT'S RESPONSE:** This is a directive to the City. The City will ensure it is met during review of construction plans for conformance with City standards. The preliminary utility plans show compliance is feasible.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

**APPLICANT'S RESPONSE:** The proposed project retains natural drainage ways for storm water drainage, conforming to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

#### *Water System*

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

**APPLICANT'S RESPONSE:** This is a directive to the City and McMinnville Water and Light. The applicant has been assured by these agencies that water service at urban densities is available to the site for development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:*

- 1. Facilities are placed in locations and in such a manner as to insure compatibility with surrounding land uses.*
- 2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
- 3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized.*

4. *Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

**APPLICANT'S RESPONSE:** This is a directive to the City. The water services will be extended on-site with development to serve the new lots.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

**APPLICANT'S RESPONSE:** This is a directive to the City and not applicable to this application.

**FINDING: SATISFIED WITH CONDITION #9.** The City concurs with the applicant's findings. As described above, a condition of approval is included to require that an easement or tract be created between Mercia Street or Harold Drive to the BPA trail within Tract L or the greenway trail in Parcel D (Park Dedication Parcel). The easement or tract shall be a minimum of 20 feet in width and include a paved trail of at least 10 feet in width with a five foot buffer on each side. The condition of approval requires that a development plan for the tract or easement, the improvements within the tract or easement, and any resulting change in lot dimensions or configuration within Phase 2A be submitted to the City for review and approval of the design and engineering prior to construction. This is required to provide better connection to the trail from lots within the northwest portion of the site.

#### *Water and Sewer – Land Development Criteria*

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

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

**APPLICANT'S RESPONSE:** The applicant recognizes these applications will be reviewed in coordination to McMinnville Water and Light for the City to obtain concurrence that sufficient water supply is available to meet demands of the development. This review will ensure that the proposed uses are commensurate with the planned comprehensive plan map designation for the area.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

2. *Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*

**APPLICANT'S RESPONSE:** The applicant has coordinate with the City Public Works Department and received assurance that sufficient sewer capacity exists with the proposed on-site improvements and connections to the existing system.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*

**APPLICANT'S RESPONSE:** This is a directive to the City and McMinnville Water and Light.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*4. Federal, state, and local water and waste water quality standards can be adhered to.*

**APPLICANT'S RESPONSE:** This is a directive to the City to review construction plans and field practices to ensure standards are adhered to.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

**APPLICANT'S RESPONSE:** This is a directive to the City to ensure policies are adhered to through the plan review and construction process.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

#### *Police and Fire Protection*

*Policy 153.00 The City shall continue coordination between the planning and fire departments in evaluating major land use decisions.*

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

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Emergency services departments were provided an opportunity to review the proposal, and no concerns were raised. Any requirements of the Oregon Fire Code or Building Code will be required at the time of development.

#### *Parks and Recreation*

**GOAL VII 3:** TO PROVIDE PARKS AND RECREATION FACILITIES, OPEN SPACES, AND SCENIC AREAS FOR THE USE AND ENJOYMENT OF ALL CITIZENS OF THE COMMUNITY.

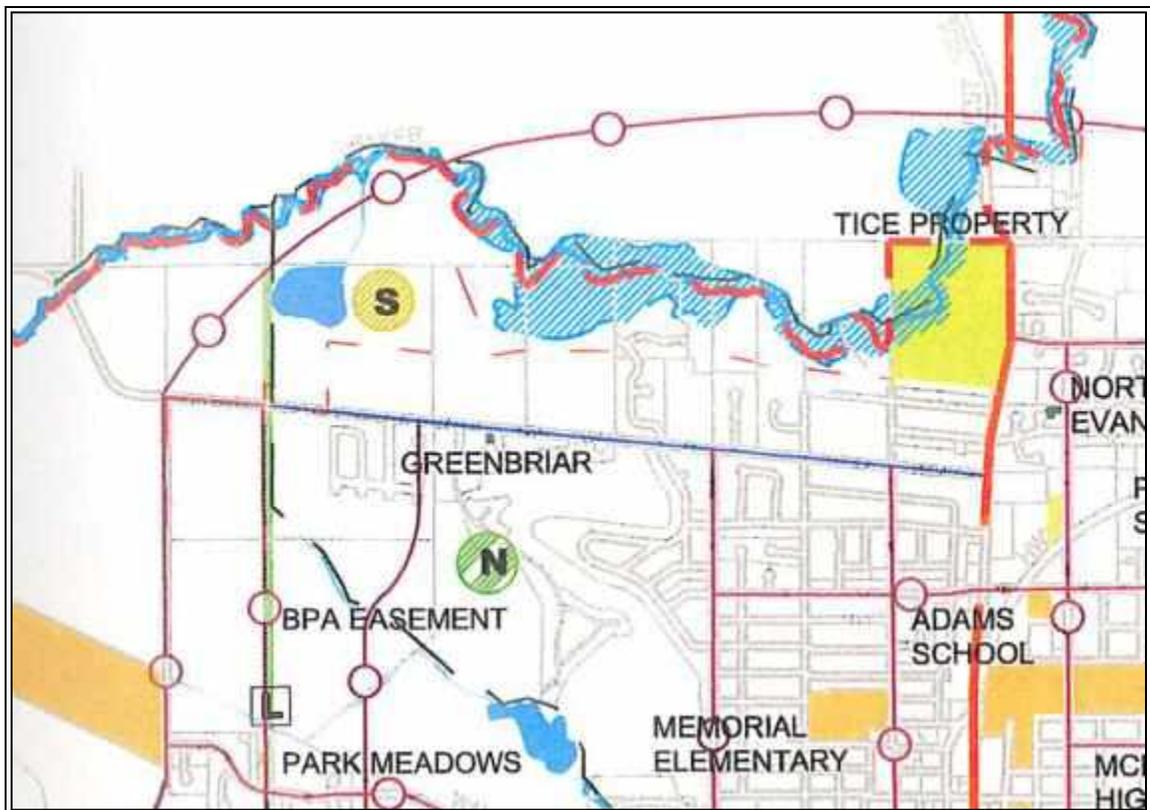
**APPLICANT'S RESPONSE:** This goal is not an approval criterion. The proposed donation of land for the Special Use Park site is called for in the City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999. The donation will help the City meet this goal of providing open spaces and scenic areas for the use and enjoyment of all citizens of the community. The applicant is also proposing to dedicate to the City with the recording of the plat (in phases) several tracts of land with open spaces and recreational facilities for the enjoyment of all citizens

and to facilitate better access and enjoyment of the Special Use Park. Acceptance by the City of the proposed donation of land for the Special Use Park and acceptance of the dedication of the tracts will help the City meet the above goal. If the City does not accept the dedication of the tracts, then they will remain in private ownership of the development's homeowners association.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that the Planned Development includes park improvements, paved trails, and a greenway trail within the tracts and parcel to be dedicated to the City for public parks, as described in findings for Policy 75.00 and Policy 76.00 above. These improvements and dedications will achieve the following actions in Table 10 (Recreation Facility Action Plan – Northwest) of the City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999:

- 1) Special Use Parks: Acquire a special use park adjacent to the BPA Easement/acquire Elks Park
- 2) Greenspace/Greenways: Acquire a greenway along Baker Creek connecting Tice/BPA Easement
- 3) Trails and Connectors: Develop the Westside Trail (BPA Easement)
- 4) Trails and Connectors: Develop a trail in the Baker Creek greenway

These actions are also identified in the City of McMinnville Parks, Recreation, and Open Space Master Plan Map as follows:



	Existing	Existing	Proposed
	Developed	Underdeveloped	
Mini-park/Playlot			
Neighborhood Park			
Community Park			
Linear Park			
Greenspace/Greenway			
Special Use			
Community/Recreation Centers			
Schools			
Other City Property			
Existing Bikeway			
Proposed Bikeway			
Waterway			
Floodplain			
City Boundary			
Urban Growth Boundary			
Multi-Purpose Trail			

*Policy 163.00 The City of McMinnville shall continue to require land, or money in lieu of land, from new residential developments for the acquisition and/or development of parklands, natural areas, and open spaces.*

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** Where applicable, system development charge (SDC) credits will be provided for improvements of public park infrastructure.

*Policy 163.05 The City of McMinnville shall locate future community and neighborhood parks above the boundary of the 100-year floodplain. Linear parks, greenways, open space, trails, and special use parks are appropriate recreational uses of floodplain land to connect community and other park types to each other, to neighborhoods, and services, provided that the design and location of such uses can occur with minimum impacts on such environmentally sensitive lands. (Ord. 4840, January 11, 2006)*

**APPLICANT’S RESPONSE:** The City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999, (page 41) states that Map 1 shows underserved neighborhoods. This Planning Areas map shows the subject site is located in Underserved Area 3. Underserved means not within a half mile of a neighborhood/community park or separated from it by a major street. To serve this area, the plan identifies actions in the Table 10 Recreation Facility Action Plan – Northwest on (page 43). The City is currently constructing a neighborhood park along Yohn Ranch Drive, located within a half mile of the subject site.

The proposed donation of land, dedication of tracts within the planned development, and other improvements proposed will help the City serve this area as intended by this policy and as

envisioned by the parks plan through bringing to fruition many of the items in the action plan, including:

- City acquisition of a special use park adjacent to the BPA Easement (proposed land donation)
- City acquisition of a greenway to help connect Tice Park with the BPA Easement (dedication of proposed Tracts)
- Develop a trail in the greenway acquired

The proposed donation of the special use park is land that is partially within the 100-year floodplain. The portion outside the 100-year floodplain includes an old farm access haul road well suited for use as a greenway trail. The proposed off-site improvement of this trail with a bark chip surface will ensure minimum impact on environmentally sensitive lands while achieving the intent of this policy.

The tracts in the planned development are proposed to be improved with trails and dedicated to the City after the improvement are constructed. All of the proposed trails are located outside of the 100-year floodplain and do not contain environmentally sensitive lands.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that the Planned Development includes park improvements, paved trails, and a greenway trail within the tracts and parcel to be dedicated to the City for public parks, as described in findings for Policy 75.00 and Policy 76.00 above. These improvements and dedications will achieve the following actions in Table 10 (Recreation Facility Action Plan – Northwest) of the City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999:

- 1) Special Use Parks: Acquire a special use park adjacent to the BPA Easement/acquire Elks Park
- 2) Greenspace/Greenways: Acquire a greenway along Baker Creek connecting Tice/BPA Easement
- 3) Trails and Connectors: Develop the Westside Trail (BPA Easement)
- 4) Trails and Connectors: Develop a trail in the Baker Creek greenway

*Policy 164.00 The City of McMinnville shall continue to acquire floodplain lands through the provisions of Chapter 17.53 (Land Division Standards) of the zoning ordinance and other available means, for future use as natural areas, open spaces, and/or parks.*

**APPLICANT'S RESPONSE:** There are no floodplain lands within the boundary of the planned development proposed for land division, so this policy does not apply to the planned development. The proposed donation of land for a special use park, which does include floodplain lands, is not part of the planned development. The park land is simply being offered to the City, and acceptance of the donation is sought concurrent with the development review. This will allow for efficient processing of the offer by City staff and permit the City to evaluate how the donation fits into the City's park system. The City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999, (page 41) states, "The Director of Parks and Recreation oversees park acquisition..." It is hoped the proposed donation will be accepted by the Director and the City as it meets these policies.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 - 8.** The Planned Development includes park improvements and a greenway trail within the 14.9 acre parcel described in the application narrative as Parcel D (Exhibit C in Instrument No. 201904870, Yamhill County Deed Records). This parcel is being dedicated to the City for a public park, as described in findings for Policy 75.00 and Policy 76.00 above, at the time of the platting of subdivision Phase 2A or

Phase 3A. A majority of this parcel is located within the 100-year floodplain and will be improved with some park improvements and a recreational trail. However, as described above in the finding for Policy 163.05, the improvements will not occur within the floodplain and most of the parcel will be preserved as natural area and open space.

*Policy 166.00 The City of McMinnville shall recognize open space and natural areas, in addition to developed park sites, as necessary elements of the urban area.*

**APPLICANT'S RESPONSE:** The proposed Planned Development meets these policies with the open spaces and natural areas proposed to be preserved in tracts, in addition to the mini-parks proposed to be developed in tracts.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that the Planned Development includes park improvements, paved trails, and a greenway trail within the tracts and parcel to be dedicated to the City for public parks, as described in findings for Policy 75.00 and Policy 76.00 above. Parcel D (Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) is being dedicated to the City for a public park at the time of the platting of subdivision Phase 2A or Phase 3A. A majority of this parcel is located within the 100-year floodplain and will be improved with some park improvements and a recreational trail. However, as described above in the finding for Policy 163.05, the improvements will not occur within the floodplain and most of the parcel will be preserved as natural area and open space.

*Policy 167.00 The City of McMinnville shall encourage the retention of open space and scenic areas throughout the community, especially at the entrances to the City.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The Planned Development includes park improvements, paved trails, and a greenway trail within the tracts and parcel to be dedicated to the City for public parks, as described in findings for Policy 75.00 and Policy 76.00 above. Parcel D (Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) is being dedicated to the City for a public park at the time of the platting of subdivision Phase 2A or Phase 3A. A majority of this parcel is located within the 100-year floodplain and will be improved with some park improvements and a recreational trail. However, as described above in the finding for Policy 163.05, the improvements will not occur within the floodplain and most of the parcel will be preserved as natural area and open space.

*Policy 168.00 Distinctive natural features and areas shall be retained, wherever possible, in future urban developments.*

**APPLICANT'S RESPONSE:** Where possible within the planned development boundary, which is an urban development, distinctive natural features are retained in tract areas. Tract N includes a grove of protected trees. The landscape plans indicate that many significant trees are preserved in the rear yards of lots, particularly on the north and east boundaries of the site. Large trees along Baker Creek Road could not be preserved as they were within the area of required frontage improvements.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 - 8, & 14.** The City concurs with the applicants findings. The subject site contains many natural, topographic, and aesthetic features that the proposed Planned Development would retain and protect. The most significant of these natural features is the 100-year floodplain area that exists within the parcel proposed to be dedicated as a public park. No development is proposed to occur within that parcel, other

than recreational uses, which will preserve the land and the environmental benefits and functionality that these lands serve in the Baker Creek corridor. Open space areas are proposed in Tract N and Tract F to preserve areas of steep slopes and stands of existing significant trees within the Planned Development boundary. The requested zoning departures of lot size averaging and reductions in lot sizes will encourage development of the site that would be sensitive to existing slopes, significant trees, and floodplains that are found within and near the site. Conditions of approval are included to require the creation of the open space tracts, the preservation of existing natural features where applicable, and to require the review and approval of any tree request where significant trees are proposed to be preserved.

*Policy 169.00 Drainage ways in the City shall be preserved, where possible, for natural areas and open spaces and to provide natural storm run-offs.*

**APPLICANT'S RESPONSE:** Drainage ways north of the site are not proposed to be developed.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 170.05 For purposes of projecting future park and open space needs, the standards as contained in the adopted McMinnville Parks, Recreation, and Open Space Master Plan shall be used. (Ord. 4796, October 14, 2003)*

**APPLICANT'S RESPONSE:** The applicant has reviewed the adopted City of McMinnville Parks, Recreation, and Open Space Master Plan prepared for the City by MIG, Inc. on June 1999. The applicant owns a parcel with an area of 14.9 acres adjacent to and north of the proposed Baker Creek North Planned Development. Concurrent with this application, the applicant requests acceptance of the donation of this land to the City.

The donated parcel would become a Special Use Park, and allow for Trails and a Linear Park, as defined on page 10 of the City's Master Plan (see also Appendix A Facility Inventory's Map 2, the Master Plan map, where a Special Use Park symbol is located in the area). Acceptance of this donation by the City would allow it to fulfill the recommendations listed in Chapter 6 of the Master Plan related to benefiting the residents of McMinnville. Acquisition of this property is listed in the Master Plan in Table 10 - Recreation Facility Action Plan – Northwest (page 43) under "Special Use Parks" as a top priority. City ownership of this land would also allow the City to achieve another action item in this table, which is acquiring a "Greenway" to connect Tice Park to the BPA easement, as this property has an old farm haul road along the bluff from the BPA easement east to the adjacent property boundary that is well suited for development of a trail. This land donation will also allow the City to make a connection to the adjacent Baker Creek Greenway segment being proposed by an adjacent development (PDA 3-18/PDA 4-18/S 3-18), which is also an action item in Table 10 ("Develop a trail in the Baker Creek Greenway").

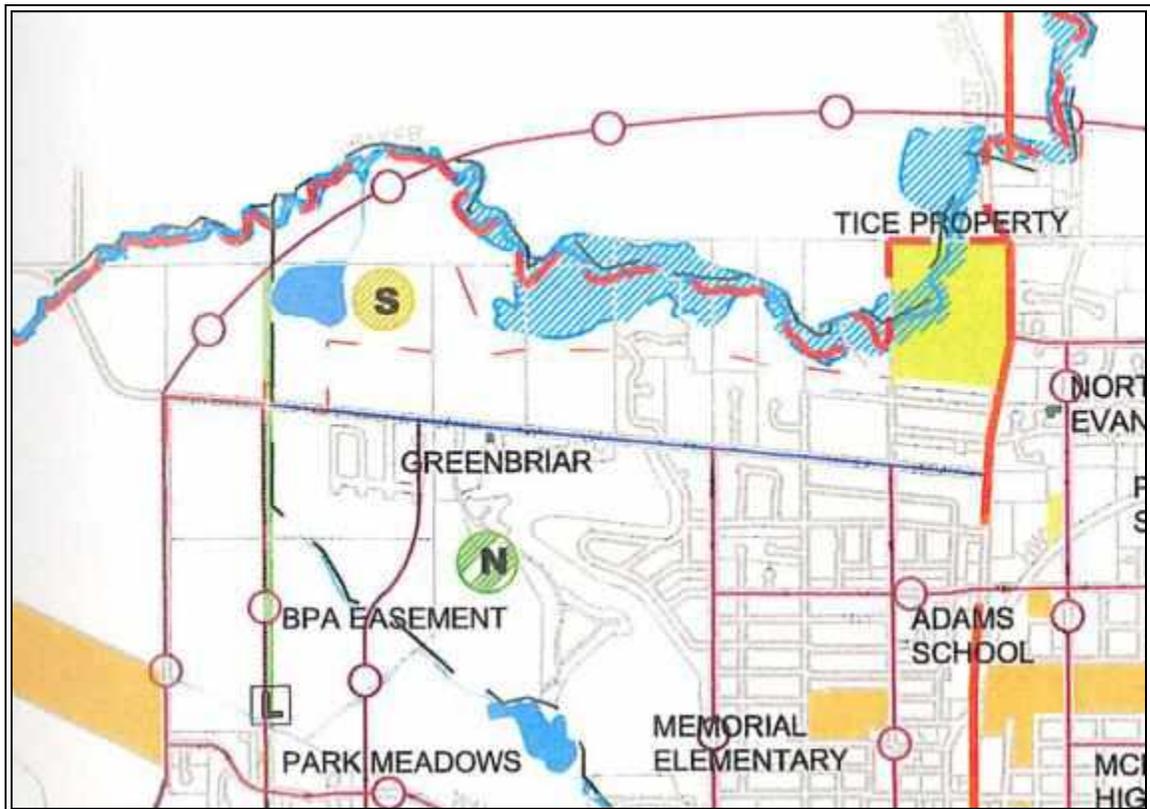
The purpose of the park land donation is to facilitate public open space enjoyment, protection of the floodplain from development encroachment, and conservation of riparian habitat along the waterway.

The proposed land donation is not part of the proposed planned development. The Proposed Planned development will create Tracts "F", "I", "J", "K", "L", "N" & "S", which the applicant recommends the City accept ownership of following installation of recreational amenities as proposed in their respective phases. These tracts include paths and trail improvements to support linear parks and greenspaces. These tracts and their improvements will facilitate public access to and enjoyment of the donated land.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #5 - 8.** The City concurs with the applicant's findings, but adds that the Planned Development includes park improvements, paved trails, and a greenway trail within the tracts and parcel to be dedicated to the City for public parks, as described in findings for Policy 75.00 and Policy 76.00 above. The tracts and parcel the City will accept as public parks are also described in findings for Policy 75.00 and Policy 76.00 above. All of the tracts within the Planned Development will remain as private open space and recreational tracts to be maintained by the Homeowner's Association. The improvements and dedication of the tracts and parcel describe above will achieve the following actions in Table 10 (Recreation Facility Action Plan – Northwest) of the City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999:

- 1) Special Use Parks: Acquire a special use park adjacent to the BPA Easement/acquire Elks Park
- 2) Greenspace/Greenways: Acquire a greenway along Baker Creek connecting Tice/BPA Easement
- 3) Trails and Connectors: Develop the Westside Trail (BPA Easement)
- 4) Trails and Connectors: Develop a trail in the Baker Creek greenway

These actions are also identified in the City of McMinnville Parks, Recreation, and Open Space Master Plan Map as follows:



	Existing	Existing	Proposed
	Developed	Underdeveloped	
Mini-park/Playlot			
Neighborhood Park			
Community Park			
Linear Park			
Greenspace/Greenway			
Special Use			
Community/Recreation Centers			
Schools			
Other City Property			
Existing Bikeway			
Proposed Bikeway			
Waterway			
Floodplain			
City Boundary			
Urban Growth Boundary			
Multi-Purpose Trail			

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

**GOAL X 2:** TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

*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.*

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The process for a Planned Development provides an opportunity for citizen involvement throughout the process through the neighborhood meeting provisions, the public notice, and the public hearing process. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property and was published in the News Register on Tuesday, November 26, 2019 in accordance with Section 17.72.120 of the MMC on November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.

Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public hearing(s). The application materials are posted on the City's website as soon as they are deemed complete, and copies of the staff report and Planning Commission meeting materials are posted on the City's website at least one week prior to the public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

### **McMinnville Zoning Ordinance**

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

#### **Chapter 17.03. General Provisions**

**17.03.020 Purpose.** The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

#### **Chapter 17.21 Multiple-Family Residential Zone**

**17.12.010 Permitted Uses.** In an R-4 zone, the following uses and their accessory uses are permitted:

- A. Single Family Dwelling [..]

**APPLICANT'S RESPONSE:** The proposed planned development will have single-family dwellings and their accessory uses, which are uses allowed in the R-4 zone.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

**17.12.010 Permitted Uses.** In an R-4 zone, the following uses and their accessory uses are permitted:

- G. A single-family dwelling having a common wall with one or more other single-family dwelling, provided:
  1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.
  2. The dwelling shall have a common wall at the "zero" lot line.
  3. Each lot shall comprise not less than twenty-five hundred square feet in area.
  4. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.

5. Each dwelling unit must have independent services which include, but are not limited to sewer, water and electricity.
6. The common wall shall be a fire wall, and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.
7. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty (50) as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.
8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974.

**APPLICANT'S RESPONSE:** Through the planned development process, the applicant is requesting approval to develop lots (designated on the plans as SFD-30a and SFD-26a) at a scale that would normally be single-family units having a common wall with one more single-family dwellings, thereby meeting the standards of subsection G. above. Through the planned development process, the applicant is requesting flexibility to allow the dwellings to not be connected with a common wall. Instead, a unique approach is applied where the required side yards are split between the units so each side of the dwelling will have a side yard. The lots will meet the standards of the eight subsections listed above, or will be modified through the planned development as follows:

1. The dwelling units will be situated on an individually, legally subdivided lots meeting this code.
2. The dwelling units will not have a common wall, rather they will be modified through the planned development approval process to have two 3-foot wide side yards, one on each side of the dwelling, resulting in six (6) feet between structures.
3. All SFD-30a and SFD-26a lots in the proposed development combined will average more than twenty-five hundred (2500) square feet in area, and no lot will be less than twenty-three hundred (2300) square feet in area.
4. Lot area minimum and building setback requirements from property lines as modified by this application will apply to the dwelling units individually (except the average per #3 above).
5. Each dwelling unit will have independent services.
6. There will be no common wall as described in #2 above. The wall will meet the Uniform Building Code as adopted by the State for dwellings with 3-foot side yard setbacks to the property line.
7. There will be no common wall as described in #2 above, therefore there is no need for a sound barrier.
8. The dwelling units will not include existing duplexes, so this item is not applicable.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #22.** The City concurs with the applicant's findings, and adds that additional findings for the lot size and configuration proposed in the Planned Development plans are provided for Goal V 1 and Policies 58.00 and 59.00 above. Because the narrower setbacks will reduce space between structures, a condition of approval is included to verify the storm drainage requirements that will apply at the time of construction of dwelling units on the lots within the Planned Development. More specifically, the condition states that, where sites are graded, the top of the exterior foundation must extend above the street gutter in compliance with the Building Code to facilitate storm drainage. Alternative elevations are permitted subject to the approval of the building official,

provided it can be demonstrated that required drainage to the point of discharge and away from the structure is provided at all locations on the site. Where room on a property does not exist to slope the finished grade away from foundations as required by the Building Code to mitigate storm drainage, alternative diversion or drainage solutions must be provided subject to approval by the building official.

**17.12.010 Permitted Uses.** In an R-4 zone, the following uses and their accessory uses are permitted:

- O. Public park and recreation area;
- P. Sewage pump station;

**APPLICANT'S RESPONSE:** The proposed residential development will include other uses permitted in the R-4 zone, such as open space tracts proposed to be dedicated to the City as public parks and a tract with a sewage pump station.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that the specific requirements for improvements of the public and private open space tracts and parcel are described in findings for Policy 75.00 and Policy 76.00 above.

**17.12.030 Lot Size.** In an R-4 zone, the lot size shall not be less than five thousand square feet, except that the lot area for common wall, single-family lots shall not be less than two thousand five hundred square feet per family.

**APPLICANT'S RESPONSE:** The policies of the Comprehensive Plan and this code encourage planned developments with unique approaches to development that meet the purposes of those policies and this code. The proposed planned development achieves these goals as outlined in this narrative. One method to meet these goals is to create new lots of varying sizes. The applicant has proposed seven (7) different lot types. To meet these goals, some lots are larger than five thousand square feet and some are smaller.

The average size of the single-family detached (SFD) lots, designated on the proposed plans as SFD-70, SFD-60, SFD-50, SFD-40, & SFD-45, is 5,745 square feet. So, on average these planned development lots exceed the standard lot area minimum in this code. Likewise, the planned development's alley loaded lots SFD-30a & SFD-26a, that would have common walls in a standard subdivision, but are proposed in this planned development with a unique design to be detached with two 3-foot side yards (see comments under Section 17.21.010G. above), have an average size of 2,760 square feet. These lots exceed the lot area minimum of 2,500 in this code for this type of lot. Overall the average lot size is 4,925 square feet, only 75 square feet less than the minimum. For a planned development of this size, with the myriad of common open spaces proposed, the lot sizes meet the intent and purpose of these standards and policies.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that additional findings for the lot size and configuration proposed in the Planned Development plans are provided for Goal V 1 and Policies 58.00 and 59.00 above. The City also clarifies that the average lot size in the Planned Development is 4,930 square feet.

**17.12.040 Yard Requirements.** In an R-4 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:

- A. A front yard shall not be less than fifteen feet;

- B. A side yard shall not be less than six feet, except an exterior side yard shall not be less than fifteen feet;
- C. A rear yard shall not be less than twenty feet;
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet.

**APPLICANT’S RESPONSE:** The applicant’s Typical Lots plan illustrates proposed planned development yard setbacks for each typical single-family detached lot. The plan indicates the standards of this section will be met or modified by the proposed planned development in the following ways:

- A. This section will be met, as lots are proposed with a front yard setback of not less than fifteen feet.
- B. This section will be met in terms of exterior side yards, as lots are proposed with an exterior side yard setback of not less than fifteen feet.

The proposed planned development [internal] side yard setbacks vary for the seven (7) proposed lot types as shown on the Typical Lots plan summarized here:

- SFD-30a and SFD-26a: Instead of common wall or zero lot line construction on one side of the unit and the required six feet side yard on the other, these planned development lots will split this yard area to have three (3) feet of yard area on each side of the dwelling. Thus, there will still be six feet total of side yard per dwelling, just like with common wall construction of a two-unit town house structure.
- SFD-45: These planned development lots will have four (4) feet side yards. These lots are similar in scale (26’ wide building envelope) as the recently approved planned development lots in a nearby project (AP 1-17) that have only 3-foot side setbacks. So, this planned development will have two feet more total side yard per lot of this type, than the other did.
- SFD-40, SFD-50, SFD-60, and SFD-70: These planned development lots will all have five (5) feet side yards. The flexibility requested in this planned development is to allow these lots to have just one foot less than the six feet standard. In exchange this planned development will provide more variety of housing and common open space areas.

- C. This section will be met, as all lots are proposed with a rear setback of not less than twenty (20) feet, except lots that have garages served from the alley. For lots loading the garage from the alley, the 20-foot setback applies to the garage door. The planned development proposes a rear building setback from the alley of fifteen (15) feet. This will allow for, if desired, a bump out for an entry, second story overhang or other structural feature to add texture to the rear of the dwelling along the alley.
- D. This section will be met. All garage setbacks are shown as 20-feet, which meets this code.
- E. This section will be met for dwellings higher than thirty-five feet.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #3, #4, and #22.** The City concurs with the applicant’s findings. A condition of approval has been included to amend the required setbacks, based on the special objectives and design of the Planned Development as described in more detail below. In addition, conditions of approval are included to verify that minimum

clearances be provided around electrical meters when fences are constructed in the side yard of lots, based on comments provided by McMinnville Water and Light, and that storm drainage be addressed at the time of construction of dwelling units on the lots within the Planned Development. The minimum clearances and storm drainage requirements are more difficult to meet when side yard setbacks are reduced.

**17.12.050 Building Height.** In an R-4 zone, a building shall not exceed sixty feet in height.

**APPLICANT'S RESPONSE:** The applicant intends to develop single-family detached dwellings in the R-4 zone that conform to Section 17.21.040 E. above. Thus, proposed structures will not in any way exceed this 60-ft. height standard.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

**17.12.060 Density Requirements.** In an R-4 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.21.020(M) are utilized.

**APPLICANT'S RESPONSE:** The provisions of Section 17.21.020(M) do not apply to this application.

This code section is met by the proposed development. The code would require a minimum of 2,200 square feet for a four-bedroom dwelling unit. The smallest lot in the proposed planned development is over 2,200 square feet. Thus, all lots in the development can have up to four bedrooms, and any lot over 2,700 square feet can have five bedrooms, etc.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but clarifies that the code would require a minimum of 2,250 square feet for a four-bedroom dwelling unit. The smallest lot in the proposed planned development is 2,340 square feet, so all proposed lots could support dwelling units up to four bedrooms. Lots that are less than 2,750 square feet would be limited to four bedroom dwelling units.

## **Chapter 17.51. Planned Development Overlay**

**17.51.010 Purpose.** The purpose of a planned development is to provide greater flexibility and greater freedom of design in the development of land than may be possible under strict interpretation of the provisions of the zoning ordinance. Further, the purpose of a planned development is to encourage a variety in the development pattern of the community; encourage mixed uses in a planned area; encourage developers to use a creative approach and apply new technology in land development; preserve significant man-made and natural features; facilitate a desirable aesthetic and efficient use of open space; and create public and private common open spaces. A planned development is not intended to be simply a guise to circumvent the intent of the zoning ordinance. In approving a planned development, the Council and the Planning Commission shall also take into consideration those purposes set forth in Section 17.03.020 of this ordinance. A planned development shall be considered as an overlay to an existing zone, and the development of said property shall be in accordance with that zone's requirements, except as may be specifically allowed by the Planning Commission. For purposes of implementing these objectives, two means are available:

**APPLICANT'S RESPONSE:** The proposed planned development meets the Purpose of this Section. The design uses the flexibility allowed to offer a development pattern that provides a variety of lot sizes and uses of the land. The applicant uses a creative approach to site design including:

- Providing extra lot depth to respond to existing trees and topography.
- Alternating lot sizes on various block faces to create a diverse mix of housing types and appealing streetscape throughout the development.
- Preservation of open space under the power line easement and in a tree grove.
- Orienting the fronts of some lots to common open space.
- Aligning pathways with destination open spaces, both private and public.
- Clustering density near future transit corridors.
- Preserving view corridors and access to adjacent parks and natural features both north and south of the site.

This planned development is not a guise to circumvent the intent of the zoning ordinance. The density of the development in both the average lot sizes and scale of the housing is comparable those uses allowed outright in the code. Therefore, the proposed planned development meets the intent of the code while providing a residential community that is better than would be allowed by a strict enforcement of the code.

The proposed planned development also meets the purpose of Section 17.03.029 for appropriate and orderly physical development of the City as evidenced by this narrative and the supporting exhibits. The applicant recognizes that approval of the request will create a planned development overlay over the R-4 zoned portion of the site and it will be developed according to the zone requirements except those approved modification as requested here. The method for implementing this planned development will be addressed under code subsection A. below:

**FINDING: SATISFIED.** The City concurs with the applicant's findings. In addition, the conditions of approval described throughout this Decision Document will ensure that the Planned Development is developed as proposed through the use of lot size averaging, the provision of a variety of lot sizes to support a mix of housing types, the preservation of open space and recreational areas in public and private tracts, the orientation of smaller lots to common open space, and the loading of smaller lots from rear alleys. These features of the Planned Development, together with conditions of approval as necessary, will provide variety in the development pattern of the community, allow for a creative approach to land development, preserve significant natural features, facilitate a desirable aesthetic, and create public and private open spaces.

**17.51.010 Purpose.** [...]

- A. The property owner or his representative may apply for a planned development to overlay an existing zone and shall submit an acceptable plan and satisfactory assurances it will be carried out in accordance with Section 17.51.030. Such plan should accomplish substantially the same general objectives as proposed by the comprehensive plan and zoning ordinance for the area; (The fee charged for processing such an application shall be equal to the one charged for zone changes.)

**APPLICANT'S RESPONSE:** This narrative discusses how the planned development substantially meets the same general Comprehensive Plan and Zoning Ordinance objectives for the R-4 zone.

**FINDING: SATISFIED.** The City concurs with the applicant's findings. In addition, the conditions of approval described throughout this Decision Document will ensure that the Planned Development is developed as proposed, which amendments required by conditions of approval if necessary.

**17.51.010 Purpose.** [...]

- B. The Council, the Commission, or the property owner of a particular parcel may apply for a planned development designation to overlay an existing zone without submitting any development plans; however, no development of any kind may occur until a final plan has been submitted and approved. (The Planning Director shall note such properties and direct that no building permit be issued in respect thereto.)
  - 1. A planned development overlay may be approved under these circumstances for a property which has unique characteristics (e.g., geological, ecological, location, or the nature of the surrounding property) and the development of which may have an impact upon the surrounding area or the city as a whole. A planned development overlay initiated by the Council or the Planning Commission shall address itself to the purposes set forth herein.
  - 2. The Council and Planning Commission shall set forth the reasons for approval and the areas of concern that must be addressed when final plan are submitted;
- C. The Council and Planning Commission, with the assistance of the Planning Director, shall ensure that no planned development overlay granted under Section A or B above which is merely a guise to circumvent the intent of the zoning ordinance shall be approved. A denial of such a zone request based upon this principle shall be enunciated in the findings of fact adopted by the Planning Commission;
- D. A planned development overlay shall be heard and approved under the public hearing procedures set forth in Chapter 17.72 (Applications and Review Process) of this ordinance. (A planned development overlay and change of the underlying zone may be processed simultaneously.)

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The Planned Development was applied for with a specific development plan. The Planned Development was processed and reviewed in accordance with the public hearing procedures in Chapter 17.72.

**17.51.020 Standards and requirements.** The following standards and requirements shall govern the application of a planned development in a zone in which it is permitted:

- A. The principal use of land in a planned development shall reflect the type of use indicated on the comprehensive plan or zoning map for the area. Accessory uses within the development may include uses permitted in any zone, except uses permitted only in the M-2 zone are excluded from all other zones. Accessory uses shall not occupy more than twenty-five percent of the lot area of the principal use;

**APPLICANT'S RESPONSE:** The planned development is being proposed concurrent with a Comprehensive Plan Map amendment and a Zoning Map amendment to designate all of the planned development area within the R-4 zone, so the principal use of land in the planned development, single-family residential, will reflect the type of use indicated on those maps.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

**17.51.020 Standards and requirements.** [...]

- B. Density for residential planned development shall be determined by the underlying zone designations.

**APPLICANT'S RESPONSE:** The underlying proposed zone designation is R-4. As required, residential density is addressed in applicant's response to Section 17.21.060. The proposed development conforms to the underlying zone requirements.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but clarifies that the overall net density of the planned development is just under the requirements of the underlying R-4 zone at 7.94 dwelling units per acre. Policy 79.00 allows for density to be less than that allowed under the zoning classification through a planned development overlay, which has been requested. The City adds that other conditions of approval will require the alleys serving the narrower lots to be private, which will likely increase the net density likely 8 dwelling units per acre to be within the range of the R-4 zone. In addition, as described by the applicant, the Planned Development plans do meet the density requirements of the R-4 zone on a lot size per unit basis per Section 17.12.060.

**17.51.030 Procedure.** [...]

- C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:
  - 1. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;

**APPLICANT'S RESPONSE:** Regarding the Baker Creek North Planned Development, the applicant intends to develop a residential community that provides home attainability, balance, and choice. The applicant seeks to address the following physical conditions and achieve a number of special objectives as part of the overall development concept, warranting a departure from standard regulation requirements:

- (1) Preserve trees in rear yards and tracts.
- (2) Accommodate homes along the bluff while keeping appropriate separation from the natural areas on the adjacent property.
- (3) Developing around the BPA Easement that traverses the site.
- (4) Provide a diversity of lot sizes to accommodate a mix of housing sizes at various price points to meet the goals and policies of the City's Comprehensive Plan and this code to serve today's market needs of home consumers in McMinnville.
- (5) Focus on the detached Single-Family Residential housing type.
- (6) Offer on-site open space amenities to the residents who cannot cross a minor arterial to reach the nearest neighborhood park.
- (7) Provide access to City park facilities.
- (8) Create a sense of place.
- (9) Ensure adequate off-street parking.
- (10) Avoid "cookie cutter" approach to housing on any block face.
- (11) Promote future transit service.

The proposed development addresses each of these special physical conditions and objectives through its design and the requested flexibility offered by a planned development as shown on the plans and discussed in detail in this narrative and below.

(1) Preserve trees in rear yards and tracts

Along the north and northeast boundary of the site there are stands of oak trees as well as rows of oak trees. These oak trees are preserved in the rear yards of proposed lots along the perimeter of the project with extra deep rear yards to accommodate space for these trees outside of the building envelop. Tree protection for these trees during site construction is shown on the landscaping plan drawing L1.0. A grove of these trees is preserved in proposed Tract "N" in Phase 2A of the project. Proposed Lots 129-133 in Phase 2A and Lots 269-280 will have a thirty-foot rear building setback where a large oak tree exists to protect this feature and provide a natural buffer between the site and adjacent land. Preservation of this area is in part meant to off-set the planned development request to decrease side yard setbacks by one foot from six feet to five feet setbacks for most lots, and to four feet for other lots, as well as to allow for a mix of lot sizes throughout the planned development.

(2) Accommodate homes along the bluff while keeping appropriate separation from the natural areas on the adjacent property.

The site is adjacent to a bluff, at the bottom of which is a parcel that is planned for a City special use park. Lots along the bluff have been designed with extra depth to allow for horizontal separation between the dwellings, which will sit on top of the bluff, and the adjacent natural area at the rear property line. Use of this portion of the site to create larger deeper lots is in part meant to off-set the planned development request to allow for a mix of lot sizes throughout the planned development, some of which are smaller.

(3) Developing around the BPA Easement that traverses the site.

The site is encumbered by a 60-foot wide BPA Easement and transmission lines. The area under the transmission lines is preserved as community open space and proposed to be improved with picnic tables and a grassy area near the street, and a gravel walking trail (and utility access way) with excellent views of the future City special use park. This area is proposed to be dedicated to the City as a park. Improvement of this active open space is in part intended to support the planned development request to allow for a mix of lot sizes throughout the planned development, some of which have less lot area.

(4) Provide a diversity of lot sizes to accommodate a mix of housing sizes at various price points to meet the goals and policies of the City's Comprehensive Plan and this code and to serve today's market needs of home consumers in McMinnville

The Comprehensive Plan Policy 72.00 states, "Planned developments shall be encouraged as a favored form of residential development." Policy 73.00 states, "Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged." This code states under Section 17.51.010, "...the purpose of a planned development is to encourage a variety in the development pattern of the community..." The proposed planned development provides the variety called for by the City in the above referenced documents with its seven different lot sizes described in this narrative and in the exhibits to the application: SFD-70, SFD-60, SFD-50, SFD-40, SFD-30a, & SFD-26a. This approach will better meet the various needs of home buyers than development built to the standard, as it would only create two lot types: common wall single family dwellings on lots of 2500 square feet in area and detached single-family dwellings on lots of 5000 square feet in area.

(5) Focus on the detached Single-Family Residential housing type

A 2014 residential preference study done by DHM Research for Metro<sup>1</sup> shows that about 80% of people view detached single-family dwellings as their preferred housing choice. In recognition of this finding, the Applicant has specifically designed the planned development with detached single-family housing in mind. This in part addresses the applicants request through the planned development process to develop the alley loaded lots referred to as SFD-30a and SFD-26a as detached dwellings instead of using common wall construction as allowed outright in the code for lots in this size range.

This unique approach to site design creates a housing product type commonly referred to as the missing middle, or single-family detached homes at the scale of an attached dwelling without the attachment. This is a product type that meets consumer needs for lower cost attainable housing that would normally only be found with a townhouse/row house structure, only these proposed lot types are without the burden of a common wall. So, by meeting this objective the development is also helping meet objective (4) discussed above.

- (6) Offer on-site open space amenities to the residents who cannot cross a minor arterial to reach the nearest neighborhood park

There is a neighborhood park under construction within a ½ mile of the site which is anticipated to be complete prior to development of this site, however it is located across a minor arterial. Therefore, private mini-parks are proposed on tracts with active recreational amenities for residents of the Baker Creek North development. For details, see the landscaping plan drawings L1.0-L10.0. Sidewalks and mid-block pathways provide convenient access to the proposed facilities. The site design also includes pathways and marked crosswalks to connect residents of the site to City park facilities to the south beginning at Baker Creek Road and Meadows Drive. On-site open space areas and proposed recreation amenities in part off-set the request for varied lots sizes as part of the planned development.

- (7) Provide access to City park facilities

In addition to pathways and sidewalks leading south to the City park facilities as described in objective (6) above, the proposed planned development provides multiple tracts that can provide public access to the adjacent special use park land to the north of the site. The applicant is proposing to dedicate ownership of several open space tracts to the City, upon recording of the respective phases of development, for use to access the future special use park land being donated.

- (8) Create a sense of place

The site is adjacent to minor arterial called Baker Creek Road and Baker Creek lies to the north of the site. The plan includes a landscaped open space tract with a white rail fence the entire length of the site's frontage with Baker Creek Road accented with two entrance monuments located in the tract at Meadows Drive and Shadden Drive. Opposite this strip at Shadden Drive is a landscaped storm pond tract. Opposite this strip at Meadows Drive is a tract with a pathway to extend the BPA trail into the site and terminate it at the proposed intersection of Kent Street and Meadows Drive. This location will include a proposed mini-park that will include a picnic space at the trailhead and a natural path overlooking the City's future special use park. These features along with the other common open spaces and curvilinear tree lined streets will create a unique new community in the City of McMinnville with a vibrant housing mix and excellent access to recreation and other services.

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<sup>1</sup> (<http://www.oregonmetro.gov/residential-preference-study>)

(9) Ensure adequate off-street parking

Parking can present challenges in developments that propose compact urban form. Having witnessed mistakes by developers who did not provide sufficient parking in small lot projects, the applicant is committed to providing sufficient off-street parking so that on-street parking is available. Therefore, each single-family unit will have a minimum of four off-street parking spaces as shown on the exhibit drawing EXH-5 Typical Lots. This will typically include two garage spaces and two spaces on a standard driveway pad in front of the garage. As such, this design will exceed McMinnville city off-street parking standards by 100%. Driveways will be paired where feasible in order to maximize on street parking as well. The off-street and on-street parked vehicles are graphically represented in the exhibit drawings SP-1 through SP-5 Site Plans.

(10) Avoid “cookie cutter” approach to housing on any block face

A primary goal of this planned development is to avoid the appearance from the public street of monotonous tract housing (aka: “cookie cutter”) pattern of development. This objective has been achieved in part through site design where lot sizes alternate along a block face and where lots types differ from one side of the street to the other. To further support this objective, the applicant is proposing a condition that no building elevation shall repeat itself on an adjacent lot nor the lot directly across the street.

(11) Promote future transit service

The October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I, which was adopted on 10/18/18, shows the site is located within a ¼ mile on the north side of a planned transit corridor along Baker Creek Road. The applicant has designed the site to cluster density along the south end of the site, which is close to this future transit corridor, in order to make the transit service conveniently within walking distance for the majority of the future residents. Since convenience and walking distance are major factors in a person’s choice to use transit, the proposed site design will encourage transit use. The density of the housing and convenience of use will also encourage future transit service to be developed as planned.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #2 - 22.** The City concurs with the applicant’s findings, but clarifies a number of statements. The larger rear yard setback described by the applicant is proposed to preserve existing trees along the rear yard of Lots 131-135 and Lots 269-280. A condition of approval has been included to require a larger rear yard on those lots, and also to require that a request for removal of any of the trees within the rear yard of those lots be submitted to the Planning Director for review and approval prior to removal.

The Planned Development site is traversed and bisected by the existing BPA power line easement, which does not allow for the development of permanent structures. This presents some difficulty in the development of the site. In addition, the area of this easement is also planned for the extension of the BPA trail, which currently exists south of Baker Creek Road from Baker Creek Road to 2<sup>nd</sup> Street. The Planned Development plans include the extension of the BPA trail to the north to a terminus within an open space parcel that will be dedicated to the City as a larger public park. In order to minimize crossings of the BPA trail extension, the Planned Development includes a street network with only one street crossing of the trail. IN addition, the parcel that will serve as a larger public park (identified as Parcel D in the application

narrative) will function as a Special Use Park, as most of the park will be preserved as natural area and open space to preserve a 100-year floodplain area. A trailhead will be developed at the terminus of the BPA trail extension, and a bark chip greenway trail will be developed within the Special Use Park. All of these park dedications and improvements will allow the City to achieve actions identified in the City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999, as described in more detail above. These park improvements will provide opportunities for residents of the Planned Development, and the City as a whole, to have social interaction, recreational amenities, and access to nature and wildlife, all of which are special objectives of the proposed Planned Development. In addition to the public park and trails, a number of private open space tracts, recreational tracts, and pedestrian connections are provided throughout the Planned Development. The specific improvements that will occur within the public and private open space and recreation tracts are described in more detail above.

The Planned Development does propose 7 different lot sizes, which will provide an opportunity for a variety of housing options at a range of potential price points, which will provide housing mix within the Planned Development. In order to allow lot size averaging and a transition in density from the southern portion of the site to the northern portion of the site, lot sizes and dimensions are proposed to be varied from typical zoning requirements. Some lots will be smaller than typically allowed for detached dwelling units in the R-4 zone, and most lots will be deeper than typically allowed by the lot depth-to-width ratio of the land division standards. Where lots are narrower than 40 feet, the applicant is proposing to provide alleys that provide vehicular access from the rear side of the lots. This design feature will result in the fronts of the dwelling units including more pedestrian-oriented features and not having front facades that are dominated by garage openings and driveways. This not only improves the aesthetics of the dwelling units, but also improves the pedestrian environment adjacent to the dwelling units as there will be an uninterrupted sidewalk without curb cuts or vehicles crossing the sidewalk. In addition, some of the narrow lots are proposed to front onto private open space tracts with recreational amenities, which will offset the smaller lots and less private open space on those lots.

The applicant has proposed driveway widths for each of the different lot types as follows:

- SFD-70 & SFD-60 lots have 30 feet wide driveways.
- SFD-40 lots have 20 feet wide driveways.
- SFD-45 lots have 18 feet wide driveways
- SFD-30a & SFD-26a lots have driveways the same width of the dwelling from an alley.

These driveway widths are identified on the "Typical Lots" sheet in Drawing EXH-5, which show the driveway width extending the entire length from the front of the garage to the street. However, Section 12.20.030(B) of the MMC limits driveway widths on lots between 20 and 75 feet in width to no more than 40% of the frontage. The SFD-70, SFD-60, and SFD-40 lot types would exceed this 40% maximum driveway width if allowed to have the driveway widths requested by the applicant, with 42.8% wide driveways on the SFD-70 lots and 50% wide driveways on the SFD-60 and SFD-40 lots. The applicant has described the need for these driveway widths to allow adequate off-street parking space. The City concurs with the applicant in regards to providing adequate off-street parking space, but finds that the widths of most of the driveways proposed would create conflicts and disruptions within the pedestrian environment along the sidewalks within the public right-of-way. Therefore, a condition of approval is included to allow for driveways to be the maximum width requested by the applicant on each private lot, but that the driveway width be tapered down at the property line and not exceed the maximum 40% driveway width required by Section 12.20.030(B) between the property line and the street.

The one exception to this is the driveway width for the SFD-40 lots, which are allowed to have 20 foot wide driveways between the property line and the street.

The applicant has described a desire to avoid a cookie cutter housing pattern within the development. Given that the lot sizes as proposed are much smaller than what is typically provided for detached dwelling units, and in order to ensure that the housing types provided within the Planned Development do not result in a cookie cutter housing pattern, a condition of approval is included to require design standards that would apply to each dwelling unit's building plans to help facilitate a desirable aesthetic in the planned development. The condition states that building plans will be reviewed prior to the issuance of building permits. The review process will require the review and approval by the Planning Director of dwelling unit building plans that include architectural elevations, details, materials, and colors for the building. Finally, a condition of approval is included to require that no building elevation shall repeat itself on an adjacent lot or any lot directly across the street.

2. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;

**APPLICANT'S RESPONSE:** The applicant is requesting concurrent approval of the proposed amendments to Ordinance No. 4633, an amendment to the Comprehensive Plan Map to change a portion of the Commercial designated land to Residential, and a zone change to designate portions of the area regulated by the ordinance as C-3 and R-4. The applicant is also requesting approval of a zone change to designate the remainder of the Baker Creek North Planned Development area R-4. As discussed in the above narrative, the proposed land use actions and resulting development are consistent with applicable Comprehensive Plan goals, policies, and objectives of the area.

**FINDING: SATISFIED.** The objectives of the Comprehensive Plan are achieved by the Planned Development, as described in the Conclusionary Findings contained in this Decision Document.

3. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;

**APPLICANT'S RESPONSE:** The attached exhibits include street and utility plans for the proposed Baker Creek North Planned Development. The plans also illustrate how adjoining parcels, including the C-3 zoned parcel regulated by Ordinance 4633, will be provided adequate access and provision of services. The proposed improvements with Baker Creek North include a connection to the existing Blake Street stub, a stubbed street connection of Shadden Drive north that aligns with the proposed adjacent development's street stub, and a stubbed street connection of proposed William Drive south to the adjacent parcel. Access is provided via tracts to the north. The adjacent property to the south, referred to as the substation property, has adequate access from Baker Creek Road and recorded easements. No access is provided to the west as that land is outside of the urban growth boundary.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

4. The plan can be completed within a reasonable period of time;

**APPLICANT'S RESPONSE:** The applicant has submitted a Phasing Plan to illustrate how the site will be developed in the proposed 10 phases. If land use approval is granted in 2019, Phase 1A-1D will be completed in one or more phases between about 2019 and 2021, Phase 2A-2C will be completed following Phase 1D, likely from about 2021 to 2024, and Phase 3A-3C will be

completed following Phase 1B between about 2020 and 2024. A phased development of 10 phases can take a long time to complete, however, some phases can be constructed concurrently depending on market conditions. For example, Phase 3A could begin construction at the same time, or even before, Phase 2A, as Phase 3A is contingent only on completion of Phase 1B, not Phase 2A. This means development can even occur faster than predicted if conditions are right. Phased development could also extend beyond 2024 as suggested here, but would be completed within a reasonable time as allowed by this code.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

5. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;

**APPLICANT'S RESPONSE:** The new streets providing internal circulation are proposed with sections to meet local residential street standards, so they will support the anticipated local traffic. The street connections at Shadden Drive and Meadows Drive connecting to NW Baker Creek Road will be improved with extra pavement width to accommodate a 3-lane section on the side streets for a right-turn-out lane, center left-turn/through lane, and an in-bound lane. This will ensure extra capacity for turning movements at the intersection for outbound traffic. Baker Creek Road will be improved with a half-street improvement along the site's frontage to City standards, which will add a center left-turn lane to support circulation at the intersections, including north and south left-in turning movements that will not block through traffic on Baker Creek Road. The streets outside the planned area have already been developed to accommodate the anticipated development in the area.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the Planned Development also proposes the alignment and extension of three existing streets, NW Hill Road (proposed to be extended as Hill Lane), NW Meadows Drive, and NW Shadden Drive. The applicant has provided a traffic impact analysis (TIA) report to ensure that the proposed development will allow for all intersections in the surrounding area to function within the City's mobility standard for intersection operations, which requires a v/c ratio of 0.90 or less. The findings of the TIA are described in more detail in the finding for Policy 99.00 above.

6. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;

**APPLICANT'S RESPONSE:** The exhibits submitted with this application, including UT-1 through UT-5 Utility Plans, indicate that public utility and drainage facilities are adequate for the proposed population density and type of development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that the submittal of detailed development plans will be required at the time of development.

7. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole;

**APPLICANT'S RESPONSE:** The noise, air and water pollutants generated by the proposed development will not have adverse effects upon surrounding uses. Noise and air pollution of the proposed residential development will be similar to and compatible to the existing noise and air pollution created by the existing adjacent residential uses. Water pollutants will be similar to and compatible with adjacent uses and will be managed by the development of sanitary and storm

sewer infrastructure by the developer as proposed with the street construction described in the Exhibits attached to this narrative. Therefore, this Criterion is met.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

- D. If, in the opinion of the Commission, the foregoing provisions are satisfied, the proposal shall be processed according to this section. If the Commission finds to the contrary, they may recommend the application be denied or return the plan to the applicant for revision;
- E. The Commission may attach conditions to carry out the purpose of this ordinance provided that such conditions are not used to exclude needed housing or unnecessarily reduce planned densities, and do not result in unnecessary costs or delay;
- F. Before approving a planned development, the Commission shall follow the procedure for considering an amendment as required in Chapter 17.72 (Applications and Review Process) of this ordinance;

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The application was reviewed under the procedures required in Chapter 17.72. Conditions of approval are attached and described throughout this Decision Document to ensure that the Planned Development is developed as proposed and as amended where necessary to achieve applicable policies.

## **Chapter 17.53. Land Division Standards**

### **17.53.100 Creation of Streets.**

- D. A private way/drive which is created to allow the subdivision of land shall be in the form of common ownership, provide on-street parking or parking bays to replace that displaced by limited parking area, be approved by the Planning Commission in the form of a planned development, and meet the following conditions:
  - 1. If it is the only reasonable method by which the rear portion of the existing parcel can be provided with access; or because of unusual topography, vegetative cover (preservable trees), lot size, or shape, it is the most feasible way to develop the parcel.

**APPLICANT'S RESPONSE:** The northwest corner of the planned development extends along a narrow bluff. Due to the existing parcels unusual topography, the most logical way to develop the parcel is to extend a private drive north from proposed Mercia Street. Therefore, access to Lots 204-208 in Phase 2C is proposed through a shared private drive in a common easement over Lots 206-208 as depicted on drawing PL-3 Preliminary Plat. Also, due to lot sizes and shapes that are deeper to protect trees in rear yards of nearby lots, the street is particularly far from Lot 269 in the corner of the site in Phase 3C. Therefore, the most feasible way to develop the parcel is to provide a shared private drive in common easement over Lot 270, as depicted on drawing PL-5 Preliminary Plat, to serve both Lots 269 and 270. This approach to lot access is proposed as part of the planned development as opposed to flag poles for each lot as it is the preferred method of access as described in subsection C.3. above. With approval of by the Planning Commission, access to these lots will meet the requirements of this code.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #17.** The City concurs with the applicant's findings, but clarifies that the lots proposed to share an access easement are Lots 206-210. A condition of approval is included to allow those five lots to share one access easement.

2. The Planning Commission shall require the subdivider to provide the improvements to standards as set forth in Section 17.53.101(P) and maintenance of said private way/drive; to establish binding conditions upon each parcel taking access over said private way/drive, not limited to only the required maintenance, but to include adherence to the limited parking restrictions imposed by the individual planned development ordinance; and to provide necessary easements for the installation, operation, and maintenance of public utilities.
3. Provisions must be made to assure that the private streets will be properly maintained over time and that new purchasers of homes or lots within the subdivision are notified, prior to purchase, that the street is private and that maintenance fees may be charged. Such provisions must meet with the approval of the Planning Commission.

**APPLICANT'S RESPONSE:** The attached Preliminary Plat drawings indicate that the private drive serving Lots 204-208 is located within an access easement on Lot 206-208, and the private drive serving Lots 269 and 270 is located within an access easement on Lot 270. The private drive improvements will be designed in accordance with the standards of Section 17.53.101(P). Necessary public utility easements are shown within the access easements on the lots adjacent to and served by the easements. The private drives will be identified as a common improvement in the CC&Rs and maintenance provisions will be included so new purchasers are aware of the maintenance costs. These documents will be recorded with final plats for each phase of the development.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #17.** The City concurs with the applicant's findings, but clarifies that the lots proposed to share an access easement are Lots 206-210. A condition of approval is included to allow those five lots to share one access easement.

#### **17.53.101 Streets.**

- O. Alleys. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are approved by the Planning Commission.

**APPLICANT'S RESPONSE:** The proposed planned development is not located in a commercial or industrial district. The site's design includes proposed public alleys with 22-foot right-of-ways. See the Site Plan Exhibit SP-5 for the alley section. A standard alley may only be 20-feet wide, but the Applicant is proposing the extra two feet of width to allow a six-inch gap on both sides from edge of right-of-way to back of the six-inch flush curb creating the unobstructed area for placement of the property pins and to provide a full twenty feet wide paved surface. This alley configuration will allow for extra maneuvering space for vehicles entering and exiting driveway on lots served by the alleys. This in combination with the proposed full 20-foot setback from the right-of-way to the face of a garage will make for a safe and functional public alley. The applicant seeks the City's approval of these alleys as part of this planned development.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #15 and #16.** Section 17.53.101(O) only requires alleys in commercial and industrial districts. However, in order to achieve the narrow lot size and varied lot dimensions, the applicant is proposing alleys to serve lots that are less than 40 feet in width. A condition of approval is included to require that all lots with less than 40 feet in width be alley loaded. In addition, a condition of approval is included to require that the alleys be created in tracts or shared access easements, and that the tracts or easements be maintained by the properties that utilize the alleys for access.

- S. Sidewalks. Along arterials and along major collectors with bikeways in commercial areas, sidewalks shall be eight (8) feet in width or, where less than eight (8) feet of right-of-way is available, shall extend to the property line and be located adjacent to the curb. Sidewalks in all other locations shall be five (5) feet in width and be placed one (1) foot from the right-of-way line. Sidewalks adjacent to a cul-de-sac bulb shall be located adjacent to the curb. (Amended 11/8/94 by Ordinance 4573.)

**APPLICANT'S RESPONSE:** The proposed planned development has frontage on Baker Creek Road, a minor collector in a residential area. Therefore, this section does not apply. The applicant is proposing to install a meandering 10-foot wide sidewalk along the planned development's frontage on NW Baker Creek Road as shown on the exhibit SP-1 Site Plan. The applicant is also proposing to install a 12-foot wide sidewalk along the west side of Meadows Drive, south of Kent Street to its intersection with Baker Creek Road, with half the sidewalk in the ROW and half in the adjacent open space tract. This sidewalk will effectively extend the BPA trail to the common area amenities at Kent Street, where the applicant is proposing to dedicate open space tracts to the City with the proposed improvements. The applicant seeks approval of these wider sidewalks in these locations as designed.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #7 & #10.** A condition of approval is included to require the wider, meandering sidewalk within the Baker Creek Road right-of-way, and also to allow the wider multi-use path in lieu of a sidewalk within the Meadows Drive right-of-way.

#### **17.53.103 Blocks.**

- A. General. The length, width, and shape of blocks shall take into account the need for adequate lot size and street width and shall recognize the limitations of the topography.
- B. Size. No block shall be more than 400 feet in length between street corner lines or have a block perimeter greater than 1,600 feet unless it is adjacent to an arterial street, or unless the topography or the location of adjoining streets justifies an exception. The recommended minimum length of blocks along an arterial street is 1,800 feet.

**APPLICANT'S RESPONSE:** The proposed block layout has been proposed taking into account adequate lot sizes, street width and the site's topography, as well as adjacent street network.

Land outside of the urban growth boundary is located to the west of the subject site, and sloping topography and the 100-year floodplain and urban growth boundary are to the north. The adjacent constrained lands make it infeasible to extend public streets in those directions to create smaller block perimeters. Where a street can be extended in the northeast boundary of the site for future development, it is proposed. The adjoining street network represented by Blake Street justifies an exception to this standard along the east side of the project.

The block bound by proposed Emma Street, Meadows Drive and Shadden Drive is adjacent to an arterial street, Baker Creek Road. Its perimeter is controlled by the existing spacing between Meadows Drive and Shadden Drive. This spacing meets the above standards. The spacing between along Hill Lane at the north leg of the existing traffic circle also meets this code.

The site's block pattern is also constricted by the BPA easement, adjacent substation property, the large C-3 zoned parcel, Baker Creek Road's arterial intersection spacing standards, and existing development to the east. Where large blocks are proposed, mid-block paths and open space tracts are proposed to facilitate pedestrian connectivity and access to the greatest extent practicable (as shown on Exhibit 3's sheet EXH-4).

The applicant seeks approval of the proposed planned development block pattern.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #19.** The City concurs with the applicant's findings with regard to the topographical, physical, and geographical limitations found on the site. The City further finds that an exception to the standard maximum block length is warranted due to the topographical, geographical, and physical limitations of the site. The site is bounded to the west by McMinnville city limits, and is bounded on the south by an arterial street. The center of the site is impeded by the BPA power line easement, and steep slopes define the perimeter of the northern portion of the subject site. As such, there are limited opportunities for connecting streets to penetrate some of the blocks along the northern portion of the site. Where the proposed street network creates block lengths in excess of 400 feet or block perimeters in excess of 1,600 feet, mid-block pedestrian crossings are proposed to be provided within private open space tracts. The one exception to the provision of mid-block pedestrian crossings are the block lengths of Gregory Drive, Shadden Drive, and William Drive between Edgar Street and Augustine Place. Based on the surrounding street network that the Planned Development must align with, the fact that the block perimeters of these blocks are still well under the 1,600 foot maximum, and the orientation of the grid street network in the portion of the site, the mid-block pedestrian crossing is not required. Therefore, a condition of approval is included allowing a maximum block length of approximately 645 feet (the approximate maximum length of the block length of Kent Street between Hill Lane and Harold Drive) and a maximum block perimeter of approximately 2,325 feet (the approximate length of the block bounded by Meadows Street, Emma Street, Shadden Drive, and Baker Creek Road). The maximum block perimeter allows for the block bounded by Meadows Street, Emma Street, Shadden Drive, and Baker Creek Road to exceed 1,600 feet, but this block is adjacent to an arterial and requires a minimum block length of 1,800 feet. The block also is proposed to include three mid-block pedestrian crossings to eliminate barriers to pedestrian circulation. Other conditions of approval require the improvement of the mid-block crossings described above.

C. Easements.

3. Pedestrian ways. When desirable for public convenience, safety, or travel, pedestrian ways not less than 10 (ten) feet in width may be required to connect to cul-de-sacs, to pass through unusually long or oddly shaped blocks, to connect to recreation or public areas such as schools, or to connect to existing or proposed pedestrian ways. (Ord. 4922, §4B, 2010)

**APPLICANT'S RESPONSE:** Pedestrian ways that are in tracts greater than ten (10) feet in width are proposed at several locations in the form of mid-block paths throughout the development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

**17.53.105 Lots.**

- A. Size and shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. All lots in a subdivision shall be buildable.
  1. Lot size shall conform to the zoning requirement of the area. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use contemplated. The depth of lot shall not ordinarily exceed two times the average width.

**APPLICANT'S RESPONSE:** The applicant has submitted a Planned Development application to create 280 single-family detached lots within the R-4 zoned portion of the site. Through the planned development process, the applicant is proposing to modify lot sizes so that all lots will be buildable and conform to the planned development's zoning overlay. The planned development includes appropriate sized and orientated lots for each unique site condition. Smaller lots are located closer to Baker Creek Road and will facilitate future planned transit along the roadway. Larger deeper lots are arranged adjacent to natural features. Medium lots are located in the middle area as a transition to density. Narrow lots are oriented to the street or common open space tracts with garage loading from an alley in the rear, while medium and large lots have access oriented to adjacent streets. Lots adjacent to the BPA easement are predominately oriented with the rear yard toward the easement, and this easement has been placed in an open space tract.

The width and depth of the proposed lots are also appropriate for the location of the lot. There are seven different lot types, organized by typical lot width, as shown on Exhibit 3's Lot Type Plan sheet EXH-3. Where a lot depth exceeds two times the average width, as requested with approval of this Planned Development, the dimensions are prudent as described below:

- SFD-70 lots would normally have a lot depth of no more than 140-feet. Of the 21 lots of this type, the proposed depths are typically less than 150-feet, with only a few approaching 160-feet. Therefore, this variance from the standards is a marginal amount. These lots are all on the perimeter of the project with the rear of the lots adjacent to sloping land that is proposed to be donated as a future special use park. The proposed depths as shown on Exhibit 3's Preliminary Plat sheets PL-1 through PL-5, allow for these lots to act as a buffer between the future open space and the developed portion of the site, so this added depth to the lots is appropriate for the location.
- SFD-60 lots would normally not have a lot depth of no more than 120-feet. Of the 36 lots of this type, the proposed depths are all less than 120-feet meeting this code standard, except for lots 206 & 207 which have a 25-foot wide driveway easement encumbering the front of the lots. Therefore, the functional depth of these lots is less than 120-feet, meeting the intent of this code section.
- SFD-50 lots would normally not have a lot depth of no more than 100-feet. Of the 48 lots of this type, many conform to this code. Where they do not, they are adjacent to the exterior of the project like the SFD-70 lots. The added depth also helps preserve trees on Lots 269-280, provide a buffer from the adjacent use on Lots 122-129 or 126-203, and rear yards of Lots 137 and 212 which are adjacent to the side yard of another lot to provide added lot depth and buffer the adjacent use. As such, the intent of this code section is met by the added depth of these planned development lots.
- SFD-40 and SFD-45 lots would normally not have a lot depth of no more than 80-feet or 68 feet respectively, if conforming to this code subsection exactly. Of the respective 50 and 47 lots of these types, all of lot depths are greater than that which the code would prescribe. An 80-foot deep lot could have a 20-foot garage setback in the front and a 20-foot rear yard setback, leaving 40-feet of depth for the dwelling unit. However, that would mean the ground floor depth of the livable part of the dwelling would be only 20-feet deep after providing 20-feet for the typical depth of a garage. The planned development request for flexibility of this standard to allow for lot depths ranging from 90-feet to just over 100-feet means these dwellings will be 10-feet to 20-feet deeper than if conforming to the code. The proposed lots will have more functional internal ground floor space within the dwelling, as well as an increased area on the second floor.

Lot depths of 100-feet, plus or minus, are ordinary depths for single-family dwelling lots so this request is within reason. These dimensions are also appropriate for the higher density portions of this site these lots occupy, providing conformance with the intent of this code.

- SFD-30a and SFD-26a lots would normally not have a lot depth of no more than 60-feet or 52 feet respectively. Of the respective 24 and 54 lots of these types, all of lot depths are greater than that which the code would prescribe. This code section also states that “all lots in a subdivision shall be buildable,” The lots are proposed to be 90-feet deep, which is a necessary depth to make them buildable. With the exception of Lots 17-20 and 81-84, all of which have front yards facing Shadden Drive or Meadows Drive, respectively, and are therefore deeper.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #20 & #21.** In most cases, the lots within the Planned Development exceed the required depth-to-width ratio of 2:1. In order to allow the lot dimensions proposed, which allow the opportunity for the variety of lot types and housing types described as an objective of the Planned Development, conditions of approval are included to require architectural review, design standards, and variation of building elevations between lots for the eventual development of detached single family dwelling units on each lot.

- B. Access. Each lot shall abut upon a street other than an alley for a width of at least 25 (twenty-five) feet or shall abut an access easement which in turn abuts a street for at least 15 (fifteen) feet if approved and created under the provisions of 17.53.100(C). Direct access onto a major collector or arterial street designated on the McMinnville Comprehensive Plan Map shall be avoided for all lots subdivided for single-family, common wall, or duplex residential use, unless no other access point is practical.

**APPLICANT’S RESPONSE:** All proposed lots about upon a street for a width of 25-feet as required by this section, except those listed here. Through this planned development process, the applicant seeks approval for the alternative proposed access:

- Lots 21-32 in Phase 1A, Lots 44-49 in Phase 1B, and Lots 69-77 in Phase 1C have over 25-feet of frontage on the proposed public alley at the rear of the lot, and 25-feet of frontage on the proposed common area tract with a pedestrian way at the front of the lot.
- Lot 269 is served by a shared drive in an easement over the flag pole portion of adjacent Lot 270. Per drawing PL-5 Preliminary Plat, the flag portion of Lot 270 has 20.08’ of public street frontage.
- Lots 204-208 on drawing PL-3 Preliminary Plat are served by a shared drive in an easement over the front of lots 205-208 that is 25-feet wide, providing more than the required frontage on a public street.
- Lot 129 is shown on drawing PL-3 Preliminary Plat to have 20.34-ft. of frontage for the flag pole portion of the lot.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #15 & #17.** The lots that are not proposed to front upon a street for at least 25 feet are those that are proposed to be alley loaded and those that are located on a portion of the site with development limitation. Conditions of approval are included to allow for these lot configurations and access as proposed, which

include the provision of alleys for lots less than 40 feet in width and the allowance of five lots to share one access easement.

**17.53.120 Building Lines.** If special building setback lines are to be established in the subdivision or partition, they shall be shown on the plat or included in the deed restrictions.

**APPLICANT'S RESPONSE:** A special rear yard setback of 30-ft. is proposed for those lots where large oak trees are proposed to be preserved. The additional setback area will be identified on deed restrictions for the respective lots.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #3.** A condition of approval is included to also note the special rear yard setback where large trees are proposed to be preserved.

## **Chapter 17.60. Off-Street Parking and Loading**

**17.60.050. Spaces – Number required.** Except for one or two upper-story residential dwelling units above a non-residential use, off-street parking spaces for dwellings shall be located on the same lot with the dwelling. All other required parking spaces shall be located not farther than two hundred feet from the building or use they are required to serve, measured in a straight line from the building.

**APPLICANT'S RESPONSE:** Each single-family lot is provided with off-street parking spaces on the same lot as the dwelling as shown on the drawings SP-1 through SP-5 Site Plans.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

### **17.60.060. Spaces – Number required. [...]**

A. Residential land use category: [...]

5. Single-family and two-family dwelling. Two spaces per dwelling with four or fewer bedrooms, and one additional space for every two additional bedrooms.

**APPLICANT'S RESPONSE:** Although detailed building plans have not been completed, most of the proposed single-family lots will have homes with 3-4 bedrooms, therefore 2 parking spaces are required. The attached Site Plans indicates that each dwelling is provided with 2 off-street parking spaces in garages and another 2 spaces in proposed driveways. City staff will verify that the minimum required number of required off-street parking spaces are provided for each lot during building permit review when each dwelling's total number of bedrooms is apparent.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #18.** City concurs with the applicant's findings, but adds that the applicant has proposed driveway widths for each of the different lot types as follows:

- SFD-70 & SFD-60 lots have 30 feet wide driveways.
- SFD-40 lots have 20 feet wide driveways.
- SFD-45 lots have 18 feet wide driveways
- SFD-30a & SFD-26a lots have driveways the same width of the dwelling from an alley.

These driveway widths are identified on the "Typical Lots" sheet in Drawing EXH-5, which show the driveway width extending the entire length from the front of the garage to the street. However, Section 12.20.030(B) of the MMC limits driveway widths on lots between 20 and 75 feet in width to no more than 40% of the frontage. The SFD-70, SFD-60, and SFD-40 lot types

would exceed this 40% maximum driveway width if allowed to have the driveway widths requested by the applicant, with 42.8% wide driveways on the SFD-70 lots and 50% wide driveways on the SFD-60 and SFD-40 lots. The applicant has described the need for these driveway widths to allow adequate off-street parking space. The City concurs with the applicant in regards to providing adequate off-street parking space, but finds that the widths of most of the driveways proposed would create conflicts and disruptions within the pedestrian environment along the sidewalks within the public right-of-way. Therefore, a condition of approval is included to allow for driveways to be the maximum width requested by the applicant on each private lot, but that the driveway width be tapered down at the property line and not exceed the maximum 40% driveway width required by Section 12.20.030(B) between the property line and the street. The one exception to this is the driveway width for the SFD-40 lots, which are allowed to have 20 foot wide driveways between the property line and the street.

## Chapter 17.62. Signs

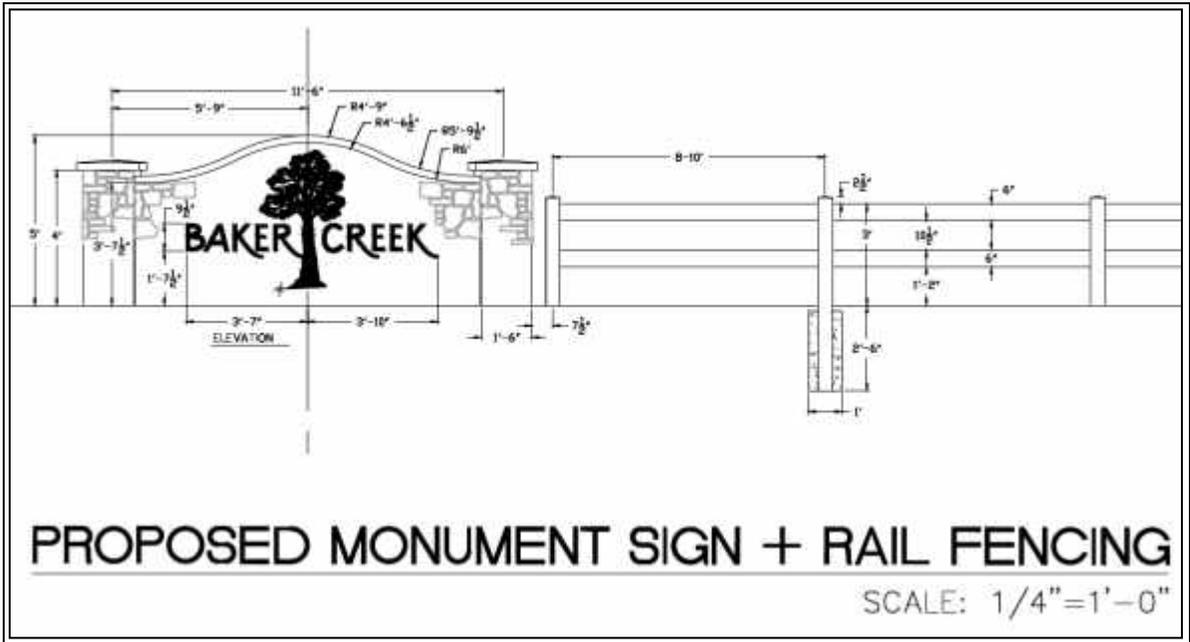
### 17.62.070. Permanent Sign Regulations. [...]

A. Residential land use category: [...]

1. Each subdivision or multi-family complex is permitted one permanent monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area. The sign shall be nonilluminated.

**APPLICANT'S RESPONSE:** The applicant requests approval of the proposed monument sign shown on the exhibit drawing L9.0 Landscape Plan at the two locations shown on L2.0 Landscape Plan. The proposed sign locations are in the common open space along Baker Creek Road.

**FINDING: SATISFIED.** The applicant is requesting two monument signs, one at the intersection of NW Meadows Drive and the other at the intersection of NW Shadden Drive. The monument signs would be located in two different phases of the subdivision, so would be allowed in their number. The size of the signs also meets the standards required. The monument signs would be only 5 feet in height, and the size of the content proposed on the sign is less than 48 square feet, when measured in a dimension that surrounds only the content of the sign and not the monument structure itself. The monument signs being proposed are identified below:



CD

## ORDINANCE NO. 5088

**AN ORDINANCE APPROVING A TENTATIVE SUBDIVISION FOR A 280 LOT, PHASED SINGLE-FAMILY DETACHED RESIDENTIAL DEVELOPMENT AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD**

## RECITALS:

The Planning Department received an application (S 1-19) from Stafford Development Company, LLC requesting approval of a Tentative Subdivision (more than 10 lots) for a 280 lot, ten phase single-family detached residential development; and

The subject property is generally located northeast of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on December 5, 2019 at 6:30 p.m., before the McMinnville Planning Commission after due notice had been provided in the local newspaper on November 26, 2019, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said requests, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the applicable criteria listed in Chapter 17.53 of the McMinnville Municipal Code based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The Planning Commission recommended approval of said Comprehensive Plan Map Amendment to the City Council; and

The City Council having received the Planning Commission recommendation and staff report, elected to schedule a second public hearing on the application; and

A public hearing was held on January 28, 2020 at 7:00 p.m., before the McMinnville City Council after due notice had been provided in the local newspaper on January 21, 2020, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The City Council decided to close the public hearing on January 28, 2020, but left the record open for the submittal of additional written testimony. The City Council provided seven additional days for the submittal of additional written testimony until February 4, 2020. The City Council then provided another seven days for the submittal of rebuttal testimony until February 11, 2020. The City Council then provided another seven days for the applicant to submit final written argument until February 18,

2020; and

The City Council having completed the public hearing, received the Planning Commission recommendation and staff report, received all additional written testimony, and having deliberated; and

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

1. That the Council adopts the Findings of Fact, Conclusionary Findings, and Decision as documented in Exhibit A; and
2. That the requested Planned Development Amendment is approved, subject to the following conditions:
  1. That the decision for approval of the Baker Creek North Tentative Subdivision (S 1-19) is not rendered, and does not take effect, until and unless the Planned Development request (PD 1-19) is approved by the City Council.
  2. That the applicant plant street trees within curbside planting strips in accordance with a street tree plan to be prepared by the applicant and submitted to the Planning Director as required as part of L 12-19 as part of this development project for their review and approval. The street tree plan shall identify the locations of all street lights, fire hydrants, utility vaults, transformers, and other public and private utilities. The placement of those utilities shall be strategic to allow for as many street trees to be planted within the subdivisions as possible. All street trees shall have a two-inch minimum caliper, exhibit size and growing characteristics appropriate for the particular planting strip, and be spaced as appropriate for the selected species and as may be required for the location of above ground utility vaults, transformers, light poles, and hydrants. In planting areas that may be constrained, additional consideration shall be given to the tree species and other planting techniques, as determined by the Planning Director, may be required to allow for the planting of street trees without compromising adjacent infrastructure. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1). The Planning Director reserves the right to reject any plant material which does not meet this standard.
    - A. Trees shall be provided with root barrier protection in order to minimize infrastructure and tree root conflicts. The barrier shall be placed on the building side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the 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.
    - B. Each year the applicant shall install street trees, from October 1 to April 1, adjacent to those properties on which a structure has been constructed and received final occupancy. This planting schedule shall continue until all platted lots have been planted with street trees.
    - C. It shall be the applicant's responsibility to relocate street trees as may be necessary to accommodate individual building plans. The applicant shall also be responsible for the maintenance of the street trees, and for the replacement of any trees which may die due to neglect or vandalism, for one year from the date of planting.

3. That restrictive Covenants, Conditions, and Restrictions (CC&Rs) shall be prepared for the development and must meet with the approval of the Planning Director prior to final plat approval.
4. That documents creating a Homeowner's Association for the subdivision and assigning to it maintenance responsibilities of any common ownership features must be submitted to and approved by the Planning Director. Additionally, the Homeowner's Association shall be assigned maintenance responsibilities of the dedicated public park (Parcel D, also described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) until 2032, at which point maintenance responsibilities shall be transferred to the City in perpetuity. In order to assure that the Homeowner's Association maintains and repairs any needed improvements, the Covenants, Conditions, and Restrictions (CC&Rs) shall explicitly require the Homeowner's Association to provide notice to the City prior to amending the CC&Rs, and that all such amendments shall be subject to approval by the Planning Director. Additionally, the CC&Rs shall prohibit the Homeowner's Association from disbanding without the consent of the Planning Director. The CC&Rs shall be reviewed by and subject to City approval prior to final plat approval.
5. That plat phasing is approved as depicted in Drawing EXH-6 in the applicant's submittal. The developer shall be responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.
6. That the Tentative Subdivision Plan, Phase 1A shall expire two (2) years from the date this decision is final without appeal and the decision of PD 1-19 is final without appeal. If the property owner wishes a one-year extension of the Planning Commission approval of this tentative plan under the provisions of MMC Section 17.53.075 (Submission of Final Subdivision Plat), a request for such extension must be filed in writing with the Planning Department a minimum of 30 days prior to the expiration date of this approval.
7. That each subsequent phase of the subdivision, following Phase 1A, shall expire five (5) years from the date of this approval, which extends past 2024 as proposed in the application materials. If the property owner wishes a one-year extension of the Planning Commission approval of this tentative plan under the provisions of MMC Section 17.53.075 (Submission of Final Subdivision Plat), a request for such extension must be filed in writing with the Planning Department a minimum of 30 days prior to the expiration date of this approval.
8. That the applicant shall provide twenty-five percent (25%) of the single family lots within each phase of the subdivision for sale for a period of six months for each subdivision phase. The applicant shall provide information detailing the number of lots that will be made available for individual sale for review and approval by the Planning Director prior to recording of the final plat for each subdivision. Upon approval, the referenced lots will be made available for sale to the general public for a minimum of one hundred eighty (180) days prior to building permit issuance for said lots.

9. That the public and private open space tracts shall be constructed per the specifications outlined the conditions of approval for the Planned Development Overlay District (PD 1-19).
10. That the required greenway trail system and access ways within and connecting to the dedicated public park parcel (Parcel D, also described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) shall be constructed prior to the issuance of building permits for Phase 2A or Phase 3A per Section 17.53.075(D) of the McMinnville Municipal Code.
11. All front facades and public facing building elevations must meet the following design standards.

Prior to issuance of residential building permits, the applicant shall submit dwelling unit building plans for review and approval by the Planning Director. The purpose of this review is to ensure that each dwelling unit constructed within the Planned Development meets the required design standards listed below.

The dwelling unit building plans submitted for review shall contain architectural elevations drawn to scale, details, materials, and colors for each building type. The dwelling unit design standards described below shall apply to all front facades and all public-facing building elevations. The building plans submitted for review shall show how the front façade and public facing building elevations meet the following standards:

- a. Style and Massing
  - i. Elevations shall provide vertical offsets, projections, or recesses to break up the building façade.
    1. Vertical projections may encroach into exterior side yard setbacks by up to 20 percent of the required setback distance.
- b. Type of Exterior Materials
  - i. Elevations shall include horizontal elements the width of the façade. The horizontal elements shall mark the break between floors or be located along rooflines, and may include fascia, band course, band molding, bellyband, or belt course.
  - ii. A minimum of two types of building materials shall be used on the front elevations.
  - iii. Elevations shall have trim with a minimum size of 3 inches on all windows, and shall incorporate a color palette with three colors.
  - iv. In addition, elevations will include at least four of the following.
    1. Windows
    2. Gables
    3. Dormers
    4. Architectural bays
    5. Awnings made of fabric, metal or wood-framed
    6. Change in wall planes
    7. Ground floor wall lights/sconces
    8. Transom windows
    9. Balconies or decks
    10. Columns or pilasters – not decorative

- c. Front Porches / Entry Areas
  - i. Front porches shall be at least 36 square feet in area, with a minimum depth of 4 feet as measured from the front door.
  - ii. Porch must have a solid roof, and roof may not be more than 12 feet above the floor of the porch.
  - iii. Porch must include one of the following: ornamental fencing, columns demarcating the perimeter of the porch, or columns supporting the roof of the porch. If columns are included, the columns shall be a minimum size of 6 inches by 6 inches.
- d. Roof Design and Materials
  - i. Use a variation in roof forms to visually break up monotony including pitched or sloping roof elements, variations in pitch and height of roof planes, variations in roof ridgeline directions, dormers, eaves, gable or dormer end brackets, corbels, or decorative wood timbers.
  - ii. Elevations shall contain more than one single, continuous ridgeline or eave. An elevation may have one single, continuous ridgeline or eave over the main portion of the roof structure, but must also have another roof ridgeline or eave, such as a gable or hip roof that extends perpendicularly or at a lower elevation from the larger roof ridgeline.
- e. Exterior Doors and Windows
  - i. Windows shall be provided on all elevations and blank walls will be avoided.
- f. Garage Door Types
  - i. Pair garages where possible to maximize planting strip and potential for street trees.
  - ii. The length of a garage wall facing the street shall be no more than 50 percent of the street-facing building façade.
  - iii. The garage wall facing the street may exceed 50 percent of the street-facing building façade if the building meets the following:
    - 1. The garage door opening is not wider than the maximum width of the driveway allowed for the private lot; and
    - 2. The building includes one of the following:
      - a. Interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall;
      - b. A covered balcony above the garage that is:
        - i. At least the same length as the street-facing garage wall;
        - ii. At least 6 feet deep; and
        - iii. Accessible from the interior living area of the dwelling unit.
      - c. If the building is a single story, the front elevation shall include architectural features that create an elevation that is not dominated by garage walls and garage door openings by incorporating at least seven (7) of the following design features:
        - i. Change in elevation of roof ridges
        - ii. Change in direction of roof ridges
        - iii. Eave overhangs of over 12 inches

- iv. Porch or veranda covering at least 40 percent of the overall width of the front façade
      - v. Porch of at least 48 square feet in area
      - vi. Dormer or bay windows
      - vii. Shutters on all windows
      - viii. Accent siding
      - ix. Decorative gable vents
      - x. Garage doors with windows and decorative paneling
      - xi. Decorative front door (minimum 25 percent glazing)
      - xii. Front door with transom and/or sidelight windows
    - iv. Garages shall be recessed from entrances or covered front porches.
  - g. Exterior Lighting
  - a. Sample Exterior Colors
    - i. A variety of color schemes should be used throughout the development that are distinctly different from each other but enhance each other.
12. In order to eliminate a cookie-cutter stylization of the neighborhood, no same home design shall be built in adjacency to another, including both sides of the street. Similar home design shall be considered as exterior elevations that utilize the same or similar rooflines, projections, garage doors, paint colors, building materials, window sizes, or window orientation.
13. That the proposed intersection of Gregory & Augustine Streets shall be redesigned such that the intersection angle is at as near to 90° as practical. The current “Y” configuration is not consistent with MMC Section 17.53.101(F).
14. That all alleys will be private alleys and that any alley shall be created in the form of a tract or shared access easement. The tracts or easements created for alleys shall be maintained by the Homeowner’s Association and/or the properties that utilize the alleys for access.
15. That the street improvement between the curbs on Meadows Drive and Shadden Drive shall have the City’s typical “Teepee” section instead of the offset crown to allow for the curb elevations to match on each side of the street. This street improvement section is proposed to accommodate the additional right turn lane within the street at the intersections of Meadows Drive and Shadden Drive with Baker Creek Road.
16. That at the time of submittal of final plats for review, different street names shall be proposed to replace “Harold Drive” and “Emma Street” to avoid the creation of duplicative street names within the city.
17. That the public improvements shall be completed to address the following requirements of McMinnville Water and Light:
- a. With 15 foot front yard setbacks, electrical transformers shall be located toward the front of public utility easements to ensure that a minimum of 8

- feet of clearance is provided between the transformer and combustible surfaces, and doors and windows that open.
- b. The wider multi-use path in lieu of a sidewalk on the west side of Meadows Drive from Baker Creek Road to Kent Street is located partially within the public utility easement. Electric and other utility requirements within the public easement shall be coordinated with the construction of the wider multi-use path. If the sidewalk is placed prior to utilities, conduit shall be pre-placed to facilitate the provision of future utilities.
  - c. Street lighting plan will need to be designed by a licensed engineer. Street lighting shall include lighting at
  - d. The terminus of Shadden Drive and William Drive shall be improved to provide sufficient conduit and vaults to facilitate the extension of McMinnville Water and Light's systems beyond the extent of the subdivision.
18. The final plat shall include the dedication of additional right-of-way, totaling 38' north of centerline, along the subdivision's Baker Creek Road frontage.
  19. The final plat shall include prohibitions against direct access to Baker Creek Road for any individual lot.
  20. The interior streets shall be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and 5-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets.
  21. Street grades and profiles shall be designed and constructed to meet the adopted Land Division Ordinance standards and the requirements contained in the Public Right-of-Way Accessibility Guidelines (PROWAG). Additionally, corner curb ramps shall be constructed to meet PROWAG requirements.
  22. The applicant shall coordinate the location of clustered mailboxes with the Postmaster, and the location of any clustered mailboxes shall meet the accessibility requirements of PROWAG and the State of Oregon Structural Specialty Code.
  23. At the completion of each phase of the development, the applicant shall install barricades consistent with City standards at the terminus of any street to be extended by future phases, or by adjacent developments. Each barricade shall include a sign with text stating: "This street is planned for extension to serve future development." On-street parking will be restricted at all street intersections, in conformance with the requirements of the City's Land Development Ordinance.
  24. The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associated with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat.
  25. The applicant shall submit cross sections for the public street system to be constructed. Cross sections shall depict utility location, street improvement elevation and grade, park strips, sidewalk location, and sidewalk elevation and grade. Said cross sections shall be submitted to the City Engineer for review and

approval prior to submittal of the final plat. All such submittals must comply with the requirements of 13A of the Land Division Ordinance and must meet with the approval of the City Engineer.

26. A detailed, engineered sanitary sewage collection plan, which incorporates the requirements of the City's adopted Conveyance System Master Plan, must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved sanitary sewage plan must be reflected on the final plat.
27. A detailed, engineered storm drainage plan, which satisfies the requirements of the City's Storm Drainage Master Plan must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved plan must be reflected on the final plat.
28. If the final storm drainage plan incorporates the use of backyard collection systems and easements, such systems must be private rather than public, and private maintenance agreements for them must be approved by the City prior to the City's approval of the final plat. The maintenance agreements shall include requirements that drainage channels / facilities within the storm drainage easements shall be kept in their designed condition, and that no fill or other construction activities (including the construction of fences) will be allowed within those areas.
29. Prior to the construction of any private storm facilities, the applicant shall obtain the necessary permits from the City's Building Division.
30. The proposed detention facility tracts shall be private rather than public, and private maintenance agreements for them must be approved by the City prior to the City's approval of the final plat. The maintenance agreements shall include requirements that drainage channels / facilities within the detention facilities shall be kept in their designed condition, and that no fill or other construction activities (including the construction of fences) will be allowed within those areas.
31. The final subdivision plans shall incorporate access provisions, and corresponding easements, for the maintenance by the City of all public storm facilities.
32. The final plat shall include 10-foot utility easements along both sides of all public rights-of-way for the placement and maintenance of required utilities.
33. The final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.
34. The applicant shall secure from the Oregon Department of Environmental Quality (DEQ) any applicable storm runoff and site development permits prior to construction of the required site improvements. Evidence of such permits shall be submitted to the City Engineer.
35. The applicant shall secure all required state and federal permits, including, if applicable, those related to construction of the storm drain outfalls, the federal Endangered Species Act, Federal Emergency Management Act, and those required by the Oregon Division of State Lands, and U.S. Army Corps of Engineers. Copies

of the approved permits shall be submitted to the City.

- 36. The applicant shall submit evidence that all fill placed in the areas where building sites are expected is engineered. Evidence shall meet with the approval of the City Building Division and the City Engineering Department.
- 37. The required public improvements shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat. Prior to the construction of the required public improvements, the applicant shall enter into a Construction Permit Agreement with the City Engineering Department, and pay the associated fees.
- 38. The applicant shall submit a draft copy of the subdivision plat to the City Engineer for review and comment which shall include any necessary cross easements for access to serve all the proposed parcels, and cross easements for utilities which are not contained within the lot they are serving, including those for water, sanitary sewer, storm sewer, electric, natural gas, cable, and telephone. A current title report for the subject property shall be submitted with the draft plat. Two copies of the final subdivision plat mylars shall be submitted to the City Engineer for the appropriate City signatures. The signed plat mylars will be released to the applicant for delivery to McMinnville Water and Light and the County for appropriate signatures and for recording.
- 39. That an easement, to the benefit of McMinnville Water and Light, of a size and location acceptable to McMinnville Water and Light to allow for necessary maintenance vehicle maneuvering be provided within Parcel 1 or Parcel 2, Instrument No. 201600557, Yamhill County Deed Records, prior to the recording of the plat for Phase 2A.

3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 24<sup>th</sup> day of March, 2020, by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

Attest:

Approved as to form:

\_\_\_\_\_  
CITY RECORDER

\_\_\_\_\_  
CITY ATTORNEY



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A TENTATIVE SUBDIVISION FOR A 280 LOT, PHASED SINGLE-FAMILY DETACHED RESIDENTIAL DEVELOPMENT AT THE NORTHEAST QUADRANT OF THE INTERSECTION OF NW HILL ROAD AND NW BAKER CREEK ROAD**

- DOCKET:** S 1-19 (Tentative Subdivision)
- REQUEST:** Approval of a Tentative Subdivision (more than 10 lots) for a 280 lot, ten phase single-family detached residential development.
- LOCATION:** The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.
- ZONING:** R-4 PD (Multiple Family Residential Planned Development)
- APPLICANT:** Stafford Development Company, LLC
- STAFF:** Chuck Darnell, Senior Planner
- DATE DEEMED COMPLETE:** October 11, 2019
- HEARINGS BODY & ACTION:** The McMinnville Planning Commission makes a recommendation for approval or denial to the City Council.
- HEARING DATE & LOCATION:** December 5, 2019, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.
- HEARINGS BODY & ACTION:** The McMinnville City Council approves or denies the land-use application.
- HEARING DATE & LOCATION:** January 28, 2020, March 10, 2020, and March 24, 2020, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville Oregon

**PROCEDURE:** An application for a Tentative Subdivision (more than 10 lots) is processed in accordance with the procedures in Section 17.72.120 of the Zoning Ordinance. The application is reviewed by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the Zoning Ordinance.

**CRITERIA:** The applicable criteria for a Tentative Subdivision are specified in Chapter 17.53 of the McMinnville Municipal Code. In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

**APPEAL:** The Planning Commission makes a recommendation to the City Council, and the City Council makes the final decision. As specified in Section 17.72.190 of the McMinnville Municipal Code, the City Council's decision may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of decision is mailed. The City's final decision is subject to a 120 day processing timeline, including resolution of any local appeal. The 120 day deadline was February 8, 2020. However, the applicant, on the record during the January 28, 2020 public hearing requested that the deadline be extended to March 10, 2020, and then at the March 10, 2020 City Council meeting, requested that the 120 day deadline be extended to March 24, 2020.

**COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications; Comcast; Northwest Natural Gas; and Oregon Department of Transportation. The matter was also referred to the Oregon Department of Land Conservation and Development. Their comments are provided in this document.

**DECISION**

Based on the findings and conclusionary findings, the City Council finds the applicable criteria are satisfied and **APPROVES** the Tentative Subdivision (S 1-19), **subject to the conditions of approval provided in Section II of this document.**

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

City Council: \_\_\_\_\_ Date: \_\_\_\_\_  
Scott Hill, Mayor of McMinnville

Planning Commission: \_\_\_\_\_ Date: \_\_\_\_\_  
Roger Hall, Chair of the McMinnville Planning Commission

Planning Department: \_\_\_\_\_ Date: \_\_\_\_\_  
Heather Richards, Planning Director

## **I. APPLICATION SUMMARY:**

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the history of land use decisions for the subject site(s) and the request(s) under consideration. The City has found the information provided to accurately reflect the current Planned Development Amendment request and the relevant background, and excerpted portions are provided below to give context to the request, in addition to the City's comments.

### ***Subject Property & Request***

The subject property is located at the northeast quadrant of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.

The application (S 1-19) is a request for approval of a Tentative Subdivision for the construction of a 280 lot, ten phase single-family residential development on approximately 48.7 acres of land, referred to as Baker Creek North. If approved, the subdivision would provide the opportunity for the construction of 280 single-family homes on lots ranging in size from approximately 2,340 square feet at the smallest to 17,977 square feet at the largest. In addition, 18 public and private open space tracts would be created and an approximately 14.9 acre parcel north of the subdivision boundary would be dedicated to serve as a public park and greenway trail.

The Tentative Subdivision request was submitted for review concurrently with five other land use applications, as allowed by Section 17.72.070 of the MMC. The requested amendment is being reviewed concurrently with a Comprehensive Plan Map Amendment, Zone Change, Planned Development Amendment, Planned Development, and Landscape Plan Review to allow for the development of the 280 lot subdivision proposed in the Tentative Subdivision plans and future commercial development on an adjacent parcel.

Excerpts from Land Use Application Narrative and Findings:

“This requested new planned development is for a residential community of 48.7 acres with 280 lots for single-family detached dwelling units. As described above, the applicant is proposing to zone this area R-4, therefore this portion of the site will be designated with an R4-PD planned development overlay. [...]

#### **Site Description**

All of the subject parcels are currently vacant from an urban perspective, but have been actively farmed, primarily with grass seed. The site generally slopes down from the south to north, although a small area drains surface water to the southeast. The entire site is on top of a long bluff and out of the 100-year floodplain and away from any local drainage. The site is located north of Baker Creek Road, generally west of Shadden Drive, and east of the intersection of Baker Creek Road and Hill Road where there is a new roundabout. The project will extend proposed NW Hill Lane from the roundabout, and extend NW Meadows Drive, NW Shadden Drive, and NW Blake Street into the site from their current termini at intersections and street stubs. The applicant's road profiles and details indicate a half street improvement will be installed along the NW Baker Creek Road frontage from Meadows Dr. to Shadden Dr, and new streets within the development will be fully improved to meet City standards.

### Housing

Consistent with Housing Element goals and policies of the Comprehensive Plan, the proposed Planned Development will include a mix of housing types to meet the diverse needs of McMinnville residents. The applicant's Typical Lots sheet demonstrates that the requested R-4 zoning will allow the construction of various small, medium, and large lot single-family detached dwelling units.

### Open Spaces

Included with the planned development are 19 common open space tracts (Tract "A" - "S"). After the proposed open space tracts are developed with the proposed active and passive recreation amenities, the applicant is proposing to dedicate many of those tracts and facilities to the City of McMinnville as public parks. The applicant requests the City accept them when recording final plats for the phase of development containing the respective tracts. The common open space areas have been designed to meet a variety of recreational needs. They will serve as centers for community interaction within the community. They can also serve as resources for the general public, once accepted as park land by the City. Proposed recreational amenities include a multiple play structures, picnic shelter, picnic tables, and park benches, trails and paths, and more. The open space areas have been sited to extend the City's network of park facilities by extending the existing powerline trail north to proposed "Kent Street Trailheads", where users can connect to the nature trail to the north and paved urban off-street path network to the south and park areas. These tracts when owned by the City will be an excellent asset to the City's park system. They will also facilitate access to the City's planned Special Use Park to the north of the site, which will extend the natural trail east to allow connection to other segments leading ultimately to Tice Park as envisioned.

### Modifications

Below is a list of adjusted development standards as requested through the planned development process:

- 1) Lots: The number in the proposed seven lot types (i.e. SFD-70) reflects the typical width of the lot (i.e. 70 feet typical width). "SFD" stands for "Single-Family Detached" dwelling, and the "a" in "SFDa" stands for a lot with a garage loaded from the alley.
  - Area - The proposed seven lot types provide an overall average lot area that exceeds 4,500 square feet per lot.
    - Overall average lot area for large and medium lot types SFD-70, SFD-60, SFD-50, SFD-45, & SFD-40, where the garage faces the street, will be at least 5,000 square feet per lot. This mimics the minimum lot size of a detached single-family dwelling in a standard subdivision.
    - Overall average lot area for small lot types SFD-30a & SFD-26a, where the garage faces an alley, will be at least 2,500 square feet per lot. This mimics the minimum lot size of a common wall construction single-family dwelling in a standard subdivision, even though this planned development approach requests these dwellings types detach from the common wall approach.
  - Orientation – Side property lines are oriented as much as practicable at 90 degrees to the roadway where the dwelling takes access. Approval will require lot orientation at the final plat to substantially conform to preliminary plat drawings PL-1 through PL-5.
- 2) Setbacks: Minimum setbacks in the planned development are illustrated on the Typical Lots exhibit for each of the seven lot types per the Lot Type Plan. Below are setbacks that **differ** from a standard subdivision. Setbacks that meet the code standard, like 20-foot setback to the face of the garage, are not listed below:
  - Internal side yard setbacks shall be 5 feet on SFD-70, SFD-60, SFD-50 and SFD-40 lots, one foot less than the standard.

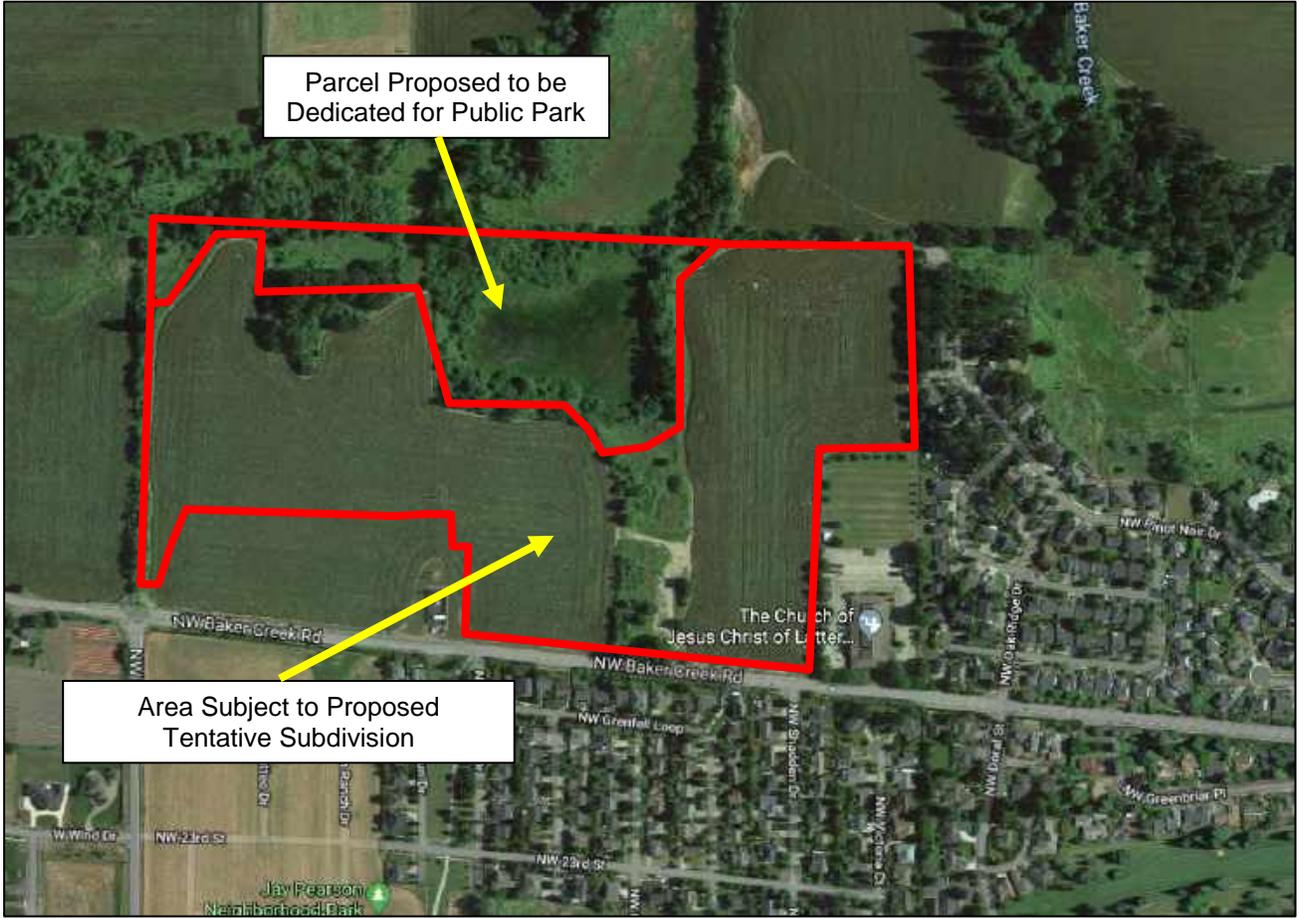
- Internal side yard setbacks shall be 4 feet on SFD-45 lots, two foot less than the standard.
  - Internal side yard setbacks shall be 3 feet on each side of the dwelling on SFD-30a and SFD-26a lots, instead of 0 feet and 6 feet as would be required if these lots were built with dwellings in a standard subdivision with common wall construction. This means, the proposed lot types will have the same amount of total side yard as a 2-unit town house lots in a standard subdivision, only no burdensome common wall.
  - Rear building setback from an alley shall be 15 feet.
- 3) Frontage: Most lots have the minimum 25 feet of frontage on a public street required by code. The lots listed below do not and the request is for approval of the access as proposed.
- Lot 131 has a flag pole with 20 feet of frontage on a public street.
  - Lot 270 has a flag pole with 20 feet of frontage on a public street with an easement over it for a private drive, which serves as a common access to serve both Lot 270 and adjacent Lot 269. As preferred by MZO Section 17.53.100C.3, Lot 269 does not have a proposed flag pole.
  - Lots 206-209 have no frontage or flag poles (as preferred by the code section stated above), rather they are served by a private drive that is in a 25-foot wide easement from a public street over the fronts of Lots 207-210.
  - Lots 21-32, 44-49, & 69-80 have more than 25 feet of frontage on a proposed public alley at the rear of the lot. In addition, the lots maintain over 25 feet of frontage on a proposed private open space tract with a pedestrian way (some end lots also have side yard frontage on a public street).
- 4) Private Drives: The following lots are served by a common drive in an easement shown on the preliminary plat, rather than a driveway with frontage on a public street.
- Lots 270 and 269, through an easement over Lot 270, see drawing PL-5.
  - Lots 206-210, through an easement over Lot 207-210, see drawing PL-3.
- 5) Driveways: Modified driveway widths at the public street as shown on the proposed Site Plan drawings SP-1 through SP-5. Driveways are paired, where possible, to facilitate on-street parking between driveways and a street tree planted between them in the parking strip between the curb and sidewalk, where possible.
- SFD-70 & SFD-60 lots have 30 feet wide driveways.
  - SFD-40 lots have 20 feet wide driveways.
  - SFD-45 lots have 18 feet wide driveways.
  - SFD-30a & SFD-26a lots have driveways the same width of the dwelling from an alley.
- 6) Alleys: Both through alleys and dead end alleys (of less than 150 feet) are proposed, all with a right-of-way width of 22 feet.
- 7) Blocks: Some blocks exceed the perimeter dimension standards, but are provided with mid-block pedestrian ways to ensure adequate circulation and access.
- 8) Street Trees: Street tree spacing varies from the standards of the code as shown on the drawing L1.0 Street Tree Plan. In higher density developments lot frontage decreases and frequency of driveways and utilities increase, creating conflicts that require greater spacing between street trees than outlined in the code. The planned development compensates for the increase in spacing in the following ways.
- The planned development avoids the reduction in the allowed street trees that would occur through a strict application of the spacing standards. The applicant is proposing to encroach into the minimum 5-ft. spacing requirement for street trees by wrapping a root barrier from

the curb to sidewalk in front of the apron's wing as shown in the Root Barrier Detail on drawing L.1.0 Street Tree Plan. In addition, the applicant is proposing to encroach into 10-ft. spacing for requirement street trees by wrapping a root barrier adjacent to the water meter as shown in the detail. This is primarily in front of SFD-40 & SFD-34 lots, but may occur on other lots in the development.

- SFD-30a & SFD-26a lots are served with vehicle access from an alley. This reduces the frequency of driveway conflicts allowing more street trees to be provided on the block face.
  - Street tree frequency is maximized on side street block faces where no driveway conflicts exist.
  - The planned development has various common open space tracts. Proposed tree planting in these tracts, as shown on the Landscape Plans L1.0-L10.0 add to the community's overall tree canopy, compensating for gaps in the street tree canopy due to conflicts with driveway and utility improvements.
  - Many large trees are preserved in tracts and in rear yards on larger lots as shown on the drawing L1.0 Street Tree Plan.
- 9) Monument Signs: Two monument signs along Baker Creek Road are proposed with the dimensions described on drawing L9.0 Landscape Plan.
- One will be located in Phase 1A on the NW corner of Shadden Drive oriented to the east, and the other in Phase 1C on the NE corner of Meadows Drive oriented to the west as shown on the Site Plan drawing SP-1.”

***See Vicinity Map (Figure 1) and Existing Zoning (as approved with concurrent zone change request) (Figure 2) below.***

**Figure 1. Vicinity Map (Subject Site Area Approximate)**



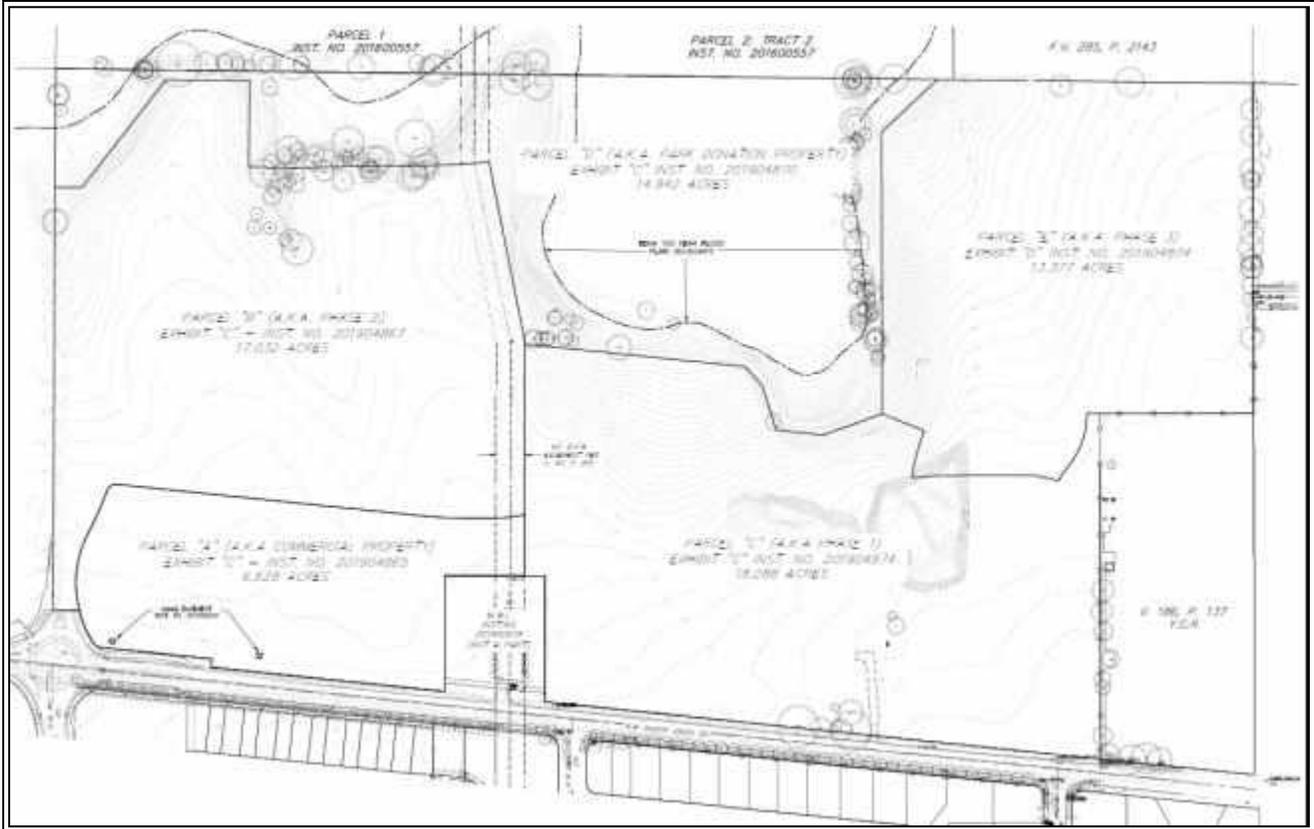
**Figure 2. Existing Zoning**

**\*Note – Zoning shown as proposed with concurrent Zone Change request**





**Figure 4. Proposed Park Dedication Parcel**



**II. CONDITIONS:**

1. That the decision for approval of the Baker Creek North Tentative Subdivision (S 1-19) is not rendered, and does not take effect, until and unless the Planned Development request (PD 1-19) is approved by the City Council.
2. That the applicant plant street trees within curbside planting strips in accordance with a street tree plan to be prepared by the applicant and submitted to the Planning Director as required as part of L 12-19 as part of this development project for their review and approval. The street tree plan shall identify the locations of all street lights, fire hydrants, utility vaults, transformers, and other public and private utilities. The placement of those utilities shall be strategic to allow for as many street trees to be planted within the subdivisions as possible. All street trees shall have a two-inch minimum caliper, exhibit size and growing characteristics appropriate for the particular planting strip, and be spaced as appropriate for the selected species and as may be required for the location of above ground utility vaults, transformers, light poles, and hydrants. In planting areas that may be constrained, additional consideration shall be given to the tree species and other planting techniques, as determined by the Planning Director, may be required to allow for the planting of street trees without compromising adjacent infrastructure. All street trees shall be of good quality and shall conform to American Standard for Nursery Stock (ANSI Z60.1). The Planning Director reserves the right to reject any plant material which does not meet this standard.

- A. Trees shall be provided with root barrier protection in order to minimize infrastructure and tree root conflicts. The barrier shall be placed on the building side of the tree and the curb side of the tree. The root barrier protection shall be placed in 10-foot lengths, centered on the 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.
  - B. Each year the applicant shall install street trees, from October 1 to April 1, adjacent to those properties on which a structure has been constructed and received final occupancy. This planting schedule shall continue until all platted lots have been planted with street trees.
  - C. It shall be the applicant's responsibility to relocate street trees as may be necessary to accommodate individual building plans. The applicant shall also be responsible for the maintenance of the street trees, and for the replacement of any trees which may die due to neglect or vandalism, for one year from the date of planting.
3. That restrictive Covenants, Conditions, and Restrictions (CC&Rs) shall be prepared for the development and must meet with the approval of the Planning Director prior to final plat approval.
  4. That documents creating a Homeowner's Association for the subdivision and assigning to it maintenance responsibilities of any common ownership features must be submitted to and approved by the Planning Director. Additionally, the Homeowner's Association shall be assigned maintenance responsibilities of the dedicated public park (Parcel D, also described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) until 2032, at which point maintenance responsibilities shall be transferred to the City in perpetuity. In order to assure that the Homeowner's Association maintains and repairs any needed improvements, the Covenants, Conditions, and Restrictions (CC&Rs) shall explicitly require the Homeowner's Association to provide notice to the City prior to amending the CC&Rs, and that all such amendments shall be subject to approval by the Planning Director. Additionally, the CC&Rs shall prohibit the Homeowner's Association from disbanding without the consent of the Planning Director. The CC&Rs shall be reviewed by and subject to City approval prior to final plat approval.
  5. That plat phasing is approved as depicted in Drawing EXH-6 in the applicant's submittal. The developer shall be responsible for requesting approval of the Planning Commission for any major change of the details of the adopted plan. Minor changes to the details of the adopted plan may be approved by the Planning Director. It shall be the Planning Director's decision as to what constitutes a major or minor change. An appeal from a ruling by the Planning Director may be made only to the Commission. Review of the Planning Director's decision by the Planning Commission may be initiated at the request of any one of the Commissioners.
  6. That the Tentative Subdivision Plan, Phase 1A shall expire two (2) years from the date this decision is final without appeal and the decision of PD 1-19 is final without appeal. If the property owner wishes a one-year extension of the Planning Commission approval of this tentative plan under the provisions of MMC Section 17.53.075 (Submission of Final Subdivision Plat), a request for such extension must be filed in writing with the Planning Department a minimum of 30 days prior to the expiration date of this approval.
  7. That each subsequent phase of the subdivision, following Phase 1A, shall expire five (5) years from the date of this approval, which extends past 2024 as proposed in the application materials. If the property owner wishes a one-year extension of the Planning Commission approval of this tentative plan under the provisions of MMC Section 17.53.075 (Submission of Final Subdivision Plat), a request for such extension must be filed in writing with the Planning Department a minimum of 30 days prior to the expiration date of this approval.

8. That the applicant shall provide twenty-five percent (25%) of the single family lots within each phase of the subdivision for sale for a period of six months for each subdivision phase. The applicant shall provide information detailing the number of lots that will be made available for individual sale for review and approval by the Planning Director prior to recording of the final plat for each subdivision. Upon approval, the referenced lots will be made available for sale to the general public for a minimum of one hundred eighty (180) days prior to building permit issuance for said lots.
9. That the public and private open space tracts shall be constructed per the specifications outlined the conditions of approval for the Planned Development Overlay District (PD 1-19).
10. That the required greenway trail system and access ways within and connecting to the dedicated public park parcel (Parcel D, also described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records) shall be constructed prior to the issuance of building permits for Phase 2A or Phase 3A per Section 17.53.075(D) of the McMinnville Municipal Code.
11. All front facades and public facing building elevations must meet the following design standards.

Prior to issuance of residential building permits, the applicant shall submit dwelling unit building plans for review and approval by the Planning Director. The purpose of this review is to ensure that each dwelling unit constructed within the Planned Development meets the required design standards listed below.

The dwelling unit building plans submitted for review shall contain architectural elevations drawn to scale, details, materials, and colors for each building type. The dwelling unit design standards described below shall apply to all front facades and all public-facing building elevations. The building plans submitted for review shall show how the front façade and public facing building elevations meet the following standards:

- a. Style and Massing
  - i. Elevations shall provide vertical offsets, projections, or recesses to break up the building façade.
    1. Vertical projections may encroach into exterior side yard setbacks by up to 20 percent of the required setback distance.
- b. Type of Exterior Materials
  - i. Elevations shall include horizontal elements the width of the façade. The horizontal elements shall mark the break between floors or be located along rooflines, and may include fascia, band course, band molding, bellyband, or belt course.
  - ii. A minimum of two types of building materials shall be used on the front elevations.
  - iii. Elevations shall have trim with a minimum size of 3 inches on all windows, and shall incorporate a color palette with three colors.
  - iv. In addition, elevations will include at least four of the following.
    1. Windows
    2. Gables
    3. Dormers
    4. Architectural bays
    5. Awnings made of fabric, metal or wood-framed
    6. Change in wall planes
    7. Ground floor wall lights/sconces
    8. Transom windows

- 9. Balconies or decks
- 10. Columns or pilasters – not decorative
- c. Front Porches / Entry Areas
  - i. Front porches shall be at least 36 square feet in area, with a minimum depth of 4 feet as measured from the front door.
  - ii. Porch must have a solid roof, and roof may not be more than 12 feet above the floor of the porch.
  - iii. Porch must include one of the following: ornamental fencing, columns demarcating the perimeter of the porch, or columns supporting the roof of the porch. If columns are included, the columns shall be a minimum size of 6 inches by 6 inches.
- d. Roof Design and Materials
  - i. Use a variation in roof forms to visually break up monotony including pitched or sloping roof elements, variations in pitch and height of roof planes, variations in roof ridgeline directions, dormers, eaves, gable or dormer end brackets, corbels, or decorative wood timbers.
  - ii. Elevations shall contain more than one single, continuous ridgeline or eave. An elevation may have one single, continuous ridgeline or eave over the main portion of the roof structure, but must also have another roof ridgeline or eave, such as a gable or hip roof that extends perpendicularly or at a lower elevation from the larger roof ridgeline.
- e. Exterior Doors and Windows
  - i. Windows shall be provided on all elevations and blank walls will be avoided.
- f. Garage Door Types
  - i. Pair garages where possible to maximize planting strip and potential for street trees.
  - ii. The length of a garage wall facing the street shall be no more than 50 percent of the street-facing building façade.
  - iii. The garage wall facing the street may exceed 50 percent of the street-facing building façade if the building meets the following:
    - 1. The garage door opening is not wider than the maximum width of the driveway allowed for the private lot; and
    - 2. The building includes one of the following:
      - a. Interior living area above the garage. The living area must be set back no more than 4 feet from the street-facing garage wall;
      - b. A covered balcony above the garage that is:
        - i. At least the same length as the street-facing garage wall;
        - ii. At least 6 feet deep; and
        - iii. Accessible from the interior living area of the dwelling unit.
      - c. If the building is a single story, the front elevation shall include architectural features that create an elevation that is not dominated by garage walls and garage door openings by incorporating at least seven (7) of the following design features:
        - i. Change in elevation of roof ridges
        - ii. Change in direction of roof ridges
        - iii. Eave overhangs of over 12 inches
        - iv. Porch or veranda covering at least 40 percent of the overall width of the front façade
        - v. Porch of at least 48 square feet in area
        - vi. Dormer or bay windows
        - vii. Shutters on all windows

- viii. Accent siding
      - ix. Decorative gable vents
      - x. Garage doors with windows and decorative paneling
      - xi. Decorative front door (minimum 25 percent glazing)
      - xii. Front door with transom and/or sidelight windows
    - iv. Garages shall be recessed from entrances or covered front porches.
  - g. Exterior Lighting
    - a. Sample Exterior Colors
      - i. A variety of color schemes should be used throughout the development that are distinctly different from each other but enhance each other.
12. In order to eliminate a cookie-cutter stylization of the neighborhood, no same home design shall be built in adjacency to another, including both sides of the street. Similar home design shall be considered as exterior elevations that utilize the same or similar rooflines, projections, garage doors, paint colors, building materials, window sizes, or window orientation.
13. That the proposed intersection of Gregory & Augustine Streets shall be redesigned such that the intersection angle is as near to 90° as practical. The current “Y” configuration is not consistent with MMC Section 17.53.101(F).
14. That all alleys will be private alleys and that any alley shall be created in the form of a tract or shared access easement. The tracts or easements created for alleys shall be maintained by the Homeowner’s Association and/or the properties that utilize the alleys for access.
15. That the street improvement between the curbs on Meadows Drive and Shadden Drive shall have the City’s typical “Teepee” section instead of the offset crown to allow for the curb elevations to match on each side of the street. This street improvement section is proposed to accommodate the additional right turn lane within the street at the intersections of Meadows Drive and Shadden Drive with Baker Creek Road.
16. That at the time of submittal of final plats for review, different street names shall be proposed to replace “Harold Drive” and “Emma Street” to avoid the creation of duplicative street names within the city.
17. That the public improvements shall be completed to address the following requirements of McMinnville Water and Light:
- a. With 15 foot front yard setbacks, electrical transformers shall be located toward the front of public utility easements to ensure that a minimum of 8 feet of clearance is provided between the transformer and combustible surfaces, and doors and windows that open.
  - b. The wider multi-use path in lieu of a sidewalk on the west side of Meadows Drive from Baker Creek Road to Kent Street is located partially within the public utility easement. Electric and other utility requirements within the public easement shall be coordinated with the construction of the wider multi-use path. If the sidewalk is placed prior to utilities, conduit shall be pre-placed to facilitate the provision of future utilities.
  - c. Street lighting plan will need to be designed by a licensed engineer. Street lighting shall include lighting at
  - d. The terminus of Shadden Drive and William Drive shall be improved to provide sufficient conduit and vaults to facilitate the extension of McMinnville Water and Light’s systems beyond the extent of the subdivision.

18. The final plat shall include the dedication of additional right-of-way, totaling 38' north of centerline, along the subdivision's Baker Creek Road frontage.
19. The final plat shall include prohibitions against direct access to Baker Creek Road for any individual lot.
20. The interior streets shall be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and 5-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets.
21. Street grades and profiles shall be designed and constructed to meet the adopted Land Division Ordinance standards and the requirements contained in the Public Right-of-Way Accessibility Guidelines (PROWAG). Additionally, corner curb ramps shall be constructed to meet PROWAG requirements.
22. The applicant shall coordinate the location of clustered mailboxes with the Postmaster, and the location of any clustered mailboxes shall meet the accessibility requirements of PROWAG and the State of Oregon Structural Specialty Code.
23. At the completion of each phase of the development, the applicant shall install barricades consistent with City standards at the terminus of any street to be extended by future phases, or by adjacent developments. Each barricade shall include a sign with text stating: "This street is planned for extension to serve future development." On-street parking will be restricted at all street intersections, in conformance with the requirements of the City's Land Development Ordinance.
24. The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associated with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat.
25. The applicant shall submit cross sections for the public street system to be constructed. Cross sections shall depict utility location, street improvement elevation and grade, park strips, sidewalk location, and sidewalk elevation and grade. Said cross sections shall be submitted to the City Engineer for review and approval prior to submittal of the final plat. All such submittals must comply with the requirements of 13A of the Land Division Ordinance and must meet with the approval of the City Engineer.
26. A detailed, engineered sanitary sewage collection plan, which incorporates the requirements of the City's adopted Conveyance System Master Plan, must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved sanitary sewage plan must be reflected on the final plat.
27. A detailed, engineered storm drainage plan, which satisfies the requirements of the City's Storm Drainage Master Plan must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved plan must be reflected on the final plat.
28. If the final storm drainage plan incorporates the use of backyard collection systems and easements, such systems must be private rather than public, and private maintenance agreements for them must be approved by the City prior to the City's approval of the final plat. The maintenance agreements shall include requirements that drainage channels / facilities

within the storm drainage easements shall be kept in their designed condition, and that no fill or other construction activities (including the construction of fences) will be allowed within those areas.

29. Prior to the construction of any private storm facilities, the applicant shall obtain the necessary permits from the City's Building Division.
30. The proposed detention facility tracts shall be private rather than public, and private maintenance agreements for them must be approved by the City prior to the City's approval of the final plat. The maintenance agreements shall include requirements that drainage channels / facilities within the detention facilities shall be kept in their designed condition, and that no fill or other construction activities (including the construction of fences) will be allowed within those areas.
31. The final subdivision plans shall incorporate access provisions, and corresponding easements, for the maintenance by the City of all public storm facilities.
32. The final plat shall include 10-foot utility easements along both sides of all public rights-of-way for the placement and maintenance of required utilities.
33. The final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.
34. The applicant shall secure from the Oregon Department of Environmental Quality (DEQ) any applicable storm runoff and site development permits prior to construction of the required site improvements. Evidence of such permits shall be submitted to the City Engineer.
35. The applicant shall secure all required state and federal permits, including, if applicable, those related to construction of the storm drain outfalls, the federal Endangered Species Act, Federal Emergency Management Act, and those required by the Oregon Division of State Lands, and U.S. Army Corps of Engineers. Copies of the approved permits shall be submitted to the City.
36. The applicant shall submit evidence that all fill placed in the areas where building sites are expected is engineered. Evidence shall meet with the approval of the City Building Division and the City Engineering Department.
37. The required public improvements shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat. Prior to the construction of the required public improvements, the applicant shall enter into a Construction Permit Agreement with the City Engineering Department, and pay the associated fees.
38. The applicant shall submit a draft copy of the subdivision plat to the City Engineer for review and comment which shall include any necessary cross easements for access to serve all the proposed parcels, and cross easements for utilities which are not contained within the lot they are serving, including those for water, sanitary sewer, storm sewer, electric, natural gas, cable, and telephone. A current title report for the subject property shall be submitted with the draft plat. Two copies of the final subdivision plat mylars shall be submitted to the City Engineer for the appropriate City signatures. The signed plat mylars will be released to the applicant for delivery to McMinnville Water and Light and the County for appropriate signatures and for recording.

39. That an easement, to the benefit of McMinnville Water and Light, of a size and location acceptable to McMinnville Water and Light to allow for necessary maintenance vehicle maneuvering be provided within Parcel 1 or Parcel 2, Instrument No. 201600557, Yamhill County Deed Records, prior to the recording of the plat for Phase 2A.

### **III. ATTACHMENTS:**

1. S 1-19 Application and Attachments (on file with the Planning Department)
2. Agency Comments (on file with the Planning Department)
3. Testimony Received (on file with the Planning Department)
  - a. Public Testimony
    - i. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received December 4, 2019 (on file with the Planning Department)
    - ii. Markus Pfahler, 2515 West Wind Drive, Letter received December 5, 2019 (on file with the Planning Department)
    - iii. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 24, 2020 (on file with the Planning Department)
    - iv. Jeff and Lori Zumwalt, Premier Home Builders, Inc., Letter received January 24, 2020 (on file with the Planning Department)
    - v. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 26, 2020 (dated January 27, 2020) (on file with the Planning Department)
    - vi. Steve Dow, Black Hawk Homes, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - vii. Vince Vincer, Symbiotik Development, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - viii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - ix. Mike Colvin, Letter received January 28, 2020 (on file with the Planning Department)
    - x. Stafford Development Company (Applicant), Memorandum from Frank Charbonneau received January 28, 2020 (on file with the Planning Department)
    - xi. Linda Lindsay, Letter received at public hearing on January 28, 2020 (on file with the Planning Department)
    - xii. Sandy Colvin, Traffic report data received January 29, 2020 (on file with the Planning Department)
    - xiii. Jim Cena, 15080 NW Blacktail Court, Email received January 30, 2020 (on file with the Planning Department)
    - xiv. Larry and Hersheil Steward, 14200 NW Orchard View Road, Email received January 30, 2020 (on file with the Planning Department)
    - xv. Caroline Moore, 205 NE 6<sup>th</sup> Street, Email received January 31, 2020 (on file with the Planning Department)
    - xvi. Nancy and Surinder Singh, 2200 SW West Wind Drive, Email received February 1, 2020 (on file with the Planning Department)
    - xvii. David Cutter, 15000 NW Blacktail Lane, Emailed letter received February 3, 2020 (on file with the Planning Department)
    - xviii. Lane Roemmick, Email received February 3, 2020 (on file with the Planning Department)
    - xix. Jim and Jean Semph, 2175 SW Homer Ross Loop, Email received February 3, 2020 (on file with the Planning Department)
    - xx. Vincent Taft and Allison Best, 2025 SW Fox Swale Lane, Email received February 3, 2020 (on file with the Planning Department)

- xxi. Patrick Stinson, 2065 NW Willamette Drive, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxii. Mike Colvin, Letter received February 3, 2020 (on file with the Planning Department)
  - xxiii. Gary and Suzanne Farmer, Email received February 3, 2020 (on file with the Planning Department)
  - xxiv. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxv. Rick Weidner, 2075 SW Sailing Court, Email received February 3, 2020 (on file with the Planning Department)
  - xxvi. Kari Rex, Email received February 4, 2020 (on file with the Planning Department)
  - xxvii. Melba Smith, 2780 NW Pinot Noir Drive, Email received February 4, 2020 (on file with the Planning Department)
  - xxviii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxix. Linda Lindsay, Email received February 4, 2020 (on file with the Planning Department)
  - xxx. Scott Larsen, Email received February 4, 2020 (on file with the Planning Department)
  - xxxi. Cathy Goekler, 2684 NW Pinot Noir Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxii. Stafford Development Company (Applicant), Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxiii. Mike Colvin, Email with rebuttal testimony received February 5, 2020 (on file with the Planning Department)
  - xxxiv. Stafford Development Company (Applicant), Emailed letter with rebuttal testimony received February 11, 2020 (on file with the Planning Department)
- b. Staff Memorandums
- i. Planning Department Staff, Memorandum describing revisions to conditions of approval, December 5, 2019 (on file with the Planning Department)
  - ii. Planning Department Staff, Memorandum describing additional testimony received prior to January 28, 2020 public hearing, January 27, 2020 (on file with the Planning Department)
- 4. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, December 5, 2019 (on file with the Planning Department)
  - 5. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 14, 2020 (on file with the Planning Department)
  - 6. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 28, 2020 (on file with the Planning Department)
  - 7. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 10, 2020 (on file with the Planning Department)
  - 8. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 24, 2020 (on file with the Planning Department)

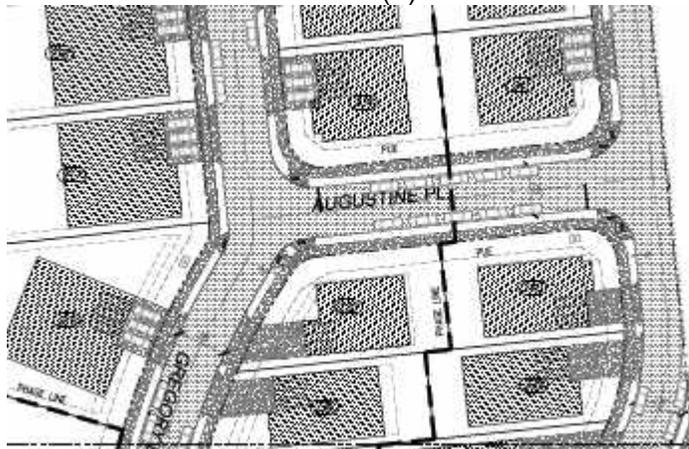
#### **IV. COMMENTS:**

##### **Agency Comments**

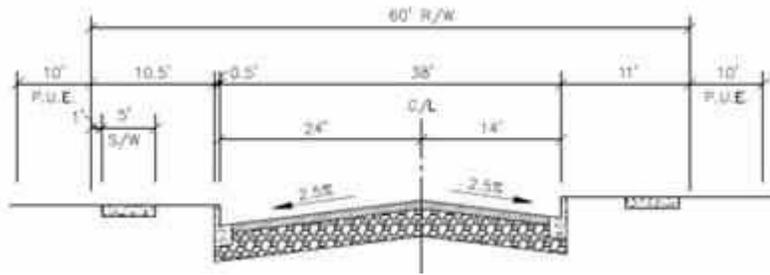
This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill

County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development. The following comments were received:

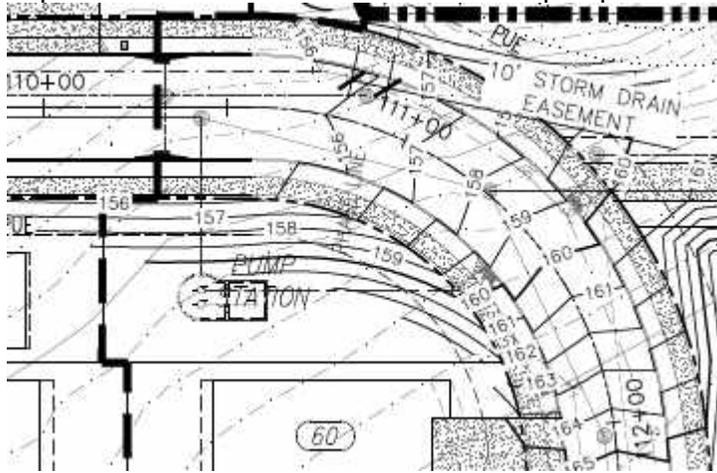
- McMinnville Engineering Department
- McMinnville Municipal Code Section (MMC) 12.20.030(B) requires that the maximum width of driveways for properties with street frontage between 20 and 75 feet wide shall be not more than 40% of the frontage. The proposed lot configurations for SFD-70, SFD-60, and SFD-40, as shown on page EXH-5, do not meet the Ordinance standard. Additionally, a review of the Site Plan (SP) sheets indicates that the driveways for lots 117, 130, 131, 132, 202, 203, 224, 225, 228 and 271 do not comply with the Ordinance standard.
- MMC Section 12.20.070 indicates that if a driveway is constructed or installed on a corner lot, such driveway shall not be built closer than 30 feet from the point of intersection of the two curb lines projected ahead. A review of the Site Plan (SP) sheets indicates that the driveway for lot 35 may not comply with that standard.
- The proposed intersection of Gregory & Augustine Streets shall be redesigned such that the intersection angle is as near to 90° as practical. The current “Y” configuration is not consistent with MMC Section 17.53.101(F):



- MMC 17.53.101(O) indicates that the public alley in the City's street standards applies to commercial and industrial districts, not to residential developments. Thus, the proposed alleys on the proposal shall be private, and shall be maintained by the adjacent property owners or the Home Owners Association.
- Meadows Dr and Shadden Dr are proposed to have an offset crown to accommodate a right turn lane (see cross-section below). We would prefer see the City's typical "Teepee" section so that the curb elevations match on each side of the street.



- The proposed sanitary sewer pump station site appears to be steeply graded. The pump station site will need to be designed with a site driveway that accommodates the Wastewater Services department's service vehicles so that the pump station can be adequately maintained:



- All proposed storm drainage outfalls shall comply with the City's Storm Drainage Master Plan requirements, and sufficient access to the outfalls shall be constructed to accommodate City maintenance activities.
- Per the conclusions and recommendations of the provided "Preliminary Geotechnical Engineering Report", "additional analysis will be required to address Oregon Department of Geology and Minerals (DOGAMI) geologic hazard mapping in the northern portion of the site where engineered fill, residential homes, and public streets are proposed ear slopes extending to the wetland." The report notes that the "primary geotechnical concern associated with development at the site is the potential for slope instability in the northern portion of the site where the client has indicated that significant engineered fills will be proposed." The report further notes that a "slope stability analysis of the area should be conducted which would at a minimum include creation of geologic cross-sections with the proposed development in the northern portion of the site near the wetland slopes, and quantitative slope stability calculations which take into consideration the proposed surcharge loading of the engineered fill." It would be prudent for that work to be done prior to the approval of the proposed lot and street layouts, to ensure that those areas are buildable as proposed.
- Recognizing that street names are approved at a later date by the Planning Director, we did note that City already has a "Harold Court" and a "Emma Drive", and thus different street names for proposed "Harold Drive" and "Emma Street" should be chosen.
- Recognizing that street tree plans are reviewed and approved at a later date by the Planning Department and the Landscape Review Committee, we did note that several of the proposed

tree locations will need to be adjusted due to probable conflicts with utilities and due to street sight distance concerns.

Additionally, the City's Public Works staff offer the following comments re: the proposed open space and park tracts:

***NOTE:*** *The comments provided by Publics Works staff below are based on the original development plans. The development plans were revised by the applicant on November 8, 2019, which revised the proposed improvements within the proposed open space and park tracts, some of which respond to the Public Works comments below. Dedications and improvements of the proposed open space tracts are described in findings and conditions of approval in this Decision Document.*

- There are 19 tracts designated as open space in the proposal. One of these, tract G, is designated for a proposed pump station. Staff's understanding was that only tracts I, J, K and L were being considered for dedication to the City as public open space as part of this development, with developer built improvements constructed on them. However, in reviewing the narrative and findings information, it appears that the applicant is requesting that:
- Parcel D (14.92 acres) be accepted by the City as a future public park. This is flood plain property north of the planned development site, and the application notes that a chipped path would be constructed as an off-site improvement in conjunction with phase 2A and/or phase 3A of the subdivision.
- Tracts F, I, J, K, L, N, and S within the planned development are recommended by the applicant to be accepted by the City as public park land. The proposal shows various developer constructed improvements to be included with these tracts.
- Park Donation: the applicant is requesting that the City accept Parcel D as part of this application. At this time, staff does not believe that the City has the maintenance capacity to take on additional new park acreage, and would not recommend accepting ownership or maintenance responsibility for this parcel.
- Open Space Tracts: Staff's understanding was that tracts I, J, K and L were to be improved as an extension of the BPA pedestrian path, with a concrete pathway, landscaping, pedestrian scale lighting and pedestrian benches. However, in looking at the proposal, I see some significant variation from that understanding:
- Tract I: shows turf, trees and a pathway (sidewalk). Staff's understanding was that this was to be 10' walk; it appears to be drawn as a typical 5' sidewalk.
- Tract J: shows dog park and skate park improvements. Staff's understanding was that this was to be a meandering 10' path with landscaping.
- Tract K: shows turf, trees, landscaping, with benches. This matches our understanding.
- Tract L: shows an offset 10' gravel pathway, and turf for a portion of the tract. The remaining portion is labelled as "existing grass field to remain", with a 10' gravel pathway. This is not similar to the existing BPA pathway design as per earlier discussion, and does not provide an accessible surface for pedestrians.

- As noted above, staff does not believe that the City has the current park maintenance capacity to take on any additional park land. That being said, the opportunity to extend the BPA pathway to the north and connect this development with park improvements to the south is recognized as an important opportunity. It is also recognized that maintenance of the extension will come at the expense of reduced maintenance in other existing facilities. Unfortunately, the proposed improvements on these tracts are not similar to the existing BPA pathway design, and include elements (skate park, dog park) that the City does not have the resources to maintain. So based on that, staff does not believe it would be in the City's best interests to accept these tracts as proposed. The plans for Tracts I, J, K, and L should be modified to match the City's development of the trail system in the rest of the BPA corridor to the south of Baker Creek Road.
- Tract F is shown as a sloped parcel overlooking the floodplain to the north, with a chipped path future connection to the floodplain. Other improvements shown include a shelter, landscaping, turf, trees and park amenities. Staff does not believe the City has the maintenance capacity to accept this tract, and it should remain private with maintenance by the Home Owners Association.
- Tract N is shown as open space. From the narrative, it appears this is proposed as open space to preserve existing trees. Staff does not believe that the City has the maintenance capacity to accept this tract, and it should remain private with maintenance by the Home Owners Association.
- Tract S is shown as a proposed pedestrian connection from Edgar Street to the proposed floodplain park donation. Staff would see this as a pedestrian connection that would be provided and maintained by the developer. Should in the future the floodplain property become the City's, staff would see maintenance access coming from the north end of the BPA path extension and would not need Tract S for maintenance access. Thus, and it should remain private with maintenance by the Home Owners Association.
- From the application materials, it appears that the remaining tracts (excepting tract G) are not being considered for City ownership as public open space and would be owned and maintained by the developer/HOA.
- Some tract specific comments for areas not proposed for City ownership:
- Tract A is shown as a detention pond space with an adjacent soccer/basketball court. While not really in our purview (since we won't own tract A), staff would suggest that this be reconsidered. The city typically requires that detention ponds be fenced. Placing a facility where stray balls could find their way over the fencing into the pond, could well encourage users to climb the fencing and enter the pond area to retrieve their ball, which would not be a safe use of the space.
- Tract B is shown as an active open space with a playground. The tract is adjacent to Baker Creek Road, which a fairly busy roadway. Again, although outside our purview, staff would suggest that consideration is given to securing this tract in such a way as to limit the potential for young park users to wander out near Baker Creek Road. The open space amenities, including play structures, benches, tables, and pathways should be accessible.
- Tract F shows benches, a shelter and tables. Although outside our purview (since we won't own Tract F), the improvements, including the pedestrian walk improvements, should be ADA accessible.

The typical infrastructure related conditions of approval should be included in the subdivision approval documents, including:

- The final plat shall include the dedication of additional right-of-way, totaling 38' north of centerline, along the subdivision's Baker Creek Road frontage.
- The final plat shall include prohibitions against direct access to Baker Creek Road for any individual lot.
- The interior streets shall be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and 5-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets.
- Street grades and profiles shall be designed and constructed to meet the adopted Land Division Ordinance standards and the requirements contained in the Public Right-of-Way Accessibility Guidelines (PROWAG). Additionally, corner curb ramps shall be constructed to meet PROWAG requirements.
- The applicant shall coordinate the location of clustered mailboxes with the Postmaster, and the location of any clustered mailboxes shall meet the accessibility requirements of PROWAG and the State of Oregon Structural Specialty Code.
- At the completion of each phase of the development, the applicant shall install barricades consistent with City standards at the terminus of any street to be extended by future phases, or by adjacent developments. Each barricade shall include a sign with text stating: "This street is planned for extension to serve future development." On-street parking will be restricted at all street intersections, in conformance with the requirements of the City's Land Development Ordinance.
- The City Public Works Department will install, at the applicant's expense, the necessary street signage (including stop signs, no parking signage, and street name signage), curb painting, and striping (including stop bars) associated with the development. The applicant shall reimburse the City for the signage and markings prior to the City's approval of the final plat.
- The applicant shall submit cross sections for the public street system to be constructed. Cross sections shall depict utility location, street improvement elevation and grade, park strips, sidewalk location, and sidewalk elevation and grade. Said cross sections shall be submitted to the City Engineer for review and approval prior to submittal of the final plat. All such submittals must comply with the requirements of 13A of the Land Division Ordinance and must meet with the approval of the City Engineer.
- A detailed, engineered sanitary sewage collection plan, which incorporates the requirements of the City's adopted Conveyance System Master Plan, must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved sanitary sewage plan must be reflected on the final plat.
- A detailed, engineered storm drainage plan, which satisfies the requirements of the City's Storm Drainage Master Plan must be submitted to and approved by the City Engineering Department. Any utility easements needed to comply with the approved plan must be reflected on the final plat.

- If the final storm drainage plan incorporates the use of backyard collection systems and easements, such systems must be private rather than public, and private maintenance agreements for them must be approved by the City prior to the City's approval of the final plat. The maintenance agreements shall include requirements that drainage channels / facilities within the storm drainage easements shall be kept in their designed condition, and that no fill or other construction activities (including the construction of fences) will be allowed within those areas.
- Prior to the construction of any private storm facilities, the applicant shall obtain the necessary permits from the City's Building Division.
- The proposed detention facility tracts shall be private rather than public, and private maintenance agreements for them must be approved by the City prior to the City's approval of the final plat. The maintenance agreements shall include requirements that drainage channels / facilities within the detention facilities shall be kept in their designed condition, and that no fill or other construction activities (including the construction of fences) will be allowed within those areas.
- The final subdivision plans shall incorporate access provisions, and corresponding easements, for the maintenance by the City of all public storm facilities.
- The final plat shall include 10-foot utility easements along both sides of all public rights-of-way for the placement and maintenance of required utilities.
- The final plat shall include use, ownership, and maintenance rights and responsibilities for all easements and tracts.
- The applicant shall secure from the Oregon Department of Environmental Quality (DEQ) any applicable storm runoff and site development permits prior to construction of the required site improvements. Evidence of such permits shall be submitted to the City Engineer.
- The applicant shall secure all required state and federal permits, including, if applicable, those related to construction of the storm drain outfalls, the federal Endangered Species Act, Federal Emergency Management Act, and those required by the Oregon Division of State Lands, and U.S. Army Corps of Engineers. Copies of the approved permits shall be submitted to the City.
- The applicant shall submit evidence that all fill placed in the areas where building sites are expected is engineered. Evidence shall meet with the approval of the City Building Division and the City Engineering Department.
- The required public improvements shall be installed to the satisfaction of the responsible agency prior to the City's approval of the final plat. Prior to the construction of the required public improvements, the applicant shall enter into a Construction Permit Agreement with the City Engineering Department, and pay the associated fees.
- The applicant shall submit a draft copy of the subdivision plat to the City Engineer for review and comment which shall include any necessary cross easements for access to serve all the proposed parcels, and cross easements for utilities which are not contained within the lot they are serving, including those for water, sanitary sewer, storm sewer, electric, natural gas, cable, and telephone. A current title report for the subject property shall be submitted with the draft plat. Two copies of the final subdivision plat mylars shall be submitted to the City Engineer for the appropriate City signatures. The signed plat mylars will be released to the applicant for

delivery to McMinnville Water and Light and the County for appropriate signatures and for recording.

- McMinnville Water and Light

Included as Attachment #2

- Oregon Department of State Lands

Sounds like you screened previously for wetlands and waters, found none and went forward. I did a quick check and we didn't have any records about these sites in our database. We would have no comment on the changes proposed.

## **Public Comments**

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, November 26, 2019. As of the date of the Planning Commission public hearing on December 5, 2019, one item of public testimony had been received by the Planning Department. One additional item of written testimony was submitted at the December 5, 2019 public hearing. Those items of testimony are described in Section III (Attachments) above.

## **V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. The applicant, Stafford Development Company, LLC, held a neighborhood meeting on November 1, 2018.
2. The applicant submitted the Tentative Subdivision application (S 1-19) on April 30, 2019.
3. The application was deemed incomplete on May 30, 2019. The applicant submitted revised application materials on September 11, 2019.
4. Based on the revised application submittal, the application was deemed complete on October 11, 2019. Based on that date, the 120 day land use decision time limit expires on February 8, 2020.
5. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development.

Comments received from agencies are addressed in the Decision Document.

6. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance on Thursday, November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.

7. Notice of the application and the December 5, 2019 Planning Commission public hearing was published in the News Register on Tuesday, November 26, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance.
8. No public testimony was submitted to the Planning Department prior to the Planning Commission public hearing.
9. On December 5, 2019, the Planning Commission held a duly noticed public hearing to consider the request.

## **VI. FINDINGS OF FACT – GENERAL FINDINGS**

1. **Location:** The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.
2. **Size:** The Tentative Subdivision is proposed to be approximately 48.7 acres in size. The proposal includes the dedication of a 14.92 acre parcel adjacent to the proposed Planned Development Overlay District, which is proposed to be dedicated as a public park.
3. **Comprehensive Plan Map Designation:** Planned Development Area: Residential. Park Dedication Parcel: Residential and Floodplain
4. **Zoning:** Planned Development Area: R-4 (Multiple Family Residential). Park Dedication Parcel: EF-80 (Exclusive Farm Use) and F-P (Flood Plain)
5. **Overlay Zones/Special Districts:** Planned Development Overlay District.
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** An area to the north of the proposed Planned Development Overlay District, and within the Park Dedication Parcel, is located within Zone A of the 100-year floodplain of Baker Creek, as identified on the FEMA Flood Insurance Rate Map (FIRM) panels.
8. **Other Features:**
  - a. **Wetlands:** An area to the north of the proposed Tentative Subdivision, and within the Park Dedication Parcel, contains wetlands.
  - b. **Slopes:** A majority of the site is relatively flat, but the property begins to slope to the north along the northern edges of the subject site. This portion of the property slopes downward towards Baker Creek, which is located to the north of the subject site.
  - c. **Easements and Utilities:** A 60 foot wide easement, as identified in Film Volume 40, Page 851, Yamhill County Deed Records, for the benefit of the Bonneville Power Administration exists running south to north through the center portion of the site, in the general location of the existing electrical power transmission lines.
9. **Utilities:**

- a. **Water:** Water service is available to the subject site.
- b. **Electric:** Power service is available to the subject site.
- c. **Sewer:** Sanitary sewer service is available to the subject site.
- d. **Stormwater:** Storm sewer service is available to the subject site.
- e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.

- 10. **Transportation:** The site is adjacent to NW Baker Creek Road, which is identified as a minor arterial in the McMinnville Transportation System Plan.

**VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Tentative Subdivision Plan are specified in Section 17.53.010 of the Zoning Ordinance.

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

**Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

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

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

*Policy 59.00 Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.*

**APPLICANT’S RESPONSE:** In 2001, the City adopted the Residential Land Needs Analysis, which evaluated housing needs for the 2000-2020 planning period. The study determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs, of which 63.9 acres would need to be zoned R4 to meet higher density housing needs. To address its deficient residential land supply, the City moved forward with an UGB amendment application. However, the UGB expansion effort was shelved in 2011 after LUBA remanded City Council’s land use decision.

While the 2001 analysis provides some insight into McMinnville's on-going housing challenges, Policy 71.05 does not require use of a State acknowledged planning document when evaluating what is required to achieve a continuous 5-year supply of buildable land for all housing types. Since the City's deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently updating its Housing Needs Analysis. Current analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R4 land within the UGB. This acreage will accommodate the development of 891 dwelling units which are unable to be accommodated by the current R4 land supply.

While the current Housing Needs Analysis has not been acknowledged by the State, it still qualifies as a beneficial study and provides helpful information regarding McMinnville's current and future housing needs. The study received grant funding from DLCDC, and a condition of the grant award, this State agency prepared a scope of work and qualified the consultant Econorthwest to prepare the report. DLCDC staff currently serves as a member of the project's Technical Advisory Committee and has ensured that the study's methodology follows Oregon Administrative Rule standards.

It is due to rising housing costs, as well as McMinnville's persistent challenge to maintain an adequate residential land supply, that the City is currently updating its Buildable Lands Inventory and Housing Needs Analysis. These studies have identified how many acres of additional residential land must be added to the Urban Growth Boundary (UGB) to meet housing demands over the next 20-year planning period. The City has also identified new strategies to encourage the development of a greater variety of housing types including single-family detached homes, townhomes, mobile homes, condominiums, duplexes, apartments, and affordable housing options.

As demonstrated by the attached Preliminary Development Plans, the proposed project will facilitate the development of 280 small, medium, and large sized single-family lots within the Baker Creek North Planned Development area. The proposed planned development amendment to the overlay created by Ordinance 4633 will allow for the future development of up to 120 apartment units within the C3 zoned area as demand for commercial uses and housing determines. This will further help to address McMinnville's current housing needs. A future development application will be submitted for the development of the multi-family dwelling units on the C3 zoned portion of the site. As discussed throughout this narrative, the proposed map and planned development amendments are consistent with applicable residential policies and the land development regulations of the City.

**FINDING: SATISFIED.** City concurs with the applicant's findings. The proposed subdivision would comply with the companion Planned Development (PD 1-19) allowing an average lot size of 4,930 square feet. Lot size averaging allows variety in the size of lots, and therefore variety in the housing products and localized densities within the overall planned area. The overall density of the planned development will be very near the requirements of the underlying R-4 zone, as allowed through the companion Planned Development (PD 1-19).

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

**APPLICANT'S RESPONSE:** In order to create a more intensive and energy efficient pattern of residential development, the applicant is requesting approval of a Zoning Map Amendment to zone 9.41 acres of existing R1 zoned land and 39.29 acres of currently unzoned land to an R4 classification. The attached Preliminary Development Plans demonstrate that all of the R4 zoned land will be included within the proposed Baker Creek North Planned Development.

The submitted plans illustrate that the planned development will provide an urban level of private and public services. The submitted planned development application includes a request to modify several City Code standards so that unique and innovative single-family detached housing can be developed on the subject site that is land intensive. The plans demonstrate that the proposed housing provides a more compact urban form, is more energy efficient, and provides more variety in housing types than are developed in the R4 zone with a standard subdivision.

The amendment to the planned development overlay ordinance to allow no more than 120 multifamily dwelling units on the commercial parcel will also help facilitate the development of more efficient housing in the area.

**FINDING: SATISFIED.** City concurs with the applicant's findings. The proposed subdivision would comply with the companion Planned Development (PD 1-19) allowing an average lot size of 4,930 square feet. Lot size averaging allows variety in the size of lots, and therefore variety in the housing products and localized densities within the overall planned area. The overall density of the planned development will be very near the requirements of the underlying R-4 zone, as allowed through the companion Planned Development (PD 1-19).

*Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.*

**APPLICANT'S RESPONSE:** The site is adjacent to NW Baker Creek Road, an area where urban services are already available, and near NW Hill Road, where the City has recently made improvements to urban services to accommodate development in McMinnville.

**FINDING: SATISFIED.** The City concurs with the applicants findings.

*Planned Development Policies*

*Policy 72.00 Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.*

**APPLICANT'S RESPONSE:** As this narrative and responses to these Policies have demonstrated, the proposed zoning of R4 for the residential designated portions of the site is appropriate due to the site characteristics. The applicant could develop the site with a standard subdivision approach to meet the R4 standards with basic 2,500 square feet common wall dwelling lots (townhouses) and 5,000 square feet cookie cutter detached single-family dwellings. However, because it is written in Policy 72.00 that it is the City's policy that planned developments shall be encouraged and be the favored form of residential development in the City, and in order to allow the developer to use unique and innovative development techniques as is the City's goal (see Goal V 2 above), the applicant has prepared a planned development application for the R4 zoned portion of the site to help meet the City's goals and policies. Likewise, the applicant is proposing to amend the planned development overlay created under

Ordinance 4633 to strike the existing conditions and allow no less than 2 acres of neighborhood commercial and no more than 120 multi-family dwelling units on the C3 zoned portion of the site.

The Baker Creek North Planned Development will accrue the benefits sought by this policy in many ways, some of which are highlighted here. The development provides a bounty of open space, common walkways and recreational amenities to support the social fabric of the community and creating habitat space to benefit the environment. The proposed lot sizes and building setbacks create attainable housing choices for a variety of income levels. The mix of housing will promote social inclusion and an aesthetically diverse streetscape adding to the value of homes and property. The volume of new dwellings will help support the community's need for housing, providing economic and social benefits for the City. Smaller yards and clustering of density along the south side of the project adjacent to the transit corridor will allow for a reduction of resource consumption in terms of yard maintenance costs as well as an incremental reduction in transportation costs since more residents will live closer to the arterial and have convenient access to transit options in the future. Therefore, environmental benefits will be provided by a reduction in pollution that comes from less yard maintenance and fewer vehicle trips for residents. Higher density housing in the planned development will support the demand for future planned transit, which will deliver a social, economic and environmental benefit to all residents in that corridor.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #3, 4, 9 – 12, & 14.** The proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) and therefore the planned development policies of the Comprehensive Plan. The proposed provision of improved open spaces (public and private) and the protection of natural resources would meet the intention of this policy. Public and private parks within the planned development would provide social and recreation opportunities that would not otherwise exist but for the planned development process. Economic savings for the City would be realized through the arrangement for private maintenance of public open space until 2032 and the inclusion of alleys in private tracts or easements. Requirements for the preparation of Covenants, Conditions, and Restrictions (CC&Rs) and a Homeowner's Association will result in economic savings through the creation of processes to ensure adequate maintenance of the improvements within the subdivision and Planned Development. Environmental savings would be accrued through a number of elements of the Planned Development, including protection of a large area of land that is identified as 100-year floodplain, protection of significant trees, and orientation of lots and streets to reduce development on areas that slope towards the Baker Creek floodplain area. Conditions of approval are included to ensure these economic, social, and environmental savings result from the Planned Development.

*Policy 73.00 Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.*

**APPLICANT'S RESPONSE:** The attached Typical Lots Plan indicates that the applicant is proposing 7 different single-family lot sizes with specifications to provide a variety of housing types within the development. Lots that would normally contain a common wall structure (a.k.a. townhouse) are proposed with side yards, so the lots are wider than the standard to accommodate the yards. These planned development lots allow a product that is similar to a townhouse, but better for the occupant in many ways, including livability, independence and privacy. These two types (SFD-26 & SFD-30) are the "small" lots. The two types (SFD-45 & SFD-40) slightly smaller than standard R-4 lots are "medium" lots. Lots larger than standard R-4 lots (SFD-50, SFD-60, & SFD-70) are "large" lots. The Preliminary Site Plans illustrate that some of the lots will be accessed by alleys and others directly from the street. Some will even

have front yards facing a common walkway and green space. Also, lot sizes vary from street to street or block to block, and sometimes even alternate from lot to lot. This unique approach to the lot layout adds to the variety of housing available on a given street. Depending on the lot size, single-family homes will be developed as either one or two-story structures. With different single-family dwelling choices on small, medium and large sized lots, the planned development will offer attainable housing for a wide range of income levels within the community.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #11 & #12.** The City concurs with the applicant's findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) and therefore the planned development policies of the Comprehensive Plan. The Planned Development includes the development of 7 different lot types, arranged in a transition of density from higher density on the southern portion of the site to lower density on the northern portion of the site where lots are closer in proximity to the environmentally sensitive area that is proposed to be dedicated as a public park. Lot size averaging allows variety in the size of lots, and therefore variety in the housing products and potential prices within the Planned Development. Conditions of approval are included to include architectural review, design standards, and separation between similar home design to ensure that a variety and mix of housing types are provided within the subdivision and Planned Development.

*Policy 74.00 Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.*

**APPLICANT'S RESPONSE:** The applicant has sited the proposed planned development to capitalize on its location along the bluff overlooking the Baker Creek riparian corridor. The general natural topography of the site will be retained with the proposed development. Proposed Tract F is an open space that will have a public path, benches and picnic amenities for the community, with excellent views of this natural feature. Tract L is also an area that will contain a trail with public access to view this significant adjacent natural area. Tract N is being preserved as a common open space with significant trees, and the trees on the rear of the lots along the east boundary adjacent to Oak Ridge development are also preserved, along with various single trees on the rear of lots along the site's boundary. (see Landscape Plans)

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #9.** The City concurs with the applicant's findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) and therefore the planned development policies of the Comprehensive Plan. The subject site contains many natural, topographic, and aesthetic features that the proposed Planned Development would retain and protect. The most significant of these natural features is the 100-year floodplain area that exists within the parcel proposed to be dedicated as a public park. No development is proposed to occur within that parcel, other than recreational uses, which will preserve the land and the environmental benefits and functionality that these lands serve in the Baker Creek corridor. Open space areas are proposed in Tract N and Tract F to preserve areas of steep slopes and stands of existing significant trees within the Planned Development boundary. The requested zoning departures of lot size averaging and reductions in lot sizes will encourage development of the site that would be sensitive to existing slopes, significant trees, and floodplains that are found within and near the site. A condition of approval is included to require the creation and improvement of the open space tracts that will provide for the preservation of existing natural features where applicable, as identified in the Planned Development (PD 1-19) Decision Document.

*Policy 75.00 Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated*

*to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.*

**APPLICANT'S RESPONSE:** The Baker Creek Planned Development includes 19 proposed common open space tracts that are designed to directly benefit future residents of the development. After the proposed open space tracts are developed with active and passive recreation amenities as shown on the applicant's Landscape Plan sheets and the final plat records for the respective phase of development, the applicant is proposing to dedicate those tracts and facilities to the City of McMinnville that the City desires to own. Any tracts not dedicated or accepted by the City will be transferred to an incorporated homeowners association with an assessment and reserve fund to maintain the common areas for the community.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #9.** The City concurs with the applicant's findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) and therefore the planned development policies of the Comprehensive Plan. The subdivision includes the development of 18 tracts for open space or recreational space, and also includes the park dedication parcel to the north of the subdivision boundary (Parcel D which is described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records). Improvements within these tracts and the park dedication parcel are described in more detail in the Decision Document for the Planned Development (PD 1-19) land use application.

*Policy 76.00 Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.*

**APPLICANT'S RESPONSE:** The submitted Preliminary Site Plans identify the location of 19 common open space tracts that are dispersed throughout the Baker Creek Planned Development and readily accessible to future occupants of the development. They are all adjacent to a public street with a sidewalk.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #9.** The City concurs with the applicant's findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) and therefore the planned development policies of the Comprehensive Plan. The subdivision includes the development of 18 tracts for open space or recreational space, and also includes the park dedication parcel to the north of the subdivision boundary (Parcel D which is described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records). Improvements within these tracts and the park dedication parcel are described in more detail in the Decision Document for the Planned Development (PD 1-19) land use application.

*Policy 77.00 The internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways.*

**APPLICANT'S RESPONSE:** The submitted Preliminary Site Plans and Preliminary Landscape Plan demonstrate how the proposed sidewalk and street system promote safe and efficient travel throughout the development. Roadways are fully looped with no cul-de-sacs. The plans illustrate how pedestrian and bicycle travel will be enhanced with the development of accessways which shorten the distance between residential blocks and provide access to open space areas. The proposed improvements include widening and striping the north side of Baker Creek Road to add a bike lane and extra wide sidewalk, as well as a center turn lane. Both

Meadows Drive and Shadden Drive include a three-lane section at their southern ends with a right turn lane from these streets onto Baker Creek Road.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #9.** The City concurs with the applicant's findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) and therefore the planned development policies of the Comprehensive Plan. The subdivision includes the development of 18 tracts for open space or recreational space, and also includes the park dedication parcel to the north of the subdivision boundary (Parcel D which is described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records). Improvements within these tracts and the park dedication parcel are described in more detail in the Decision Document for the Planned Development (PD 1-19) land use application, but include many pedestrian and bicycle connections, pathways, and improvements.

*Policy 78.00 Traffic systems within planned developments shall be designed to be compatible with the circulation patterns of adjoining properties.*

**APPLICANT'S RESPONSE:** The submitted Preliminary Site Plan demonstrates that the proposed planned development connects to all streets which are stubbed to the subject site (see Exhibit 3). To provide connectivity and compatible circulation with adjoining properties, the applicant is proposing to extend NW Blake Street, NW Shadden Drive, NW Meadows Drive, and proposed NW Hill Lane with the proposed development. The internal streets are also stubbed out to facilitate future development of adjacent underdeveloped parcels.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 79.00 The density allowed for residential developments shall be contingent on the zoning classification, the topographical features of the property, and the capacities and availability of public services including but not limited to sewer and water. Where densities are determined to be less than that allowed under the zoning classification, the allowed density shall be set through adopted clear and objective code standards enumerating the reason for the limitations, or shall be applied to the specific area through a planned development overlay. Densities greater than those allowed by the zoning classification may be allowed through the planned development process or where specifically provided in the zoning ordinance or by plan policy.*

**APPLICANT'S RESPONSE:** The applicant is proposing concurrent Comprehensive Plan Map and Zoning Map amendments to designated 48.7 acres of the site within the R4 district. The attached plans indicate that the Baker Creek Planned Development is located within the proposed R4 zoned portion of the site and will have a net density of 8.16 dwelling units/acre. There are no topographic or utility capacity constraints which limit the subject site's development potential. Water and sewer services are available adjacent to the site and can be extended to serve the development with on-site improvements constructed and paid for by the developer. Some phases of the development can be served by gravity sanitary sewer, but development of other phases include service from a pump station on proposed Tract "G" in Phase 1B. The applicant is not proposing to modify the allowed net density range of 8-30 dwelling units/acre allowed in the R4 zone with this application. See comments below under MMC Section 17.21.

**FINDING: SATISFIED.** The City concurs with the applicants finding's, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) and therefore the planned development policies of the Comprehensive Plan. The City clarifies that the overall net density of the planned development is just under the requirements

of the underlying R-4 zone at 7.94 dwelling units per acre. Policy 79.00 allows for density to be less than that allowed under the zoning classification through a planned development overlay, which has been requested. The City adds that other conditions of approval will require the alleys serving the narrower lots to be private, which will likely increase the net density likely 8 dwelling units per acre to be within the range of the R-4 zone. In addition, as described by the applicant, the Planned Development plans do meet the density requirements of the R-4 zone on a lot size per unit basis per Section 17.12.060.

*Policy 80.00 In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.*

**APPLICANT'S RESPONSE:** The applicant is proposing to retain existing trees and wooded areas in common open space tracts and those preservable trees in rear yards where feasible as shown on the Landscape Plans.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) which requires the dedication of public and private open space tracts to preserve natural features, require additional analysis prior to the development of sloped lots, and require review and approval prior to the removal of preservable trees. The subdivision includes the development of 18 tracts for open space or recreational space, and also includes the park dedication parcel to the north of the subdivision boundary (Parcel D which is described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records). Improvements or preservation requirements within these tracts and the park dedication parcel are described in more detail in the Decision Document for the Planned Development (PD 1-19) land use application.

*Policy 81.00 Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as schools, commercial facilities, parks, and other residential areas, shall be encouraged.*

**APPLICANT'S RESPONSE:** Pedestrian and bikeway paths are provided to connect the large active open spaces in the residential areas with convenient routes between residential blocks. The proposed paths and sidewalks also connect to the existing powerline trail which leads to a neighborhood park to the south and provides access to views of the adjacent significant natural space to the north of the site.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) which requires the dedication of public and private open space tracts, many of which include pedestrian and bicycle improvements to increase connectivity within the subdivision. The subdivision includes the development of 18 tracts for open space or recreational space, and also includes the park dedication parcel to the north of the subdivision boundary (Parcel D which is described as Exhibit C in Instrument No. 201904870, Yamhill County Deed Records). Improvements or preservation requirements within these tracts and the park dedication parcel are described in more detail in the Decision Document for the Planned Development (PD 1-19) land use application.

*Policy 90.00 Greater residential densities shall be encouraged to locate along major and minor arterials, within one-quarter mile from neighborhood and general commercial shopping centers, and within a one-half mile wide corridor centered on existing or planned public transit routes.*

**APPLICANT'S RESPONSE:** The site is located along NW Baker Creek Road, a minor arterial street, and within a planned public transit route (see also comments above under Policy 70.01). The proposed zoning and uses are consistent with this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the Planned Development includes a phasing pattern that results in greater residential densities closer to Baker Creek Road (which is designated as a minor arterial street), the neighborhood commercial uses that will be included in the commercial area near the intersection of NW Hill Road and NW Baker Creek Road, and the planned public transit route along NW Baker Creek Road. The greater residential densities, which transition in density from higher density in the southern portion of the site to lower density in the northern portion of the site, is identified in EXH-4 and shown below:



*Policy 92.00 High-density housing developments shall be encouraged to locate along existing or potential public transit routes.*

**APPLICANT'S RESPONSE:** As discussed above (see also comments under Policy 70.01), this proposed housing development is located along a potential public transit route per current transit planning documents. The applicant is proposing to develop high density housing along this potential public transit route, meeting this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 92.01 High-density housing shall not be located in undesirable places such as near railroad lines, heavy industrial uses, or other potential nuisance areas unless design factors are included to buffer the development from the incompatible use.*

**APPLICANT'S RESPONSE:** No portion of the site is located near incompatible uses such as railroad lines, heavy industrial uses, or other potential nuisance areas.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 92.02 High-density housing developments shall, as far as possible, locate within reasonable walking distance to shopping, schools, and parks, or have access, if possible, to public transportation.*

**APPLICANT'S RESPONSE:** To the extent possible, this proposed housing development meets this policy. It is within reasonable walking distance to proposed on-site common open space parks and across the street from an existing City park property and trail system beginning at Meadows Drive at Baker Creek Road (with a planned neighborhood park improvement currently under construction south of this existing City park property and west of the existing trail). There is a future school site planned about ¼ miles south of the site on Hill Road. The applicant is proposing a planned development amendment to provide 6.62 acres of Commercial designated land at the corner of Hill Road and Baker Creek Road. The adjacent minor arterial is also planned for future public transportation.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that additional public park spaces will be developed and dedicated to the City within the subdivision, are described in more detail in the Decision Document for the Planned Development (PD 1-19) land use application.

#### *Urban Policies*

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

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

**APPLICANT'S RESPONSE:** As shown on the preliminary utility plans, each proposed phase of the development will improve public facilities to provide an adequate level of urban services as required by this policy. In coordination with the City, the applicant has confirmed that adequate sanitary sewer capacity exists. Storm sewer improvements will be installed with each phase of the planned development. Streets will be built to City standards as shown by the plans. Water services for the proposed residential uses will be extended to the site from adjacent main lines.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #25 – 38.** The City concurs with the applicant's findings, and adds that conditions of approval are included to ensure that the detailed engineering and construction plan review process occur prior to the development of the

subdivision. In addition, the proposed street access for the proposed development is adequate based on the Traffic Analysis Report provided. The traffic impact analysis (TIA) report provides analysis, and includes a project impact summary with conclusions on page 9. The TIA studied the intersections of Meadows Drive and Baker Creek Road, Shadden Drive and Baker Creek Road, and Michelbook Lane and Baker Creek Road. The TIA studied the traffic impacts of the development of 280 single family homes, as proposed in the Planned Development plans, and the development of 100,000 square feet of retail shopping center commercial uses on the adjacent site that is guided for Commercial on the Comprehensive Plan. The 100,000 square feet of retail shopping center commercial use is not expected to develop on the commercial property, but was selected as the worst-case scenario in terms of trip generation. The summary table identifying the capacity analysis is provided in Table 2 of the TIA, and is provided below:

**Table 2 Capacity Analysis Summary**

Intersection	Type of Control	Peak Hour	Traffic Scenario											
			2019 Existing				2029 Background				2029 Total			
			Crit. Mov't	LOS	Delay	v/c	Crit. Mov't	LOS	Delay	v/c	Crit. Mov't	LOS	Delay	v/c
Meadows Drive and Baker Creek Road	Two-way Stop	AM	NB	A	9.6	0.03	NB	B	10.6	0.14	SB	C	19.0	0.09
		PM	NB	A	9.4	0.03	NB	B	10.1	0.09	SB	F	56.2	0.20
Shadden Drive and Baker Creek Road	Two-way Stop	AM	NB	A	9.9	0.06	SB	C	18.4	0.17	SB	D	33.2	0.13
		PM	NB	A	9.8	0.06	SB	D	33.3	0.21	SB	F	137.3	0.16
Michelbook Lane and Baker Creek Road	Two-way Stop	AM	NB	B	10.9	0.08	NB	C	16.6	0.21	NB	D	28.7	0.45
		PM	NB	B	12.0	0.14	NB	F	65.6	0.78	NB	F	726.4	2.41
	Signal <sup>1</sup>	AM	-	-	-	-	-	B	11.0	0.39	-	B	15.3	0.47
		PM	-	-	-	-	-	B	11.7	0.54	-	B	19.8	0.70

Notes: 2010 Highway Capacity Manual methodology used in analysis, Synchro v9. NB - Northbound, SB - Southbound, Crit. Mov't - Critical movement or critical approach.

<sup>1</sup> Future signal identified in City's TSP - Not to be installed in conjunction with Baker Creek North Subdivision.

The “Summary and Recommendations” section of the TIA includes the following findings:

The City’s mobility standard for intersection operations requires a v/c ratio of 0.90 or less. The stop controlled intersections on Baker Creek Road at Meadows Drive and at Shadden Drive will experience acceptable volume-to-capacity ratios of 0.20 or less in the peak hours through the year 2029 total traffic scenario. No mitigation is required at these locations. On the southbound access approaches the lane configuration will consist of a separate right turn lane and a combination through/left lane. The approaches shall be controlled with stop signing.

The stop controlled intersection of Baker Creek Road at Michelbook Lane will experience an acceptable volume-to-capacity (v/c) ratio of 0.78 or less in the peak hours through the year 2029 background traffic scenario. For the year 2029 total traffic scenario the intersection operations will exceed the City’s v/c standard with a resulting value of 2.41 in the PM peak hour. This condition can be mitigated to a v/c of 0.70 by installing a traffic signal as identified in the City’s TSP. This improvement has been planned by the City for safety and capacity reasons in order to satisfy the anticipated city-wide traffic growth projections. Therefore, no mitigation at the Baker Creek Road and Michelbook Lane intersection is recommended in conjunction with the proposed development.

*Lot Sales Policy:*

99.10 *The City of McMinnville recognizes the value to the City of encouraging the sale of lots to persons who desire to build their own homes. Therefore, the City Planning staff shall develop a formula to be applied to medium and large size subdivisions, that will require a reasonable proportion of lots be set aside for owner-developer purchase for a reasonable amount of time which shall be made a part of the subdivision ordinance.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #8.** A condition of approval is included to require that the applicant provide twenty-five percent (25%) of the single family lots within each phase of the subdivision for sale for a period of six months. The applicant shall provide information detailing the number of lots that will be made available for individual sale for review and approval by the Planning Director prior to recording of the final plat for each subdivision. Upon approval, the referenced lots will be made available for sale to the general public for a minimum of one hundred eighty (180) days prior to building permit issuance for said lots.

**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.

**APPLICANT'S RESPONSE:** The development of the sites outlined in these applications will result in the improvement of the north side of the minor arterial called Baker Creek Road which to allow for the coordinated movement as envisioned by the City's Transportation System Plan. The proposed on-site streets, pedestrian accessways, and trail improvements will also promote this goal.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the proposed street access for the proposed development is adequate based on the Traffic Analysis Report provided, as described in the finding for Policy 99.00 above.

*Streets*

*Policy 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.*

**APPLICANT'S RESPONSE:** This policy is met by the proposed roadways and lot frontages along those right-of-ways in the application's plans.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 118.00 The City of McMinnville shall encourage development of roads that include the following design factors:*

- 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.*
- 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.*
- 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.*

4. *Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths).*
5. *Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist*

**APPLICANT'S RESPONSE:** The attached preliminary development plans indicate that the proposed road sections meet the City design standards. Where proposed Charles Street does not extend straight east from proposed Alfred Drive to proposed Gregory Drive, a pedestrian path is provided to ensure minimal adverse effects on adjacent natural features as encouraged by factor 1 above. Where large blocks are proposed with mid-block pedestrian paths instead of streets under the flexibility proposed by the planned development application, policy design factor 2 above is being supported. The extra right turn lanes for southbound traffic at Meadows Drive and Shadden Drive are supporting design factor 3 above. The development will support all modes of transportation as encouraged by design factor 4. Connectivity to adjacent developments and extension of existing streets is proposed, while no cul-de-sacs are planned to provide conformance with design factor 5. Therefore, all design factors of this policy are met by the proposal.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 119.00 The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.*

**APPLICANT'S RESPONSE:** The existing Baker Creek Road transportation corridor will be more efficiently utilized with this proposal, meeting the intent of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 120.00 The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.*

**APPLICANT'S RESPONSE:** The applications propose access at existing street intersections with Baker Creek Road. The traffic analysis provided shows this can be done safely even in the worst case scenario. No development or other access to Baker Creek Road from the commercial property is proposed at this time, although it may be proposed at a future time upon application for site development of that parcel.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but clarifies that any future development of the commercial property will be subject to the Planned Development Overlay District that applies to that site, which is a separate overlay district.

*Policy 121.00 The City of McMinnville shall discourage the direct access of small-scale residential developments onto major or minor arterial streets and major collector streets.*

**APPLICANT'S RESPONSE:** No direct access is proposed from the residential development to Baker Creek Road. Street intersections from this large scale residential development are proposed to match up with opposite existing intersections.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

1. *Major, minor arterials.*
  - Access should be controlled, especially on heavy traffic-generating developments.
  - Designs should minimize impacts on existing neighborhoods.
  - Sufficient street rights-of-way should be obtained prior to development of adjacent lands.
  - On-street parking should be limited wherever necessary.
  - Landscaping should be required along public rights-of-way

**APPLICANT'S RESPONSE:** Proposed improvements in all phases developed along Baker Creek Road will control and limit access to the existing intersections. The designs include an extra right turn lane at Meadows Drive and Shadden Drive to minimize delay. Approval of the development will also create additional connectivity to the minor arterial for other developments via streets stubbed to adjacent properties. The proposed extension of exiting streets stubs will also disburse traffic volumes in adjacent residential communities. The attached plans indicate that required right-of-way widths are provided to facilitate the street improvements. No on-street parking is proposed on Baker Creek Road, an arterial street. Street trees will be provided in the planter strips of all proposed street improvements. The planned residential development also proposes landscaping to be installed in a private tract along the arterial as passive open space in support of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

3. *Local Streets*
  - Designs should minimize through-traffic and serve local areas only.
  - Street widths should be appropriate for the existing and future needs of the area.
  - Sufficient street rights-of-way should be obtained prior to development of adjacent lands.
  - Off-street parking should be encouraged wherever possible.
  - Landscaping should be encouraged along public rights-of-way.

**APPLICANT'S RESPONSE:** Anticipated through-traffic on local streets will serve this neighborhood only, not the larger regional area. The proposed street widths are standard for local streets. The width increases in the southern segments at the approach to Baker Creek Road to allow right turn only lanes. Off-street parking is encouraged with standard 20-foot driveway depths for two off-street parking spaces in front of the garage at a minimum on all single-family lots. Street trees will be provided along public rights-of-way as shown on the Street Tree Plan, and landscaping will be installed in open spaces adjacent to the streets. Therefore, this policy is met by the proposal.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 123.00 The City of McMinnville shall cooperate with other governmental agencies and private interest to insure the proper development and maintenance of the road network within the urban growth boundary.*

**APPLICANT'S RESPONSE:** All of the proposed street improvements are within the urban grown boundary and rights-of-way will be dedicated to the City after improvements to City standards are installed in compliance with this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.*

**APPLICANT'S RESPONSE:** The proposed developments will achieve sufficient off street parking. Single-family residential lots will all have two off-street parking spaces in front of the garage door at a minimum.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes.*

**APPLICANT'S RESPONSE:** The proposed developments will encourage off-street parking. Single-family residential lots will all have two off-street parking spaces in front of the garage door at a minimum. The commercial parcel will also be provided with off-street parking. No parking will be allowed on Baker Creek Road, an arterial street.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan that connects residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities.*

**APPLICANT'S RESPONSE:** These development applications will result in the phased improvement of the north side of Baker Creek Road with a bicycle lane in the shoulder. The improvements also include an extension of the power line trail into the site with a connection to on-site walkways. As such, the improvements will connect people with elements called for in this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 130.05 In areas where bikeways are planned, the City may require that new development provide bikeway improvements such as widened streets, bike paths, or the elimination of on-street parking. At the minimum, new development shall be required to make provisions for the future elimination of on-street parking along streets where bikeways are planned so that bike lanes can be striped in the future. Bike lanes and bike paths in new developments shall be constructed to standards recommended in the bikeway plan.*

**APPLICANT'S RESPONSE:** The applicant is proposing to install a bike lane on the north side of Baker Creek Road as phases of the planned development are constructed, meeting this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 131.00 The City of McMinnville shall encourage development of bicycle and footpaths in scenic and recreational areas as part of future parks and activities.*

**APPLICANT'S RESPONSE:** The residential planned development will dedicate several tracts to the City for public park land in phases as part of the amenities offered with the planned development application. The applicant is also providing several private common area tracts

which will be retained by the development's homeowners association. The open spaces will include paths and scenic areas for both active and passive enjoyment. In addition, the applicant is offering to donate an adjacent parcel to the City for use as a special use park with high natural recreational value to help the City meet its Park Master Plan goals.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.00 The City of McMinnville shall encourage development of subdivision designs that include bike and foot paths that interconnect neighborhoods and lead to schools, parks, and other activity areas.*

**APPLICANT'S RESPONSE:** The proposed bike lane on Baker Creek Road will connect the surrounding neighborhoods. The connection of proposed sidewalks and open space tracts to the power line trail at Meadows drive will provide a route to other parks and other activity areas to the south of the site. Therefore, this policy is met by the proposed development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.15 The City of McMinnville shall require that all new residential developments such as subdivisions, planned developments, apartments, and condominium complexes provide pedestrian connections with adjacent neighborhoods.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The subdivision includes pedestrian connections within park and open space tracts, and the improvements within the tracts are described in more detail in the finding for Policy 75.00 and 76.00 above.

*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. Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below).*

**APPLICANT'S RESPONSE:** The site is relatively flat, and the streets, walkways, and ramps are planned to comply with ADA standards.

**FINDING: SATISFIED.** Any right-of-way improvements required for the subject site will be required at the time of development. These required right-of-way improvements will be completed to existing City standards, which are of a design and operation standard that meets ADA accessibility guidelines.

- 2. Incorporate features that create a pedestrian friendly environment, such as:*
  - a. Narrower traffic lanes;*
  - b. Median refuges and raised medians;*
  - c. Curb extensions ("bulb-outs");*

- d. *Count-down and audible pedestrian signals;*
- e. *Wider sidewalks;*
- f. *Bicycle lanes; and*
- g. *Street furniture, street trees, and landscaping*

**APPLICANT'S RESPONSE:** The internal local streets will have traffic lanes that conform to City local street standards. Wider sidewalks are proposed along the north side of Baker Creek Road, on the west side of Meadows Drive to the roadway's first intersection, and for internal mid-block paths. The attached landscape plans indicate that street trees and landscaping is proposed throughout the development. Therefore, this policy is met.

**FINDING: SATISFIED.** Any right-of-way improvements required for the subject site will be required at the time of development. These required right-of-way improvements will be completed to existing City standards, except where additional improvements are required by conditions of approval.

- 3. *Incorporate features that create a pedestrian friendly environment, such as:*
  - a. *Using good geometric design to minimize crossing distances and increase visibility between pedestrians and motorists.*
  - b. *Timing signals to minimize pedestrian delay and conflicts.*
  - c. *Balancing competing needs of vehicular level of service and pedestrian safety.*

**APPLICANT'S RESPONSE:** There are no signalized intersections near or internal to the site. This section is not applicable.

**FINDING: SATISFIED.** Policy 132.24.00(2) does not only apply to signalized intersections. However, the right-of-way improvements proposed in the subdivision plans include the improvements required for streets, which include pedestrian and bicycle improvements. Additional pedestrian and bicycle improvements are proposed within the park and open space tracts within the Planned Development, and required as conditions of approval.

*Policy 132.26.00 The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping, and industrial areas, and McMinnville's parks and schools.*

**APPLICANT'S RESPONSE:** The proposed improvements to transportation infrastructure support this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that additional pedestrian and bicycle improvements are proposed within the park and open space tracts within the Planned Development. The specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.26.05 New street connections, complete with appropriately planned pedestrian and bicycle features, shall be incorporated in all new developments consistent with the Local Street Connectivity map.*

**APPLICANT'S RESPONSE:** The proposed new street connections have the elements to create the connectivity envisioned by this policy.

**FINDING: SATISFIED.** The right-of-way improvements proposed in the subdivision plans include the improvements required for streets, which include pedestrian and bicycle improvements. Additional pedestrian and bicycle improvements are proposed within the park and open space tracts within the Planned Development, and required as conditions of approval.

*Policy 132.27.00 The provision of transportation facilities and services shall reflect and support the land use designations and development patterns identified in the McMinnville Comprehensive Plan. The design and implementation of transportation facilities and services shall be based on serving current and future travel demand—both short-term and long-term planned uses. (Ord. 4922, February 23, 2010)*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Policy 132.27.00 is satisfied by this proposal in that the proposed street design reflects and supports the Residential land use designation of the site as identified on the McMinnville Comprehensive Plan Map and urban development patterns within the surrounding area identified by elements of the Comprehensive Plan identified and addressed within this application. The proposed transportation facilities and services are appropriate to serve the needs of the proposed development and are supportive of adjacent neighborhoods as determined by the City's adopted standards identified in this application, findings and exhibits.

*Policy 132.32.00 The safe, rapid movement of fire, medical, and police vehicles shall be an integral part of the design and operation of the McMinnville transportation system. (Ord. 4922, February 23, 2010)*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Any right-of-way improvements required for the subject site will be required at the time of development. These required right-of-way improvements will be completed to existing City standards, which are of a design and operation standard that allows for required movements for fire, medical, and police vehicles.

*Policy 132.35.00 Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways.*

**APPLICANT'S RESPONSE:** The street layout and the mid-block paths proposed are designed to encourage residents to walk and bike, and with density oriented closer to the future transit corridor, the transportation improvements will facilitate use of public transit in the future as stops will be close and walking distances reasonable. Homes are oriented away from arterial streets and landscaped open space tracts will buffer noise. Therefore, the proposed development supports this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.36.00 Through implementation of its Complete Streets policy and the TSP by enhancing its pedestrian and bicycle systems, the City of McMinnville will help encourage greater physical activity and improved health and welfare of its residents.*

**APPLICANT'S RESPONSE:** The development has been designed to encourage walking to local amenities which will support this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*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.*

**APPLICANT'S RESPONSE:** The street tree plan and landscaping of passive and active open spaces adjacent to public ways support this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the specific park and open space tracts and the landscaping and streetscaping improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.41.00 Residential Street Network – A safe and convenient network of residential streets should serve neighborhoods. When assessing the adequacy of local traffic circulation, the following considerations are of high priority:*

- 1. Pedestrian circulation;*
- 2. Enhancement of emergency vehicle access;*
- 3. Reduction of emergency vehicle response times;*
- 4. Reduction of speeds in neighborhoods; and*
- 5. Mitigation of other neighborhood concerns such as safety, noise, and aesthetics.*

**APPLICANT'S RESPONSE:** All proposed street improvements include sidewalks to provide adequate circulation. Emergency vehicle access is ensured through the provision of streets built to City standards and the avoidance of cul-de-sacs through the planned looping of the internal street network. Temporary fire turn-arounds and fire lanes can be provided as necessary with the phasing of the project.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.41.05 Cul-de-sac streets in new development should only be allowed when connecting neighborhood streets are not feasible due to existing land uses, topography, or other natural and physical constraints.*

**APPLICANT'S RESPONSE:** No cul-de-sac streets are proposed, providing conformance with this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.41.10 Limit Physical Barriers – The City should limit the placement of facilities or physical barriers (such as buildings, utilities, and surface water management facilities) to allow for the future construction of streets that facilitate the establishment of a safe and efficient traffic circulation network.*

**APPLICANT'S RESPONSE:** No physical barriers are proposed. This policy is met.

**FINDING: SATISFIED.** The City concurs with the applicant's findings. The only major barriers between the proposed street network occur where the development site is crossed by the BPA power line easement, and on the eastern portion of the site where grades don't allow west to east street connectivity. Where streets are not proposed to connect, pedestrian connections are provided, as described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.41.20 Modal Balance – The improvement of roadway circulation must not impair the safe and efficient movement of pedestrians and bicycle traffic.*

**APPLICANT'S RESPONSE:** The roadway improvements proposed do not impair pedestrian nor bicycle movement. They enhance it through better connectivity and more facilities.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.41.25 Consolidate Access – Efforts should be made to consolidate access points to properties along major arterial, minor arterial, and collector roadways.*

**APPLICANT'S RESPONSE:** Access is consolidated for single family residential properties to new street legs at existing intersections to conform to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.41.30 Promote Street Connectivity – The City shall require street systems in subdivisions and development that promote street connectivity between neighborhoods.*

**APPLICANT'S RESPONSE:** The street connections proposed between adjacent property and rights of way conform to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.42.00 Generally, a major arterial street should not be widened beyond two through lanes in each direction with auxiliary turn lanes as appropriate. Minor arterials and collector streets should not be widened beyond one through lane in each direction with auxiliary left-turn lanes as appropriate. Major arterial streets with more than five lanes and minor arterial and collector streets with more than three lanes are perceived as beyond the scale that is appropriate for McMinnville.*

**APPLICANT'S RESPONSE:** Baker Creek Road along the site frontage is a minor arterial and is not proposed to be widened beyond one through lane in each direction. The project conforms to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*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:*

- 1. Traffic circles;*
- 2. Painted or raised crosswalks (see also recommended crosswalk designation in Chapter 4);*

3. *Landscaping barriers between roadway and non-motorized uses;*
4. *Landscaping that promotes a residential atmosphere;*
5. *Sidewalks and trails; and*
6. *Dedicated bicycle lanes.*

**APPLICANT'S RESPONSE:** There is an existing traffic circle at Hill Road and Baker Creek Road at the SW corner of this project, whose north leg will be connected with a phase of the residential planned development. Crosswalks at Meadows Drive and Shadden Drive across Baker Creek Road are proposed to be striped. Street trees are proposed in planter strips along all streets promoting a residential character. There are sidewalks and trails throughout the project, and dedicated bike lanes will be striped along the site frontage. Therefore, this plan conforms to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.43.10 Limited Neighborhood Cut-Through Traffic – Local residential streets should be designed to prevent or discourage their use as shortcuts for through traffic. Local traffic control measures should be coordinated with the affected neighborhood.*

**APPLICANT'S RESPONSE:** There is no risk of use of these streets as shortcuts for through traffic as there are no street connections, from the north residential neighborhoods, to other parts of the City or County. These local streets will only be used for local access. The plan conforms to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.46.00 Low impact street design, construction, and maintenance methods should be used first to avoid, and second to minimize, negative impacts related to water quality, air quality, and noise in neighborhoods.*

**APPLICANT'S RESPONSE:** Streets are designed and will be constructed to City standards to meet this policy. Maintenance will be completed by the City. Street trees are proposed to improve air quality, noise buffering, and support water quality, as trees absorb rainfall. The right turn lane added to Meadows Drive and Shadden Drive will also decrease delay at the intersections. This will minimize negative impacts in terms of pollution and noise from cars during idling while queueing. This policy is supported by the project.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.46.05 Conservation – Streets should be located, designed, and improved in a manner that will conserve land, materials, and energy. Impacts should be limited to the minimum necessary to achieve the transportation objective.*

**APPLICANT'S RESPONSE:** Streets are designed and will be constructed to City standards to meet this policy. In some cases, large blocks are proposed with mid-block paths to facilitate pedestrian and bicycle connections. This approach supports this policy as the proposed streets with mid-block paths achieve the transportation objective.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.47.00 The City should update and maintain its street design standards to increase aesthetics of the street's environment through landscaping and streetscape design.*

**APPLICANT'S RESPONSE:** These applications support a street aesthetic discussed in this policy through the proposed street trees and landscaped open space tracts along streets shown on the landscape plans.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that the applicant submitted a Landscape Plan Review application for concurrent review with the Planned Development request. Findings for the Landscape Plan Review (which includes the street tree plan for the Planned Development site) are addressed in the Decision Document for that land use application.

*Policy 132.51.05 Ensuring Future Sidewalk Connections – All future development must include sidewalk and walkway construction as required by the McMinnville Zoning Ordinance and City Code and adopted City of McMinnville Design Standards. All road construction or renovation projects shall include sidewalks. The City will support, as resources are available, projects that would remove identified barriers to pedestrian travel or safety.*

**APPLICANT'S RESPONSE:** The proposed project will provide sidewalks in support of this policy in phases. It will result in sidewalk travel being continuous along the north side of Baker Creek Road, where it currently ends abruptly in the SE corner of the site in front of a church.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.51.10 Complete Connections with Crosswalks – All signalized intersections must have marked crosswalks. School crosswalks will be marked where crossing guards are provided. Subject to available funding, and where appropriate, marked crosswalks, along with safety enhancements (medians and curb extensions), shall be provided at unsignalized intersections and uncontrolled traffic locations in order to provide greater mobility in areas frequently traveled by persons with limited mobility. Marked crosswalks may also be installed at other high volume pedestrian locations without medians or curb extensions if a traffic study shows there would be a benefit to those pedestrians.*

**APPLICANT'S RESPONSE:** The project will construct the north corners of the intersections of Baker Creek Road with Meadows Drive and Shadden Drive, such that all corners are improved, and provide crosswalks across Baker Creek Road in support of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.51.15 Connecting Shared-Use Paths – The City will continue to encourage the development of a connecting, shared-use path network, expanding facilities along parks and other rights-of-way.*

**APPLICANT'S RESPONSE:** The shared use path under the BPA power lines will be extended north into the project as illustrated on the attached landscape plans in support of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.54.00 Promoting Walking for Health and Community Livability – The City will encourage efforts that inform and promote the health, economic, and environmental benefits of walking for the individual and McMinnville community. Walking for travel and recreation should be encouraged to achieve a more healthful environment that reduces pollution and noise to foster a more livable community.*

**APPLICANT’S RESPONSE:** With the network of proposed sidewalks and paths, this project will promote this policy. Walking to future transit will be more feasible due to the clustering of housing density on the south side of the site closer to Baker Creek Road. The proposed neighborhood commercial area of no less than 2 acres is within reasonable walking distance of most of the proposed residential units, as well as other existing higher density housing to the south of Baker Creek Road. Thus, walking to shops, restaurants, and other services will be feasible. Walking for recreation will also be promoted with the connection/extension of the BPA powerline trail. In addition, a nature trail on the adjacent property proposed to be donated to the City as a Special Use Park will also connect to the BPA trail.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and adds that the specific park and open space tracts and the pedestrian and bicycle improvements within them are described in more detail in the finding for Policy 75.00 and 76.00 above.

*Policy 132.56.00 Provide Bicycle Facilities on Arterials and some Collector Streets – To the extent possible, arterial and some collector streets undergoing overlays or reconstruction will either be re-striped with bicycle lanes or sharrow (bicycle/auto shared-lane) routes as designated on the Bicycle System Plan Map. Every effort will be made to retrofit existing arterials and selective collectors with bicycle lanes, as designated on the Bicycle System Plan Map.*

**APPLICANT’S RESPONSE:** Baker Creek Road is a minor arterial and will have a bike lane striped on its north side as proposed in this application in support of this policy.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

*Policy 132.56.05 Mitigation of On-street Parking Loss From Bicycle Projects – New bicycle facilities require the removal of on-street parking spaces on existing streets, parking facilities should be provided that mitigate this loss, to the extent practicable.*

**APPLICANT’S RESPONSE:** No on-street parking will be lost from the proposed bike facilities as no on-street parking exists on the north side of Baker Creek Road along the project frontage. This policy is not applicable.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings.

*Policy 132.56.10 Eliminate Barriers to Bicycle Travel – The City will actively pursue a comprehensive system of bicycle facilities through designing and constructing projects, as resources are available, and implementing standards and regulations designed to eliminate barriers to bicycle travel. As a result of this policy, new developments or major transportation projects will neither create new, nor maintain existing, barriers to bicycle travel.*

**APPLICANT’S RESPONSE:** This is a directive to the City. With the proposed bike lane striping on the north side of Baker Creek Road, this project helps the City meet this policy by removing a barrier to bicycling on Baker Creek Road.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.57.00 Transit-supportive Street System Design – The City will include the consideration of transit operations in the design and operation of street infrastructure.*

**APPLICANT'S RESPONSE:** This is a directive to the City. This policy is not applicable to this application. The proposed street improvements meet 4City standards.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 132.57.05 Transit-supportive Urban Design – Through its zoning and development regulations, the City will facilitate accessibility to transit services through transit-supportive streetscape, subdivision, and site design requirements that promote pedestrian connectivity, convenience, and safety.*

**APPLICANT'S RESPONSE:** The proposed residential planned development is a subdivision with site design that directly supports this policy. The clustering of density with smaller lots on the south side of the project with multiple pathways to support access to Baker Creek Road, a planned transit route, supports convenient and safe connections to transit. The proposed planned development amendment to allow no less than 2-acres of commercial and no more than 120 multi-family dwelling units on the commercial designated property will likewise promote and support transit service and use in the area by creating a node of activity and density of use needed to support transit use volumes.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

**APPLICANT'S RESPONSE:** This goal is met for this project. Public and private utilities have been and will be planned and provided for in advance of or concurrent with development. This includes parks, streets and ways, water service, storm and sanitary sewer service, power, and other franchise utilities.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

#### *Sanitary Sewer System*

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

**APPLICANT'S RESPONSE:** This is a directive to the City. This policy will be met when construction plans are reviewed, field work is inspected, and work accepted.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 138.00 The City of McMinnville shall develop, or require development of, sewer system facilities capable of servicing the maximum levels of development envisioned in the McMinnville Comprehensive Plan.*

**APPLICANT'S RESPONSE:** This is a directive to the City. The applicant will improve on-site sanitary sewer to meet City standards and connect that to the existing facilities already built with capacity for the proposed development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 139.00 The City of McMinnville shall extend or allow extension of sanitary sewage collection lines within the framework outlined below:*

- 1. Sufficient municipal treatment plant capacities exist to handle maximum flows of effluents.*
- 2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.*
- 3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized.*
- 4. Extensions will implement applicable goals and policies of the comprehensive plan.*

**APPLICANT'S RESPONSE:** This is a directive to the City. The City can allow extension of sanitary sewage because the proposed project meets the framework outlined in this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

#### *Storm Drainage*

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

**APPLICANT'S RESPONSE:** This is a directive to the City. The City will ensure it is met during review of construction plans for conformance with City standards. The preliminary utility plans show compliance is feasible.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

**APPLICANT'S RESPONSE:** The proposed project retains natural drainage ways for storm water drainage, conforming to this policy.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

#### *Water System*

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

**APPLICANT'S RESPONSE:** This is a directive to the City and McMinnville Water and Light. The applicant has been assured by these agencies that water service at urban densities is available to the site for development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Policy 145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:*

- 1. Facilities are placed in locations and in such a manner as to insure compatibility with surrounding land uses.*
- 2. Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.*
- 3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized.*
- 4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.*

**APPLICANT'S RESPONSE:** This is a directive to the City. The water services will be extended on-site with development to serve the new lots.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

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

**APPLICANT'S RESPONSE:** This is a directive to the City and not applicable to this application.

40. **FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #17 and #39.** The City generally concurs with the applicant's findings, but adds that conditions of approval are included to require consideration of McMinnville Water and Light standards and specifications during the construction of public facilities, as identified by McMinnville Water and Light during the land use application review process. Another condition is included to require that an easement, to the benefit of McMinnville Water and Light, of a size and location acceptable to McMinnville Water and Light to allow for necessary maintenance vehicle maneuvering be provided within Parcel 1 or Parcel 2, Instrument No. 201600557, Yamhill County Deed Records, prior to the recording of the plat for Phase 2A.

*Water and Sewer – Land Development Criteria*

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

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

**APPLICANT'S RESPONSE:** The applicant recognizes these applications will be reviewed in coordination to McMinnville Water and Light for the City to obtain concurrence that sufficient water supply is available to meet demands of the development. This review will ensure that the proposed uses are commensurate with the planned comprehensive plan map designation for the area.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

- 2. Sufficient municipal sewage system facilities, as determined by the City Public Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.*

**APPLICANT'S RESPONSE:** The applicant has coordinate with the City Public Works Department and received assurance that sufficient sewer capacity exists with the proposed on-site improvements and connections to the existing system.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.*

**APPLICANT'S RESPONSE:** This is a directive to the City and McMinnville Water and Light.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

- 4. Federal, state, and local water and waste water quality standards can be adhered to.*

**APPLICANT'S RESPONSE:** This is a directive to the City to review construction plans and field practices to ensure standards are adhered to.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.*

**APPLICANT'S RESPONSE:** This is a directive to the City to ensure policies are adhered to through the plan review and construction process.

**FINDING: SATISFIED.** The City concurs with the applicant's findings.

*Police and Fire Protection*

*Policy 153.00 The City shall continue coordination between the planning and fire departments in evaluating major land use decisions.*

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

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Emergency services departments were provided an opportunity to review the proposal, and no concerns were raised. Any requirements of the Oregon Fire Code or Building Code will be required at the time of development.

#### *Parks and Recreation*

**GOAL VII 3:** TO PROVIDE PARKS AND RECREATION FACILITIES, OPEN SPACES, AND SCENIC AREAS FOR THE USE AND ENJOYMENT OF ALL CITIZENS OF THE COMMUNITY.

**APPLICANT'S RESPONSE:** This goal is not an approval criterion. The proposed donation of land for the Special Use Park site is called for in the City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999. The donation will help the City meet this goal of providing open spaces and scenic areas for the use and enjoyment of all citizens of the community. The applicant is also proposing to dedicate to the City with the recording of the plat (in phases) several tracts of land with open spaces and recreational facilities for the enjoyment of all citizens and to facilitate better access and enjoyment of the Special Use Park. Acceptance by the City of the proposed donation of land for the Special Use Park and acceptance of the dedication of the tracts will help the City meet the above goal. If the City does not accept the dedication of the tracts, then they will remain in private ownership of the development's homeowners association.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide public and private open space as described and proposed above, and as required by the companion Planned Development (PD 1-19).

*Policy 163.00 The City of McMinnville shall continue to require land, or money in lieu of land, from new residential developments for the acquisition and/or development of parklands, natural areas, and open spaces.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Where applicable, system development charge (SDC) credits will be provided for improvements of public park infrastructure.

*Policy 163.05 The City of McMinnville shall locate future community and neighborhood parks above the boundary of the 100-year floodplain. Linear parks, greenways, open space, trails, and special use parks are appropriate recreational uses of floodplain land to connect community and other park types to each other, to neighborhoods, and services, provided that the design and location of such uses can occur with minimum impacts on such environmentally sensitive lands. (Ord. 4840, January 11, 2006)*

**APPLICANT'S RESPONSE:** The City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999, (page 41) states that Map 1 shows underserved neighborhoods. This Planning Areas map shows the subject site is located in Underserved Area 3. Underserved

means not within a half mile of a neighborhood/community park or separated from it by a major street. To serve this area, the plan identifies actions in the Table 10 Recreation Facility Action Plan – Northwest on (page 43). The City is currently constructing a neighborhood park along Yohn Ranch Drive, located within a half mile of the subject site.

The proposed donation of land, dedication of tracts within the planned development, and other improvements proposed will help the City serve this area as intended by this policy and as envisioned by the parks plan through bringing to fruition many of the items in the action plan, including:

- City acquisition of a special use park adjacent to the BPA Easement (proposed land donation)
- City acquisition of a greenway to help connect Tice Park with the BPA Easement (dedication of proposed Tracts)
- Develop a trail in the greenway acquired

The proposed donation of the special use park is land that is partially within the 100-year floodplain. The portion outside the 100-year floodplain includes an old farm access haul road well suited for use as a greenway trail. The proposed off-site improvement of this trail with a bark chip surface will ensure minimum impact on environmentally sensitive lands while achieving the intent of this policy.

The tracts in the planned development are proposed to be improved with trails and dedicated to the City after the improvement are constructed. All of the proposed trails are located outside of the 100-year floodplain and do not contain environmentally sensitive lands.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide public and private open space as described and proposed above, and as required by the companion Planned Development (PD 1-19).

*Policy 164.00 The City of McMinnville shall continue to acquire floodplain lands through the provisions of Chapter 17.53 (Land Division Standards) of the zoning ordinance and other available means, for future use as natural areas, open spaces, and/or parks.*

**APPLICANT'S RESPONSE:** There are no floodplain lands within the boundary of the planned development proposed for land division, so this policy does not apply to the planned development. The proposed donation of land for a special use park, which does include floodplain lands, is not part of the planned development. The park land is simply being offered to the City, and acceptance of the donation is sought concurrent with the development review. This will allow for efficient processing of the offer by City staff and permit the City to evaluate how the donation fits into the City's park system. The City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999, (page 41) states, "The Director of Parks and Recreation oversees park acquisition..." It is hoped the proposed donation will be accepted by the Director and the City as it meets these policies.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide public and private open space as described and proposed above, and as required by the companion Planned Development (PD 1-19).

*Policy 166.00 The City of McMinnville shall recognize open space and natural areas, in addition to developed park sites, as necessary elements of the urban area.*

**APPLICANT'S RESPONSE:** The proposed Planned Development meets these policies with the open spaces and natural areas proposed to be preserved in tracts, in addition to the mini-parks proposed to be developed in tracts.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide public and private open space as described and proposed above, and as required by the companion Planned Development (PD 1-19).

*Policy 167.00 The City of McMinnville shall encourage the retention of open space and scenic areas throughout the community, especially at the entrances to the City.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide public and private open space as described and proposed above, and as required by the companion Planned Development (PD 1-19).

*Policy 168.00 Distinctive natural features and areas shall be retained, wherever possible, in future urban developments.*

**APPLICANT'S RESPONSE:** Where possible within the planned development boundary, which is an urban development, distinctive natural features are retained in tract areas. Tract N includes a grove of protected trees. The landscape plans indicate that many significant trees are preserved in the rear yards of lots, particularly on the north and east boundaries of the site. Large trees along Baker Creek Road could not be preserved as they were within the area of required frontage improvements.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide public and private open space as described and proposed above, and as required by the companion Planned Development (PD 1-19).

*Policy 169.00 Drainage ways in the City shall be preserved, where possible, for natural areas and open spaces and to provide natural storm run-offs.*

**APPLICANT'S RESPONSE:** Drainage ways north of the site are not proposed to be developed.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide public and private open space as described and proposed above, and as required by the companion Planned Development (PD 1-19).

*Policy 170.05 For purposes of projecting future park and open space needs, the standards as contained in the adopted McMinnville Parks, Recreation, and Open Space Master Plan shall be used. (Ord. 4796, October 14, 2003)*

**APPLICANT'S RESPONSE:** The applicant has reviewed the adopted City of McMinnville Parks, Recreation, and Open Space Master Plan prepared for the City by MIG, Inc. on June 1999. The applicant owns a parcel with an area of 14.9 acres adjacent to and north of the proposed Baker Creek North Planned Development. Concurrent with this application, the applicant requests acceptance of the donation of this land to the City.

The donated parcel would become a Special Use Park, and allow for Trails and a Linear Park, as defined on page 10 of the City's Master Plan (see also Appendix A Facility Inventory's Map

2, the Master Plan map, where a Special Use Park symbol is located in the area). Acceptance of this donation by the City would allow it to fulfill the recommendations listed in Chapter 6 of the Master Plan related to benefiting the residents of McMinnville. Acquisition of this property is listed in the Master Plan in Table 10 - Recreation Facility Action Plan – Northwest (page 43) under “Special Use Parks” as a top priority. City ownership of this land would also allow the City to achieve another action item in this table, which is acquiring a “Greenway” to connect Tice Park to the BPA easement, as this property has an old farm haul road along the bluff from the BPA easement east to the adjacent property boundary that is well suited for development of a trail. This land donation will also allow the City to make a connection to the adjacent Baker Creek Greenway segment being proposed by an adjacent development (PDA 3-18/PDA 4-18/S 3-18), which is also an action item in Table 10 (“Develop a trail in the Baker Creek Greenway”).

The purpose of the park land donation is to facilitate public open space enjoyment, protection of the floodplain from development encroachment, and conservation of riparian habitat along the waterway.

The proposed land donation is not part of the proposed planned development. The Proposed Planned development will create Tracts “F”, “I”, “J”, “K”, “L”, “N” & “S”, which the applicant recommends the City accept ownership of following installation of recreational amenities as proposed in their respective phases. These tracts include paths and trail improvements to support linear parks and greenspaces. These tracts and their improvements will facilitate public access to and enjoyment of the donated land.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and notes that the proposed subdivision would provide public and private open space as described and proposed above, and as required by the companion Planned Development (PD 1-19).

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

**GOAL X 2:** TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

*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.*

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The process for a Tentative Subdivision provides an opportunity for citizen involvement throughout the process through the neighborhood meeting provisions, the public notice, and the public hearing process. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property and was published in the News Register on Tuesday, November 26, 2019 in accordance with Section 17.72.120 of the MMC on November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.

Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public hearing(s). The application materials are posted on the City's website as soon as they are deemed complete, and copies of the staff report and Planning Commission meeting materials are posted on the City's website at least one week prior to the public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

### **McMinnville Zoning Ordinance**

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

#### **Chapter 17.03. General Provisions**

**17.03.020 Purpose.** The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings and proposed conditions of approval contained in this Decision Document.

#### **Chapter 17.53. Land Division Standards**

##### **17.53.073 Preliminary Approval of Tentative Subdivision Plan.**

- A. It shall be the responsibility of the Engineering Department and Planning Department to review a tentative plan to insure that it substantially conforms to the requirements of this chapter prior to the submittal of the plan to the Commission. The Planning Director may refuse to submit a tentative plan to the Commission if it is found that it does not substantially conform to the chapter requirements.
- B. Upon finding that a tentative plan substantially conforms to the requirements of this chapter, the Planning Director shall either approve the plan or approve the plan with conditions (for subdivisions with up to 10 lots). When the plan is for a subdivision with more than 10 (ten) lots, the plan along with the reports of appropriate officials and agencies shall be submitted to the Commission for review at its earliest practicable meeting.
- C. The decision of the Planning Director may be appealed to the Planning Commission as provided in Section 17.72.170. The decision of the Planning Commission may be appealed to the City Council as provided in Section 17.72.180. Approval of the tentative plan shall indicate approval for preparation of the final plat if there is no substantial change in the plan of the subdivision and if the subdivider complies with the requirements of this chapter. (Ord. 4920, §4, 2010)

**17.53.075 Submission of Final Subdivision Plat.** Within 12 (twelve) months after approval of the tentative plan, the subdivider shall prepare a final plat in conformance with the tentative plan as approved. The subdivider shall submit the original drawing and two exact copies and any supplementary information to the City Engineer. Approval of the tentative subdivision plan shall be valid for a one-year period from the effective date of approval. Upon written request, the Director may approve a one-year extension of the decision. Additional extensions shall require the subdivider to resubmit the tentative plan to the Planning Commission and make any revisions considered necessary to meet changed conditions.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #5 - 7.** Conditions of approval are included to approve the phased subdivision proposed, and also to confirm that the tentative subdivision shall expire if final plats are not completed in a timely manner as proposed in the application materials.

- D. Agreement for Improvements. Before Director or Planning Commission approval is certified on the final plat, the subdivider shall either install required improvements and repair existing streets and other public facilities damaged in the development of the subdivision or execute and file with the City an agreement between himself and the City, specifying the period within which required improvements and repairs shall be completed. The agreement shall provide that if the work is not completed within the period specified, the City may complete the work and recover the full cost and expense thereof from the subdivider. The agreement may provide for the construction of the improvements in units and for an extension of time under specified conditions

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #10 & #20-24.** Conditions of approval are included to require improvements prior to the recording of the subdivision plats for individual phases, and specifically require improvements within the public park dedication parcel prior to the platting of Phase 2A or 3A.

**17.53.100 Creation of Streets.**

- A. The creation of streets shall be in conformance with requirements for a subdivision except, however, the City Council shall recommend the creation of a street to be established by deed if any of the following conditions exist:
1. The establishment of the street is initiated by the City Council and is declared essential for the purpose of general traffic circulation, and the partitioning of land is an incidental effect rather than the primary objective of the street;
  2. The tract in which the street is to be dedicated is an isolated ownership of one acre or less;
  3. The tract in which the street is to be dedicated is an isolated ownership of such size and condition as to make it impractical to develop more than three (3) lots.

**APPLICANT'S RESPONSE:** The streets will be created in conformance with the requirements for a subdivision. City Council has not initiated the establishment of a street on the subject site, therefore these conditions do not apply and have been omitted for brevity.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- B. In those cases where approval of a street is to be established by deed, a copy of the proposed deed shall be submitted to the City Engineer at least 15 (fifteen) days prior to the Planning Commission meeting at which consideration is desired. The deed and such information as may be submitted shall be reviewed by the Planning Commission and, if not in conflict with the standards of Sections 17.53.060 to 17.53.079 and Section 17.53.101 of these regulations, shall be recommended for approval with such conditions as are necessary to preserve these standards.

**APPLICANT'S RESPONSE:** The applicant will establish the proposed streets through the recording of a final plat. Therefore, these standards do not apply.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- C. An easement providing access to property and which is created to allow the partitioning of land for the purpose of lease, transfer of ownership, or building development, whether immediate or future, shall be in the form of a street in a subdivision, except that a private easement to be established by deed without full compliance with these regulations may be approved by the Planning Director under the following conditions:
1. If it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration that is large enough to warrant partitioning into two more new parcels, i.e., a total of not more than three (3) parcels including the original may then exist, that may be provided with access and said access shall be not less than 15 (fifteen) feet in width and shall have a hard surfaced drive of 10 (ten) feet width minimum;
  2. The Planning Director shall require the applicant to provide for the improvement and maintenance of said access way, and to file an easement for said access way which includes the right to passage and the installation of utilities. Such requirements shall be submitted to and approved by the City Attorney.
  3. Access easements shall be the preferred form of providing access to the rear lots created by partition if the alternative is the creation of a flag lot.

**APPLICANT'S RESPONSE:** No partitioning is proposed, rather a subdivision is proposed as part of a planned development. The planned development proposes that the access easement preferred in subsection C.3. above over the creation of flag poles, be applied to the private drives proposed in subsection D. below.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- D. A private way/drive which is created to allow the subdivision of land shall be in the form of common ownership, provide on-street parking or parking bays to replace that displaced by limited parking area, be approved by the Planning Commission in the form of a planned development, and meet the following conditions:
1. If it is the only reasonable method by which the rear portion of the existing parcel can be provided with access; or because of unusual topography, vegetative cover (preservable trees), lot size, or shape, it is the most feasible way to develop the parcel.

**APPLICANT'S RESPONSE:** The northwest corner of the planned development extends along a narrow bluff. Due to the existing parcels unusual topography, the most logical way to develop the parcel is to extend a private drive north from proposed Mercia Street. Therefore, access to Lots 204-208 in Phase 2C is proposed through a shared private drive in a common easement over Lots 206-208 as depicted on drawing PL-3 Preliminary Plat. Also, due to lot sizes and

shapes that are deeper to protect trees in rear yards of nearby lots, the street is particularly far from Lot 269 in the corner of the site in Phase 3C. Therefore, the most feasible way to develop the parcel is to provide a shared private drive in common easement over Lot 270, as depicted on drawing PL-5 Preliminary Plat, to serve both Lots 269 and 270. This approach to lot access is proposed as part of the planned development as opposed to flag poles for each lot as it is the preferred method of access as described in subsection C.3. above. With approval of by the Planning Commission, access to these lots will meet the requirements of this code.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide and allow the shared access proposed above, and as required by the companion Planned Development (PD 1-19).

2. The Planning Commission shall require the subdivider to provide the improvements to standards as set forth in Section 17.53.101(P) and maintenance of said private way/drive; to establish binding conditions upon each parcel taking access over said private way/drive, not limited to only the required maintenance, but to include adherence to the limited parking restrictions imposed by the individual planned development ordinance; and to provide necessary easements for the installation, operation, and maintenance of public utilities.
3. Provisions must be made to assure that the private streets will be properly maintained over time and that new purchasers of homes or lots within the subdivision are notified, prior to purchase, that the street is private and that maintenance fees may be charged. Such provisions must meet with the approval of the Planning Commission.

**APPLICANT'S RESPONSE:** The attached Preliminary Plat drawings indicate that the private drive serving Lots 204-208 is located within an access easement on Lot 206-208, and the private drive serving Lots 269 and 270 is located within an access easement on Lot 270. The private drive improvements will be designed in accordance with the standards of Section 17.53.101(P). Necessary public utility easements are shown within the access easements on the lots adjacent to and served by the easements. The private drives will be identified as a common improvement in the CC&Rs and maintenance provisions will be included so new purchasers are aware of the maintenance costs. These documents will be recorded with final plats for each phase of the development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide and allow the shared access proposed above, and as required by the companion Planned Development (PD 1-19).

4. Street sign posts on private streets must contain a sign stating that the street is private. The design and location of such signs must be approved by the City Engineer.
5. Gates are prohibited within or across public rights-of-way. Gates are prohibited across private streets that serve single-family residential development of four or more lots or parcels, multi-family housing complexes, manufactured home parks, or commercial or industrial subdivisions (Amended 8/14/07 by Ordinance No. 4879).

**APPLICANT'S RESPONSE:** The shared private drives proposed with this development are located in easements, and are not private streets, so it is the applicant's understanding a private street sign will not be required. No gates are proposed within or across public streets or private driveways.

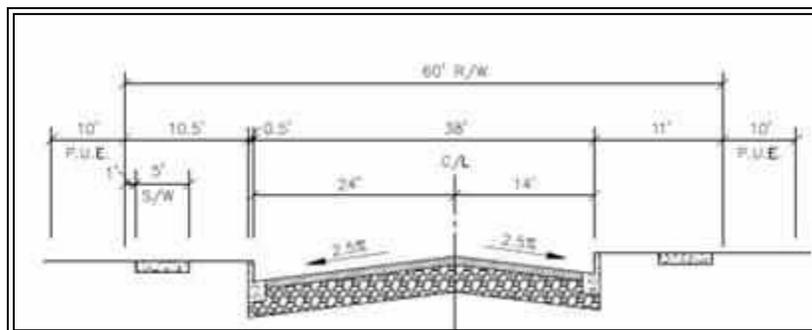
**FINDING: SATISFIED.** City concurs with the applicant's findings.

**17.53.101 Streets.**

- A. General. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. Where location is not shown in a comprehensive plan, the arrangement of streets in a subdivision shall:
1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
  2. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical; or
  3. Maximize potential for unobstructed solar access to all lots or parcels. Streets providing direct access to abutting lots shall be laid out to run in a generally east-west direction to the maximum extent feasible, within the limitations of existing topography, the configuration of the site, predesigned future street locations, existing street patterns of adjacent development, and the preservation of significant natural features. The east-west orientation of streets shall be integrated into the design.

**APPLICANT'S RESPONSE:** The attached plans illustrating the location, width, and grade of the proposed streets have been considered in relation to existing and planned streets, topography, public safety, and the proposed uses. As required by subsection 1. above, the arrangement of streets in the proposed subdivision provides for the extension of existing principal streets in surrounding areas. Namely, NW Blake Street is extended into the site from the east. Shadden Drive and Meadows Drive are extended north into the site opposite existing intersections of those streets with Baker Creek Road. A street north of Hill Road's new traffic circle which is also planned to extend north into the site will be named Hill Lane. Shadden Drive is also proposed to continue north in Phase 3B and align with a planned street in the adjacent development to the north of the site.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #15 and 19-21.** Meadows Drive and Shadden Drive are proposed to have an offset crown to accommodate a right turn lane at their intersections with Baker Creek Road (see cross-section below). The City would prefer see the City's typical "Teepee" section so that the curb elevations match on each side of the street.



In order to meet a more typical City standard and allow for the curb elevations to match on each side of the street, a condition of approval is included to require that the street improvement between the curbs on Meadows Drive and Shadden Drive shall follow the City's typical "Teepee" section instead of the offset crown.

Other conditions of approval are included to ensure that direct access to Baker Creek Road is not provided for any individual lot, that the interior streets within the subdivision be improved with a 28-foot wide paved section, 5-foot wide curbside planting strips, and 5-foot-wide sidewalks placed one foot from the property line within a 50-foot right-of-way, as required by the McMinnville Land Division Ordinance for local residential streets, and that street grades and profiles shall be designed and constructed to meet the adopted Land Division Ordinance standards and the requirements contained in the Public Right-of-Way Accessibility Guidelines (PROWAG). Additionally, corner curb ramps shall be constructed to meet PROWAG requirements.

B. Rights-of-way and street widths. The width of rights-of-way and streets shall be adequate to fulfill city specifications as provided in Section 17.53.151 of this chapter. Unless otherwise approved, the width of rights-of-way and streets shall be as shown in the following table:

Where existing conditions, such as the topography or the size or shape of land parcels, make it otherwise impractical to provide buildable lots, the Planning Commission may accept a narrower right-of-way, ordinarily not less than 50 (fifty) feet. If necessary, special slope easements may be required.

**APPLICANT'S RESPONSE:** The applicant is proposing dedication of street rights-of-way and design of road improvements to conform to City standards.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #18.** The City concurs with the applicant's findings, but adds that a condition of approval is included to verify the required public right-of-way dedication required along Baker Creek Road. All other right-of-way dedication shall be required during the platting of the subdivision phases.

C. Reserve strips. Reserve strips or street plugs controlling access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in these cases they may be required. The control and disposal of the land comprising such strips shall be placed within the jurisdiction of the Planning Commission under conditions approved by them.

**APPLICANT'S RESPONSE:** Reserve strips or street plugs are not proposed with this application.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

D. Alignment. As far as practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 125 feet.

**APPLICANT'S RESPONSE:** Proposed streets which align with the continuation of existing street center lines are Hill Road, Meadows Drive, Shadden Drive, and Blake Street. Blake Street and proposed Augustine Place intersections are spaced approximately 200 feet apart, as are the intersections of Kent Street and Emma Streets.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- E. Future extension of streets. Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall be extended to the boundary of the subdivision; and the resulting dead-end streets may be approved without a turnaround. Local streets shall provide connectivity as identified in Exhibit 2-1 of the McMinnville Transportation System Plan or connectivity that is functionally equivalent. Reserve strips and street plugs may be required to preserve the objectives of street extensions.

**APPLICANT'S RESPONSE:** Shadden Drive in Phase 3B, and Williams Drive in Phase 3C, are proposed to be extended to the north and south boundaries of the site to provide access to adjoining land. No reserve strips or street plugs are proposed.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- F. Intersection angles. Streets shall be laid out to intersect at angles as near to right angles as practical except where topography requires a lesser angle, but in no case shall the acute angle be less than 60 (sixty) degrees unless there is a special intersection design. The intersection of an arterial or collector street with another street shall have at least 100 feet of tangent, measured from right-of-way adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 (fifty) feet of tangent measured from property line adjacent to the intersection unless topography requires a lesser distance. Intersections which contain an acute angle of less than 80 (eighty) degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 (twenty) feet and maintain a uniform width between the roadway and the right-of-way line.

**APPLICANT'S RESPONSE:** The proposed intersection angles of this development meet the above standards as shown on the plans.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #13.** One intersection is not designed at a right, or 90 degree, angle. The intersection of Gregory & Augustine Streets is designed with a "Y" configuration is, and appears to have the ability to be redesigned to be closer to a 90 degree angle. Therefore, a condition of approval is included to require that the proposed intersection of Gregory & Augustine Streets shall be redesigned such that the intersection angle is at as near to 90 degrees as practical.

- G. Existing streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision. The City may consider a reduction in arterial or collector street lane widths (lanes no less than 10 feet wide) by restriping existing travel lanes.

**APPLICANT'S RESPONSE:** NW Baker Creek Road is the only existing street adjacent to the tract of land proposed for development. The applicant is proposing to dedicate 18-feet of right-of-way and install a ½ street improvement and striping along the north side of the road to conform to the design standard for a minor arterial. Lane widths will be sufficient along the site's frontage. The south side of the right-of-way was already improved with earlier development and sufficient pavement exists on that half of the right-of-way to achieve the required road section.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #18.** The City concurs with the applicant's findings, but adds that a condition of approval is included to verify the required public right-of-way dedication required along Baker Creek Road.

- H. Half streets. Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision, when in conformity with other requirements of these regulations, and when the Planning Commission finds it will be practical to require the dedication of the other half when the adjoining property is subdivided. Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract. Reserve strips and street plugs may be required to preserve the objectives of half streets.

**APPLICANT'S RESPONSE:** The site is the "adjoining property" in this case and the proposed Baker Creek Road improvements are completing the other half of a street developed with an earlier project.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- I. Cul-de-sacs. A cul-de-sac shall be as short as possible and shall have a maximum length of 400 feet and serve not more than 18 (eighteen) dwelling units. A cul-de-sac shall terminate with a turnaround.

**APPLICANT'S RESPONSE:** There are no cul-de-sacs proposed with this planned development, therefore these standards do not apply.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- J. Eyebrows. Where conditions do not warrant the use of cul-de-sacs and the land available in the proposed plan does not allow for a discontinuous minor street extension and where there are no more than three (3) dwelling units proposed to take access, the City Engineer or Planning Director may allow eyebrows. Eyebrows shall be limited to a maximum length of 125 feet, when measured from the main street right-of-way from which the eyebrow takes access. The City Engineer or Planning Director may allow less than that required in (d) above, after taking into consideration the effects upon traffic flows. The right-of-way width shall be 36 (thirty-six) feet, with a paved 10 (ten) foot curb-to-curb radius at the terminus. Sidewalks shall not be installed within eyebrows without additional right-of-way dedication. (Amended 11/18/94 by Ordinance 4573.)

**APPLICANT'S RESPONSE:** The applicant is not proposing to install eyebrows with the proposed development, therefore these standards do not apply.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- K. Street names. Except for extensions of existing streets, no street name shall be used which will duplicate or be confused with the names of existing streets. Street names and numbers shall conform to the established pattern in the City. Street names shall be subject to the approval of the Planning Director. The naming of new streets with names of local historic significance and/or where appropriate in alphabetical order is encouraged. (Amended 10/9/90 by Ordinance No. 4477.)

**APPLICANT'S RESPONSE:** As required, all extended streets maintain the same street names with the proposed development. Streets names for new streets have been proposed with the Preliminary Plat for review and approval of the Planned Director. The proposed streets reflect an English history theme.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #16.** City concurs with the applicant's findings, but adds that the City already has a "Harold Court" and a "Emma Drive". To ensure that duplicative street names are not used, a condition of approval is included to require different street names for proposed "Harold Drive" and "Emma Street" to be submitted for review at the time of final platting.

L. Grades and curves. Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street except as described below. Any local street grade exceeding 12 (twelve) percent shall be reviewed for approval by the Fire Code Official during the land use application process. When a local residential street is approved to exceed 12 (twelve) percent the following shall be required:

1. A maximum of 200 feet of roadway length may be allowed with a grade between 12 (twelve) percent and 15 (fifteen) percent for any one section. The roadway grade must reduce to no more than 12 (twelve) percent for a minimum of 75 linear feet of roadway length between each such section for firefighting operations.
2. Fire sprinklers shall be installed in all residential and commercial structures whose access road is constructed at a grade higher than 12 (twelve) percent. The approval of such fire sprinklers shall be accomplished in accordance with the provisions of ORS 455.610(6).

Centerline radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 (ten) feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept sharper curves.

**APPLICANT'S RESPONSE:** Preliminary grading plans and street profiles have been submitted and the applicant intends to construct these requirements. Street design will comply with City requirements during the permitting of public improvement construction plans.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

M. Streets adjacent to a railroad right-of-way. Wherever the subdivision contains or is adjacent to a railroad right-of-way, provision may be required for a street approximately parallel with and on each side of such right-of-way at a distance suitable for the appropriate use of the land between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation, and to provide sufficient depth to allow screen planting along the railroad right-of-way.

**APPLICANT'S RESPONSE:** The subject site is not located within the vicinity of a railroad right-of-way. Therefore, these standards do not apply.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

N. Frontage roads/streets. Where a subdivision or partition abuts or contains an existing or proposed arterial street, the Planning Commission may require frontage streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property lines, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.

**APPLICANT'S RESPONSE:** The site design includes a 10-foot wide landscaped common open space tract between the proposed residential lots and NW Baker Creek Road right-of-way, so no lots directly abut an arterial street. This section is not applicable.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- O. Alleys. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are approved by the Planning Commission.

**APPLICANT'S RESPONSE:** The proposed planned development is not located in a commercial or industrial district. The site's design includes proposed public alleys with 22-foot right-of-ways. See the Site Plan Exhibit SP-5 for the alley section. A standard alley may only be 20-feet wide, but the Applicant is proposing the extra two feet of width to allow a six-inch gap on both sides from edge of right-of-way to back of the six-inch flush curb creating the unobstructed area for placement of the property pins and to provide a full twenty feet wide paved surface. This alley configuration will allow for extra maneuvering space for vehicles entering and exiting driveway on lots served by the alleys. This in combination with the proposed full 20-foot setback from the right-of-way to the face of a garage will make for a safe and functional public alley. The applicant seeks the City's approval of these alleys as part of this planned development.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #14.** Section 17.53.101(O) only requires alleys in commercial and industrial districts. However, in order to achieve the narrow lot size and varied lot dimensions identified as an objective of the companion Planned Development (PD 1-19), the applicant is proposing alleys to serve lots that are less than 40 feet in width. A condition of approval is included to require that the alleys be created in tracts or shared access easements, and that the tracts or easements be maintained by the properties that utilize the alleys for access.

- P. Private way/drive. This type of street will be allowed when the conditions of Section 17.53.100(D) are met. A private drive shall be constructed to the same structural standards that would apply to a public street. Storm runoff will be controlled to prevent damage to adjacent properties. A storm drainage plan shall be approved by the City Engineer. The right-of-way width will be determined based on site conditions and proposed use and will be approved by the Planning Commission.

**APPLICANT'S RESPONSE:** The applicant has addressed how the proposed private drive meets the standards of Section 17.53.100(D) in this narrative. The private drive has an adequate width for the proposed use and will be constructed to the same structural standards as a public street as required by this code. The submitted Preliminary Utility Plan indicates that storm drainage facilities have also been provided within the private drive to manage storm drainage.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- Q. Bikeways. Provisions shall be made for bikeways planned along arterial and collector streets and where shown on the Transportation System Plan. Arterial streets shall be designed to be wide enough to accommodate a six (6) foot wide bike lane adjacent to each outside traffic lane. All major collector and some minor collector streets (dependent upon available right-of-way) shall be designed with five-foot wide bike lanes. Where a proposed development abuts a collector street less than 40 feet (Minor Collector) or 44 feet (Major Collector) in width, the Planning Commission may require that on-street parking be restricted to one side of the street only or that the deed(s) of the lot(s) adjacent to the street show that on-street parking will be eliminated in the future for bikeway development. (Amended 11/8/94 by Ordinance 4573.)

**APPLICANT'S RESPONSE:** The applicant is proposing to widen NW Baker Creek Road along the planned development's site frontage as required by this code and will stripe bike lanes and restripe travel lanes accordingly. The proposed planned development improvements are shown on exhibits SP-1 and SP-2 Site Plans.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- R. Residential Collector Spacing. Generally, residential collector or arterial streets should be spaced no more than 1,800 feet from each other unless it is determined otherwise after consideration of the unique characteristics of the land including geography, topography, unique vegetation, and the relation of the site to developments already present or proposed in the area. (Amended 11/8/94 by Ordinance 4573.)

**APPLICANT'S RESPONSE:** The applicant is not proposing to develop a new residential collector nor arterial street within the Baker Creek North Planned Development. Therefore, these standards do not apply.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- S. Sidewalks. Along arterials and along major collectors with bikeways in commercial areas, sidewalks shall be eight (8) feet in width or, where less than eight (8) feet of right-of-way is available, shall extend to the property line and be located adjacent to the curb. Sidewalks in all other locations shall be five (5) feet in width and be placed one (1) foot from the right-of-way line. Sidewalks adjacent to a cul-de-sac bulb shall be located adjacent to the curb. (Amended 11/8/94 by Ordinance 4573.)

**APPLICANT'S RESPONSE:** The proposed planned development has frontage on Baker Creek Road, a minor collector in a residential area. Therefore, this section does not apply. The applicant is proposing to install a meandering 10-foot wide sidewalk along the planned development's frontage on NW Baker Creek Road as shown on the exhibit SP-1 Site Plan. The applicant is also proposing to install a 12-foot wide sidewalk along the west side of Meadows Drive, south of Kent Street to its intersection with Baker Creek Road, with half the sidewalk in the ROW and half in the adjacent open space tract. This sidewalk will effectively extend the BPA trail to the common area amenities at Kent Street, where the applicant is proposing to dedicate open space tracts to the City with the proposed improvements. The applicant seeks approval of these wider sidewalks in these locations as designed.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide and allow for the wider sidewalks described above, and as required by the companion Planned Development (PD 1-19).

- T. Park strips. Park strips shall be provided between the curb and sidewalk along both sides of all streets except (a) commercial arterial and collector streets, in which case street trees may be placed in tree wells as specified by the McMinnville Street Ordinance; or (b) cul-de-sac bulbs. Street trees shall be planted and maintained within the park strip as specified in Chapter 17.58 (Trees) of the McMinnville Zoning Ordinance.

**APPLICANT'S RESPONSE:** Park strips are provided between the curb and sidewalk of all streets in accordance with the above standards. Street trees proposed in park strips are shown on drawing L1.0 Street Tree Plan. The applicant is requesting landscape plan review concurrent with this planned development application. Chapter 17.58 is addressed below.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, but adds that the applicant submitted a Landscape Plan Review application for concurrent review with the Planned Development request. Findings for the Landscape Plan Review (which includes the street tree plan for the Planned Development site) are addressed in the Decision Document for that land use application.

U. Gates. Gates are prohibited within or across public rights-of-way. Gates are also prohibited across private streets that serve single-family residential development of four or more lots or parcels, multi-family housing complexes, manufactured home parks, or commercial or industrial subdivisions. The City may permit gates of limited duration for the purpose of facilitating public events, construction of public infrastructure, or other similar activities having a public interest or benefit at the discretion of the City Manager. (Ord. 5023, §2, 2017; Ord. 4922, §4B, 2010; Amended 8/14/07 by Ordinance No. 4879.)

**APPLICANT'S RESPONSE:** The applicant is not proposing to install gates within or across public rights-of-way. Therefore, these standards have been met.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

**17.53.103 Blocks.**

- A. General. The length, width, and shape of blocks shall take into account the need for adequate lot size and street width and shall recognize the limitations of the topography.
- B. Size. No block shall be more than 400 feet in length between street corner lines or have a block perimeter greater than 1,600 feet unless it is adjacent to an arterial street, or unless the topography or the location of adjoining streets justifies an exception. The recommended minimum length of blocks along an arterial street is 1,800 feet.

**APPLICANT'S RESPONSE:** The proposed block layout has been proposed taking into account adequate lot sizes, street width and the site's topography, as well as adjacent street network.

Land outside of the urban growth boundary is located to the west of the subject site, and sloping topography and the 100-year floodplain and urban growth boundary are to the north. The adjacent constrained lands make it infeasible to extend public streets in those directions to create smaller block perimeters. Where a street can be extended in the northeast boundary of the site for future development, it is proposed. The adjoining street network represented by Blake Street justifies an exception to this standard along the east side of the project.

The block bound by proposed Emma Street, Meadows Drive and Shadden Drive is adjacent to an arterial street, Baker Creek Road. Its perimeter is controlled by the existing spacing between Meadows Drive and Shadden Drive. This spacing meets the above standards. The spacing between along Hill Lane at the north leg of the existing traffic circle also meets this code.

The site's block pattern is also constricted by the BPA easement, adjacent substation property, the large C-3 zoned parcel, Baker Creek Road's arterial intersection spacing standards, and existing development to the east. Where large blocks are proposed, mid-block paths and open space tracts are proposed to facilitate pedestrian connectivity and access to the greatest extent practicable (as shown on Exhibit 3's sheet EXH-4).

The applicant seeks approval of the proposed planned development block pattern.

**FINDING: SATISFIED.** The proposed block lengths and block perimeter lengths comply with the requirements of the Planned Development (PD 1-19). The planned development allows a maximum block length of approximately 645 feet (the approximate maximum length of the block length of Kent Street between Hill Lane and Harold Drive) and a maximum block perimeter of approximately 2,325 feet (the approximate length of the block bounded by Meadows Street, Emma Street, Shadden Drive, and Baker Creek Road). No proposed block length or block perimeter exceeds these distances. Also, the City notes that the Planned Development will require mid-block crossings in tracts where block lengths or block perimeter lengths are exceeded, and the subdivision allows for these mid-block crossings to be developed. Improvements within these tracts are described in more detail in the Decision Document for the Planned Development (PD 1-19) land use application.

C. Easements.

1. Utility lines. Easements for sewers, water mains, electric lines, or other public utilities shall be dedicated whenever necessary. The easements shall be at least 10 (ten) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six (6) feet in width. Easements of 10 (ten) feet in width shall be required along all rights-of-way. Utility infrastructure may not be placed within one foot of a survey monument location noted on a subdivision or partition plat. The governing body of a city or county may not place additional restrictions or conditions on a utility easement granted under this chapter.

**APPLICANT'S RESPONSE:** The attached Preliminary Plat indicates that the applicant is proposing to dedicate 10-ft. wide public utility easements along all street right-of-ways within the proposed planned development. Other easements through proposed lots or tracts are also shown, as necessary, at the required widths.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide public and private tracts as described and proposed above, and as required by the companion Planned Development (PD 1-19). Some of these tracts will include mid-block crossings where block lengths or block perimeter lengths are exceeded, and the subdivision allows for these mid-block crossings to be developed. Improvements within these tracts are described in more detail in the Decision Document for the Planned Development (PD 1-19) land use application.

2. Water courses. If a subdivision is traversed by water courses such as a drainage way, channel, or stream, there shall be provided a storm unit easement or drainage right-of-way conforming substantially with the lines of the water course and of such width as will be adequate for the purpose, unless the water course is diverted, channeled, or piped in accordance with plans approved by the City Engineer's office. Streets or parkways parallel to major water courses may be required.

**APPLICANT'S RESPONSE:** The subdivision is not traversed by a water course. This section is not applicable.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

3. Pedestrian ways. When desirable for public convenience, safety, or travel, pedestrian ways not less than 10 (ten) feet in width may be required to connect to cul-de-sacs, to pass through unusually long or oddly shaped blocks, to connect to recreation or public areas such as schools, or to connect to existing or proposed pedestrian ways. (Ord. 4922, §4B, 2010)

**APPLICANT'S RESPONSE:** Pedestrian ways that are in tracts greater than ten (10) feet in width are proposed at several locations in the form of mid-block paths throughout the development.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and notes that the proposed subdivision would provide public and private tracts as described and proposed above, and as required by the companion Planned Development (PD 1-19). Some of these tracts will include mid-block crossings where block lengths or block perimeter lengths are exceeded, and the subdivision allows for these mid-block crossings to be developed. Improvements within these tracts are described in more detail in the Decision Document for the Planned Development (PD 1-19) land use application.

**17.53.105 Lots.**

- A. Size and shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. All lots in a subdivision shall be buildable.
1. Lot size shall conform to the zoning requirement of the area. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use contemplated. The depth of lot shall not ordinarily exceed two times the average width.

**APPLICANT'S RESPONSE:** The applicant has submitted a Planned Development application to create 280 single-family detached lots within the R-4 zoned portion of the site. Through the planned development process, the applicant is proposing to modify lot sizes so that all lots will be buildable and conform to the planned development's zoning overlay. The planned development includes appropriate sized and orientated lots for each unique site condition. Smaller lots are located closer to Baker Creek Road and will facilitate future planned transit along the roadway. Larger deeper lots are arranged adjacent to natural features. Medium lots are located in the middle area as a transition to density. Narrow lots are oriented to the street or common open space tracts with garage loading from an alley in the rear, while medium and large lots have access oriented to adjacent streets. Lots adjacent to the BPA easement are predominately oriented with the rear yard toward the easement, and this easement has been placed in an open space tract.

The width and depth of the proposed lots are also appropriate for the location of the lot. There are seven different lot types, organized by typical lot width, as shown on Exhibit 3's Lot Type Plan sheet EXH-3. Where a lot depth exceeds two times the average width, as requested with approval of this Planned Development, the dimensions are prudent as described below:

- SFD-70 lots would normally have a lot depth of no more than 140-feet. Of the 21 lots of this type, the proposed depths are typically less than 150-feet, with only a few approaching 160-feet. Therefore, this variance from the standards is a marginal amount. These lots are all on the perimeter of the project with the rear of the lots adjacent to sloping land that is proposed to be donated as a future special use park. The proposed depths as shown on Exhibit 3's Preliminary Plat sheets PL-1 through PL-5, allow for these lots to act as a buffer between the future open space and the developed portion of the site, so this added depth to the lots is appropriate for the location.
- SFD-60 lots would normally not have a lot depth of no more than 120-feet. Of the 36 lots of this type, the proposed depths are all less than 120-feet meeting this code

standard, except for lots 206 & 207 which have a 25-foot wide driveway easement encumbering the front of the lots. Therefore, the functional depth of these lots is less than 120-feet, meeting the intent of this code section.

- SFD-50 lots would normally not have a lot depth of no more than 100-feet. Of the 48 lots of this type, many conform to this code. Where they do not, they are adjacent to the exterior of the project like the SFD-70 lots. The added depth also helps preserve trees on Lots 269-280, provide a buffer from the adjacent use on Lots 122-129 or 126-203, and rear yards of Lots 137 and 212 which are adjacent to the side yard of another lot to provide added lot depth and buffer the adjacent use. As such, the intent of this code section is met by the added depth of these planned development lots.
- SFD-40 and SFD-45 lots would normally not have a lot depth of no more than 80-feet or 68 feet respectively, if conforming to this code subsection exactly. Of the respective 50 and 47 lots of these types, all of lot depths are greater than that which the code would prescribe. An 80-foot deep lot could have a 20-foot garage setback in the front and a 20-foot rear yard setback, leaving 40-feet of depth for the dwelling unit. However, that would mean the ground floor depth of the livable part of the dwelling would be only 20-feet deep after providing 20-feet for the typical depth of a garage. The planned development request for flexibility of this standard to allow for lot depths ranging from 90-feet to just over 100-feet means these dwellings will be 10-feet to 20-feet deeper than if conforming to the code. The proposed lots will have more functional internal ground floor space within the dwelling, as well as an increased area on the second floor. Lot depths of 100-feet, plus or minus, are ordinary depths for single-family dwelling lots so this request is within reason. These dimensions are also appropriate for the higher density portions of this site these lots occupy, providing conformance with the intent of this code.
- SFD-30a and SFD-26a lots would normally not have a lot depth of no more than 60-feet or 52 feet respectively. Of the respective 24 and 54 lots of these types, all of lot depths are greater than that which the code would prescribe. This code section also states that “all lots in a subdivision shall be buildable,” The lots are proposed to be 90-feet deep, which is a necessary depth to make them buildable. With the exception of Lots 17-20 and 81-84, all of which have front yards facing Shadden Drive or Meadows Drive, respectively, and are therefore deeper.

**FINDING: SATISFIED.** The City concurs with the applicant’s findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) which allows for the 7 different lot types and the lot configurations described above.

- B. Access. Each lot shall abut upon a street other than an alley for a width of at least 25 (twenty-five) feet or shall abut an access easement which in turn abuts a street for at least 15 (fifteen) feet if approved and created under the provisions of 17.53.100(C). Direct access onto a major collector or arterial street designated on the McMinnville Comprehensive Plan Map shall be avoided for all lots subdivided for single-family, common wall, or duplex residential use, unless no other access point is practical.

**APPLICANT’S RESPONSE:** All proposed lots about upon a street for a width of 25-feet as required by this section, except those listed here. Through this planned development process, the applicant seeks approval for the alternative proposed access:

- Lots 21-32 in Phase 1A, Lots 44-49 in Phase 1B, and Lots 69-77 in Phase 1C have over 25-feet of frontage on the proposed public alley at the rear of the lot, and 25-feet of frontage on the proposed common area tract with a pedestrian way at the front of the lot.
- Lot 269 is served by a shared drive in an easement over the flag pole portion of adjacent Lot 270. Per drawing PL-5 Preliminary Plat, the flag portion of Lot 270 has 20.08' of public street frontage.
- Lots 204-208 on drawing PL-3 Preliminary Plat are served by a shared drive in an easement over the front of lots 205-208 that is 25-feet wide, providing more than the required frontage on a public street.
- Lot 129 is shown on drawing PL-3 Preliminary Plat to have 20.34-ft. of frontage for the flag pole portion of the lot.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) which allows for the 7 different lot types and the lot configurations described above.

- C. Through lots. Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 (ten) feet wide, and across which there shall be no right of access, may be required along the line of lots abutting such a traffic artery or other incompatible use.

**APPLICANT'S RESPONSE:** No through lots are proposed within the planned development. They have been avoided, so this section has been met.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- D. Lot side lines. The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.

**APPLICANT'S RESPONSE:** As far as practicable, each lot's side property line runs at or near right angles to the adjacent streets.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

- E. Flag lots. The creation of flag lots shall be discouraged and allowed only when it is the only reasonable method of providing access to the rear of a lot which is large enough to warrant partitioning or subdividing.

**APPLICANT'S RESPONSE:** Flag lots were avoided with the design of the planned development as much as possible. Flag lots are proposed only in three locations: 1) Lot 129 in Phase 2A, 2) Lots 269 and 270 in Phase 3C, and 3) Lots 204-208 in Phase 2C. In both the 2nd and 3rd instance, a private access drive in an easement is proposed to serve multiple lots, as is the preferred manner to provide access as described in Section 17.53.100 C.3. above. After consideration of topography, adjacent lots, and utilities, it was determined that street layouts to increase individual lot frontage for each of the lots listed above is not feasible, an inefficient use of land, and/or contrary to the policies of the Comprehensive Plan and this code. Flag lots and

associated easements were determined to be the only way to reasonably access the rear portions of the lots to be subdivided.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

**17.53.110 Lot Grading.** Lot grading shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:

- A. Cut slopes shall not exceed one and one-half (1½) feet horizontally to one (1) foot vertically.
- B. Fill slopes shall not exceed two (2) feet horizontally to one (1) foot vertically.
- C. The character of soil for fill and the characteristics of lots made usable by fill shall be suitable for the purpose intended.
- D. The minimum elevation at which a structure may be erected, taking into consideration the topography of the lot, the surrounding area, drainage patterns, and other pertinent data shall be established by the City Building Official.
- E. The City Engineer shall determine whether a storm drainage system is necessary to control, manage, and dispose of water lying on or running over a subdivision. In addition, the subdivider shall be required to meet other standards and conditions imposed by state laws and city ordinances.

**APPLICANT'S RESPONSE:** The exhibit drawings GR-1 through GR-5 Grading Plans demonstrate that the proposed cuts and fills conform to these standards. The proposed storm drainage system is shown on drawings UT-1 through UT-5 Utility Plans.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

**17.53.120 Building Lines.** If special building setback lines are to be established in the subdivision or partition, they shall be shown on the plat or included in the deed restrictions.

**APPLICANT'S RESPONSE:** A special rear yard setback of 30-ft. is proposed for those lots where large oak trees are proposed to be preserved. The additional setback area will be identified on deed restrictions for the respective lots.

**FINDING: SATISFIED.** The City concurs with the applicant's findings, and adds that the proposed subdivision proposal would be consistent with the companion Planned Development (PD 1-19) which allows for revised setbacks and the special rear yard setback described above.

**17.53.130 Large Lot Subdivision.** In subdividing tracts into large lots which at some future time are likely to be re-subdivided, the Planning Commission may require that the blocks be of such size and shape, be so divided into lots, and contain such building site restrictions as will provide for extension and opening of streets at intervals which will permit a subsequent division of any parcel into lots of smaller size.

**APPLICANT'S RESPONSE:** The drawings show that full development of the planned development area is proposed with this application. Therefore, the above standards do not apply.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

**17.53.140 Left-over Land.** Islands, strips, or parcel of property unsuited for subdividing and not accepted by the City for appropriate use shall not be left unsubdivided but shall be identified as required in Section 17.53.075(A)(10).

**APPLICANT'S RESPONSE:** All land not developed as single-family lots or public right-of-ways has been identified as Tracts A-S on the applicant's Preliminary Plat drawings. Tracts A-F and H-S will be developed as common open space areas. Tract G will be developed as a sanitary sewer pump station. Therefore, there are no left-over strips of land within the proposed planned development.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

**17.53.151 Specifications for Improvements.** The City Engineer has submitted and the City Council has adopted the standard specifications for public works construction, Oregon Chapter A.P.W.A., and has included those special provisions that are, by their very nature, applicable to the City of McMinnville. The specifications cover the following:

- A. Streets, including related improvements such as curbs and gutters, shoulders, and median strips, and including suitable provisions for necessary slope easements;
- B. Drainage facilities;
- C. Sidewalks in pedestrian ways;
- D. Sewers and sewage disposal facilities.

**17.53.153 Improvement Requirements.** The following improvements shall be installed at the expense of the subdivider:

- A. Water supply system. All lots within a subdivision shall be served by the City water supply system.
- B. Electrical system. All lots within a subdivision shall be served by the City electrical system.
- C. Sewer system. All lots within a subdivision shall be served by the City sewer system.
- D. Drainage. Such grading shall be performed and drainage facilities installed conforming to City specifications as are necessary to provide proper drainage within the subdivision and other affected areas in order to assure healthful, convenient conditions for the residents of the subdivision and for the general public. Drainage facilities in the subdivision shall be connected to drainage ways or storm sewers outside the subdivision. Dikes and pumping systems shall be installed, if necessary, to protect the subdivision against flooding or other inundations.
- E. Streets. The subdivider shall grade and improve streets in the subdivision, and the extension of such streets to the paving line of existing streets with which such streets intersect, in conformance with City specifications. Street improvements shall include related improvements such as curbs, intersection sidewalk aprons, street signs, gutters, shoulders, and median strips to the extent these are required.
- F. Pedestrian ways. A paved sidewalk not less than five (5) feet wide shall be installed in the center of pedestrian ways.
- G. Private way/drive. The subdivider shall grade and improve to conform to City specifications in terms of structural standards.
- H. Street trees consistent with the requirements of Chapter 17.58 of the McMinnville Zoning Ordinance and an approved street tree plan for the subdivision.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #10 & 20 - 23.** Conditions of approval are included to require that public improvements are constructed to City standards and that all improvement requirements are achieved in the construction of the subdivision.

## Chapter 17.60. Off-Street Parking and Loading

**17.60.050. Spaces – Number required.** Except for one or two upper-story residential dwelling units above a non-residential use, off-street parking spaces for dwellings shall be located on the same lot with the dwelling. All other required parking spaces shall be located not farther than two hundred feet from the building or use they are required to serve, measured in a straight line from the building.

**APPLICANT'S RESPONSE:** Each single-family lot is provided with off-street parking spaces on the same lot as the dwelling as shown on the drawings SP-1 through SP-5 Site Plans.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

**17.60.060. Spaces – Number required. [...]**

A. Residential land use category: [...]

5. Single-family and two-family dwelling. Two spaces per dwelling with four or fewer bedrooms, and one additional space for every two additional bedrooms.

**APPLICANT'S RESPONSE:** Although detailed building plans have not been completed, most of the proposed single-family lots will have homes with 3-4 bedrooms, therefore 2 parking spaces are required. The attached Site Plans indicates that each dwelling is provided with 2 off-street parking spaces in garages and another 2 spaces in proposed driveways. City staff will verify that the minimum required number of required off-street parking spaces are provided for each lot during building permit review when each dwelling's total number of bedrooms is apparent.

**FINDING: SATISFIED.** City concurs with the applicant's findings.

CD

## ORDINANCE NO. 5089

**AN ORDINANCE APPROVING A LANDSCAPE PLAN AND STREET TREE PLAN FOR THE BAKER CREEK NORTH SUBDIVISION**

## RECITALS:

The Planning Department received an application (L 12-19) from Stafford Development Company, LLC requesting approval of a Tree Removal, Landscape Plan and Street Tree Plan for the Baker Creek North subdivision; and

The subject property is located generally located northeast of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.; and

A public hearing was held on December 5, 2019 at 6:30 p.m., before the McMinnville Planning Commission after due notice had been provided in the local newspaper on November 26, 2019, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said requests, found that the requested amendments conformed to the applicable Comprehensive Plan goals and policies, as well as the Landscape Plan review criteria listed in Section 17.57.070 of the McMinnville Municipal Code based on the material submitted by the applicant and the findings of fact and conclusionary findings for approval contained in Exhibit A; and

The Planning Commission recommended approval of said Comprehensive Plan Map Amendment to the City Council; and

The City Council having received the Planning Commission recommendation and staff report, elected to schedule a second public hearing on the application; and

A public hearing was held on January 28, 2020 at 7:00 p.m., before the McMinnville City Council after due notice had been provided in the local newspaper on January 21, 2020, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The City Council decided to close the public hearing on January 28, 2020, but left the record open for the submittal of additional written testimony. The City Council provided seven additional days for the submittal of additional written testimony until February 4, 2020. The City Council then provided another seven days for the submittal of rebuttal testimony until February 11, 2020. The City Council then provided another seven days for the applicant to submit final written argument until February 18, 2020; and

The City Council having completed the public hearing, received the Planning Commission recommendation and staff report, received all additional written testimony, and having deliberated; and

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

1. That the Council adopts the Findings of Fact, Conclusionary Findings, and Decision as documented in Exhibit A; and
2. That the requested Planned Development Amendment is approved, subject to the following conditions:
  1. That the decision for approval of Baker Creek North Tree Removal, Street Tree Plan, and Landscape Plan (L 12-19) is not rendered, and does not take effect, until and unless the Tentative Subdivision request (S 1-19) is approved by the City Council.
  2. That a revised street tree, landscape, and irrigation plan reflecting the conditions of approval and the final subdivision site plan and utility design shall be submitted to the McMinnville Planning Department for final review and approval by the Planning Director.
  3. That all costs and liability associated with tree removal shall be borne by the applicant.
  4. 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 the tree removal or planting process.
  5. That only the 17 existing trees identified for removal on Drawing L1.0 Street Tree Plan shall be approved for removal.
  6. That landscaping be provided for Sewage Pump Station Tract 'G'. Landscaping shall be provided at an amount equal to or greater than 25 percent of the gross area of the tract, and shall provide screening of the pump station structure from surrounding properties.
  7. That trees in Open Space Tract 'I' adjacent to the electric substation shall have a maximum mature canopy height of 25 feet.
  8. That trees in Open Space Tract 'J' adjacent to the electric substation shall have a maximum mature canopy height of 25 feet, and trees in Tract 'J' shall have a maximum mature canopy height of 40 feet and be located such that no tree canopy encroaches into the transmission line easement.
  9. That trees in Open Space Tract 'K' shall have a maximum mature canopy height of 40 feet and be located such that no tree canopy encroaches into the transmission line easement.
  10. That no trees are allowed within Open Space & Access Easement Tract 'L'. Trees adjacent to Tract L shall have a maximum mature canopy height of 40 feet and be

located such that no tree canopy encroaches into the transmission line easement. No picnic table or other amenity shall block access to transmission facilities.

11. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
12. That an automatic irrigation system be provided to landscape areas within Open Space Tract 'S'.
13. That all landscaping approved by the City and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.
14. That the approved street tree species for the Baker Creek North subdivision are:
  - a. Small Trees
    - i. *Syringa reticulata* 'Ivory Silk' (Ivory Silk Japanese Tree Lilac)
  - b. Medium Trees
    - i. *Acer rubrum* 'October Glory' (October Glory Red Maple)
    - ii. *Cercidiphyllum japonicum* (Katsura Tree)
    - iii. *Ginkgo biloba* 'Magyar' (Magyar Ginkgo)
    - iv. *Ostrya virginiana* (American Hophornbeam)
    - v. *Prunus sargentii* (Sargent Cherry)
15. That street trees in addition to those shown on the Street Tree Plan dated 11/18/2019 shall be provided in the following locations, unless a utility is present that creates a setback requirement:
  - a. Sewage Pump Station Tract 'G': Street trees shall be provided at the maximum spacing for the stature of tree proposed;
  - b. Open Space Tract 'F': Street trees shall be provided at the maximum spacing for the stature of tree proposed;
  - c. Between Lot 15 and Lot 16: One (1) street tree shall be provided at this location;
  - d. Lot 44: Two (2) street trees shall be provided at regular spacing between the street light and water meters;
  - e. Lot 50: One (1) street tree shall be provided between the water meter and alley, outside of the clear vision triangle;
  - f. Lot 52: One (1) street tree shall be provided between the water meter and driveway;
  - g. Lot 58: One (1) street tree shall be provided between the water meter and driveway;
  - h. Lot 102: One (1) street tree shall be provided between the water meter and driveway;
  - i. Lot 103: One (1) street tree shall be provided between the water meter and driveway;
  - j. Lots 35, 117, 130, 131, 132, 202, 203, 224, 225, 228, and 271: Additional streets trees shall be provided as allowed following any necessary reconfiguration of driveways;

- k. All SFD-70, SFD-60, and SFD-40 lots: Additional streets trees shall be provided as allowed following any necessary reconfiguration of driveways.
16. That no street tree shall be located within the transmission line easement. Street trees adjacent to the transmission line easement shall have a maximum mature canopy height of 40 feet and shall be located such that no tree canopy encroaches into the transmission line easement.
  17. That small street trees shall be spaced at no more than 30 feet, and medium street trees shall be spaced at no more than 30 feet, unless a utility or improvement is present that creates a setback requirement. When adjacent to the exterior side yard of any corner lot, or along open space, detention, or sewage pump station tracts, street trees shall be spaced at no more than 30 feet, unless a utility or improvement is present that creates a setback requirement.
  18. That planting of street trees shall be subject to the design drawings and specification developed by the City in May 2014. The applicant shall provide 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 tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, street trees shall be provided with two (2) deep watering tubes to promote deep root growth.
  19. Where street trees are planted in the approximately 10 foot long planter strips between driveways on neighboring lots, root barrier protection shall be provided around the perimeter of the entire planting strip to a minimum depth of eighteen (18) inches.
  20. Where street trees are planted in any location less than 10 feet from a water meter, root barrier protection shall be provided along the sidewalk and curb as required by condition #16, and root barrier protection shall also be provided immediately adjacent to the water meter between the sidewalk and curb to a minimum depth of eighteen (18) inches.
  21. 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.
  22. That all street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
  23. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, at (503) 434-7316 to schedule a planting inspection prior to backfilling.

24. That all street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.
3. That this Ordinance shall take effect 30 days after its passage by the City Council.

Passed by the Council this 24<sup>th</sup> day of March, 2020, by the following votes:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

Attest:

Approved as to form:

\_\_\_\_\_  
CITY RECORDER

\_\_\_\_\_  
CITY ATTORNEY



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

503-434-7311  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPROVAL OF A LANDSCAPE PLAN AND STREET TREE PLAN FOR THE BAKER CREEK NORTH SUBDIVISION**

**DOCKET:** L 12-19 (Tree Removal, Landscape Plan and Street Tree Plan)

**REQUEST:** Approval of a Tree Removal, Landscape Plan and Street Tree Plan for the Baker Creek North subdivision.

**LOCATION:** The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.

**ZONING:** R-4 (Multiple Family Residential)

**APPLICANT:** Stafford Development Company, LLC

**STAFF:** Jamie Fleckenstein, PLA, Associate Planner

**DATE DEEMED COMPLETE:** October 11, 2019

**HEARINGS BODY & ACTION:** The McMinnville Planning Commission makes a recommendation for approval or denial to the City Council.

**HEARING DATE & LOCATION:** December 5, 2019, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville, Oregon.

**HEARINGS BODY & ACTION:** The McMinnville City Council approves or denies the land-use application.

**HEARING DATE & LOCATION:** January 28, 2020, March 10, 2020, and March 24, 2020, Civic Hall, 200 NE 2<sup>nd</sup> Street, McMinnville Oregon

**PROCEDURE:** The application for Landscape Plan and Street Tree Plan review was submitted concurrently with applications for Comprehensive Plan Map Amendment, Zone Change, Planned Development, and Planned Development Amendment. As described in Section 17.72.070 of the McMinnville Municipal Code, concurrent applications shall be processed simultaneously and subject to the hearing procedure that affords the most opportunity for public hearing and notice. Therefore, the application for Landscape Plan and Street Tree Plan review shall be processed in accordance with the procedures in Section 17.72.120 of the McMinnville Municipal Code. The application is reviewed by the Planning Commission in accordance with the quasi-judicial public hearing procedures specified in Section 17.72.130 of the McMinnville Municipal Code.

**CRITERIA:** The applicable criteria are specified in Section 17.57.070 (Area Determination – Planning factors) of the McMinnville Zoning Ordinance, McMinnville City Code.

**APPEAL:** As specified in Section 17.72.190 of the McMinnville Municipal Code, the City Council’s decision may be appealed to the Land Use Board of Appeals (LUBA) within 21 (twenty-one) days of the date written notice of decision is mailed. The City’s final decision is subject to a 120 day processing timeline, including resolution of any local appeal. The 120 day deadline was February 8, 2020. However, the applicant, on the record during the January 28, 2020 public hearing requested that the deadline be extended to March 10, 2020, and then at the March 10, 2020 City Council meeting, requested that the 120 day deadline be extended to March 24, 2020.

**COMMENTS:** This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Public Works; Yamhill County Planning Department; Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications; Comcast; Northwest Natural Gas; and Oregon Department of Transportation. Their comments are provided in this document.

**DECISION**

Based on the findings and conclusionary findings, the City Council finds the applicable criteria are satisfied and **APPROVES** the Landscape Plan (L 12-19), **subject to the conditions of approval provided in Section II of this document.**

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

City Council: \_\_\_\_\_  
Scott Hill, Mayor of McMinnville

Date: \_\_\_\_\_

Planning Commission: \_\_\_\_\_  
Roger Hall, Chair of the McMinnville Planning Commission

Date: \_\_\_\_\_

Planning Department: \_\_\_\_\_  
Heather Richards, Planning Director

Date: \_\_\_\_\_

## **I. APPLICATION SUMMARY:**

The applicant has provided information in their application narrative and findings (attached as Attachment 1) regarding the history of land use decisions for the subject site(s) and the request(s) under consideration. The City has found the information provided to accurately reflect the current Planned Development Amendment request and the relevant background, and excerpted portions are provided below to give context to the request, in addition to the City's comments.

### ***Subject Property & Request***

The subject property is located at the northeast quadrant of the intersection of NW Hill Road and NW Baker Creek Road. The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.

The application (L 12-19) is a request for approval of a Tree Removal, Street Tree Plan and Landscape Plan for the proposed Baker Creek North subdivision. Street Tree Plans are required for new subdivisions with curb-side planting strips. Landscaping is required in the R-4 (Multi-Family Zone) except for the construction of single-family or two-family residential units. Permits for proposed tree removals shall be granted if part of an approved development project.

The Street Tree Plan and Landscape Plan were submitted for review concurrently with five other land use applications, as allowed by Section 17.72.070 of the MMC. The requested Street Tree Plan and Landscape Plan are being reviewed concurrently with a Comprehensive Plan Map Amendment, Zone Change, Planned Development, Planned Development Amendment, and Subdivision to allow for the development of the 280 lot subdivision proposed in the Planned Development plans and future commercial development.

Excerpts from Land Use Application Narrative and Findings:

### **Planned Development**

This requested new planned development is for a residential community of 48.7 acres with 280 lots for single-family detached dwelling units. As described above, the applicant is proposing to zone this area R-4, therefore this portion of the site will be designated with an R4-PD planned development overlay. [...]

### **Open Spaces**

Included with the planned development are 19 common open space tracts (Tract "A" - "S"). After the proposed open space tracts are developed with the proposed active and passive recreation amenities, the applicant is proposing to dedicate many of those tracts and facilities to the City of McMinnville as public parks. The applicant requests the City accept them when recording final plats for the phase of development containing the respective tracts. The common open space areas have been designed to meet a variety of recreational needs. They will serve as centers for community interaction within the community. They can also serve as resources for the general public, once accepted as park land by the City. Proposed recreational amenities include a sports court, multiple play structures, sand box, picnic shelter, picnic tables, and park benches, trails and paths, and more. The open space areas have been sited to extend the City's network of park facilities by extending the existing powerline trail north to proposed "Kent Street Trailheads", where users can connect to

the nature trail to the north and paved urban off-street path network to the south and park areas. These tracts when owned by the City will be an excellent asset to the City's park system. They will also facilitate access to the City's planned Special Use Park to the north of the site, which will extend the natural trail east to allow connection to other segments leading ultimately to Tice Park as envisioned.

Modifications

Below is a list of adjusted development standards as requested through the planned development process: [...]

- 8) Street Trees: Street tree spacing varies from the standards of the code as shown on the drawing L1.0 Street Tree Plan. In higher density developments lot frontage decreases and frequency of driveways and utilities increase, creating conflicts that require greater spacing between street trees than outlined in the code. The planned development compensates for the increase in spacing in the following ways.
  - The planned development avoids the reduction in the allowed street trees that would occur through a strict application of the spacing standards. The applicant is proposing to encroach into the minimum 5-ft. spacing requirement for street trees by wrapping a root barrier from the curb to sidewalk in front of the apron's wing as shown in the Root Barrier Detail on drawing L.1.0 Street Tree Plan. In addition, the applicant is proposing to encroach into 10-ft. spacing for requirement street trees by wrapping a root barrier adjacent to the water meter as shown in the detail. This is primarily in front of SFD-40 & SFD-45 lots, but may occur on other lots in the development.
  - SFD-30a & SFD-26a lots are served with vehicle access from an alley. This reduces the frequency of driveway conflicts allowing more street trees to be provided on the block face.
  - Street tree frequency is maximized on side street block faces where no driveway conflicts exist.
  - The planned development has various common open space tracts. Proposed tree planting in these tracts, as shown on the Landscape Plans L1.0-L10.0 add to the community's overall tree canopy, compensating for gaps in the street tree canopy due to conflicts with driveway and utility improvements.
  - Many large trees are preserved in tracts and in rear yards on larger lots as shown on the drawing L1.0 Street Tree Plan.

**Tree Removal Permit, Street Tree Plan and Landscape Plan Review**

Tree removal is allowed by code as part of an approved development project, and street tree planting is required in a new residential subdivision. Trees needed to be removed to facilitate the development project are shown on landscape drawing L1.0 Street Tree Plan, as are the proposed street tree plantings in the public right of way. Modifications are requested under the planned development to allow variation to the spacing standards of street trees due to conflict with improvements. Trees that will be preserved in tracts and the rear of lots are shown with protective fencing on this drawing. Additional trees are shown to be planted in common area open space tracts within the planned development on the other landscaping plan sheets L2.0-L10.0."

***See Vicinity Map (Figure 1), Existing Zoning (as approved with concurrent zone change request) (Figure 2), Proposed Site Plan (Figure 3), Proposed Street Tree Plan (Figure 4), and Proposed Landscape Plan (Figures 5-9) below.***

**Figure 1. Vicinity Map (Subject Site Area Approximate)**



**Figure 2. Existing Zoning**

**\*Note – Zoning shown as proposed with concurrent Zone Change request**

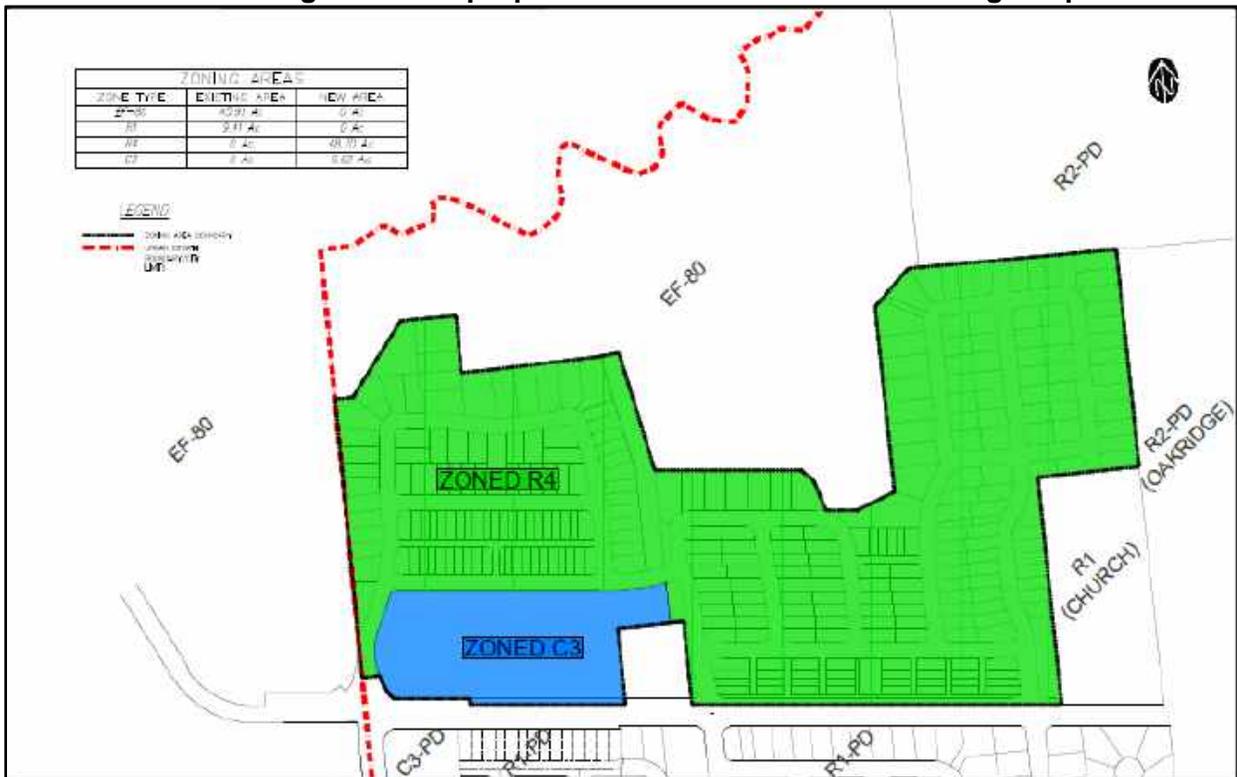




Figure 5. Proposed Landscape Plan

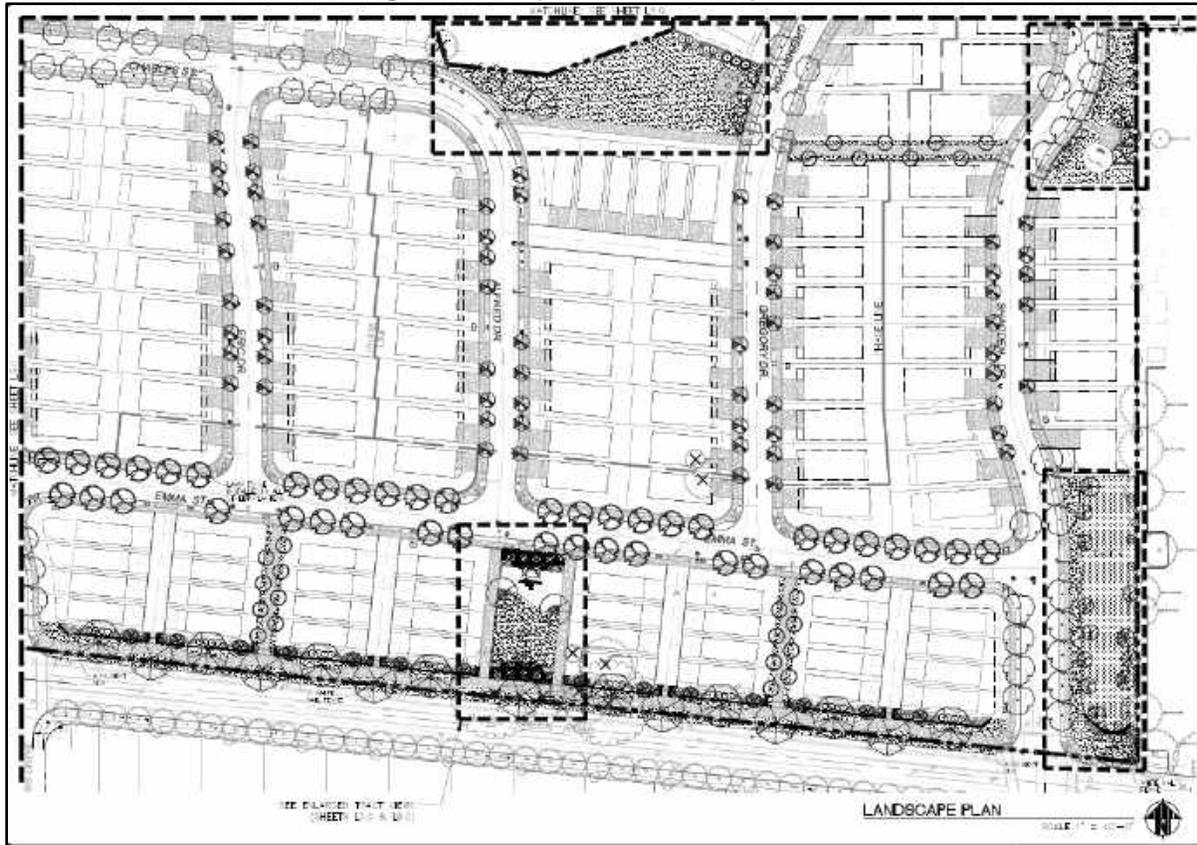


Figure 6. Proposed Landscape Plan (cont'd.)

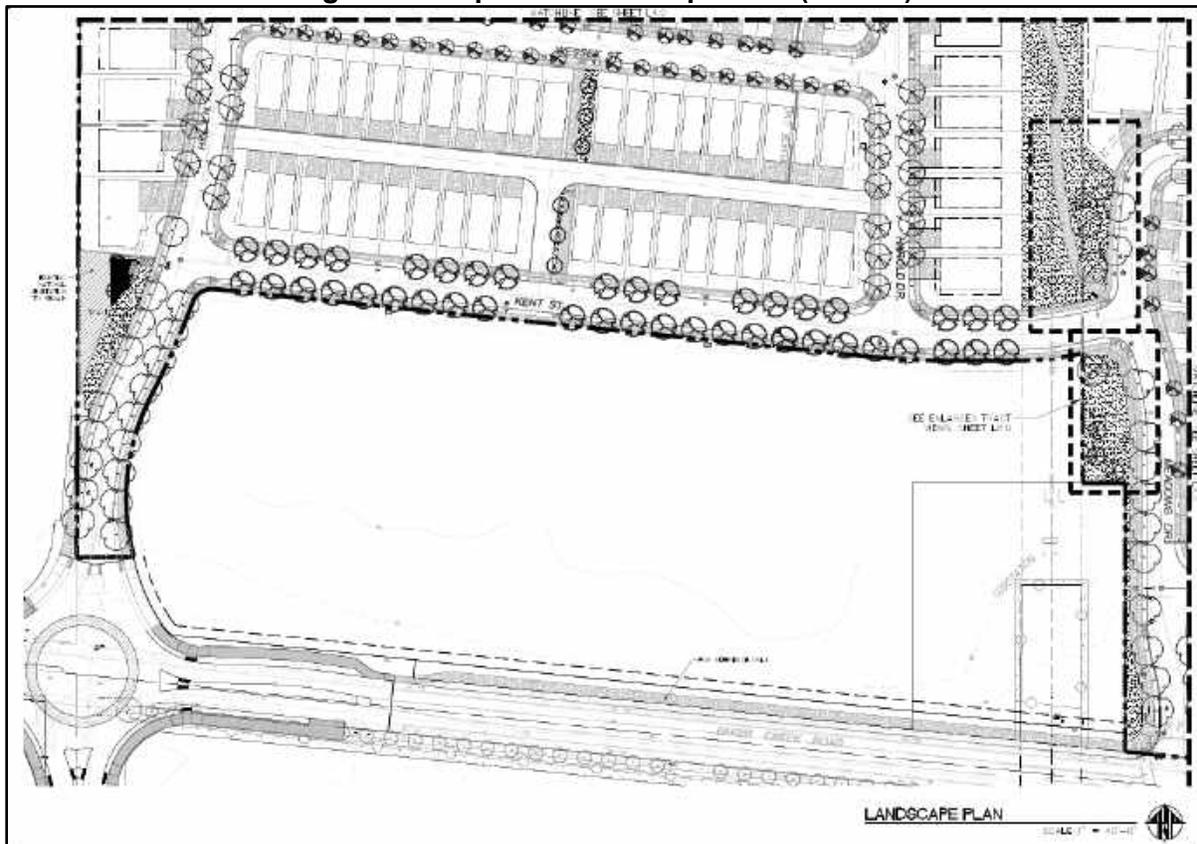


Figure 7. Proposed Landscape Plan (cont'd.)

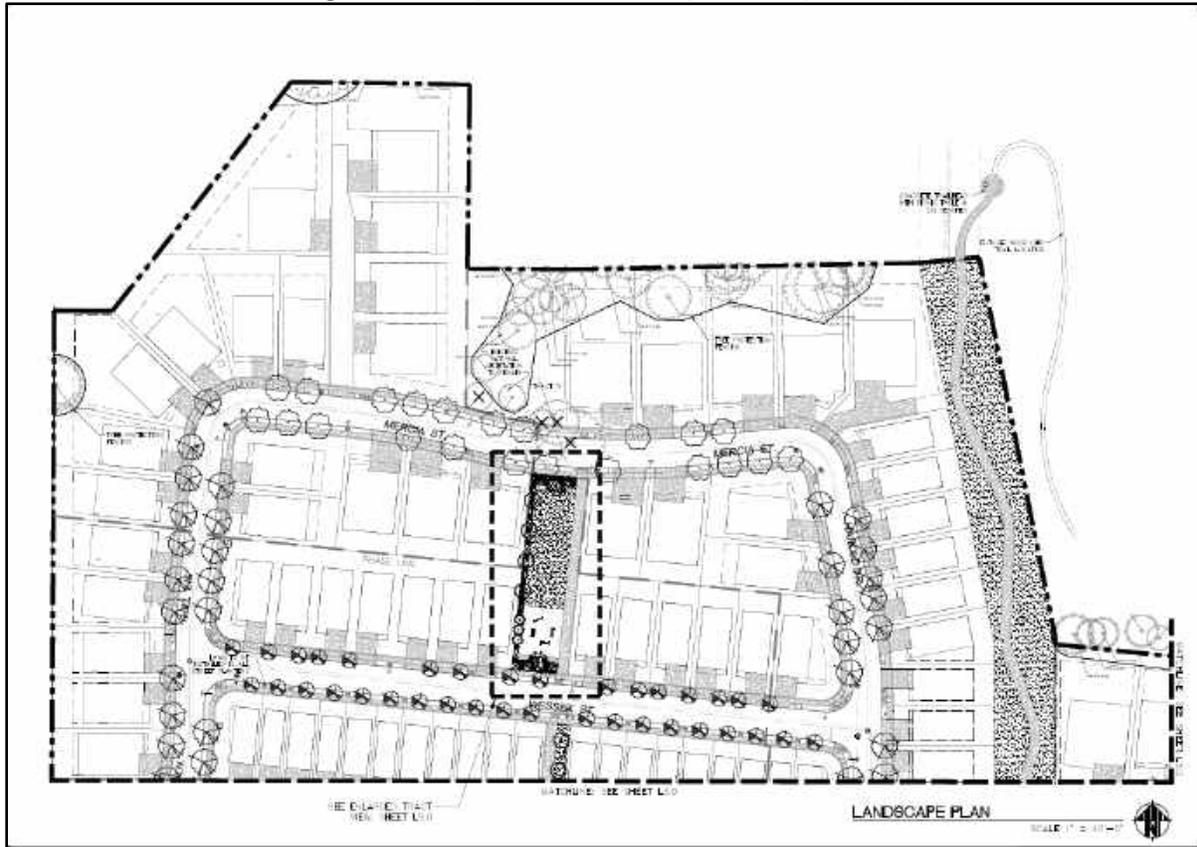
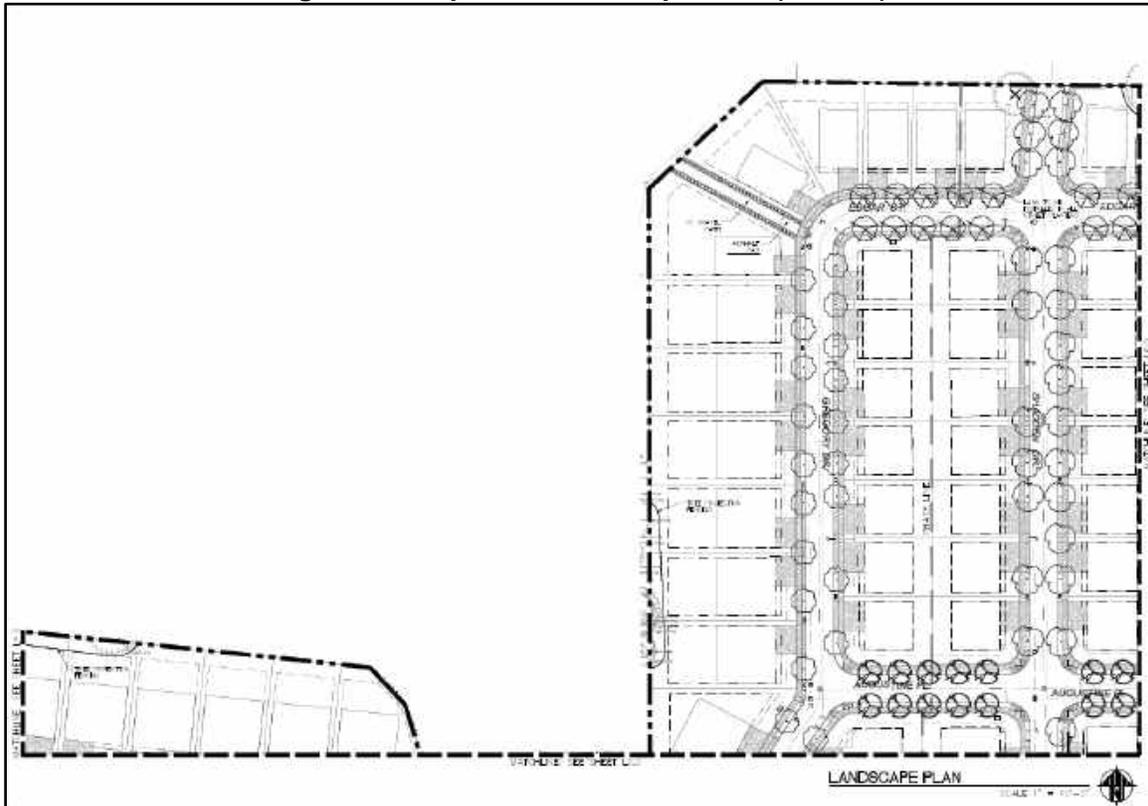
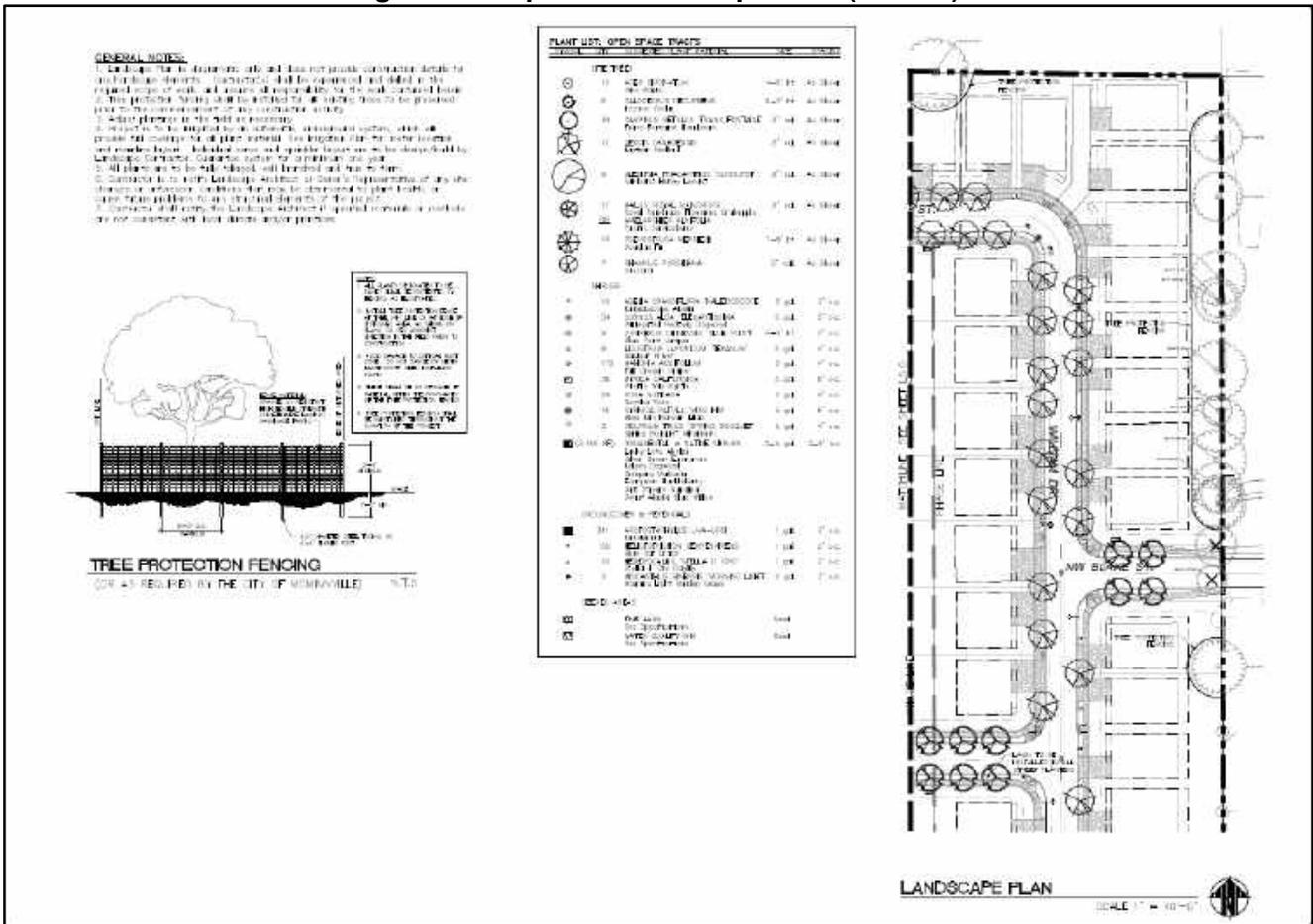


Figure 8. Proposed Landscape Plan (cont'd.)



**Figure 9. Proposed Landscape Plan (cont'd.)**



**Background**

**Summary of Criteria & Issues**

The application (L 12-19) includes requests for approval of Tree Removal, Street Tree Plan and Landscape Plan.

The Tree Removal Permit request is subject to the Tree Removal review criteria in Section 17.58.050 of the McMinnville Municipal Code (MMC). Section 17.58.050 of the MMC requires a permit for Tree Removal to be granted if any of the following criteria apply:

- A. The tree is unsafe, dead, or diseased as determined by a Certified Arborist.
- B. The tree is in conflict with public improvements.
- 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.

The Street Tree Plan is subject to applicable criteria and standards found in Chapter 17.58 (Trees) of the MMC. As it relates to street trees, the purpose of Chapter 17.58 is to establish and maintain the maximum amount of tree cover on public and private land in the city; reduce costs for energy, stormwater management, and erosion control; 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 increase property values and build stronger ties within neighborhoods; and to promote a diverse, healthy, and sustainable community forest.

The Landscape Plan is subject to landscaping planning factors found in Section 17.57.070 (Area Determination – Planning Factors) of the MMC. The specific planning factors required to be taken under consideration for the review of the landscape plan are below:

1. Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.
2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
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.
4. The development and use of islands and plantings therein to break up parking areas.
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.
6. Suitable watering facilities or irrigation systems must be included in or near all planted areas.

The applicant has provided findings to support the requests for Tree Removal and a Street Tree Plan. These will be discussed in detail in Section VII (Conclusionary Findings) below.

## **II. CONDITIONS:**

1. That the decision for approval of Baker Creek North Tree Removal, Street Tree Plan, and Landscape Plan (L 12-19) is not rendered, and does not take effect, until and unless the Tentative Subdivision request (S 1-19) is approved by the City Council.
2. That a revised street tree, landscape, and irrigation plan reflecting the conditions of approval and the final subdivision site plan and utility design shall be submitted to the McMinnville Planning Department for final review and approval by the Planning Director.
3. That all costs and liability associated with tree removal shall be borne by the applicant.
4. 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 the tree removal or planting process.
5. That only the 17 existing trees identified for removal on Drawing L1.0 Street Tree Plan shall be approved for removal.
6. That landscaping be provided for Sewage Pump Station Tract 'G'. Landscaping shall be provided at an amount equal to or greater than 25 percent of the gross area of the tract, and shall provide screening of the pump station structure from surrounding properties.
7. That trees in Open Space Tract 'I' adjacent to the electric substation shall have a maximum mature canopy height of 25 feet.
8. That trees in Open Space Tract 'J' adjacent to the electric substation shall have a maximum mature canopy height of 25 feet, and trees in Tract 'J' shall have a maximum mature canopy

height of 40 feet and be located such that no tree canopy encroaches into the transmission line easement.

9. That trees in Open Space Tract 'K' shall have a maximum mature canopy height of 40 feet and be located such that no tree canopy encroaches into the transmission line easement.
10. That no trees are allowed within Open Space & Access Easement Tract 'L'. Trees adjacent to Tract L shall have a maximum mature canopy height of 40 feet and be located such that no tree canopy encroaches into the transmission line easement. No picnic table or other amenity shall block access to transmission facilities.
11. That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.
12. That an automatic irrigation system be provided to landscape areas within Open Space Tract 'S'.
13. That all landscaping approved by the City and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.
14. That the approved street tree species for the Baker Creek North subdivision are:
  - a. Small Trees
    - i. *Syringa reticulata* 'Ivory Silk' (Ivory Silk Japanese Tree Lilac)
  - b. Medium Trees
    - i. *Acer rubrum* 'October Glory' (October Glory Red Maple)
    - ii. *Cercidiphyllum japonicum* (Katsura Tree)
    - iii. *Ginkgo biloba* 'Magyar' (Magyar Ginkgo)
    - iv. *Ostrya virginiana* (American Hophornbeam)
    - v. *Prunus sargentii* (Sargent Cherry)
15. That street trees in addition to those shown on the Street Tree Plan dated 11/18/2019 shall be provided in the following locations, unless a utility is present that creates a setback requirement:
  - a. Sewage Pump Station Tract 'G': Street trees shall be provided at the maximum spacing for the stature of tree proposed;
  - b. Open Space Tract 'F': Street trees shall be provided at the maximum spacing for the stature of tree proposed;
  - c. Between Lot 15 and Lot 16: One (1) street tree shall be provided at this location;
  - d. Lot 44: Two (2) street trees shall be provided at regular spacing between the street light and water meters;
  - e. Lot 50: One (1) street tree shall be provided between the water meter and alley, outside of the clear vision triangle;
  - f. Lot 52: One (1) street tree shall be provided between the water meter and driveway;
  - g. Lot 58: One (1) street tree shall be provided between the water meter and driveway;
  - h. Lot 102: One (1) street tree shall be provided between the water meter and driveway;
  - i. Lot 103: One (1) street tree shall be provided between the water meter and driveway;
  - j. Lots 35, 117, 130, 131, 132, 202, 203, 224, 225, 228, and 271: Additional streets trees shall be provided as allowed following any necessary reconfiguration of driveways;

- k. All SFD-70, SFD-60, and SFD-40 lots: Additional street trees shall be provided as allowed following any necessary reconfiguration of driveways.
16. That no street tree shall be located within the transmission line easement. Street trees adjacent to the transmission line easement shall have a maximum mature canopy height of 40 feet and shall be located such that no tree canopy encroaches into the transmission line easement.
17. That small street trees shall be spaced at no more than 30 feet, and medium street trees shall be spaced at no more than 30 feet, unless a utility or improvement is present that creates a setback requirement. When adjacent to the exterior side yard of any corner lot, or along open space, detention, or sewage pump station tracts, street trees shall be spaced at no more than 30 feet, unless a utility or improvement is present that creates a setback requirement.
18. That planting of street trees shall be subject to the design drawings and specification developed by the City in May 2014. The applicant shall provide 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 tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, street trees shall be provided with two (2) deep watering tubes to promote deep root growth.
19. Where street trees are planted in the approximately 10 foot long planter strips between driveways on neighboring lots, root barrier protection shall be provided around the perimeter of the entire planting strip to a minimum depth of eighteen (18) inches.
20. Where street trees are planted in any location less than 10 feet from a water meter, root barrier protection shall be provided along the sidewalk and curb as required by condition #16, and root barrier protection shall also be provided immediately adjacent to the water meter between the sidewalk and curb to a minimum depth of eighteen (18) inches.
21. 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.
22. That all street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above grade. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.
23. That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, at (503) 434-7316 to schedule a planting inspection prior to backfilling.
24. That all street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

### **III. ATTACHMENTS:**

1. L 12-19 Application and Attachments (on file with the Planning Department)
2. Agency Comments (on file with the Planning Department)
3. Testimony Received (on file with the Planning Department)
  - a. Public Testimony
    - i. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received December 4, 2019 (on file with the Planning Department)
    - ii. Markus Pfahler, 2515 West Wind Drive, Letter received December 5, 2019 (on file with the Planning Department)
    - iii. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 24, 2020 (on file with the Planning Department)
    - iv. Jeff and Lori Zumwalt, Premier Home Builders, Inc., Letter received January 24, 2020 (on file with the Planning Department)
    - v. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received January 26, 2020 (dated January 27, 2020) (on file with the Planning Department)
    - vi. Steve Dow, Black Hawk Homes, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - vii. Vince Vinceri, Symbiotik Development, LLC, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - viii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received January 28, 2020 (on file with the Planning Department)
    - ix. Mike Colvin, Letter received January 28, 2020 (on file with the Planning Department)
    - x. Stafford Development Company (Applicant), Memorandum from Frank Charbonneau received January 28, 2020 (on file with the Planning Department)
    - xi. Linda Lindsay, Letter received at public hearing on January 28, 2020 (on file with the Planning Department)
    - xii. Sandy Colvin, Traffic report data received January 29, 2020 (on file with the Planning Department)
    - xiii. Jim Cena, 15080 NW Blacktail Court, Email received January 30, 2020 (on file with the Planning Department)
    - xiv. Larry and Hersheil Steward, 14200 NW Orchard View Road, Email received January 30, 2020 (on file with the Planning Department)
    - xv. Caroline Moore, 205 NE 6<sup>th</sup> Street, Email received January 31, 2020 (on file with the Planning Department)
    - xvi. Nancy and Surinder Singh, 2200 SW West Wind Drive, Email received February 1, 2020 (on file with the Planning Department)
    - xvii. David Cutter, 15000 NW Blacktail Lane, Emailed letter received February 3, 2020 (on file with the Planning Department)
    - xviii. Lane Roemmick, Email received February 3, 2020 (on file with the Planning Department)
    - xix. Jim and Jean Semph, 2175 SW Homer Ross Loop, Email received February 3, 2020 (on file with the Planning Department)
    - xx. Vincent Taft and Allison Best, 2025 SW Fox Swale Lane, Email received February 3, 2020 (on file with the Planning Department)
    - xxi. Patrick Stinson, 2065 NW Willamette Drive, Emailed letter received February 3, 2020 (on file with the Planning Department)
    - xxii. Mike Colvin, Letter received February 3, 2020 (on file with the Planning Department)
    - xxiii. Gary and Suzanne Farmer, Email received February 3, 2020 (on file with the Planning Department)

- xxiv. Patty O'Leary, 2325 SW Homer Ross Loop, Emailed letter received February 3, 2020 (on file with the Planning Department)
  - xxv. Rick Weidner, 2075 SW Sailing Court, Email received February 3, 2020 (on file with the Planning Department)
  - xxvi. Kari Rex, Email received February 4, 2020 (on file with the Planning Department)
  - xxvii. Melba Smith, 2780 NW Pinot Noir Drive, Email received February 4, 2020 (on file with the Planning Department)
  - xxviii. Markus Pfahler, 2515 West Wind Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxix. Linda Lindsay, Email received February 4, 2020 (on file with the Planning Department)
  - xxx. Scott Larsen, Email received February 4, 2020 (on file with the Planning Department)
  - xxxi. Cathy Goekler, 2684 NW Pinot Noir Drive, Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxii. Stafford Development Company (Applicant), Emailed letter received February 4, 2020 (on file with the Planning Department)
  - xxxiii. Mike Colvin, Email with rebuttal testimony received February 5, 2020 (on file with the Planning Department)
  - xxxiv. Stafford Development Company (Applicant), Emailed letter with rebuttal testimony received February 11, 2020 (on file with the Planning Department)
- b. Staff Memorandums
- i. Planning Department Staff, Memorandum describing revisions to conditions of approval, December 5, 2019 (on file with the Planning Department)
  - ii. Planning Department Staff, Memorandum describing additional testimony received prior to January 28, 2020 public hearing, January 27, 2020 (on file with the Planning Department)
- 4. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, December 5, 2019 (on file with the Planning Department)
  - 5. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 14, 2020 (on file with the Planning Department)
  - 6. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, January 28, 2020 (on file with the Planning Department)
  - 7. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 10, 2020 (on file with the Planning Department)
  - 8. CPA 1-19, ZC 1-19, PDA 2-19, PD 1-19, S 1-19, L 12-19 Staff Report, March 24, 2020 (on file with the Planning Department)

#### **IV. COMMENTS:**

##### **Agency Comments**

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The following comments relating to the Tree Removal, Street Tree Plan, and Landscape Plan were received:

- McMinnville Engineering Department

- McMinnville Municipal Code Section (MMC) 12.20.030(B) requires that the maximum width of driveways for properties with street frontage between 20 and 75 feet wide shall be not more than 40% of the frontage. The proposed lot configurations for SFD-70, SFD-60, and SFD-40, as shown on page EXH-5, do not meet the Ordinance standard. Additionally, a review of the Site Plan (SP) sheets indicates that the driveways for lots 117, 130, 131, 132, 202, 203, 224, 225, 228 and 271 do not comply with the Ordinance standard.
- MMC Section 12.20.070 indicates that if a driveway is constructed or installed on a corner lot, such driveway shall not be built closer than 30 feet from the point of intersection of the two curb lines projected ahead. A review of the Site Plan (SP) sheets indicates that the driveway for lot 35 may not comply with that standard.
- Recognizing that street tree plans are reviewed and approved at a later date by the Planning Department and the Landscape Review Committee, we did note that several of the proposed tree locations will need to be adjusted due to probable conflicts with utilities and due to street sight distance concerns.
- There are 19 tracts designated as open space in the proposal. One of these, tract G, is designated for a proposed pump station. Staff's understanding was that only tracts I, J, K and L were being considered for dedication to the City as public open space as part of this development, with developer built improvements constructed on them. However, in reviewing the narrative and findings information, it appears that the applicant is requesting that:
  - Parcel D (14.92 acres) be accepted by the City as a future public park. This is flood plain property north of the planned development site, and the application notes that a chipped path would be constructed as an off-site improvement in conjunction with phase 2A and/or phase 3A of the subdivision.
  - Tracts F, I, J, K, L, N, and S within the planned development are recommended by the applicant to be accepted by the City as public park land. The proposal shows various developer constructed improvements to be included with these tracts.
  - Park Donation: the applicant is requesting that the City accept Parcel D as part of this application. At this time, staff does not believe that the City has the maintenance capacity to take on additional new park acreage, and would not recommend accepting ownership or maintenance responsibility for this parcel.
  - Open Space Tracts: Staff's understanding was that tracts I, J, K and L were to be improved as an extension of the BPA pedestrian path, with a concrete pathway, landscaping, pedestrian scale lighting and pedestrian benches. However, in looking at the proposal, I see some significant variation from that understanding:
    - Tract I: shows turf, trees and a pathway (sidewalk). Staff's understanding was that this was to be 10' walk; it appears to be drawn as a typical 5' sidewalk.
    - Tract J: shows dog park and skate park improvements. Staff's understanding was that this was to be a meandering 10' path with landscaping.
    - Tract K: shows turf, trees, landscaping, with benches. This matches our understanding.

- Tract L: shows an offset 10' gravel pathway, and turf for a portion of the tract. The remaining portion is labelled as "existing grass field to remain", with a 10' gravel pathway. This is not similar to the existing BPA pathway design as per earlier discussion, and does not provide an accessible surface for pedestrians.
- As noted above, staff does not believe that the City has the current park maintenance capacity to take on any additional park land. That being said, the opportunity to extend the BPA pathway to the north and connect this development with park improvements to the south is recognized as an important opportunity. It is also recognized that maintenance of the extension will come at the expense of reduced maintenance in other existing facilities. Unfortunately, the proposed improvements on these tracts are not similar to the existing BPA pathway design, and include elements (skate park, dog park) that the City does not have the resources to maintain. So based on that, staff does not believe it would be in the City's best interests to accept these tracts as proposed. The plans for Tracts I, J, K, and L should be modified to match the City's development of the trail system in the rest of the BPA corridor to the south of Baker Creek Road.
- Tract F is shown as a sloped parcel overlooking the floodplain to the north, with a chipped path future connection to the floodplain. Other improvements shown include a shelter, landscaping, turf, trees and park amenities. Staff does not believe the City has the maintenance capacity to accept this tract, and it should remain private with maintenance by the Home Owners Association.
- Tract N is shown as open space. From the narrative, it appears this is proposed as open space to preserve existing trees. Staff does not believe that the City has the maintenance capacity to accept this tract, and it should remain private with maintenance by the Home Owners Association.
- Tract S is shown as a proposed pedestrian connection from Edgar Street to the proposed floodplain park donation. Staff would see this as a pedestrian connection that would be provided and maintained by the developer. Should in the future the floodplain property become the City's, staff would see maintenance access coming from the north end of the BPA path extension and would not need Tract S for maintenance access. Thus, and it should remain private with maintenance by the Home Owners Association.
- McMinnville Water and Light

Included as Attachment #2

## **Public Comments**

Notice of this request was mailed to property owners located within 300 feet of the subject site. Notice of the public hearing was also provided in the News Register on Tuesday, November 26, 2019. As of the date of the Planning Commission public hearing on December 5, 2019, one item of public testimony had been received by the Planning Department. One additional item of written testimony was submitted at the December 5, 2019 public hearing. Those items of testimony are described in Section III (Attachments) above.

## **V. FINDINGS OF FACT - PROCEDURAL FINDINGS**

1. The applicant, Stafford Development Company, LLC, held a neighborhood meeting on November 1, 2018.

2. The applicant submitted the Street Tree Plan and Landscape Plan Review application (L 12-19) on April 30, 2019.
3. The application was deemed incomplete on May 30, 2019. The applicant submitted revised application materials on September 11, 2019.
4. Based on the revised application submittal, the application was deemed complete on October 11, 2019. Based on that date, the 120 day land use decision time limit expires on February 8, 2020.
5. Notice of the application was referred to the following public agencies for comment in accordance with Section 17.72.120 of the Zoning Ordinance: McMinnville Fire Department, Police Department, Parks and Recreation Department, Engineering and Building Departments, City Manager, and City Attorney, McMinnville School District No. 40, McMinnville Water and Light, Yamhill County Public Works, Yamhill County Planning Department, Oregon Department of State Lands, Bonneville Power Administration, Recology Western Oregon, Frontier Communications, Comcast, Northwest Natural Gas. The matter was also referred to the Oregon Department of Land Conservation and Development.

Comments received from agencies are addressed in the Decision Document.

6. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property in accordance with Section 17.72.120 of the Zoning Ordinance on Thursday, November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.
7. Notice of the application and the December 5, 2019 Planning Commission public hearing was published in the News Register on Tuesday, November 26, 2019, in accordance with Section 17.72.120 of the Zoning Ordinance.
8. No public testimony was submitted to the Planning Department prior to the Planning Commission public hearing.
9. On December 5, 2019, the Planning Commission held a duly noticed public hearing to consider the request.

## **VI. FINDINGS OF FACT - GENERAL FINDINGS**

1. **Location:** The property is described as Exhibit C in Instrument No. 201904867, Yamhill County Deed Records; Exhibit C in Instrument No. 201904874, Yamhill County Deed Records; Exhibit D in Instrument No. 201904874, Yamhill County Deed Records; and Exhibit C in Instrument No. 201904870, Yamhill County Deed Records. The property is also identified as Tax Lots 105, 106, and 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lots 100, Section 18, T. 4 S., R. 4 W., W.M.
2. **Size:** The Planned Development Overlay District is proposed to be approximately 48.7 acres in size. The proposal includes the dedication of a 14.92 acre parcel adjacent to the proposed Planned Development Overlay District, which is proposed to be dedicated as a public park.

3. **Comprehensive Plan Map Designation:** Planned Development Area: Residential. Park Dedication Parcel: Residential and Floodplain
4. **Zoning:** Planned Development Area: R-4 (Multiple Family Residential). Park Dedication Parcel: EF-80 (Exclusive Farm Use) and F-P (Flood Plain)
5. **Overlay Zones/Special Districts:** None.
6. **Current Use:** Vacant
7. **Inventoried Significant Resources:**
  - a. **Historic Resources:** None
  - b. **Other:** An area to the north of the proposed Planned Development Overlay District, and within the Park Dedication Parcel, is located within Zone A of the 100-year floodplain of Baker Creek, as identified on the FEMA Flood Insurance Rate Map (FIRM) panels.
8. **Other Features:**
  - a. **Wetlands:** An area to the north of the proposed Planned Development Overlay District, and within the Park Dedication Parcel, contains wetlands.
  - b. **Slopes:** A majority of the site is relatively flat, but the property begins to slope to the north along the northern edges of the subject site. This portion of the property slopes downward towards Baker Creek, which is located to the north of the subject site.
  - c. **Easements and Utilities:** A 60 foot wide easement, as identified in Film Volume 40, Page 851, Yamhill County Deed Records, for the benefit of the Bonneville Power Administration exists running south to north through the center portion of the site, in the general location of the existing electrical power transmission lines.
9. **Utilities:**
  - a. **Water:** Water service is available to the subject site.
  - b. **Electric:** Power service is available to the subject site.
  - c. **Sewer:** Sanitary sewer service is available to the subject site.
  - d. **Stormwater:** Storm sewer service is available to the subject site.
  - e. **Other Services:** Other utility services are available to the subject site. Northwest Natural Gas and Comcast is available to serve the site.
10. **Transportation:** The site is adjacent to NW Baker Creek Road, which is identified as a minor arterial in the McMinnville Transportation System Plan. Section 17.53.101 of the McMinnville Municipal Code identifies the right-of-way width for minor collector streets as 96 feet. New local residential streets to serve the proposed subdivision are proposed.

## **VII. CONCLUSIONARY FINDINGS:**

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria for a Landscape Plan Review are specified in Section 17.57.070 of the Zoning Ordinance. The applicable criteria for a Tree Removal application and a Street Tree Plan Review are specified in Chapter 17.58 of the Zoning Ordinance

In addition, the goals, policies, and proposals in Volume II of the Comprehensive Plan are to be applied to all land use decisions as criteria for approval, denial, or modification of the proposed request. Goals and policies are mandated; all land use decisions must conform to the applicable goals and policies of

Volume II. "Proposals" specified in Volume II are not mandated, but are to be undertaken in relation to all applicable land use requests.

**Comprehensive Plan Volume II:**

The following Goals, Policies, and Proposals from Volume II of the Comprehensive Plan provide criteria applicable to this request:

The implementation of most goals, policies, and proposals as they apply to this application are accomplished through the provisions, procedures, and standards in the city codes and master plans, which are sufficient to adequately address applicable goals, policies, and proposals as they apply to this application.

The following additional findings are made relating to specific Goals and Policies:

**GOAL IV 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.*

**APPLICANT'S RESPONSE:** [...] Street trees will be provided in the planter strips of all proposed street improvements. The planned residential development also proposes landscaping to be installed in a private tract along the arterial as passive open space in support of this policy.

[...] Street trees will be provided along public rights-of-way as shown on the Street Tree Plan, and landscaping will be installed in open spaces adjacent to the streets. Therefore, this policy is met by the proposal.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #6.** The City concurs with the applicant's finding. Street trees will be installed along the public right-of-way along all new local streets within the new subdivision, and also along the right-of-way of NW Baker Creek Road adjacent to the new subdivision. The trees will be located within curb-side planting strips, and will be of a species from the approved McMinnville Street Tree List or otherwise approved by the City. Additionally, Open Space Tract H would provide landscaping along the adjacent arterial street, NW Baker Creek Road. Landscaping is proposed for all open space tracts adjacent to local street rights-of-way within the subdivision, except for Tract G. Therefore, a condition requiring landscaping to be provided for Open Space Tract G is included.

**CONDITION FOR FINDING:** That landscaping be provided for Sewage Pump Station Tract 'G'. Landscaping shall be provided at an amount equal to or greater than 25 percent of the gross area of the tract, and shall provide screening of the pump station from surrounding properties.

*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*

**APPLICANT’S RESPONSE:** [...] The attached landscape plans indicate that street trees and landscaping is proposed throughout the development. Therefore, this policy is met.

**FINDING: SATISFIED.** The City concurs with the applicant’s finding. Street trees will be installed along the public right-of-way along all new streets within the new subdivision, and also along the existing right-of-way of NW Baker Creek Road adjacent to the new subdivision. The trees will be located within curb-side planting strips, and will be of a species from the approved McMinnville Street Tree List, or otherwise approved by the City.

*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.*

**APPLICANT’S RESPONSE:** The street tree plan and landscaping of passive and active open spaces adjacent to public ways support this policy.

**FINDING: SATISFIED.** The City concurs with the applicant’s finding. Street trees and open space landscaping proposed in the street tree plan and landscape plans submitted for review would enhance the aesthetics and livability of the planned development.

*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;*

**APPLICANT’S RESPONSE:** [...] Street trees are proposed in planter strips along all streets promoting a residential character. [...]

**FINDING: SATISFIED.** The City concurs with the applicant’s finding. Street trees will be installed along the public right-of-way along all new streets within the new subdivision, and also along the existing right-of-way of NW Baker Creek Road. The trees will be located within curb-side planting strips, promoting a residential atmosphere and provide a barrier between the roadway and non-motorized uses.

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

**GOAL X 2:** TO MAKE EVERY EFFORT TO ENGAGE AND INCLUDE A BROAD CROSS SECTION OF THE COMMUNITY BY MAINTAINING AN ACTIVE AND OPEN CITIZEN INVOLVEMENT PROGRAM THAT IS ACCESSIBLE TO ALL MEMBERS OF THE COMMUNITY AND

ENGAGES THE COMMUNITY DURING DEVELOPMENT AND IMPLEMENTATION OF LAND USE POLICIES AND CODES.

*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.*

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The process for a Landscape Plan review provides an opportunity for citizen involvement throughout the process through the neighborhood meeting provisions, the public notice, and the public hearing process. Notice of the application and the December 5, 2019 Planning Commission public hearing was mailed to property owners within 300 feet of the subject property and was published in the News Register on Tuesday, November 26, 2019 in accordance with Section 17.72.120 of the MMC on November 7, 2019. Notice of the application was also provided to the Department of Land Conservation and Development on October 16, 2019.

Throughout the process, there are opportunities for the public to review and obtain copies of the application materials and the completed staff report prior to the advertised public hearing(s). The application materials are posted on the City's website as soon as they are deemed complete, and copies of the staff report and Planning Commission meeting materials are posted on the City's website at least one week prior to the public hearing. All members of the public have access to provide testimony and ask questions during the public review and hearing process.

**McMinnville Zoning Ordinance**

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

**Chapter 17.03. General Provisions**

**17.03.020 Purpose.** The purpose of this ordinance is to encourage appropriate and orderly physical development in the City through standards designed to protect residential, commercial, industrial, and civic areas from the intrusions of incompatible uses; to provide opportunities for establishments to concentrate for efficient operation in mutually beneficial relationship to each other and to shared services; to provide adequate open space, desired levels of population densities, workable relationships between land uses and the transportation system, and adequate community facilities; to provide assurance of opportunities for effective utilization of the land resource; and to promote in other ways public health, safety, convenience, and general welfare.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The purpose of the Zoning Ordinance is met by the proposal as described in the Conclusionary Findings contained in this Decision Document.

**Chapter 17.57. Landscaping**

**17.57.010 Purpose and intent.** The purpose and intent of this Chapter is to encourage and, where appropriate, require the use of landscape elements, particularly plant materials, in proposed developments in an organized and harmonious manner that will enhance, protect and promote the economic, ecological and aesthetic environment of McMinnville. Landscaping is considered by McMinnville to be an integral part of a complete comprehensive development plan. [...]

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The proposed landscape plan would enhance the appearance of the city and will benefit the economic, ecological, and aesthetic environment of the city. The landscape plan as proposed and with recommended conditions 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 Zones where required.** Landscaping shall be required in the following zones except as otherwise noted: [...]

- A. R-4 (Multiple-Family Residential zone, except the construction of a Single Family or Two-Family Residential unit);
- D. C-3 (General Commercial zone).

**APPLICANT'S RESPONSE:** The planned development is within the R-4 zone, however it is proposed with single-family residential units, so no landscaping is required per this section. No specific development or use is proposed within the proposed C-3 zone, so no landscaping is required for that area.

**FINDING: SATISFIED.** The planned development is proposed to be within the R-4 zone and developed with single-family residential units, therefore landscaping for those proposed single-family lots is not required. However, the 18 common open space tracts would be within the R-4 zone and not developed with single-family or two-family residential units. Therefore, landscaping is required for all proposed open space tracts.

**17.57.040 Specific uses requiring landscaping.**

**17.57.040(D).** Multiple-family, commercial, and industrial uses in residential planned developments, subject to the landscaping requirements of the type of use in the planned development.

**APPLICANT'S RESPONSE:** The applicant is not proposing multi-family uses with this residential planned development. Therefore, these standards do not apply.

**FINDING: SATISFIED.** The City concurs with the applicant's finding's findings. The City adds that no commercial or industrial uses are proposed at this time within the planned development. Therefore, no additional landscaping requirements based on other types of uses in the planned development are required.

**17.57.070 Area Determination – Planning Factors.**

**17.57.070(A).** Landscaping shall be accomplished within the following ranges:

- 3. Multiple-family, twenty five percent of the gross area. This may be reduced to not less than fifteen 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.)

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #6.** The amount of landscaping proposed for the common tracts can be seen in the table below.

Tract	Proposed Uses	Gross Area (square feet)	Landscaping Proposed (s.f.)	Percent of Gross Area
A	storm water detention	17,431	17,431	100
B	open space, playground	15,422	15,422	100
C	open space, playground	7,695	7,695	100
D	pedestrian access way	1,841	1,841	100
E	pedestrian access way	2,357	2,357	100
F	open space, picnic shelter	22,105	22,105	100
G	sewage pump station	4,062	0	0
H	open space	8,795	8,795	100
I	bicycle/pedestrian trail	2,702	2,702	100
J	bicycle/pedestrian trail, open space	7,036	7,036	100
K	bicycle/pedestrian trail, open space	3,622	3,622	100
L	bicycle/pedestrian trail, open space, BPA access	41,905	41,905	100
M	n/a	n/a	n/a	n/a
N	open space, tree preservation	14,326	14,326	100
O	open space	7,110	7,110	100
P	pedestrian access way	1,274	1,274	100
Q	pedestrian access way	2,125	2,125	100
R	open space, playground	10,822	10,822	100
S	pedestrian access way	2,871	2,871	100

Landscaping has been proposed in excess of the 25 percent minimum for each common tract in the planned development, except for Tract G, the sewage pump station tract. Therefore, a condition is included requiring a minimum 25 percent of the gross area of Tract G be provided with landscaping.

**CONDITION FOR FINDING:** That landscaping be provided for Sewage Pump Station Tract ‘G’. Landscaping shall be provided at an amount equal to or greater than 25 percent of the gross area of the tract, and shall provide screening of the pump station from surrounding properties.

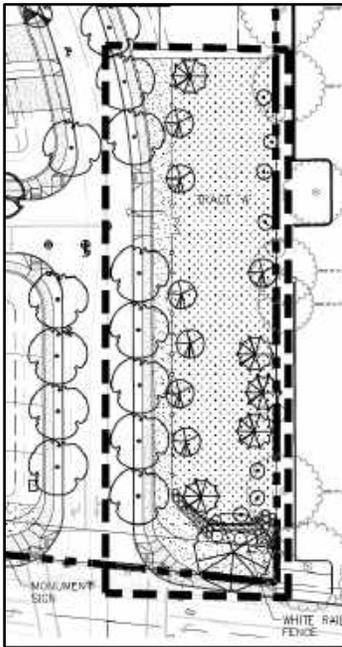
**17.57.070(B).** The following factors shall be considered by the applicant when planning the landscaping in order to accomplish the purpose set out in Section 17.57.010. The Landscape Review Committee shall have the authority to deny an application for failure to comply with any or all of these conditions:

**17.57.070(B)(1).** Compatibility with the proposed project and the surrounding and abutting properties and the uses occurring thereon.

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #6-11, and 16.** The applicant is proposing the following landscaping for open space tracts:

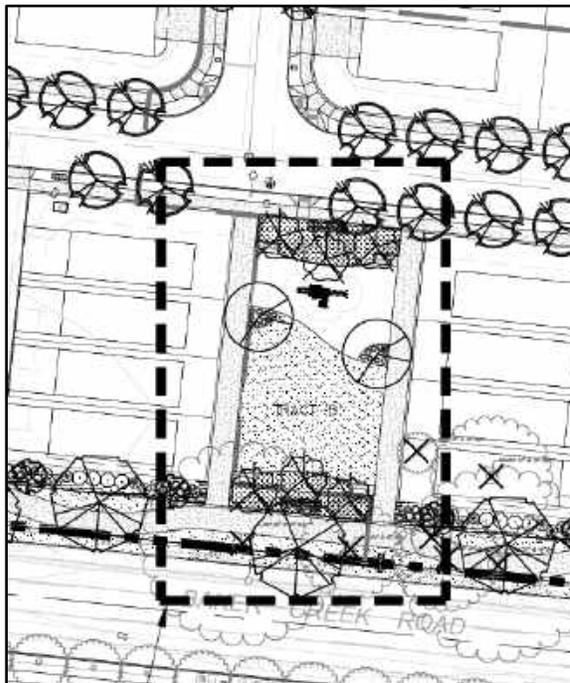
Open Space & Detention ‘Tract A’:



Tract A is located at the southeastern corner of the proposed planned development, at the corner of Baker Creek Road and Shadden Drive. It's primary function is to serve as a storm water detention facility, and the proposed landscaping is reflective of that purpose. Native tree species *Acer circinatum* (Vine Maple), *Pseudotsuga menziesii* (Douglas Fir), and *Rhamnus purshiana* (Cascara) are proposed around the perimeter of the detention area. At the south end of the detention area near Baker Creek Road, a planting area is proposed with a variety of native evergreen shrubs, including *Cornus alba 'Elegantissima'* (Variegated Redtwig Dogwood), *Mahonia aquifolium* (Tall Oregon Grape), *Myrica californica* (Pacific Wax Myrtle), and *Arctostaphylos uva-ursi* (Kinnikinnick). A Water Quality Facility Mix consisting of Dwarf Tall Fescue, Dwarf Perennial Rye, Creeping Red Fescue, and Colonial Bent Grass, all grasses, is proposed throughout the remainder of the open detention area. A white rail fence matching the fence proposed along Baker Creek Road separates the detention area from open space planted with a fine lawn seed mix.

Adjacent to Tract A to the east is an off-street parking lot for a church. Proposed planting around the perimeter of the detention area, in combination with existing trees within the adjacent parking area and along the property line, would serve to screen and buffer the detention area from the adjacent church property.

Open Space & Private Utility Easement 'Tract B':



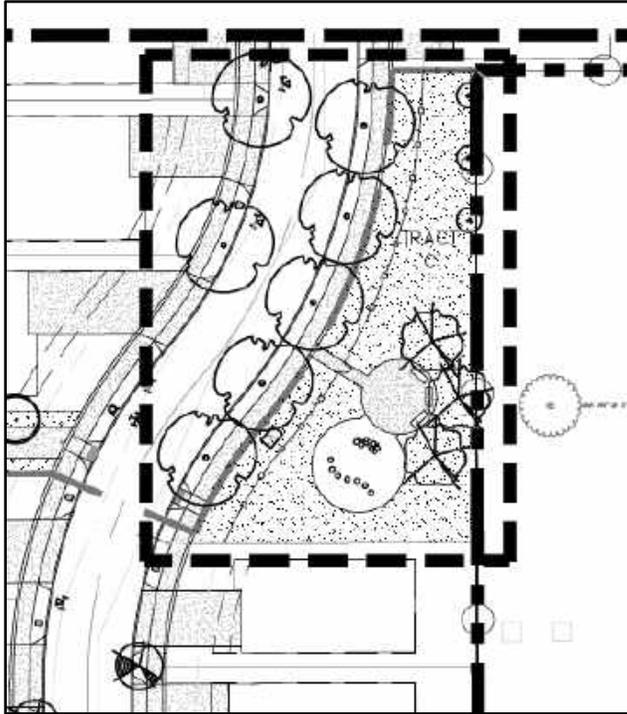
Tract B is located amid the SFD-26a lots proposed along Baker Creek Road. It would serve several functions, including active and passive recreation space and as a mid-block pedestrian way connecting Baker Creek Road to Emma Street.

The north and south ends of the tract have the same landscape treatment, *Cercis canadensis* (Eastern Redbud) trees and *Syringa patula 'Miss Kim'* (Miss Kim Korean Lilac) planted in a mix of small ornamental and native shrubs. The mix includes the ornamental shrubs Lucky Lots Abelia, Silver Queen Euonymus, Gulf Stream Nandina, and Dwarf Alaska Blue Willow, and native shrubs Kelsey Dogwood and Evergreen Huckleberry. Four benches are located in the planting areas to provide seating opportunities.

A play structure is located in the northern portion of the tract, with engineered wood fiber surfacing. A lawn area is located to the south of the play structure. Planting areas with *Gleditsia triacanthos 'Sunburst'* (Sunburst Honey Locust) trees and *Helictotrichon sempervirens* (Blue

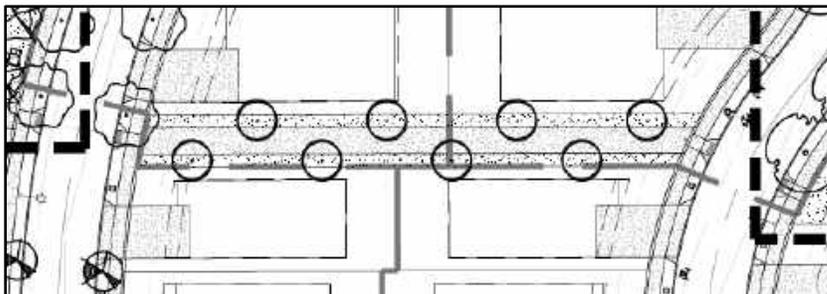
Oat Grass) provide separation between the spaces. Paths on the east and west sides of the tract connect the sidewalks along Baker Creek Road and Emma Street.

Open Space 'Tract C':



Tract C is located along Shadden Drive, north of Tract A. In Tract C, a three (3) foot white rail fence matching that found around the Tract A detention area and along Baker Creek Road encloses an open lawn space and a play area. The play elements in the Tract C are natural wood stumps arranged to create a climbing element and trail on an engineered wood fiber surface. Next to the play area is a seating area with three (3) benches under *Cercis canadensis* (Eastern Redbud) trees. *Acer circinatum* (Vine Maple) trees would provide additional screening of the open space from the adjacent church property to the east.

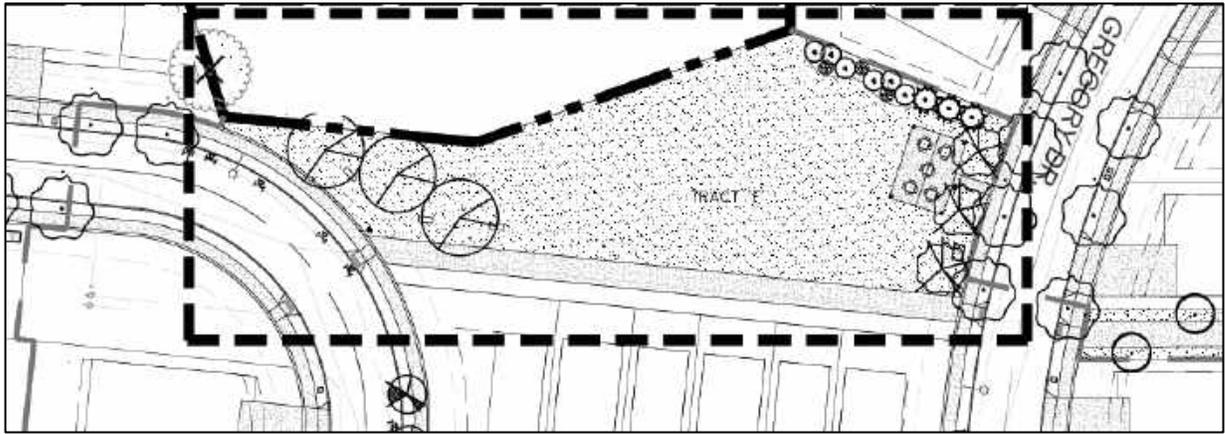
Open Space 'Tract D' & 'Tract E':



Tracts D and E connect across phase lines to provide a pedestrian connection from Shadden Drive to Gregory Drive. On each side of a 10 foot wide path, a five (5) foot wide landscape area is proposed with *Carpinus betulus* 'Frans

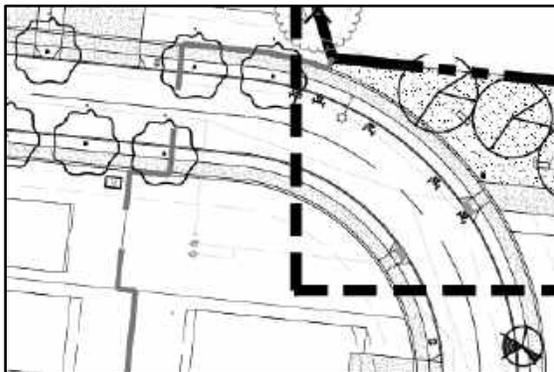
Fontaine' (Frans Fontaine Hornbeam) trees and lawn. The trees are spaced at 50 feet on center, alternating spacing on each side of the path. Frans Fontaine Hornbeams grow to 40 feet tall and 25 feet wide. The proposed spacing of the trees would allow near continuous canopy over the walkway.

Open Space 'Tract F':



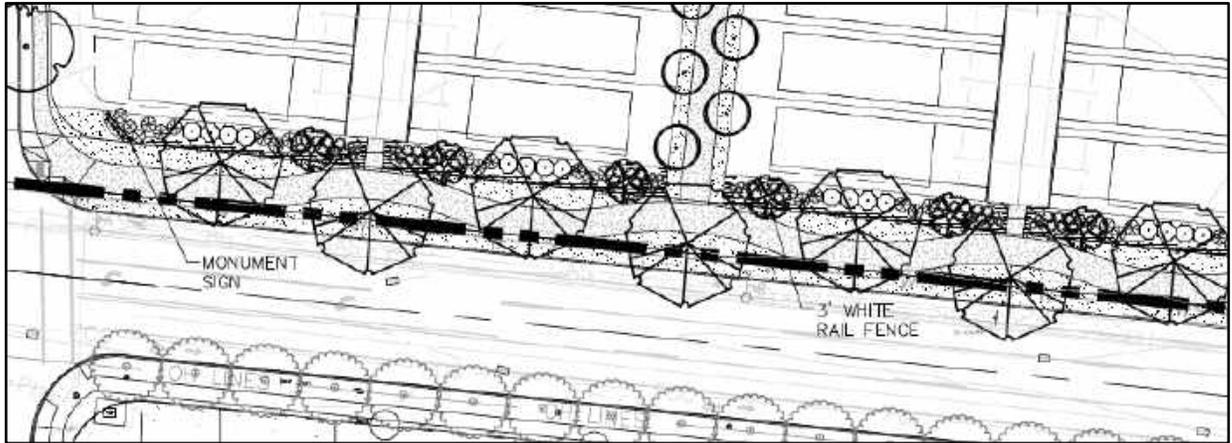
Tract F is centrally located in the planned development between Gregory Drive and Charles Street. It is contiguous to the proposed 14.9 acre park dedication to the north. It is accessed from sidewalks along Gregory Drive and Charles Street, and from a pedestrian walkway in an access easement along the southern edge of the tract. On the western side of the tract, *Gleditsia triacanthos* 'Sunburst' (Sunburst Honey Locust) trees and benches would be along a future woodchip path leading to the park trail to the north. A large open lawn area would separate the western side from the picnic shelter on the eastern side of Tract F. A permanent picnic shelter measuring approximately 22 feet by 30 feet would cover five (5) picnic tables. *Cercis canadensis* (Eastern Redbud) trees would buffer the shelter from the Gregory Drive right-of-way, and a row of *Calocedrus decurrens* (Incense Cedar), *Acer circinatum* (Vine Maple), and *Syringa patula* 'Miss Kim' (Miss Kim Korean Lilac) would provide screening and buffering from the adjacent residential lot to the north, Lot 216.

Pump Station 'Tract G':



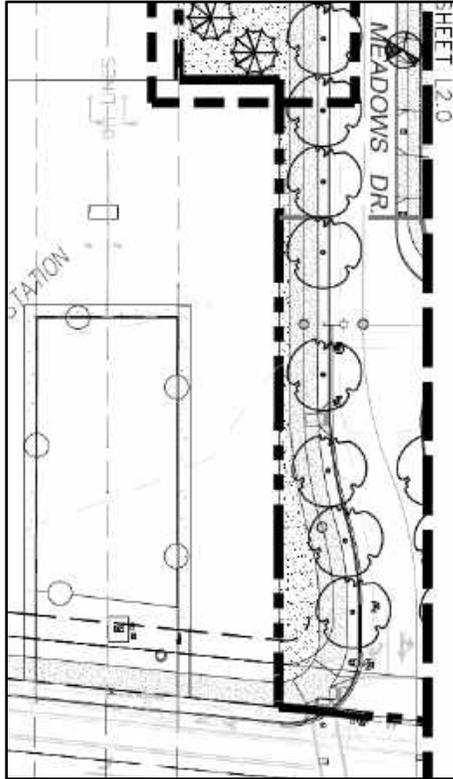
Landscaping was not proposed for Tract G at the intersection of Charles Street and Alfred Drive, where a sewer pump station is located. Tract G is adjacent to residential lots 60, 109, and 110, and is across the street from lots 49, 111, and Open Space Tract F. There is no screening or buffering of the pump station from the adjacent residential uses. A condition of approval requiring landscaping to screen and buffer the sewage pump station has been included.

Open Space & Private Utility Easement 'Tract H':



Tract H is a ten (10) foot wide space located along the planned development's Baker Creek Road frontage, from Shadden Drive to Meadows Drive and north of additional right-of-way dedication. Separating the meandering sidewalk, street trees, and lawn in the right-of-way from Tract H is a three (3) foot high white rail fence, consistent with existing fencing along the developments at the south side of Baker Creek Road and Hill Road. The fencing would end in monument signs at the Meadows Drive and Shadden Drive intersections with Baker Creek Road. Behind the white rail fence, planting areas are proposed. A repeating pattern of ornamental and native shrubs and trees is proposed adjacent to each SFD-26a lot along Baker Creek Road, with connections to the alleys, pedestrian ways, and open space tracts between the planting areas. Shrubs proposed in these areas include *Juniperus chinensis 'Blue Point'* (Blue Point Juniper), *Cornus alba 'Elegantissima'* (Variegated Redtwig Dogwood), *Myrica californica* (Pacific Wax Myrtle), *Mahonia aquifolium* (Tall Oregon Grape), and *Helictotrichon sempervirens* (Blue Oat Grass). In each planting area, *Malus 'Royal Raindrops'* (Royal Raindrops Flowering Crabapple) or *Amelanchier alnifolia* (Pacific Serviceberry) trees are proposed.

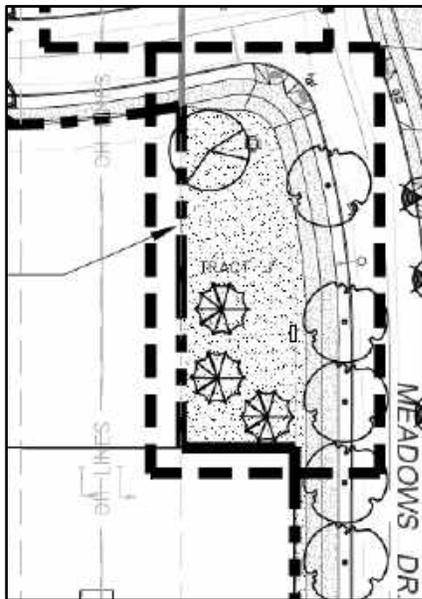
Open Space 'Tract I':



Tract I is located between the McMinnville Water and Light Substation and Meadows Drive. It would be the beginning of the northerly extension of the Westside Bicycle/Pedestrian Greenway, which currently terminates across Baker Creek Road from Tract I. A 10 foot wide paved multi-use trail is proposed similar to the existing multi-use trail to the south. Lawn is proposed throughout the tract, with street trees lining the trail adjacent to Meadows Drive.

Based on comments from McMinnville Water & Light, trees surrounding the electric substation should be limited in height to 25 feet. A condition is included limiting the height of any trees located in Open Space Tract I to a maximum mature canopy height of 25 feet.

Open Space 'Tract J':

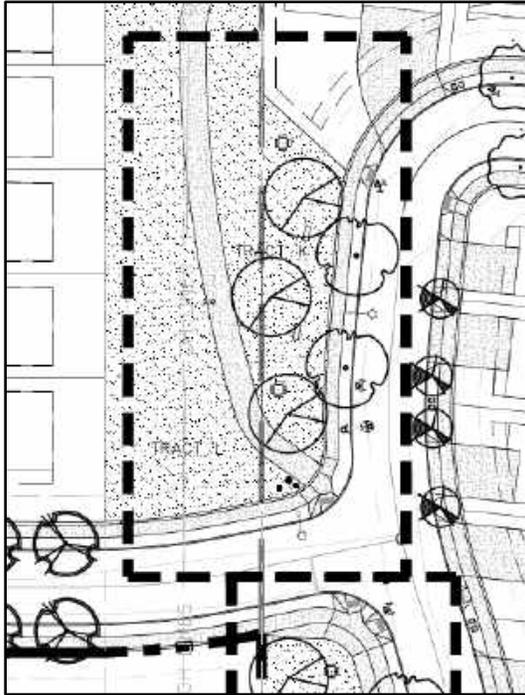


Tract J located north of the McMinnville Water and Light substation and east of the adjacent commercially zoned property, at the intersection of Meadows Drive and Kent Street. It is the continuation of the multi-use trail from Tract I. Like in Tract I, a 10 foot wide multi-use trail is proposed as a continuation of the Westside Bicycle/Pedestrian Greenway. An open lawn space is proposed adjacent to the substation and commercial property. Evergreen *Pseudotsuga menziesii* (Douglas Fir) trees and a deciduous *Gleditsia Triacanthos 'Sunburst'* (Sunburst Honey Locust) are indicated on the Landscape Plan along the west and south property lines bordering the substation and commercial property. A picnic table is proposed in the lawn area, and a bench is proposed adjacent to the trail.

Douglas Fir trees can grow to approximately 100 feet tall and 30 feet wide, and Sunburst Honey Locust grow to approximately 40 feet tall and wide. Based on comments from McMinnville Water & Light, trees surrounding the electric substation should be limited in height to 25 feet. Additionally, trees adjacent to the transmission easement should be limited in height 40 feet and located such that no canopy encroaches into the transmission easement. A condition is included limiting the height of any trees in Open Space Tract J adjacent to the electric substation to a maximum mature canopy height of 25 feet, and no tree in Tract J shall

exceed a maximum mature canopy height of 40 feet or be located such that no canopy encroaches into the transmission easement.

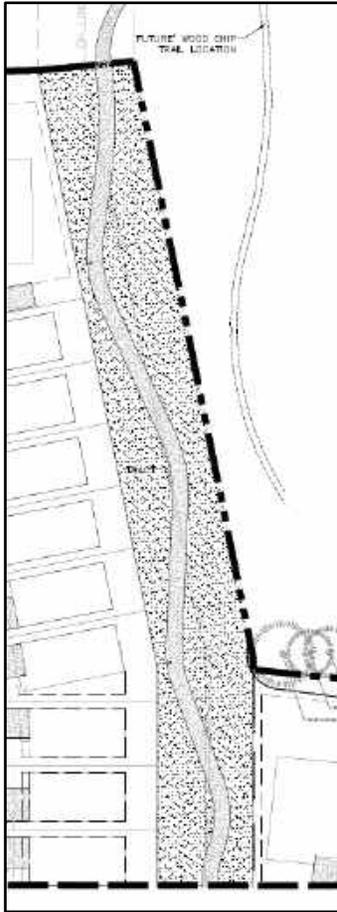
Open Space 'Tract K':



Tract K is the northerly continuation of the Westside Bicycle/Pedestrian Greenway multi-use trail across Kent Street. The tract is between Tract L (described below) and Meadows Drive. Lawn is indicated on the Landscape Plan for Tract K, and three (3) *Gleditsia Triacanthos* 'Sunburst' (Sunburst Honey Locust) are shown, making a visual connection with the same tree proposed in Tract J. Two (2) benches and a picnic table would be located below the Sunburst Honey Locusts in the open lawn area of Tract K.

Sunburst Honey Locusts grow approximately 40 feet tall and wide. Based on comments from McMinnville Water & Light, trees in Tract K should be located such that no canopy encroaches into the transmission easement. A condition is included limiting the height of any trees in Open Space Tract K to a maximum mature canopy height of 40 feet and to locations such that no canopy encroaches into the transmission easement.

Open Space & Access Easement 'Tract L':



Tract L is the northernmost extension of the Westside Bicycle/Pedestrian Greenway through the planned development and BPA easement, leading to the proposed park dedication. A 10 foot wide multi-use trail is proposed, meandering through an open lawn area below overhead electric transmission lines. Because of the overhead lines, trees in the Access Easement are not recommended. Based on McMinnville Water & Light comments, conditions of approval are included to restrict the placement of trees inside Open Space & Access Easement Tract L, limiting the height of any trees in adjacent to Tract L to a maximum mature canopy height of 40 feet and to locations such that no canopy encroaches into the transmission easement, and to ensure no picnic table or other public amenity blocks access to transmission facilities.

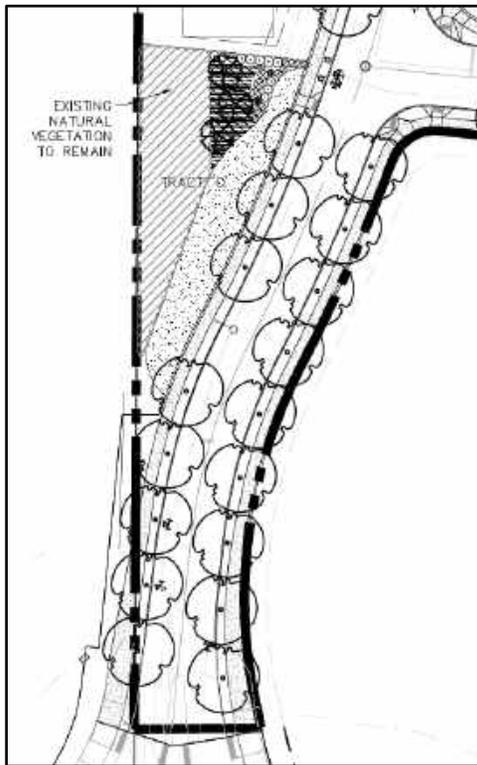
Additionally, no street trees should be located within the public right-of-way in the transmission line easement, where they would be in incompatible with electrical transmission lines overhead.

Open Space 'Tract N':



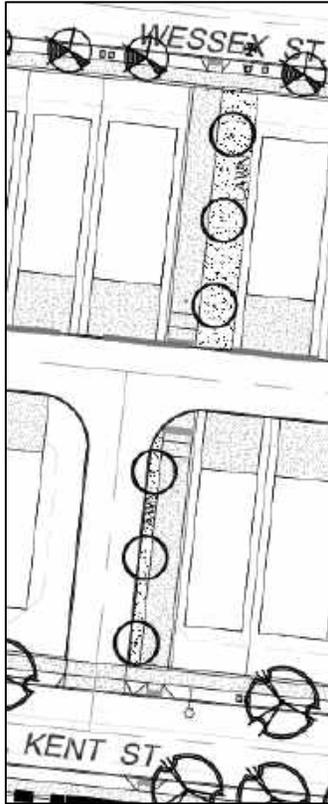
Tract N is located north of Mercia Street. It slopes from the Mercia Street down to the proposed park dedication, and has many mature native oak trees that are part of a larger stand extending into the park to the north. Four trees are requested to be removed to accommodate site development, but the remainder of existing trees and vegetation in Tract N would remain largely undisturbed. A storm water discharge would be located within Tract N.

Open Space 'Tract O':



Open Space Tract O is located on the west side of Hill Lane, north of the roundabout at Baker Creek Road and Hill Road. Existing natural vegetation is retained on the west side of the tract. Open lawn is proposed along the Hill Lane right-of-way which is shown with a sidewalk and street trees. At the north end of the open space, a planting area is proposed adjacent to Lot 163. The landscape plan specifies an evergreen hedge of *Ligustrum japonicum* 'Texanum' (Waxleaf Privet) along the northern lot line. *Malus* 'Royal Raindrops' (Royal Raindrops Flowering Crabapple) or *Amelanchier alnifolia* (Pacific Serviceberry) trees are shown among a mix of ornamental shrubs Lucky Lots Abelia, Silver Queen Euonymus, Gulf Stream Nandina, and Dwarf Alaska Blue Willow, and native shrubs Kelsey Dogwood and Evergreen Huckleberry. Other plants proposed in the planting area are *Abelia grandiflora* 'Kaleidoscope' (Kaleidoscope Abelia), *Juniperus chinensis* 'Blue Point' (Blue Point Juniper), *Viburnum tinus* 'Spring Bouquet' (Spring Bouquet Viburnum), and *Miscanthus sinensis* 'Morning Light' (Morning Light Maiden Grass).

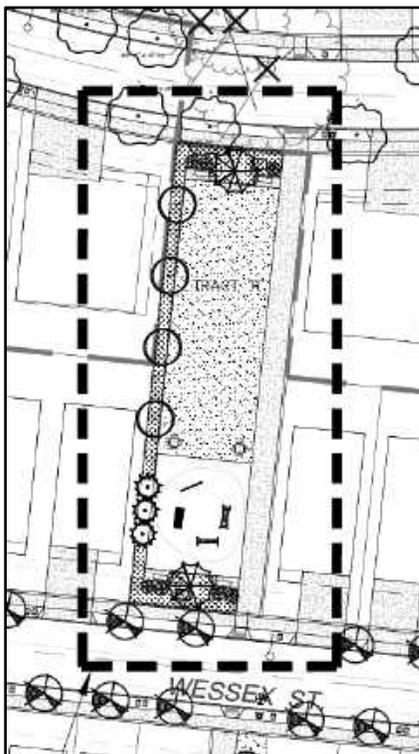
Open Space 'Tract P' and Open Space 'Tract Q':



Tract P is an open space tract adjacent to the public alley proposed between Lots 152 and 153. A 10 foot wide walkway would provide pedestrian access through the space and connect to Tract Q to the north. Between the pedestrian path and the alley is a planter strip with three (3) *Carpinus betulus* 'Frans Fontaine' (Frans Fontaine Hornbeam) trees and lawn. The trees are spaced at 30 feet on center, which would allow near continuous canopy over the walkway. Frans Fontaine Hornbeam have an approximate 25 foot wide canopy.

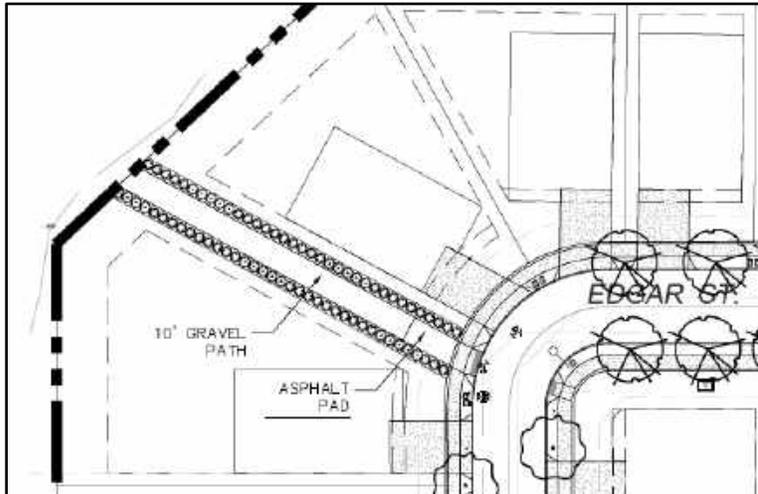
Tract Q is the portion of the midblock pedestrian accessway from Wessex Street to the alley, between Lots 175 and 176. A 10 foot wide walkway aligns with the walkway in Tract P to the south. Between the walkway and Lot 176, an open space approximately 12 feet wide with three (3) *Carpinus betulus* 'Frans Fontaine' (Frans Fontaine Hornbeam) trees and lawn is proposed. The trees are spaced at 30 feet on center, which would allow near continuous canopy over the walkway. Frans Fontaine Hornbeam have an approximate 25 foot wide canopy.

Open Space 'Tract R':



Tract R is a located between Mercia Street and Wessex Street, and is the northern continuation of the midblock pedestrian accessway that includes Tracts P and Q. Tract R also includes passive and active recreation amenities. The 10 foot wide pedestrian path is located along the eastern edge of the tract. Around the remainder of the perimeter of the open space, planting areas are proposed to screen and buffer Tract R from the adjacent residential lots and the Mercia and Wessex Street rights-of-way. On the west side of Tract R, four (4) *Carpinus betulus* 'Frans Fontaine' (Frans Fontaine Hornbeam) are shown at 30 feet on center. Three (3) *Calocedrus decurrens* (Incense Cedar) are shown at 10 feet on center. On the north and south ends of Tract R adjacent to the rights-of-way, Douglas Fir trees are proposed with Miss Kim Korean Lilac shrubs. The remainder of the perimeter planting is the ornamental and native shrub mix including Lucky Lots Abelia, Silver Queen Euonymus, Gulf Stream Nandina, Dwarf Alaska Blue Willow, Kelsey Dogwood, and Evergreen Huckleberry. A playground is located on the south end of Tract R, with four (4) distinct play elements. Four benches are located around the perimeter, and an open lawn space with two (2) picnic tables makes up the northern portion of the open space.

Open Space 'Tract S':



Tract S is located at the intersection of Edgar Street and Gregory Drive. It is a pedestrian accessway leading to the nature trail in the proposed park dedication. A 10 foot wide gravel path with an asphalt pad near the street intersection is flanked by five (5) foot wide planting strips. Plants proposed along the path are Rosa nutkana (Nootka Rose) and Mahonia aquifolium (Tall Oregon Grape). Both species are native to the Pacific Northwest.

Generally, the proposed landscaping is compatible with the proposed project and the surrounding and abutting properties and the uses occurring thereon. However, no landscaping was proposed for Pump Station Tract G, which the City has determined to be not compatible with the project or with surrounding properties. Restrictions on tree height and location in Tracts I, J, K, and L adjacent to and including the electrical substation and transmission line easement will ensure compatibility with the surrounding uses. Landscaping is shown within the public utility easement adjacent to the right-of-way in Tracts A, B, H, O, R, and S. Landscape design should accommodate utilities.

**CONDITIONS FOR FINDING:** That landscaping be provided for Sewage Pump Station Tract 'G'. Landscaping shall be provided at an amount equal to or greater than 25 percent of the gross area of the tract, and shall provide screening of the pump station from surrounding properties.

That trees in Open Space Tract 'I' adjacent to the electric substation shall have a maximum mature canopy height of 25 feet.

That trees in Open Space Tract 'J' adjacent to the electric substation shall have a maximum mature canopy height of 25 feet, and trees in Tract 'J' shall have a maximum mature canopy height of 40 feet and be located such that no tree canopy encroaches into the transmission easement.

That trees in Open Space Tract 'K' shall have a maximum mature canopy height of 40' and be located such that no tree canopy encroaches into the transmission easement.

That no trees are allowed within Open Space and Access Easement Tract 'L'. Trees adjacent to Tract 'L' shall have a maximum mature canopy height of 40 feet and be located such that no tree canopy encroaches into the transmission line easement. No picnic table or other public amenity in Tract 'L' shall block access to transmission facilities.

That the applicant shall maintain proper clearances around the existing and future water and electrical services that will be located on the site. Landscaping shall not be placed within four (4) feet of fire hydrants, within four (4) feet of water valves, within four (4) feet of vaults, within three (3) feet of the back or side of a transformer, or within one (1) foot of water meters. Minor

adjustments in plant placement from the locations shown on the approved landscape plan are allowed if relocation is necessary to meet minimum clearances.

That no street tree shall be located within the transmission line easement. Street trees adjacent to the transmission line easement shall have a maximum mature canopy height of 40 feet and shall be located such that no tree canopy encroaches into the transmission line easement.

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

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #6.** The uses proposed in open space tracts throughout the planned development are consistent with permitted uses in the underlying residential zone (R-4), and would not be generally be considered conflicting land uses that require extensive screening. The proposed landscape plans for the open space tracts specify perimeter landscaping where feasible and practical that would provide appropriate screening and buffering of certain uses within each open space tract from adjacent uses. See table below:

Tract	Proposed Uses	Adjacent Uses	Screening Recommended	Screening Provided	Additional Screening Recommended
A	storm water detention	church right-of-way	✓	✓	
B	open space, playground	residential lots right-of-way	✓	✓	
C	open space, playground	church residential lots right-of-way	✓	✓	
D	pedestrian access way	residential lots right-of-way		✓	
E	pedestrian access way	residential lots right-of-way		✓	
F	open space, picnic shelter	residential lots right-of-way park dedication access easement	✓	✓	
G	sewage pump station	residential lots right-of-way open space	✓		✓
H	open space	residential lots right-of-way	✓	✓	
I	bicycle/pedestrian trail	substation right-of-way			
J	bicycle/pedestrian trail, open space	substation right-of-way future commercial	✓	✓	
K	bicycle/pedestrian trail, open space	residential lots right-of-way bike/ped trail		✓	
L	bicycle/pedestrian trail, open space, BPA access	residential lots right-of-way park dedication			
N	open space	residential lots		✓	

		right-of-way park dedication			
O	open space	residential lots right-of-way agriculture		✓	
P	pedestrian access way	residential lots right-of-way		✓	
Q	pedestrian access way	residential lots right-of-way		✓	
R	open space, playground	residential lots right-of-way	✓	✓	
S	pedestrian access way	residential lots right-of-way		✓	

No landscaping is proposed for Tract G, the sewage pump station. Given the central location of the tract and pump station and the variety of adjacent uses, a condition has been included requiring landscaping for Tract G that provides screening of the permanent pump station structure from surrounding properties.

**CONDITION FOR FINDING:** That landscaping be provided for Sewage Pump Station Tract 'G'. Landscaping shall be provided at an amount equal to or greater than 25 percent of the gross area of the tract, and shall provide screening of the pump station structure from surrounding properties.

**17.57.070(B)(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.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The applicant has retained the majority of the existing trees found on the site, requesting only to remove 17 trees that are necessary for the grading and site development of the planned development as proposed. Of the 17 trees proposed for removal, 5 would be removed to accommodate additional required right-of-way dedication and improvements along the north side of Baker Creek Road. The existing grade has been preserved around the existing trees that are to remain. Additionally, the landscape plans specify tree protection fencing beyond the dripline and the critical root zone of existing trees to provide further protection during construction of the planned development. The applicant has also incorporated existing natural areas into the development of the project, specifically in Open Space Tracts 'N' and 'O'.

**17.57.070(B)(4).** The development and use of islands and plantings therein to break up parking areas.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** No parking areas outside of the individual residential lots are proposed within the planned development, therefore this planning factor is not applicable.

**17.57.070(B)(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.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #14.** The applicant is proposing to install six (6) different street tree species within the Baker Creek North subdivision. The proposed street tree species are identified in the plant list below, found on drawing L1.0 Street Tree List. All proposed tree species were found on the McMinnville Street Tree List, as approved by Resolution 2016-22. A revised street tree list updating the McMinnville Street Tree List approved by Resolution 2016-22 was developed by the Landscape Review Committee and approved by Resolution 2019-26.

PLANT LIST: STREET TREES						
SYMBOL	QTY.	LATIN NAME/ Common Name	SIZE	SPACING	MATURE HEIGHT	
SMALL TREES						
	79	PRUNUS SARGENTII Sargent's Cherry	2" cal.	As Shown	35' ht.	
	105	SYRINGA RETICULATA 'IVORY SILK' Ivory Silk Japanese Tree Lilac	2" cal.	As Shown	20' ht.	
MEDIUM TREES						
	77	ACER RUBRUM 'OCTOBER GLORY' October Glory Maple	2" cal.	As Shown	40' ht.	
	69	OSTRYA VIRGINIANA American Hophornbeam	2" cal.	As Shown	40' ht.	
LARGE TREES						
	16	CERCIDIPHYLLUM JAPONICUM Katsura Tree	2" cal.	As Shown	40' ht.	
	112	GINKGO BILOBA 'MAGYAR' Magyar Maidenhair Tree	2" cal.	As Shown	50' ht.	

All the proposed street trees except for the *Syringa reticulata 'Ivory Silk'* (Ivory Silk Japanese Tree Lilac) are Recommended Medium Tree Species on the revised street tree list approved by Resolution 2019-26. The categorization of recommended tree species was updated in the new list.

**McMinnville Street Tree List**

*Recommended Medium Tree Species*

Scientific Name Common Name	Minimum Planter Width (ft.)	Under Wires?	Mature Height (ft.)	Canopy Width (ft.)	Tree Form	Flowers	Fall Color	Native	Comments
<i>Acer rubrum 'October Glory'</i> October Glory Red Maple	5	No	40	35		n/a			One of the last trees to color in fall
<i>Cercidiphyllum japonicum</i> Katsura Tree	5	No	40	40		n/a			Sensitive to drought
<i>Ginkgo biloba 'Magyar'</i> Magyar Ginkgo	5	No	50	25		n/a			Male only; More upright and narrow than Autumn Gold
<i>Ostrya virginiana</i> Hophornbeam	5	No	40	25		n/a			Hop-like fruit, slow growing; tolerant of urban conditions

<i>Prunus sargentii</i> Sargent Flowering Cherry	S	No	30	30				Single pink flowers; good fall color; mahogany colored bark.
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The proposed species that is not found on the street tree list, *Syringa reticulata* 'Ivory Silk' (Ivory Silk Japanese Tree Lilac), is consistent with the desired characteristics for street trees, found in the McMinnville Street Tree List:

- Single trunked to allow for adequate vision clearance;
- Growth characteristics that allow for the lower branching to be maintained at a minimum of eight feet above grade to allow for adequate vision and pedestrian clearance;
- Non-columnar to provide the maximum amount of tree canopy (some exceptions);
- Relatively deeper rooting system to protect sidewalks, lawns, and utilities;
- Not brittle or weak-wooded;
- Deciduous;
- Do not drop excessive amounts of litter (fruits, nuts), have thorns, or excessive sap; and
- Not listed as a prohibited tree.

The Ivory Silk Japanese Tree Lilac is a flowering, single-trunked deciduous tree that matures to approximately 25 feet in height and 15 feet in width, placing it in the small tree category. Its upright form yields good clearance below. It is not found on the prohibited tree list. Although not found on the updated Street Tree List, the City finds that the proposed *Syringa reticulata* 'Ivory Silk' (Ivory Silk Japanese Tree Lilac) is an appropriate small street tree species because it is consistent with the desired street tree characteristics.

**CONDITION FOR FINDING:** That the approved street tree species for the Baker Creek North subdivision are:

- a. Small Trees
  - i. *Syringa reticulata* 'Ivory Silk' (Ivory Silk Japanese Tree Lilac)
- b. Medium Trees
  - i. *Acer rubrum* 'October Glory' (October Glory Red Maple)
  - ii. *Cercidiphyllum japonicum* (Katsura Tree)
  - iii. *Ginkgo biloba* 'Magyar' (Magyar Ginkgo)
  - iv. *Ostrya virginiana* (American Hophornbeam)
  - v. *Prunus sargentii* (Sargent Cherry)

**17.57.070(B)(6).** Suitable watering facilities or irrigation systems must be included in or near all planted areas.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #12.** The applicant has submitted irrigation plans specifying an automatic irrigation system for all landscaping within open space tracts, except for Tract S, and for all street trees adjacent to open space tracts. Additionally automatic irrigation is provided for street trees on the block north of the commercially zoned property, bounded by Wessex Street to the north, Hill Lane to the west, Kent Street to the south, and Harold Drive to the east, and for the block north of Baker Creek Road, bounded by Shadden Drive to the east, Meadows Drive to the west, and Emma Street to the north.

The irrigation plan indicates that no automatic irrigation system is proposed for Phase 3 of the Planned Development. Included in Phase 3 is Open Space Tract S, the pedestrian access from Edgar Street to the nature trails in the proposed park dedication. According to the Irrigation

Plan, Tract S “Native shrubs to be watered by hand until established”. However, suitable watering facilities are not indicated on the submitted plans. Therefore, a condition requiring automatic irrigation for Tract S has been included.

**CONDITION FOR FINDING:** That an automatic irrigation system be provided to landscape areas within Open Space Tract ‘S’.

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

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #13.** A condition of approval is included to require that all landscaping approved by the City and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

**CONDITION FOR FINDING:** That all landscaping approved by the City and required as conditions of approval shall be maintained, including necessary watering, weeding, pruning, mowing, and replacement.

## **Chapter 17.58. Trees**

**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; reduce costs for energy, stormwater management, and erosion control; 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 increase property values and build stronger ties within neighborhoods; 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.

**APPLICANT’S RESPONSE:** None.

**FINDING: SATISFIED.** The street tree plan will establish tree cover on new public right-of-way to be dedicated to the City. It will provide for tree-lined streets in the new residential planned development and will enhance the appearance of the City. Conditions of approval have been included in the findings described in further detail below to ensure that the planting of street trees meets all necessary street tree standards, which will result in the appropriate planting and maintenance of the street trees. This will help minimize hazard, nuisance, damage, and maintenance costs.

**Section 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 with trunks located completely or partially within any public area or right-of-way;
- C. All trees with trunks located completely within 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 to or undergoing development review such as site plan review, tentative subdivision review, or partition review;

**APPLICANT'S RESPONSE:** The applicant is requesting development review of its application for a planned development and subdivision to create 280 single-family detached lots, construct public streets and alleys, and develop common open space areas as illustrated on the plans. Therefore, per subsection D. above, the provisions of Chapter 17.58 apply to trees on the planned development site.

**FINDING: SATISFIED.** The City concurs with the applicant's finding.

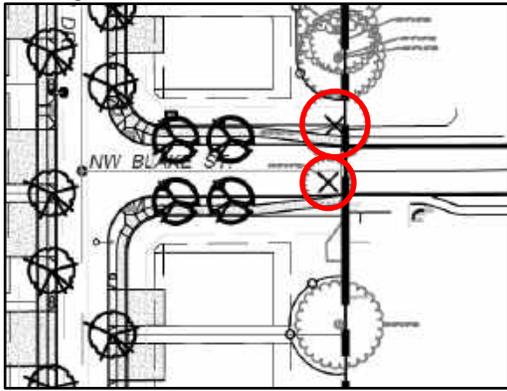
**Section 17.58.040 Tree Removal/Replacement.**

**17.58.040(A).** The removal or major pruning of a tree, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application 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, and the costs associated with tree removal, replacement, and repair of any other public infrastructure impacted by the tree removal or major pruning. 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 30 (thirty) 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 their 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 written notice of the appeal is filed with the Planning Department within 15 (fifteen) 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.

**APPLICANT'S RESPONSE:** The exhibit landscaping plan drawing L1.0 Street Tree Plan indicates that the applicant is proposing to remove trees to facilitate site development of the planned development. The applicant requests concurrent review and approval of this request with the proposed planned development and subdivision applications.

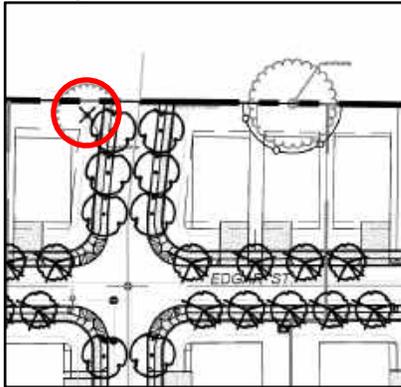
**FINDING: SATISFIED.** The City concurs with the applicant's finding's finding. Drawing L1.0 Street Tree Plan indicates that 17 trees are proposed for removal. The applicant has indicated the location, type, and size of the trees requested for removal on the Street Tree Plan, shown in more detail in Street Tree Plan Enlargements A-F and accompanying tree schedules below. The requested tree removals are not designated as exempt by the zoning ordinance, therefore the requested removals require City approval.

*Enlargement A: Blake Street*



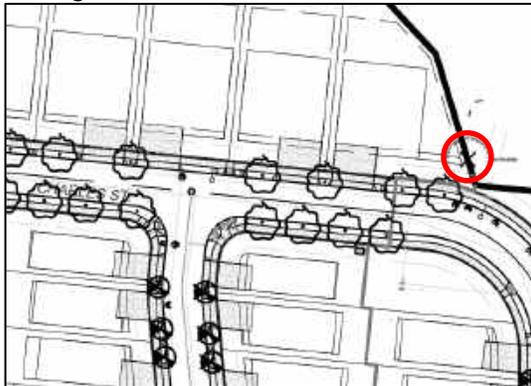
Blake Street	
Species	Size (DBH)
Oak	27"
Oak	28"

*Enlargement B: Shadden Drive*



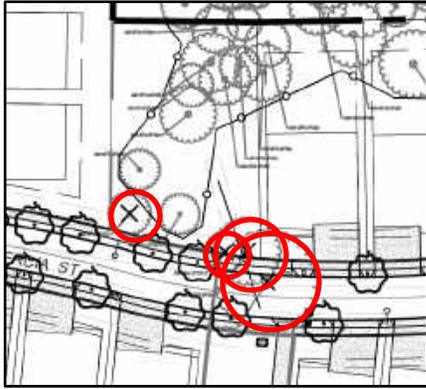
Shadden Drive	
Species	Size (DBH)
Oak	38"

*Enlargement C: Charles Street*



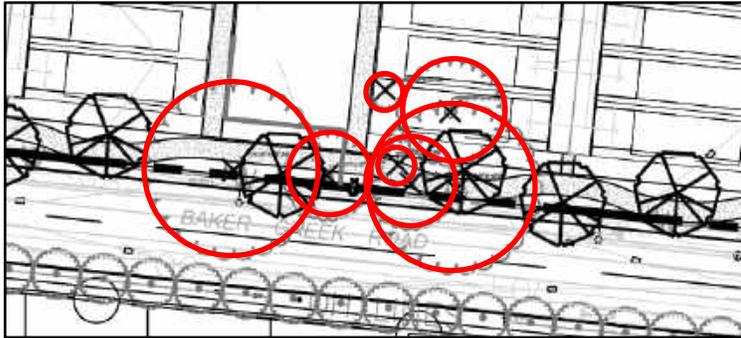
Charles Street	
Species	Size (DBH)
Oak	27"

Enlargement D: Mercia Street



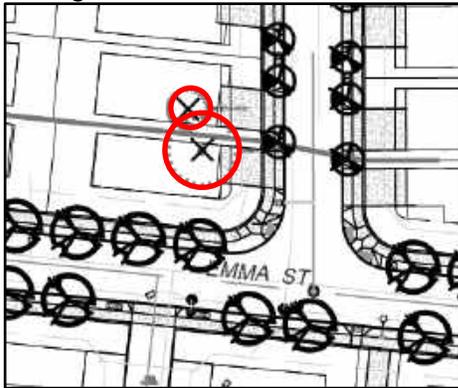
Mercia Street	
Species	Size (DBH)
Oak	17"
Oak	18"
Oak	Unknown
deciduous	Unknown

Enlargement E: Baker Creek Road



Baker Creek Road	
Species	Size (DBH)
Oak	52"
Oak	24"
deciduous	10"
Walnut	37"
deciduous	unknown
Oak	33"
Oak	37"

Enlargement F: Emma Street



Emma Street	
Species	Size (DBH)
Apple	14"
deciduous	11"

**17.58.040(B).** Trees subject to this ordinance shall be removed or pruned following accepted pruning standards adopted by the City. [...]

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Because the tree removal request relates to trees on developable land undergoing development review and not street tree removal, this standard is not applicable to this request.

**17.58.040(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.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #3 and 4.** Conditions of approval have been included to ensure that the applicant shall be responsible for all costs associated with the tree removal, and that steps are taken to ensure safety to individuals and public and private property.

**CONDITION FOR FINDING:** That all costs and liability associated with tree removal shall be borne by the applicant.

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 the tree removal or planting process.

**17.58.040(D).** Approval of a request to remove a tree may be conditioned upon replacement of the tree with another tree approved by the city [...]

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** The applicant has proposed to remove 17 existing trees from the property to facilitate site development of the planned development. The landscape plan indicates that 108 trees are proposed to be planted within the open space tracts of the planned development. With a tree replacement ratio of over 6 to 1, the City does not require additional specific replacement trees for the 17 trees requested for removal.

**17.58.040(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.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Because the tree removal request relates to trees on developable land undergoing development review and not street tree removal, this standard is not applicable to this request.

**17.58.040(F).** The applicant shall complete the tree removal, and tree replacement if required, within six months of receiving notification of the Landscape Review Committee's decision. The Landscape Review Committee may allow for additional time to complete the tree replacement to allow for planting in favorable seasons and to promote tree survivability.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED.** Because the tree removal request relates to trees on developable land undergoing development review and not street tree removal, this standard is not applicable to this request.

**17.58.040(G).** Other conditions may be attached to the permit approval by the Landscape Review Committee as deemed necessary.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #21.** A condition of approval have been included to ensure that McMinnville’s street tree standards are met.

**CONDITION FOR FINDING:** That the applicant shall schedule an inspection with the McMinnville Public Works Superintendent of the installed root barrier and water tubes prior to any street tree planting. Trees intended for planting shall be on-site and available for inspection. The applicant shall contact the McMinnville Public Works Superintendent, at (503) 434-7316 to schedule a planting inspection prior to backfilling.

**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.
- B. The tree is in conflict with public improvements.
- 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.
- D. Verification of tree health or a tree’s impacts on infrastructure shall be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.

**APPLICANT’S RESPONSE:** With concurrent review and approval of this tree removal request with the proposed planned development and subdivision applications, the trees proposed for removal are part of an approved development project which meets criteria C. above.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #5.** The City concurs with the applicant’s finding’s finding. The applicant has requested the removal of 17 trees with concurrent review and approval of this request with the proposed planned development and subdivision applications. Removal of the 17 identified trees would facilitate the site development of the planned development and subdivision, if approved.

**CONDITION FOR FINDING:** That only the 17 trees identified for removal on Drawing L1.0 Street Tree Plan shall be approved for removal.

**17.58.080 Street Tree Planting—When Required.** All new multi-family development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090.

**APPLICANT’S RESPONSE:** The proposal is for a new subdivision so street tree planting is required in the curb-side planting strip.

**FINDING: SATISFIED.** The City concurs with the applicant’s finding’s finding.

**17.58.090 Street Tree Standards.**

**17.58.090(A).** The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.

**APPLICANT'S RESPONSE:** Proposed street tree species were chosen from the McMinnville Street Tree List. The trees are identified on the attached landscape drawing L1.0 Street Tree Plan, which was prepared by a landscape architect.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #14.** The applicant is proposing to install six (6) different street tree species within the Baker Creek North subdivision. The proposed street tree species are identified in the plant list below, found on drawing L1.0 Street Tree List. All proposed tree species were found on the McMinnville Street Tree List, as approved by Resolution 2016-22. A revised street tree list updating the McMinnville Street Tree List approved by Resolution 2016-22 was developed by the Landscape Review Committee and approved by Resolution 2019-26.

PLANT LIST: STREET TREES						
SYMBOL	QTY.	LATIN NAME/ Common Name	SIZE	SPACING	MATURE HEIGHT	
SMALL TREES						
	79	PRUNUS SARGENTII Sargent's Cherry	2" cal.	As Shown	35' ht.	
	105	SYRINGA RETICULATA 'IVORY SILK' Ivory Silk Japanese Tree Lilac	2" cal.	As Shown	20' ht.	
MEDIUM TREES						
	77	ACER RUBRUM 'OCTOBER GLORY' October Glory Maple	2" cal.	As Shown	40' ht.	
	69	OSTRYA VIRGINIANA American Hophornbeam	2" cal.	As Shown	40' ht.	
LARGE TREES						
	16	CERCIDIPHYLLUM JAPONICUM Katsura Tree	2" cal.	As Shown	40' ht.	
	112	GINKGO BILOBA 'MAGYAR' Magyar Maidenhair Tree	2" cal.	As Shown	50' ht.	

All the proposed street trees except for the *Syringa reticulata 'Ivory Silk'* (Ivory Silk Japanese Tree Lilac) are Recommended Medium Tree Species on the revised street tree list approved by Resolution 2019-26. The categorization of recommended tree species was updated in the new list.

**McMinnville Street Tree List**

*Recommended Medium Tree Species*

Scientific Name Common Name	Minimum Planter Width (ft.)	Under Wires?	Mature Height (ft.)	Canopy Width (ft.)	Tree Form	Flowers	Fall Color	Native	Comments
<i>Acer rubrum 'October Glory'</i> October Glory Red Maple	5	No	40	35		n/a			One of the last trees to color in fall
<i>Cercidiphyllum japonicum</i> Katsura Tree	5	No	40	40		n/a			Sensitive to drought
<i>Ginkgo biloba 'Magyar'</i> Magyar Ginkgo	5	No	50	25		n/a			Male only; More upright and narrow than Autumn Gold

<i>Ostrya virginiana</i> Hophornbeam	5	No	40	25		n/a			Hop-like fruit, slow growing; tolerant of urban conditions
<i>Prunus sargentii</i> Sargent Flowering Cherry	5	No	30	30					Single pink flowers; good fall color; mahogany colored bark

The proposed species that is not found on the street tree list, *Syringa reticulata* 'Ivory Silk' (Ivory Silk Japanese Tree Lilac), is consistent with the desired characteristics for street trees, found in the McMinnville Street Tree List:

- Single trunked to allow for adequate vision clearance;
- Growth characteristics that allow for the lower branching to be maintained at a minimum of eight feet above grade to allow for adequate vision and pedestrian clearance;
- Non-columnar to provide the maximum amount of tree canopy (some exceptions);
- Relatively deeper rooting system to protect sidewalks, lawns, and utilities;
- Not brittle or weak-wooded;
- Deciduous;
- Do not drop excessive amounts of litter (fruits, nuts), have thorns, or excessive sap; and
- Not listed as a prohibited tree.

The Ivory Silk Japanese Tree Lilac is a flowering, single-trunked deciduous tree that matures to approximately 25 feet in height and 15 feet in width, placing it in the small tree category. Its upright form yields good clearance below. It is not found on the prohibited tree list. Although not found on the updated Street Tree List, the City finds that the proposed *Syringa reticulata* 'Ivory Silk' (Ivory Silk Japanese Tree Lilac) is an appropriate small street tree species because it is consistent with the desired street tree characteristics.

**CONDITION FOR FINDING:** That the approved street tree species for the Baker Creek North subdivision are:

- a. Small Trees
  - vi. *Syringa reticulata* 'Ivory Silk' (Ivory Silk Japanese Tree Lilac)
- b. Medium Trees
  - vii. *Acer rubrum* 'October Glory' (October Glory Red Maple)
  - viii. *Cercidiphyllum japonicum* (Katsura Tree)
  - ix. *Ginkgo biloba* 'Magyar' (Magyar Ginkgo)
  - x. *Ostrya virginiana* (American Hophornbeam)
  - xi. *Prunus sargentii* (Sargent Cherry)

**17.58.090(B).** Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.

**APPLICANT'S RESPONSE:** Following site construction, the street trees will be planted according to the specifications of this code section, as noted on the attached landscaping plans included with this application.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #20.** The City concurs with the applicant's finding's finding. A condition of approval is included to ensure that street trees shall meet City standards for size and quality at the time of planting.

**CONDITION FOR FINDING:** That street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well-developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.

**17.58.090(C).** Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. [...]

**APPLICANT'S RESPONSE:** The proposed stature of the street trees, small, medium, and large, as well as the mature height and proposed spacing are referenced on the landscaping drawing L1.0 Street Tree Plan. This planned development is a residential neighborhood where street trees are evenly spaced where possible. The applicant is requesting concurrent approval by the City to permit variations to the spacing as shown on the plans. The proposed modifications are due to specific site limitations inherent in a planned development with a mix of housing types, a variety of lot widths, and range of driveway types, coupled with pedestrian curb ramps, alley access ramps, lamp posts, and other utility conflicts.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #15 and 17.** The Street Tree Plan has been requested for concurrent review and approval with the Planned Development and Subdivision applications. Approval of the Planned Development and Subdivision would allow variances to lot sizes and widths. The Street Tree Plan illustrates the proposed lot layout, along with proposed building envelopes, driveways, and utility locations. The applicant is requesting as part of the planned development approval street tree spacing that varies from the standards of the code as shown on the drawing L1.0 Street Tree Plan. In higher density developments lot frontage decreases and frequency of driveways and utilities increase, creating conflicts that require greater spacing between street trees than outlined in the code. The applicant notes that the planned development compensates for the increase in spacing in the following ways:

- The applicant is proposing to encroach into the minimum 5-ft. spacing requirement for street trees by wrapping a root barrier from the curb to sidewalk in front of the apron's wing as shown in the Root Barrier Detail on drawing L.1.0 Street Tree Plan. In addition, the applicant is proposing to encroach into 10-ft. spacing requirement for street trees by wrapping a root barrier adjacent to the water meter as shown in the detail. This is primarily in front of SFD-40 & SFD-45 lots, but may occur on other lots in the development.
- SFD-30a & SFD-26a lots are served with vehicle access from an alley. This reduces the frequency of driveway conflicts allowing more street trees to be provided on the block face.
- Street tree frequency is maximized on side street block faces where no driveway conflicts exist.
- The planned development has various common open space tracts. Proposed tree planting in these tracts, as shown on the Landscape Plans L1.0-L10.0 add to the community's overall tree canopy, compensating for gaps in the street tree canopy due to conflicts with driveway and utility improvements.
- Many large trees are preserved in tracts and in rear yards on larger lots as shown on the drawing L1.0 Street Tree Plan.

The applicant is proposing six different street trees. One species, *Syringa reticulata* 'Ivory Silk' (Ivory Silk Japanese Tree Lilac), grows to 25 feet tall and 15 feet wide and would be considered a small stature tree. The other five species are found in the Recommended Medium Tree

Species section of the McMinnville Street tree list approved by Resolution 2019-26. *Acer rubrum* 'October Glory' (October Glory Red Maple) grows to approximately 40 feet tall and 35 feet wide. *Prunus sargentii* (Sargent Cherry) grows to approximately 30 feet tall by 30 feet wide, *Ostrya virginiana* (American Hophornbeam) grows to approximately 40 feet tall and 25 feet wide. *Cercidiphyllum japonicum* (Katsura Tree) grows to approximately 40 feet tall and wide. *Ginkgo biloba* 'Magyar' (Magyar Ginkgo) grows to approximately 50 feet tall and 25 feet wide. All reach height or canopy dimensions identified by the medium stature tree category.

Based on the infrastructure conflicts and constraints, the applicant has generally proposed street trees that comply to the spacing standards where possible. Where the small stature trees are proposed in front of narrower lots, the spacing is typically 20 to 30 feet, unless greater spacing is required due to setbacks from infrastructure. Where medium stature trees are proposed in front of wider lots, the spacing is typically 30 feet unless larger spacing is required due to setbacks from infrastructure.

Along Baker Creek Road, *Cercidiphyllum japonicum* (Katsura Tree), are spaced on alternating sides of a meandering sidewalk at approximately 50 to 60 feet on center. This exceeds the maximum spacing for a medium street tree, and full canopy coverage would not be achieved. The trees are spaced such that the small trees proposed within Open Space Tract 'H', *Malus* 'Royal Raindrops' (Royal Raindrops Flowering Crabapple) or *Amelanchier alnifolia* (Pacific Serviceberry), would fill in the spaces between the Katsura Trees and provide near continuous canopy along the sidewalk. However, the right-of-way along Baker Creek Road has minimal utility and improvement conflicts and the maximum street tree spacing for medium trees of 30 feet, including Katsura Trees, can be achieved. A condition of approval has been included to require maximum street tree spacing for small and medium street tree of 30 feet, unless may be appropriate to ensure that more regular or maximum street tree spacing is achieved where possible.

Additional locations have been identified where additional street trees can possibly be added to achieve more regular spacing, or where maximum street tree spacing can be achieved. Maximum street tree spacing can be achieved adjacent to open space tracts and exterior side yards where street trees are required. These locations typically do not have infrastructure constraints associated with the fronts of lots. More regular spacing can be achieved by identifying gaps in the street tree plan where trees can be accommodated. A condition of approval has been included to identify additional locations street trees may be appropriate to ensure that more regular or maximum street tree spacing is achieved where possible.

**CONDITION FOR FINDING:** That street trees in addition to those shown on the Street Tree Plan dated 11/18/2019 shall be provided in the following locations, unless a utility is present that creates a setback requirement:

- a. Sewage Pump Station Tract 'G': Street trees shall be provided at the maximum spacing for the stature of tree proposed;
- b. Open Space Tract 'F': Street trees shall be provided at the maximum spacing for the stature of tree proposed;
- c. Between Lot 15 and Lot 16: One (1) street tree shall be provided at this location;
- d. Lot 44: Two (2) street trees shall be provided at regular spacing between the street light and water meters;
- e. Lot 50: One (1) street tree shall be provided between the water meter and alley, outside of the clear vision triangle;
- f. Lot 52: One (1) street tree shall be provided between the water meter and driveway;
- g. Lot 58: One (1) street tree shall be provided between the water meter and driveway;
- h. Lot 102: One (1) street tree shall be provided between the water meter and driveway;

- i. Lot 103: One (1) street tree shall be provided between the water meter and driveway;
- j. Lots 35, 117, 130, 131, 132, 202, 203, 224, 225, 228, and 271: Additional streets trees shall be provided as allowed following any necessary reconfiguration of driveways;
- k. All SFD-70, SFD-60, and SFD-40 lots: Additional streets trees shall be provided as allowed following any necessary reconfiguration of driveways.

That small street trees shall be spaced at no more than 30 feet, and medium street trees shall be spaced at no more than 30 feet, unless a utility or improvement is present that creates a setback requirement. When adjacent to the exterior side yard of any corner lot, or along open space, detention, or sewage pump station tracts, street trees shall be spaced at no more than 30 feet, unless a utility or improvement is present that creates a setback requirement.

**17.58.090(D).** When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half (2 1/2) feet from the face of a curb.

**APPLICANT'S RESPONSE:** The landscape strips of the proposed development are primarily located adjacent to local residential streets, with one strip also located along a minor arterial street. The proposed street trees and landscape strips meet the above standards (see Exhibit 3).

**FINDING: SATISFIED.** The subdivision includes new local residential streets. The applicant has provided a five (5) foot wide planting strip along all streets within the subdivision, which is greater than the three (3) foot minimum requirement. The species of street trees being proposed are considered "small" and "medium" sized trees in the McMinnville Street Tree List. Small trees require a minimum four (4) foot wide planter strip, and medium sized trees require a minimum five (5) foot wide planter strip based on the requirements of the McMinnville Street Tree List, and this is being satisfied with the proposed planter strip. Baker Creek Road, identified as minor arterial in the 2010 McMinnville Transportation System Plan, is proposed to have a variable width planter strip that is between six (6) and 14 feet wide. No tree proposed along Baker Creek Road is closer than four (4) feet from the back of the sidewalk or closer than two and one-half (2 1/2) feet from the face of the curb.

**17.58.090(E).** Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.

**APPLICANT'S RESPONSE:** The landscape plan drawing L1.0 Street Tree Plan illustrates that the proposed street trees are properly spaced from utilities, street intersections, driveways, alleys, as required by this Section, except in some cases driveway wings and water meter boxes encroach into the 5-foot and 10-foot spacing requirements. However, the proposed root barrier detail provides a means to deal with this encroachment in a way that will allow a tree to still be planted. Utilities shown on this drawing account for some of the proposed gaps in standard street tree spacing. The applicant seeks concurrent approval of this Street Tree Plan with the proposed planned development and subdivision.

**FINDING: SATISFIED WITH CONDITIONS OF APPROVAL #15 and 18-21.** As part of the Street Tree Plan review and the concurrent planned development review, the applicant is requesting

modification of the standards for spacing street trees from infrastructure improvements found in the planting strip. As discussed above, the variety of proposed lot widths increases the conflicts with the infrastructure. To provide for more opportunities for street trees in constrained areas of the planned development at a more consistent spacing, the applicant is proposing plant trees in the approximately 10 foot long maximum planter strip that will be between the driveways on neighboring lots, and in some locations that would be less than the standard 10 feet away from water meters. To mitigate the requested reduced setbacks from driveways and water meters, the applicant has proposed increased root barrier protection adjacent to those improvements. A condition of approval has been included to require that root barrier protection be provided around the entire perimeter of the approximately 10 foot long planter strips between driveways, and adjacent to water meters, extending from the curb to the sidewalk, when a tree is located less than 10 feet from a water meter.

It was noted in comments from the Engineering Department that the proposed lot configurations for the SFD-70, SFD-60, and SFD-40 lots do not comply with maximum driveway width standards. Additionally, driveways for lots 117, 130, 131, 132, 202, 203, 224, 225, 228, and 271 do not comply with maximum driveway width standards. Reconfiguration of the lots and driveways may provide more opportunity for street trees in the planter strip. Therefore a condition of approval has been included to require a revised street tree plan showing reconfigured driveway layouts and additional required street trees, if appropriate, be submitted to the Planning Department for review and approval.

Additionally, other utilities have been identified on the Street Tree Plan, and a condition has been included to require that setbacks from utilities be maintained.

**CONDITIONS FOR FINDING:** That planting of street trees shall be subject to the design drawings and specification developed by the City in May 2014. The applicant shall provide 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 tree. The root barrier protection shall be placed in 10-foot lengths, centered on the tree, and to a depth of eighteen (18) inches. In addition, the tree shall be provided with two (2) deep watering tubes to promote deep root growth.

Where street trees are planted in the approximately 10 foot long planter strips between driveways on neighboring lots, root barrier protection shall be provided around the perimeter of the entire planting strip to a minimum depth of eighteen (18) inches.

Where street trees are planted in any location less than 10 feet from a water meter, root barrier protection shall be provided along the sidewalk and curb as required by condition #16, and root barrier protection shall also be provided immediately adjacent to the water meter between the sidewalk and curb to a minimum depth of eighteen (18) inches.

That street trees in addition to those shown on the Street Tree Plan dated 11/18/2019 shall be provided in the following locations, unless a utility is present that creates a setback requirement:

- a. Sewage Pump Station Tract 'G': Street trees shall be provided at the maximum spacing for the stature of tree proposed;
- b. Open Space Tract 'F': Street trees shall be provided at the maximum spacing for the stature of tree proposed;
- c. Between Lot 15 and Lot 16: One (1) street tree shall be provided at this location;
- d. Lot 44: Two (2) street trees shall be provided at regular spacing between the street light and water meters;

- e. Lot 50: One (1) street tree shall be provided between the water meter and alley, outside of the clear vision triangle of the alley and the street;
- f. Lot 52: One (1) street tree shall be provided between the water meter and driveway;
- g. Lot 58: One (1) street tree shall be provided between the water meter and driveway;
- h. Lot 102: One (1) street tree shall be provided between the water meter and driveway;
- i. Lot 103: One (1) street tree shall be provided between the water meter and driveway;
- j. Lots 35, 117, 130, 131, 132, 202, 203, 224, 225, 228, and 271: Additional streets trees shall be provided as allowed following any necessary reconfiguration of driveways;
- k. All SFD-70, SFD-60, and SFD-40 lots: Additional streets trees shall be provided as allowed following any necessary reconfiguration of driveways.

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.

**17.58.090(F)**. Existing street trees shall be retained unless approved by the Planning Director for removal during site development or in conjunction with a street construction project. Sidewalks of variable width and elevation may be utilized as approved by the Planning Director to save existing street trees. Any street tree removed through demolition or construction within the street right-of-way, or as approved by the City, shall be replaced within the street right-of-way at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to the City an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the existing street 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. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.

**APPLICANT'S RESPONSE:** There are no street trees on or adjacent to the subject site. Therefore, these standards do not apply.

**FINDING: SATISFIED.** The City concurs with the applicant's finding's finding.

**17.58.090(G)**. Sidewalk cuts in concrete for tree planting shall be a minimum of four feet by six feet, with the long dimension parallel to the curb, and if located within the Downtown Tree Zone shall follow the design drawing or updated design drawings and specifications as periodically developed and adopted by the City.

**APPLICANT'S RESPONSE:** The applicant is not proposing to locate street trees within sidewalk cuts, therefore these standards do not apply.

**FINDING: SATISFIED.** The City concurs with the applicant's finding's finding.

**17.58.100 Street Tree Plans.**

**17.58.100(A)(1)**. Subdivisions and Partitions: Street tree planting plans shall be submitted to the Landscape Review Committee for review and approval prior to the filing of a final subdivision or partition plat.

**APPLICANT'S RESPONSE:** The applicant is requesting approval of a Planned Development application to create 280 single-family detached lots, construct public streets and alleys, and

develop common open space areas. The applicant is also proposing to plant street trees with the planned development project in phases. The applicant is requesting concurrent approval of the street tree plan (L1.0) with this application.

**FINDING: SATISFIED.** The City concurs with the applicant's finding's finding. Street tree planting plans (L1.0) have been submitted to the City for concurrent review and approval.

**17.58.110 Street Tree Planting.**

**17.58.110(A)(1).** Planting Schedule: Street trees required of residential subdivisions and partitions shall be installed prior to submittal of a final subdivision plat or partition plat. As an alternative the applicant may file a surety bond or other approved security to assure the planting of the required street trees, as prescribed in Section 17.53.153.

**APPLICANT'S RESPONSE:** As required, the developer will provide a surety bond at the developer's expense to the City to assure the planting of the required street trees shown on the approved Street Tree Plan.

**FINDING: SATISFIED.** The City concurs with the applicant's finding.

**17.58.120 Street Tree Maintenance.**

- A. Street trees shall be continually maintained, including necessary watering, weeding, pruning and replacement, by the developer or property owner for one full growing season following planting, or as may be required by the City.
- B. Street tree plans, or landscape plans including street trees, shall be maintained in perpetuity. In the event that a street tree must be replaced, the adjacent property owner or developer shall plant a replacement tree of a species from the approved street tree or landscape plan.
- C. Maintenance of street trees, other than those located in the Downtown Tree Zone shall be the continuing obligation of the abutting property owner. The City shall undertake regular maintenance of street trees within the Downtown Tree Zone in accordance with appropriate horticultural practices including pruning and fertilizing to properly maintain the health of such trees.
- D. Street trees, as they grow, shall be pruned to provide at least eight (8) feet of clearance above sidewalks and thirteen (13) feet above local streets, fifteen (15) feet above collector streets, and eighteen (18) feet above arterial streets. This provision may be waived in the case of newly planted trees so long as they do not interfere with public travel, sight distances, or endanger public safety as determined by the City. Major pruning, as defined in Section 17.58.020, of a street tree must be approved by the City in accordance with Section 17.58.040.

**APPLICANT'S RESPONSE:** None.

**FINDING: SATISFIED WITH CONDITION OF APPROVAL #22.** A condition of approval has been included to ensure that the street trees are continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

**CONDITION FOR FINDING:** That all street trees shall be continually maintained, including necessary watering, weeding, pruning, and replacement, by the developer or property owner. Maintenance of the street trees shall be the continuing obligation of the abutting property owner.

JF



PLANNING DEPARTMENT, 231 NE Fifth Street, McMinnville, Oregon 97128  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

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## PUBLIC HEARING NOTICE

### PLANNING COMMISSION REVIEW OF COMPREHENSIVE PLAN AMENDMENT, ZONE CHANGE, PLANNED DEVELOPMENT AMENDMENT, PLANNED DEVELOPMENT (NEW), TENTATIVE SUBDIVISION, & LANDSCAPE PLAN REQUESTS

#### BAKER CREEK NORTH LOCATED AT NORTHEAST CORNER OF THE INTERSECTION OF NW HILL ROAD & NW BAKER CREEK ROAD

NOTICE IS HEREBY GIVEN that applications for a Comprehensive Plan Map Amendment, Zone Change, Planned Development Amendment, Planned Development, Tentative Subdivision, and Landscape Plan Review have been submitted to the McMinnville Planning Department. The purpose of this notice is to provide an opportunity for surrounding property owners to submit comments regarding these applications or to attend the public meeting of the Planning Commission where this request will be reviewed and a public hearing will be held. Please contact Chuck Darnell with any questions at 503-434-7311, or [chuck.darnell@mcminnvilleoregon.gov](mailto:chuck.darnell@mcminnvilleoregon.gov).

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**DOCKET NUMBER:** CPA 1-19 / ZC 1-19 / PDA 2-19 / PD 1-19 / S 1-19 / L 12-19  
(Comprehensive Plan Map Amendment, Zone Change, Planned Development Amendment, Planned Development, Tentative Subdivision, and Landscape Plan Review)

**REQUEST:** The applicant is requesting the approval of six concurrent actions. The actions include:

- 1) Comprehensive Plan Map Amendment on the southwestern portion of the site to reduce the size of an existing area designated as Commercial on the Comprehensive Plan Map. The proposed amendment would result in 4.76 acres of existing Commercially designated land being designated as Residential;
- 2) Zone Change from mix of R-1 (Single Family Residential) and EF-80 (remnant County Exclusive Farm Use zone from prior to annexation) to a mix of 6.62 acres of C-3 (General Commercial) and 48.7 acres of R-4 (Multiple Family Residential);
- 3) Planned Development Amendment to reduce the size of the existing Planned Development Overlay District governed by Ordinance 4633 to the size of the proposed 6.62 acre C-3 (General Commercial) site and amending the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site;

- 4) Planned Development to allow for the development of 280 single family detached dwelling units, public right-of way improvements, and open spaces on the proposed 48.7 acres of R-4 (Multiple Family Residential) land with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities;
- 5) Tentative Subdivision to allow for a 10-phase subdivision including a total of 280 single family detached dwelling units, public right-of-way improvements, and open spaces consistent with the proposed Planned Development plan;
- 6) Landscape Plan Review for the landscaping of proposed open space tracts within the subdivision phases and a street tree plan for the planting of street trees in the planter strips within the right-of-way adjacent to the single family dwelling unit lots.

**APPLICANT:** Stafford Development Company, LLC

**SITE LOCATION(S):** Northeast corner of the intersection of NW Hill Road and NW Baker Creek Road (see attached map)

**MAP & TAX LOT(S):** Tax Lots 100, 105, 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lot 106, Section 18, T. 4 S., R. 4 W., W.M.

**ZONE(S):** R-1 (Single Family Residential) & EF-80 (Exclusive Farm Use)

**MMC REQUIREMENTS:** McMinnville City Code (MMC), Chapter 17.53, Sections 17.51.030(C), 17.57.070(B), 17.58.090, 17.74.020, & 17.74.070 (see reverse side for specific review criteria)

**NOTICE DATE:** November 7, 2019

**PUBLIC HEARING DATE:** December 5, 2019 at 6:30 P.M.

**HEARING LOCATION:** McMinnville Civic Hall Building  
200 NE 2<sup>nd</sup> Street, McMinnville, OR, 97128

**Proceedings:** A staff report will be provided at least seven days before the public hearing. The Planning Commission will conduct a public hearing, take testimony, and then make a decision to either recommend approval of the application to the McMinnville City Council or deny the application.

Persons are hereby invited to attend the McMinnville Planning Commission hearing to observe the proceedings, and to register any statements in person, by attorney, or by mail to assist the McMinnville Planning Commission and City Council in making a decision. Should you wish to submit comments or testimony on this application prior to the public meeting, please call the Planning Department office at (503) 434-7311, forward them by mail to 231 NE 5<sup>th</sup> Street, McMinnville, OR 97128, or by email to [chuck.darnell@mcminnvilleoregon.gov](mailto:chuck.darnell@mcminnvilleoregon.gov).

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5<sup>th</sup> Street, McMinnville, Oregon during working hours and on the Planning Department's portion of the City of McMinnville webpage at [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov).

**Appeal:** Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the Commission to respond to the issue precludes an action for damages in circuit court.

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.

## **REVIEW CRITERIA:**

### **McMinnville Municipal Code (MMC)**

MMC, Section 17.51.030 Procedure (Planned Development). The following procedures shall be observed when a planned development proposal is submitted for consideration: [...]

- C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:
  - 1. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
  - 2. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
  - 3. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
  - 4. The plan can be completed within a reasonable period of time;
  - 5. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
  - 6. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
  - 7. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole;

### MMC, Chapter 17.53 Land Division Standards

All applicable criteria found in Chapter 17.53 shall apply to this request.

### MMC, Section 17.57.070 Area Determination—Planning factors (Landscape Plan Review). [...]

- 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.
  - 2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
  - 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.
  - 4. The development and use of islands and plantings therein to break up parking areas.
  - 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.
  - 6. Suitable watering facilities or irrigation systems must be included in or near all planted areas;

### MMC, Section 17.58.090 Street Tree Standards

All applicable criteria found in Section 17.58.090 shall apply to this request.

### MMC, Section 17.74.020: Comprehensive Plan Map Amendment and Zone Change - Review Criteria.

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

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

When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statute), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

MMC, Section 17.74.070: Planned Development Amendment - Review Criteria.

An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:

- An increase in the amount of land within the subject site;
- An increase in density including the number of housing units;
- A reduction in the amount of open space; or
- Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas and access.

An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
- D. The plan can be completed within a reasonable period of time;
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

**Planned Development Overlay Ordinances**

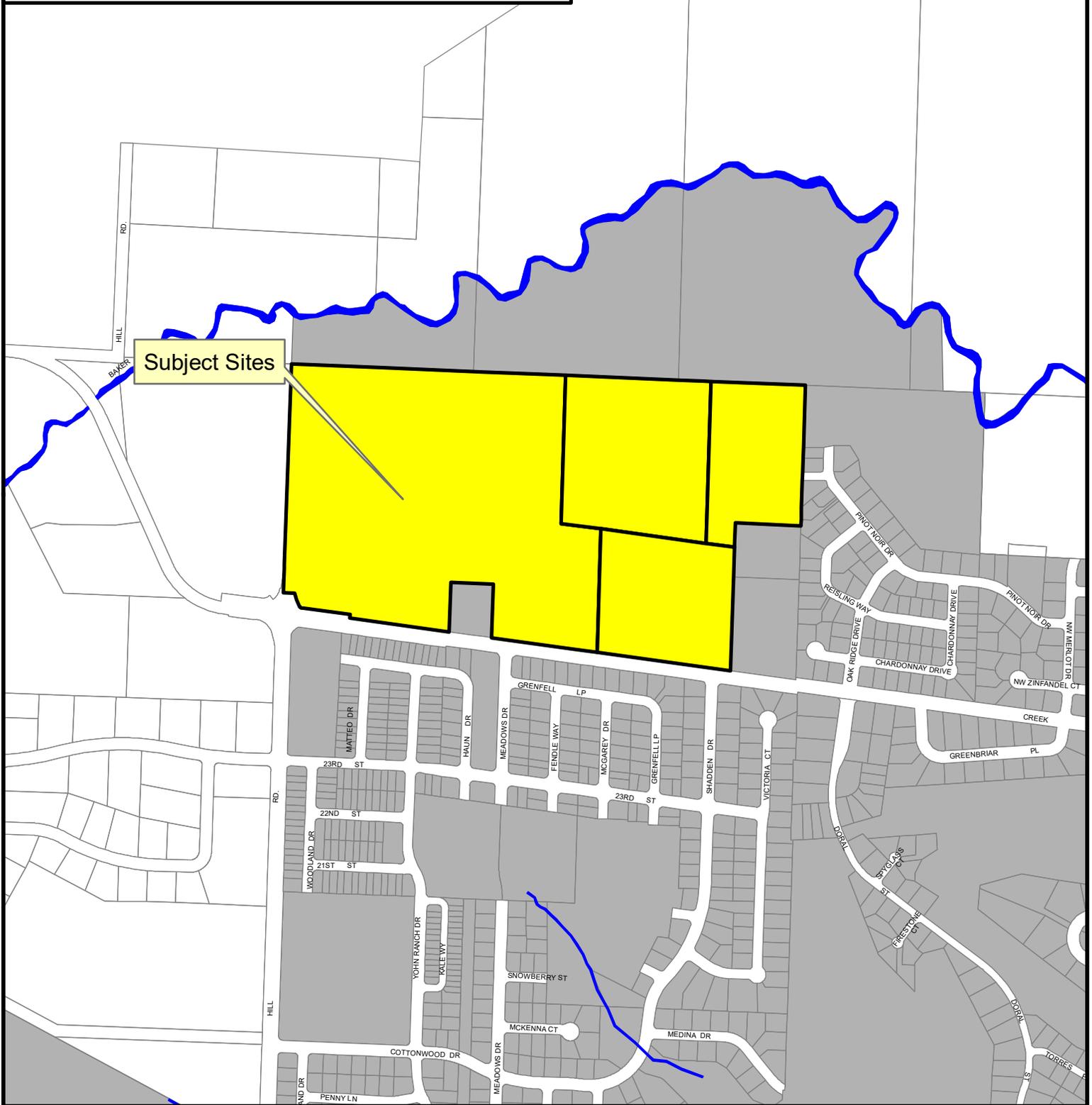
Ordinance No. 4633

All applicable criteria found in Planned Development Ordinances 4633 shall apply to this request.

**PROPOSED DEVELOPMENT PLAN:**



# Vicinity Map



Geographic Information System



570 285 0 570  
Feet

City of McMinnville  
Planning Department  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7341



PLANNING DEPARTMENT, 231 NE Fifth Street, McMinnville, Oregon 97128  
[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

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## PUBLIC HEARING NOTICE

### CITY COUNCIL REVIEW OF COMPREHENSIVE PLAN AMENDMENT, ZONE CHANGE, PLANNED DEVELOPMENT AMENDMENT, PLANNED DEVELOPMENT (NEW), TENTATIVE SUBDIVISION, & LANDSCAPE PLAN REQUESTS

#### BAKER CREEK NORTH LOCATED AT NORTHEAST CORNER OF THE INTERSECTION OF NW HILL ROAD & NW BAKER CREEK ROAD

NOTICE IS HEREBY GIVEN that applications for a Comprehensive Plan Map Amendment, Zone Change, Planned Development Amendment, Planned Development, Tentative Subdivision, and Landscape Plan Review were reviewed by the Planning Commission on December 5, 2019, and the Planning Commission recommended approval, subject to conditions, of all six applications to the City Council. Per the McMinnville Municipal Code, the Planning Commission recommendations need to be submitted to the City Council for consideration. The City Council has the opportunity to either move forward with the consideration of the Planning Commission's recommendations or elect to hold a public hearing. On December 10, 2019, the City Council elected to hold another public hearing to review the applications and the Planning Commission's recommendations. That public hearing is scheduled for January 28, 2020 at 7:00 PM at the Kent Taylor Civic Hall, 200 NE Second Street. On January 14, 2020, city staff will provide a staff report to the City Council outlining the details of the project and the Planning Commission recommendations, 7:00 PM, Kent Taylor Civic Hall, 200 NE Second Street.

The purpose of this notice is to provide an opportunity for surrounding property owners to submit comments regarding these applications or to attend the public meeting of the City Council where this request will be reviewed and a public hearing will be held. Please contact Chuck Darnell with any questions at 503-434-7311, or [chuck.darnell@mcminnvilleoregon.gov](mailto:chuck.darnell@mcminnvilleoregon.gov).

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**DOCKET NUMBER:** CPA 1-19 / ZC 1-19 / PDA 2-19 / PD 1-19 / S 1-19 / L 12-19  
(Comprehensive Plan Map Amendment, Zone Change, Planned Development Amendment, Planned Development, Tentative Subdivision, and Landscape Plan Review)

**REQUEST:** The applicant is requesting the approval of six concurrent actions. The actions include:

- 1) Comprehensive Plan Map Amendment on the southwestern portion of the site to reduce the size of an existing area designated as Commercial on the Comprehensive Plan Map. The proposed amendment would result in 4.76 acres of existing Commercially designated land being designated as Residential;

- 2) Zone Change from mix of R-1 (Single Family Residential) and EF-80 (remnant County Exclusive Farm Use zone from prior to annexation) to a mix of 6.62 acres of C-3 (General Commercial) and 48.7 acres of R-4 (Multiple Family Residential);
- 3) Planned Development Amendment to reduce the size of the existing Planned Development Overlay District governed by Ordinance 4633 to the size of the proposed 6.62 acre C-3 (General Commercial) site and amending the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site;
- 4) Planned Development to allow for the development of 280 single family detached dwelling units, public right-of way improvements, and open spaces on the proposed 48.7 acres of R-4 (Multiple Family Residential) land with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities;
- 5) Tentative Subdivision to allow for a 10-phase subdivision including a total of 280 single family detached dwelling units, public right-of-way improvements, and open spaces consistent with the proposed Planned Development plan;
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**APPLICANT:** Stafford Development Company, LLC

**SITE LOCATION(S):** Northeast corner of the intersection of NW Hill Road and NW Baker Creek Road (see attached map)

**MAP & TAX LOT(S):** Tax Lots 100, 105, 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lot 106, Section 18, T. 4 S., R. 4 W., W.M.

**ZONE(S):** R-1 (Single Family Residential) & EF-80 (Exclusive Farm Use)

**MMC REQUIREMENTS:** McMinnville City Code (MMC), Chapter 17.53, Sections 17.51.030(C), 17.57.070(B), 17.58.090, 17.74.020, & 17.74.070 (see reverse side for specific review criteria)

**NOTICE DATE:** January 3, 2019

**PUBLIC HEARING DATE:** January 28, 2019 at 7:00 P.M.

**HEARING LOCATION:** McMinnville Civic Hall Building  
200 NE 2<sup>nd</sup> Street, McMinnville, OR, 97128

**Proceedings:** Prior to the scheduled public hearing, Planning Department staff will be providing a presentation to the City Council that will include a description of the applications, the review process completed to-date, and the Planning Commission's recommendations. This presentation will be conducted during the regular City Council meeting on Tuesday, January 14, 2020 at 7:00 PM at the McMinnville Civic Hall Building (200 NE 2<sup>nd</sup> Street). An abbreviated staff presentation will then be provided during the public hearing on January 28, 2020. Members of the public are welcome to attend the City Council meeting on January 14, 2020 to observe the staff presentation. The public may also watch the replay of the January 14 City Council meeting and the staff presentation on local community TV channels or on the City Council's portion of the City of McMinnville website at [www.mcminnvilleoregon.gov/citycouncil](http://www.mcminnvilleoregon.gov/citycouncil).

A written staff report will be provided at least seven days before the scheduled public hearing. On January 28, 2020, the City Council will conduct a public hearing, take testimony, and then make a decision to either approve or deny each of the applications.

Persons are hereby invited to attend the McMinnville City Council public hearing to observe the proceedings, and to register any statements in person, by attorney, or by mail to assist the City Council in making a decision. Should you wish to submit comments or testimony on this application prior to the public meeting, please call the Planning Department office at (503) 434-7311, forward them by mail to 231 NE 5<sup>th</sup> Street, McMinnville, OR 97128, or by email to [chuck.darnell@mcminnvilleoregon.gov](mailto:chuck.darnell@mcminnvilleoregon.gov).

The decision-making criteria, application, and records concerning this matter are available in the McMinnville Planning Department office at 231 NE 5<sup>th</sup> Street, McMinnville, Oregon during working hours and on the Planning Department's portion of the City of McMinnville webpage at [www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov).

**Appeal:** Failure to raise an issue in person or by letter prior to the close of the public hearing with sufficient specificity precludes appeal to the Land Use Board of Appeals (LUBA) on that issue.

The failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the Commission to respond to the issue precludes an action for damages in circuit court.

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.

## **REVIEW CRITERIA:**

### **McMinnville Municipal Code (MMC)**

MMC, Section 17.51.030 Procedure (Planned Development). The following procedures shall be observed when a planned development proposal is submitted for consideration: [...]

- C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:
  1. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
  2. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
  3. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
  4. The plan can be completed within a reasonable period of time;
  5. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
  6. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
  7. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole;

### MMC, Chapter 17.53 Land Division Standards

All applicable criteria found in Chapter 17.53 shall apply to this request.

### MMC, Section 17.57.070 Area Determination—Planning factors (Landscape Plan Review). [...]

- 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.
  2. Screening the proposed use by sight-obscuring, evergreen plantings, shade trees, fences, or combinations of plantings and screens.
  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.
  4. The development and use of islands and plantings therein to break up parking areas.

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

MMC, Section 17.58.090 Street Tree Standards

All applicable criteria found in Section 17.58.090 shall apply to this request.

MMC, Section 17.74.020: Comprehensive Plan Map Amendment and Zone Change - Review Criteria.

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

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

When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statute), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.

MMC, Section 17.74.070: Planned Development Amendment - Review Criteria.

An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:

- An increase in the amount of land within the subject site;
- An increase in density including the number of housing units;
- A reduction in the amount of open space; or
- Changes to the vehicular system which results in a significant change to the location of streets, shared driveways, parking areas and access.

An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;
- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;
- D. The plan can be completed within a reasonable period of time;
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;
- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;
- G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.

**Planned Development Overlay Ordinances**

Ordinance No. 4633

All applicable criteria found in Planned Development Ordinances 4633 shall apply to this request.

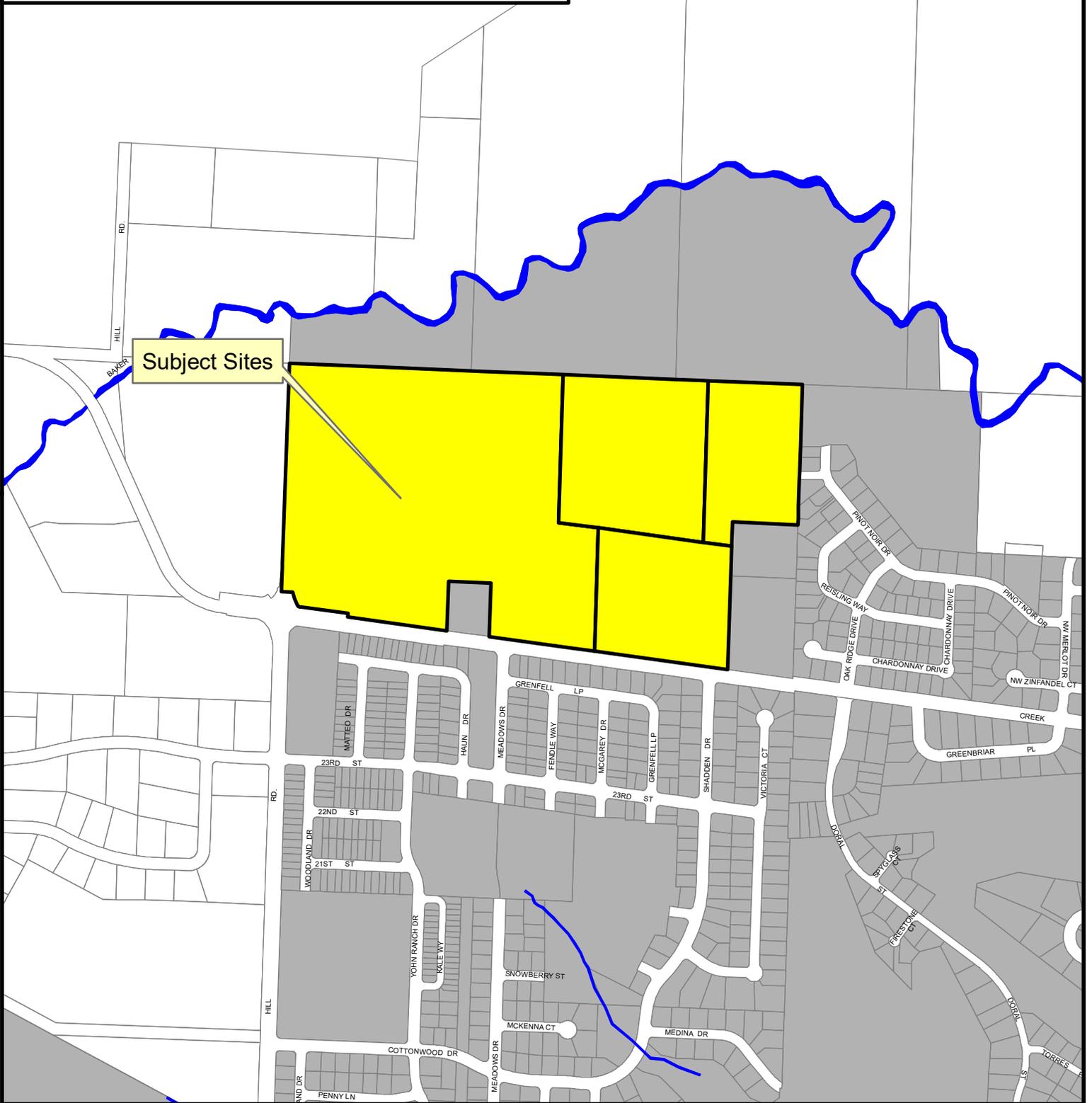
**PROPOSED DEVELOPMENT PLAN:**

(See Development Plan on following page)

**PROPOSED DEVELOPMENT PLAN:**



# Vicinity Map



Geographic Information System



570 285 0 570  
Feet

City of McMinnville  
Planning Department  
231 NE Fifth Street  
McMinnville, OR 97128  
(503) 434-7301

## Attachment H

## MEMORANDUM

TO: City of McMinnville Planning Department  
 FM: McMinnville Water and Light, Staff (contact is Sam Justice, General Counsel).  
 RE: **MW&L Staff comments**; Baker Creek North land use applications; CPA 01-19; ZC 01-19; PDA 02-19; PD 01-19;  
 S 01-19; L 12-19  
 DT: November 15, 2019

The McMinnville Water and Light Commission (MW&L Commission) is the electric, water and fiber utility for the city of McMinnville. McMinnville's municipal water and electric utility was created in 1889. The utility was initially operated by a water committee under the direction of the city council. The five-member Water and Light Commission was first described and created by act of the Oregon State Legislature in 1905 (Senate Bill 241). In 1907 the citizens of McMinnville amended the city charter to authorize and form the Commission as we know it today. The Commission has run and governed the utility systems since that time. The MW&L Commission serves approximately 17,000 electric, and 14,000 water customers in and about the city of McMinnville. Approximately sixty full-time employees serve the Commission.

The MW&L Commission's professional staff acknowledges the planning director's request for comments regarding the above-reference land use applications. MW&L staff comments are offered in furtherance of applicable goals, policies and proposals reflected below, but do not reflect a decision or action of the Water and Light Commission.

## COMMENTS:

I. Applicable Goals, Policies and Proposals from the Comprehensive Plan.

The following City of McMinnville planning goals, policies and proposals appear to apply to MW&L staff comments related to Baker Creek North.

## ELECTRICITY (Light)

**GOAL VIII 1: TO PROVIDE ADEQUATE ENERGY SUPPLIES, AND THE SYSTEMS NECESSARY TO DISTRIBUTE THAT ENERGY, TO SERVICE THE COMMUNITY AS IT EXPANDS.**

173.00 The City of McMinnville shall coordinate with McMinnville Water and Light and the various private suppliers of energy in this area in making future land use decisions.

174.00 The City of McMinnville shall continue to support the long-range planning efforts of McMinnville Water and Light to supply the electrical energy needs of the community.

32.00 The City of McMinnville should zone, or otherwise regulate, land uses around future energy system-related sites to insure compatibility with the site.

34.00 Proposed extensions of energy system facilities should be coordinated with the extension of other facilities (sewer and water, telephone lines, storm drainage, etc.) where necessary to insure provision of full urban services to developable areas within the urban growth boundary.

**GOAL VIII 2: TO CONSERVE ALL FORMS OF ENERGY THROUGH UTILIZATION OF LAND USE PLANNING TOOLS.**

Policies:

178.00 The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.

**WATER**

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

Residential Design Policies:

79.00 The density allowed for residential developments shall be contingent on the zoning classification, the topographical features of the property, and the capacities and availability of public services including but not limited to sewer and water. Where densities are determined to be less than that allowed under the zoning classification, the allowed density shall be set through adopted clear and objective code standards enumerating the reason for the limitations, or shall

Urban Policies:

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

\*\*\*

4. Municipal water distribution facilities and adequate water supplies (as determined by City Water and Light). (As amended by Ord. 4796, October 14, 2003)

**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.**

132.41.10 Limit Physical Barriers – The City should limit the placement of facilities or physical barriers (such as buildings, utilities, and surface water management facilities) to allow for the future construction of streets that facilitate the establishment of a safe and efficient traffic circulation network. (Ord. 4922, February 23, 2010)

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

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

145.00 The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

- 1) Facilities are placed in locations and in such a manner as to insure compatibility with surrounding land uses.
- 2) Extensions promote the development patterns and phasing envisioned in the McMinnville Comprehensive Plan.
- 3) For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized.
- 4) Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.

146.00 The City of McMinnville shall continue to support the long-range planning efforts of McMinnville Water and Light to provide water system facilities and services commensurate with the projected population in the Comprehensive Plan.

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

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

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

II. Comments regarding the ELECTRIC System

Electric/fiber: The following are comments relating to utility service across this proposed development and the utility's need for space related to connectivity with its electric and fiber system.

### 1. Side yard setbacks

- a. If fences are built to the front corner of the structure, three foot (3') side yard setbacks do not allow room to maintain National Electric Safety Code (NESC) and National Electric Code (NEC) with a minimum clearance of three feet (3') in front of energized equipment.
  - i. This appears to be especially true for lots with developer's home models "SFDA 26- 30", where space for meters only appear to be available in side yards.

### 1. Front setback (transformer clearances)

- b. A fifteen foot (15') front setback, as proposed in this development, creates a higher likelihood of conflicts with transformer clearances.
- c. MW&L standard is an 8' clearance from transformers to combustible surfaces, doors and windows that open.
  - i. With these narrow setbacks, it will be critical to locate the transformer toward the front of the PUE to avoid conflicts.
  - ii. See sheet UT-4 for illustration of "closeness". Note that communications and gas lines in a joint trench will have to pass by transformer vaults and remain while remaining within the PUE.

### 2. Public Utility Easement (PUE) (Policy 174.00)

- d. The apparent absence of a PUE along the north side of Baker Creek Road, east of the substation is a concern. A PUE is required east of the substation for connectivity of electricity and other utilities.
- e. A PUE should be required where Hill Road will be extended north of the traffic circle prior to construction of Phase 2A. See SP-2. Future development will require a PUE.
- f. On the west side of Meadows from Baker Creek to Kent Street, there is an approximately twelve foot (12' +/-) sidewalk. Approximately six feet (6') of the walk is in the PUE. See GR-2. The sidewalk needs to conform with and take into account the landscaping as required by CU 02-19 (electric substation) and also not obstruct the PUE for utilities. Until electric (and other utility) design is complete, covering the PUE with sidewalk creates unknown issues.

### 3. Transmission Line (Policy 174.00)

- g. There is a twenty foot (20') "open space & access easement" off of Mercia (Tract M) that results in a ten foot (10') asphalt path. The proposed design does not appear to provide sufficient space to access the electric transmission easement with heavy trucks and approximately eighty-five foot (85') poles. Design should account for weight of trucks (concrete and other surface should be designed and constructed to carry truck weight), and account for turning radius needed to access the easement space with transmission length poles.
  - i. The development should provide at least one additional access point and an addition turn around point for heavy trucks.
  - ii. The current plans show the first transmission pole north of substation is 24' off of curb. The design should allow access to the pole for maintenance/replacement from street, other access built to allow access by heavy truck.
- h. The gravel path along the transmission line should be built and rated for heavy truck traffic expected to service the line.
- i. No trees or tree canopies should be permitted within the transmission easement. Trees in rear yards adjacent to the easement should be limited in height (40'). Trees in or near the

- transmission line should be consistent with **CU 02-19 (electric substation expansion)**. Current plans show trees with excessive height at maturity (40' – 60' trees) planted adjacent to the transmission line at Kent Street and along the transmission line.
- j. Canopy of *Prunus Sargentii* encroaches into transmission line easement north of Kent Street. See L3.0.
  - k. Picnic tables or other public structures should not block access to transmission facilities. See sheet L8.0.
  - l. A homeowners association (H.O.A.) may be required to maintain public areas within easement area, and in a manner that does not obstruct the utility use.
4. Street lighting
- m. Along Baker Creek Road, street lighting needs to be designed (lights placed for height and wattage) by licensed engineer. See sheet UT-1. Plan needs clarification as to sufficient lighting.
  - n. MW&L design guides require lighting at public alleys, where walks intersect public streets. The design should show these lights at the intersection of “open space” and sidewalk along north side of Baker Creek Road (as required). See SP1.
  - o. Streetlight on east side of Shadden at the intersection of Kent is shown in the PUE (not in the ROW). Is that an error?
5. Baker Creek Electric Substation Access. (Policy 132.41.10)
- p. Consideration should be given to providing curb-apron access to electric substation from NW Meadows Drive directly opposite of Emma St. Street access off of Meadows Drive could reduce need to obstruct major arterial Baker Creek Road for substation access.
6. Public Streets (Policy 132.41.10)
- i. The northerly terminus of Shadden runs into Premier property. The developer should be required to provide/install sufficient conduit and vault to facilitate the extension of MW&L's electric distribution system beyond the extent of planned development. The requirements for conduit and vault will be detailed in approved electric drawings that will accompany the MW&L Extension Agreement. (Goal VII; 147.00).
  - q. Make provision for power to extend south from William Drive in the future. The developer should be required to provide/install sufficient conduit and vault to facilitate the extension of MW&L's electric distribution system beyond the extent of Stafford's development. The requirements for conduit and vault will be detailed in approved electric drawings that will accompany the Extension Agreement. (Goal VII; 147.00).
7. Landscaping
- r. Utility design needs to be completed prior to approving street tree layout and landscaping. Landscape design should accommodate utilities. (Goal VII; 147.00).
  - s. Forty to sixty foot (40' – 60') trees are shown on plants to be installed adjacent to the transmission line at Kent Street/ transmission line and Tract K.
    - i. Shorter trees with lesser canopy should be planted as prudent electric practice to reduce the risk of tree contacting lines (fire/outage risk) or unnecessary tree trimming (prevailing west winds).
    - ii. Canopy of trees planted, as indicated in plans, in Tract K will encroach within transmission easement.

- t. Approved table of trees should include width of tree canopy at maturity, as well as tree height at maturity.
  - i. Cercidiphyllum Japonicum has canopy range of 25-60'. See sheet L1.0
  - ii. Tree height limits around substation should follow limits of CU 02-19.
  - iii. Trees species with mature height that could fall into transmission lines should be restricted from lots adjacent to the electric transmission line (former "BPA" line).
- u. Trees and shrubs are being designed within the PUE. See sheet L2.0, Tract B. Tract R, sheet L4.0; Tract A, sheet L7. Landscaping design within PUE should come after utility design is finished.

### III. Comments regarding the WATER system

The following are staff comments regarding the water system.

- 1) No Approval of water service locations at this time. Civil Plans of the development's water system requires approval at a later stage (these comments do not reflect MW&L approval of civil plans). There are several key items missing from the civil plans such as sewer lateral lines and power drawings. Until all utilities are on the plans, MW&L cannot reasonably foresee what conflicts exist, and what water services will need to be moved. Some of the services currently drawn will need to be relocated.
- 2) Fire Hydrants. The fire hydrants as drawn on preliminary plan will need to be relocated to meet distance/spacing requirements.
- 3) Conflict with Trees. MW&L is not able to approve the landscape drawings at this time. Until the civil plans have been finalized MW&L cannot address all the conflicts with the trees. MW&L Specs WMCLEAR, WMCLEAR2, and FH-CLR call out a ten foot (10') clearance from tree trunks. The current drawings have several trees that fall below the minimum clearance.
- 4) Curbs and Driveways. Pouring of the curbs and driveway cutouts in locations that are inconsistent with the development plans will cause water services to be in conflict with driveway aprons. Actual curb and driveway cutout location should not deviate from approved plans.
- 5) ADA Ramps. ADA ramps for crosswalks which are not at corners should be planned in relation to other utility services. Development plans need to show placement for these non-corner ADA ramps and relate these ramps to utility facilities. Failing to show the ramps on plans may cause utility facilities to conflict with them. With development plans showing locations of all ADA ramps MW&L can avoid placing utilities in ADA ramp locations.
- 6) Driveway width. Driveway width must not widen beyond approved development plan. When house is under construction, the builder may request to widen the driveway. This request should be denied unless without utility review and input. (**Policy 147.00**). Without MW&L review, room may not be left for water meter or a fire hydrant. Without review and consultation fire hydrants and other facilities may be too close to the edge of driveway aprons.
- 7) Mail box clusters. Mail box clusters should be shown on plans in relation to streets, utilities, ADA ramps, etc. With knowledge of location, MW&L can avoid placing utilities next to mail boxes. This comment also applies to the electric system.

- 8) Water Easement. MW&L currently enjoys water easement rights over the former BPA electric easement (MW&L recently acquired the easement) through the planned development. MW&L does not have water easement rights overlying the electric easement in Parcel 1, Instrument No 201600557, which bounds the easement to the north. MW&L long term planning (**Policy 146.00**) foresees water transmission facilities being placed in the former BPA easement space to “loop” the city’s water transmission from the northwest to the northeast sections of McMinnville. The City should seek this additional easement rights (to the Water and Light Commission) for water transmission to further the future plans of the utility to loop the city with water transmission along the electric transmission easement (in the same space). (Policy 146.00).

#### IV. PROPOSED CONDITIONS of Approval:

- 1). Landscaping around substation and electric utility easement (former BPA easement).
  - a. Require development to conform to standards for landscaping development along Baker Creek Road and Meadows Drive (and around the electric substation) consistent with the requirements imposed on MW&L as related to land use approvals for the expansion of the Baker Creek Electric Substation. (CPA 02-19; ZC 02-19; PDA 01-19; and C.U. 02-19).
  - b. White two-railing fencing along the south property line to match the fencing along the south side of Baker Creek Road.
  - c. Trees proposed surrounding electric substation (CU 02-19) shall be of a species or variety that may grow to a maximum mature canopy height of 25 feet.
  - d. If the sidewalk (12’) along Meadows covers the P.U.E. conduits should be pre-placed before sidewalk construction (to facilitate utilities).
  - e. No trees or tree canopies should be permitted in electric transmission easement (former BPA easement). **Conditions, Covenants and Restrictions**, should restrict tree species in lots adjacent to electric transmission line that have mature species height which make mature tree capable of falling into the electric transmission (restriction for benefit of utility). (Policy 174.00)
  - e. Build gravel walks and cement access to “BPA” easement to handle heavy utility trucks.
  - f. Build access to “BPA” easement to accommodate access with up to 85’ utility poles.
- 2). Right-of-way and public utility easement requirements for development along Baker Creek Road and Meadows Drive should be substantially similar to, and otherwise comparable and compatible with the requirements described in the Baker Creek Substation land use decision and more specifically in C.U. 02-19.
  - a. That the applicant shall coordinate and schedule the construction of Baker Creek Road right-of-way improvements to coincide with the improvements to be completed with the development of the property surrounding and immediately adjacent to the subject site on the north side of Baker Creek Road. See CU 02-19.

- b. Require R.O.W. and P.U.E. grants along Baker Creek Road, to the east of electric substation and west of the intersection with Hill Road consistent with development of electric substation under CU 02-19. These requirements are necessary for MW&L to interconnect the electric substation to its larger electric system. Specific utility facilities (bump outs) and easement areas east of the substation will be unreasonably isolated (landlocked) without an extension of R.O.W. and P.U.E., consistent with the R.O.W. and P.U.E. along Baker Creek Road in front of the substation.
  - c. Applicant should be required to dedicate and grant R.O.W. and P.U.E. east of Baker Creek substation along Baker Creek Road to permit connectivity of utility systems.
- 3) Complete Engineering Plans. By development phase require applicant to show complete water and electric utility facilities on final engineering plans. Subdivision engineering plans (maps) for approval should be fully developed prior to construction and show surface facilities, to include handicap ramps, water facilities (hydrant, meters), electric facilities (i.e. transformers); communication facilities, mailbox clusters, street trees, street lights, and placement of driveways on street, and as those facilities relate to the R.O.W. and the public utility easement (P.U.E.). (Proposal 34.00)
- a. Placement of a facility in a manner, other than as described in the approved plans, requires input/comment/feedback of the effected utility and approval of planning director.
  - b. Driveways and driveway aprons will not be changed from the approved plans (engineering drawings), without consultation with effected utility and approval of planning director.
- 4) In placing surface facilities on approved plans, six feet (6') for water meters (or as permitted by utility construction standard), four feet (4') for hydrants (NFPA standard) and three feet (3') feet for transformers is required between the facility and the driving surface of a driveway (driveway setback). Where setback is not met, the developer will be required to (one of following):
- a. place bollards to protect the facility from the driveway; or
  - b. Grant additional easement area outside of the R.O.W. and P.U.E. for placement of the facility in conformance with the setback distance.
- 5) Front, side and backyard structures, to include fencing cannot be placed within 3 feet of an electric meter or other electric facility (to provide required work space).
- 6) Connectivity to water system. Require applicant to grant MW&L Commission water easement overlaying existing electric transmission easement on Parcel 1 of property described in document No. 201600557. This will permit extension of city services to the city edge and beyond as the UGB may expand.
- 7) Connectivity of water and electric System. Extend water transmission mains and underground electric transmission service (conduit) to the terminus of Shadden, and terminus of William Drive, and loop transmission service on Blake St. The developer will be required to provide/install sufficient conduit and vault, and water line, to facilitate the extension of MWL's electric and water distribution system

beyond the extent of Stafford's development. The requirements for conduit and vault will be detailed in approved electric drawings that will accompany the Extension Agreement. Water line will be addressed in the Extension Agreement for water.

V. Summary: MW&L staff appreciates the opportunity to comment on these applications in furtherance of the city's goal to maintain a healthy utility system. Specific questions can be directed to our MW&L engineering and management staff. General questions may also be directed to General Counsel, Sam Justice. 503-435-3110.

To: Planning Director:  
Fm: Sam Justice, General Counsel, MW&L  
Re: "Baker Creek North" Application, Supplemental Comments  
Dt: 12-5-19

MW&L staff met with Mr. Root and Mr. Will ("applicant") on 12/4/2019 and after a discussion seeks to revise MW&L comments to the above-referenced application.

With regard to MW&L comment 3 on page 4 of the memo of 11/15/2019, MW&L would not need or require a utility access way (from Mercia to the "BPA easement") if applicant provides a turnaround easement for long trucks along the easement. Applicant has suggested to MW&L that a turnaround-easement could replace the utility easement and be made a condition of approval as follows (language provided by applicant):

Prior to recording the plat for proposed Phase 2A, the Applicant will provide an easement to the benefit of MW&L and that serves the so called 60' B.P.A. Easement per V. 40. P. 851 in the Yamhill County Records, such that the easement will have a 90-foot diameter for access and turnaround at a location acceptable to MW&L north of the development on Parcel 1 and Parcel 2 (Inst. No. 201600557), which are parcels shown as north of the subject site on the Applicant's Exhibit 3 labeled as drawing "EXH-1".

MW&L defers to city staff and applicant to work out the details. MW&L affirmatively supports applicant's proposal to use a 90-foot diameter turnaround easement as described above for the purpose of utility access (instead of the utility access from Mercia).

Based on our discussion with applicant, MWL would also suggest conditions that require the "BPA" path trailhead on the NW corner of the proposed intersection of "Kent" & "Meadows" streets be constructed during the applicable phase without impediments and designed to allow for heavy long truck access from proposed Meadows Drive. (BPA standards). MW&L would further like to seek during review and approval of construction plans the eliminating or tempering of the meander of the pathway as it goes north to more easily accommodate long-trucks (over 100 feet-long).

December 4, 2019

City of McMinnville Planning Department  
Attn: Charles Darnell  
231 NE Fifth Street  
McMinnville, Oregon 97128

RE: Stafford – CPA 1-19; ZC 1-19; PDA 2-19; PD 1-19; s 1-19; L 2-19

Dear Mr. Darnell,

Stafford Development is asking for multiple zoning considerations for Baker Creek North. While I understand that McMinnville needs to increase density to fulfill state growth planning mandates, and I prefer increased density over enlarging the UGB, I hope both the City Planning Commission and the City Planning Department keep several things in mind during the negotiations.

Stafford wanted all the applicable ordinances honored for their “Baker Creek South” project because it gave them higher density than the then-applicable density and it gave them a large apartment complex that had no commercial center within ½ mile nor were there any mass transit routes in the area. We were told that Michelbook Golf Course was the nearest “commercial” center; the mass transit requirement was ignored; and remember that there was about 10 acres of commercial space on the north side of Baker Creek Road that would fulfill the ½ mile commercial center proximity requirement. OR 4626 specifically stated that there could be no residential on the C-3 acreage north of Baker Creek as a condition of getting a large apartment complex in a location that fit none of the requirements, as well as the higher density. I am not sure why the City believes it is not applicable. If the apartment portion was accepted, then it should all be accepted.

A portion of a letter that I wrote in January 2017 regarding Stafford Baker Creek South is below:

**Ordinance 4626**

...Section 3. 7. specifies that “the applicant shall initiate with the City a process which will result in the designation of a minimum net 10 acres of land on the north side of Baker Creek Road in close proximity to its intersection of Hill Road for commercial purposes. The process shall include the application of a planned development overlay **which restricts the property from use for residential purposes.**” I only mention that fact because of the applicant’s comment at the January 19, 2017 hearing that they plan to put a senior residential structure on that site. Additionally, I’m sure you know that McMinnville is already short

approximately 106 acres of commercially-designated land per state requirements. And finally, if that designation was not completed, I believe Ordinance 4626 is invalid since that designation was a condition of approval.

So now that Stafford got what they wanted on the south side, it is to their advantage to ignore the commercial requirement on the north side. I understand that they have not been able to figure out a commercial plan that can interest any tenants. I'm not sure why that is reason enough to allow them to significantly reduce the size of the commercial space that was a condition to get Stafford the other benefits they wanted.

I understand that Stafford was, shall we say, a bit enthusiastic about clearing the natural habitat along Baker Creek itself. I also recall reading about a \$19,000 fine for not containing run-off.

Stafford's "affordable" houses, planned to be in the \$240,000 range, are actually in the \$300,000 range. Their "high-end" houses adjacent to Michelbook Golf course are sold without heat pumps and with one garage door opener.

Stafford defended their design policies because McMinnville is a bedroom community to Portland. I believe we now have researched confirmation that McMinnville is more closely aligned with Salem than Portland. This is only relevant because it shows that Stafford is not, in fact, in tune with McMinnville.

While I do not appreciate the non-descript boxes that LGI has built, I do appreciate that they installed the fence, and street tree and landscaping portion of their build immediately, thus shielding the neighborhood from the construction mess and noise. They have also done a good job of maintaining their job sites and their landscaping. Stafford, on the other hand, has not maintained the mature Baker Creek Street landscaping since they purchased the property. A West Wind homeowner rode his lawnmower over and mowed the grass until he couldn't get through the road construction anymore. So, a paraplegic could maintain the landscaping, but Stafford wouldn't.

Another fun tidbit is that during all the Hill Road construction. Stafford vehicles, particularly their water truck, used the middle of 23<sup>rd</sup> as a parking lot so it was not available as a detour route until McMinnville engineering was notified and they told Stafford to keep the road clear.

My point in all of this is that Stafford has not shown itself to be a good neighbor in any way.

Finally, remember that there is a large apartment complex under construction on Evans. Premier is planning about 100 housing units north of Oak Ridge. Stafford's Baker Creek South is several hundred housing units including a large apartment complex. Stafford's Baker Creek North will be several hundred units. And I'm just listing the new construction immediately off of Baker Creek Road.

So as you consider all the special allowances Stafford wants, think about the following:

- What happens to traffic on Baker Creek Road?
- Does any of this construction count towards what McMinnville needs to account for beginning in 2021 or will McMinnville still need to come up with additional land and housing because of state mandates based on inflated population projections? Would it be in our best interest to delay until 2021?
- Is Stafford building what people move to McMinnville for? I agree that more apartments are needed, but as a city, we're committing to an enormous number, just along Baker Creek Road only. Also, a lot of us are transplants from other areas. Would the housing that Stafford is building be anything that would have drawn us to McMinnville? I have seen a preliminary plan that Ruden is developing for 40 acres by Hill Road and Fox Ridge. I think it's a much better plan and more suitable to McMinnville's needs and wants. It was eye-opening to me to drive through the small lot "affordable housing" of Stafford and then drive through Ruden's The Bungalows. Personally, I would have moved to McMinnville for The Bungalows. I'd keep looking if I had seen Stafford's stuff.

To quote Heather Richards, what is built now will last 100 years. I hope you all keep that in mind.

Patty O'Leary

December 5, 2019

City of McMinnville Planning Department

Attn: Charles Darnell

231 NE Fifth Street

McMinnville, Oregon 97128



Dear Mr. Darnell,

Ref: Stafford

The following comments are in regard to tonight's Planning Commission meeting on Stafford LLC North proposal, and based on a rather quick one day review of the 377 page pdf package.

In summary, I am not opposed to the development, but do have a few concerns. I can see a lot effort went into this package by Stafford and McMinnville city staff.

1.A. Item. Packaged not staffed for comment to ODOT and Oregon DEQ.

1.B. Discussion. I note this package was staffed to a number of McMinnville city departments, as well as other external key stakeholders. There are two agencies who were not, apparently, canvassed that I believe should be asked to review and comment: ODOT and Oregon DEQ. My rationale for including these two agencies is the addition of hundreds of vehicles coming in and out of this proposed development may exceed the capacity of key road intersections (e.g., Hwy 99 and Baker Creek; Hwy 99 and 2<sup>nd</sup> street by police station) to safely and efficiently process vehicles through the intersections. And this is just one of multiple new housing developments that will result in many more vehicles on local roads. There is also a possible worrisome vehicle emissions impact from these additional vehicles – in a city and county that currently do not require vehicle emissions testing.

2.A. Item: Assessment of Stafford LLC ability to complete the project in a timely manner.

2.B. Discussion. Someone within City of McMinnville needs to conduct a review (e.g., Counsel and Financial Departments) to determine whether Stafford has the financial resources to complete the full project. The more "due diligence" performed up front, the less chance of disappointment and possible litigation.

3.A. Item: Traffic throughput. Page 99, #5 states: "The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area."

3.B. Discussion. I agree that street capacity in close proximity to the Stafford development should be adequate. However, I wholeheartedly disagree with their opinion (and city staff concurrence) that traffic "will not overload the streets outside the planned area." The downtown core roads were not designed to carry the traffic volumes we will soon be experiencing. There are two key downtown road intersections already suffering capacity shortfalls: 1) the intersection of Baker Creek Rd and Hwy 99 and 2, the recently renovated intersection of 2<sup>nd</sup> street and Hwy 99 by the police station.

The intersection of Baker and Hwy 99 is so backed up at some times of the day that I take side streets to get around this intersection. I'm sure many other drivers are doing the same out of frustration – which is probably frustrating the residents of homes on side streets. A dedicated left turn light is need now (!) to go from Baker onto northbound Hwy 99. With the upcoming addition of hundreds of vehicles belonging to residents of the new apartment complex off of Evans St., soon to be followed hundreds more from Baker Creek North development (corner of Baker and Hill), the bottleneck will become exponentially worse.

A similar situation exists at the intersection of 2<sup>nd</sup> St and Hwy 99. It often takes me takes me two traffic light cycles to get through the intersection headed up towards city hall. The addition of new homes on the west side of McMinnville will continue to add to the traffic load at this intersection. I can't recall the last time I noted traffic measuring devices (air hoses across the road) installed at these intersections to count vehicles. This needs to be done ASAP. I'm not sure whose jurisdiction this falls under, perhaps, ODOT.

4.A. Item. Home spacing and fire risk.

4.B. Discussion. I note the package was staffed to McMinnville Fire Dept but I did not note their response. Stafford's proposal calls for some high density homes to be separated by a mere six feet. I'm not a fire expert but common sense and past news reports seemingly indicates that when one home catches on fire, odds are that others in close proximity will as well. In that area of town, the winds blow pretty well, and the fire dept is at least 10-15 minutes away. With significant housing growth on the western side of town, it might make good business sense to construct a first responder site nearby for fire, ambulance, and police.

5.A. Item. Architectural standards for residential construction.

5.B. Discussion. I like the proposed city requirements levied upon Stafford regarding home design, materials, etc. It appears the City Planner is the decision authority. I would suggest creating a 3 person Architectual Review Board with at least one member being a certified architect, tasked to review and approve residential designs. I'm not sure what happened at Stafford North currently under development at the corner of Baker and Hill. The homes built and currently under construction there are not pleasing to the eye! We can and must do better in this regard.

6.A. Item. Pedestrian Safety.

6.B. Discussion. I note the proposed crosswalk markings across Baker St. With so many local drivers forgetting to turn on headlights, having burned out headlights, it's important these crosswalks be well lit. The best example I've seen is in downtown Wilsonville near the city park where pedestrians hit the crosswalk button and the lights come on in the roadbed warning drivers. Too many pedestrians being killed in Oregon. This safety feature should be funded.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Pfahler". The signature is fluid and cursive, with the first letter of the first name being a large, stylized "M".

Markus Pfahler

2515 West Wind Dr.

McMinnville, OR. 97128

Email: [mepfahler@outlook.com](mailto:mepfahler@outlook.com)

January 24, 2020

City of McMinnville Planning Department  
Attn: Charles Darnell  
231 NE Fifth Street  
McMinnville, Oregon 97128

RE: Stafford – CPA 1-19; ZC 1-19; PDA 2-19; PD 1-19; s 1-19; L 2-19

Dear Mr. Darnell,

During your presentation to the City Council on January 14, 2020, you highlighted several goals and policies and stated that the proposed Stafford development referred to as Baker Creek North met all the various criteria. I wasn't too surprised that you neatly skipped over one:

Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by **directing residential growth close to the city center and to those areas where urban services are already available** before committing alternative areas to residential use.

I've included excerpts from some letters I wrote in 2017 concerning Baker Creek East and West that apply to Baker Creek North.

### **Facts or Fear?**

A January 16, 2019 memo from Tom Schauer, Senior Planner, to the City Council and Housing PAC highlighted the PSU Population forecast for McMinnville. Looking at 2018 numbers, PSU forecast a population of 34,759 when we actually were 33,665. A difference of 1,094 doesn't seem like much, but on the same page, Mr. Schauer noted: "Using the population forecast, housing needs are calculated, accounting for average household size, vacancy rates, and share of population that are forecast to live in group quarters. On average, this is **roughly 220 new dwellings per year**." Using the safe harbor of 2.55 persons per household, **for 2018 the state figured we were short 429 housing units, or almost two years of inventory**, when in fact, **their forecast was incorrect**. Multiply that level of error out over several years, and we are faced with trying to catch up to an unrealistic number attached to a phantom population: the 2019 PSU population projection is 1,401 higher than actual, which results in **a 2019 paper deficit of 549 housing units**. You can see how, in just two years, we are facing a geometric progression – or maybe regression would be more accurate.

While I understand that the state demands we use their population numbers for planning, **the level of state error is encouraging local decision makers to react**

**rather than actually consider the situation.** Specifically, I believe an apartment complex was approved in the Three Mile area in the second half of 2019. Shortly after that was approved, questions about water and sewer capacity limitations in that area came to light. My understanding is that we have land around Three Mile, but may now not have water capacity for any significant development in that area until service upgrades are completed. So because people are panicking about lack of housing, high density housing is being shoe-horned into the northwest corner of the UGB, not because it's near the city center, transit, or a commercial center, but simply because it can be built there and, understandably, the developer wants as much profit as possible. **The highest density in McMinnville will be right at the edge of the UGB, pushing up against prime farmland with no transition, no transit and no commercial center.** A March 7, 2019 memo from City Planning Staff to the BLI/HNA/Housing strategy PAC members stressed the Great Neighborhood Principles, including “**10. Urban Rural Interface – Complement adjacent rural areas and transition between urban and rural uses.**”

### **Design or Disaster?**

The same memo also references Human Scale Design and House Variety to **avoid monoculture design.** I get to consider those principles every time I pass Baker Creek West. Deciduous trees will never shield those blank facades, no matter how large they grow. Since it is now built and we all have to live with it, has any consideration been giving to changing the street trees to evergreen?



To be fair, I thought I should show the back of another developer's project.



This is the **rear service alley**, and is designated for resident parking, utilities and other services. There is significantly more architectural interest on these alley-facing facades than on the Baker Creek West facades that face Hill Road. Similar lot sizes and price ranges. Guess which project was designed and built by someone who lives in McMinnville?

### **Density or Dilemma?**

The City Planning Staff memo also had some interesting comments about density and what residents wanted:

When we were conducting our Great Neighborhoods Principles outreach, we heard from residents that they were not interested in high density housing prototypes that looked and felt like Portland Metropolitan communities – they wanted to preserve the small town charm of McMinnville. **When we showed pictures of human-scale density – duplexes, triples, quadplexes, small to mid-size apartment projects – most people felt that McMinnville could absorb those housing types with thoughtful design and development standards. At the same time, there are many people in the community that feel that the City center may absorb higher density housing more effectively than the surrounding neighborhoods.**

And yet our city center apartments are now vacation rentals, we have Baker Creek West, and we're staring down the barrel of Baker Creek North.

Only Village Quarter apartments remain in the city center. (Village Quarter is senior affordable housing run by the Housing Authority of Yamhill County. The 50 units were built in 2008.)

It's also fun to note the same memo calls out **large apartments as being over 10 units**. We now have Evans Street Apartments with 120 units, Baker Creek West with 70 units, and Baker Creek North being proposed for 120 units. That's 310 apartment units directly off of Baker Creek Road. Then Baker Creek "South" (Baker Creek West and East) includes 208 houses; Baker Creek North is applying for 280 houses. That gives Stafford 488 single family houses directly off Baker Creek Road. Add in the proposed 108 single family houses in Oak Ridge Meadows and the total becomes 596 single family houses directly off of Baker Creek Road. Including the 310 apartments, **906 housing units have been added directly off Baker Creek Road**.

On December 4, 2019, I sent a letter to Charles Darnell concerning the Baker Creek North application. It including the following:

- What happens to traffic on Baker Creek Road?
- Does any of this construction count towards what McMinnville needs to account for beginning in 2021 or will McMinnville still need to come up with additional land and housing because of state mandates based on inflated population projections? Would it be in our best interest to delay until 2021?

As far as I can tell, we have added 906 housing units that do not, and will not, apply to the state-mandated targets. Based on the average of 220 housing units annually, that's over 4 years of supply – or 20% of our state-mandated 20-year planning period. Of that total, only six months' supply (Oak Ridge Meadows 108 units) retain the potential to be produced by a local builder.

This is Baker Creek West's interpretation of human-scale density and thoughtful design.



**The Planning Department is recommending that Baker Creek North be allowed an additional 10 feet in height for a total of 45 feet, or four stories.** That's more than twice the height limit for **a sign along the 99W commercial corridor**. If you don't like the sign comparison, the only 4-story building façade along Third Street, AKA the City Center, is McMenamins. (The tallest building I have found in a residential zone is McMinnville High School which is in a residential area zoned for a maximum of 35 feet. The high school got a variance to 53.5 feet for its remodel.) So we don't have 4-story buildings in the middle of town, but we recommend that they be built on the edge of the UGB. That's an interesting interpretation of the Great Neighborhoods' Urban Rural Interface principle: complement adjacent rural areas and transition between urban and rural uses, not to mention McMinnville residents' desire to avoid Portland-style communities, and that high density should be clustered around the City Center. My repeating that there's no transit and no commercial center within a half mile is probably just overkill at this point.

### **Who Has to Pay for Missed Opportunities?**

We've been told that the only place available to build out high density is the northwest corner, right next to prime farm land. That is due in large part to recent decisions that have been made regarding projects in or near the city center, where density is supposed to be. First, there's the **Kaos project** that was supposed to include several floors of hotel, but instead resulted in two restaurants and a couple of floors of tasting rooms. Not sure exactly what happened to that. I've heard that the developer suddenly felt the hotel portion was too expensive and possibly hard to staff. Personally, I think that sort of issue should have been considered prior to applying and gaining the "Golden Ticket" permit to **tear down a building on Third Street** and build a new multi-story building with virtually no parking. Switching the hotel floors to apartments would have benefited the city more than additional tasting rooms. Then there's the **Taylor Hardware Building renovation** that eliminated occupied apartments in favor of vacation rentals. And most recently there is the **new Washington office building** going up between Adams and Baker near 6<sup>th</sup> Street. That was supposed to include a couple of floors of apartments. An apartment unit as well as a house were demolished to make room for the new construction. But it's only office space and no apartments because, again, after the fact (and the permit), it was determined that apartments were too expensive to build. April 21, 2017, I sent a letter to Ron Pomeroy of the Planning Department that included the following:

17.53.075 D. and E. provide a basis to require a subdivider to provide a deposit or bond to assure full and faithful performance, particularly for roads, construction damage to existing roads, and utilities. Proof of financial performance can also be required for landscaping, so it is not unreasonable to expect some level of assurance of performance for a project of this size.

So, the city has walked away from three recent opportunities to provide housing units and increase density in or near the city center and has decided that the best solution to their little faux pas is to throw density into the northwest corner. Thanks.

## **Commercial or Confused?**

The developer wants to eliminate most of the Baker Creek North commercial land, probably because the developer has spent about a year unsuccessfully trying to find tenants, and residential land is more marketable at this point. I guess the corner of Hill and Baker Creek still isn't considered a commercial hub location.

There's been strong discussions about retail leakage, most recently at a January 21 EOA and Urbanization Study PAC meeting. As part of a study by Leland Consulting Group for the Three Mile Lane Area Plan (3MLAP), it was determined that 12.2 additional acres of commercial space would provide sufficient land to "capture some of the retail spending that is occurring in the larger Salem, Portland and I-5 corridor markets." Assuming that's correct, why would we give up commercial land that has the potential to be much more valuable to McMinnville as an ongoing revenue stream?

In a letter to Ron Pomeroy, dated January 23, 2017 and referring to the Baker Creek West application I wrote:

### **Ordinance 4626**

Ordinance 4626 was recorded on July 9, 1996. **It only refers to Tax Lot 200**, which is the tax lot south of the section of land referred to above as Parcel 3 (primarily Tax Lot 203). Once again, this ordinance amends "the City of McMinnville Comprehensive Plan Map from an existing commercial designation and rezoning certain property from a C-3 PD (General Commercial Planned Development) zone to an R-1 PD (Single-Family Residential Planned Development) zone on 1.2 acres of land [a portion of Parcel 3 from Ordinance 4506], and a zone change from an R-1 (Single-Family Residential) zone to an R-1 PD (Single-Family Residential Planned Development) zone on approximately 21.8 acres of land located south of Baker Creek and east of Hill Road."

Unfortunately, I do not have the two exhibits specified in Section 2 and Section 3 of the ordinance to be more specific about the larger section of Tax Lot 200, but I believe everyone following this application has an understanding of the general location.

Section 3. 2. states that "the multiple-family project(s) must be nonlinear in design and Parking lots must be broken up by landscaping. In addition, **useable open space shall be provided within the development**, and streetside landscaping shall be emphasized."

Section 3. 3 states "that the minimum interior side yard setback shall be 7.5 feet."

Other lots are called out to have minimum lot sizes as well as minimum exterior side yard setbacks, but since I do not have access to the exhibits, I have not included those lots, but have only listed the qualifications that apply to the entire parcel.

Section 3. 7. specifies that “the applicant shall initiate with the City a process which will result in the designation of a minimum net 10 acres of land on the north side of Baker Creek Road in close proximity to its intersection of Hill Road for commercial purposes. The process shall include the application of a planned development overlay **which restricts the property from use for residential purposes.**” I only mention that fact because of the applicant’s comment at the January 19, 2017 hearing that they plan to put a senior residential structure on that site. Additionally, I’m sure you know that McMinnville is already short approximately 106 acres of commercially-designated land per state requirements. And finally, if that designation was not completed, I believe Ordinance 4626 is invalid since that designation was a condition of approval.

I have included a copy of Ordinance 4626, less the two exhibits mentioned that I do not have access to, for clarification

Again, the intent of Ordinance 4626 is pretty straight forward. And unlike Ordinance 4506, **it does not list any other ordinances it is changing or amending.** I would also like to point out that **Ordinance 4626 does not refer to Tax Lot 203 at all.** Therefore, I am unsure of the source of the Staff Report statement: “Also included in the BCW portion of the site is a 3.8-acre lot identified by the applicant as Phase II of this proposal and shown on Attachment 3(g). This site is zoned C-3 PD (General Commercial. Planned Development) and **currently designated for multiple-family development by ORD. No. 4626.**”

If the leap from C-3 PD is being made based not on ORD. No. 4626 as stated, but rather on 17.33.020 Conditional Uses in a C-3 zone, I repeat the same statement I made in my January 2, 2017 letter and at the January 19, 2017 City Planning Council Session, Section F. 5. does not allow it. Specifically, “F. A multiple-family dwelling constructed to a **higher density than normally allowed** in the R-4 multiple-family zone provided the following conditions are met. It is the applicant’s burden to show that the conditions have been met: ...5. **That the provisions of this section may be utilized only in the core area, defined as that area bounded by First Street, Fifth Street, Adams Street and Johnson Street.**” It should be noted that the same qualification is listed in the R-4 zoning section as well.

An additional assumption appears to have been made regarding building height requirements. 17.33.040 Building Height stipulates “in a C-3 zone, buildings shall

not exceed a height of **eighty feet.**” I am unsure of where the 60- to 65-foot height limitation came from that was mentioned at the City Planning session, but it is irrelevant anyway. The 80-foot limitation is based on Ordinances 4128 (1981) and 3380 (1968), both of which **are superseded by Ordinance 4506 (1991)** which made a building height limit of 35-feet a condition of C-3 zoning for the section of Tax Lot 203 described as Parcel 3.

In case there is any confusion as to what restrictions apply, section 17.03.040 states “**Interpretation – More restrictive provisions govern.** Where the conditions imposed by any provision of this title are less restrictive than the comparable conditions imposed by any other provisions of this title or of any other ordinance, resolution, or regulation, **the provisions which are more restrictive shall govern.**”

I have included this excerpt because the May 2, 2017 Planning Decision Letter addressed to Morgan Hill, stated that **Stafford only wanted to amend the lot sizes in Ordinance 4626.** I assume that was because 4626 included the C-3 PD which allowed the apartment buildings in the northwest corner of Baker Creek West and also supported Stafford’s application for higher density. 4626 also included the restriction that the required 10 acres of commercial land north of Baker Creek Road, part of the current Baker Creek Road North application, was restricted from being used as residential. Instead, **the decision letter completely repealed 4626, which should have negated the C-3 PD apartment complex.** The letter was signed by the Planning Director. And the apartment complex is being built as I type. And the Baker Creek North application includes less than 10 acres of commercial and residential within the commercial that does remain.

### **Rich the New Minority?**

A really unpopular fact that no one is thinking about the lack of high income housing. According to Exhibit 89 in the Housing Needs Analysis done by ECONorthwest, McMinnville will need 1,833 new household units within the 20-year planning period for people who have more than 120% of median household income. We’ll only be short 965 new households for people who have less than 50% of the median household income. I’m sure most of you aren’t feeling sympathetic about rich people lacking twice as many housing units as poor people, but two issues should get you thinking about it.

First, ECONorthwest states that with lack of more expensive housing, rich people will buy less than they can afford. Good news for them since they’ll save money (maybe that’s why they’re rich?); bad news for the middle and lower income people because it puts more pressure on the lower-priced housing market. The March 9, 2019 memo from City Planning Staff I referenced previously makes the same points, so all planning entities are in agreement.

Second, and even more blunt and less popular, McMinnville needs the high income people who have the disposable income to support things like Habitat for Humanity –

Habitat may be able to build a house with volunteer labor, but they still need dollars to buy the land and the supplies. Disposable income makes up the difference, or outright supports, the various art pieces around town; the food pantries; the senior center; the Kids on the Block program; toy and clothing drives; and even the decorative street lights we all enjoy during the holiday season. The list is long since McMinnville has been fortunate to attract people who have the desire and the means to contribute to the community. We'd be foolish to ignore them just as we'd be foolish to ignore low income people. The Planning Department keeps talking about balance, but after a year of meetings, I haven't heard anything about high-amenity/executive level housing other than it could go in the high risk landslide area that will require a \$10 million pumping station to get water – and that won't happen for a decade.

A related point is that ECONorthwest income figures are based on **income only, not net worth**. For example, I could sell a house and bank the money. It wouldn't show up as income. (Mark Davis disagrees because he looked up the definition online, however, the ECONorthwest analysis stated, and I confirmed with their representative, that only income was used, not net worth, investments or savings.) The way the income levels are counted, McMinnville's income levels could be artificially low through the upper and middle classes, but probably not through the low and very low income classes since it's unlikely those groups have significant investments or net worth. If the income levels are not an accurate reflection of wealth, McMinnville may have more of a deficit of high-amenity/executive housing than stated in the report.

So we've taken an area that has traditionally been high income (Fox Ridge in the UGB and West Wind outside the UGB) and we now have Baker Creek West and whatever happens in Baker Creek North. We've made it high density, low service and less than attractive. Nothing being built is high-end (sorry, but no heat pump and one garage door opener is cheap, not high amenity). Anecdotally, December 31, 2019, I met someone from Eola Hills who wanted to downsize to an apartment within two years. I suggested Baker Creek West. She said she didn't want to live in a tenement, so with no high-end apartment choices she was planning on moving to St. Mary's Woods in Lake Oswego. Her words, not mine.

At what point do we walk the talk and decide that our priority is McMinnville?

Patty O'Leary



1312 N HWY 99W  
McMinnville, OR 97128  
Office: (503) 472-7514  
Fax: (503) 472-3787

January 24, 2020

RE: Baker Creek North Planning Commission Condition 20

To City Council Members,

We are writing to you, as a local Home Builder, Premier Home Builders, Inc, and Land Developer, Premier Development, LLC, here in McMinnville for the last 25 years.

In our opinion, McMinnville is one of the better communities to work with. The City of McMinnville is better from a stand point that it has not overburdened the home building process with specific architectural design requirements. There is also timely responsiveness from the staff and the willingness to work with builders through the permitting process to meet the City's Standards.

The City already has established workable building standards that are fairly new and comprehensive on the books. ie. "Five Finger Rule and Pattern Book".

The Planning Commission's version of the Condition 20, feels like extremely, costly, government overreaching in an area where the City already has good standards. The Planning Department just needs to implement those standards, ie. the Five Finger Rule and the Pattern book to ensure a variety of architecture style, colors, differences in the roof lines and facades of the houses.

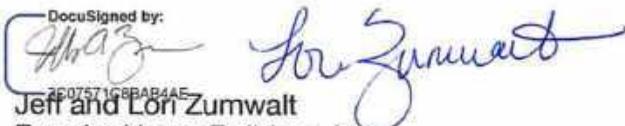
Why is it necessary to rewrite the standard?

In today's McMinnville housing market, it is very hard to build an affordable home for first time buyers due to the added costs of land, labor, materials and regulations.

How is the City of McMinnville helping to meet this housing need? - Not by requiring Home Builders and Home Buyers to include additional costly gingerbread items to their homes.

If the Planning Commission Condition 20's architectural standards needs to be implemented for the purpose of approving Baker Creek North, then we would agree with, and support Stafford's detailed review and revisions. But, before these similar standards are forced to become part of McMinnville's standards, we believe there should be much more thought as to the consequences of these design standards and input from City residents and Home Builders.

Sincerely,

DocuSigned by:  
  
2F0757168B4A4AE  
Jeff and Lori Zumwalt  
Premier Home Builders, Inc  
Premier Development, LLC

January 27, 2020

City of McMinnville Planning Department  
Attn: Charles Darnell  
231 NE Fifth Street  
McMinnville, Oregon 97128

RE: Stafford – CPA 1-19; ZC 1-19; PDA 2-19; PD 1-19; s 1-19; L 2-19

Dear Mr. Darnell,

I have the following comments about Stafford's Charbonneau-produced traffic study:

1. Why was it recommended to exclude the Hill Road/Baker Creek intersection when it's currently the nearest intersection to the proposed commercial zone as it is now laid out? Do we not want to know how the new roundabout is actually performing before we add additional traffic load to it?
2. The traffic study was done in July and morning and evening traffic patterns on Baker Creek are significantly different during the school year, nine months of the year, and the summer, only three months of the year.
3. Despite Charbonneau's assertion that all of Baker Creek is posted at 35mph around the proposed new Baker Creek North access points, the speed limit along Baker Creek Road from Hill to past Meadows is 45mph. It is posted, although the west direction sign and post disappeared from Stafford property within a few weeks of it being reinstalled when the road construction was done (the sign was just past the large oak trees on the north side of Baker Creek Road near the entrance where they dump soil). If nothing else, Charbonneau should have seen the eastbound 45mph sign since it is in the section of road they were contracted to study. Maybe they're not as observant as they should be.



Wikipedia defines engineering tasks as:

Engineers develop new technological solutions. During the engineering design process, the responsibilities of the engineer may include defining problems, conducting and narrowing research, analyzing criteria, finding and analyzing solutions, and making decisions.

The Balance Careers say:

Engineers are problem solvers who use their expertise in science and math to do their jobs.

I'm curious where the statement that McMinnville citizens need to "just deal with the traffic" falls within those definitions. I'm surprised that an engineer, much less a McMinnville engineer, would respond to citizen concerns with a statement like that. I'm willing to assume that the response was generated by frustration caused by lack of ideas, so let me throw some ideas out to get a brainstorming session going.

Working east to west, I believe these relatively simple changes could make a positive difference:

1. **Baker Creek Road and 99W intersection.** I have been told that McMinnville cannot control the lights on 99W because that is state-controlled. *IF* that is correct, while we wait for a left turn signal to be installed, have we ever considered making that intersection a three-way light intersection rather than a two-way intersection? I mean alternate the light sequences for Baker Creek and Evans so that left turns can be made from Baker onto 99W without having to fight oncoming Evans Street traffic. The lights would be short, but at least people would know that 4 or 5 cars could get through at a time rather than zero. If it's not true that the state controls lights on 99W that change should have already been made.
2. **Baker Creek Road and Elm Street.** Make the west entrance to the Baker Creek church parking lot "exit only." When cars traveling east on Baker Creek Road use that as an entrance, it blocks the Elm Street intersection. An "exit only" sign for that one parking lot driveway seems like a simple solution.



3. **Proposed Michelbook Intersection Light.** *Don't do it.* A light at Michelbook will simply make it very difficult for cars trying to turn east onto Baker Creek Road from both Alice Kelley and Crimson Streets and you all will hear about. I doubt even painting a “box” in both of those street intersections would work since people still block the “box” by the police station. If people won't respect a police station entrance/exit, I doubt they will respect a basic intersection. You have an opportunity to avoid making McMinnville live with a decision based on a plan done ten years ago. Take advantage of it.



4. **Put a Light at Pinehurst.** Pinehurst has better sight lines in both east and west directions without having other street intersections right next to it. All that needs to happen at Michelbook to have traffic be able to turn on and off of Michelbook is to have a traffic break – it's not a through intersection; it's a T-intersection. A light at Pinehurst will achieve that break without blocking two other intersections.



5. **Move the Location of the Proposed Baker Creek North Commercial Zone East to the Area Near the Electric Substation and Put a Light at Meadows.** That puts the commercial area across the street from Meadows, which is next to the BPA trail. Since the trail is to be continued through Baker Creek North, the enhanced intersection will provide a safer pedestrian crossing site for people wanting to use the entire trail. It will provide a safer intersection for foot traffic to access whatever commercial tenants might be found for Baker Creek North.

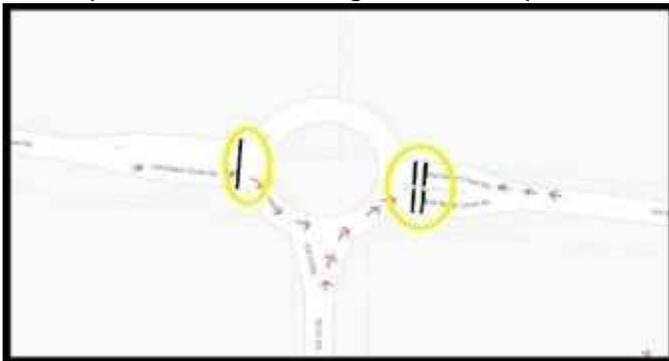


Moving the commercial site also means that potential delivery trucks will be able to avoid an undersized roundabout without driving through proposed residential streets and it should encourage Hill Road pedestrian traffic away from the roundabout. The roundabout is too small, so if a pedestrian uses the “crosswalk” portion as indicated, the entire intersection has to grind to a halt. If it was still a standard four-way stop, east bound cars would still be able to turn north or south.



The current roundabout is too small to allow more than two cars to back up there and still allow following cars to use the remainder of the roundabout. I know the politically correct term is traffic “calming.” I think we’re being naïve if we don’t admit the term is “frustrating.” That term now applies to the entire Baker Creek section, as I believe you’ve all been informed.

- 6. Eliminate the North-South Pedestrian Crossings on the East and West Sides of the Baker Creek-Hill Road Roundabout.** As I noted above, the roundabout is too small to accommodate pedestrians and cars, especially at peak commute times. I already expressed concern about the size of the roundabout as well as the location and lighting of the pedestrian crossing several months (years?) ago (verbally to the Planning Director, who kindly gave me the contact information of the project manager, who I emailed). I know traffic types in the U.S. are very excited about roundabouts and think we should follow Europe’s lead since roundabouts have been used for years over there. I guess the roundabout enthusiasts don’t read the same research I do: a British newspaper listed the top worst intersections in Britain – three of the top four were roundabouts. Britain is in the process of taking roundabouts out because they haven’t found a way to make pedestrians and bicyclists work well with cars in roundabouts. That information was available long before we decided to roundabout Hill Road, so once again, we have to live with the results. Closing those pedestrian crossings would help.



Everything I've listed are simple fixes, even moving the location of the commercial zone, provided we take the time now to do what makes sense for McMinnville instead of rushing six detailed, interrelated, how-does-one-impact-the-other-five changes to a vote. Maybe it's not the most convenient for Stafford, but it's the best decision for McMinnville. For the past two-plus months, I've watched exhausted people wading through volumes of paperwork and trying to understand complicated issues under unrealistic time pressures. Good people are testy and poor decisions are being made. To quote Heather Richards yet again, we have to live with what is built for the next 100 years. Please keep that in mind.

Patty O'Leary



PO Box 1621, Scappoose, OR 97056  
Phone 503-793-0914  
Email: blackhawkhomesllc@gmail.com  
CCB #197055

January 27, 2020

Dear Mayor and Councilors:

I am Steve Dow, and operate under the name of Black Hawk Homes LLC. We are an active builder here in McMinnville and have constructed 12 homes in McMinnville over the past 18 months, of which 9 were in the Baker Creek East Development. Our intention is to continue to build homes to help meet the housing needs in McMinnville.

You as a Council should be proud of the community you have helped to create, as McMinnville is a thriving community and is perceived to be a great place to raise a family or retire.

The reason I am writing is to go on the record for the Baker Creek North land use application by Stafford Development Company you presently have under consideration.

We anticipate being able to continue to buy finished lots from Stafford, and they have alerted me to the some of the Proposed Conditions of Approval which I find very troubling. I have had the opportunity to review multiple versions of the proposed Condition 20, and I can tell you that these standards will probably have the unintended consequence of homogenizing the neighborhood instead of adding variety.

As a spec home builder, it is important to understand that we invest our money in the community on a purely speculative basis. This means we have to be able to respond to the market demands and be able to build what the consumer wants, in all price points.

What McMinnville buyers want are homes with a three car garage. We need to be able to respond to this desire and the retirees really want a single level home with a three car garage. My review of the proposed condition 20 precludes such. While I was reviewing Condition 20, I also noticed Condition 18. Why limit the driveway approach width? Seems odd to me.

Additionally, many of the proposed features in Condition 20 as proposed to be included on a home appear to be outdated, and we need to have more flexibility in so far as the front porch size, configuration and designs. It seems to me that these standards were pulled from a dated planning document, and not created by an actual home builder.

The bottom line is that the building department staff does a good job at making certain we are building a variety of housing that are not simply "cookie cutter" neighborhoods. The proposed standard would force us to re-design even our most popular plans, and significantly increase the delays and overall construction costs of each and every home.

The added delays and costs, and being locked into dated design standards, are not a wise decision and I would urge you to either eliminate the Condition 20, (as I feel it is not needed at all), or at the very least give strong consideration to the revisions Stafford has proposed.

Thank you for your time and consideration,

Steve Dow

 01 28 20

SYMBIOTIK DEVELOPMENT LLC

10000 NE 5th Street, Suite 100, McMinnville, OR 97128

**Attn: Chuck Darnell**

**Senior Planner City of McMinnville**

**231 NE 5th Street**

**McMinnville OR 97128**

**My name is Vince Vinceri and I am both a Home Designer and Builder, and am presently building in Baker Creek East.**

**I have concerns with Condition 20 and Condition 18.**

**Condition 20 as Proposed would:**

- # 1. Promote "sameness", rather than the variety we are experiencing in Baker Creek East.**
- #2. Unnecessarily increase the costs of construction by the delays of re-designing and re-engineering market proven plans.**
- #3. Would make Single Level Homes with 3 car garages illegal?**

**The problem I see with implementing a policy as proposed by Condition 20 is that the designs are stuck in time. With a multi-year project, the building community needs to be able to adapt to changing market conditions and market demands. If the council feels compelled to implement architectural standards, the "Menu Approach" suggested by Stafford is much preferred for Condition 20.**

In regards to Condition 18:

#1. Limiting the driveway widths and approaches would not allow a person to step out of their car onto concrete. They would be forced to exit the vehicle into the mud / landscaping.

#2. RV parking must be an option for Home Buyers.

In conclusion, I feel that both Conditions 20 and 18 should be deleted.

Thank you for your time.

Vince Vincerl

Symbiotik Development LLC

7199 SW Ascot Ct

Portland OR 97225

ph: 503 984 1363



01 28 20

January 28, 2020

City of McMinnville Planning Department  
Attn: Charles Darnell  
213 NE Fifth Street  
McMinnville, Oregon 97128

RE: January 28 City Council Hearing on Stafford North Development; Letter of Concern

Dear Mr. Darnell,

Please pass this letter of concern to City Council members.

My name is Markus Pfahler and I live in West Wind subdivision near the new traffic circle at Baker Creek Rd and Hill Rd. I have a long time affiliation with McMinnville having moved here in 1975 with my parents and siblings. After college and a 30 year career in the U.S. Marine Corps, my wife and I elected to move back to Oregon in 2013, ultimately settling on McMinnville as our destination. We wanted to be in proximity to family and in our search for a place to live, rediscovered the small town charm that originally attracted my family to McMinnville 45 years ago.

I fear, however, that recent decisions by the Planning Commission and City Council are putting us on an irreversible path that will forever change the character of this rural and historic town. These six applications represent a pivotal point in our City's history. Will we retain our unique small town character ... or become another Beaverton?

I sat through the entire Planning Commission hearing on December 5, 2019 – to include the closed executive session, and came away with a host of concerns. Chief among them that the Commission members didn't have adequate time to review the 377 pages of documentation, didn't ask probing questions and, most likely, were somewhat overwhelmed.

As the Council considers these six land use applications (which I now note have grown in size to nearly 1,000 pages) for the proposed development of Baker Creek North, I, respectfully request Council members consider my concerns – which are many. For brevity, I will focus on four concerns: 1) "Vision" for McMinnville, 2) inadequate transportation infrastructure, 3) dwelling design standards, and 4) rate of dwelling construction. I will attempt to associate the concern to decision criteria contained in the McMinnville Municipal Code (MMC).

I have reviewed most of the City's key capstone documents, including; Mac-Town 2032 Strategic Plan, McMinnville 2010 Transportation System Plan, City of McMinnville 2019 Housing Needs Analysis, 2019, City of McMinnville, 2019 Housing Strategy, and Portland State's "Coordinated Population Forecast for Yamhill County.

**Concern #1: Vision for McMinnville.**

This concern is associated with McMinnville Municipal code (MMC): “Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area.”

These six land use applications put the City of McMinnville at the proverbial “fork in the road.” Down one road is more high density, high height housing that will lead to traffic overload (if not mitigated), and a town that will lose its unique rural heritage. Down the other road is a town that continues to guard, through **stewardship**, its place in history, growing in a slower more balanced manner that ensures other necessary elements of growth (e.g., transportation, services) are properly phased to support growth.

One of the charms of Oregon is having unique towns like Sisters, Cannon Beach and, yes, McMinnville. I do not want to see our town take the road that make us yet one more cookie cutter, traffic congested city like Beaverton.

In 2019, the City published a first time Strategic Plan (good move) that articulates a unifying Vision for McMinnville: “A collaborative and caring city inspiring an **exceptional quality of life.**” What impact would approval of these land use applications have on our Vision of an “exceptional quality of life?” In my opinion: detrimental. Local citizens will be spending more time sitting in their vehicles trying to get from point A to point B because of constrained and limited east-west road network – as outlined in the 2010 McMinnville Transportation Systems Plan. More on this issue later in this letter.

Earlier, I mentioned that recent decisions by the City Council are putting us on an irreversible path that will forever change the character of this rural and historic town. I refer here to the decision and current construction of high density and high height apartments and houses adjacent to the new Baker Creek Rd – Hill Rd traffic circle. Their box like appearance ranges from unappealing to displeasing. The transition between urban and rural should be balanced and proportional with the surrounding environment. Here it is not!

The decision to approve that development seemingly disregards key physical constraints. As the 2010 McMinnville Transportation System Plan makes clear, the city has very limited east-west roads connecting the western suburbs to downtown. The primary options are Baker Creek Road, 2nd Street, and to a smaller degree, Wallace Road. These roads were never conceived or constructed to carry the traffic load that is coming. **High density housing of this nature must be sited in proximity to road infrastructure that has the capacity to process increased traffic volume.**

I have lived in many cities during my military career. In Fairfax County, VA, the type of apartments being constructed near the new traffic circle would be found alongside major roadways (typically two lanes each direction). During our recent one year residency in Wilsonville, OR (a town that has great city planners), we lived near the high school in a mixed housing area of single family homes and **two** story apartments. Two story apartment heights, in combination with effective landscaping, result in an acceptable appearance. Wilsonville planners sited larger three story apartments near primary roads.

## **Concern #2. Inadequate transportation infrastructure.**

**Discussion.** This concern is associated with the following MMC decision criteria: *“The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area.”*

My limited research indicates construction of this development, coupled with other developments already approved or under construction in proximity to Baker Creek Road, will lead to problematic traffic volumes. (More details below.) I believe due diligence requires a formal traffic study of the entire Baker Creek Road area and into the downtown area **before** any approval of these land use applications by the City Council.

Land use applications proposing new home developments such as Stafford’s Baker Creek North development include some form of traffic impact assessment, either by the developer or a consultant hired by the developer. These traffic assessments, generally, only consider roadways in and in close proximity to the subdivision. **The traffic assessments I have reviewed do not consider downstream impacts upon major roads, major road intersections, downtown core, etc.**

To my knowledge, the most current traffic analysis for McMinnville was completed in 2006 with results contained in a 2010 dated document titled: “City of McMinnville Transportation System Plan.” The document includes a “Transportation Systems Analysis” at appendix C. The date of that data collect was 2006 – 13 years ago. The analysis includes major road intersections. **The analysis determined the peak PM delay at the intersection of Baker Creek Rd and Pacific Hwy at 13.3 seconds. The analysis estimated the delay at this intersection in 2023 would be 19.6 seconds.** Here we are in 2020 and the average delay is already well beyond 19 seconds. Presently, it often takes a second green light cycle to execute a left turn onto Pacific Hwy.

Wondering what the traffic impact might be from Stafford’s 280 home development, I used traffic data from the recently approved 108 home Oak Ridge Meadows development that will be located on the north side of Baker Creek Rd and adjoining the eastern side of Stafford’s proposed Baker Creek North development.

- DKS Associates, a Portland based transportation planning and consulting service, conducted a Traffic Impact Analysis (TIA) for Oak Ridge Meadows. Among its findings for the 108 single family home development: “The development is expected to generate 80 (20 in, 60 out) AM peak hour trips, 107 (67 in, 40 out) PM peak hour trips, and **1,020 daily trips**. 1,020 daily trips divided by 108 homes = 9.44 trips per home.
- Using the 9.44 trips per home as our benchmark, how many additional trips will be generated by dwellings currently under construction, already approved by the city and in the planning approval process – that will use Baker Creek Rd as their primary route:
  - Baker Creek West and East: 208 homes x 9.44 trips/home = 1,964 daily trips
  - Baker Creek West: 70 apartments x 9.44 trips/home = 661 daily trips
  - Baker Creek North: 280 homes x 9.44 trips/home = 2,643 daily trips
  - Baker Creek North: 120 apartments x 9.44 trips/home = 1,133 daily trips
- These 786 new homes and apartments will generate about 7,420 daily trips
- Assuming 85% of trips are taken during a 12 hour period (6 am – 6pm) results in 6,307 trips over 12 hours, 8.7 trips per minute, and **1 trip every 7 seconds**.

- **To help visualize what that might look like, image standing today at the traffic light intersection of Baker Creek Rd and N Baker St and watching vehicles go by. Then, factor in an additional vehicle driving by every 7 seconds.**
- Also factor in the additional 1,133 trips per day of traffic volume coming from the new 120 unit apartments off Evans St.
- This higher volume of traffic will make it challenging to enter the new Baker-Hill traffic circle, at certain times of the day, and to make left turns onto Baker Creek Rd from side streets.
- Much of the additional volume will be acutely felt at the intersection of Baker Creek Rd and Pacific Hwy – particularly at the left turn lane. Already, today, the delays at this light are beyond what the 2010 traffic study estimated, taking more than one light cycle to get through, and sometimes backing up cars in the turn lane beyond the Evans St. entrance.
- Another major intersection at 2<sup>nd</sup> St and Pacific Hwy – recently reconstructed – is already backing up two red light cycles during various times of day.
- As City planner continue to plan the buildout on the west side of town, they must take into account certain constraints caused by geography and decisions by city leaders in prior decades. One is the lack of major east-west roads. We have Baker Creek Rd, 2nd Street and, to a degree, Wallace. I say “to a degree” because driver using Wallace to get downtown will often end up on 2nd street. While the new Hill Rd provides some efficiencies, it’s N-S orientation does little to alleviate the load on Baker Creek Rd or 2<sup>nd</sup> St. In fact, this new road may be leading more drivers who reside in the west hills to opt for Baker Creek Rd to head towards Portland in order to avoid going down 2<sup>nd</sup> street and through city core and it’s multiple traffic lights.
- The new Mac 2032 Strategic Plan contains seven high level priorities. One of them states: “Guide growth and development strategically, responsively, and **responsibly** to enhance our unique character.” “Responsible,” in my opinion and given the above traffic volume estimates, says the right thing to do is obtain a formal traffic analysis before approving further large scale developments.
- There are a few relatively low cost actions that can be done today at the intersection of Baker Creek Rd and Pacific Hwy without having a formal traffic analysis completed:
  - Provide a dedicated left turn signal for drivers on Baker Creek Rd heading northbound on Pacific Hwy. This is long overdue!
  - Another measure is removing the first 10-15 ft of concrete lane divider on Pacific Hwy so cars turning left have a more natural 90 degree turning arc, moving the vehicle “stop line” back 10-15 ft for vehicles using the left turn lane of southbound Pacific Hwy (heading towards the high school) back an equal distance, and restriping the new arc.
- This is a dangerous intersection for pedestrians today and safety enhancements should be a high priority. Longer term, the high school side of Evans St needs to be widened to allow left turn, center/straight, and right turn lanes.

Recommendation:

- In coordination with ODOT, implement the recommendations outlined above to improve the intersection of Baker Creek Rd. and Pacific Hwy.
- Contract for an updated traffic study for McMinnville that specifically assesses impact of current and planned growth on not only Baker Creek Road and 2<sup>nd</sup> St., but side streets and downtown impacts as well.

- Approval of Stafford’s development application should be contingent upon completion of a traffic study by a properly credential traffic consultant.

**Concern #3. Dwelling design standards.**

The McMinnville Comprehensive Plan contains a number of sub-policies that, I believe, touch upon dwelling exterior features/finishes. My sense is there is broad disappointment within the nearby community over the appearance of homes being constructed by LGI near the new traffic circle at Baker – Hill Roads – and a fear that the same outcome may occur with Stafford’s Baker Creek North development. To avoid a repeat scenario requires stricter up front design standards, and more effective City oversight during construction to ensure design standards are met.

During the December 5, 2019 Planning Commission meeting (which I attended), some verbal disagreements occurred between Stafford LLC representatives and City Planning staff regarding dwelling design changes the planning staff placed into their conditions of approval. For example, planning staff directed a change to front porch size which Stafford objected to because it would cost them to redesign. The City must put mechanisms in place to ensure agreed upon dwelling designs are carried through during construction.

To my knowledge, approval of home designs within the City of McMinnville is done by the City Planning Dept. They are a hard working staff, however, they don’t have the keen eyes of an architect who possesses a better understanding of building/structure scale, proportion, function, harmony with surrounding environment, and a host of other considerations that City planners lack. If an architect on contract to the City had been involved in the design review and approval process for the homes and apartments going up near the Baker Creek Rd traffic circle, I’m pretty sure their appearance today would be quite a bit more eye pleasing.

Recommendation:

- The City should give serious consideration to hiring an architect or contacting for services on an “as needed basis.” This will lead to better outcomes to include freeing up City planning staff to focus on other essential business.
- Develop a comprehensive legal contact between the City and Stafford LLC that specifies dwelling design standards, as well as all other aspects of the project – in a manner that mitigates litigation risk to the City.

**Concern #4. Rate of dwelling construction appears excessive.**

In researching historical and forecast dwelling construction and comparing it to current dwelling construction, it appears the current rate of construction is well above historical.

Historical. The Portland State population forecast shows an average of **265 dwellings** constructed per year during the period from 2000-2010, with an average household size of 2.7 persons. The 2019 McMinnville Housing Needs Analysis shows an average of **191 new dwellings** per year during the period from 2000-2017, with an average household size of 2.2.

Future forecast (2017-2035). Portland State projects McMinnville population growing by 9,829 persons – or 546 persons per year. Dividing 546 by household size of 2.7 results in an average of **202 new dwellings** per year. Looking at these numbers, 200 new dwellings per year is a pretty good benchmark.

A question worth asking is: How does McMinnville’s current dwelling construction rate compare with the 200 home per year benchmark? Here’s a snapshot:

Current construction or completed in recent months:

- Evans St: 120 apartments
- Baker Creek West and East: 208 homes
- Baker Creek West: 70 apartments
- **Total: 398**
- (Note: There are additional dwellings under construction that are not captured here.)

Approved but not yet under construction:

- Oak Ridge Meadows: 108 dwellings

In the hopper for decision:

- Baker Creek North: 280 homes
- Baker Creek North: 120 apartments

With nearly 400 dwellings under construction when the benchmark objective is about 200 new dwellings per year, seems to indicate building “ahead of need.”

It’s important that the right types of dwellings are being constructed locally. The McMinnville Housing Needs Analysis provides some targets.

- For the period 2020-2021 it recommends:
  - o 84 – single family detached dwellings per year
  - o 18 – single family attached dwellings per year
  - o 50 – multi-family dwellings per year
- It recommends the following housing mix for 2021-2041:
  - o 55% - single family detached
  - o 12% - single family attached
  - o 33% - multi-family
  - o Density of 5.3 dwellings units per gross acre

The City Council, in the process of making land use decisions involving new dwellings, **must** be provided with a summary (or snap shot in time) of where the City stands in terms of required types dwellings, as articulated in the Housing Need Analysis, compared to types and numbers of dwellings currently under construction or previously approved. Barring this information, how do you know whether the demand signal is being met?

This concludes my major concerns. I have many others that I will address in separate correspondence which concern policies and procedures for City staff and executive decision bodies – an area I see needing improvement after reviewing this application.

In closing, I ask that you consider my concerns as well as those of fellow citizens. I have found in my short time back in McMinnville, that I have neighbors with valuable knowledge and experiences that – if listened to – can help set our community on a good path. And finally, thank you for your service and dedication to this beautiful, unique town. Let's keep it that way.

Markus Pfahler  
2515 West Wind Dr.  
McMinnville, OR 97128

City Hall  
230 N.E. 2<sup>nd</sup> Street  
McMinnville, Ore. 97128  
Attn: city council

Councilors,

Just a heads up. One chapter of the TSP plan that caught my attention was the transportation projects that the committee identified in 2010. The city has already completed Hill Road and several project that were in the transportation bond. And there was a million dollars projected for a portion of 2<sup>nd</sup> street. BUT Baker Creek Road didn't even make the top 10 list. So, it is obvious the committee didn't think there would be near as much density (and traffic) on the Baker Creek Road corridor at this time.

If you will conduct your own study (not Stafford's or Premiers) on:

1. A realistic traffic count that will be using Baker Creek Road in 2024 or so when all the currently approved developments will be filled with residents.
2. Plus the projection of how many commuters per day from developments south of Cottonwood who will be using Baker Creek Road as a ring road to get to school or work in the north end of town.
3. AND, given that total volume ---- How in the heck are the residents of the 7 or 8 Cul-De-Sac developments between Michelbook Lane and Oak Ridge/Doral streets going to safely exit on to Baker Creek road during the morning and afternoon rush hours – when both lanes of Baker Creek Road will be loaded with east/west bound traffic.

I copied the list of projects on the original list. If Baker Creek road isn't on the list yet, I think the results of a traffic study that looks at all 3 issues above will convince you to move Baker Creek road to the top of your project list.

You folks have a tough enough job "if" you had updated and accurate information. But you have very little chance of getting things right when you base your votes on the outdated/incorrect information like Stafford's traffic study, Premier's wetland delineation report, and 36 year old FEMA floodplain designations.

I included a separate copy of a two day traffic count that Scott Larsen and I had done last week (we just got results). Scott will present the numbers at the hearing tonight (28<sup>th</sup>). But I think the volume was almost three times the volume of Stafford's study.

Mike Cowin

# All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

Start Time	22-Jan-20 Wed	EB	WB							Total
12:00 AM		5	2							7
12:15		0	3							3
12:30		2	0							2
12:45		0	4							4
01:00		0	1							1
01:15		1	4							5
01:30		0	2							2
01:45		4	1							5
02:00		2	0							2
02:15		0	3							3
02:30		1	2							3
02:45		2	1							3
03:00		1	0							1
03:15		2	0							2
03:30		5	3							8
03:45		6	1							7
04:00		3	2							5
04:15		12	4							16
04:30		6	4							10
04:45		13	2							15
05:00		25	6							31
05:15		39	6							45
05:30		33	1							34
05:45		30	5							35
06:00		28	9							37
06:15		33	17							50
06:30		55	23							78
06:45		79	28							107
07:00		57	26							83
07:15		100	26							126
07:30		116	33							149
07:45		200	49							249
08:00		136	66							202
08:15		86	56							142
08:30		64	56							120
08:45		78	45							123
09:00		64	44							108
09:15		43	47							90
09:30		48	42							90
09:45		68	42							110
10:00		54	43							97
10:15		65	49							114
10:30		65	45							110
10:45		51	34							85
11:00		63	40							103
11:15		54	55							109
11:30		67	73							140
11:45		70	66							136
<b>Total</b>		1936	1071							3007
<b>Percent</b>		64.4%	35.6%							
<b>Peak</b>	-	07:15	11:00	-	-	-	-	-	-	07:30
<b>Vol.</b>	-	552	234	-	-	-	-	-	-	742
<b>P.H.F.</b>		0.690	0.801							0.745

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

Start Time	22-Jan-20 Wed	EB	WB						Total	
12:00 PM		76	73						149	
12:15		72	75						147	
12:30		64	65						129	
12:45		56	68						124	
01:00		60	79						139	
01:15		82	50						132	
01:30		70	69						139	
01:45		56	67						123	
02:00		63	62						125	
02:15		73	50						123	
02:30		47	87						134	
02:45		90	89						179	
03:00		72	78						150	
03:15		79	84						163	
03:30		72	111						183	
03:45		77	111						188	
04:00		74	92						166	
04:15		62	106						168	
04:30		66	104						170	
04:45		67	103						170	
05:00		63	110						173	
05:15		59	137						196	
05:30		64	99						163	
05:45		57	113						170	
06:00		51	107						158	
06:15		69	70						139	
06:30		38	76						114	
06:45		45	77						122	
07:00		26	47						73	
07:15		38	47						85	
07:30		27	63						90	
07:45		24	44						68	
08:00		33	67						100	
08:15		34	32						66	
08:30		21	30						51	
08:45		23	26						49	
09:00		13	27						40	
09:15		8	31						39	
09:30		17	21						38	
09:45		12	19						31	
10:00		10	16						26	
10:15		10	22						32	
10:30		3	14						17	
10:45		6	8						14	
11:00		1	7						8	
11:15		4	6						10	
11:30		4	3						7	
11:45		5	5						10	
Total		2143	2947						5090	
Percent		42.1%	57.9%							
Peak	-	14:45	17:00	-	-	-	-	-	-	16:30
Vol.	-	313	459	-	-	-	-	-	-	709
P.H.F.		0.869	0.838						0.904	

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

Start Time	23-Jan-20 Thu	EB	WB						Total
12:00 AM		2	1						3
12:15		3	2						5
12:30		2	3						5
12:45		0	1						1
01:00		1	3						4
01:15		1	1						2
01:30		1	1						2
01:45		1	2						3
02:00		0	4						4
02:15		1	2						3
02:30		2	3						5
02:45		1	2						3
03:00		1	2						3
03:15		2	2						4
03:30		3	2						5
03:45		5	2						7
04:00		10	3						13
04:15		9	3						12
04:30		10	2						12
04:45		20	0						20
05:00		24	3						27
05:15		26	7						33
05:30		35	4						39
05:45		34	7						41
06:00		22	14						36
06:15		35	10						45
06:30		43	30						73
06:45		70	28						98
07:00		50	33						83
07:15		97	27						124
07:30		127	35						162
07:45		185	56						241
08:00		127	64						191
08:15		78	69						147
08:30		61	52						113
08:45		64	48						112
09:00		65	34						99
09:15		54	47						101
09:30		60	35						95
09:45		67	40						107
10:00		60	64						124
10:15		63	40						103
10:30		62	64						126
10:45		68	51						119
11:00		60	61						121
11:15		63	75						138
11:30		65	69						134
11:45		78	66						144
<b>Total</b>		<b>1918</b>	<b>1174</b>						<b>3092</b>
<b>Percent</b>		<b>62.0%</b>	<b>38.0%</b>						
<b>Peak</b>	-	07:15	11:00	-	-	-	-	-	07:30
<b>Vol.</b>	-	536	271	-	-	-	-	-	741
<b>P.H.F.</b>		0.724	0.903						0.769

### All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

Start Time	23-Jan-20 Thu	EB	WB							Total
12:00 PM		86	70							156
12:15		48	70							118
12:30		69	57							126
12:45		72	72							144
01:00		54	51							105
01:15		58	70							128
01:30		72	60							132
01:45		66	66							132
02:00		77	68							145
02:15		76	64							140
02:30		59	87							146
02:45		82	64							146
03:00		66	91							157
03:15		69	81							150
03:30		69	128							197
03:45		61	100							161
04:00		62	100							162
04:15		52	108							160
04:30		74	122							196
04:45		98	112							210
05:00		68	106							174
05:15		70	101							171
05:30		51	116							167
05:45		60	89							149
06:00		50	73							123
06:15		45	80							125
06:30		37	64							101
06:45		43	67							110
07:00		30	72							102
07:15		30	56							86
07:30		25	40							65
07:45		15	32							47
08:00		28	38							66
08:15		26	40							66
08:30		19	48							67
08:45		12	40							52
09:00		24	29							53
09:15		13	26							39
09:30		5	23							28
09:45		17	11							28
10:00		10	15							25
10:15		6	13							19
10:30		4	11							15
10:45		7	6							13
11:00		6	9							15
11:15		4	12							16
11:30		3	6							9
11:45		3	6							9
Total		2081	2870							4951
Percent		42.0%	58.0%							
Peak	-	16:30	16:15	-	-	-	-	-	-	16:30
Vol.	-	310	448	-	-	-	-	-	-	751
P.H.F.		0.791	0.918							0.894
Grand Total		8078	8062							16140
Percent		50.0%	50.0%							
ADT		ADT 8,070	AADT 8,070							

LIST of upcoming Road Projects from 2010 TSP Plan. A Baker Creek project to handle the much heavier traffic we will see by 2023 (or so) was not included.

for your own sakes, please have an accurate projection/forecast done and move Baker Creek Road up your list of priorities.

Otherwise citizens are going to become unhappy with traffic congestion caused by adding density before updating the streets capacity first

Mike Colvin



# Transportation System Plan

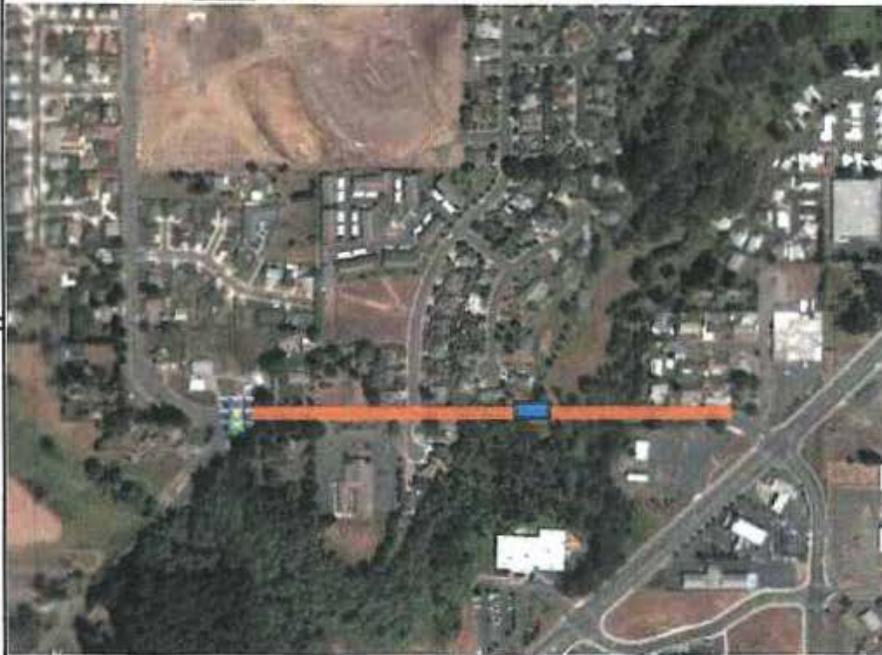


## Appendix D TSP Project Summaries

Existing Conditions



## Improvements



## Multi-Modal



Safety	x	x	x
Capacity	x	x	x
Access/Circulate		x	x
Operations	x		
Freight			



## Project Costs

Street Improvements	
New Widening	\$1,197,900
Right-of-Way	\$181,500
Traffic Control New/Replacement Signal(s) Special	\$200,000
Bridge	\$792,000
<b>Total Cost</b>	<b>\$2,371,400</b>

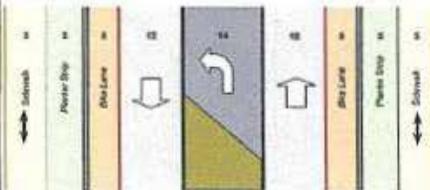


## Problems

- \* Deficient Bridge
- \* Missing Sidewalks, Bike Lanes & Turn-Lanes
- \* Poor Pavement
- \* Substandard Urban Arterial



## Profile



PM Peak Hour Traffic (both dir)	
2003	1000
2023	1680
<b>% Increase</b>	<b>68%</b>

- \* Deficient Bridge Replacement
- \* Added Turn Lanes - Street Capacity & Safety
- \* Added Sidewalks - Critical Connection to Hwy 99W
- \* Added Bicycle Lanes - Critical Southern City Connector
- \* New Traffic Signal at Cypress
- \* Streetscape Amenities



## Funding Plan

Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	County TBD
<b>Total:</b>	<b>\$2,371,400</b>



# Old Sheridan Road



Existing Conditions



## Improvements



## Multi-Modal

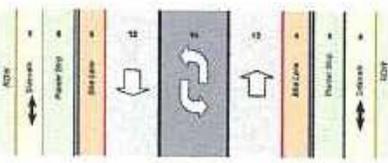
### Problems

- \* Rural Cross-section
- \* Missing Sidewalks, Bike Lanes & Turn-lanes
- \* Substandard Urban Arterial



Safety	x	x	x
Capacity	x	x	x
Access/Circulate		x	x
Operations	x		
Freight			

### Profile



PM Peak Hour Traffic (both dir)	
2003	460
2023	715
<b>% Increase</b>	<b>55%</b>

- \* Urban Street Upgrade - Street Capacity & Safety
- \* Added Sidewalks
- \* Added Bicycle Lanes - Critical Northwestern City Connector
- \* Streetscape Amenities

### Project Costs

Street Improvements	
New Widening	\$696,300
Right-of-Way	\$105,500
Traffic Control	
New/Replacement Signal(s) Special	\$0
Bridge	\$0
<b>Total Cost</b>	<b>\$801,800</b>

### Funding Plan

Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	County TBD
<b>Total:</b>	<b>\$801,800</b>



Transportation System Plan

# North Baker Street



## Improvements



## Multi-Modal

- Safety x
- Capacity x
- Access/Circulate x
- Operations x
- Freight x



## Project Costs

Street Improvements	TBD
New Widening	
Right-of-Way	
Traffic Control	
New/Replacement Signal(s) Special	\$1,000,000
Interchanges	\$25,000,000
<b>Total Cost</b>	<b>\$26,000,000</b>



## Funding Plan

Transportation SDC	
Special Grants	
Private	TBD
Local Funds	
ODOT/Courty	ODOT TBD
<b>Total:</b>	<b>\$25,500,000 "+"</b>



## Problems

- \* Diminishing highway capacity conditions
- \* Local land plan development and access needs

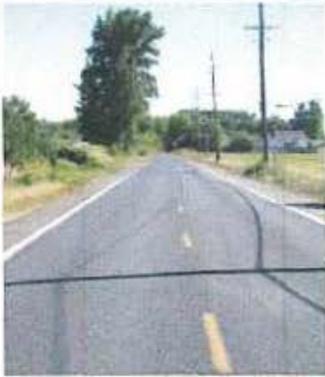
### 3- Phase ODOT Hwy 18 Plan Implementation

- \* Two New Interchanges
- \* Collector Street Access Routes
- \* New Traffic Signals



# Hwy 18 Corridor Plan

Existing Conditions

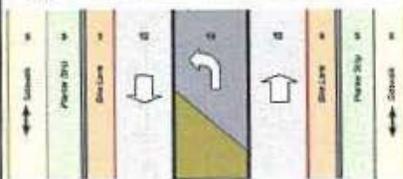


### Problems

- \* Rural Cross-section
- \* Missing Sidewalks, Bike Lanes & Turn-Lanes
- \* Poor Pavement
- \* Substandard Urban Arterial



### Profile



PM Peak Hour Traffic (both dir)	
2003	165
2023	365
% Increase	121%



### Improvements



### Multi-Modal

	Car	Person	Bike	Bus
Safety	x	x	x	x
Capacity	x	x	x	x
Access/Circulate	x	x	x	x
Operations	x			
Freight				



### Project Costs

Street Improvements	
New	\$0
Widening	\$2,788,500
Right-of-Way	\$686,500
Traffic Control	
New/Replacement Signal(s)	\$200,000
Special	
Bridge	\$0
<b>Total Cost</b>	<b>\$3,675,000</b>



### Funding Plan

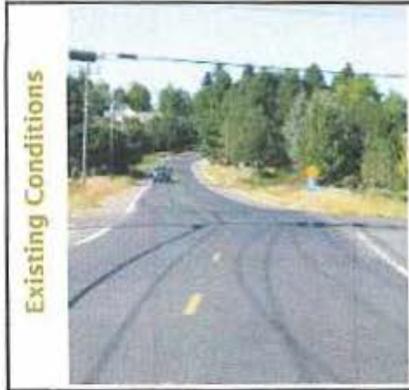
Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	County TBD
<b>Total:</b>	<b>\$3,675,000</b>

- \* Urban Street Upgrade - Street Capacity & Safety
- \* Added Sidewalks - Critical Access to Schools
- \* Added Bicycle Lanes - Critical Western City Connector
- \* New Roundabout at Fellows
- \* Streetscape Amenities



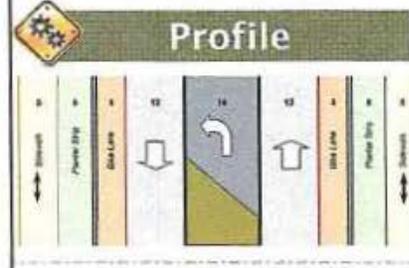
Transportation System Plan

# Hill Road South



Existing Conditions

- ### Problems
- \* Rural Cross-section
  - \* Missing Sidewalks, Bike Lanes & Turn-Lanes
  - \* Poor Pavement
  - \* Substandard Urban Arterial



PM Peak Hour Traffic (both dir)	
2003	365
2023	900
<b>% Increase</b>	<b>147%</b>



## Improvements

- \* **Urban Street Upgrade - Street Capacity & Safety**
- \* **Added Sidewalks - Critical Access to Schools**
- \* **Added Bicycle Lanes - Critical Western City Connector**
- \* **New Roundabouts or Traffic Signals at Baker Creek Road, Wallace and Second Streets**
- \* **Streetscape Amenities**

### Multi-Modal

	Car	Person	Bike	Bus
Safety	x	x	x	
Capacity	x	x	x	
Access/Circulate	x	x	x	
Operations	x			
Freight				

### Project Costs

Street Improvements	
New Widening	\$4,530,900
Right-of-Way	\$686,500
Traffic Control New/Replacement Signal(s) Special	\$800,000
Bridge	\$0
<b>Total Cost</b>	<b>\$5,817,400</b>

### Funding Plan

Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	County TBD
<b>Total:</b>	<b>\$5,817,400</b>



Transportation System Plan

# Hill Road North



Existing Conditions



## Improvements





### Multi-Modal

🚗
🚶
🚲
🚚

Safety	x	x	x
Capacity	x	x	x
Access/Circulate		x	x
Operations	x		
Freight	x		

---

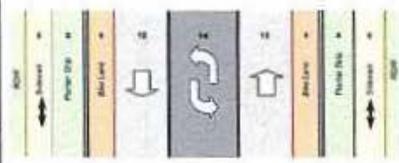


### Problems

- \* Rural Cross-section
- \* Missing Sidewalks, Bike Lanes & Turn-lanes
- \* Substandard Urban Arterial



### Profile



PM Peak Hour Traffic (both dir)	
2003	460
2023	715
<b>% Increase</b>	<b>55%</b>



### Project Costs

Street Improvements	
New	\$0
Widening	\$2,301,300
Right-of-Way	\$348,700
Traffic Control	
New/Replacement Signal(s)	
Special (Railroad crossing)	\$200,000
Bridge	\$0
<b>Total Cost</b>	<b>\$2,850,000</b>

---

- \* Urban Street Upgrade - Street Capacity & Safety
- \* Added Sidewalks & Railroad Crossing - Critical Connector to New School
- \* Added Bicycle Lanes - Critical Southern City Connector
- \* Streetscape Amenities



### Funding Plan

Transportation SDC	TBD
Special Grants	TBD
Other City	TBD
Private	TBD
Local Funds	TBD
ODOT/County	County
<b>Total:</b>	<b>\$2,850,000</b>



Transportation System Plan

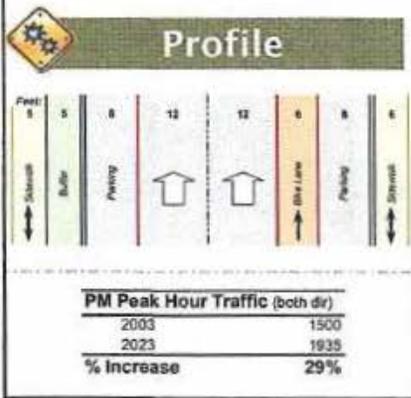
Booth Bend Road



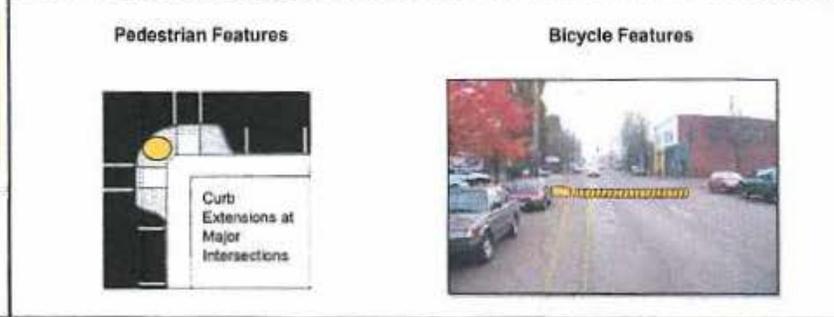
**Existing Conditions**

**Problems**

- \* Heavy, Higher-Speed North-South Traffic
- \* Crossing Pedestrian Travel
- \* Poor Lighting



- Improvements**
- \* Curb Extensions at Major Intersections
  - \* Cross-walk Delineation (pavers)
  - \* New Curb Ramps w/ Pavement Replacement
  - \* Pedestrian-Scale Lighting



**Multi-Modal**

Safety	x	x	x	
Capacity		x	x	
Access/Circulate		x	x	
Operations				
Freight				

**Project Costs**

<b>Street Improvements</b>	
New	\$0
Widening	\$0
Resurfacing w/ Curb Ramps	\$435,800
Right-of-Way	\$0
<b>Traffic Control</b>	
New/Replacement Signal(s)	\$0
Curb Extensions	\$200,000
Special : Ped-Scale Lighting	\$110,000
Bridge	\$0
<b>Total Cost</b>	<b>\$745,800</b>

**Funding Plan**

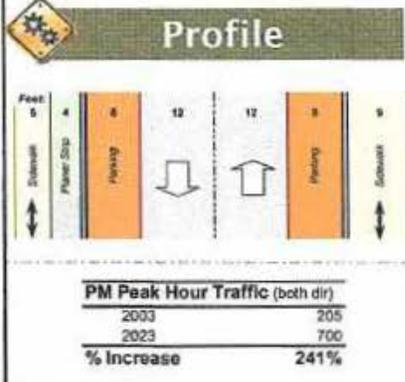
Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	ODOT TBD
<b>Total:</b>	<b>\$745,800</b>

# Adams-Baker Couplet

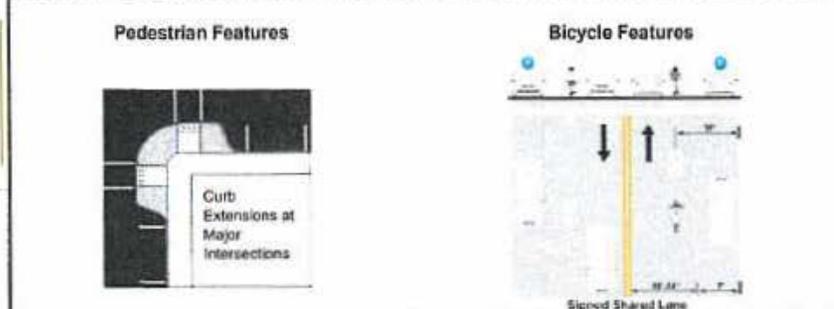


### Problems

- \* East-West Downtown streets at or over capacity
- \* Underutilized corridor
- \* Poor pavement condition



- ### Improvements
- \* Critical Alternative to 1st / 2nd / 3rd Streets
  - \* Pavement Repair
  - \* Curb Ramp & Sidealk Replacement as Needed
  - \* Added Traffic Signals at Hwy 99W and Lafayette
  - \* Remove Signal at Adams/4th Street



### Multi-Modal

	Car	Person	Bike	Bus
Safety	x	x	x	
Capacity	x	x	x	
Access/Circulate	x	x	x	x
Operations	x			
Freight				

### Project Costs

Street Improvements	
New	\$0
Widening	\$0
Resurfacing w/ Curb Ramps	\$403,500
Right-of-Way	\$0
Traffic Control	
New/Replacement Signal(s)	\$800,000
Special	
Bridge	\$0
<b>Total Cost</b>	<b>\$1,203,500</b>

### Funding Plan

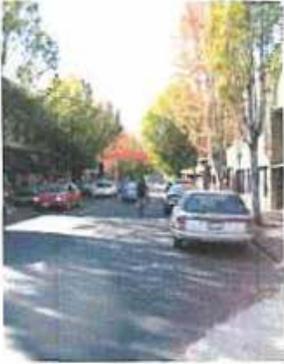
Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	
<b>Total:</b>	<b>\$1,203,500</b>



Transportation System Plan

# 5th Street

Existing Conditions



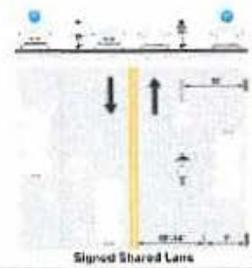
### Problems

- \* Aging Sidewalk Infrastructure

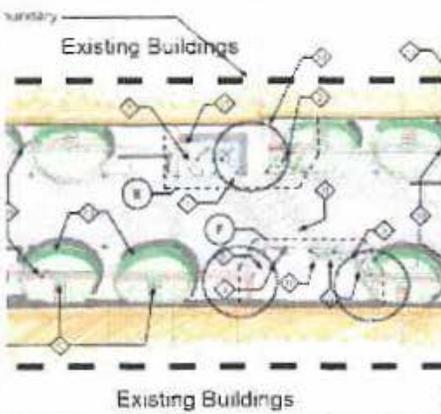
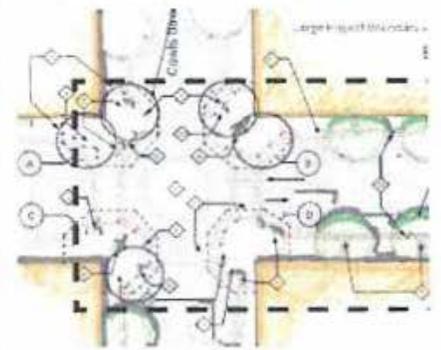
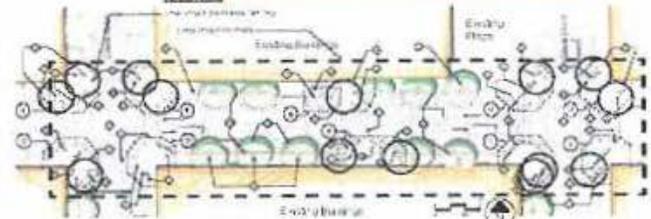


### Profile

Bicycle Features



### Improvements



- Intersection**
- \* Curb Extension
  - \* Crosswalk Enhancement
  - \* Bike Racks
  - \* Planters
  - \* Benches
  - \* Sidewalk Replacement

- Mid-Block**
- \* Street Trees
  - \* Shelters
  - \* Mid-Block Crosswalk
  - \* Bike Racks
  - \* Benches
  - \* Sidewalk Replacement



### Multi-Modal

Safety	x	x	x	
Capacity		x	x	x
Access/Circulate		x	x	
Operations				
Freight				



### Project Costs

Street Improvements  
 \$465,000 per block  
 5 blocks  
 Baker to Galloway

**Total Cost** **\$2,325,000**



### Funding Plan

Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	TBD
<b>Total:</b>	<b>\$2,325,000</b>



Transportation System Plan

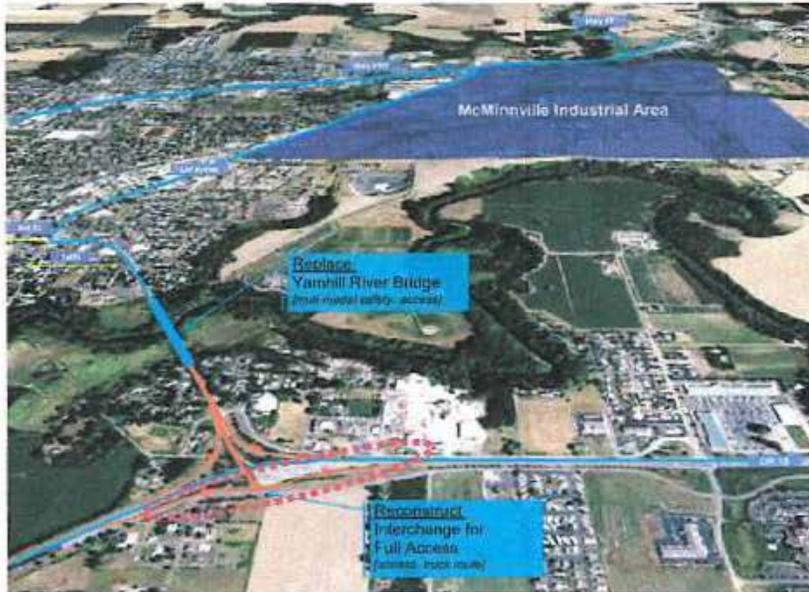
# 3rd Street Streetscape Plan

**Existing Conditions**





## Improvements





## Multi-Modal

	   
Safety	x
Capacity	x
Access/Circulate	x
Operations	x
Freight	x



## Problems

\* Limited Directionality /  
Access at Highway 18



## Profile



## Project Costs

<b>Street Improvements</b>	
New	\$0
Widening	\$0
Right-of-Way	\$0
<b>Traffic Control</b>	
New/Replacement Signal(s)	\$0
Special	
<b>Bridge</b>	\$5,000,000
<b>Total Cost</b>	<b>\$5,000,000</b>



## Funding Plan

Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	ODOT TBD
<b>Total:</b>	<b>\$5,000,000</b>

Phase III - ODOT Hwy 18 Plan Implementation

- \* **Modify/Replace Overcrossing**
- \* **Add Eastbound Off- and On-ramps**
- \* **Provides Fully-Directional Truck Route\**
- \* **Facilitates Hwy 18 Grade-Separation Access**



Transportation  
System Plan

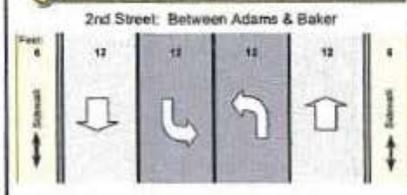
# 3-Mile Interchange



**Problems**

- \* Heavy E-W Traffic Queuing
- \* Traffic Signal Capacity

**Profile**

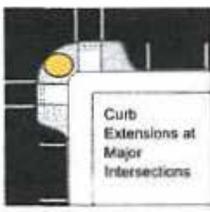


PM Peak Hour Traffic (both dir)	
2003	695
2023	1105
<b>% Increase</b>	<b>59%</b>

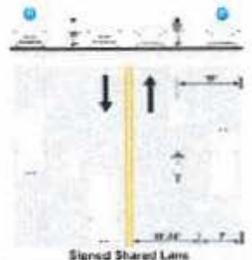


- \* Curb Extensions at Baker Street
- \* Additional Westbound Travel Lane
- \* Traffic Signal Replacement & Timing

**Pedestrian Features**



**Bicycle Features**



**Multi-Modal**

	Car	Person	Bike	Bus
Safety	x	x	x	
Capacity	x	x	x	
Access/Circulate	x	x	x	
Operations	x			
Freight	x			

**Project Costs**

<b>Street Improvements</b>	
New	\$0
Widening	\$627,000
Resurfacing w/ Curb Ramps	\$0
Right-of-Way	\$0
<b>Traffic Control</b>	
New/Replacement Signal(s)	\$400,000
Curb Extensions	\$40,000
Special : Ped-Scale Lighting	\$30,000
Bridge	\$0
<b>Total Cost</b>	<b>\$1,097,000</b>

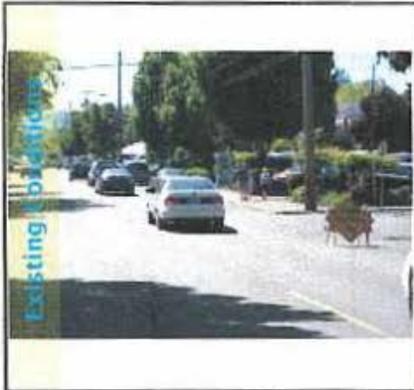
**Financial Plan**

Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	TBD
<b>Total:</b>	<b>\$1,097,000</b>



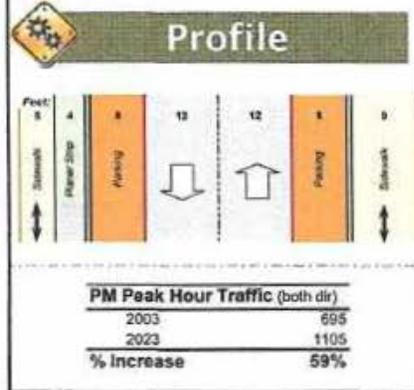
Transportation System Plan

**2nd Street**

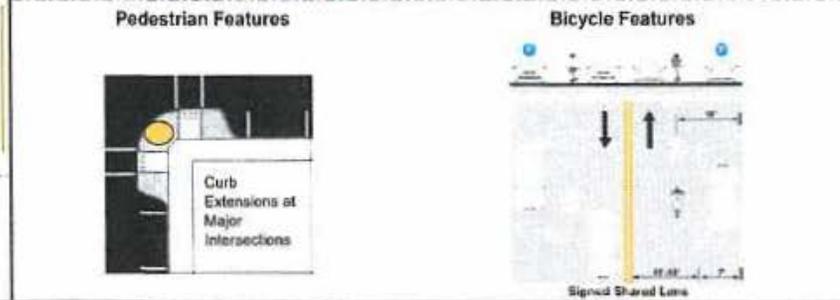


**Problems**

- \* Heavy, Higher-Speed East-West Traffic
- \* Crossing Pedestrian Travel
- \* Poor Lighting



- Improvements**
- Downtown Plan Implementation**
- \* Curb Extensions at Major Intersections
  - \* Cross-walk Delineation (pavers)
  - \* Curb Ramp Replacements
  - \* Pedestrian-Scale Lighting
  - \* New Traffic Signal at Davis



**Multi-Modal**

	Car	Ped	Bike	Bus
Safety	x	x	x	
Capacity		x	x	
Access/Circulate		x	x	
Operations				
Freight				

**Project Costs**

Street Improvements	
New	\$0
Widening	\$0
Resurfacing w/ Curb Ramps	\$316,500
Right-of-Way	\$0
Traffic Control	
New/Replacement Signal(s)	\$200,000
Curb Extensions	\$400,000
Special : Ped-Scale Lighting	\$80,000
Bridge	\$0
<b>Total Cost</b>	<b>\$996,500</b>

**Funding Plan**

Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	TBD
<b>Total:</b>	<b>\$996,500</b>



Transportation System Plan

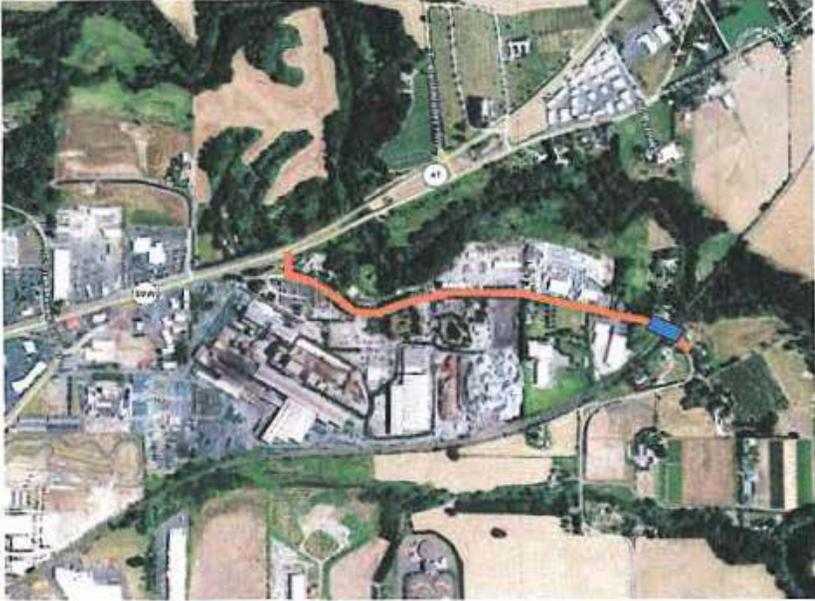
# 1st & 2nd Streets

**Existing Conditions**





## Improvements



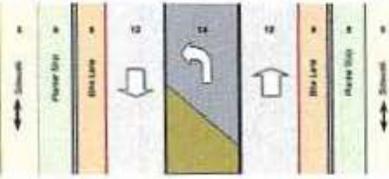
### Multi-Modal

Safety	x	x	x	
Capacity	x	x	x	
Access/Circulate		x	x	
Operations	x			
Freight	x			

### Problems

- \* Substandard Depth/Width
- \* Missing Sidewalks
- \* Poor Pavement
- \* Substandard Railroad Crossing

### Profile



PM Peak Hour Traffic (both dir)	
2003	315
2023	370
<b>% Increase</b>	<b>17%</b>

### Project Costs

Street Improvements	
New Widening	\$2,265,100
Right-of-Way	\$396,000
Traffic Control	
Railroad Crossing Upgrade Special	\$250,000
Other	
<b>Total Cost</b>	<b>\$2,911,100</b>

### Funding Plan

Transportation SDC	TBD
Special Grants	TBD
Other City	
Local Funds	TBD
ODOT/County	
<b>Total:</b>	<b>\$2,911,100</b>

- \* **Standardized Industrial Collector Street**
- \* **Added Turn Lane @ 99W - Street Capacity/Safety**
- \* **Upgrade Railroad Crossing**
- \* **Added Sidewalks and Bicycle Lanes**
- \* **Streetscape Amenities**



Transportation System Plan

# Riverside Drive

## MEMORANDUM

Date: January 28, 2020

To: Morgan Will  
Development Manager  
Stafford Development Company  
8840 SW Holly Lane  
Wilsonville OR 97070

From: Frank Charbonneau, PE, PTOE

Subject: Response To Traffic Comments FL2010  
**Baker Creek North Development**  
NW Baker Creek Road, McMinnville

We have reviewed the latest written comments for the proposed Baker Creek North development project in McMinnville.

Pertaining to the 1/27/20 letter from Patty O'Leary to the City of McMinnville Planning Department we have prepared the following responses.

Issue #1: Why was the intersection of Hill Road at Baker Creek Road not included in the traffic analysis report?

Response:

This intersection was not included in the traffic study scope for the project because its design and construction is expected to sufficiently handle the future traffic flow conditions based on the City's long range planning needs for the transportation system. The projected site traffic from the Baker Creek North development will contribute only a portion of the future traffic that will ultimately pass through the intersection which was designed as a high capacity location.

Issue #2: The traffic study was conducted in July when the traffic patterns on Baker Creek Road are significantly different than during the nine month school year.

Response: The study was performed in July when schools were not in session to meet our project schedule deadline. Fortunately there are no schools within the immediate neighborhood near the Baker Creek North site. The City's high school, middle school, and elementary school are located over 1.5 miles southeast of the site and west of Highway 99 and generally in the direction where the majority (75%) of the development's traffic was distributed in the traffic report. This distribution as applied in the analysis is considered sufficient to support the traffic circulation patterns that will occur when the schools are operating.

Issue #3: Travel speed on Baker Creek Road is 45 MPH versus 35 MPH.

Response: The travel speed condition has a bearing on the required intersection sight distance at the proposed access points for the Baker Creek North development. The study had confirmed that over 500 feet of intersection sight distance is available and therefore still meets the AASHTO standard for 45 MPH which requires a sightline distance of 500 feet.

If you should have any questions, please contact Frank Charbonneau, PE, PTOE at 503.293.1118 or email [Frank@CharbonneauEngineer.com](mailto:Frank@CharbonneauEngineer.com).



# Linda Lindsey Testimony

RECEIVED

JAN 28 2020

COMMUNITY DEVELOPMENT  
CENTER



## Mann Mortgage

TRIED | TRUSTED | PROVEN

1505 Portland Road Suite 230, Newberg OR 97132  
C 503.550.6556 Fax 541.623.4812 [naida.paris@mannmortgage.com](mailto:naida.paris@mannmortgage.com)

January 25, 2020

RE: Loan Qualification for a sale price of \$345,000 – New Construction

To Whom It May Concern:

**MY EXPERIENCE:** I am a life long resident of Yamhill County. I have been both an Escrow Officer (12 years) and a Loan Officer (29 years) in the quad-county area. I worked with the Housing Authority of Yamhill County with the modification program and have taught their ABC's of Homebuying program for 15 years.

**LOAN PROGRAMS** – I used the 100% USDA program and the 96.5% FHA loan program scenarios because most first-time home buyers do not have a lot of money saved for the down payment. First Federal, Key Bank and OnPoint also have CRA first time home buyer programs. See attached scenarios.

**INCOME:** Based on the average income shown on the MED website, I am using \$57,246 annual income for my ratio calculations.  
<https://www.mcminnvillebusiness.com/data>

**DEBT:** Based on my experience with homeowners I am assuming \$300 in monthly debt but could be much higher depending on car payments or student loans.

**TAXES** – With the properties discussed being \$345,000 new construction we need to estimate the property taxes. Based on calculation information provided by Kimberly Navarro – Yamhill County Tax Department, and the tax rate for McMinnville. Taxes are estimated at \$3,919 annually or \$326.58 per month.

Sincerely,

Naida Paris  
Loan Officer NMLS #246301

### **LOAN PROGRAM REQUIREMENTS**

**100% USDA RATIOS** – Household payment (front end) ratio cannot exceed 32% of gross income. Total debt (back end) ratio cannot exceed 43% of gross monthly income. Max income 1-4 family members \$101,050.00.

**96.5% FHA RATIOS** - Household payment (front end) ratio should not exceed 39% of gross income\*. Total debt (back end) ratio will vary depending on credit, employment history, and

residual funds after closing. We would normally use FHA for higher ratio scenarios. 2020 maximum Yamhill County loan limit \$491,050.

*\*Please remember that we are using gross monthly income. When the household payment exceeds 32% of the monthly gross income it may leave very little for other living expenses.*

**97% FIRST FEDERAL - First time homebuying program** – Loan amount cannot exceed \$300,000. Their income maximum is 90% of \$58,392 median income = \$52,552 or \$4,379 gross monthly income. Needs two months PITI payments remaining after close. Assume Total debt ratio maximum 45%

**100% KEY BANK – First time home buying program** – Income maximum is based on census tract - est maximum \$65,120 = \$5426 gross monthly income. Total debt ratio maximum 45%

**100% ONPOINT – Just for Starters** Loan program is like Key Bank's. I do not have their income criteria available. Needs two months PITI payments remaining after close. Total debt ratio maximum 45%.

### **GROSS INCOME \$57,246**

**USDA** - Based on average gross income of \$57,246 – \$4770 and monthly consumer/child support debt of \$300 with a credit score of 640 this borrower may qualify for the following:

**Sale Price \$250,000 Loan Amount \$250,000** - Ratios 32%/38% of gross income. There are no current listings in McMinnville for this price range.

**FHA** - Based on average gross income of \$57,246 = \$4770 and monthly consumer/child support debt of \$300 with a credit score of 640 this borrower may qualify for the following:

**Sale Price \$285,000 Loan Amount \$250,000** - Ratios 39%/38% of gross income. There are no current listings in McMinnville for this price range.

### **SALE PRICE \$345,000**

**USDA** – Gross Income needed \$84,000 – \$7,000 per month. Ratios 30.5%/39.49% of gross income

**FHA** Gross income needed \$68,400 – \$5,700 per month. Ratios 39%/45.29% of gross income



# ITEMIZED FEE WORKSHEET

(For Use with Service Providers and Investors)

Date: 01/25/2020

The information provided below reflects estimates of the charges that are likely to be incurred at the settlement of this loan. The fees listed are estimates; some actual charges may be more or less. This transaction may not involve a fee for every item listed.

Provided By: Mann Mortgage, LLC 1505 Portland Road, Suite 230 Newberg, OR 97132 Halda Sue Paris, 971-301-4491	Subject Property: TBD McMinnville, OR 97128	Borrower(s): USDA TEST
Loan Number: 4108756	Interest Rate: 4.000 %	Type of Loan: FarmersHomeAdministration
Loan Program: USDA Rural Development	Term: 360	Base Loan Amt: \$345,000.00 Sales Price: \$345,000.00 Total Loan Amt: \$348,484.00

## Estimated Reserve/Prepaid Costs

900. Items Required by Lender to be Paid in Advance		1000. Reserves Deposited with Lender	
901. A	Daily Interest 19 Days @ \$38.1900	1001.	Initial Deposit into Escrow Account
	\$ 725.61		\$ 1,659.48
902.	Mortgage Ins Premium to	1002.	Homeowner's Ins 2 mths @ \$ 50.00
	\$ 600.00		\$ 100.00
903.	Homeowner's Insurance to	1003.	Mortgage Ins mths @ \$
	\$		\$
904.		1004.	Property Taxes 6 mths @ \$ 326.58
	\$		\$ 1,959.48
905.	VA Funding Fee	1005.	City Property Tax mths @ \$
	\$		\$
906.	Flood Insurance	1006.	Flood Reserve mths @ \$
	\$		\$
907.		1007.	mths @ \$
	\$		\$
908.		1008.	mths @ \$
	\$		\$
909.		1009.	mths @ \$
	\$		\$
910.		1010.	USDA Annual Fee mths @ \$ 100.83
	\$		\$
911.		1011.	Aggregate Adjustment
	\$		\$ -400.00
912.			\$
	\$		\$ 2,965.09

## Transaction Summary

<b>Total Estimated Monthly Payment</b>		<b>Total Estimated Funds Needed to Close</b>	
Principal and Interest	\$ 1,663.72	Purchase Price/Payoff	(+) \$ 345,000.00
Other Financing (P & I)	\$	Total Estimated Closing Costs	(+) \$ 7,832.34
Hazard Insurance	\$ 50.00	Total Estimated Reserve/Prepaid Costs	(+) \$ 2,965.09
Real Estate Taxes	\$ 326.58	Discounts (if borrower will pay)	(+) \$
Mortgage Insurance	\$	FHA UFMP/VA Funding Fee	(+) \$ 3,484.85
HOA Dues	\$	<b>Total Costs</b>	<b>(c) \$ 359,302.28</b>
Other	\$ 100.83	Loan Amount	(-) \$ 345,000.00
<b>Total Monthly Payment</b>	<b>\$ 2,141.13</b>	Non-Borrower Paid Closing Costs	(-) \$
<b>Closing Costs Summary</b>		FHA UFMP/VA Fee Financed	(-) \$ 3,484.00
<b>Borrower Paid Closing Costs</b>	<b>(a) \$ 14,302.28</b>	Total Lender Credit	(-) \$
	\$		(-) \$
	\$		(-) \$
	\$		(-) \$
	\$		(-) \$
<b>Total Non-Borrower Paid CC</b>	<b>(b) \$</b>	First Mortgage	(-) \$
<b>Total Lender Credit</b>	\$	Second Mortgage (Sub Financing)	(-) \$
<b>Total Closing Costs</b>	<b>(a + b) \$ 14,302.28</b>	Closing Costs from 2nd Lien	(-) \$
		<b>Total Credits</b>	<b>(d) \$ 348,484.00</b>
		<b>Cash from borrower</b>	<b>(c - d) \$ 10,818.28</b>

\$ - Paid by Seller      B - Paid by Broker      A - APR Affected by Cost  
 S/ - Split by Seller & Others      L - Paid by Lender      O - Paid by Other      P - Paid Outside Closing (POC)

## Closing Cost Worksheet

Date: January 25, 2020  
 Borrower: USDA TEST  
 Address: TBD  
 City, State, Zip: McMinnville, OR 97128  
 Phone:  
 Email:

Officer: Naida Sue Paris  
 Phone: 971-301-4491  
 Cell: 503-550-6336  
 Fax: 541-623-4812  
 Email: naida.paris@manamortgage.com

The information provided below reflects estimates of the charges which you are likely to incur at the settlement of your loan. The fees listed are estimates -- the actual charges may be more or less. Your transaction may not involve a fee for every item listed. The numbers beside the estimates generally correspond to the numbered lines contained in the HUD-1 or HUD-1A Settlement Statement which you will be receiving at settlement. The HUD-1 or HUD-1A Settlement Statement will show you the actual cost for items paid at settlement.

### Proposed Loan Information

Base Loan Amount	\$345,000.00	Total Loan Amount	\$348,484.00
Purchase Price	\$345,000.00	Estimated Value	\$450,000
Interest Rate	4.000%	Loan Type	FarmersHomeAdministration
Annual Percentage Rate	4.606%	Loan Term	360 Months
LTV	77.441%	Second Mortgage Loan Amount	\$
Product	USDA Rural Development		

Estimated Closing Costs	Amount	Est. Prepaid/Reserve	Months	Amount
Loan Origination Fee	\$3,484.84	Daily Interest	19 days @	\$723.61
Processing Fees	\$395.00	Homeowner's Insurance	\$38,1900	\$600.00
Underwriting Fees	\$425.00	Homeowner's Insurance	12	\$100.00
Administration Fee	\$300.00	Property Taxes	2	\$1,959.48
Appraisal	\$800.00		6	
Appraisal 1004(D) Update	\$175.00			
Settlement or Closing Fee	\$662.50	<b>Estimated Prepaid and Escrow Totals:</b>		<b>\$2,985.09</b>
Lender's Title Insurance	\$422.00			
Endorsements	\$100.00	<b>Payment Summary</b>		
Title E-Doc Fee	\$10.00	Principal and Interest		\$1,663.72
Endorsements	\$508.00	Other Financing (P & I)		\$
Recording Fees	\$350.00	Hazard Insurance		\$50.00
		Real Estate Taxes		\$326.58
<b>Total Estimated Closing Costs:</b>	<b>\$7,832.34</b>	Mortgage Insurance		\$
		HOA Dues		\$
		Other		\$100.83
		<b>Total Monthly Payment:</b>		<b>\$2,141.13</b>

### Summary of your Transaction

Purchase Price	\$345,000.00	Base Loan Amount	\$345,000.00
Total Estimated Closing Costs	\$7,832.34	FHA UF/MIP / VA Financed	\$3,484.00
Total Est Reserve / Prepaid Costs	\$2,985.09	Total Loan Amount	\$348,484.00
FHA UF/MIP / VA Funding Fee	\$3,484.85		
<b>Total Costs</b>	<b>\$359,302.28</b>	<b>Total Credits</b>	<b>\$348,484.00</b>

**ESTIMATED CASH FROM BORROWER** **\$10,818.28**

This is not a Good Faith Estimate or a Truth-in-Lending Disclosure Statement required by federal law. If you make application with us, your Good Faith Estimate and Truth-in-Lending Disclosure Statement will be sent to you in the opening package. This is not a commitment to lend, nor is it a rate lock, pre-qualification or pre-approval. This worksheet is intended to assist you in evaluating a loan or home purchase with estimated closing and property costs. Closing and settlement costs, reserve deposits, interest rate, and APR are subject to change and the estimates shown above may be more or less depending on factors such as but not limited to: down payment, property type, and occupancy. Housing costs will vary depending on but not limited to: location, homeowner's association dues, local and state fees, taxes, and home owner's mortgage insurance. Charges from third parties, which may include but not limited to: lender's affiliates, will be passed through at the actual cost charged by the 3rd Party. You may wish to compare these estimates charges to considering the total cost of your mortgage.

 Equal Housing Lender. Mania Mortgage, LLC Truth-in-Lending must be the property of Mania Mortgage, LLC Some products may not be available in all states. This is not a commitment to lend. Restrictions apply. All rights reserved.



# ITEMIZED FEE WORKSHEET

(For Use with Service Providers and Investors)

Date: 01/25/2020

The information provided below reflects estimates of the charges that are likely to be incurred at the settlement of this loan. The fees listed are estimates; some actual charges may be more or less. This transaction may not involve a fee for every item listed.

Provided By: Mann Mortgage, LLC 1505 Portland Road, Suite 205 Newberg, OR 97132 Nakla Sue Paris, 503-385-1791	Subject Property: TBD Molinnville, OR 97128	Borrower(s): FHA Test	
Loan Number: <b>4043914</b>	Interest Rate: <b>4.000 %</b>	Type of Loan: <b>FHA</b>	Base Loan Amt: <b>\$332,925.00</b>
Loan Program: <b>FHA Fixed Rate</b>	Term: <b>360</b>	Sales Price: <b>\$345,000.00</b>	Total Loan Amt: <b>\$338,751.00</b>

## Estimated Reserve/Prepaid Costs

900. Items Required by Lender to be Paid in Advance		1000. Reserves Deposited with Lender	
901. A	Daily Interest 19 Days @ \$37.1234	\$	705.34
902. A	Mortgage Ins Premium to	\$	5,826.18
903.	Homeowner's Insurance to	\$	673.08
904.		\$	
905.	VA Funding Fee	\$	
906.	Flood Insurance	\$	
907.		\$	
908.		\$	
909.		\$	
910.		\$	
911.		\$	
912.		\$	
1001.	Initial Deposit into Escrow Account	\$	1,751.87
1002.	Homeowner's Ins 2 mths @ \$ 56.09	\$	112.18
1003.	Mortgage Ins mths @ \$ 233.83	\$	
1004.	Property Taxes 6 mths @ \$ 325.33	\$	1,951.98
1005.	City Property Tax mths @ \$	\$	
1006.	Flood Reserve 2 mths @ \$	\$	
1007.		\$	
1008.		\$	
1009.		\$	
1010.	USDA Annual Fee mths @ \$	\$	
1011.	Aggregate Adjustment	\$	-312.29
		<b>Total Estimated Reserve/Prepaid Costs</b>	<b>\$ 3,130.29</b>

## Transaction Summary

<b>Total Estimated Monthly Payment</b>		<b>Total Estimated Funds Needed to Close</b>	
Principal and Interest	\$ 1,617.25	Purchase Price/Payoff	(+ \$ 345,000.00)
Other Financing (P & I)	\$	Total Estimated Closing Costs	(+ \$ 7,662.75)
Hazard Insurance	\$ 56.09	Total Estimated Reserve/Prepaid Costs	(+ \$ 3,130.29)
Real Estate Taxes	\$ 325.33	Discounts (If borrower will pay)	(+ \$ 823.16)
Mortgage Insurance	\$ 233.93	FHA UFMIP/VA Funding Fee	(+ \$ 5,826.18)
HOA Dues	\$	<b>Total Costs</b>	(c) \$ 362,442.38
Other	\$	<b>Loan Amount</b>	(-) \$ 332,925.00
<b>Total Monthly Payment</b>	<b>\$ 2,232.60</b>	<b>Non-Borrower Paid Closing Costs</b>	(-) \$
<b>Closing Costs Summary</b>		<b>FHA UFMIP/VA Fee Financed</b>	(-) \$ 5,826.00
<b>Borrower Paid Closing Costs</b>	(a) \$ 17,442.38	<b>Total Lender Credit</b>	(-) \$
<b>Seller Credit</b>	\$	<b>Seller Credit</b>	(-) \$
<b>Appraisal paid</b>	\$		(-) \$
	\$		(-) \$
	\$		(-) \$
<b>Total Non-Borrower Paid CC</b>	(b) \$	<b>First Mortgage</b>	(-) \$
<b>Total Lender Credit</b>	\$	<b>Second Mortgage (Sub Financing)</b>	(-) \$
<b>Total Closing Costs</b>	(a + b) \$ 17,442.38	<b>Closing Costs from 2nd Lien</b>	(-) \$
		<b>Total Credits</b>	(d) \$ 338,751.00
		<b>Cash from borrower</b>	(e - d) \$ 23,691.38

S - Paid by Seller      B - Paid by Broker      A - APR Affected by Cost  
 S/ - Split by Seller & Others      L - Paid by Lender      O - Paid by Other      P - Paid Outside Closing (POC)



## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

EB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
01/22/20	0	4	1	0	0	0	0	0	0	0	0	0	0	0	5
00:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
00:30	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
00:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:00	0	6	1	0	0	0	0	0	0	0	0	0	0	0	7
01:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:30	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
01:45	0	2	2	0	0	0	0	0	0	0	0	0	0	0	4
02:00	0	2	2	0	0	0	0	0	0	0	0	0	0	1	5
02:15	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
02:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:45	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
03:00	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
03:15	0	5	0	0	0	0	0	0	0	0	0	0	0	0	5
03:30	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
03:45	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
04:00	0	5	0	0	0	0	0	0	0	0	0	0	0	0	5
04:15	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
04:30	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
04:45	0	4	1	0	0	0	0	0	0	0	0	0	0	0	5
05:00	0	4	2	0	0	0	0	0	0	0	0	0	0	0	6
05:15	1	7	1	0	3	0	0	0	0	1	0	0	0	0	13
05:30	1	16	6	1	7	0	0	0	0	2	0	0	0	1	34
05:45	0	14	7	0	3	0	0	0	0	0	0	0	0	1	25
06:00	0	24	8	0	5	0	0	0	0	1	0	0	0	1	39
06:15	0	16	11	0	5	0	0	0	0	1	0	0	0	0	33
06:30	0	20	6	0	3	0	0	0	0	0	0	0	0	1	30
06:45	0	74	32	0	16	0	0	0	0	2	0	0	0	3	127
07:00	0	21	3	0	3	0	0	0	0	0	0	0	0	1	28
07:15	0	23	5	0	3	0	0	0	0	0	0	0	0	2	33
07:30	0	26	12	0	10	0	0	0	0	2	0	0	0	5	55
07:45	0	49	17	0	9	0	0	0	1	0	0	0	0	3	79
08:00	0	119	37	0	25	0	0	0	1	2	0	0	0	11	195
08:15	0	40	11	0	5	0	0	0	0	0	0	0	0	1	57
08:30	0	62	19	0	15	0	0	0	1	1	0	0	0	2	100
08:45	0	75	25	2	12	0	0	0	0	0	0	0	0	2	116
09:00	0	114	55	1	17	0	0	0	1	1	0	0	0	11	200
09:15	0	291	110	3	49	0	0	0	2	2	0	0	0	16	473
09:30	0	84	25	1	14	0	0	0	0	0	0	0	0	12	136
09:45	0	50	18	0	9	0	0	1	0	0	0	0	0	8	86
10:00	0	35	14	0	7	1	0	1	0	0	0	0	0	6	64
10:15	0	50	18	0	5	0	0	0	0	0	0	0	0	5	78
10:30	0	219	75	1	35	1	0	2	0	0	0	0	0	31	364
10:45	0	38	11	0	7	0	0	0	1	0	0	0	0	7	64
11:00	0	24	8	0	4	0	0	0	0	0	0	0	0	7	43
11:15	0	30	10	1	5	0	0	0	0	0	0	0	0	2	48
11:30	0	45	12	0	5	0	0	1	0	0	0	0	0	5	68
11:45	0	137	41	1	21	0	0	1	1	0	0	0	0	21	223
12:00	0	24	20	0	4	0	0	1	0	0	0	0	0	5	54
12:15	1	36	17	0	4	0	0	1	0	1	0	0	0	5	65
12:30	0	42	14	0	5	0	0	0	0	1	0	0	0	3	65
12:45	0	26	14	0	5	0	0	3	0	0	0	0	0	3	51
13:00	1	128	65	0	18	0	0	5	0	2	0	0	0	16	235
13:15	0	34	13	0	11	1	0	0	0	1	0	0	0	3	63
13:30	0	26	16	1	7	1	0	0	0	0	0	0	0	3	54
13:45	0	43	14	0	5	0	0	2	0	1	0	0	0	2	67
14:00	0	42	15	0	6	0	2	0	0	0	0	0	0	5	70
14:15	0	145	58	1	29	2	2	2	0	2	0	0	0	13	254
Total	2	1153	430	7	200	3	2	10	4	12	0	0	0	113	1936
Percent	0.1%	59.6%	22.2%	0.4%	10.3%	0.2%	0.1%	0.5%	0.2%	0.6%	0.0%	0.0%	0.0%	5.8%	

### All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

EB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
12 PM	0	44	18	0	12	0	0	0	0	1	0	0	0	1	76
12:15	2	39	17	0	8	0	0	0	0	0	0	0	0	6	72
12:30	0	39	11	1	8	0	0	0	0	1	0	0	0	4	64
12:45	0	35	10	0	5	0	0	0	1	1	0	0	0	4	56
	2	157	56	1	33	0	0	0	1	3	0	0	0	15	268
13:00	0	40	11	0	5	0	0	2	0	0	0	0	0	2	60
13:15	0	50	18	0	11	1	0	1	0	0	0	0	0	1	82
13:30	0	46	11	1	10	0	0	0	1	0	0	0	0	1	70
13:45	0	31	11	0	9	0	0	0	0	0	0	0	0	5	56
	0	167	51	1	35	1	0	3	1	0	0	0	0	9	268
14:00	0	39	10	4	7	0	0	1	0	1	0	0	0	1	63
14:15	0	51	11	1	7	1	0	0	0	0	0	0	0	2	73
14:30	0	23	13	0	4	1	0	0	0	0	0	0	0	6	47
14:45	0	56	14	0	15	1	0	1	0	0	0	0	0	3	90
	0	169	48	5	33	3	0	2	0	1	0	0	0	12	273
15:00	1	38	21	2	5	0	0	2	0	0	0	0	0	3	72
15:15	0	46	16	2	9	0	0	2	0	0	0	0	0	4	79
15:30	1	50	13	1	5	0	0	0	0	0	0	0	0	2	72
15:45	1	40	17	1	15	0	0	0	0	0	0	0	0	3	77
	3	174	67	6	34	0	0	4	0	0	0	0	0	12	300
16:00	2	48	10	2	9	0	0	2	0	0	0	0	0	1	74
16:15	0	35	13	1	8	0	0	0	0	0	0	0	0	5	62
16:30	0	31	17	1	11	1	0	0	0	0	0	0	0	5	66
16:45	0	31	20	1	6	0	0	0	0	0	0	0	0	9	67
	2	145	60	5	34	1	0	2	0	0	0	0	0	20	269
17:00	0	34	11	1	9	0	0	0	0	0	0	0	0	8	63
17:15	0	37	13	0	7	0	0	0	0	0	0	0	0	2	59
17:30	0	47	7	0	7	0	0	0	0	0	0	0	0	3	64
17:45	0	38	11	0	3	0	0	0	0	0	0	0	0	5	57
	0	156	42	1	26	0	0	0	0	0	0	0	0	18	243
18:00	0	35	8	0	2	0	0	0	0	0	0	0	0	6	51
18:15	0	40	20	0	7	0	0	0	0	0	0	0	0	2	69
18:30	0	22	10	0	2	0	0	0	0	0	0	0	0	4	38
18:45	0	30	11	0	4	0	0	0	0	0	0	0	0	0	45
	0	127	49	0	15	0	0	0	0	0	0	0	0	12	203
19:00	0	16	7	0	3	0	0	0	0	0	0	0	0	0	26
19:15	0	29	5	0	2	0	0	0	0	0	0	0	0	2	38
19:30	0	21	3	0	1	0	0	0	0	0	0	0	0	2	27
19:45	0	13	9	0	1	0	0	0	0	0	0	0	0	1	24
	0	79	24	0	7	0	0	0	0	0	0	0	0	5	115
20:00	0	23	6	0	3	0	0	0	0	0	0	0	0	1	33
20:15	0	25	8	0	1	0	0	0	0	0	0	0	0	0	34
20:30	0	16	4	0	0	0	0	0	0	0	0	0	0	1	21
20:45	0	15	5	0	2	0	0	0	0	0	0	0	0	1	23
	0	79	23	0	6	0	0	0	0	0	0	0	0	3	111
21:00	0	8	3	0	1	0	0	0	0	0	0	0	0	1	13
21:15	0	5	3	0	0	0	0	0	0	0	0	0	0	0	8
21:30	0	17	0	0	0	0	0	0	0	0	0	0	0	0	17
21:45	0	11	0	0	1	0	0	0	0	0	0	0	0	0	12
	0	41	6	0	2	0	0	0	0	0	0	0	0	1	50
22:00	0	7	3	0	0	0	0	0	0	0	0	0	0	0	10
22:15	0	3	4	0	1	0	0	0	0	0	0	0	0	2	10
22:30	0	2	0	0	1	0	0	0	0	0	0	0	0	0	3
22:45	0	5	0	0	0	0	0	0	0	0	0	0	0	1	6
	0	17	7	0	2	0	0	0	0	0	0	0	0	3	29
23:00	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
23:15	0	4	0	0	0	0	0	0	0	0	0	0	0	0	4
23:30	0	3	0	0	0	0	0	0	0	0	0	0	0	1	4
23:45	0	5	0	0	0	0	0	0	0	0	0	0	0	0	5
	0	13	0	0	0	0	0	0	0	0	0	0	0	1	14
Total	7	1324	433	19	227	5	0	11	2	4	0	0	0	111	2143
Percent	0.3%	61.8%	20.2%	0.9%	10.6%	0.2%	0.0%	0.5%	0.1%	0.2%	0.0%	0.0%	0.0%	5.2%	

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

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Longitude: 0' 0.0000 Undefined

EB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
01/23/20	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
00:15	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
00:30	0	1	0	0	0	0	0	0	0	0	0	0	0	1	2
00:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:00	0	6	0	0	0	0	0	0	0	0	0	0	0	1	7
01:15	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
01:30	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
01:45	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
02:00	0	4	0	0	0	0	0	0	0	0	0	0	0	0	4
02:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:30	0	1	1	0	0	0	0	0	0	0	0	0	0	0	2
02:45	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
03:00	0	3	1	0	0	0	0	0	0	0	0	0	0	0	4
03:15	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
03:30	0	1	1	0	0	0	0	0	0	0	0	0	0	0	2
03:45	0	2	1	0	0	0	0	0	0	0	0	0	0	0	3
04:00	0	4	1	0	0	0	0	0	0	0	0	0	0	0	5
04:15	0	8	3	0	0	0	0	0	0	0	0	0	0	0	11
04:30	1	5	1	0	3	0	0	0	0	0	0	0	0	0	10
04:45	0	6	1	0	2	0	0	0	0	0	0	0	0	0	9
05:00	0	4	3	0	3	0	0	0	0	0	0	0	0	0	10
05:15	1	11	3	0	5	0	0	0	0	0	0	0	0	0	20
05:30	2	26	8	0	13	0	0	0	0	0	0	0	0	0	49
05:45	0	14	4	1	4	0	0	0	0	1	0	0	0	0	24
06:00	0	17	6	0	3	0	0	0	0	0	0	0	0	0	26
06:15	0	19	11	0	4	0	0	0	0	1	0	0	0	0	35
06:30	0	21	9	0	3	0	0	0	0	1	0	0	0	0	34
06:45	0	71	30	1	14	0	0	0	0	3	0	0	0	0	119
07:00	0	16	5	0	1	0	0	0	0	0	0	0	0	0	22
07:15	0	24	7	0	4	0	0	0	0	0	0	0	0	0	35
07:30	0	28	6	0	7	0	0	0	0	1	0	0	0	1	43
07:45	1	36	21	0	10	1	0	0	1	0	0	0	0	0	70
08:00	1	104	39	0	22	1	0	0	1	1	0	0	0	1	170
08:15	1	36	8	0	5	0	0	0	0	0	0	0	0	0	50
08:30	0	55	25	0	14	1	0	1	0	0	0	0	0	1	97
08:45	0	73	32	2	16	0	0	0	0	0	0	0	0	4	127
09:00	0	116	42	2	18	0	0	1	0	0	0	0	0	6	185
09:15	1	280	107	4	53	1	0	2	0	0	0	0	0	11	459
09:30	2	87	23	1	9	0	0	0	0	0	0	0	0	5	127
09:45	0	50	18	0	6	0	0	1	0	0	0	0	0	3	78
10:00	0	37	11	1	6	0	0	2	0	0	0	0	0	4	61
10:15	0	46	10	1	4	2	0	0	0	0	0	0	0	1	64
10:30	2	220	62	3	25	2	0	3	0	0	0	0	0	13	330
10:45	0	41	10	2	9	0	0	1	1	0	0	0	0	1	65
11:00	0	31	12	1	7	1	0	0	0	0	0	0	0	2	54
11:15	0	37	13	1	8	0	0	0	0	0	0	0	0	1	60
11:30	0	40	21	0	3	0	0	0	0	0	0	0	0	3	67
11:45	0	149	56	4	27	1	0	1	1	0	0	0	0	7	246
12:00	0	35	14	1	4	2	0	1	0	1	0	0	0	2	60
12:15	1	42	12	0	6	0	0	1	0	0	0	0	0	1	63
12:30	0	41	11	0	8	1	0	0	0	0	0	0	0	1	62
12:45	0	43	11	0	8	2	0	2	0	0	0	0	0	2	68
13:00	1	161	48	1	26	5	0	4	0	1	0	0	0	6	253
13:15	0	38	10	1	8	2	0	0	0	1	0	0	0	0	60
13:30	1	38	13	0	7	0	0	0	0	0	0	0	0	4	63
13:45	0	38	13	0	9	2	0	1	0	0	0	0	0	2	65
14:00	0	47	19	1	7	0	0	1	0	0	0	0	0	3	78
14:15	1	161	55	2	31	4	0	2	0	1	0	0	0	9	266
Total	8	1193	409	15	211	14	0	12	2	6	0	0	0	48	1918
Percent	0.4%	62.2%	21.3%	0.8%	11.0%	0.7%	0.0%	0.6%	0.1%	0.3%	0.0%	0.0%	0.0%	2.5%	

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

EB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
12 PM	1	42	23	1	13	0	1	1	0	1	0	0	0	3	86
12:15	0	28	9	1	4	1	1	2	0	0	0	0	0	2	48
12:30	1	39	13	0	13	1	0	0	1	0	0	0	0	1	69
12:45	0	47	11	1	9	1	0	1	0	0	0	0	0	2	72
	2	156	56	3	39	3	2	4	1	1	0	0	0	8	275
13:00	1	31	12	0	5	1	0	1	0	0	0	0	0	3	54
13:15	2	36	8	0	5	1	0	3	0	1	0	0	0	2	58
13:30	0	46	18	2	4	1	0	0	0	0	0	0	0	1	72
13:45	0	39	11	0	8	3	0	0	2	0	0	0	0	3	66
	3	152	49	2	22	6	0	4	2	1	0	0	0	9	250
14:00	0	50	19	0	6	0	0	0	0	0	0	0	0	2	77
14:15	0	48	17	0	7	1	0	0	0	0	0	0	0	3	76
14:30	0	38	12	0	7	0	0	0	0	0	0	0	0	2	59
14:45	0	55	13	0	10	1	0	0	0	0	0	0	0	3	82
	0	191	61	0	30	2	0	0	0	0	0	0	0	10	294
15:00	0	45	11	1	7	0	0	1	0	0	0	0	0	1	66
15:15	1	37	11	2	9	0	0	2	0	0	0	0	0	7	69
15:30	1	39	13	1	11	0	0	1	0	0	0	0	0	3	69
15:45	0	29	22	1	7	0	0	1	0	0	0	0	0	1	61
	2	150	57	5	34	0	0	5	0	0	0	0	0	12	265
16:00	0	34	13	2	10	1	0	0	0	0	0	0	0	2	62
16:15	0	33	12	0	6	0	0	0	0	0	0	0	0	1	52
16:30	0	51	13	2	8	0	0	0	0	0	0	0	0	0	74
16:45	0	55	22	1	14	0	0	0	0	0	0	0	0	6	98
	0	173	60	5	38	1	0	0	0	0	0	0	0	9	286
17:00	0	38	16	0	12	0	0	0	0	0	0	0	0	2	68
17:15	0	55	10	0	3	0	0	0	0	0	0	0	0	2	70
17:30	0	39	8	1	2	0	0	0	0	0	0	0	0	1	51
17:45	1	41	9	0	5	0	0	0	0	0	0	0	0	4	60
	1	173	43	1	22	0	0	0	0	0	0	0	0	9	249
18:00	0	33	10	0	5	0	0	0	0	0	0	0	0	2	50
18:15	0	27	12	0	4	0	0	0	0	0	0	0	0	2	45
18:30	0	21	10	0	5	0	0	0	0	0	0	0	0	1	37
18:45	0	30	7	0	4	0	0	0	0	0	0	0	0	2	43
	0	111	39	0	18	0	0	0	0	0	0	0	0	7	175
19:00	0	24	3	0	1	0	0	0	0	0	0	0	0	2	30
19:15	0	21	5	0	3	0	0	0	0	0	0	0	0	1	30
19:30	0	17	5	0	2	0	0	0	0	0	0	0	0	1	25
19:45	0	12	1	0	2	0	0	0	0	0	0	0	0	0	15
	0	74	14	0	8	0	0	0	0	0	0	0	0	4	100
20:00	0	24	3	0	1	0	0	0	0	0	0	0	0	0	28
20:15	0	17	7	0	2	0	0	0	0	0	0	0	0	0	26
20:30	0	10	6	0	3	0	0	0	0	0	0	0	0	0	19
20:45	0	7	4	0	0	0	0	0	0	0	0	0	0	1	12
	0	58	20	0	6	0	0	0	0	0	0	0	0	1	85
21:00	0	21	1	0	2	0	0	0	0	0	0	0	0	0	24
21:15	0	10	2	0	1	0	0	0	0	0	0	0	0	0	13
21:30	0	4	1	0	0	0	0	0	0	0	0	0	0	0	5
21:45	0	14	3	0	0	0	0	0	0	0	0	0	0	0	17
	0	49	7	0	3	0	0	0	0	0	0	0	0	0	59
22:00	0	7	1	0	1	0	0	0	0	0	0	0	0	1	10
22:15	0	5	1	0	0	0	0	0	0	0	0	0	0	0	6
22:30	0	3	1	0	0	0	0	0	0	0	0	0	0	0	4
22:45	0	7	0	0	0	0	0	0	0	0	0	0	0	0	7
	0	22	3	0	1	0	0	0	0	0	0	0	0	1	27
23:00	0	6	0	0	0	0	0	0	0	0	0	0	0	0	6
23:15	0	4	0	0	0	0	0	0	0	0	0	0	0	0	4
23:30	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
23:45	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
	0	16	0	0	0	0	0	0	0	0	0	0	0	0	16
Total	8	1325	409	16	221	12	2	13	3	2	0	0	0	70	2081
Percent	0.4%	63.7%	19.7%	0.8%	10.6%	0.6%	0.1%	0.6%	0.1%	0.1%	0.0%	0.0%	0.0%	3.4%	
Grand Total	25	4995	1681	57	859	34	4	46	11	24	0	0	0	342	8078
Percent	0.3%	61.8%	20.8%	0.7%	10.6%	0.4%	0.0%	0.6%	0.1%	0.3%	0.0%	0.0%	0.0%	4.2%	

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

WB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
01/22/20	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
00:15	1	1	1	0	0	0	0	0	0	0	0	0	0	0	3
00:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
00:45	0	3	0	0	0	0	0	0	0	0	0	0	0	1	4
01:00	1	6	1	0	0	0	0	0	0	0	0	0	0	1	9
01:15	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
01:30	0	1	2	0	1	0	0	0	0	0	0	0	0	0	4
01:45	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
02:00	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
02:15	0	4	2	0	2	0	0	0	0	0	0	0	0	0	8
02:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:45	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
03:00	0	1	0	1	0	0	0	0	0	0	0	0	0	0	2
03:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:45	0	1	0	1	1	1	0	0	0	0	0	0	0	0	3
04:00	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
04:15	0	5	0	0	0	0	0	0	0	0	0	0	0	0	6
04:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
04:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
05:00	0	1	0	1	0	0	0	0	0	0	0	0	0	0	2
05:15	0	4	1	3	2	0	0	0	0	0	0	0	0	2	12
05:30	0	2	3	0	0	1	0	0	0	0	0	0	0	0	6
05:45	0	1	2	0	0	2	0	0	0	0	0	0	0	1	6
06:00	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
06:15	0	2	1	0	0	0	0	0	0	0	0	0	0	2	5
06:30	0	6	6	0	0	3	0	0	0	0	0	0	0	3	18
06:45	0	6	1	0	2	0	0	0	0	0	0	0	0	0	9
07:00	0	8	6	0	2	0	0	0	0	0	0	0	0	1	17
07:15	0	13	3	0	5	0	0	0	0	0	0	0	0	2	23
07:30	0	21	6	0	0	0	0	0	0	0	0	0	0	1	28
07:45	0	48	16	0	9	0	0	0	0	0	0	0	0	4	77
08:00	0	17	4	1	2	0	0	0	0	0	0	0	0	2	26
08:15	0	11	5	0	6	0	0	0	0	0	0	0	0	4	26
08:30	0	14	9	0	7	0	0	0	0	0	0	0	0	3	33
08:45	0	23	12	0	5	0	0	0	0	0	0	0	0	9	49
09:00	0	65	30	1	20	0	0	0	0	0	0	0	0	18	134
09:15	0	30	20	0	5	0	0	0	0	0	0	0	0	11	66
09:30	0	25	17	1	6	0	0	2	0	0	0	0	0	5	56
09:45	1	31	10	1	5	0	0	2	1	0	0	0	0	5	56
10:00	0	26	11	0	6	0	0	0	0	0	0	0	0	2	45
10:15	1	112	58	2	22	0	0	4	1	0	0	0	0	23	223
10:30	0	18	10	0	6	0	0	2	1	0	0	0	0	7	44
10:45	0	20	13	1	3	1	0	0	0	0	0	0	0	9	47
11:00	0	21	15	0	3	0	0	0	0	0	0	0	0	3	42
11:15	0	15	12	2	5	0	0	1	0	0	0	0	0	7	42
11:30	0	74	50	3	17	1	0	3	1	0	0	0	0	26	175
11:45	0	26	7	0	2	0	0	0	0	0	0	0	0	8	43
12:00	0	27	10	0	4	0	0	0	0	0	0	0	0	8	49
12:15	0	30	13	0	2	0	0	0	0	0	0	0	0	0	45
12:30	0	20	10	0	1	1	0	0	0	0	0	0	0	2	34
12:45	0	103	40	0	9	1	0	0	0	0	0	0	0	18	171
13:00	0	24	8	0	5	0	0	0	0	0	0	0	0	3	40
13:15	0	31	15	0	5	1	0	0	0	0	0	0	0	3	55
13:30	0	42	11	1	15	0	0	2	0	0	0	0	0	2	73
13:45	4	38	13	0	9	0	0	0	0	0	0	0	0	2	66
Total	4	135	47	1	34	1	0	2	0	0	0	0	0	10	234
Percent	0.6%	52.6%	23.4%	1.1%	10.8%	0.7%	0.0%	0.8%	0.2%	0.0%	0.0%	0.0%	0.0%	9.8%	1071

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

WB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
12 PM	0	34	27	1	6	1	0	0	0	0	0	0	0	4	73
12:15	0	43	18	0	8	1	0	1	0	0	0	0	0	4	75
12:30	0	44	12	0	8	0	0	0	0	0	0	0	0	1	65
12:45	0	39	21	0	5	0	0	2	0	0	0	0	0	1	68
	0	160	78	1	27	2	0	3	0	0	0	0	0	10	281
13:00	0	48	15	0	12	0	0	1	0	0	0	0	0	3	79
13:15	0	33	7	1	4	0	0	1	0	0	0	0	0	4	50
13:30	0	46	14	0	8	0	0	0	0	0	0	0	0	1	69
13:45	0	41	13	1	8	0	0	1	0	0	0	0	0	3	67
	0	168	49	2	32	0	0	3	0	0	0	0	0	11	265
14:00	0	37	15	0	5	0	0	0	0	0	0	0	0	5	62
14:15	0	39	7	0	1	0	0	1	0	0	0	0	0	2	50
14:30	0	53	16	1	9	0	0	2	0	0	0	0	0	6	87
14:45	1	56	16	0	10	0	0	0	0	0	0	0	0	6	89
	1	185	54	1	25	0	0	3	0	0	0	0	0	19	288
15:00	1	44	22	0	7	0	0	0	0	0	0	0	0	4	78
15:15	0	57	19	0	4	0	0	0	0	0	0	0	0	4	84
15:30	0	62	29	2	14	0	0	1	0	0	0	0	0	3	111
15:45	0	69	21	1	14	0	0	0	0	0	0	0	0	6	111
	1	232	91	3	39	0	0	1	0	0	0	0	0	17	384
16:00	0	62	17	0	11	0	0	0	0	0	0	0	0	2	92
16:15	0	66	20	0	13	0	0	0	0	0	0	0	0	7	106
16:30	0	65	19	0	15	1	0	1	0	0	0	0	0	3	104
16:45	0	57	24	0	16	0	0	0	0	0	0	0	0	6	103
	0	250	80	0	55	1	0	1	0	0	0	0	0	18	405
17:00	0	69	18	0	16	0	0	0	0	0	0	0	0	7	110
17:15	0	88	36	0	10	0	0	1	0	0	0	0	0	2	137
17:30	0	55	26	0	11	1	0	0	0	0	0	0	0	6	99
17:45	0	83	18	0	9	0	0	0	0	0	0	0	0	3	113
	0	295	98	0	46	1	0	1	0	0	0	0	0	18	459
18:00	0	66	21	0	11	0	0	0	0	0	0	0	0	9	107
18:15	0	43	18	0	6	0	0	0	0	0	0	0	0	3	70
18:30	1	50	17	0	6	0	0	0	0	0	0	0	0	2	76
18:45	0	54	15	0	4	0	0	0	0	0	0	0	0	4	77
	1	213	71	0	27	0	0	0	0	0	0	0	0	18	330
19:00	0	30	10	0	7	0	0	0	0	0	0	0	0	0	47
19:15	0	37	7	0	1	0	0	0	0	0	0	0	0	2	47
19:30	0	47	10	0	6	0	0	0	0	0	0	0	0	0	63
19:45	0	26	9	0	8	0	0	0	0	0	0	0	0	1	44
	0	140	36	0	22	0	0	0	0	0	0	0	0	3	201
20:00	0	43	16	0	6	0	0	0	0	0	0	0	0	2	67
20:15	0	18	10	0	3	0	0	0	0	0	0	0	0	1	32
20:30	0	21	8	0	1	0	0	0	0	0	0	0	0	0	30
20:45	0	17	5	0	3	0	0	0	0	0	0	0	0	1	26
	0	99	39	0	13	0	0	0	0	0	0	0	0	4	155
21:00	0	16	7	0	2	0	0	0	0	0	0	0	0	2	27
21:15	0	23	5	0	3	0	0	0	0	0	0	0	0	0	31
21:30	0	17	3	0	1	0	0	0	0	0	0	0	0	0	21
21:45	0	15	3	0	1	0	0	0	0	0	0	0	0	0	19
	0	71	18	0	7	0	0	0	0	0	0	0	0	2	98
22:00	0	14	2	0	0	0	0	0	0	0	0	0	0	0	16
22:15	0	18	2	0	1	0	0	0	0	0	0	0	0	1	22
22:30	0	11	1	0	2	0	0	0	0	0	0	0	0	0	14
22:45	0	8	0	0	0	0	0	0	0	0	0	0	0	0	8
	0	51	5	0	3	0	0	0	0	0	0	0	0	1	60
23:00	0	6	1	0	0	0	0	0	0	0	0	0	0	0	7
23:15	0	5	1	0	0	0	0	0	0	0	0	0	0	0	6
23:30	0	1	0	0	2	0	0	0	0	0	0	0	0	0	3
23:45	0	4	1	0	0	0	0	0	0	0	0	0	0	0	5
	0	16	3	0	2	0	0	0	0	0	0	0	0	0	21
Total	3	1880	622	7	298	4	0	12	0	0	0	0	0	121	2947
Percent	0.1%	63.8%	21.1%	0.2%	10.1%	0.1%	0.0%	0.4%	0.0%	0.0%	0.0%	0.0%	0.0%	4.1%	

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

WB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
01/23/20	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
00:15	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
00:30	0	1	1	0	1	0	0	0	0	0	0	0	0	0	3
00:45	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
	0	4	1	0	2	0	0	0	0	0	0	0	0	0	7
01:00	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
01:15	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
01:30	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
01:45	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
	0	7	0	0	0	0	0	0	0	0	0	0	0	0	7
02:00	1	3	0	0	0	0	0	0	0	0	0	0	0	0	4
02:15	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
02:30	0	2	0	1	0	0	0	0	0	0	0	0	0	0	3
02:45	0	1	1	0	0	0	0	0	0	0	0	0	0	0	2
	1	8	1	1	0	0	0	0	0	0	0	0	0	0	11
03:00	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
03:15	0	0	0	0	1	0	0	0	0	0	0	0	0	1	2
03:30	0	1	0	1	0	0	0	0	0	0	0	0	0	0	2
03:45	0	0	0	0	2	0	0	0	0	0	0	0	0	0	2
	0	3	0	1	3	0	0	0	0	0	0	0	0	1	8
04:00	0	1	0	2	0	0	0	0	0	0	0	0	0	0	3
04:15	0	1	0	1	0	1	0	0	0	0	0	0	0	0	3
04:30	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
04:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	0	4	0	3	0	1	0	0	0	0	0	0	0	0	8
05:00	0	1	0	0	2	0	0	0	0	0	0	0	0	0	3
05:15	0	3	2	1	1	0	0	0	0	0	0	0	0	0	7
05:30	0	1	2	0	1	0	0	0	0	0	0	0	0	0	4
05:45	0	2	1	0	2	0	0	1	0	0	0	0	0	1	7
	0	7	5	1	6	0	0	1	0	0	0	0	0	1	21
06:00	0	11	1	0	1	0	0	0	0	0	0	0	0	1	14
06:15	0	4	4	1	0	1	0	0	0	0	0	0	0	0	10
06:30	0	16	6	2	5	0	0	0	0	0	0	0	0	1	30
06:45	0	18	8	0	2	0	0	0	0	0	0	0	0	0	28
	0	49	19	3	8	1	0	0	0	0	0	0	0	2	82
07:00	0	17	7	3	4	0	0	0	0	0	0	0	0	2	33
07:15	0	15	3	1	5	1	0	1	0	0	0	0	0	1	27
07:30	0	14	7	1	6	0	0	0	1	0	0	0	0	6	35
07:45	2	20	13	0	5	1	0	1	1	0	0	0	0	13	56
	2	66	30	5	20	2	0	2	2	0	0	0	0	22	151
08:00	0	31	19	0	9	0	0	0	1	0	0	0	0	4	64
08:15	0	33	19	1	13	0	0	1	0	0	0	0	0	2	69
08:30	2	24	10	0	11	0	0	3	1	0	0	0	0	1	52
08:45	0	26	11	0	8	1	0	1	0	0	0	0	0	1	48
	2	114	59	1	41	1	0	5	2	0	0	0	0	8	233
09:00	0	15	10	0	6	0	0	0	0	0	0	0	0	3	34
09:15	0	20	13	2	7	0	0	2	0	0	0	0	0	3	47
09:30	0	17	6	0	3	0	0	5	0	0	0	0	0	4	35
09:45	0	20	12	0	3	1	0	1	0	0	0	0	0	3	40
	0	72	41	2	19	1	0	8	0	0	0	0	0	13	156
10:00	0	32	19	0	8	0	0	1	0	0	0	0	0	4	64
10:15	0	21	7	0	6	2	0	0	0	0	0	0	0	4	40
10:30	0	34	16	1	11	0	0	0	0	0	0	0	0	2	64
10:45	0	29	9	2	7	0	1	0	0	0	0	0	0	3	51
	0	116	51	3	32	2	1	1	0	0	0	0	0	13	219
11:00	0	39	15	0	6	0	0	1	0	0	0	0	0	0	61
11:15	0	45	14	0	11	1	1	0	0	0	0	0	0	3	75
11:30	0	43	13	0	5	2	0	1	0	0	0	0	0	5	69
11:45	0	36	17	0	8	1	0	0	1	0	0	0	0	3	66
	0	163	59	0	30	4	1	2	1	0	0	0	0	11	271
Total	5	613	266	20	161	12	2	19	5	0	0	0	0	71	1174
Percent	0.4%	52.2%	22.7%	1.7%	13.7%	1.0%	0.2%	1.6%	0.4%	0.0%	0.0%	0.0%	0.0%	6.0%	

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

WB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
12 PM	0	36	23	0	8	0	0	0	0	0	0	0	0	3	70
12:15	0	44	14	0	10	1	0	0	0	0	0	0	0	1	70
12:30	0	38	12	0	6	0	0	0	0	0	0	0	0	1	57
12:45	0	45	11	0	9	1	0	0	0	0	0	0	0	6	72
	0	163	60	0	33	2	0	0	0	0	0	0	0	11	269
13:00	0	20	17	0	8	0	0	0	1	0	0	0	0	5	51
13:15	0	46	11	0	9	0	0	0	0	0	0	0	0	4	70
13:30	0	37	13	0	4	1	0	0	0	0	0	0	0	5	60
13:45	0	43	12	0	6	1	0	0	0	0	0	0	0	4	66
	0	146	53	0	27	2	0	0	1	0	0	0	0	18	247
14:00	0	43	18	0	4	0	0	0	0	0	0	0	0	3	68
14:15	0	33	17	0	10	0	0	1	0	0	0	0	0	3	64
14:30	0	49	23	2	11	1	0	1	0	0	0	0	0	0	87
14:45	0	37	12	0	11	0	0	0	0	0	0	0	0	4	64
	0	162	70	2	36	1	0	2	0	0	0	0	0	10	283
15:00	0	55	22	0	11	0	0	0	0	0	0	0	0	3	91
15:15	0	52	18	0	4	1	0	1	0	0	0	0	0	5	81
15:30	0	77	23	0	21	0	0	2	0	0	0	0	0	5	128
15:45	0	61	22	2	11	0	0	0	0	0	0	0	0	4	100
	0	245	85	2	47	1	0	3	0	0	0	0	0	17	400
16:00	0	60	22	0	11	0	0	0	0	0	0	0	0	7	100
16:15	0	68	20	1	12	0	0	2	0	0	0	0	0	5	108
16:30	0	75	27	0	15	0	0	1	0	0	0	0	0	4	122
16:45	0	76	23	0	11	0	0	0	0	0	0	0	0	2	112
	0	279	92	1	49	0	0	3	0	0	0	0	0	18	442
17:00	0	73	19	1	10	0	0	0	0	0	0	0	0	3	106
17:15	0	61	27	0	9	0	0	0	0	0	0	0	0	4	101
17:30	0	78	18	0	17	0	0	0	0	0	0	0	0	3	116
17:45	0	53	19	0	14	0	0	0	0	0	0	0	0	3	89
	0	265	83	1	50	0	0	0	0	0	0	0	0	13	412
18:00	0	50	18	0	5	0	0	0	0	0	0	0	0	0	73
18:15	1	48	19	0	8	0	0	0	0	0	0	0	0	4	80
18:30	0	44	13	0	5	0	0	0	0	0	0	0	0	2	64
18:45	0	50	14	0	3	0	0	0	0	0	0	0	0	0	67
	1	192	64	0	21	0	0	0	0	0	0	0	0	6	284
19:00	0	43	18	0	8	0	0	0	0	0	0	0	0	3	72
19:15	0	38	16	0	2	0	0	0	0	0	0	0	0	0	56
19:30	0	28	8	0	3	0	0	0	0	0	0	0	0	1	40
19:45	0	23	6	0	3	0	0	0	0	0	0	0	0	0	32
	0	132	48	0	16	0	0	0	0	0	0	0	0	4	200
20:00	0	29	5	0	4	0	0	0	0	0	0	0	0	0	38
20:15	0	26	6	0	8	0	0	0	0	0	0	0	0	0	40
20:30	0	31	11	0	5	0	0	0	0	0	0	0	0	1	48
20:45	0	19	15	0	5	0	0	0	0	0	0	0	0	1	40
	0	105	37	0	22	0	0	0	0	0	0	0	0	2	166
21:00	0	16	7	0	6	0	0	0	0	0	0	0	0	0	29
21:15	0	21	4	0	1	0	0	0	0	0	0	0	0	0	26
21:30	0	20	2	0	1	0	0	0	0	0	0	0	0	0	23
21:45	0	6	3	0	1	0	0	0	0	0	0	0	0	1	11
	0	63	16	0	9	0	0	0	0	0	0	0	0	1	89
22:00	0	10	5	0	0	0	0	0	0	0	0	0	0	0	15
22:15	0	9	3	0	1	0	0	0	0	0	0	0	0	0	13
22:30	0	8	0	0	3	0	0	0	0	0	0	0	0	0	11
22:45	0	5	1	0	0	0	0	0	0	0	0	0	0	0	6
	0	32	9	0	4	0	0	0	0	0	0	0	0	0	45
23:00	0	9	0	0	0	0	0	0	0	0	0	0	0	0	9
23:15	0	9	3	0	0	0	0	0	0	0	0	0	0	0	12
23:30	0	6	0	0	0	0	0	0	0	0	0	0	0	0	6
23:45	0	4	1	0	1	0	0	0	0	0	0	0	0	0	6
	0	28	4	0	1	0	0	0	0	0	0	0	0	0	33
Total	1	1812	621	6	315	6	0	8	1	0	0	0	0	100	2870
Percent	0.0%	63.1%	21.6%	0.2%	11.0%	0.2%	0.0%	0.3%	0.0%	0.0%	0.0%	0.0%	0.0%	3.5%	
Grand Total	15	4868	1760	45	890	29	2	48	8	0	0	0	0	397	8062
Percent	0.2%	60.4%	21.8%	0.6%	11.0%	0.4%	0.0%	0.6%	0.1%	0.0%	0.0%	0.0%	0.0%	4.9%	

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

EB, WB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
01/22/20	0	6	1	0	0	0	0	0	0	0	0	0	0	0	7
00:15	1	1	1	0	0	0	0	0	0	0	0	0	0	0	3
00:30	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
00:45	0	3	0	0	0	0	0	0	0	0	0	0	0	0	4
01:00	1	12	2	0	0	0	0	0	0	0	0	0	0	1	16
01:15	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
01:30	0	1	2	0	1	0	0	0	0	0	0	0	0	1	5
01:45	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
02:00	0	3	2	0	0	0	0	0	0	0	0	0	0	0	5
02:15	0	6	4	0	2	0	0	0	0	0	0	0	0	1	13
02:30	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
02:45	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
03:00	0	10	0	1	0	0	0	0	0	0	0	0	0	0	11
03:15	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
03:30	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
03:45	0	5	1	0	1	1	0	0	0	0	0	0	0	0	8
04:00	0	4	2	1	0	0	0	0	0	0	0	0	0	0	7
04:15	0	12	3	1	1	1	0	0	0	0	0	0	0	0	18
04:30	0	1	1	3	0	0	0	0	0	0	0	0	0	0	5
04:45	0	6	2	0	4	0	0	0	0	1	0	0	0	3	16
05:00	0	5	2	1	2	0	0	0	0	0	0	0	0	0	10
05:15	1	8	2	0	3	0	0	0	0	1	0	0	0	0	15
05:30	1	20	7	4	9	0	0	0	0	2	0	0	0	3	46
05:45	0	16	10	0	3	1	0	0	0	0	0	0	0	1	31
06:00	0	25	10	0	5	2	0	0	0	1	0	0	0	2	45
06:15	0	17	11	0	5	0	0	0	0	1	0	0	0	0	34
06:30	0	22	7	0	3	0	0	0	0	0	0	0	0	3	35
06:45	0	80	38	0	16	3	0	0	0	2	0	0	0	6	145
07:00	0	27	4	0	5	0	0	0	0	0	0	0	0	1	37
07:15	0	31	11	0	5	0	0	0	0	0	0	0	0	3	50
07:30	0	39	15	0	15	0	0	0	0	2	0	0	0	7	78
07:45	0	70	23	0	9	0	0	0	1	0	0	0	0	4	107
08:00	0	167	53	0	34	0	0	0	1	2	0	0	0	15	272
08:15	0	57	15	1	7	0	0	0	0	0	0	0	0	3	83
08:30	0	73	24	0	21	0	0	0	1	1	0	0	0	6	126
08:45	0	89	34	2	19	0	0	0	0	0	0	0	0	5	149
09:00	0	137	67	1	22	0	0	0	1	1	0	0	0	20	249
09:15	0	356	140	4	69	0	0	0	2	2	0	0	0	34	607
09:30	0	114	45	1	19	0	0	0	0	0	0	0	0	23	202
09:45	0	75	35	1	15	0	0	3	0	0	0	0	0	13	142
10:00	1	66	24	1	12	1	0	3	1	0	0	0	0	11	120
10:15	0	76	29	0	11	0	0	0	0	0	0	0	0	7	123
10:30	1	331	133	3	57	1	0	6	1	0	0	0	0	54	587
10:45	0	56	21	0	13	0	0	2	2	0	0	0	0	14	108
11:00	0	44	21	1	7	1	0	0	0	0	0	0	0	16	90
11:15	0	51	25	1	8	0	0	0	0	0	0	0	0	5	90
11:30	0	60	24	2	10	0	0	2	0	0	0	0	0	12	110
11:45	0	211	91	4	38	1	0	4	2	0	0	0	0	47	398
12:00	0	50	27	0	6	0	0	1	0	0	0	0	0	13	97
12:15	1	63	27	0	8	0	0	1	0	1	0	0	0	13	114
12:30	0	72	27	0	7	0	0	0	0	1	0	0	0	3	110
12:45	0	46	24	0	6	1	0	3	0	0	0	0	0	5	85
13:00	1	231	105	0	27	1	0	5	0	2	0	0	0	34	406
13:15	0	58	21	0	16	1	0	0	0	1	0	0	0	6	103
13:30	0	57	31	1	12	2	0	0	0	0	0	0	0	6	109
13:45	0	85	25	1	20	0	0	4	0	1	0	0	0	4	140
14:00	4	80	28	0	15	0	2	0	0	0	0	0	0	7	136
Total	8	280	105	2	63	3	2	4	0	2	0	0	0	23	488
Percent	0.3%	57.1%	22.6%	0.6%	10.5%	0.3%	0.1%	0.6%	0.2%	0.4%	0.0%	0.0%	0.0%	7.2%	3007

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

EB, WB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
12 PM	0	78	45	1	18	1	0	0	0	1	0	0	0	5	149
12:15	2	82	35	0	16	1	0	1	0	0	0	0	0	10	147
12:30	0	83	23	1	16	0	0	0	0	1	0	0	0	5	129
12:45	0	74	31	0	10	0	0	2	1	1	0	0	0	5	124
	2	317	134	2	60	2	0	3	1	3	0	0	0	25	549
13:00	0	88	26	0	17	0	0	3	0	0	0	0	0	5	139
13:15	0	83	25	1	15	1	0	2	0	0	0	0	0	5	132
13:30	0	92	25	1	18	0	0	0	1	0	0	0	0	2	139
13:45	0	72	24	1	17	0	0	1	0	0	0	0	0	8	123
	0	335	100	3	67	1	0	6	1	0	0	0	0	20	533
14:00	0	76	25	4	12	0	0	1	0	1	0	0	0	6	125
14:15	0	90	18	1	8	1	0	1	0	0	0	0	0	4	123
14:30	0	76	29	1	13	1	0	2	0	0	0	0	0	12	134
14:45	1	112	30	0	25	1	0	1	0	0	0	0	0	9	179
	1	354	102	6	58	3	0	5	0	1	0	0	0	31	561
15:00	2	82	43	2	12	0	0	2	0	0	0	0	0	7	150
15:15	0	103	35	2	13	0	0	2	0	0	0	0	0	8	163
15:30	1	112	42	3	19	0	0	1	0	0	0	0	0	5	183
15:45	1	109	38	2	29	0	0	0	0	0	0	0	0	9	188
	4	406	158	9	73	0	0	5	0	0	0	0	0	29	684
16:00	2	110	27	2	20	0	0	2	0	0	0	0	0	3	166
16:15	0	101	33	1	21	0	0	0	0	0	0	0	0	12	168
16:30	0	96	36	1	26	2	0	1	0	0	0	0	0	8	170
16:45	0	88	44	1	22	0	0	0	0	0	0	0	0	15	170
	2	395	140	5	89	2	0	3	0	0	0	0	0	38	674
17:00	0	103	29	1	25	0	0	0	0	0	0	0	0	15	173
17:15	0	125	49	0	17	0	0	1	0	0	0	0	0	4	196
17:30	0	102	33	0	18	1	0	0	0	0	0	0	0	9	163
17:45	0	121	29	0	12	0	0	0	0	0	0	0	0	8	170
	0	451	140	1	72	1	0	1	0	0	0	0	0	36	702
18:00	0	101	29	0	13	0	0	0	0	0	0	0	0	15	158
18:15	0	83	38	0	13	0	0	0	0	0	0	0	0	5	139
18:30	1	72	27	0	8	0	0	0	0	0	0	0	0	6	114
18:45	0	84	26	0	8	0	0	0	0	0	0	0	0	4	122
	1	340	120	0	42	0	0	0	0	0	0	0	0	30	533
19:00	0	46	17	0	10	0	0	0	0	0	0	0	0	0	73
19:15	0	66	12	0	3	0	0	0	0	0	0	0	0	4	85
19:30	0	68	13	0	7	0	0	0	0	0	0	0	0	2	90
19:45	0	39	18	0	9	0	0	0	0	0	0	0	0	2	68
	0	219	60	0	29	0	0	0	0	0	0	0	0	8	316
20:00	0	66	22	0	9	0	0	0	0	0	0	0	0	3	100
20:15	0	43	18	0	4	0	0	0	0	0	0	0	0	1	66
20:30	0	37	12	0	1	0	0	0	0	0	0	0	0	1	51
20:45	0	32	10	0	5	0	0	0	0	0	0	0	0	2	49
	0	178	62	0	19	0	0	0	0	0	0	0	0	7	266
21:00	0	24	10	0	3	0	0	0	0	0	0	0	0	3	40
21:15	0	28	8	0	3	0	0	0	0	0	0	0	0	0	39
21:30	0	34	3	0	1	0	0	0	0	0	0	0	0	0	38
21:45	0	26	3	0	2	0	0	0	0	0	0	0	0	0	31
	0	112	24	0	9	0	0	0	0	0	0	0	0	3	148
22:00	0	21	5	0	0	0	0	0	0	0	0	0	0	0	26
22:15	0	21	6	0	2	0	0	0	0	0	0	0	0	3	32
22:30	0	13	1	0	3	0	0	0	0	0	0	0	0	0	17
22:45	0	13	0	0	0	0	0	0	0	0	0	0	0	1	14
	0	68	12	0	5	0	0	0	0	0	0	0	0	4	89
23:00	0	7	1	0	0	0	0	0	0	0	0	0	0	0	8
23:15	0	9	1	0	0	0	0	0	0	0	0	0	0	0	10
23:30	0	4	0	0	2	0	0	0	0	0	0	0	0	1	7
23:45	0	9	1	0	0	0	0	0	0	0	0	0	0	0	10
	0	29	3	0	2	0	0	0	0	0	0	0	0	1	35
Total	10	3204	1055	26	525	9	0	23	2	4	0	0	0	232	5090
Percent	0.2%	62.9%	20.7%	0.5%	10.3%	0.2%	0.0%	0.5%	0.0%	0.1%	0.0%	0.0%	0.0%	4.6%	

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

EB, WB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
01/23/20	0	2	0	0	1	0	0	0	0	0	0	0	0	0	3
00:15	0	5	0	0	0	0	0	0	0	0	0	0	0	0	5
00:30	0	2	1	0	1	0	0	0	0	0	0	0	0	1	5
00:45	0	1	0	0	0	0	0	0	0	0	0	0	0	0	1
01:00	0	10	1	0	2	0	0	0	0	0	0	0	0	1	14
01:15	0	4	0	0	0	0	0	0	0	0	0	0	0	0	4
01:30	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
01:45	0	2	0	0	0	0	0	0	0	0	0	0	0	0	2
02:00	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
02:15	0	11	0	0	0	0	0	0	0	0	0	0	0	0	11
02:30	1	3	0	0	0	0	0	0	0	0	0	0	0	0	4
02:45	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
03:00	0	3	0	0	0	0	0	0	0	0	0	0	0	0	3
03:15	0	1	1	0	1	0	0	0	0	0	0	0	0	1	4
03:30	0	3	1	1	0	0	0	0	0	0	0	0	0	0	5
03:45	0	4	1	0	2	0	0	0	0	0	0	0	0	0	7
04:00	0	11	3	1	3	0	0	0	0	0	0	0	0	1	19
04:15	1	6	1	2	3	0	0	0	0	0	0	0	0	0	13
04:30	0	7	1	1	2	1	0	0	0	0	0	0	0	0	12
04:45	0	6	3	0	3	0	0	0	0	0	0	0	0	0	12
05:00	1	11	3	0	5	0	0	0	0	0	0	0	0	0	20
05:15	2	30	8	3	13	1	0	0	0	0	0	0	0	0	57
05:30	0	15	4	1	6	0	0	0	0	1	0	0	0	0	27
05:45	0	20	8	1	4	0	0	0	0	0	0	0	0	0	33
06:00	0	20	13	0	5	0	0	0	0	1	0	0	0	0	39
06:15	0	23	10	0	5	0	0	1	0	1	0	0	0	1	41
06:30	0	78	35	2	20	0	0	1	0	3	0	0	0	1	140
06:45	0	27	6	0	2	0	0	0	0	0	0	0	0	1	36
07:00	0	28	11	1	4	1	0	0	0	0	0	0	0	0	45
07:15	0	44	12	2	12	0	0	0	0	1	0	0	0	2	73
07:30	1	54	29	0	12	1	0	0	1	0	0	0	0	0	98
07:45	1	153	58	3	30	2	0	0	1	1	0	0	0	3	252
08:00	1	53	15	3	9	0	0	0	0	0	0	0	0	2	83
08:15	0	70	28	1	19	2	0	2	0	0	0	0	0	2	124
08:30	0	87	39	3	22	0	0	0	1	0	0	0	0	10	162
08:45	2	136	55	2	23	1	0	2	1	0	0	0	0	19	241
09:00	3	346	137	9	73	3	0	4	2	0	0	0	0	33	610
09:15	2	118	42	1	18	0	0	0	1	0	0	0	0	9	191
09:30	0	83	37	1	19	0	0	2	0	0	0	0	0	5	147
09:45	2	61	21	1	17	0	0	5	1	0	0	0	0	5	113
10:00	0	72	21	1	12	3	0	1	0	0	0	0	0	2	112
10:15	4	334	121	4	66	3	0	8	2	0	0	0	0	21	563
10:30	0	56	20	2	15	0	0	1	1	0	0	0	0	4	99
10:45	0	51	25	3	14	1	0	2	0	0	0	0	0	5	101
11:00	0	54	19	1	11	0	0	5	0	0	0	0	0	5	95
11:15	0	60	33	0	6	1	0	1	0	0	0	0	0	6	107
11:30	0	221	97	6	46	2	0	9	1	0	0	0	0	20	402
11:45	0	67	33	1	12	2	0	2	0	1	0	0	0	6	124
12:00	1	63	19	0	12	2	0	1	0	0	0	0	0	5	103
12:15	0	75	27	1	19	1	0	0	0	0	0	0	0	3	126
12:30	0	72	20	2	15	2	1	2	0	0	0	0	0	5	119
12:45	1	277	99	4	58	7	1	5	0	1	0	0	0	19	472
13:00	0	77	25	1	14	2	0	1	0	1	0	0	0	0	121
13:15	1	83	27	0	18	1	1	0	0	0	0	0	0	7	138
13:30	0	81	26	0	14	4	0	2	0	0	0	0	0	7	134
13:45	0	83	36	1	15	1	0	1	1	0	0	0	0	6	144
Total	13	324	114	2	61	8	1	4	1	1	0	0	0	20	537
Percent	0.4%	58.4%	21.8%	1.1%	12.0%	0.8%	0.1%	1.0%	0.2%	0.2%	0.0%	0.0%	0.0%	3.8%	3092

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Site Code: 2

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

EB, WB

Start Time	Bikes	Cars & Trailer	2 Axle Long	Buses	2 Axle 6 Tire	3 Axle Single	4 Axle Single	<5 Axl Double	5 Axle Double	>6 Axl Double	<6 Axl Multi	6 Axle Multi	>6 Axl Multi	Not Classe	Total
12 PM	1	78	46	1	21	0	1	1	0	1	0	0	0	6	156
12:15	0	72	23	1	14	2	1	2	0	0	0	0	0	3	118
12:30	1	77	25	0	19	1	0	0	1	0	0	0	0	2	126
12:45	0	92	22	1	18	2	0	1	0	0	0	0	0	8	144
	2	319	116	3	72	5	2	4	1	1	0	0	0	19	544
13:00	1	51	29	0	13	1	0	1	1	0	0	0	0	8	105
13:15	2	82	19	0	14	1	0	3	0	1	0	0	0	6	128
13:30	0	83	31	2	8	2	0	0	0	0	0	0	0	6	132
13:45	0	82	23	0	14	4	0	0	2	0	0	0	0	7	132
	3	298	102	2	49	8	0	4	3	1	0	0	0	27	497
14:00	0	93	37	0	10	0	0	0	0	0	0	0	0	5	145
14:15	0	81	34	0	17	1	0	1	0	0	0	0	0	6	140
14:30	0	87	35	2	18	1	0	1	0	0	0	0	0	2	146
14:45	0	92	25	0	21	1	0	0	0	0	0	0	0	7	146
	0	353	131	2	66	3	0	2	0	0	0	0	0	20	577
15:00	0	100	33	1	18	0	0	1	0	0	0	0	0	4	157
15:15	1	89	29	2	13	1	0	3	0	0	0	0	0	12	150
15:30	1	116	36	1	32	0	0	3	0	0	0	0	0	8	197
15:45	0	90	44	3	18	0	0	1	0	0	0	0	0	5	161
	2	395	142	7	81	1	0	8	0	0	0	0	0	29	665
16:00	0	94	35	2	21	1	0	0	0	0	0	0	0	9	162
16:15	0	101	32	1	18	0	0	2	0	0	0	0	0	6	160
16:30	0	126	40	2	23	0	0	1	0	0	0	0	0	4	196
16:45	0	131	45	1	25	0	0	0	0	0	0	0	0	8	210
	0	452	152	6	87	1	0	3	0	0	0	0	0	27	728
17:00	0	111	35	1	22	0	0	0	0	0	0	0	0	5	174
17:15	0	116	37	0	12	0	0	0	0	0	0	0	0	6	171
17:30	0	117	26	1	19	0	0	0	0	0	0	0	0	4	167
17:45	1	94	28	0	19	0	0	0	0	0	0	0	0	7	149
	1	438	126	2	72	0	0	0	0	0	0	0	0	22	661
18:00	0	83	28	0	10	0	0	0	0	0	0	0	0	2	123
18:15	1	75	31	0	12	0	0	0	0	0	0	0	0	6	125
18:30	0	65	23	0	10	0	0	0	0	0	0	0	0	3	101
18:45	0	80	21	0	7	0	0	0	0	0	0	0	0	2	110
	1	303	103	0	39	0	0	0	0	0	0	0	0	13	459
19:00	0	67	21	0	9	0	0	0	0	0	0	0	0	5	102
19:15	0	59	21	0	5	0	0	0	0	0	0	0	0	1	86
19:30	0	45	13	0	5	0	0	0	0	0	0	0	0	2	65
19:45	0	35	7	0	5	0	0	0	0	0	0	0	0	0	47
	0	206	62	0	24	0	0	0	0	0	0	0	0	8	300
20:00	0	53	8	0	5	0	0	0	0	0	0	0	0	0	66
20:15	0	43	13	0	10	0	0	0	0	0	0	0	0	0	66
20:30	0	41	17	0	8	0	0	0	0	0	0	0	0	1	67
20:45	0	26	19	0	5	0	0	0	0	0	0	0	0	2	52
	0	163	57	0	28	0	0	0	0	0	0	0	0	3	251
21:00	0	37	8	0	8	0	0	0	0	0	0	0	0	0	53
21:15	0	31	6	0	2	0	0	0	0	0	0	0	0	0	39
21:30	0	24	3	0	1	0	0	0	0	0	0	0	0	0	28
21:45	0	20	6	0	1	0	0	0	0	0	0	0	0	1	28
	0	112	23	0	12	0	0	0	0	0	0	0	0	1	148
22:00	0	17	6	0	1	0	0	0	0	0	0	0	0	1	25
22:15	0	14	4	0	1	0	0	0	0	0	0	0	0	0	19
22:30	0	11	1	0	3	0	0	0	0	0	0	0	0	0	15
22:45	0	12	1	0	0	0	0	0	0	0	0	0	0	0	13
	0	54	12	0	5	0	0	0	0	0	0	0	0	1	72
23:00	0	15	0	0	0	0	0	0	0	0	0	0	0	0	15
23:15	0	13	3	0	0	0	0	0	0	0	0	0	0	0	16
23:30	0	9	0	0	0	0	0	0	0	0	0	0	0	0	9
23:45	0	7	1	0	1	0	0	0	0	0	0	0	0	0	9
	0	44	4	0	1	0	0	0	0	0	0	0	0	0	49
Total	9	3137	1030	22	536	18	2	21	4	2	0	0	0	170	4951
Percent	0.2%	63.4%	20.8%	0.4%	10.8%	0.4%	0.0%	0.4%	0.1%	0.0%	0.0%	0.0%	0.0%	3.4%	
Grand Total	40	9863	3441	102	1749	63	6	94	19	24	0	0	0	739	16140
Percent	0.2%	61.1%	21.3%	0.6%	10.8%	0.4%	0.0%	0.6%	0.1%	0.1%	0.0%	0.0%	0.0%	4.6%	

### All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

EB

Start Time	15	20	25	30	35	40	45	50	55	60	65	70	75	999	Total
01/22/20	0	0	0	1	3	0	1	0	0	0	0	0	0	0	5
00:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
00:30	0	0	0	1	0	1	0	0	0	0	0	0	0	0	2
00:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:00	0	0	0	2	3	1	1	0	0	0	0	0	0	0	7
01:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:30	1	0	0	0	0	0	0	0	0	0	0	0	0	0	1
01:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:00	0	0	0	1	1	1	1	0	0	0	0	0	0	0	5
02:15	0	0	0	0	1	0	0	1	0	0	0	0	0	0	2
02:30	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
02:45	0	0	0	0	1	0	1	0	0	0	0	0	0	0	2
03:00	0	0	0	0	2	0	2	1	0	0	0	0	0	0	5
03:15	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1
03:30	0	0	0	0	1	4	0	0	0	0	0	0	0	0	5
03:45	0	1	0	0	1	2	1	1	0	0	0	0	0	0	6
04:00	0	1	1	0	2	8	1	1	0	0	0	0	0	0	14
04:15	0	0	0	0	2	0	0	1	0	0	0	0	0	0	3
04:30	1	0	0	0	2	5	4	0	0	0	0	0	0	0	12
04:45	0	0	0	1	1	1	2	1	0	0	0	0	0	0	6
05:00	0	0	0	0	6	7	0	0	0	0	0	0	0	0	13
05:15	1	0	0	1	11	13	6	2	0	0	0	0	0	0	34
05:30	1	0	0	1	11	9	3	0	0	0	0	0	0	0	25
05:45	1	0	0	3	13	16	5	1	0	0	0	0	0	0	39
06:00	0	0	0	1	12	12	8	0	0	0	0	0	0	0	33
06:15	1	0	0	2	11	11	4	1	0	0	0	0	0	0	30
06:30	3	0	0	7	47	48	20	2	0	0	0	0	0	0	127
06:45	1	0	0	1	13	11	2	0	0	0	0	0	0	0	28
07:00	2	0	0	1	8	16	6	0	0	0	0	0	0	0	33
07:15	5	0	0	2	22	21	5	0	0	0	0	0	0	0	55
07:30	3	0	0	4	38	28	5	0	1	0	0	0	0	0	79
07:45	11	0	0	8	81	76	18	0	1	0	0	0	0	0	195
08:00	1	0	0	3	31	17	5	0	0	0	0	0	0	0	57
08:15	2	0	0	5	54	35	4	0	0	0	0	0	0	0	100
08:30	2	0	5	19	62	25	3	0	0	0	0	0	0	0	116
08:45	23	25	26	45	58	23	0	0	0	0	0	0	0	0	200
09:00	28	25	31	72	205	100	12	0	0	0	0	0	0	0	473
09:15	12	0	2	18	66	36	2	0	0	0	0	0	0	0	136
09:30	8	0	0	3	31	39	5	0	0	0	0	0	0	0	86
09:45	6	0	0	5	27	22	4	0	0	0	0	0	0	0	64
10:00	5	0	0	7	35	27	4	0	0	0	0	0	0	0	78
10:15	31	0	2	33	159	124	15	0	0	0	0	0	0	0	364
10:30	7	0	0	6	31	13	5	2	0	0	0	0	0	0	64
10:45	7	0	0	8	18	10	0	0	0	0	0	0	0	0	43
11:00	2	0	0	7	10	22	6	1	0	0	0	0	0	0	48
11:15	5	0	1	4	28	24	5	1	0	0	0	0	0	0	68
11:30	21	0	1	25	87	69	16	4	0	0	0	0	0	0	223
11:45	5	0	0	2	26	21	0	0	0	0	0	0	0	0	54
12:00	5	1	0	1	31	22	5	0	0	0	0	0	0	0	65
12:15	3	0	1	9	29	17	5	1	0	0	0	0	0	0	65
12:30	3	0	1	8	16	17	5	1	0	0	0	0	0	0	51
12:45	16	1	2	20	102	77	15	2	0	0	0	0	0	0	235
13:00	3	0	0	5	28	25	2	0	0	0	0	0	0	0	63
13:15	3	0	0	4	19	21	7	0	0	0	0	0	0	0	54
13:30	2	0	1	6	28	27	3	0	0	0	0	0	0	0	67
13:45	7	1	0	9	34	15	4	0	0	0	0	0	0	0	70
Total	15	1	1	24	109	88	16	0	0	0	0	0	0	0	254
Total	127	28	38	193	809	605	123	12	1	0	0	0	0	0	1936

# All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

EB

Start Time	15	16 20	21 25	26 30	31 35	36 40	41 45	46 50	51 55	56 60	61 65	66 70	71 75	76 999	Total
12 PM	1	2	4	20	36	13	0	0	0	0	0	0	0	0	76
12:15	7	0	2	12	38	11	2	0	0	0	0	0	0	0	72
12:30	4	0	0	11	27	17	5	0	0	0	0	0	0	0	64
12:45	4	0	1	5	17	25	4	0	0	0	0	0	0	0	56
13:00	16	2	7	48	118	66	11	0	0	0	0	0	0	0	268
13:15	2	0	1	8	30	16	3	0	0	0	0	0	0	0	60
13:30	4	0	0	15	39	21	3	0	0	0	0	0	0	0	82
13:45	1	0	0	14	30	20	5	0	0	0	0	0	0	0	70
14:00	5	0	0	3	24	21	3	0	0	0	0	0	0	0	56
14:15	12	0	1	40	123	78	14	0	0	0	0	0	0	0	268
14:30	1	0	0	3	36	20	3	0	0	0	0	0	0	0	63
14:45	2	0	0	2	39	23	5	2	0	0	0	0	0	0	73
15:00	6	0	0	13	16	10	1	0	1	0	0	0	0	0	47
15:15	3	0	0	8	46	31	2	0	0	0	0	0	0	0	90
15:30	12	0	0	26	137	84	11	2	1	0	0	0	0	0	273
15:45	3	0	0	13	31	21	4	0	0	0	0	0	0	0	72
16:00	4	0	1	12	40	17	4	0	0	0	1	0	0	0	79
16:15	2	1	0	5	34	28	2	0	0	0	0	0	0	0	72
16:30	3	0	0	11	36	21	6	0	0	0	0	0	0	0	77
16:45	12	1	1	41	141	87	16	0	0	0	1	0	0	0	300
17:00	1	1	0	9	31	27	4	1	0	0	0	0	0	0	74
17:15	5	0	0	4	28	21	4	0	0	0	0	0	0	0	62
17:30	5	0	0	10	34	14	3	0	0	0	0	0	0	0	66
17:45	9	0	0	10	25	20	3	0	0	0	0	0	0	0	67
18:00	20	1	0	33	118	82	14	1	0	0	0	0	0	0	269
18:15	8	0	0	1	20	26	7	0	0	0	0	1	0	0	63
18:30	2	0	0	5	26	21	4	1	0	0	0	0	0	0	59
18:45	3	0	0	1	32	24	4	0	0	0	0	0	0	0	64
19:00	5	0	0	2	29	13	8	0	0	0	0	0	0	0	57
19:15	18	0	0	9	107	84	23	1	0	0	0	1	0	0	243
19:30	6	0	0	3	17	19	6	0	0	0	0	0	0	0	51
19:45	2	0	0	5	37	21	2	1	1	0	0	0	0	0	69
20:00	4	0	0	1	17	11	4	1	0	0	0	0	0	0	38
20:15	0	0	2	5	21	15	2	0	0	0	0	0	0	0	45
20:30	12	0	2	14	92	66	14	2	1	0	0	0	0	0	203
20:45	0	0	0	4	11	10	1	0	0	0	0	0	0	0	26
21:00	2	0	0	3	20	9	4	0	0	0	0	0	0	0	38
21:15	2	0	0	0	11	11	2	1	0	0	0	0	0	0	27
21:30	1	0	0	4	10	7	2	0	0	0	0	0	0	0	24
21:45	5	0	0	11	52	37	9	1	0	0	0	0	0	0	115
22:00	1	0	0	1	17	11	3	0	0	0	0	0	0	0	33
22:15	0	0	0	1	14	16	3	0	0	0	0	0	0	0	34
22:30	1	0	0	2	12	5	1	0	0	0	0	0	0	0	21
22:45	1	0	0	0	10	8	4	0	0	0	0	0	0	0	23
23:00	3	0	0	4	53	40	11	0	0	0	0	0	0	0	111
23:15	1	0	0	1	6	4	1	0	0	0	0	0	0	0	13
23:30	0	0	0	2	3	3	0	0	0	0	0	0	0	0	8
23:45	0	1	0	1	7	7	1	0	0	0	0	0	0	0	17
24:00	0	0	0	1	6	4	1	0	0	0	0	0	0	0	12
24:15	1	1	0	5	22	18	3	0	0	0	0	0	0	0	50
24:30	0	0	0	1	5	3	0	1	0	0	0	0	0	0	10
24:45	2	0	1	0	2	4	1	0	0	0	0	0	0	0	10
25:00	0	0	0	1	0	2	0	0	0	0	0	0	0	0	3
25:15	1	0	0	1	3	1	0	0	0	0	0	0	0	0	6
25:30	3	0	1	3	10	10	1	1	0	0	0	0	0	0	29
25:45	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
26:00	0	0	0	0	1	3	0	0	0	0	0	0	0	0	4
26:15	1	0	0	0	1	1	0	1	0	0	0	0	0	0	4
26:30	0	0	0	0	5	0	0	0	0	0	0	0	0	0	5
26:45	1	0	0	0	8	4	0	1	0	0	0	0	0	0	14
Total	115	5	12	234	981	656	127	9	2	0	1	1	0	0	2143

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

EB

Start Time	15	20	25	30	35	40	45	50	55	60	65	70	75	999	Total
01/23/20	0	0	0	0	1	1	0	0	0	0	0	0	0	0	2
00:15	0	0	0	0	0	2	1	0	0	0	0	0	0	0	3
00:30	1	0	0	0	0	1	0	0	0	0	0	0	0	0	2
00:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
01:00	1	0	0	0	1	4	1	0	0	0	0	0	0	0	7
01:15	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
01:30	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
01:45	0	0	0	0	0	0	1	0	0	0	0	0	0	0	1
02:00	0	0	0	0	1	0	3	0	0	0	0	0	0	0	4
02:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:30	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2
02:45	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
03:00	0	0	0	0	1	3	0	0	0	0	0	0	0	0	4
03:15	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
03:30	0	0	0	0	1	0	1	0	0	0	0	0	0	0	2
03:45	0	0	0	0	0	2	1	1	1	0	0	0	0	0	3
04:00	0	0	0	0	2	4	2	2	1	0	0	0	0	0	5
04:15	0	0	0	0	2	6	2	0	0	0	0	0	0	0	11
04:30	0	0	0	1	1	4	2	1	0	0	0	0	0	0	10
04:45	0	0	0	1	4	4	1	0	0	0	0	0	0	0	9
05:00	0	0	0	2	12	24	10	1	0	0	0	0	0	0	20
05:15	0	0	0	2	5	11	4	1	1	0	0	0	0	0	49
05:30	0	0	0	0	12	13	1	0	0	0	0	0	0	0	24
05:45	0	0	0	1	14	14	5	1	0	0	0	0	0	0	26
06:00	0	0	0	4	15	13	3	2	0	0	0	0	0	0	35
06:15	0	0	0	4	46	51	13	4	1	0	0	0	0	0	34
06:30	0	0	0	0	11	9	2	0	0	0	0	0	0	0	119
06:45	0	0	0	2	9	21	3	0	0	0	0	0	0	0	22
07:00	1	0	0	5	12	20	5	0	0	0	0	0	0	0	35
07:15	0	1	2	9	25	28	5	0	0	0	0	0	0	0	43
07:30	1	1	2	16	57	78	15	0	0	0	0	0	0	0	70
07:45	0	0	0	12	20	15	3	0	0	0	0	0	0	0	170
08:00	1	0	0	11	66	19	0	0	0	0	0	0	0	0	50
08:15	4	0	1	28	67	24	3	0	0	0	0	0	0	0	97
08:30	6	0	45	46	57	29	2	0	0	0	0	0	0	0	127
08:45	11	0	46	97	210	87	8	0	0	0	0	0	0	0	185
09:00	5	1	2	12	65	37	4	1	0	0	0	0	0	0	459
09:15	3	0	0	9	33	32	1	0	0	0	0	0	0	0	127
09:30	3	0	0	5	34	16	3	0	0	0	0	0	0	0	78
09:45	1	0	0	6	38	17	2	0	0	0	0	0	0	0	61
10:00	12	1	2	32	170	102	10	1	0	0	0	0	0	0	64
10:15	1	0	1	15	36	10	2	0	0	0	0	0	0	0	330
10:30	2	0	0	3	26	22	1	0	0	0	0	0	0	0	65
10:45	1	0	0	9	30	19	1	0	0	0	0	0	0	0	54
11:00	3	0	0	4	31	26	2	1	0	0	0	0	0	0	60
11:15	7	0	1	31	123	77	6	1	0	0	0	0	0	0	67
11:30	2	0	0	5	32	19	2	0	0	0	0	0	0	0	246
11:45	1	0	5	10	31	11	0	4	1	0	0	0	0	0	60
Total	1	0	2	10	31	15	3	0	0	0	0	0	0	0	63
	2	0	1	6	38	18	3	0	0	0	0	0	0	0	62
	6	0	8	31	132	63	8	4	1	0	0	0	0	0	68
	0	0	0	1	38	18	3	0	0	0	0	0	0	0	253
	4	1	0	9	23	20	4	1	1	0	0	0	0	0	60
	2	0	0	10	24	29	0	0	0	0	0	0	0	0	63
	3	0	2	8	34	28	3	0	0	0	0	0	0	0	65
	9	1	2	28	119	95	10	1	1	0	0	0	0	0	78
Total	47	3	61	241	874	588	86	14	4	0	0	0	0	0	266

# All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

EB

Start Time	15	20	25	30	35	40	45	50	55	60	65	70	75	999	Total
12 PM	3	1	2	5	46	22	7	0	0	0	0	0	0	0	86
12:15	2	0	1	9	27	6	3	0	0	0	0	0	0	0	48
12:30	1	0	0	6	43	15	3	1	0	0	0	0	0	0	69
12:45	2	0	2	4	27	32	5	0	0	0	0	0	0	0	72
13:00	8	1	5	24	143	75	18	1	0	0	0	0	0	0	275
13:15	3	0	0	6	21	21	2	1	0	0	0	0	0	0	54
13:30	2	0	0	3	30	18	5	0	0	0	0	0	0	0	58
13:45	1	0	1	5	42	21	2	0	0	0	0	0	0	0	72
14:00	3	0	1	13	32	15	2	0	0	0	0	0	0	0	66
14:15	9	0	2	27	125	75	11	1	0	0	0	0	0	0	250
14:30	2	0	1	12	30	26	6	0	0	0	0	0	0	0	77
14:45	3	0	0	10	31	31	1	0	0	0	0	0	0	0	76
15:00	2	0	1	11	36	7	0	2	0	0	0	0	0	0	59
15:15	3	0	1	5	44	25	4	0	0	0	0	0	0	0	82
15:30	10	0	3	38	141	89	11	2	0	0	0	0	0	0	294
15:45	1	0	0	11	35	18	1	0	0	0	0	0	0	0	66
16:00	7	1	0	8	32	18	3	0	0	0	0	0	0	0	69
16:15	3	1	1	7	30	23	4	0	0	0	0	0	0	0	69
16:30	1	0	0	5	28	21	6	0	0	0	0	0	0	0	61
16:45	12	2	1	31	125	80	14	0	0	0	0	0	0	0	265
17:00	2	0	1	7	17	33	2	0	0	0	0	0	0	0	62
17:15	1	0	0	3	31	11	5	1	0	0	0	0	0	0	52
17:30	0	0	0	7	20	37	7	3	0	0	0	0	0	0	74
17:45	6	0	0	8	37	38	9	0	0	0	0	0	0	0	98
18:00	9	0	1	25	105	119	23	4	0	0	0	0	0	0	286
18:15	2	0	0	3	31	28	4	0	0	0	0	0	0	0	68
18:30	2	0	1	12	32	19	4	0	0	0	0	0	0	0	70
18:45	1	0	0	1	21	20	7	1	0	0	0	0	0	0	51
19:00	4	1	0	6	16	25	6	2	0	0	0	0	0	0	60
19:15	9	1	1	22	100	92	21	3	0	0	0	0	0	0	249
19:30	2	0	0	2	29	15	2	0	0	0	0	0	0	0	50
19:45	2	0	0	5	21	13	4	0	0	0	0	0	0	0	45
20:00	1	0	0	1	9	18	7	1	0	0	0	0	0	0	37
20:15	2	0	0	3	19	16	3	0	0	0	0	0	0	0	43
20:30	7	0	0	11	78	62	16	1	0	0	0	0	0	0	175
20:45	2	0	0	2	14	11	1	0	0	0	0	0	0	0	30
21:00	1	0	1	2	12	13	1	0	0	0	0	0	0	0	30
21:15	1	0	0	1	11	9	3	0	0	0	0	0	0	0	25
21:30	0	0	0	0	10	4	1	0	0	0	0	0	0	0	15
21:45	4	0	1	5	47	37	6	0	0	0	0	0	0	0	100
22:00	0	0	1	6	10	9	2	0	0	0	0	0	0	0	28
22:15	0	0	0	1	8	17	0	0	0	0	0	0	0	0	26
22:30	0	0	0	1	7	8	3	0	0	0	0	0	0	0	19
22:45	1	0	0	0	2	8	1	0	0	0	0	0	0	0	12
23:00	1	0	1	8	27	42	6	0	0	0	0	0	0	0	85
23:15	0	0	0	3	9	8	4	0	0	0	0	0	0	0	24
23:30	0	0	0	0	5	6	2	0	0	0	0	0	0	0	13
23:45	0	0	1	1	0	3	0	0	0	0	0	0	0	0	5
24:00	0	0	0	4	5	7	1	0	0	0	0	0	0	0	17
24:15	0	0	1	8	19	24	7	0	0	0	0	0	0	0	59
24:30	1	0	0	0	3	5	0	1	0	0	0	0	0	0	10
24:45	0	0	0	2	1	2	1	0	0	0	0	0	0	0	6
25:00	0	0	0	0	2	2	0	0	0	0	0	0	0	0	4
25:15	0	0	0	0	1	5	1	0	0	0	0	0	0	0	7
25:30	1	0	0	2	7	14	2	1	0	0	0	0	0	0	27
25:45	0	0	0	0	2	3	0	1	0	0	0	0	0	0	6
26:00	0	0	0	0	2	1	1	0	0	0	0	0	0	0	4
26:15	0	0	0	0	0	1	2	0	0	0	0	0	0	0	3
26:30	0	0	0	0	1	0	1	0	0	0	0	0	0	0	3
26:45	0	0	0	0	1	0	1	0	0	0	0	0	0	0	3
Total	0	0	0	0	5	5	4	2	0	0	0	0	0	0	16
<b>Total</b>	<b>70</b>	<b>4</b>	<b>16</b>	<b>201</b>	<b>922</b>	<b>714</b>	<b>139</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2081</b>
<b>Grand Total</b>	<b>359</b>	<b>40</b>	<b>127</b>	<b>869</b>	<b>3586</b>	<b>2563</b>	<b>475</b>	<b>50</b>	<b>7</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>8078</b>

15th Percentile : 28 MPH  
 50th Percentile : 33 MPH  
 85th Percentile : 38 MPH  
 95th Percentile : 41 MPH

Stats  
 Mean Speed(Average) : 33 MPH  
 10 MPH Pace Speed : 31-40 MPH  
 Number in Pace : 6149  
 Percent in Pace : 76.1%  
 Number of Vehicles > 30 MPH : 6683  
 Percent of Vehicles > 30 MPH : 82.7%

### All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

WB	15	20	25	30	35	40	45	50	55	60	65	70	75	999	Total
01/22/20	0	0	0	0	1	1	0	0	0	0	0	0	0	0	2
00:15	1	0	0	0	2	0	0	0	0	0	0	0	0	0	3
00:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
00:45	1	0	0	0	2	1	0	0	0	0	0	0	0	0	4
01:00	2	0	0	0	5	2	0	0	0	0	0	0	0	0	9
01:15	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
01:30	0	0	0	0	0	3	0	0	0	0	0	1	0	0	4
01:45	0	0	0	0	1	1	0	0	0	0	0	0	0	0	2
02:00	0	0	0	0	2	5	0	0	0	0	0	1	0	0	8
02:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
02:30	0	0	0	0	2	1	0	0	0	0	0	0	0	0	3
02:45	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2
03:00	0	0	0	1	4	1	0	0	0	0	0	0	0	0	6
03:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
03:30	0	0	0	0	2	0	0	1	0	0	0	0	0	0	3
03:45	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
04:00	0	0	0	0	3	0	0	1	0	0	0	0	0	0	4
04:15	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2
04:30	2	0	0	0	1	1	0	0	0	0	0	0	0	0	4
04:45	0	0	0	0	0	2	1	0	1	0	0	0	0	0	4
05:00	2	0	0	0	1	6	1	0	2	0	0	0	0	0	12
05:15	0	0	1	0	1	2	2	0	0	0	0	0	0	0	6
05:30	1	0	0	0	2	3	0	0	0	0	0	0	0	0	6
05:45	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
06:00	2	0	0	0	2	1	0	0	0	0	0	0	0	0	5
06:15	3	0	1	0	5	7	2	0	0	0	0	0	0	0	18
06:30	0	0	0	0	0	7	2	0	0	0	0	0	0	0	9
06:45	1	0	0	0	9	6	1	0	0	0	0	0	0	0	17
07:00	2	0	1	2	6	9	2	1	0	0	0	0	0	0	23
07:15	0	0	0	2	8	15	1	2	0	0	0	0	0	0	28
07:30	3	0	1	4	23	37	6	3	0	0	0	0	0	0	77
07:45	2	0	0	2	18	2	2	0	0	0	0	0	0	0	26
08:00	4	0	0	1	12	7	2	0	0	0	0	0	0	0	26
08:15	3	0	2	0	18	10	0	0	0	0	0	0	0	0	33
08:30	9	0	6	5	16	12	1	0	0	0	0	0	0	0	49
08:45	18	0	8	8	64	31	5	0	0	0	0	0	0	0	134
09:00	11	0	0	3	32	19	1	0	0	0	0	0	0	0	66
09:15	5	0	0	5	25	20	0	1	0	0	0	0	0	0	56
09:30	5	0	0	9	24	17	1	0	0	0	0	0	0	0	56
09:45	2	0	0	7	22	12	2	0	0	0	0	0	0	0	45
10:00	23	0	0	24	103	68	4	1	0	0	0	0	0	0	223
10:15	7	0	0	4	21	11	1	0	0	0	0	0	0	0	44
10:30	8	0	1	8	21	6	3	0	0	0	0	0	0	0	47
10:45	3	0	0	5	15	17	2	0	0	0	0	0	0	0	42
11:00	7	0	1	5	19	10	0	0	0	0	0	0	0	0	42
11:15	25	0	2	22	76	44	6	0	0	0	0	0	0	0	175
11:30	8	0	0	2	11	20	2	0	0	0	0	0	0	0	43
11:45	8	0	0	0	18	18	5	0	0	0	0	0	0	0	49
Total	0	0	0	5	18	21	1	0	0	0	0	0	0	0	45
	2	0	1	1	16	13	1	0	0	0	0	0	0	0	34
	18	0	1	8	63	72	9	0	0	0	0	0	0	0	171
	3	0	1	3	19	14	0	0	0	0	0	0	0	0	40
	3	0	0	1	33	17	1	0	0	0	0	0	0	0	55
	2	0	3	2	39	18	7	2	0	0	0	0	0	0	73
	2	0	0	8	27	26	2	1	0	0	0	0	0	0	66
	10	0	4	14	118	75	10	3	0	0	0	0	0	0	234
Total	104	0	17	81	467	348	43	8	2	0	0	1	0	0	1071

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

WB															
Start Time	15	16	21	26	31	36	41	46	51	56	61	66	71	76	Total
	15	20	25	30	35	40	45	50	55	60	65	70	75	999	
12 PM	4	0	2	13	32	22	0	0	0	0	0	0	0	0	73
12:15	4	0	0	4	41	26	0	0	0	0	0	0	0	0	75
12:30	1	0	1	5	38	17	3	0	0	0	0	0	0	0	65
12:45	1	0	0	5	42	17	3	0	0	0	0	0	0	0	68
	10	0	3	27	153	82	6	0	0	0	0	0	0	0	281
13:00	3	0	1	1	36	32	6	0	0	0	0	0	0	0	79
13:15	4	0	0	4	26	13	2	0	1	0	0	0	0	0	50
13:30	1	0	0	10	31	27	0	0	0	0	0	0	0	0	69
13:45	3	0	0	3	32	20	8	0	1	0	0	0	0	0	67
	11	0	1	18	125	92	16	0	2	0	0	0	0	0	265
14:00	5	0	0	7	23	24	3	0	0	0	0	0	0	0	62
14:15	2	0	0	1	32	13	2	0	0	0	0	0	0	0	50
14:30	5	0	1	14	42	20	5	0	0	0	0	0	0	0	87
14:45	6	0	0	4	55	18	4	2	0	0	0	0	0	0	89
	18	0	1	26	152	75	14	2	0	0	0	0	0	0	288
15:00	4	0	0	5	49	15	5	0	0	0	0	0	0	0	78
15:15	4	0	1	12	44	22	1	0	0	0	0	0	0	0	84
15:30	3	0	0	9	62	32	5	0	0	0	0	0	0	0	111
15:45	6	0	5	20	51	27	2	0	0	0	0	0	0	0	111
	17	0	6	46	206	96	13	0	0	0	0	0	0	0	384
16:00	2	0	0	0	52	37	1	0	0	0	0	0	0	0	92
16:15	7	0	0	11	51	35	2	0	0	0	0	0	0	0	106
16:30	3	0	0	7	53	38	2	1	0	0	0	0	0	0	104
16:45	6	0	0	9	55	29	4	0	0	0	0	0	0	0	103
	18	0	0	27	211	139	9	1	0	0	0	0	0	0	405
17:00	7	0	0	1	45	54	3	0	0	0	0	0	0	0	110
17:15	2	0	0	13	71	46	5	0	0	0	0	0	0	0	137
17:30	6	0	0	9	51	30	3	0	0	0	0	0	0	0	99
17:45	3	0	0	5	54	45	6	0	0	0	0	0	0	0	113
	18	0	0	28	221	175	17	0	0	0	0	0	0	0	459
18:00	9	0	0	6	43	42	7	0	0	0	0	0	0	0	107
18:15	3	0	0	2	23	37	5	0	0	0	0	0	0	0	70
18:30	2	0	1	3	30	38	2	0	0	0	0	0	0	0	76
18:45	4	0	0	1	40	28	4	0	0	0	0	0	0	0	77
	18	0	1	12	136	145	18	0	0	0	0	0	0	0	330
19:00	0	0	0	2	17	25	3	0	0	0	0	0	0	0	47
19:15	2	0	0	3	19	21	2	0	0	0	0	0	0	0	47
19:30	0	0	1	6	20	31	5	0	0	0	0	0	0	0	63
19:45	1	0	0	8	15	19	1	0	0	0	0	0	0	0	44
	3	0	1	19	71	96	11	0	0	0	0	0	0	0	201
20:00	2	0	0	5	30	26	3	1	0	0	0	0	0	0	67
20:15	1	0	0	1	12	17	1	0	0	0	0	0	0	0	32
20:30	0	0	0	2	15	11	2	0	0	0	0	0	0	0	30
20:45	1	0	0	5	15	4	1	0	0	0	0	0	0	0	26
	4	0	0	13	72	58	7	1	0	0	0	0	0	0	155
21:00	2	0	0	1	12	11	1	0	0	0	0	0	0	0	27
21:15	0	0	0	0	11	18	2	0	0	0	0	0	0	0	31
21:30	0	0	0	0	9	11	1	0	0	0	0	0	0	0	21
21:45	0	0	0	0	5	12	1	1	0	0	0	0	0	0	19
	2	0	0	1	37	52	5	1	0	0	0	0	0	0	98
22:00	0	0	0	0	6	10	0	0	0	0	0	0	0	0	16
22:15	1	0	0	0	10	7	4	0	0	0	0	0	0	0	22
22:30	0	0	0	1	3	6	3	1	0	0	0	0	0	0	14
22:45	0	0	0	0	5	3	0	0	0	0	0	0	0	0	8
	1	0	0	1	24	26	7	1	0	0	0	0	0	0	60
23:00	0	0	0	0	2	4	0	0	0	1	0	0	0	0	7
23:15	0	0	0	0	4	2	0	0	0	0	0	0	0	0	6
23:30	0	0	0	0	0	3	0	0	0	0	0	0	0	0	3
23:45	0	0	0	0	1	4	0	0	0	0	0	0	0	0	5
	0	0	0	0	7	13	0	0	0	1	0	0	0	0	21
Total	120	0	13	218	1415	1049	123	6	2	1	0	0	0	0	2947

# All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

WB	Start Time	15	20	25	30	35	40	45	50	55	60	65	70	75	999	Total
	01/23/20	0	0	0	0	0	1	0	0	0	0	0	0	0	0	1
	00:15	0	0	0	0	1	1	0	0	0	0	0	0	0	0	2
	00:30	0	0	0	0	1	2	0	0	0	0	0	0	0	0	3
	00:45	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
	01:00	0	0	0	0	3	4	0	0	0	0	0	0	0	0	7
	01:15	0	0	0	0	1	2	0	0	0	0	0	0	0	0	3
	01:30	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
	01:45	0	0	0	0	1	1	0	0	0	0	0	0	0	0	2
	02:00	0	0	0	0	4	3	0	0	0	0	0	0	0	0	7
	02:15	0	1	0	0	1	2	0	0	0	0	0	0	0	0	4
	02:30	0	0	0	0	0	2	0	0	0	0	0	0	0	0	2
	02:45	0	0	0	0	2	1	0	0	0	0	0	0	0	0	3
	03:00	0	1	0	0	1	1	0	0	0	0	0	0	0	0	2
	03:15	0	0	0	0	4	6	0	0	0	0	0	0	0	0	11
	03:30	1	0	0	0	0	0	2	0	0	0	0	0	0	0	2
	03:45	0	0	0	0	1	0	0	0	0	0	0	0	0	0	2
	04:00	0	0	0	0	0	1	1	0	0	0	0	0	0	0	2
	04:15	1	0	0	0	1	3	3	0	0	0	0	0	0	0	8
	04:30	0	0	0	0	0	3	0	0	0	0	0	0	0	0	3
	04:45	0	0	0	0	0	3	0	0	0	0	0	0	0	0	3
	05:00	0	0	0	0	1	6	1	0	0	0	0	0	0	0	8
	05:15	0	0	0	0	1	0	2	0	0	0	0	0	0	0	3
	05:30	0	0	0	0	5	2	0	0	0	0	0	0	0	0	7
	05:45	0	0	0	0	0	2	2	0	0	0	0	0	0	0	4
	06:00	1	0	0	0	4	1	1	0	0	0	0	0	0	0	7
	06:15	1	0	0	0	10	5	5	0	0	0	0	0	0	0	21
	06:30	1	0	0	1	2	7	3	0	0	0	0	0	0	0	14
	06:45	0	0	0	2	4	3	1	0	0	0	0	0	0	0	10
	07:00	1	0	0	1	11	14	3	0	0	0	0	0	0	0	30
	07:15	2	0	0	6	27	15	8	0	0	0	0	0	0	0	82
	07:30	2	0	1	3	12	15	0	0	0	0	0	0	0	0	33
	07:45	1	0	0	0	9	15	2	0	0	0	0	0	0	0	27
	08:00	6	0	0	6	12	9	2	0	0	0	0	0	0	0	35
	08:15	16	6	2	9	15	8	0	0	0	0	0	0	0	0	56
	08:30	25	6	3	18	48	47	4	0	0	0	0	0	0	0	151
	08:45	4	0	0	7	34	18	1	0	0	0	0	0	0	0	64
	09:00	2	0	0	5	41	20	1	0	0	0	0	0	0	0	69
	09:15	1	0	0	5	27	17	2	0	0	0	0	0	0	0	52
	09:30	1	0	0	1	31	12	3	0	0	0	0	0	0	0	48
	09:45	8	0	0	18	133	67	7	0	0	0	0	0	0	0	233
	10:00	3	1	1	2	20	6	1	0	0	0	0	0	0	0	34
	10:15	3	0	0	7	22	12	2	1	0	0	0	0	0	0	47
	10:30	4	0	2	8	13	8	0	0	0	0	0	0	0	0	35
	10:45	3	0	1	4	17	14	1	0	0	0	0	0	0	0	40
	11:00	13	1	4	21	72	40	4	1	0	0	0	0	0	0	156
	11:15	4	0	0	6	35	15	4	0	0	0	0	0	0	0	64
	11:30	4	0	0	3	14	18	1	0	0	0	0	0	0	0	40
	11:45	2	0	1	4	34	20	3	0	0	0	0	0	0	0	64
	Total	3	0	0	3	17	26	2	0	0	0	0	0	0	0	51
	11:00	13	0	1	16	100	79	10	0	0	0	0	0	0	0	219
	11:15	0	0	0	5	30	24	2	0	0	0	0	0	0	0	61
	11:30	3	0	0	5	40	25	2	0	0	0	0	0	0	0	75
	11:45	5	0	0	0	26	36	1	1	0	0	0	0	0	0	69
	Total	3	0	3	5	24	30	1	0	0	0	0	0	0	0	66
	Total	11	0	3	15	120	115	6	1	0	0	0	0	0	0	271
	Total	74	8	11	94	523	414	48	2	0	0	0	0	0	0	1174

### All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined

Longitude: 0' 0.0000 Undefined

WB	1	16	21	26	31	36	41	46	51	56	61	66	71	76	Total
Start Time	15	20	25	30	35	40	45	50	55	60	65	70	75	999	
12 PM	3	0	2	2	33	26	4	0	0	0	0	0	0	0	70
12:15	1	0	2	3	40	21	3	0	0	0	0	0	0	0	70
12:30	1	0	0	1	31	21	3	0	0	0	0	0	0	0	57
12:45	6	0	0	2	34	28	2	0	0	0	0	0	0	0	72
13:00	11	0	4	8	138	96	12	0	0	0	0	0	0	0	269
13:15	5	0	0	0	26	13	6	1	0	0	0	0	0	0	51
13:30	4	0	0	4	36	22	4	0	0	0	0	0	0	0	70
13:45	5	0	0	2	23	28	1	1	0	0	0	0	0	0	60
14:00	4	0	0	4	33	22	3	0	0	0	0	0	0	0	66
14:15	18	0	0	10	118	85	14	2	0	0	0	0	0	0	247
14:30	3	0	0	3	29	31	2	0	0	0	0	0	0	0	68
14:45	3	0	0	5	31	21	3	1	0	0	0	0	0	0	64
15:00	0	1	0	10	37	35	4	0	0	0	0	0	0	0	87
15:15	4	0	0	6	33	21	0	0	0	0	0	0	0	0	64
15:30	10	1	0	24	130	108	9	1	0	0	0	0	0	0	283
15:45	3	0	3	12	45	26	2	0	0	0	0	0	0	0	91
16:00	5	0	2	8	44	22	0	0	0	0	0	0	0	0	81
16:15	5	0	0	4	76	37	4	2	0	0	0	0	0	0	128
16:30	4	0	1	2	44	44	4	1	0	0	0	0	0	0	100
16:45	17	0	6	26	209	129	10	3	0	0	0	0	0	0	400
17:00	7	0	1	9	51	31	1	0	0	0	0	0	0	0	100
17:15	5	0	0	8	44	44	6	1	0	0	0	0	0	0	108
17:30	4	0	0	8	53	51	5	0	1	0	0	0	0	0	122
17:45	2	0	0	14	49	45	2	0	0	0	0	0	0	0	112
18:00	18	0	1	39	197	171	14	1	1	0	0	0	0	0	442
18:15	3	0	0	0	43	56	4	0	0	0	0	0	0	0	106
18:30	4	0	0	10	43	38	5	1	0	0	0	0	0	0	101
18:45	3	0	2	10	53	44	3	1	0	0	0	0	0	0	116
19:00	3	0	0	7	42	33	4	0	0	0	0	0	0	0	89
19:15	13	0	2	27	181	171	16	2	0	0	0	0	0	0	412
19:30	0	0	0	3	33	31	6	0	0	0	0	0	0	0	73
19:45	4	0	0	4	31	36	5	0	0	0	0	0	0	0	80
20:00	2	0	1	4	26	29	1	1	0	0	0	0	0	0	64
20:15	0	0	0	1	29	29	8	0	0	0	0	0	0	0	67
20:30	6	0	1	12	119	125	20	1	0	0	0	0	0	0	284
20:45	3	0	0	11	34	20	3	1	0	0	0	0	0	0	72
21:00	0	0	0	2	29	22	3	0	0	0	0	0	0	0	56
21:15	1	0	0	2	14	21	2	0	0	0	0	0	0	0	40
21:30	0	0	0	1	15	14	2	0	0	0	0	0	0	0	32
21:45	4	0	0	16	92	77	10	1	0	0	0	0	0	0	200
22:00	0	0	0	3	15	15	5	0	0	0	0	0	0	0	38
22:15	0	0	0	3	16	16	5	0	0	0	0	0	0	0	40
22:30	1	0	0	2	19	22	2	2	0	0	0	0	0	0	48
22:45	1	0	0	1	17	18	3	0	0	0	0	0	0	0	40
23:00	2	0	0	9	67	71	15	2	0	0	0	0	0	0	166
23:15	0	0	0	0	14	9	6	0	0	0	0	0	0	0	29
23:30	0	0	0	0	11	11	3	0	1	0	0	0	0	0	26
23:45	0	0	0	2	7	11	3	0	0	0	0	0	0	0	23
24:00	1	0	0	0	3	5	2	0	0	0	0	0	0	0	11
24:15	1	0	0	2	35	36	14	0	1	0	0	0	0	0	89
24:30	0	0	0	0	4	10	1	0	0	0	0	0	0	0	15
24:45	0	0	0	0	5	5	2	0	1	0	0	0	0	0	13
25:00	0	0	0	1	2	6	2	0	0	0	0	0	0	0	11
25:15	0	0	0	1	1	3	0	0	1	0	0	0	0	0	6
25:30	0	0	0	2	12	24	5	0	2	0	0	0	0	0	45
25:45	0	0	1	0	4	2	2	0	0	0	0	0	0	0	9
26:00	0	0	0	0	2	6	3	0	1	0	0	0	0	0	12
26:15	0	0	0	0	2	1	3	0	0	0	0	0	0	0	6
26:30	0	0	0	0	0	6	0	0	0	0	0	0	0	0	6
26:45	0	0	1	0	8	15	8	0	1	0	0	0	0	0	33
<b>Total</b>	<b>100</b>	<b>1</b>	<b>15</b>	<b>175</b>	<b>1306</b>	<b>1108</b>	<b>147</b>	<b>13</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2870</b>
<b>Grand Total</b>	<b>398</b>	<b>9</b>	<b>56</b>	<b>568</b>	<b>3711</b>	<b>2919</b>	<b>361</b>	<b>29</b>	<b>9</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>8062</b>

15th Percentile : 30 MPH  
 50th Percentile : 34 MPH  
 85th Percentile : 38 MPH  
 95th Percentile : 39 MPH

Stats  
 Mean Speed(Average) : 34 MPH  
 10 MPH Pace Speed : 31-40 MPH  
 Number in Pace : 6630  
 Percent in Pace : 82.2%  
 Number of Vehicles > 30 MPH : 7031  
 Percent of Vehicles > 30 MPH : 87.2%

# All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

Start Time	22-Jan-20 Wed	EB	WB							Total
12:00 AM		5	2							7
12:15		0	3							3
12:30		2	0							2
12:45		0	4							4
01:00		0	1							1
01:15		1	4							5
01:30		0	2							2
01:45		4	1							5
02:00		2	0							2
02:15		0	3							3
02:30		1	2							3
02:45		2	1							3
03:00		1	0							1
03:15		2	0							2
03:30		5	3							8
03:45		6	1							7
04:00		3	2							5
04:15		12	4							16
04:30		6	4							10
04:45		13	2							15
05:00		25	6							31
05:15		39	6							45
05:30		33	1							34
05:45		30	5							35
06:00		28	9							37
06:15		33	17							50
06:30		55	23							78
06:45		79	28							107
07:00		57	26							83
07:15		100	26							126
07:30		116	33							149
07:45		200	49							249
08:00		136	66							202
08:15		86	56							142
08:30		64	56							120
08:45		78	45							123
09:00		64	44							108
09:15		43	47							90
09:30		48	42							90
09:45		68	42							110
10:00		54	43							97
10:15		65	49							114
10:30		65	45							110
10:45		51	34							85
11:00		63	40							103
11:15		54	55							109
11:30		67	73							140
11:45		70	66							136
Total		1936	1071							3007
Percent		64.4%	35.6%							
Peak	-	07:15	11:00	-	-	-	-	-	-	07:30
Vol.	-	552	234	-	-	-	-	-	-	742
P.H.F.		0.690	0.801							0.745

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

Start Time	22-Jan-20 Wed	EB	WB							Total
12:00 PM		76	73							149
12:15		72	75							147
12:30		64	65							129
12:45		56	68							124
01:00		60	79							139
01:15		82	50							132
01:30		70	69							139
01:45		56	67							123
02:00		63	62							125
02:15		73	50							123
02:30		47	87							134
02:45		90	89							179
03:00		72	78							150
03:15		79	84							163
03:30		72	111							183
03:45		77	111							188
04:00		74	92							166
04:15		62	106							168
04:30		66	104							170
04:45		67	103							170
05:00		63	110							173
05:15		59	137							196
05:30		64	99							163
05:45		57	113							170
06:00		51	107							158
06:15		69	70							139
06:30		38	76							114
06:45		45	77							122
07:00		26	47							73
07:15		38	47							85
07:30		27	63							90
07:45		24	44							68
08:00		33	67							100
08:15		34	32							66
08:30		21	30							51
08:45		23	26							49
09:00		13	27							40
09:15		8	31							39
09:30		17	21							38
09:45		12	19							31
10:00		10	16							26
10:15		10	22							32
10:30		3	14							17
10:45		6	8							14
11:00		1	7							8
11:15		4	6							10
11:30		4	3							7
11:45		5	5							10
Total		2143	2947							5090
Percent		42.1%	57.9%							
Peak	-	14:45	17:00	-	-	-	-	-	-	16:30
Vol.	-	313	459	-	-	-	-	-	-	709
P.H.F.		0.869	0.838							0.904

# All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

Start Time	23-Jan-20 Thu	EB	WB							Total
12:00 AM		2	1							3
12:15		3	2							5
12:30		2	3							5
12:45		0	1							1
01:00		1	3							4
01:15		1	1							2
01:30		1	1							2
01:45		1	2							3
02:00		0	4							4
02:15		1	2							3
02:30		2	3							5
02:45		1	2							3
03:00		1	2							3
03:15		2	2							4
03:30		3	2							5
03:45		5	2							7
04:00		10	3							13
04:15		9	3							12
04:30		10	2							12
04:45		20	0							20
05:00		24	3							27
05:15		26	7							33
05:30		35	4							39
05:45		34	7							41
06:00		22	14							36
06:15		35	10							45
06:30		43	30							73
06:45		70	28							98
07:00		50	33							83
07:15		97	27							124
07:30		127	35							162
07:45		185	56							241
08:00		127	64							191
08:15		78	69							147
08:30		61	52							113
08:45		64	48							112
09:00		65	34							99
09:15		54	47							101
09:30		60	35							95
09:45		67	40							107
10:00		60	64							124
10:15		63	40							103
10:30		62	64							126
10:45		68	51							119
11:00		60	61							121
11:15		63	75							138
11:30		65	69							134
11:45		78	66							144
Total		1918	1174							3092
Percent		62.0%	38.0%							
Peak	-	07:15	11:00	-	-	-	-	-	-	07:30
Vol.	-	536	271	-	-	-	-	-	-	741
P.H.F.		0.724	0.903							0.769

## All Traffic Data Services

Baker Creek Rd East of Merlot Dr

Latitude: 0' 0.0000 Undefined  
Longitude: 0' 0.0000 Undefined

Start Time	23-Jan-20 Thu	EB	WB						Total	
12:00 PM		86	70						156	
12:15		48	70						118	
12:30		69	57						126	
12:45		72	72						144	
01:00		54	51						105	
01:15		58	70						128	
01:30		72	60						132	
01:45		66	66						132	
02:00		77	68						145	
02:15		76	64						140	
02:30		59	87						146	
02:45		82	64						146	
03:00		66	91						157	
03:15		69	81						150	
03:30		69	128						197	
03:45		61	100						161	
04:00		62	100						162	
04:15		52	108						160	
04:30		74	122						196	
04:45		98	112						210	
05:00		68	106						174	
05:15		70	101						171	
05:30		51	116						167	
05:45		60	89						149	
06:00		50	73						123	
06:15		45	80						125	
06:30		37	64						101	
06:45		43	67						110	
07:00		30	72						102	
07:15		30	56						86	
07:30		25	40						65	
07:45		15	32						47	
08:00		28	38						66	
08:15		26	40						66	
08:30		19	48						67	
08:45		12	40						52	
09:00		24	29						53	
09:15		13	26						39	
09:30		5	23						28	
09:45		17	11						28	
10:00		10	15						25	
10:15		6	13						19	
10:30		4	11						15	
10:45		7	6						13	
11:00		6	9						15	
11:15		4	12						16	
11:30		3	6						9	
11:45		3	6						9	
Total		2081	2870						4951	
Percent		42.0%	58.0%							
Peak	-	16:30	16:15	-	-	-	-	-	-	16:30
Vol.	-	310	448	-	-	-	-	-	-	751
P.H.F.		0.791	0.918						0.894	
Grand Total		8078	8062						16140	
Percent		50.0%	50.0%							
ADT		ADT 8,070	AADT 8,070							

## Chuck Darnell

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**From:** Jim Cena <cenajim@msn.com>  
**Sent:** Thursday, January 30, 2020 11:39 AM  
**To:** Chuck Darnell  
**Subject:** Baker Creek North opposition

**This message originated outside of the City of McMinnville.**

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In this email I'm voicing my public opposition to the proposed ordinance modifications proposed by the development of the Baker Street North. This project proposes to create significant additional traffic on Baker Street. As presented in the last meeting the study enclosed in the proposal was deficient and studies conducted and presented by those in opposition confirmed this error. There are significant issues raised about reducing the distance between homes. There is no justification for these reduced distances other than to allow more lots to be developed. The city should not allow any of the reductions and in particular the 3' lots make no reasonable rational justification. The present designation of 12 acres for commercial should not be changed to allow for 120 apartments, no apartments are needed in this sector of the city

Thank you for your consideration of my comments.

James Cena  
Janet Cena  
15080 NW Blacktail Ct.  
McMinnville, OR 97128  
Phone 503 913 3609  
Email cenajim@msn.com

## Chuck Darnell

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**From:** Larry Steward <larsteward@gmail.com>  
**Sent:** Thursday, January 30, 2020 8:22 PM  
**To:** Chuck Darnell  
**Subject:** Baker Creek subdivision

**This message originated outside of the City of McMinnville.**

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Dear Council, We wish to voice our objections to the planned Baker Creek North subdivision as presented at the last council meeting. We don't feel that the traffic study done in July properly addressed the traffic issues which will arise from the planned subdivision. Summer time when schools are not in session doesn't give an accurate traffic flow study. Wednesday evening, January 29th, 2020 at 5:20 PM, we were in route to town from our home on Orchard View Rd and from the traffic circle on Baker Creek and Hill Road, all the way to Baker and Highway 99 traffic was bumper to bumper headed west. If we had been trying to exit on to Baker Creek from any of the side roads, we would have had a very long wait. If you let this pass as proposed I'm afraid we'll all pay a heavy price in the form of "Traffic Hell". It's bad now and it's hard for us to believe anyone would buy into thinking that the added traffic will work without any problem. .What about emergency response time for fire and ambulance, the time added to arrive at such emergencies could be the deciding factor in someones life or death.

With regards to the housing proposal, reducing the commercial square footage in order to build more apartments and squeezing the set backs down to as little as 3 feet is a horrible idea. What happens when one catches on fire, as has happened recently in Tualatin and Salem, the whole project will burn down with terrible consequences. The apartments that are presently under construction should be example enough to see that's not what we need more of. I was shocked to observe when a show of hands was asked as to how many council representatives had been out to look at what was happening on Hill Road South and only a couple members raised their hands. Each council person should go see what's happening, in fact we challenge them to do so before voting. We know the city would like the extra tax dollars this would bring but I say you'll be buying more problems than what you receive in tax dollars.

We're not anti growth, growth is inevitable but what we don't need is more high rise apartments. We would like to see nice single family homes on larger lots in keeping with the esthetics and harmony of the adjacent subdivisions. Bottom line for us, "this is just not the right type of growth for the betterment of our great city of McMinnville, Oregon", please don't make our beautiful town another congested city like our neighbors cities.

Larry and Hersheil Steward  
14200 NW Orchard View Rd  
McMinnville, OR 97128  
503-784-1230

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Larry Steward  
[larsteward@gmail.com](mailto:larsteward@gmail.com)

## Chuck Darnell

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**From:** Caroline Moore <caroline@mcminnvillelaw.com>  
**Sent:** Friday, January 31, 2020 4:14 PM  
**To:** Chuck Darnell  
**Subject:** Development on Baker Creek Rd

**This message originated outside of the City of McMinnville.**

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Good afternoon:

I'm writing to express my opposition to the approval of any additional housing units on Baker Creek Rd. I own a home in the Oakridge subdivision off Baker Creek. It is very hard to make a left turn onto Baker Creek Rd in the mornings. Any additional traffic will create a big problem. I'm also concerned about how the additional units will affect the property values of the homes already on Baker Creek Rd. Please forward my concerns to city council members for review.

Thanks,  
Caroline Moore

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Law Office of Caroline Moore  
205 N.E. 6th St.  
McMinnville, OR 97128  
Tel: (503) 472-2673  
Fax: (503) 468-7606  
Email: [caroline@mcminnvillelaw.com](mailto:caroline@mcminnvillelaw.com)

## Chuck Darnell

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**From:** Nancy Singh <nancy.singh@me.com>  
**Sent:** Saturday, February 1, 2020 5:28 PM  
**To:** Chuck Darnell  
**Subject:** Stafford Development Proposal for Baker Creek North

**This message originated outside of the City of McMinnville.**

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February 1, 2020

City of McMinnville Planning Department  
Attn: Charles Darnell  
231 NE Fifth Street  
McMinnville, Oregon 97128

RE: Stafford Development Proposal for Baker Creek North

**REFERRING TO:**

Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by **directing residential growth close to the city center and to those areas where urban services are already available** before committing alternative areas to residential use  
MMC decision criteria: "The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area."

McMinnville Municipal code (MMC): "Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area."

Dear Members of the McMinnville City Council,

As relatively new residents of McMinnville, we were hesitant to get too involved in town issues until we had a greater understanding of our new town and the challenges it faces.

We moved here from a larger suburban area outside of Seattle that, over the ten plus years we lived there, had become a rival city to Seattle. We left Bellevue last March for what we hoped and felt assured would be a town that, while providing some nice amenities for its residents, still had the shared values to retain a small town feel, with open spaces, clear skies, and a desire and commitment to honor the land.

We recently attended the local town hall meeting to discuss Stafford's Baker Creek North development. We left with a sinking feeling of deja vu. The Baker Creek Southwest development has quickly sprung up across from our home. We are singularly unimpressed with this development and our concerns that Stafford was planning a similar development just blocks away spurred us to attend the meeting.

Since then we have tried to quickly educate ourselves on the traffic concerns and the resulting plans the town has adopted to address growth. That evening several residents spoke about the inability of Baker Creek Road to handle the increase in traffic that will make the commute to 99 a horrendous inconvenience. We believe it will also lead to dangerous situations for school children, walkers, bikers and the average trip to the grocery or pharmacy. There are a number of cul de sac streets fronting Baker Creek and it is already getting difficult to make a left turn from those. We have personally seen drivers give up and make a turn to go to the round about at Hill to reverse direction towards 99. We have seen near misses too.

Every town struggles with growth. McMinnville is no exception. In the 2010 TSP, the planners outlined the struggles, and the plans that, with anticipation of growth, would safeguard against some of the more egregious traffic scenarios and cookie cutter developments we have all experienced in some of the surrounding towns closer in to Portland and other large suburban towns.

Bedroom communities can and do have explosive growth when situated so close to a large urban city like Portland. However, being a good hour or more away from Portland, we felt we had made a very good choice for our retirement home in McMinnville. Close enough

to be available on the odd occasion, but not so close as to attract run-away, unchecked growth, frustrating traffic, increased crime, homelessness, etc.

Our concerns are the following:

1. There is insufficient ingress and egress to the planned development.
2. There is insufficient parking for residents and retail/commercial tenants and customers
3. There is insufficient public transportation available at Baker Creek and Hill
4. The homes are unlikely to attract moderate and low income families, even though the design is clearly intended for that purpose. They will not be affordable to those income earners. This was made abundantly clear in the meeting.
5. The developer has proven an inability to understand the desires of the community and indeed has displayed a disregard for the community values. Just drive or walk through the development at the Southwest corner to see the lack of parking, lack of space, lack of design diversity.
6. Stafford has been found to be in violation of building codes repeatedly. There is ample proof that they don't feel they need to follow the rules. This is pretty concerning without the rest of it.

If we could be allowed to share our experience in a growing bedroom community recently and earlier in a Southern California community during their boom in the late 70's early 80's, developers are a necessary component for a community to provide housing for the influx of residents, but it is incumbent on the local governing body to not only provide the guidance and statutes necessary to manage this growth, it must also listen to the desires of the community and try and work toward developments that retain the character and size and scale of those approved developments. It is sometimes too easy to give in to the spiffy presentations that developers can easily put together, as opposed to the unsophisticated modest presentations that three minutes allows for the average residents to respond.

Bellevue, Washington town council approved 45 floor rise residences in their downtown corridor. That brought in great tax revenue but then it decided to allow developers the right to build higher, when post approval, the developer sought additional concessions. The only problem was that the existing infrastructure and the new infrastructure built surrounding the new 60 floor high rises could not mitigate the enormous flow of traffic, both by car, on foot and by buses and taxis. There were insufficient parking spaces...so people double parked. There was not room to park large delivery trucks so they parked in the turn lanes. It took sometimes more than 15 minutes to exit the parking garage because cars decided to use the alley way to avoid the light at the corner! Left turn cars holding up cars going right or straight ahead when no turn lanes were available. People were no longer pleasant to one another. Courtesy was thrown away as if it had never existed. This is not what the residents of McMinnville want their city to become.

A developer's business plan is: arrive in town, build, sell and make a swift exit. Or as in Stafford's case here in McMinnville, acquire the land, get approvals and then sell to a smaller developer and get out ahead of the game! Residents of McMinnville are here for the long haul. We invest in our communities because we live here and we value them and want to protect them. You all serve on the city council because you live here and you want to protect the town from what it could so easily become....another suburban disaster.

There are those residents who must surely remember the hardworking, but quiet days of the farming community. Today, we have an industry that is attracting an influx of not only workers but also tourists. I work in the Wine industry here in the Valley. Wine is what initially brought McMinnville to our attention. McMinnville has such a unique opportunity to become the center attraction for Willamette Valley. But, it will only do so if we can somehow retain that lovely small town farming community that has understood the value of good food, good wine, good stewards of our land and water and an open and welcoming attitude so that tourists are drawn to spend time here. Believe me they do not want to spend their time on 99. They love driving the back roads to the vineyards and coming into town to enjoy our lovely restaurants, stroll down 3rd street. Let's build on that.

Let's find a way to enhance downtown with additional housing as your plan initially proposed and envisioned. Apartments above retail. Ample parking, parks for picnics and farmer's markets. Affordable housing needs to be near the main transportation corridor. That is a way to reduce dependence on cars and ease the burden on traffic congestion. If one looks hard enough we will find examples of a successful compact between community and developers that results in a true win-win for all. Stafford, so far, has not shown a desire for such partnership.

We urge you to stand firm in your resolve to protect McMinnville as we grow. We so appreciate your time and your obvious caring for your own town. We know that volunteering is often a thankless job and we appreciate you more than you can know. Please vote no on the Stafford Baker Creek North development.

There were a number of local contractors at the meeting. Why not give them some preferential treatment to build what we need, where we need it? You know where they live and there is an old saying, don't s\*\*t in your own back yard. I'd trust them to protect our common interests and build decent homes, in locations that make sense for our community. We say "NO" to carpetbaggers, who truly have no accountability. Because when the problems start, they are long gone!

Nancy & Surinder Singh  
978.758.2503  
2200 SW West Wind Drive  
McMinnville

Nancy Singh  
978.758.2503

February 2, 2020

City of McMinnville, Oregon  
Attn: City Council  
City Hall  
230 NE 2nd Street  
McMinnville, OR 97128

Sent via email to: [chuck.darnell@mcminnvilleoregon.gov](mailto:chuck.darnell@mcminnvilleoregon.gov)

RE: Stafford Baker Creek North Development

Dear McMinnville City Council Members:

I write to express my deep concern regarding the Stafford Baker Creek North Development. The issue of "**LIVABILITY**"...the **leading** issue addressed by the Transportation Advisory Committee at its very first meeting regarding the Transportation System Plan (TSP)... is threatened by the aforementioned development.

In Chapter 1 - Executive Summary - of the TSP, the question is asked on page 2 "**How do you manage transportation growth to meet the City's vision?**" The document follows this question with "**...McMinnville's answer is essentially: Complete Streets**". And in the paragraph under that heading, the very first street mentioned is Baker Creek Road. The complete first two sentences of this section state: "**The historic layout and development of McMinnville's major land use and street system, combined with other natural geographic constraints, is limiting the city's ability to identify new street routes to address the impacts of growth. From a city-wide perspective there are too few east-west arterial connections spanning McMinnville. An example, Baker Creek Road and the combination of West 2nd Street and Wallace Road (major east-west routes) help frame the northwest corner of McMinnville.**"

It is plainly obvious that this northwest corner of McMinnville was of paramount concern from the beginning. There has been some development and growth since that document was originally prepared, and traffic difficulties in the northwest corner have long been well known. Just recently, road improvements in this area have helped what was a bad situation. Adding a long section of turning lane in the middle of the street on NW Baker Creek Road, and the new traffic circles at NW Baker Creek Road & NW Hill Road and at NW Hill Road & NW Wallace Road are very much appreciated. There is still plenty of traffic in the area, but it moves somewhat better and more safely now. Thank you.

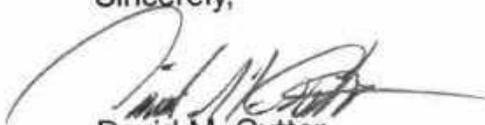
But now we seem to be moments away from negating the benefits of those recent improvements with all the single and multi-family dwellings currently being built (108 units), as well as those pending approval (an astonishing additional 400 units) in the

area of NW Baker Creek Road and NW Hill Road. It is probably reasonable to assume that in almost every one of these new units, the folks living there will have two vehicles...but let's assume that 50% will have only one vehicle. Multiplying 508 new units by 1.5 vehicles means the combined impact would conservatively be the addition of over 762 vehicles daily to the NW Baker Creek Road / NW Hill Road area. I'm sure traffic studies would indicate a significant portion (if not a majority) of that traffic moves east and west on NW Baker Creek Road. The impact on traffic in and out of the many neighborhoods along that stretch of road, and the potential danger to the many pedestrians, joggers and bicyclists is very worrisome. And all 762+ new vehicles daily will certainly clog up the already very busy stop-light-controlled intersections at NW Baker Creek Road and NW Baker Street, and the worst at NW Baker Creek Road and Pacific Hwy 99W where left and right turns or going straight onto NE Evans Street are already awful. Such new traffic borders on untenable.

Understanding the difference between **Goals** and **Policies** as stated in the TRP, I would draw your attention to **Policy # 122.00** listed under **E Comprehensive Plan Policies**: **"The City of McMinnville shall encourage the following provisions for each of the three functional road classifications: 1. Major, minor arterials. o Access should be controlled, especially on heavy traffic-generating developments. o Designs should minimize impacts on existing neighborhoods. o Sufficient street rights-of-way should be obtained prior to development of adjacent lands."** I would argue that the proposed Stafford Baker Creek North Development would violate that policy.

I urge you to consider denying further development in this northwest area of McMinnville until such time as adequate roadways can be developed for current and future traffic. Thank you for your consideration.

Sincerely,



David M. Cutter  
15000 NW Blacktail Lane  
McMinnville, OR 97128  
Email: [dcutter@bkreno.com](mailto:dcutter@bkreno.com)

## Chuck Darnell

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**From:** Lane roemmick <laneroemmick@gmail.com>  
**Sent:** Monday, February 3, 2020 10:39 AM  
**To:** Chuck Darnell  
**Subject:** Concerned Citizen - Stafford Baker Creek North development

**This message originated outside of the City of McMinnville.**

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Dear Mr. Darnell,

I am writing you as a concerned citizen with respect to the Stafford Baker Creek North development project. As someone who was born and has been a lifelong resident of McMinnville, I have witnessed the tremendous growth of the area over the last few decades. It is very exciting and much of the growth has been prosperous for the community. However, growth can be a hindrance in certain aspects when not carefully considered. My concern regarding the proposed Stafford Baker Creek North development is that it is in conflict with a key aspect of the McMinnville Transportation System Plan to "Keep McMinnville livable" and could deteriorate the "Home Town" feel we all love about this community. The aforementioned development proposal would significantly increase traffic on Baker Creed Road, negatively impacting the quality of life for the residents in the established neighborhoods on Baker Creek Road. With the approval of the Oakridge Meadows and the Stafford Creek South developments, it is a concern of mine, and my fellow neighbors, that the Stafford Baker Creek North development would stress the transportation infrastructure beyond its capacity and result in negative outcomes for all citizens and visitors of McMinnville who utilize this section of road. It is my belief that with the current transportation infrastructure, the Stafford Baker Creek North development would recede from the McMinnville Comprehensive Plan Goal to "encourage development of a transportation system that provides for the coordinated movement of people and freight in a safe and efficient manner."

Thank you for your time and consideration.

Sincerely,

Lane Roemmick

**From:** [Heather Richards](#)  
**To:** [Sarah Sullivan](#)  
**Cc:** [Chuck Darnell](#); [Jim Semph](#)  
**Subject:** FW: Stafford Development Proposal for Baker Street North  
**Date:** Monday, February 03, 2020 11:35:56 AM

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Hi Sarah,

Please put the following email into the public record for the Baker Creek North development.

***Heather Richards, PCED***  
**Planning Director**  
**City of McMinnville**  
**231 NE Fifth Street**  
**McMinnville, OR 97128**

**503-474-5107 (work)**

**541-604-4152 (cell)**

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

**From:** Jim Semph [mailto:jimsemph@gmail.com]  
**Sent:** Monday, February 3, 2020 11:26 AM  
**To:** Heather Richards <Heather.Richards@mcminnvilleoregon.gov>; Jim Semph <Jimsemph@gmail.com>  
**Subject:** Stafford Development Proposal for Baker Street North

**This message originated outside of the City of McMinnville.**

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City of McMinnville Planning Department  
Attn: Charles Darnell  
231 NE Fifth Street  
McMinnville, Oregon 97128

February 3 2020

RE: Stafford Development Proposal for Baker Street North

Clear disregard for:

Policy 68.00 The City of McMinnville shall encourage a compact form of urban development by **directing residential growth close to the city center and to those areas where urban services are already available** before committing alternative areas to residential use

MMC decision criteria: "The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area."

McMinnville Municipal code (MMC): "Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area."

Dear Members of the McMinnville City Council,

You've heard from a lot of people in our community, but not everyone. I just want you to know I've talked to many of those you haven't heard from, and I can tell you, nobody, not one person I talked to, is in favor of the direction the city has targeted, not a single person. Nobody wants 840 more cars from a surrounding neighborhood on their roads, all fighting to get to work, a store, a friend's house. Nobody I talked to, believes the city is working on their behalf, to generate a better version of McMinnville. Nobody believes the city is working to preserve the community feel that seems so attractive, to people not currently living in McMinnville.

There seems to be a force or vibe, pulling people in on weekends, and those of us that live here, see whatever that is, disappearing, as new housing is created, and traffic gets worse. Our weekend traffic is slowing to the point of irritation. Our appeal is falling off as traffic slows. People are no longer using 99, they're using 18, and driving right passed us, on the way to the coast where traffic is outrageously bad in search of something else, something they're not finding here, or anywhere near here. If we don't stop, to analyze what we're missing, we may never get another chance to build on the community people expect to see, when they visit McMinnville, a thing that makes them want to stay, make a life here, and build something with us. Third street downtown has been a huge draw in the past, but parking and traffic is no longer worth a return trip, to those I've talked to. People I've talked to, are going east to Dundee, Sherwood, Tualatin, and south to Salem, Albany, for recreation, dining, entertainment etc. some go to Portland, but that's usually too busy for people to make that a favorite destination.

To date, the city has missed on every swing. The aimless building continues, the traffic gets worse, and people keep searching for the place they've heard about finding only frustrating traffic, no parking, and long wait times. The view from my house, has gone from calming scenery, to rows of box like houses, clogged roads and streets with too many cars parked on them to drive through, let alone, allow kids to play on. It's a real mess and still the city feels like this is the direction they want to pursue. Building more aimless chaos, without purpose, or direction seems like a bad idea to me and those I've talked to.

There seems to be nobody, doing anything, they're supposed to do, like following the clear and simple guidance, of policy 68.00, and it's time we find the problem and remove it from a building plan that allows such reckless, blind, planning, and building.

I'm not a planner or a builder, but I can recognize when something is wrong, and I'm calling this aimless sprawl, and random building, and obvious disregard of planning guidelines set down in policy 68.00, coupled with the use of subpar builders, wrong, very, very, wrong. Something in city management isn't working, and that needs to change, and soon, before the entire city has been irreparably damaged, for the foreseeable future. I propose we fix our city's management problem before we put another poorly planned stick in the ground.

Jim & Jean Semph

2175 SW Homer Ross Loop

McMinnville OR 97128

503 949 0220

## Chuck Darnell

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**From:** vince taft <135vtm@comcast.net>  
**Sent:** Monday, February 3, 2020 12:51 PM  
**To:** Chuck Darnell  
**Cc:** allisonbest77@gmail.com  
**Subject:** Stafford Development Proposal, Baker Street North

**This message originated outside of the City of McMinnville.**

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02/03/2020

City of McMinnville Planning Department  
Attn: Charles Darnell  
231 NE Fifth Street  
McMinnville, Oregon 97128

**RE: Stafford Development Proposal for Baker Street North, Application: Comprehensive Plan Amendment, Zone Change, Planned Development, Planned Development Amendment, Subdivision, & Landscape Review (CPA 1-19, ZC 1-19, PD 1-19, PDA 2-19, S 1-19 & L 12-19)**

We stand with our neighbors and fellow McMinnville residents who have testified in person at the council meeting held on 01/22/2020 and in writing in opposition to the application referenced above.

It would appear the development proposal referenced above would be in conflict with the city McMinnville's Comprehensive Plan Policy 68:00 , ***The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.*** The current zoning in place better aligns with this policy and therefore should not be amended.

In addition it appears there is a discrepancy in the traffic studies that have taken place in regards to the development proposal referenced above and our actual current experience has been increased congestion and delays while attempting to commute from NW McMinnville into the center of the city, we can only expect those delays and bottlenecks will increase in the coming months as the current project on the southwest of Hill Road and Baker Creek nears completion, which I might add does not reflect what we remember the visual renditions of what that development was projected to look like

We strongly urge Mayor Scott Hill and all of the McMinnville council members to vote in opposition to this development proposal.

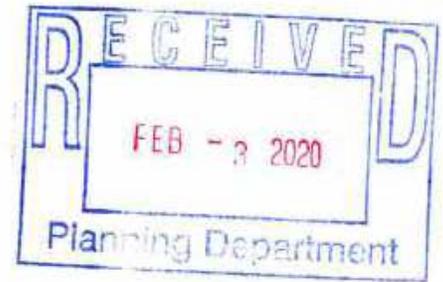
Sincerely,  
Vincent Taft,  
503 750-6897  
[135vtm@comcast.net](mailto:135vtm@comcast.net)  
Allison Best,  
503 789-9020

[allisonbest77@gmail.com](mailto:allisonbest77@gmail.com)

2025 SW Fox Swale Lane, McMinnville Oregon 97128

February 2, 2020

City of McMinnville Planning Department  
Attn: Charles Darnell  
231 NE Fifth Street  
McMinnville, Oregon 97128



RE: Stafford Development Proposal for Baker Street North - CPA 1-19; ZC 1-19;  
PDA 2-19; PD 1-19; S 1-19; L 12-19

Dear Members of the McMinnville City Council,

I would like to be on record opposing the Comprehensive Plan Amendment (CPA 1-19) and the Zone Change (ZC 1-19) being proposed.

When this parcel was rezoned (Ordinance #4633 in 1996) both the Planning Commission and the City Council agreed with the owner of the property that for long range planning this made sense. The Council wisely made it a condition of the change, "2. That no multiple-family residential use shall be allowed on the site." The stated need for the zoning change was to create a planned area for commercial development to service this part of McMinnville as it grew.

In our Transportation System Plan, we are encouraged to find ways to turn car trips into bike or walking trips. The best way to implement this idea is to have neighborhood commercial centers. This must be true commercial not boutique commercial development appropriate for urban Portland. Please do not give up our existing neighborhood commercial development requirement for more apartments. We are already experiencing traffic problems. With the projected buildout of the half dozen subdivisions being contemplated, the problems will become exponentially worse.

The argument made by the developer that commercial development of this parcel would create a bigger traffic problem than building apartments, missed one big point; the traffic generated by appropriate commercial tenants would be replacing trips residents are already making outside the neighborhood to services concentrated on Highway 99. This concentration creates congestion, which would be mitigated by quality commercial tenants included as part of the proposed development.

In an exchange between residents and Charbonneau Engineering LLC regarding Charbonneau's traffic study, the engineering firm made the point that the traffic circle was not included in the study "because its design and construction is expected to sufficiently handle the future traffic flow". I am a retired civil engineer and also served for two years on the Citizens Committee developing the Transportation System Plan for Eugene, Oregon. I do not claim to be an expert on the design of traffic circles, but I am concerned the size of the Baker Creek Rd/Hill Dr circle is too small to handle the anticipated traffic. The traffic circle has a radius of 55 feet. I checked on other examples of traffic circles in our area and found the following:

**Location**

**Function**

**Forest Grove**

Verboort Rd/Martin Rd	96' Radius	Good
Verboort Rd/Highway 47	76' Radius	Good

**Tualatin**

Stafford Rd/Borland Rd	76' Radius	Good
Stafford Rd/Rosemont Rd	64' Radius	Poor

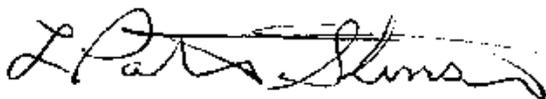
**McMinnville**

Hill Rd/Baker Creek Rd	55' Radius	TBD
Hill Rd/Wallace Rd	47' Radius	TBD

This suggests further study is needed to determine the volume of traffic these circles can handle reasonably and most importantly, safely.

Listening to the developer's testimony in the January 28 meeting regarding CPA 1-19; ZC 1-19; PDA 2-10; PD 1-19; S 1-19; and L 12-19, it was strongly stated that we, as a City, should not impose tight conditions, i.e. Condition 20, as we would be foolish to walk away from their great offer. I find this position disturbing for several reasons. Is the deeding of a plot of wet lands and 100 year flood plain such a great thing? If I owned this land I would be deeding it off to the City too and in the process get rid of a tax burden and probably get a tax write off to boot. As the saying goes, "The best predictor of future behavior is past behavior." Stafford Construction has not lived up to their commitments in the past and does not have the best interests of the future of McMinnville in this present proposal, not even close.

I urge anyone who has not driven through this area at rush hour to please do so and see what is happening right now, both traffic burden and construction quality and aesthetics in Stafford's current project, **before any decision is made**. I appreciate the dedication and effort of each of you to our community. We have a great town and its future is in your hands. Thank you for considering my concerns.



Patrick Stinson  
2065 NW Willamette Dr.  
McMinnville, OR 97128  
pashastinson@gmail.com

McMinnville City Council

Councilors,

Chapters 1 & 2 of the TSP Plan (the "Executive Summary" and "Guiding Goal and Policies", make it clear that this was a ten year effort to set up a workable process to identify areas of future growth in town – and improve the transportation infrastructure in those areas BEFORE (or at least at the same time) that density additions and traffic growth occurred. Several statements in those two TSP chapters make it clear that the purpose for improving transportation services ahead of growth were to:

- "Accommodate growth differently – let's not become another \_\_\_\_\_ (insert name of offending city here)."
- "seek transportation efficiency, but not as a sacrifice to our small town atmosphere or its desire to keep McMinnville Livable." (page 2-1 of Guiding goal and policies).
- "comprehensive transportation plan that keeps traffic moving"

Then Chapter E – the Comprehensive Plan Policies chapter – listed specific policies that would be followed that would help attain the above goals. A few of those policies are:

1. GROWTH MANAGEMENT (page E-7) – "The construction of transportation facilities in the McMinnville planning area shall be timed to coincide with community needs, and shall be implemented so as to minimize impacts on existing development."
2. SUPPORTIVE OF GENERAL LAND USE PLAN DESIGNATIONS AND DEVELOPMENT PATTERNS (page E-7) – "the implementation of implementation of transportation facilities and services shall be based on serving current and future travel demand – both short-term and long-termed planned uses."

A quote on page 2 of the Executive Summary even specifically identified the area between 2<sup>nd</sup> street and Baker Creek road as the worst area in town to locate high density/high traffic generating developments – "From a city-wide perspective there are too few east-west arterial connections spanning McMinnville. An example, Baker Creek Road and the combination of west 2<sup>nd</sup> street and Wallace Road (major east-west routes) help frame the northwest corner of McMinnville. In between are Michelbook golf course and the city park. Realistically, there are no options to align new arterial through streets in this area through existing streets or Michelbook golf course." -- I believe this lack of East-West roads was one major reason the Westside Density Plan recommends a maximum density of 6 dwelling units per acre on much of the westside area.

That gets me to the Baker Creek Road situation today. The city rates it as a "minor arterial" with a maximum capacity of 20,000 vehicles per day. Up to the early 2000's, there had been limited number of homes west of Doral street, so capacity was never a problem. But that has changed dramatically in the last five or six years as the city has approved several large developments west of the golf course – from Redmond Hill road clear to Baker Creek road – WHILE AT THE SAME TIME SPENDING 10 MILLION OR SO DOLLARS MAKING HILL ROAD A MAJOR NORTH/SOUTH "RING ROAD" SO A LARGE NUMBER OF WESTSIDE DRIVERS COULD AVOID CLOGGING UP THE CENTER OF TOWN BY USING HILL AND BAKER CREEK ROADS AS "RING ROADS" TO ACCESS THE HIGH SCHOOL AND NORTH HWY 99 AREAS. The results have been predictable – the daily traffic rate on Baker Creek road has probably doubled in the last five years. The 2-day traffic study on Jan 22<sup>nd</sup> and 23<sup>rd</sup> showed that Baker Creek road traffic now averages

about 8,000 trips per day mid-week during the school year. School buses help cause a fair amount of congestion during morning and afternoon rush hours. And with no pullouts available, I am sure that Yamco buses will have an even larger effect in the near future.

That gets me back to the intent of TSP goals. If you take the current traffic volume on Baker Creek road today, and add the volume that is already scheduled to hit Baker Creek road in the next 5-10 years – the city council should be planning to upgrade Baker Creek road to the 32,000 tpd classification of a major arterial road by 2025 or so – IF THE BAKER CREEK NORTH PROPERTY REMAINS VACANT. – I freely admit to using fairly aggressive future increase here. BUT if you keep in mind three factors that I think the city is underestimating, I think my projections are more accurate than the independent studies that developers have been giving you: 1). 100% of traffic generated from Baker Creek north and Oak Ridge Meadows will have to at least start/finish their trips on Baker Creek road (it's the only access road available to residents living on the North side of BCR). 2) that the improvements to Hill Road have added a lot more “ring road” traffic to Baker creek road than projected (the north end of town is the final destination for a high per cent of commuters). And finally, 3) my twice a day “dog walk traffic study” has concluded that probably 75% of traffic generated west of the golf course, and north of Cottonwood – uses Baker Creek road for their back/forth commutes rather than Wallace or 2<sup>nd</sup>.

Using those assumptions – and TSP goals Baker Creek road will be over capacity as soon as 2023 if you approve Baker Creek North at anywhere near the density that Stafford Development and your Planning staff are pushing for.

- 8,000 - Current volume
- 1,000 - Added volume from Oak Ridge Meadows – BCR is the only access road to ORM's too.
- 3,500(?) – additional volume from houses and apartments yet to sell and fill in Baker Creek E/W.
- 2,500(?) – added ring road volume from new dwelling units as far south as Alexandria.
- 4,000 – if Baker Creek north is approved at Stafford's current density request.
- ??? – additional future volume when the from the proposed school property, Scott Brosius's property, and the other still vacant property west of Hill Road towards Fox Ridge road.

With the added complexity added by Comprehensive Plan policy #120 – that states, “The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.” – Well --- your plan for Baker Creek road – calls for “D” controlled intersections in the one mile stretch between Hill and Michelbook where there will be 12 uncontrolled intersections on both sides of Baker Creek road when Baker Creek north is complete (3 access streets in Baker Creek North). – So, the reality is that approving one more high density development to the north side of Baker Creek Road before its capacity is increased to 32,000 tpd - will truly result in the safety and transportation train wreck that your danged TSP plan (and supposed rule book) is intended to prevent.

The Comprehensive Plan Policies that support not approving a third high density (and traffic generating) development in the Baker Creek corridor are:

1. Policy 117.00 – “The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.” – 20,000 vehicle trips per day certainly won't provide that at the 12 uncontrolled intersections.
2. Policy 118.00 (3) “Emphasis placed on the future needs of the area to be serviced.”

3. Policy 132.15 – on pedestrian/bike safety – “the City of McMinnville shall require that all new residential developments provide pedestrian connections with adjacent neighborhoods and neighborhood activity centers.” – One major area where your Westside development plans are world class – are the parks and walking trails. – BUT you already have probably 200 walkers, runners, bikers per day using the Baker Creek corridor, and Roma Sitton walkway. – With the east/west volume on Baker Creek Road increasing so drastically in the next few years – won’t both the intersections at Meadows and Shadden require major crosswalk upgrades to allow the bike and pedestrian traffic to safely cross Baker Creek road??? (the TSP emphasized bike and pedestrian safety more than vehicle safety). 132.20 also covers this.
4. Encourage Safety enhancements – page E-9 – “The City should encourage traffic and pedestrian safety improvements that may include traffic circles” – to improve safety and livability enhancements.
5. Policy 132.23.00 – “The McMinnville Transportation System Plan shall be updated as necessary to remain consistent with the city’s land use plan.” – Your current upgrade plan includes Riverside drive, 3<sup>rd</sup> street, and several other area improvements out to 2023. But Baker Creek road wasn’t projected to have the density/traffic it has gained in the last five years. So doesn’t it need to move to the front of the list?
6. Policy 132.29.00 -- “The construction of transportation facilities in the McMinnville Planning area shall be timed to coincide with the community needs, and shall be implemented so as to minimize impacts on existing development. Prioritization of improvements should consider the City’s level of service standards.”

My question is --- In the 2.5 years that McMinnville’s planning staff works with developers staffs – BEFORE A FORMAL APPLICATION REACHES THE CITY PLANNING COMMISSIONERS AND CITY COUNCILORS, Isn’t one of the Planning Staffs main responsibilities be to force developers to meet ALL of the goals and policies in McMinnville’s Comp and TSP plans??? What I have witnessed in the Oak Ridge Meadows and now Baker Creek North hearings is that the Staff Recommendation Report does a great job of emphasizing all of the “hot button” policies the applicants proposal does meet, like bike paths/walking trails, complete streets, HOA maintained parks, etc. BUT the staff reports avoid making councilors aware of all the unfair damages to the quality of life, the environment, or traffic congestion both in and surrounding these developments. – AND heaven forbid if a neighborhood group pays for professional studies and offers several hundred pages of Comprehensive Plan based testimony that point out those omissions (like the mayor asks for at the beginning of hearings). They are then accused of being rich, selfish NIMBY’s who are opposed to change. That is just not true. We only want to planning department and city council to fairly enforce ALL the TSP policies. Not just the ones that meet the needs of a few special interest groups that do not represent the majority of citizens.

In conclusion, I totally support ALL the well thought out changes recommended by the TSP committee. But the councils last several decisions have totally trashed the goals in that plan intended to protect: 1) citizen livability, 2) the environment and small town feel of McMinnville, and; 3) The danged Transportation System the committee spent ten years trying to setup up a PROCESS FOR GROWTH THAT WOULD WORK.

Respectfully,

Mike Colvin

## Chuck Darnell

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**From:** gfarmer16@frontier.com  
**Sent:** Monday, February 3, 2020 2:12 PM  
**To:** Chuck Darnell; Chuck Darnell  
**Subject:** North Side of Baker Creek

This message originated outside of the City of McMinnville.

I am writing to voice opposition to the proposed Baker Creek North subdivision for the following reasons.

1. The transportation Advisory Committee offered a report that was telling, remarkably poignant, and inspirational. This was a sentence offered by it's readers.

The Committee asked that YOU, the Commissioners, consider their recommendations, after much discussion, time, and hard work. Following are the recommendations and questions they presented;

1. keep that "hometown feeling for generations to come."
2. How do we accommodate growth differently and not become cities like Beaverton, Hillsboro etc?
3. Pleasant visual amenities of homes being built should be a standard
4. A COMPREHENSIVE TRANSPORTATION PLAN that will accommodate growth and "KEEP TRAFFIC MOVING!"

These were recommendations offered by the TSP, citizens picked to be the voice of people who live here! It appears that their work and advise were ignored, as high-rise apartments are NOT keeping that "hometown feeling, or have Pleasant visual amenities".

Homes packed together, to create High Density Neighborhoods, are not what this committee suggested.

Policy 122.00 listed under E Comprehensive Plan policies states: "The city shall encourage the following;

1. Major and minor arterials should be controlled and designs should MINIMIZE IMPACTS ON EXISTING NEIGHBORHOODS, PRIOR TO DEVELOPMENTS OF ADJACENT LANDS.

My suggestion is that McMinnville will become a leader, in home building, rather than follow what has happened all around us. You as leaders can create guidelines for builders to create neighborhoods with MUCH larger lots, 10,000 sq. ft. and larger, where children and families can have a nice yard to play in, driveways that accommodate easy access, and homes that offer setbacks from neighbors, of no less then 10ft, and 12 to 15 ft . would offer optimum privacy any homeowner would appreciate. It is no longer safe to send kids to parks, even community parks. Parks created because there are NO decent yards attached to the present neighborhood plans.

TRAFFIC and LIVABILITY are the themes for McMinnville. Three story apartments have been built, not meeting the suggestions of the TSP! Where are plans for higher end homes? These neighborhoods have also been forgotten! Why?

Again, I challenge Commissioners to think out of the box and lead the way in home building expectations, instead of following today's Norm!!!

It was also telling when asked, 'How many Commissioners had been out to Baker Creek, only a few raised their hand!!! It would seem that every Commissioner and the Planner, should be out here, driving east and west and daring to turn left onto 99W between the four and six high traffic times, SEVERAL evenings, before allowing 280 homes and apartments to

be added to the congestion!!!! Put apartments downtown where buyers would have walking access to the downtown area and its amenities, EXCEPT parking!

The Elephant in the room!!! Is what your OWN TSP group were asking for: A COMPREHENSIVE TRANSPORTATION PLAN!!! In a report from the city it suggests, "There are NO options to align new arterials east and west in this city, AND there are too few east, west connections. Why then are we adding, possibly 800 to 1000 more vehicles to Baker Creek Rd???? I ask you to delay building ANYWHERE, UNTILL YOU HAVE A PLAN FOR HOW TO MOVE TRAFFIC. This Baker Creek N PLAN and the already built south development, asks the question," Was the TSP formed, "just to look like a positive step had been taken?" Nothing they suggested has been implemented!

I ask this Commission to be the leaders in the building process. Please help us keep the "Hometown Feeling" like the TSP asked for. Have a traffic plan implemented, before continuing to build! Get rid of apartments in this plan.

Gary and Suzanne Farmer, Berry Creek

February 3, 2020

City of McMinnville Planning Department  
Attn: Charles Darnell  
231 NE Fifth Street  
McMinnville, Oregon 97128

RE: Stafford – CPA 1-19; ZC 1-19; PDA 2-19; PD 1-19; s 1-19; L 2-19

Dear Mr. Darnell,

I am responding to the Charbonneau Engineering replies to my written testimony.

The first issue: why wasn't the Hill Road and Baker Creek roundabout included in the study? Charbonneau responded that the "design and construction was expected to sufficiently handle the future traffic flow." The actual response should have been because the City did not include it in the list of intersections Charbonneau needed to study. At the public hearing on January 28, 2020, the City Engineer stated that the intersection wasn't included because it was functioning as planned. In less than a year, there has been at least one accident that was reported on YamCo Watch concerning that intersection. I think there have been two other accidents there as well. Additionally, there has been one significant motorcycle accident at the Wallace and Hill roundabout and I can't remember if the oil spill at the Wallace roundabout was due to a truck dumping its load or the motorcycle accident. I think the oil was truck-related. I'm including the Wallace roundabout information because it is only 0.7 miles from Baker Creek roundabout and both were engineered at the same time.

Since I prefer to deal with facts rather than rely on my memory, I contacted a traffic consultant to gather information about the Baker/Hill intersection pre- and post-roundabout. The Oregon Department of Transportation and the McMinnville Police Department quoted a turnaround time of 10 days, and that didn't meet the required 7-day time limit. In an effort to be thorough, the consultant contacted the McMinnville Public Works Engineering Department and was told that "they don't have records like that." So I'm not sure how the city can recommend that the nearest intersection to the proposed high traffic commercial area not be included in the traffic study because it is "functioning as planned." One to three accidents in less than a year, assuming my memory is correct, makes the Baker Creek/Hill intersection equal or greater (worse?) than any of the included intersections despite it being the most recently designed intersection.

The second issue: the July time frame isn't an issue because there are no schools within the immediate neighborhood of Baker Creek North. There might be some confusion, depending on whether Charbonneau was using Stafford's lot width foot measurement (which is minor and doesn't impact the livability of the area) or Stafford's driveway foot measure (in which case the entire project will fail to sell). I have decided

to use miles based on Google Maps so I don't have to choose between driveway feet and lot width feet. That was too confusing.

1. Bethel School 0.8 miles (virtually all students are delivered by car)
2. McMinnville Adventist Christian School 1.3 miles
3. Memorial School 1.4 miles
4. McMinnville High School 1.5 miles (Baker Creek Road is the primary access from west of the high school for those of you not from the area)
5. Duniway School 1.6 miles
6. Newby School 1.7 miles
7. Elementary School site 0.4 miles
8. High School site 0.7 miles

I included the last two sites because they figured strongly in Stafford's bid for Baker Creek South, so I was sure they wouldn't want them to be ignored for Baker Creek North. Additionally, if a hay field can be counted as a commercial center, I felt there could be no issue in counting a hay field as a school. Comparing the hard count traffic study commissioned by private citizens to the extrapolated (estimated?) count performed by Charbonneau, there is a significant increase in traffic during the school year.

Continuing on, the Public Hearing was quite informative for me. Stafford gave several builders the opportunity to speak on their behalf, and yet only one, when prompted by Mayor Hill, actually said he was in favor of Baker Creek North. The rest simply took issue with Condition 20, especially the driveway foot measurement – that *is* a pesky unit of measure. I also looked at the written testimony and only one letter stated that they supported Baker Creek North, before launching into Condition 20 issues. One letter actually thought that Condition 20 was fine, as long as it only applied to Baker Creek North. I thought that was quite supportive.

Condition 20 could be doing a huge favor to Stafford. Stafford said that they knew what people wanted, and yet I think Mr. Root said Stafford still had 6 houses not sold in Baker Creek East. A couple of other builders also mentioned they had unsold houses. I know of other contractors who built houses in Baker Creek East and sold 100% of what they built. Of course, they were local builders who worked with their clients to build what the client wanted. Since all the builders were working under the some "restrictions" in Baker Creek East, I have to wonder if the issue is that the "spec" house designs need refreshing for McMinnville tastes. It's either that or the demand is not as high as people seem to believe.

One design was particularly called out, a single story with a three car garage. We were told that the third car bay wasn't really for a car but was for storage. If that is the case, it should be a simple fix to eliminate the garage door on the third bay. The space would be available for storage accessed through the double garage door. And the façade should satisfy the City requirement of less than 50% of the front façade can be garage.

With only two bays for cars actually needed, the city-required driveway width should be more than adequate to park two cars side by side with room to spare.

I do agree with Councilmember Drabkin's confusion about the need to park three cars side by side in a driveway when there are three bays in a garage. A simple fix could be a decorative paver walkway that would give occupants room to step out of their cars. Then again, if the high density development that requires such hard driveway decisions was actually built along transit routes as specified, possibly the driveway issue wouldn't be an issue at all.

I am at a loss to figure out what is so threatening about Stafford's demand to "modify Condition 20 or we'll build individual subdivisions." I'd be willing to bet that Compton Crest, Oak Ridge, Mahon Farm and all the other subdivisions along Baker Creek Road haven't generated as many complaints to the Planning Department as Baker Creek West has just by itself. Stafford plans to break the build into sections anyway. The community would get the individuality it has requested. The BPA powerline has a 60-foot easement that can't be built on and the land that Stafford wants to remove from its tax rolls – you know, the unbuildable flood plain AKA a park – will still be open space. We may be missing out on some stumps buried in the ground, but overall, I can't see that as much of problem.

Several hours and a couple of days into it, neither Google nor I could find a copy of Ordinance 4633. Charles Darnell of the Planning Department was very helpful as always and emailed me a copy. I was curious about how everything related to each other. For example, 4626 was repealed completely for the Baker Creek South decision. I assumed that 4633 was done to fulfill the requirements of 4626, and if so, was 4633 even applicable anymore? Then since PDA 2-19/Ordinance 5086 would completely repeal 4633 if it is passed, I was wondering why CPA 1-19/Ordinance 5084 was required. I assume that there's a reason for all the various paperwork repealing and superseding each other. I'm just looking forward to the arborvitae hedge being planted around the Baker Creek South apartments. While I didn't recommend 4506, and I certainly didn't vote for it, I did read it. Happy planting.

Patty O'Leary

## Chuck Darnell

---

**From:** Kellie Menke  
**Sent:** Tuesday, February 4, 2020 7:41 AM  
**To:** Chuck Darnell  
**Subject:** Fwd: McMinnville's NW Corner Deserves Bet

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Do you have this one?

Sent from my iPad

Begin forwarded message:

**From:** Rick Weidner <EFW333@comcast.net>  
**Date:** February 3, 2020 at 5:43:45 PM PST  
**To:** Scott Hill <Scott.Hill@mcminnvilleoregon.gov>, Sal Peralta <Sal.Peralta@mcminnvilleoregon.gov>, Wendy Stassens <Wendy.Stassens@mcminnvilleoregon.gov>, Kellie Menke <Kellie.Menke@mcminnvilleoregon.gov>, Zack Geary <Zack.Geary@mcminnvilleoregon.gov>, Remy Drabkin <Remy.Drabkin@mcminnvilleoregon.gov>, Adam Garvin <Adam.Garvin@mcminnvilleoregon.gov>  
**Subject:** McMinnville's NW Corner Deserves Better

**This message originated outside of the City of McMinnville.**

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Mr. Mayor and Councilors,

***I'd like to express my disappointment with the location of the proposed Stafford development.*** While I can't speak specifically to the need for housing and low income apartments, I can say the area currently being considered deserves better, especially in light of what is now under construction at the corner of Baker Creek and Hill. Seems a far better area would be on the east side of McMinnville, closer to established roadways that would be able to carry the additional traffic and offer the appropriate space for potential commercial use.

Throughout my career I worked with large scale developers up and down the West Coast. Whether they specialized in Commercial, Industrial or Residential, the ones that hit the biggest paydays followed the same formula: Tie up large tracks of land while

lobbying hard for entitlements and special conditions. Once approved, sell off much of the development to other developers and recoup the initial investment. Sound familiar?

Regarding adding 100,000 sq. feet of commercial development at this rural and historic crossroads, any developer investing in the property would hardly consider it an A or B class location. Let's face it, it's stuck in the NW corner of town. The resulting tenant mix might include [Plaid Pantry](#), Western Union, Subway, a nail saloon and tire store. In NW McMinnville?

Summary:

- Nice project, wrong location.
- It's folly to think this is a value add to NW McMinnville
- Those of us living in the area don't need commercial businesses when we have all that we need within a couple miles from home.
- We definitely don't need nor want the greatly increased traffic this development would bring

***I urge you to vote against the project. Keep what's left of "rural" McMinnville unique and rural. At least until the right plan comes along.***

Thank you.

Rick Weidner  
2075 SW Sailing Ct.  
McMinnville 📍  
916-803-3333

## Chuck Darnell

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**From:** Kari Rex <karirex3@gmail.com>  
**Sent:** Tuesday, February 4, 2020 10:20 AM  
**To:** Chuck Darnell  
**Subject:** Stafford Creek North  
**Attachments:** We sent you safe versions of your files; 2010 TSP & Policies.doc

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

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**This message originated outside of the City of McMinnville.**

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Good Morning Mr. Darnell,

Thank you for your time in reading this email. As a resident in Compton Crest, I am familiar with the ingress/egress traffic in our neighborhood onto Baker Creek Rd. I am also familiar with impact on neighborhoods having been a certified Real Estate Appraiser for 20 years in Yamhill County and surrounding areas.

Currently, we have bus routes and commuters coming in from out of town, and buses heading west for school children. This traffic alone has increased dramatically with the new subdivision off of Shadden which is currently adding traffic weekly as those homes are nearing completion. We will see even more traffic with the development underway off Baker Creek Rd. and Hill Rd. My serious concern is that this additional new traffic and future traffic is not being considered for our already overburdened Baker Creek Rd,

I have attached a proposal addressing goals and policies and I hope you will share this with our city council for your consideration.

Thank you for hearing our serious concerns.

Kind Regards,  
Kari Rex

# 1 Executive Summary

For the past decade, McMinnville policy-makers, staff and citizen volunteers have been preparing the City's long-range plan for growth. When originally drafted in 2003, the Growth Management and Urbanization Plan helped establish the City's vision for McMinnville:

a compact and livable community.

In support of the vision, stakeholders in the planning process also confirmed certain urban design principles to guide development through the City's land use and transportation plans. These core urban design principles include: ☐ preserving open space, ☐ preventing commercial strip development along arterials, ☐ promoting transit and pedestrian-oriented development, ☐ providing for economic growth and housing opportunities, ☐ strengthening the City's historic downtown, and ☐ connecting neighborhoods and land uses.

McMinnville initiated its Transportation System Plan (TSP) effort in 2005 to address statewide planning requirements. The purpose of the TSP is to identify a multi-modal plan that serves the City's long-range land use plan for growth. The TSP is for the 2003-2023 planning period<sup>1</sup>.

A dozen citizens were invited by the City Council to serve on the Plan's Transportation Advisory Committee to ensure that the TSP reflects the needs of the community. At the Committee's first meeting in November, 2006, the question was posed:

"What transportation issues do you feel need to be addressed in the TSP?"

Their response was telling, remarkably poignant and certainly aspirational:

☐ Livability – keep McMinnville's "Home Town" feel for generations to come ☐ Retain McMinnville's sense of place ☐ Funding - "How do we pay for it?" ☐ Impacts of proposed Newberg-Dundee Bypass and affect on local growth ☐ Accommodate growth differently – "let's not become another [insert offending city name here]" ☐ Bicycle lanes and a connected system are needed ☐ Travel in McMinnville to be an "experience" - with pleasant visual amenities ☐ McMinnville should be pedestrian-focused - facilities and network for safety and circulation ☐ Transit will become more important and help link activity centers, also pedestrian-focused, ☐ Better linkages between Downtown and neighborhoods ☐ The idea of passenger rail service to Portland should be explored ☐ Concern over City's major arterials, to, through and from McMinnville ☐ Desire a comprehensive transportation plan that accommodates growth, keeps traffic moving, conserves energy and reduces pollution, and ☐ Concern for public safety

How Was The TSP Prepared? The City of McMinnville has undertaken a study of the city-wide transportation system to address the combined impacts of urban development and major transportation improvements. The TSP study effort began in September 2005 with the inventory and assessment of the City's current transportation system.

In 2006 and 2007 the City worked with the Oregon Department of Transportation (ODOT) to prepare a travel demand model for the McMinnville urban area. The Model now enables the City to test the impact of future scenarios in a more detailed examination of future McMinnville Transportation System Plan May 2010

traffic demand on McMinnville’s major streets. The TSP study also included a comprehensive evaluation of all aspects of the transportation system, including street, transit, pedestrian, bicycle and freight mobility (trucking and rail). The study is culminated in the McMinnville TSP.

The McMinnville TSP was prepared with input from technical, policy, and community based sources. Inter-jurisdictional coordination and technical input in the study and review of the draft TSP was conducted through meetings with ODOT, the Department of Land Conservation and Development (DLCD) and Yamhill County.

A Transportation Advisory Committee (TAC) was formed, consisting of twelve citizens, appointed by the City Council, representing various neighborhood, bicycle, pedestrian and commercial/industrial interests. The TAC met four times to review and discuss incremental findings and recommendations of the TSP components, helping refine the ultimate TSP recommendations.

Public hearings were held with the McMinnville Planning Commission and City Council to discuss, revise and adopt the TSP findings and recommendations.

McMinnville’s TSP is an integrated compilation of a number of sections, including guiding goal and policies (Chapter 2), individual modal plans (Chapters 4-8), a funding plan (Chapter 9), and an implementation plan (Chapter 10).

In addition to local citizen concerns, McMinnville prepared its Plan to meet statewide planning requirements. As one of the states’ growing urban areas, McMinnville is tackling a variety of issues that can really be boiled down to one question: “How do you manage transportation growth to meet the City’s vision?”

As is reflected in the next nine chapters, McMinnville’s answer is essentially:

### Complete Streets

The historic layout and development of McMinnville’s major land use and street system, combined with other natural geographic constraints, is limiting the city’s ability to identify new street routes to address the impacts of growth. From a city-wide perspective there are too few east-west arterial connections spanning McMinnville. An example, Baker Creek Road and the combination of West 2nd Street and Wallace Road (major east-west routes) help frame the northwest corner of McMinnville. In between are the Michelbrook Country Club golf course and the city’s park, and on the edges are well-established residential neighborhoods. Realistically, there are no options to align a new arterial through existing neighborhoods and the Michelbrook Country Club. Given these constraints, the TSP development process naturally evolved with measures to optimize use of existing corridors, and ways to manage traffic conditions and enhance multi-modal access and safety along existing routes.

The McMinnville TSP was purposefully designed to address aforementioned stakeholder issues and statewide planning requirements. Given the city’s limited transportation network options, the TSP process and outcomes aligned neatly with the emerging Complete Street2 paradigm shift in transportation planning.

McMinnville's TSP recommends the completion of several of the City's major arteries and other streets by means of additional bicycle facilities, sidewalks and curb ramps and traffic turn lanes so that all travelers have a safe means to move about the City. The City's main arteries have already been laid out. Options for new routes are severely limited, given the many natural and man-made constraints in and around the McMinnville Urban Growth Boundary (UGB) area. Addressing McMinnville's TSP from a Complete Street perspective is not only natural, but uniquely local. Essentially, a Complete Streets policy ensures that the entire right of way is routinely designed and operated to enable safe access for all users.

In this Executive Summary are the highlights of McMinnville's TSP - a summary of the TSP development process, an outline of McMinnville's Complete Street Plan (with reference and guide to the individual TSP chapters), and a summary of major project recommendations, policies and implementation strategies.

## **2 Guiding Goal and Policies**

The McMinnville TSP is an integrated compilation of a number of sections, including the guiding goal and policies, individual modal plans, a financial plan, and an implementation plan. This Guiding Goal and Policies section includes the existing transportation related goal and policies from the McMinnville Comprehensive Plan, and supplemental TSP policies to guide the individual modal sections for a complete TSP. This chapter also summarizes policy guidance through recommended street functional classification and complete street design guidelines, recommended performance standards and access management policies, and coordination with state plans and policies.

McMinnville's major street corridors are largely well-established by historical development. In anticipation of growing vehicular travel, there are very limited opportunities for new arterial and collector street routing or significant street widening with additional travel lanes. As noted in Chapter 1, McMinnville citizens certainly seek transportation efficiency, but not as a sacrifice to its small town atmosphere or its desire to "keep McMinnville Livable."

As the City prepared its Growth Management and Urbanization Plan<sup>1</sup> (MGMUP), local stakeholders participated in forming the future vision for McMinnville: a compact and livable community. In support of the vision, stakeholders also expressed supportive urban design principles, including: ☐ strong direction for preserving open space, ☐ preventing commercial strip development along McMinnville's arterials, ☐ promoting transit and pedestrian-oriented development, ☐ providing for economic growth and housing opportunities, ☐ strengthening its historic downtown, and ☐ connecting neighborhoods and varied land uses.

The MGMUP includes several guiding principles, some of which point to transportation plan and design elements that helps guide development of the McMinnville TSP. Specific sub-elements of the MGMUP, UGB expansion guiding principle include: ☐ as many activities as possible should be located within easy walking distance of transit stops, ☐ the location and character of the community should be consistent with a larger transit network, ☐ streets, pedestrian paths and bike paths should contribute to a system of fully connected, interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees and lighting; and by discouraging high speed traffic, ☐ the community design should help conserve resources and minimize waste, and, ☐ the street orientation, the placement of buildings and the use of shading should contribute to the energy efficiency of the community.

The drafting of the TSP, with thoughtful direction from its citizen Transportation Advisory Committee (TAC), evolved into one emphasizing Complete Streets by (a) filling in the non-motorized facility gaps; (b) upgrading rural roadways within the Urban Growth Boundary to multi-modal, urban streets; and, (c) better managing of McMinnville's existing street system rather than major and costly capital improvements.

The TAC also sought a TSP that reflected locally-desired initiatives to focus on moving people not just cars with complete streets, and keeping the city livable. McMinnville's TSP requires a comprehensive set of goals, policies and plan proposals to help ensure the City grows toward a compact and livable community.

In the past four to five decades the private automobile has been the predominant mode of transportation in McMinnville. A complete transportation system must also consider the needs of other modes

of travel. Sidewalks for pedestrian travel, bicycles, public transit, school busses, commercial vehicles, emergency vehicles, air, and rail services are also part of McMinnville’s transportation system.

With regard to system connectivity, many of McMinnville’s existing streets already include sidewalk and bicycle facilities, but there remain significant gaps in the system (see Chapters 5 and 6) that make walking and bicycling difficult and inconvenient.

Goal and Policy Guidance The original transportation policies developed for McMinnville’s Comprehensive Plan in the early 1980’s are an excellent baseline for the TSP. The current transportation Goal and Policies of McMinnville’s Comprehensive Plan are found within Chapter VI of the City’s Goals and Policies document (Volume II of the McMinnville Comprehensive Plan). Appendix E includes the original Comprehensive Plan policies and some minor recommended revisions to reflect findings of the TSP.

McMinnville Comprehensive Plan Goal McMinnville’s Comprehensive Plan includes the following goal:

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

Supplemental TSP Policies Additional policies are needed for the City to address emergent challenges in the 21st century and fully support the concepts of Complete Streets. Supplemental policies for the successful adoption and implementation of McMinnville’s TSP as an integrated, multi-modal plan are recommended in this section. Furthermore, the individual modal chapters of the McMinnville TSP set forth additional

policies specific to each mode or plan chapter, which supplement this chapter.

Transportation System Plan ☒ The McMinnville Transportation System Plan incorporates the goals, objectives, policies, implementation strategies, plan maps, and project lists to guide the provision of transportation facilities and services in the McMinnville planning area. In addition to this chapter the TSP contains the following sections: o Street System Plan o Pedestrian System Plan o Bicycle System Plan o Public Transportation and Transportation Demand Management o Freight Mobility, Rail, Air and Pipeline Plans o Funding Plan and Capital Improvement Plan o TSP Implementation ☒ The McMinnville Transportation System Plan shall be updated as necessary to remain consistent with: (a) the city’s land use plan, (b) regional and statewide plans; and c) applicable local, state and federal law.

Complete Streets ☒ 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 Complete Streets policy is implemented: o Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below). o Incorporate features that create a pedestrian friendly environment (see Chapters 4 and 5), such as: ☒ narrower traffic lanes ☒ median refuges and raised medians ☒ curb extensions ("bulb-outs") ☒ count-down and audible pedestrian signals ☒ wider sidewalks ☒ bicycle lanes, and ☒ street furniture, street trees and landscaping o Improve pedestrian accommodation and safety at signalized intersections by: ☒ using good geometric design to minimize crossing distances and increase visibility between pedestrians and motorists ☒ timing signals to minimize pedestrian delay & conflicts ☒ balancing competing needs of vehicular level of service and

pedestrian safety **Multi-Modal Transportation System** ☒ The transportation system for the McMinnville planning area shall consist of an integrated network of facilities and services for a variety of motorized and non-motorized travel modes.

**Connectivity and Circulation** ☒ The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping and industrial areas, and McMinnville's parks and schools.

☒ New street connections, complete with appropriately planned pedestrian and bicycle features, shall be incorporated in all new developments consistent with the Local Street Connectivity map as shown Exhibit 2-1.

**Supportive of General Land Use Plan Designations and Development Patterns** ☒ The provision of transportation facilities and services shall reflect and support the land use designations and development patterns identified in the McMinnville Comprehensive Plan. The design and implementation of transportation facilities and services shall be based on serving current and future travel demand - both short-term and long-term planned uses.

**Regional Mobility** ☒ A balanced system of transportation facilities and services shall be designed for the McMinnville planning area to accommodate the mobility needs of residents, businesses, and industry.

**Growth Management** ☒ The construction of transportation facilities in the McMinnville planning area shall be timed to coincide with community needs, and shall be implemented so as to minimize impacts on existing development. Prioritization of improvements should consider the City's level of service standards (see below – Level of Service). ☒ Off-site improvements to streets or the provision of enhanced pedestrian and bicycle facilities in the McMinnville planning area may be required as a condition of approval for land divisions or other development permits.

**Transportation System and Energy Efficiency** ☒ The implementation of transportation system and transportation demand management measures, provision of enhanced transit service, and provision of bicycle and pedestrian facilities in the McMinnville planning area shall be embraced by policy as the McMinnville Transportation System Plan May 2010

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first choice for accommodating travel demand and relieving congestion in a travel corridor, before street widening projects for additional travel lanes are undertaken.

☒ The McMinnville Transportation System Plan shall promote alternative commute methods that decrease demand on the transportation system, options which also enhance energy efficiency such as using transit, telecommuting, carpooling, vanpooling, using flexible work schedules, walking, and bicycling (see Chapter 6).

**Transportation Safety** ☒ The City of McMinnville shall make the design, construction, and operation of a safe transportation system for all modes of travel a high priority.

**Public Safety** ☒ The safe, rapid movement of fire, medical, and police vehicles shall be an integral part of the design and operation of the McMinnville transportation system.

**Accessibility for Persons with Disabilities** ☒ The McMinnville transportation system shall be designed with consideration of the needs of persons with disabilities by meeting the requirements set forth in the Americans with Disabilities Act (ADA).

**Economic Development** ☒ Supportive of the mobility needs of businesses and industry, the McMinnville transportation system shall consist of the infrastructure necessary for the safe and efficient movement of goods, services, and people throughout the McMinnville planning area, and between other centers within Yamhill County and the Willamette Valley. The McMinnville Transportation System Plan shall include consideration of ways to facilitate and manage the inter-modal transfer of freight. ☒ The McMinnville Transportation System Plan shall promote methods that employers can utilize to: better

facilitate employee commuting; to encourage employees to use alternative commute methods to the single occupancy vehicle.

**Livability** ☒ **Transportation** facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways.

**Health and Welfare** ☒ Through implementation of its Complete Streets policy and the TSP by enhancing its pedestrian and bicycle systems, the City of McMinnville will help encourage greater physical activity and improved health and welfare of its residents.

**Transportation Sustainability** ☒ Through implementation of the TSP and the Comprehensive Plan, the City of McMinnville will, to the extent possible, seek measures that simultaneously help reduce traffic congestion, pollution, crashes and consumer costs, while increasing mobility options for non-drivers, and encouraging a more efficient land

## **E Comprehensive Plan Policies**

This appendix summarizes the McMinnville Comprehensive plan goal and policies relating to transportation.

The original transportation policies developed for McMinnville’s Comprehensive Plan in the early 1980’s are restated here. Further refinements and suggested revisions to these policies are made as part of the TSP study.

This appendix also includes a summary of those additional and supplemental policies recommended within the TSP. These policies are summarized based on the TSP Chapter from which they are cited.

#### McMinnville Comprehensive Plan Goal and Policies

The current transportation Goal and Policies of McMinnville’s Comprehensive Plan are found within Chapter VI of the City’s Goals and Policies document (Volume II of the McMinnville Comprehensive Plan). Consistent with State land use law, the goal, policies, and proposal statements are to be applied to all land use decisions, and are cited here as guidance to the McMinnville TSP. It is also helpful to restate the Comprehensive Plan’s definitions specific to goals, policies and proposal statements: goal statements are the most general principles; policy statements are directed to specific areas to further define the goal statements; and proposals are possible courses of action open to the City which shall be examined to further implement the goal and policy requirements. Each of these statement types further defined below:

**GOALS:** The broadly-based statements intended to set forth the general principles on which all future land use decisions will be made. Goals carry the full force of the authority of the City of McMinnville and are therefore mandated.

**POLICIES:** More precise and limited statements intended to further define the goals. These statements also carry the full force of the authority of the City of McMinnville and are therefore mandated.

**PROPOSALS:** The possible courses of action available to the City to implement the goals and policies. These proposals are not mandated; however, examination of the proposals shall be undertaken in relation to all applicable land use requests.

The implementation of these goals, policies, and proposals shall occur in one of two ways. First, the specific goal, policy, or proposal shall be applied to a land use decision as a criterion for approval, denial, or modification of the proposed request. In this case the goal, the policy, or the proposal is directly applied. The second method for implementing these statements is through the application of provisions and regulations in ordinances and measures created to carry out the goals and policies. This method involves the indirect application of the statements.

The McMinnville Comprehensive Plan states the following goal for transportation:

#### 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.

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Guide to Recommended Changes to Comprehensive Plan Policies The original policies from the McMinnville Comprehensive Plan are included in this section. Some of the policies are subject to recommended revisions noted in the TSP process as follows:

1. Insertion of new or replacement text to provide more current policy direction. These changes are noted in bold/underline. 2. Removal of policy text to reflect outdated or already completed policy direction. These changes are noted in bold/strikethrough.

### Public Transportation

Policies: 100.00 The City of McMinnville shall support efforts to provide facilities and services for mass transportation that serve the needs of the city residents. 101.00 The City of McMinnville shall cooperate with local, regional, and state agencies and private firms in examining mass transit possibilities and implementing agreed upon services. 102.00 The City of McMinnville shall place major emphasis on the land use development implications of large-scale regional mass transit proposals. Systems which could adversely affect the goals and policies as set forth in the plan should be closely evaluated. 103.00 The City of McMinnville shall encourage development of mass transit systems in existing transportation corridors where possible. 104.00 The City of McMinnville shall encourage a centrally located bus terminal, for intercity and intracity bus services. 105.00 The City of McMinnville shall examine the impacts of transportation proposals involving bus and/or rail terminals on surrounding land uses.

105.05 The City of McMinnville shall take into account driving and walking distances to schools when reviewing the design of future residential developments. Preferred designs would make those distances less than one mile where possible.

Proposals: 9.00 The City of McMinnville should continue to support the public transit system. Efforts to continue and expand services, if found feasible, should be supported.

### Transportation Disadvantaged

Policies: 106.00 The City of McMinnville, through public and private efforts, shall encourage provision of facilities and services to meet the needs of the transportation disadvantaged. 107.00 The City of McMinnville shall support attempts to coordinate existing and future services for the transportation disadvantaged to reduce duplication of efforts and facilitate complementary services.

Proposal: 12.00 Encourage coordination of services through the county transportation coordinator and the county transportation committee.

### Rail

Policies: 108.00 The City of McMinnville shall encourage the modification, relocation, or termination of rail activities that conflict with existing developed land uses in the City. 109.00 The City of McMinnville shall encourage the placement of future rail facilities in locations where conflicts with current and future surrounding land uses are minimal.

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110.00 The City of McMinnville shall insure, through zoning and other regulations, the compatibility of railroad facilities and adjacent land uses. For areas outside the core, compatible uses could include open spaces, farm activities, and industrial developments. 111.00 The City of McMinnville shall encourage the

screening of developments within the core area that are adjacent to the rail lines. Screening could include landscaping, noise barriers, fencing, or other measures. 112.00 The City of McMinnville shall encourage, through zoning and other regulations, the location of industrial lands adjacent to rail lines in areas where industrial uses will be compatible with surrounding land uses and where the goals and policies of this plan are met. 112.05 The City of McMinnville shall encourage and promote a passenger rail link between McMinnville and the Portland metropolitan area. 112.10 The City of McMinnville shall strongly encourage the State of Oregon, the Public Utility Commission, and the Willamette and Pacific Transportation Company to retain railroad rights-of-way in those instances where the tracks are no longer used for rail transport. Such retention may provide for future light rail transport, park systems, hiking, and bicycle trails.

Proposals: 13.00 [reserved] 14.00 Insure that residential and commercial uses do not encroach on future rail facilities and vice versa.

Air

Policies: 113.00 The City of McMinnville shall encourage the development of a basic transport airport facility as outlined in the 2004 Airport Layout Plan Report.

114.00 The City of McMinnville shall support future planning efforts involving the airport to incorporate changes federal, state, and city aviation and land use laws and policies. 115.00 The City of McMinnville shall encourage the development of compatible land uses in the vicinity of the airport as identified in current and future airport and comprehensive plans.

Streets

Policies: 117.00 The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel. 118.00 The City of McMinnville shall encourage development of roads that include the following design factors: 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land. 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards. 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors. 4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike and foot paths). 5. Installation of bike lanes on major collector and arterial streets and bike parking areas. 6. Installation of sidewalks on both sides of all streets and direct pedestrian connections to all buildings and shopping centers. 7. Accommodation of buses operating on collector and arterial streets by providing adequate radius curb return and bus stop areas. 8. Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be

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discouraged where opportunities for through streets exist. (As amended by Ord. 4573, November 8,

1994.) 119.00 The City of McMinnville shall encourage utilization of existing transportation corridors wherever possible before committing new lands. 120.00 The City of McMinnville may require limited

and/or shared access points along major and minor arterials, in order to facilitate safe access flows.

121.00 The City of McMinnville shall discourage the direct access of small scale residential

developments onto major or minor arterial streets and major collector streets. 122.00 The City of

McMinnville shall encourage the following provisions for each of the three functional road

classifications: 1. Major, minor arterials. o Access should be controlled, especially on heavy traffic-

generating developments. o Designs should minimize impacts on existing neighborhoods. o Sufficient

street rights-of-way should be obtained prior to development of adjacent lands. o On-street parking

should be limited wherever necessary. o Landscaping should be required encouraged along public rights-of-way. 2. Major, minor collectors. o Designs should minimize impacts on existing neighborhoods. o Sufficient street rights-of-way should be obtained prior to development of adjacent lands. o On-street parking should be limited wherever necessary. o Landscaping should be required encouraged along public rights-of-way. o As far as is practical, residential collector streets should be no further than 1,800 feet apart in order to facilitate a grid pattern of collector streets in residential areas. (as amended by Ord. No. 4573, November 8, 1994.) 3. Local Streets o Designs should minimize through-traffic and serve local areas only. o Street widths should be appropriate for the existing and future needs of the area. o Off-street parking should be encouraged wherever possible. o Landscaping should be encouraged along public rights-of-way. o Traffic volumes should be less than 1,000 to 1,200 vehicles per day. 123.00 The City of McMinnville shall cooperate with other governmental agencies and private interests to insure the proper development and maintenance of the road network within the urban growth boundary. 124.00 The City of McMinnville shall develop an access plan to accommodate development on Three Mile Lane (State Highway 18). The plan shall include specific details concerning the location of access points, the provision of left-turn refuges and acceleration-deceleration lanes, the connection of properties through the internal circulation system of roads, the responsibility for costs and the timing of required improvements. 125.00 The City of McMinnville shall adopt examine measures to control access onto U.S Highway 99W from heavy trafficgenerating developments. Planned development overlays, utilizing the access management guidelines, on new large commercially or industrial designated areas adjacent to the highway would give the City needed access controls.

Proposals: 16.00 Provision should be included in the McMinnville Urban Growth Boundary Management Agreement between the City of McMinnville and Yamhill County addressing the coordination responsibilities for roads within the Urban Growth Boundary.

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Parking

Policies: 126.00 The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes. 127.00 The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes. 128.00 The City of McMinnville shall continue to assist in the provision of parking spaces for the downtown area. Proposal: 19.00 The City of McMinnville should include an assessment of parking as part of the future transportation plans in the City.

Bicycle Facilities

Policies: 129.00 The City of McMinnville shall consider bikeways as a transportation alternative in future roadway planning. Bikeways on major and minor arterials and collector streets will be given highest priority for transportation related paths. 130.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan development of bikeways that connect residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities. 131.00 The City of McMinnville shall encourage implementation of the Bicycle System Plan to include shared-use paths in scenic and recreational areas as part of future parks and activities. 132.00 The City of McMinnville shall encourage development of subdivision designs that include shared-use paths

interconnect neighborhoods and lead to schools, parks, and other activity areas. 132.05 The City of McMinnville shall require bicycle parking areas with all new developments where people work or shop.  
Pedestrian Ways

Policies: 132.10 The City of McMinnville shall require direct pedestrian connections to all buildings including shopping centers. 132.15 The City of McMinnville shall require that all new residential developments such as subdivisions, planned unit developments, apartment and condominium complexes provide pedestrian connections with adjacent neighborhoods and neighborhood activity centers. 132.20 The City of McMinnville shall enhance pedestrian safety wherever practicable by improving crosswalks at street intersections consistent with the TSP.

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McMinnville TSP Policy Recommendations This section includes a summary of those additional and supplemental policies recommended within the TSP, categorized by the TSP Chapter from which they are cited.

## Chapter 2 – Guiding Goal and Policies

**System Plan** ☒ The McMinnville Transportation System Plan incorporates the goals, objectives, policies, implementation strategies, plan maps, and project lists to guide the provision of transportation facilities and services in the McMinnville planning area. In addition to this chapter the TSP contains the following sections: o Street System Plan o Pedestrian System Plan o Bicycle System Plan o Public Transportation and Transportation Demand Management o Freight Mobility, Rail, Air and Pipeline Plans o Funding Plan and Capital Improvement Plan o TSP Implementation ☒ The McMinnville Transportation System Plan shall be updated as necessary to remain consistent with: (a) the city’s land use plan, (b) regional and statewide plans; and c) applicable local, State and federal law.

**Complete Streets** ☒ 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 Complete Streets policy is implemented: o Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below). o Incorporate features that create a pedestrian friendly environment (see Chapters 4 and 5), such as: ☒ narrower traffic lanes ☒ median refuges and raised medians ☒ curb extensions ("bulb-outs") ☒ count-down and audible pedestrian signals ☒ wider sidewalks ☒ bicycle lanes, and ☒ street furniture, street trees and landscaping o Improve pedestrian accommodation and safety at signalized intersections by: ☒ using good geometric design to minimize crossing distances and increase visibility between pedestrians and motorists ☒ timing signals to minimize pedestrian delay & conflicts ☒ balancing competing needs of vehicular level of service and pedestrian safety **Multi-Modal Transportation System** ☒ The transportation system for the McMinnville planning area shall consist of an integrated network of facilities and services for a variety of motorized and non-motorized travel modes.

**Connectivity and Circulation** ☒ The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping and industrial areas, and McMinnville’s parks and schools.

McMinnville Transportation System Plan May 2010

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☒ New street connections, complete with appropriately planned pedestrian and bicycle features, shall be incorporated in all new developments consistent with the Local Street Connectivity map (see Chapter 2, Exhibit 2-1).

**Supportive of General Land Use Plan Designations and Development Patterns** ☒ The provision of transportation facilities and services shall reflect and support the land use designations and development patterns identified in the McMinnville Comprehensive Plan. The design and implementation of transportation facilities and services shall be based on serving current and future travel demand - both short-term and long-term planned uses.

**Regional Mobility** ☒ A balanced system of transportation facilities and services shall be designed for the McMinnville planning area to accommodate the mobility needs of residents, businesses, and industry.

**Growth Management** ☒ The construction of transportation facilities in the McMinnville planning area shall be timed to coincide with community needs, and shall be implemented so as to minimize impacts on existing development. Prioritization of improvements should consider the City's level of service standards (see below – Level of Service). ☒ Off-site improvements to streets or the provision of enhanced pedestrian and bicycle facilities in the McMinnville planning area may be required as a condition of approval for land divisions or other development permits.

**Transportation System and Energy Efficiency** ☒ The implementation of transportation system and transportation demand management measures, provision of enhanced transit service, and provision of bicycle and pedestrian facilities in the McMinnville planning area shall be embraced by policy as the first choice for accommodating travel demand and relieving congestion in a travel corridor, before street widening projects for additional travel lanes are undertaken.

☒ The McMinnville Transportation System Plan shall promote alternative commute methods that decrease demand on the transportation system, options which also enhance energy efficiency such as using transit, telecommuting, carpooling, vanpooling, using flexible work schedules, walking, and bicycling (see Chapter 6).

**Transportation Safety** ☒ The City of McMinnville shall make the design, construction, and operation of a safe transportation system for all modes of travel a high priority.

**Public Safety** ☒ The safe, rapid movement of fire, medical, and police vehicles shall be an integral part of the design and operation of the McMinnville transportation system.

**Accessibility for Persons with Disabilities** ☒ The McMinnville transportation system shall be designed with consideration of the needs of persons with disabilities by meeting the requirements set forth in the Americans with Disabilities Act (ADA).

**Economic Development** ☒ Supportive of the mobility needs of businesses and industry, the McMinnville transportation system shall consist of the infrastructure necessary for the safe and efficient movement of goods, services, and people throughout the McMinnville planning area, and between other centers within Yamhill County and the Willamette Valley. The McMinnville Transportation System Plan  
McMinnville Transportation System Plan May 2010

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shall include consideration of ways to facilitate and manage the inter-modal transfer of freight. ☒ The McMinnville Transportation System Plan shall promote methods that employers can utilize to: better facilitate employee commuting; to encourage employees to use alternative commute methods to the single occupancy vehicle.

**Livability** ☒ Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public transit, bikeways, sidewalks, and walkways.

**Health and Welfare** ☐ Through implementation of its Complete Streets policy and the TSP by enhancing its pedestrian and bicycle systems, the City of McMinnville will help encourage greater physical activity and improved health and welfare of its residents.

**Transportation Sustainability** ☐ Through implementation of the TSP and the Comprehensive Plan, the City of McMinnville will, to the extent possible, seek measures that simultaneously help reduce traffic congestion, pollution, crashes and consumer costs, while increasing mobility options for non-drivers, and encouraging a more efficient land use pattern.

**Aesthetics and Streetscaping** ☐ 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.

**Intergovernmental Coordination and Consistency** ☐ The City of McMinnville shall coordinate its transportation planning and construction efforts with those of Yamhill County and the Oregon Department of Transportation (ODOT). McMinnville's transportation plan shall be consistent with those developed at the regional and state level.

**Chapter 4 – Street System Plan** This section outlines a series of supplemental policies intended to help guide the Street System Plan. These are intended to complement the policies already included and summarized in Chapter 2 of the TSP.

**Growth Management** ☐ Mobility standards will be used to evaluate the transportation impacts of long term growth. The City should adopt the intersection mobility standards as noted in Chapter 2.

☐ **Conditions of Approval** - in accordance with the City's TSP and capital improvements plan (CIP), and based on the level of impact generated by a proposed development, conditions of approval applicable to a development application should include: o Improvement of on-site transportation facilities, o Improvement of off-site transportation facilities (as conditions of development approval), including those that create safety concerns, or those that increase a facility's operations beyond the City's mobility standards, and o Transportation Demand Management strategies.

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☐ **Multi-modal Improvements** - to manage growth, improvements to transportation facilities may include both motorized and nonmotorized facilities improvements, constructed in accordance with the City's minimum design standards. ☐ **Transportation SDCs** - the City should update its transportation systems development charge (SDC) to address growth-related traffic impacts.

**Circulation** ☐ **Residential Street Network** - a safe and convenient network of residential streets should serve neighborhoods. When assessing the adequacy of local traffic circulation, the following considerations are of high priority: o Pedestrian circulation, o Enhancement of emergency vehicle access, o Reduction of emergency vehicle response times, o Reduction of speeds in neighborhoods, and o Mitigation of other neighborhood concerns such as safety, noise and aesthetics.

☐ **Limit Cul-de-Sacs** - cul-de-sac streets in new development should only be allowed when connecting neighborhood streets are not feasible due to existing land uses, topography, or other natural and physical constraints.

☐ Limit Physical Barriers - the City should limit the placement of facilities or physical barriers (such as buildings, utilities, and surface water management facilities) to allow for the future construction of streets that facilitate the establishment of a safe and efficient traffic circulation network.

☐ Establish Truck Routes - to support the efficient and safe movement of goods and freight, the City should establish and identify truck routes to the city's major destinations. Such routes should be located along arterial roadways and should avoid potential impacts on neighborhood streets. (see Chapter 8 – Truck Route Plan)

☐ Modal Balance - the improvement of roadway circulation must not impair the safe and efficient movement of pedestrians and bicycle traffic.

☐ Consolidate Access - efforts should be made to consolidate access points to properties along major arterial, minor arterial, and collector roadways.

☐ Promote Street Connectivity - the City shall require street systems in subdivisions and development that promote street connectivity between neighborhoods.

Street Width – Human Scale ☐ Generally, a major arterial street should not be widened beyond two through lanes in each direction with auxiliary turn lanes as appropriate. Minor arterials and collector streets should not be widened beyond one through lane in each direction with auxiliary left-turn lanes as appropriate. Major arterial streets with more than five lanes and minor arterial and collector streets with more than three lanes are perceived as beyond the scale that is appropriate for McMinnville.

Neighborhood Traffic Management ☐ Implementation - the City should adopt and implement its Neighborhood Traffic Calming Program (see Appendix I).

☐ 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: o Traffic circles,

## Chuck Darnell

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**From:** Melba Smith <b17-lady@comcast.net>  
**Sent:** Tuesday, February 4, 2020 11:18 AM  
**To:** Chuck Darnell  
**Subject:** Stafford Baker Creek North development

This message originated outside of the City of McMinnville.

ATTENTION TO WHOM IT LMA Y CONCERN; FORWARD TO CITY COUNCIL MEMBERS FOR REVIEW;

I wish to present this written testimony to be officially considered, regarding the many homes, multi-family units to be built on Baker Creek North.

The approval of such a large number of dwellings will forever alter the peaceful and 'family' atmosphere with a tremendous amount of traffic daily. With this approved development, coming on the heels of the recently approved Oakridge Meadows (108 units) and the Stafford Baker Creek South , West and East, with another 400 units. This one mile stretch of Baker Creek Road will be a nightmare for traffic situations and continue to get worse as the construction trucks and equipment would destroy the existing roads ways. Unless 'construction' roads are put in to handle all the large vehicles, it will be total chaos. This problem exists NOW, not when there will be another 1000 housing units added to the traffic burden.

It appears a lot of these problems have never been considered, or just not caring about the existing residences and their established homes.

I would suggest perhaps if the 'lots' sizes were enlarged to have a more park-like yard settings, it would reduce the number of vehicles parked in the street for lack of space on their property. I do not oppose homes being built, but only in the manner of trying to build so many in a small space so it ends up looking like military barracks. (the current homes being built are often referred to as the 'Army Barracks' housing area), rightly so when you see them crammed together . Most of the residence's streets are very narrow and with parking on both sides will be a hazard for passage , especially construction vehicles. This is something that apparently was not considered when some of these developments were approved. This will prove to be a huge problem and it will be interesting how they will resolve this problem once construction starts. Wider streets must also be considered in any of the developments.

Respectfully,

Melba Smith, USAF (ret)  
2780 NW Pinot Noir Drive  
McMinnville, Oregon 97128

503 472 2360

February 4, 2020

City of McMinnville Planning Department  
Attn: Charles Darnell  
213 NE Fifth Street  
McMinnville, Oregon 97128

RE: January 28 City Council Hearing on Stafford North Development; Letter of Concern

Dear Mr. Darnell,

Please pass this letter of concern to City Council members.

I submitted a letter of concern prior to the January 28<sup>th</sup> City Council hearing on Stafford North development. This second letter provides addition traffic related concerns which indicate that approval of Stafford's six applications and subsequent build-out of Baker Creek North would result in exceeding the current capacity of Baker Creek Road.

According to a representative from the City of McMinnville at the January 28<sup>th</sup> hearing, Baker Creek Road has a design capacity of 10,000 vehicles per day. This may not be the official number but it is what I recall hearing.

A privately funded traffic volume count of Baker Creek Road was conducted over a two day, 48 hour period from January 22-23, 2020. Vehicle data was collected near the intersection of Merlot Drive and Baker Creek Road. Here's a summary:

<u>Date</u>	<u>East Bound</u>	<u>West Bound</u>	<u>Total</u>	<u>Average</u>
Tuesday, 22 Jan	4,079	4,018	8,097	
Wednesday, 23 Jan	3,999	4,044	8,043	8,070

Homes under construction and developments already approved by the City must be added to the current Baker Creek volume of 8,070 daily trips. Baker Creek West and East are currently in build out. These developments consist of 208 homes. Let's assume 65% of these homes have already been built and sold and associated vehicle traffic is included in the 8,070 number above. The remaining 35% of unbuilt homes results in 689 new daily trips (73 homes x 9.44 trips/home). The 70 unit Baker Creek West apartments will generate 661 trips (70 units x 9.44 trips/day). The already City approved 108 home Oak Ridge Meadows will generate 1,020 additional daily trips (108 x 9.44 trips/home). **Together, they lead to 2,370 additional daily trips.**

The actual count of 8,070 trips + 2,370 new daily trips generated from the above described developments **results in 10,440 daily trips**. This number is above the 10,000 daily trip capacity of Baker Creek Road **before** the Baker Creek North development is factored into the equation.

How will it look when Baker Creek North development is factored in? The proposed 280 home Baker Creek North will generate 2,643 daily trips. The 120 Baker Creek North apartments will generate 1,133

daily trips. **Together, the development will generate 3,776 daily trips.** What does that do to Baker Creek Road capacity? 10,440 daily trips + 3,776 daily trips from Baker Creek North **results in 14,216 daily trips.**

Approving and constructing new homes in McMinnville **must** consider our existing and planned road infrastructure. The 2010 McMinnville Transportation System Plan provides goals and policy guidance the City Council should take into consideration, including:

- Chapter 2, page 2-4:: “Through implementation of the TSP and the Comprehensive Plan, the City of McMinnville will, to the extent possible, **seek measures that simultaneously help reduce traffic congestion, pollution, crashes** and consumer costs, while increasing mobility options for non-drivers, and encouraging a more efficient land use pattern.”
- Chapter 2, page 2-3: “The construction of transportation facilities in the McMinnville planning area **shall be timed** to coincide with community needs, and shall be implemented so as to minimize impacts on existing development.”
- Chapter 2, page 2-3: “**Off-site improvements to streets** or the provision of enhanced pedestrian and bicycle facilities in the McMinnville planning area **may be required as a condition of approval for land divisions or other development permits.**”

Chapter 3 of the 2010 McMinnville Transportation System Plan provides “Travel Demand Model” estimates for the years 2003 and 2023 for the major highways and streets in McMinnville. Exhibit 3-8 on page 3-10 shows the intersection of Baker Creek Rd and Pacific Highway colored red – meaning **estimated travel demand exceeds road capacity (V/C).**

Exhibit 3-9 on page 3-11 estimates 2023 PM Peak Hour V/C on Baker Creek Road. Much of Baker Creek Rd is colored red with some yellow. Translation: **the capacity of this road will be exceeded at some times of the day.** This conclusion is backed up by my earlier narrative.

Analysis contained in the 2010 McMinnville Transportation System Plan, coupled with actual current day traffic volume data, **leads me to the conclusion that a decision to approve the Baker Creek North applications should not occur until an updated traffic study is conducted.** To do otherwise risks the “exceptional quality of life” objective contained in the City’s new 2019 Strategic Plan.

In closing, I’m wondering about “due diligence” by City staff in assessing traffic impacts associated with Stafford’s proposal. It should not take private citizen initiatives and funding to do what City staff should be doing. Presently, the decision package contains too many unknowns, traffic being just one of them. In my former military high level staff experience, an executive body (consisting of General Officers) wouldn’t even entertain a decision of this magnitude until every (City) department and key stakeholder had provided concurrence or non-concurrence with comment.

Markus Pfahler  
2515 West Wind Dr.  
McMinnville, OR 97128

## Chuck Darnell

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**From:** Linda Lindsay <lindsaylinus@gmail.com>  
**Sent:** Tuesday, February 4, 2020 2:52 PM  
**To:** Chuck Darnell  
**Subject:** Comment: Stafford North Comment

**This message originated outside of the City of McMinnville.**

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February 4, 2020

Mr. Darnell and City Council members,

As I was working on collating the data and organize one of my points of concern regarding this development, I had the opportunity to see Mr. Pfahler's comment letter sent today. I could not say my thoughts any clearer on the traffic issue that approval of this development will cause than what he presented.

It sure seems to me something so very important to the citizens of our great community deserves the time and correct information to base such a huge decision on. I disagree whole heartily with the traffic study provided by Stafford and Charbonneau, as well as the response from Charbonneau to the study provided by the citizens.

There is only one way out of the properties south of Baker Creek and that is on to Baker Creek road, which is identified as a minor arterial. It won't work no matter how many comments the Stafford crew provides... We have already approved 2 large projects that are and will drop onto this street. Does anybody really think this road can handle approximately 900 new housing units plus commercial plus new schools ? It just WON'T work no matter how much Stafford would like it to.

At the last hearing they commented that if they didn't get what they wanted on 20, they would no longer pursue this project, but apply for single subdivisions. I think that's a great idea !!! Perhaps by then our Great Neighborhood Principles will be applicable.

Please consider those that will have to live with the ramifications, both today and for generations to come.

Thank you for your commitment to our community and time.

Sincerely,

Linda Lindsay

**Chuck Darnell**

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**From:** Nancy Larsen <snlarsen@onlinenw.com>  
**Sent:** Tuesday, February 4, 2020 2:50 PM  
**To:** Chuck Darnell  
**Subject:** Baker Creek North Subdivision

**This message originated outside of the City of McMinnville.**

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Good Afternoon Chuck,

Please submit my below email to the McMinnville Planning Department and the City Council. Thanks!

When I reviewed the traffic study that was submitted to the Planning Department in July 2019 something didn't seem right. Then a light went on - school was out for the summer when the study was done. This study can't be accurate. I talked to Mike Colvin, and we decided to do our own traffic study using All Traffic Data Services. Here is a short review of the traffic study taken on January 22<sup>nd</sup> and 23<sup>rd</sup>, 2020 on Baker Creek Rd. The study was conducted on a twenty four hour basis - not four hours as the developer had done. On the 22<sup>nd</sup> of January the twenty four hour count was 8,097 vehicles, and on the 23<sup>rd</sup> it was 8,043. This study did not include traffic coming and going from Crimson Court, Mahon Farm, and Crestbrook subdivisions as the counting strips were laid just west of Crestbrook. Using the traffic criteria supplied by the traffic company you would add 9.44 trips per day per home and 7.32 per apartment. Crimson Court, 13 homes = 123 trips per day, Mahon Farm, 23 homes = 217 trips per day, and Crestbrook, 38 homes = 359 trips per day for a total of 699 more trips per day added to the traffic count we had done. Now the total is 8,796 trips per day which equals 40% more trips per day than the developer's

study. Then we need to add in the homes not completed or occupied in Baker Creek East (61 homes X 9.44 trips per day = 576 trips per day), Baker Creek West (111 homes X 9.44 trips per day = 1,048 trips per day) and Baker Creek West apartments (70 apartments X 7.32 trips per day = 512 trips per day). Then there is Oakridge Meadows which is already approved for 108 units for 1,020 trips per day. If you should approve Baker Creek North with the present 280 homes and 120 apartments, that will add another 3,521 trips per day. All this new construction off of Baker Creek Rd. will increase the traffic 80+%. If we review the TSP plan for Baker Creek Rd. that was approved by the mayor and one of the present city councilors in 2010, something seems wrong or we must not be paying attention to the TSP. The TSP called for less density in the NW corridor, and before any new subdivisions be approved, Baker Creek Rd. needs to be upgraded to handle all the traffic.

At the City Council meeting on January 28, 2020, the Planning Commission showed a study showing traffic on Baker Creek Rd. was going to increase 2.5% for the next 10 years. When Baker Creek East and Baker Creek West is completed as approved it is going to increase the traffic at least 17+% in the next year or two. This is showing me the study that was completed on Baker Creek Rd. for future road traffic is not accurate. This is not including Oak Ridge Meadows which has already been approved for development.

Respectfully submitted by  
Scott C. Larsen

When my husband and I first began to gather information about the Premier Development in the wetlands off Baker Creek we had three experiences. The first time after we turned from the counter to leave, a woman's voice said, "*They're nice people, too bad they're going to lose.*" Really? Isn't the Planning Department supposed to be *objective*? The second time we visited the PD, an angry female informed us that if it's in the urban growth boundary, it's going to be built on. We came back a third time and this time met with a male staff person (not Jamie) who also stridently informed us that if it's in the urban growth boundary, it's going to be built on. This was before Premier ever submitted their plans. Citizens waste their time bringing their concerns to the PD, Planning Commission and City Council. Meetings are only boxes to be ticked, not places of compromise and collaboration.

We raised many points in objection to the development of the wetlands – traffic, delineation problems, flooding issues. One council member brushed it all aside by stating that the homeowners should have known what they were getting into. Several of the property owners did do their due diligence and made trips to the Planning Dept. speaking with the Planning Director at the time. They were told that nothing would ever be built on the land below the homes. They shared their good news with the rest of the neighbors. So much for due diligence. But we should have known. Our fault.

When we raised our points before you, you asked the PD for comments. Could this entire mess have been avoided by requiring the applicant to get the required state and federal permits. Ms. Richards comment? "*These are very complex issues.*" This is only one example where you asked good questions but accepted hazy responses instead of demanding clear answers.

You are voting for another development. The density at the corner of Hill and Baker Creek is mind-boggling. This development, like Premier's, has one traffic exit point, to the south. North and West are county land. East is another approved development with the same problem. You didn't feel that putting 1200 vehicles a day past two blocks of homes was a problem so I'm sure you don't see this invasion of homes a problem either. Doing a traffic study at this point is a waste of time and money. Why? Because you already have not one, not two, but three developments on the opposite corner under construction. Dense developments, one of which is Stafford's. A traffic study today doesn't reflect what will be a congested reality when all the new dense construction is finished. And the information gleaned from the study just completed only serves to tick yet another box to show we're following the rules instead of actually thinking.

Another example of this box-ticking mentality is the problem with the areas identified as wetlands and flood plains. No matter how many pictures of flooding we presented we were told that we had to use outdated maps. How absurd! The homes won't be built on a map, they will be built on land which this year is flooding when the map-identified flood plain is not. But that was okay with the PD, the Planning Commission and the City Council. You voted to approve. The planning process is representing the developers and the state – not the people of McMinnville. How many times have developers come before you when the people have objected and yet you voted to approve? Over and over again.

Government is supposed to be of by the people, by the people and *for* the people. Rules are made *for people*. The Planning portion of our government is all about The Plan for growth. When citizens object, it's just too bad. The Plan for growth will be forced on the people whether they like it or not.

We gave it our best shot. We were voted down. We felt our concerns were dismissed. Our requests for compromises weren't acknowledged. We asked to preserve one tree. We asked for crosswalks. In the dark of winter children cross Baker Creek to meet their school bus across three lanes of traffic. Too bad. We felt we were treated as political adversaries rather than respected as citizens. We were accused in print by Ms. Richards of spreading mis-information. Someone wanted to be right more than they wanted to listen and compromise. It was easy to lay blame on the homeowners, saying we should have known and ignore the voices from the county. It was easy to dismiss what you didn't want to hear by labeling this a NIMBY issue. You had a valuable opportunity to work with the county, but pushing this development through was more important. The other fail-safe cry is "affordable housing". Mention that and approval is almost guaranteed, even if none of the homes turn out to be affordable!

The people grow weary of bringing their concerns to you and finding those concerns ignored. I don't care how many times you leave this development open for comment if all you do is approve the development. You're still not listening. The people aren't being heard.

If government is to work, both sides have to do their part. Meetings were structured to discourage citizen input. Citizen input was demeaned. I would ask that the PD be instructed to be objective about the plans submitted instead of approving them before they ever cross the desk, and then be held accountable.

I still want crosswalks on Baker Creek. If the mass of humanity to be housed in these two developments wants to connect with the city's walking trails, they need some protection to cross three lanes of busy traffic. I want protection for our children. Now. Not at some future date on paper. We live now, not on paper.

When government no longer represents the people, the people have to take action. We have an obligation to make government work here, at home. We don't want houses with three foot easements built in cookie-cutter style. We don't want roads and homes built in wetlands. We don't want parks that can't be maintained. Last year we held a special election because government wasn't working. The people voted. Compromise was found. If government won't listen to what the people are willing to support and what they won't support, our only recourse is to perform city planning at the ballot box.

You are here to do a job: represent the people. Don't lose sight of your purpose. Listen to the people. Have a heart *for the people you* were elected to represent especially the member whose job is to represent this district! Make government work *for the people*, not the developers or the Planning Department or the state. Before you vote, ask yourself – who will this hurt? Who will this benefit? You're good people who signed up to do a difficult job. Thank you.

Cathy Goekler  
2684 NW Pinot Noir Dr  
McMinnville OR 97128

February 4, 2020

McMinnville City Council  
C/O McMinnville Planning Department  
City of McMinnville  
213 NE Fifth Street  
McMinnville, OR 97128

**Via Electronic Mail**

**Re:** Baker Creek North PUD  
CPA 1-19 Comprehensive Plan Map Amendment  
ZC 1-19 Zone Change  
PDA 1-19 Planned Development Amendment  
PD 1-19 Planned Development  
S 1-19 Tentative Subdivision  
L 12-19 Landscape and Street Tree Plan

Dear Mayor Hill and Members of the McMinnville City Council:

The McMinnville City Council held a public hearing on Tuesday, January 28, 2020 to consider the development applications referenced above concerning the Baker Creek North PUD. At the conclusion of the hearing the Council left the record for these matters open for Applicant and opponents to submit additional written evidence, arguments, or testimony by Tuesday, February 4, 2020. Stafford Development Company is committed to providing new housing opportunities in the city of McMinnville that address all levels of housing needs in the community.

With this purpose in mind, Stafford submits the following evidence, arguments, and testimony in response to testimony and evidence presented to the Council during the public hearing on January 28 and in support of the applications generally.

**Traffic Impacts – Baker Creek Road**

During the public hearing held on Tuesday, January 28, 2020, several individuals offered anecdotal testimony regarding their personal perceptions of current travel conditions on Baker Creek Road and the present state of city of McMinnville's transportation system generally.

Opponents also entered a document into the record they claimed measures average daily vehicle trips on Baker Creek Road east of Merlot Drive over two 24-hour periods on Wednesday, January 22, 2020, and Thursday, January 23, 2020.

Proponents asserted, without providing any foundational evidence concerning the document's origin, the manner in which the data was collected, or offering any analysis by an Oregon

registered professional engineer with special expertise in transportation engineering, that the document showed an average of 8,070 daily vehicle trips on Baker Creek Road over the two day sample periods. During testimony before the Council, the document's proponents stated their beliefs that the Baker Creek North project would result in unacceptable volume-to-capacity ratios on Baker Creek Road and other undefined "safety" impacts. Opponents' testimony and the documentary materials they submitted do not constitute substantial evidence from which a reasonable person could conclude that the proposed development will result in unacceptable v/c ratios on Baker Creek Road or create "safety" concerns for the following reasons:

- The city's Transportation Master Plan states that minor arterials are intended to be 2-lane or 3-lane streets capable of carrying up to 20,000 vehicles per day. Baker Creek Road is classified as a minor arterial that is capable of supporting up to 20,000 vehicle trips per day. (See City of McMinnville Transportation Master Plan, Table 2-1 - Street Functional Classification Descriptions.)
- The city is in the process of converting Baker Creek Road from a two-lane configuration to a three-lane configuration between Hill Road and Crimson Court. The new configuration will include two travel lanes, a continuous left turn lane, and bike lanes.
- Applications PD 1-19 and S 1-19 do not propose any commercial or multi-family development activities.
- Applicant submitted a traffic impact report prepared Frank R. Charbonneau, PE, an Oregon registered profession engineer with special knowledge and expertise in transportation engineering. The report's scope and study area were defined with input provided by city of McMinnville staff.
- The city of McMinnville's mobility standard for intersection operations requires a volume-to-capacity ratio ("v/c ratio") of **0.90** or less.
- Mr. Charbonneau's report includes a "worst case scenario" capacity analysis that concludes the proposed subdivision **AND** 100,000 square feet of commercial development on a 10-acre area will have the following impacts at full build-out:
  - The traffic report projects that the 280-lot subdivision will generate approximately 2,643 average daily trips.
  - That the 100,000 square feet of commercial uses would generate approximately 3,775 average daily trips.

*However, the “worst case scenario” described in Applicant’s traffic study will never be built.*

- Application PD 1-19 reduces the gross commercial area for the site from 10 acres to 6.2 acres. The conditions of approval for PD 1-19 require a minimum of 5 acres be developed with commercial uses. The conditions of approval also require 24 percent of the commercial area to be dedicated to landscaping and interactive community uses. Together, these conditions reduce the net area available for commercial development to approximately 3.75 acres, which could be expected to support, at most, approximately 38,000 square feet of space for commercial uses. The resulting reduction in the area available for commercial development will lower the number of vehicle trips the commercial area of the site will generate over 60 percent to approximately 1,434 daily trips, or fewer.
- The stop-controlled intersection of Baker Creek Road at Meadows Drive will experience an acceptable v/c ratio of **0.20** or less through 2029, no signal warrants are triggered, and no mitigation is required.
- The stop-controlled intersection of Baker Creek Road at Shadden Drive will experience an acceptable v/c ratio of **0.16** or less through 2029, no signal warrants are triggered, and no mitigation is required.
- The City’s Capital Improvement Plan proposes to install a traffic light at Baker Creek North and Michelbook Lane in 2023 using a combination of SDC funds (*which the proposed development will directly contribute funds to through payment of SDC assessments*) and general funds. The traffic signal will maintain a v/c ratio at Michelbook lane to an acceptable level of 0.70.

The record clearly demonstrates that commercial uses on the site can be expected to generate approximately 1,434 daily trips. *This would reduce total trips on Baker Creek Road to 12,147 daily trips, which is substantially below Baker Creek Road’s design capacity of 20,000 vehicle trips per day.*

The record presently before the city council for this matter does not contain any expert testimony from an Oregon registered professional engineer with special expertise in traffic engineering or other evidence of any kind that contradicts the findings and recommendations contained in the Charbonneau Report or that would allow a reasonable person to conclude that the proposed residential development will adversely affect the vehicle capacity or other safety considerations on Baker Creek Road.

**PD 1-19 Condition 18**

Applicant has requested the Council to modify widths of the driveway apron in the right-of-way above the standard of 40 percent of lot width allowed by Ordinance 4071 under Chapter 12.20 (see Exhibit 3 Drawing EXH-5). Applicant sought approval of the variation for driveway widths by lot type as the fifth in a list of modifications requested (Narrative p. 11) to meet the planned development's special objectives, particularly objective #9 (Narrative Page 91). The flexibility sought is minor, which should lead City Council to find the request may be allowed in a planned development under Chapter 17.51.

The Applicant seeks 3-car garages on large lots referred to as SFD-70 and SFD-60 at Baker Creek North. A 3-car garage on a 70-foot wide lot served by a standard 28' wide driveway would result in the driver side being pinched down two feet less than the 30' width requested, which would mean the driver would likely step out of the car into grass instead of pavement (see Exhibit 1: SFD-70 Driveway attached). A 3-car garage on a 60-foot wide lot served by a standard 24' wide driveway would result in insufficient width for vehicles to independently enter and exit the driveway over the sidewalk.

In all cases, the third car on the end would have only 4' to pass from the driveway apron onto the lot at the pinch point, assuming 10' per parked car. This would result in the vehicles wheels clipping the corner constantly and damaging the driveway edge, sidewalk edge, and vegetation and irrigation in the planter strip at the edge of the driveway wing (see Exhibit 2: SFD-60 Driveway attached).

The request for a 30' width on both these lots is to allow safe ingress and egress for both the vehicle and pedestrians, meeting the special objective of adequate parking for the development. The 40 percent standard does not achieve this, which is why the Applicant requests the modification as part of the Planned Development.

To better understand how the current condition of approval text was created consider the following:

The Applicant requested driveway widths in the right-of-way as follows:

- SFD-70 = 30'
- SFD-60 = 30'
- SFD-50 = 20'
- SFD-45 = 18'
- SFD-40 = 20'

Staff and the Planning Commission recommended the following:

- SFD-70 = Standard 28'



- SFD-60 = Standard 24'
- SFD-50 = 20' width request meets standard of 20'
- SFD-45 = 18' width request meets standard of 18'
- SFD-40 = 20', width request received Staff and Planning Commission recommended approval

Current COA #18 (PD 1-19) text creates ambiguity because it is suggesting the standard for the width of a driveway *on the lot*, when the code involves regulation of the width *in the right-of-way*. The code does not regulate the driveway width on the lots, thus the condition text needs to be revised to deleted extraneous information.

The proposed modification to add 2' of width to the SFD-70 driveway width standard and 6' of width to the SFD-60 driveway width standard is a reasonable means to accomplish the goals. However, should the City Council find 30' wide driveways are not warranted, the Applicant requests the City Council find to support a compromise to at least approve the width of the SFD-60 driveways as 28', same as a standard SFD-70 lot's driveway width is proposed. In order to do that the Applicant requests the following action be taken:

**Request City Council to direct Staff to write findings to approve 28' driveways on SFD-60 lots, and Revise COA #18 (PD 1-19) accordingly per the requested changes below to simplify and clarify intent to regulate width within the right-of-way.**

Requested changes (Deleted text indicated by strikethrough, added text indicated by bold/underline. Existing text is with normal font.):

COA #18 (PD 1-19):

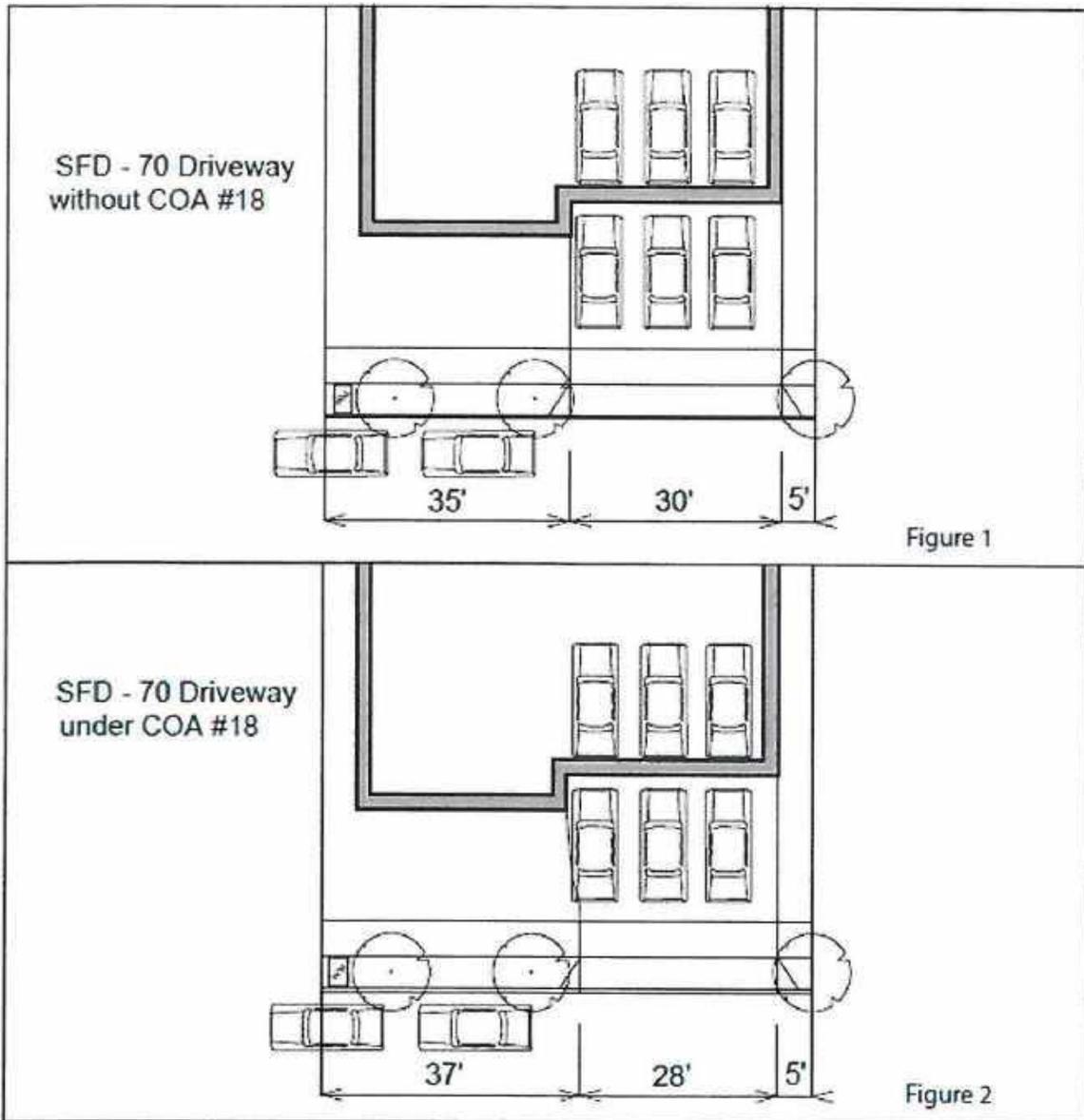
That driveways on each private lot shall be the maximum width requested by the applicant depending on the type of lot. Except for SFD-40, **SFD-60 and any lots on a curve,** the driveway width shall be tapered down at the property line and not exceed the maximum 40 percent driveway width required by Section 12.20.030(B) between the property line and the street, **unless otherwise approved by the City Engineer as permitted in Section 12.20.080.** **SFD-60 lots may have maximum driveway widths of 28 feet between the property line and the street.**

SFD-40 lots may have maximum driveway widths of 20 feet between the property line and the street.

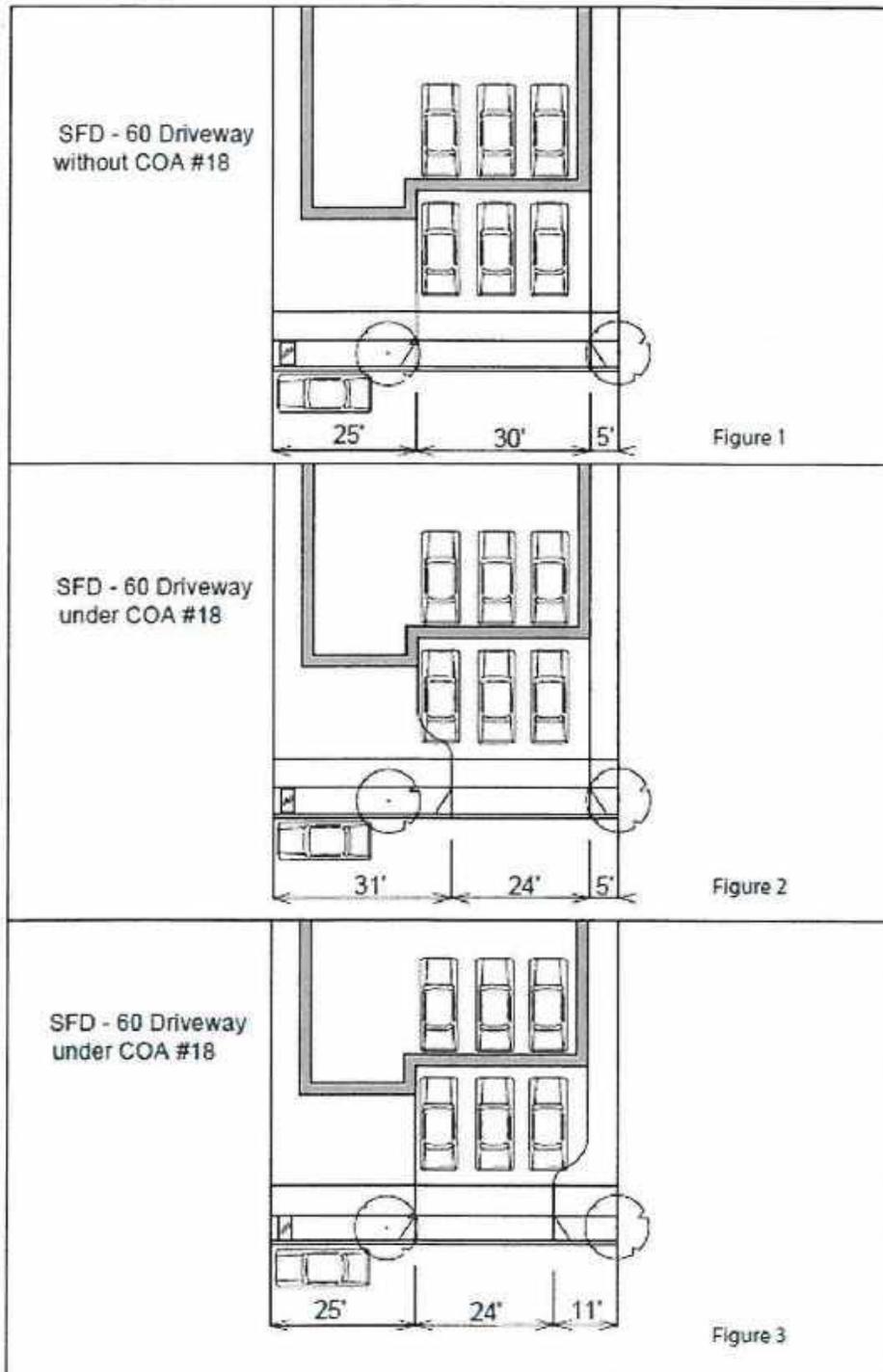
The maximum driveway width on the private lot for each lot type shall be:

- a. SFD-70 and SFD-60 Lots: 30 feet wide driveways
- b. SFD-50 and SFD-40 Lots: 20 feet wide driveways
- c. SFD-45 Lots: 18 feet wide driveways

### Exhibit 1: SFD - 70 Driveway



### Exhibit 2: SFD - 60 Driveway



**PD 1-19 Condition 20<sup>1</sup>**

Condition 20 of Application PD 1-19 proposes to impose a new, unique, one-of-a-kind design review process that will require the Planning Director to review and approve exterior building elevation plans for all residential dwelling units that are proposed to be constructed in the Baker Creek North PUD prior to construction. The review standards include building facade elevations, roof designs, siding and window trim details, lighting, building materials, paint schemes, paint colors, and requirements for variations of building elevations between lots.

Chapter 17.74.020 of the McMinnville Zoning Ordinance sets out review criteria for Comprehensive Plan Map amendments and zone changes. Chapter 17.74.020 is applicable to Condition 20 because the conditions of approval for ZC 1-19 state that the zone change shall not take effect unless and until the Council approves PD 1-19. As applicable to Condition 20, Chapter 17.74.020 states in part:

In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan *shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.* (Emphasis added.)

Chapter 17.51.030 describes the procedures the Council must observe when a planned development proposal is submitted for consideration. 17.51.030(E) imposes limitations on the Council's ability to attach conditions of approval to planned development proposals. Specifically, subsection (E) states:

The Commission may attach conditions to carry out the purpose of this ordinance *provided such conditions are not used to exclude needed housing or unnecessarily reduce planned densities, and do not result in unnecessary costs or delays.* (Emphasis added.)

The purpose of the city's Planned Development Ordinance is set forth in Chapter 17.51.010. The stated purposes include:

1. Provide greater flexibility and greater freedom of design in the development of land than may be possible under strict interpretation of the zoning ordinance;

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<sup>1</sup> Condition 11 of Application No. S 1-19 includes a condition of approval that is identical to Condition 20. The City of McMinnville's Subdivision Ordinance to not grant the city's Planning Commission or the City Council the ability to attach conditions of approval to a tentative subdivision proposal that would impose design restrictions on homes built in the subdivision. The Council must first make required findings to attach Condition 11 to Application PD 1-19 before it may attach Condition 11 to Application S 1-19.



2. Encourage a variety in the development pattern of the community;
3. Encourage mixed uses in a planned area;
4. Encourage developers to use a creative approach and apply new technology in land development;
5. Preserve significant man-made and natural features;
6. Facilitate a desirable aesthetic and efficient use of open space; and create public and private common open spaces.

Chapter 17.51.030(E) requires the Council to make the following Findings based on substantial evidence contained in the record before it may attach Conditions of Approval to a Planned Development application:

1. The Conditions are necessary to carry out the purpose of the city's Planned Development Ordinance;
2. The Conditions do not exclude needed housing or unnecessarily reduce planned densities; and
3. The Conditions do not result in unnecessary costs or delays.

The findings offered to support the Council's adoption of Condition 20 fail to include any discussion or analysis that demonstrate the Council has considered or applied the purposes described in Chapter 17.51.010 or that Condition 20 is necessary to carry out one or more of the stated purposes of the Planned Development Ordinance. The Council may not adopt Condition 20 in the absence of these required findings.

Approximately 28 percent of the lots in the Baker Creek North PUD will be "small" lots that are designed to support housing priced at levels that will be attainable by a broader segment of homebuyers.

The findings offered to support the Council's adoption of Condition 20 fail to include any discussion or analysis that would permit the Council to conclude that Condition 20 will not exclude needed housing. The Council may not adopt Condition 20 in the absence of these required findings.

Most importantly, the findings offered to support the Council's adoption of Condition 20 fail to include any discussion or analysis that would permit the Council to conclude that Condition 20 will not result in any unnecessary costs or delay to construct housing, and particularly "needed

housing,” within the proposed Baker Creek North PUD. The Council may not adopt Condition 20 in the absence of these required findings.

In addition to the absence findings necessary to support the adoption of Condition 20, Applicant notes that the design standards contained in Condition 20 do not include clear and objective review criteria that staff may rely upon to determine if exterior elevation plans comply with the applicable standards.

To the contrary, Condition 20, as presently written, requires and permits staff to exercise virtually unfettered discretion and judgment when it applies the design standards contained in Condition 20. The absence of clear and objective review standards in Condition 20 makes it impossible for the Council to quantify what actual costs increases may result and whether Condition 20 will effectively exclude needed housing.

Applicant notes that the record for this matter includes testimony by several homebuilders that presently construct new homes in the city of McMinnville that the new design review criteria contained in Condition 20 would increase the cost to construct new homes in the Baker Creek North PUD. In furtherance of the testimony the home builders presented at the hearing, Applicant offers the following additional factual testimony regarding how Condition 20 will unnecessarily increase the cost to construct housing in the Baker Creek North PUD, and only the Baker Creek North PUD:

- Condition 20 will require builders in the Baker Creek North PUD to revise architectural drawings and structural engineering calculations for homes they presently construct in McMinnville and other jurisdictions to comply with design review requirements that will apply in the Baker Creek North PUD, and only the Baker Creek North PUD. Applicant conservatively estimates that the cost to revise architectural plans to comply with Condition 20 may range from \$800 to \$1,200, depending on the size of the home, and \$800 - \$1,000 to prepare new structural engineering calculations, again, depending on the size of the home. The total cost to create new house plans to comply with the design review requirements contained in Condition 20 could range from \$1,600 to \$2,200. This figure becomes more significant considering that Condition 21 states “no same home design shall be built in adjacency to another, including both sides of the street.” The term “adjacency” is vague and ill-defined and, as written, grants staff an exceptional amount of discretion without any clarifying standards to determine how far the same or “similar home designs” must be spaced apart from one another.
- Applicant conservatively estimates that the requirement to require articulations in side walls could increase the cost to construct new homes in the Baker Creek North PUD \$2,000 to \$3,000, and the cost to construct articulations in rear elevation walls could increase construction costs \$1,000 to \$3,000. Cost increases may be attributable to structural framing changes for shear walls; increased foundation costs to address ;



additional beam structures, increased siding material and installation costs, increased costs for roofing and soffits, increased costs for gutters and down spouts, etc.

- Applicant conservatively estimates that the multiple roof design requirements described in Condition 20 could increase the cost to construct new homes in the Baker Creek North PUD \$2,000 to \$3,000. Cost increases may be attributable to increased labor and material costs for structural framing; increased costs for roof trusses; increased material and installation costs for roof sheathing, roofing materials, and gutters and down spouts.
- The requirement to provide “windows” on all elevations is vague and ill-defined and, as written, grants staff an undefined degree of discretion to determine how many windows that builders will be required to include without any clarifying standards or criteria. This is significant because increasing the number and size of window openings in structural walls necessarily increases both material and labor costs to comply with structural framing requirements. Depending on the number and size of window openings staff may require, this requirement could increase the cost to construct housing in the Baker Creek North \$500 - \$1,000 per elevation.
- The design review standards in Condition 20 related to roof design requirements, the requirement to include vertical breaks on side and rear wall elevations, and window installations will not permit homes to be designed and constructed using a “prescriptive path” design methodology.
- During the hearing members of the Council questioned staff whether Condition 20 would include a “cost recovery mechanism.” It is well understood that “cost recovery mechanism” is a euphemism for a “fee” imposed on builders and/or homeowners to permit the city to recover staff’s cost to perform a specific, development-related task. In this instance, the task would be staff’s time to review building elevation plans to verify they comply with the design review standards contained in Condition 20 and additional time for staff to inspect a home after it is constructed, and prior to the issuance of an occupancy permit, to confirm the home was constructed in the manner prosed and in compliance with the requirements contained in Condition 20. If the city imposes a new fee to recover its costs to enforce the design review requirements contained in Condition 20 it will necessarily increase the costs to construct new, needed housing in the Baker Creek North PUD, and only the Baker Creek North PUD. Moreover, homeowners in the Baker Creek North PUD, and only the Baker Creek North PUD, would be required to submit a land use application and pay an accompanying review fee if they wished to do something as simple as replace a home’s front entry door, install new exterior lighting, or change the paint colors on their home.

Stafford Development appreciates the opportunity to present these supplemental materials to assist the Council in its decision-making process. Stafford Development further appreciates the opportunity to continue working with city staff to craft workable solutions that will strengthen and enhance the design qualities of the Baker Creek North PUD and make it a Great Neighborhood.

Very truly yours,



Gordon Root, Manager  
Stafford Development Company

**MEMORANDUM**

Date: February 4, 2020

To: Bryan Cavaness  
Land Development Manager  
Stafford Development Company  
8840 SW Holly Lane  
Wilsonville OR 97070

From: Frank Charbonneau, PE, PTOE

Subject: Traffic Count Review  
Baker Creek Road, McMinnville



FL2013

Recently Stafford Development provided a copy of the traffic counts on Baker Creek Road that were furnished by the neighborhood representatives. The data included two days of 24-hour classified traffic counts conducted on January 22<sup>nd</sup> & 23<sup>rd</sup>, 2020. The counts were recorded on Baker Creek Road east of Merlot Drive and west of Michelbook Lane.

In reviewing the data the neighborhood's January data yielded a maximum AM peak hour count of 742 vehicles (two-way volume). Their maximum PM peak hour count equated to 751 vehicles (two-way volume).

The counts used in the traffic study for the Baker Creek North development were collected in July 2019 and included peak hour counts at the Baker Creek Road and Michelbook Lane intersection. The two way count totals recorded on Baker Creek Road west of the intersection yielded totals of 482 vehicles and 762 vehicles for the AM & PM peak hours, respectively.

By comparison the neighborhood's count data is substantially higher in the AM peak hour than the AM volume applied in the traffic study. However, in the PM peak hour the traffic study's total is higher than both the AM & PM peak hour volumes collected by the neighborhood.

The PM peak hour in this case represents the critical analysis hour because the street volumes were higher than the AM values and the proposed development generates the highest number of site trips within this PM period.

We are confident that the Baker Creek Development traffic study dated July 2019 analyzed the worst case traffic scenario and sufficiently determined the associated impacts. Therefore, it is recommended that the City support the traffic study as it stands without consideration of any additional count data.

If you should have any questions, please contact Frank Charbonneau, PE, PTOE at 503.293.1118 or email [Frank@CharbonneauEngineer.com](mailto:Frank@CharbonneauEngineer.com).

## Chuck Darnell

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**From:** Mike Colvin <mikecolvin49@gmail.com>  
**Sent:** Wednesday, February 5, 2020 3:29 PM  
**To:** Chuck Darnell  
**Subject:** Response to Stafford's claim that All Traffic Data's information doesn't qualify

**This message originated outside of the City of McMinnville.**

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PLEASE FORWARD TO THE CITY COUNCIL

Chuck,

I saw that Stafford is questioning the validity of our traffic study. Here is the companies information .

The company that did the study was: ALL TRAFFIC DATA

We had the traffic counter placed between Pinehurst street and Merlot street.

The man I dealt with was Conley Bergh. He was in Portland. But they must be at least a regional company because I sent the check to an address in Colorado.

Conley's contact information if you need to verify anything is:

phone - 503-804-3294

email - [conleybergh@alltrafficdata.net](mailto:conleybergh@alltrafficdata.net)

I realize that the traffic volume on our study was much higher than the half day study Stafford had done. But, I am sure that ours is the accurate one. I'm not sure that the Hill Road project was done yet when Stafford's traffic study was done - and Hill was blocked in many areas during that last month as landscaping projects were being completed, the roundabouts were being built, etc. Quite a few drivers avoided Baker Creek Road during that time. Plus, I didn't see where the traffic counter was located. So, traffic could have been detoured around the counter.

We weren't aware that we had to turn the company's name and contact information in with the study results. Hopefully this is adequate.

Thanks,

Mike Colvin

February 11, 2020

McMinnville City Council  
C/O McMinnville Planning Department  
City of McMinnville  
213 NE Fifth Street  
McMinnville, OR 97128

**Via Electronic Mail**

**Re:** Baker Creek North PUD  
Applicant's Supplemental Comments

Dear Mayor Hill and Members of the McMinnville City Council:

Stafford requests the Council to consider the following evidence, arguments, and testimony in response to new written testimony and evidence entered into the record through Tuesday, February 4, 2020:

**I. Driveway Width Exception.**

Section 12.20.030(B) of the McMinnville Municipal Code permits driveways on lots between 20 and 75 feet to be up to 40 percent of the lot's frontage width. Thus, the standard allowable driveway widths are: 28 feet for SFD-70 lots; 24 feet for SFD-60 lots; 18 feet for SFD-45 lots and 16 feet for SFD-40 lots.

**Applicant has requested the Council to grant a variance through the PUD process that would allow driveways for SFD-70 and SFD-60 lots to be 30 feet wide, and SFD-40 lots to be 20 feet wide.**

The Planning Commission recommended approval of Applicant's request to increase driveway widths on SFD-40 lots to 20-feet on the private property portions of the driveway *and* the curb drop and driveway apron between the property line sidewalk and the street.

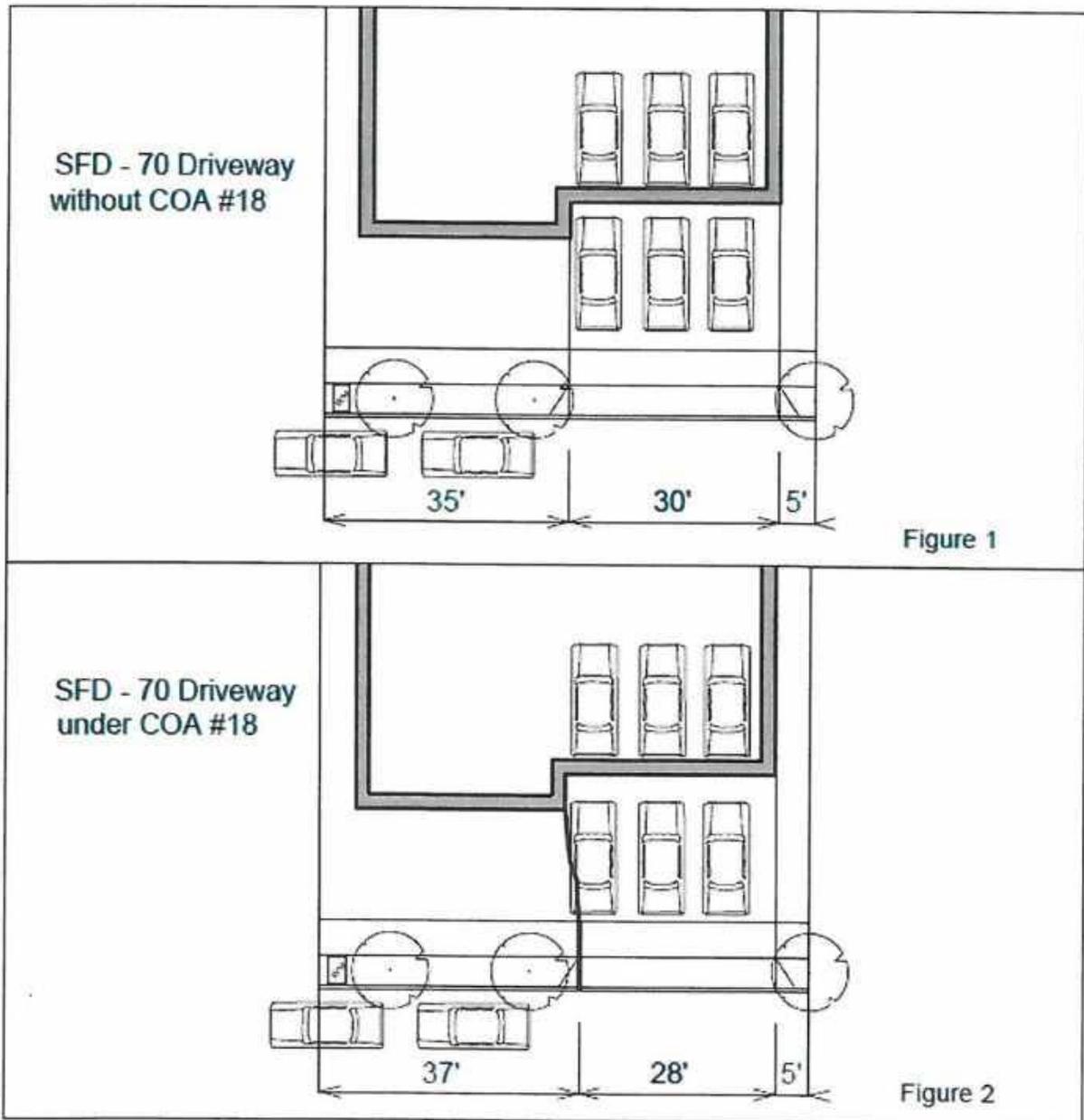
The Planning Commission recommended approval of Applicant's request for 30' wide driveways on the *private property* for SFD-70 and SFD-60 lots, *but* denied Applicant's request as it applies to the curb drop and driveway apron between the property line and the public street.

Homebuyers in the McMinnville market area have demonstrated exceptionally strong preferences and desires for homes that offer three-car garages. Driveways that serve three-car garages also offer the added benefits of reducing demands for on-street parking. SFD-70 and SFD-60 lots in the Baker Creek North PUD will provide homebuyers a unique opportunity to purchase homes that offer this sought-after three car garage amenity.

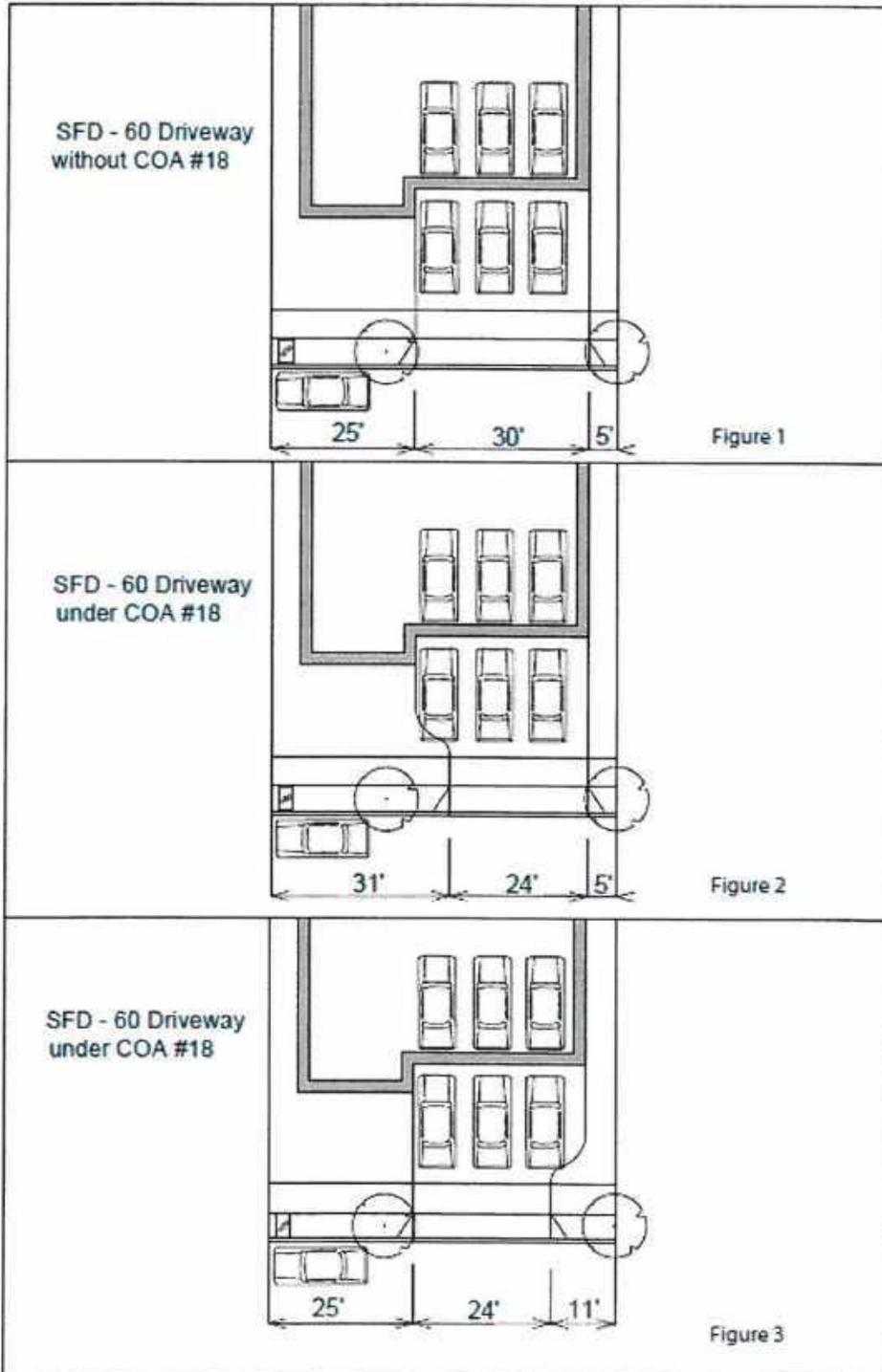
The Planning Commission's recommendation requires applicant to "neck down" driveway widths in the area between the sidewalk and the street 2-feet on SFD-70 lots to a maximum width of 28 feet, and 6-feet on SFD-60 lots to a maximum width of only 24 feet. Driveways that serve three-car garages require a minimum width of 30-feet to safely enter and exit garage doors. A 30-foot wide driveway also affords the area required for homeowners and their guests to safely negotiate around parked vehicles to access the home's front entry, garage, and side yard area.

Stafford included several drawings in its February 4, 2020 submittal to the Council (which are also included herein for easy reference) that visually demonstrate the direct impacts "necking down" driveway approach widths between the property line and the street will have on homeowners' abilities to fully utilize the private portion of the driveway area and to safely access the garage and home generally. As shown below and in Figures 2 and 3 of Exhibit 2, the requirement will negatively impact the usability of driveways and garages on SFD-70 lots, and it will make the third garage bays and off-street parking areas on SFD-60 lots extremely difficult to navigate for their intended purposes.

## Exhibit 1: SFD - 70 Driveway



### Exhibit 2: SFD - 60 Driveway



“Necked down” driveways are uncommon designs that are not frequently found in residential subdivisions in McMinnville or the surrounding area. Stafford expects that homeowners, and more likely their visitors and guests, will fail to recognize or anticipate the “necked down” areas and that they will drive over sidewalks, curbs, and landscaped areas to access the home’s garage and off-street parking areas, which will result in damage to driveway and sidewalk edges, curbs, and vegetation and irrigation installed in the planter strip areas.

The Planning Commission rejected Applicant’s request to adjust the driveway width standard for SFD-70 and SFD-60 lots based on undefined “conflicts and disruptions” that might occur “within the pedestrian environment along the sidewalks within the public right-of-way.” The Planning Commission’s decision does not attempt to quantify, nor does it discuss how the driveway width adjustments the Applicant has requested will interfere with or disrupt pedestrian movements on sidewalks.

To the contrary, the Planning Commission’s conclusion that the adjustment will create “conflicts and disruptions . . . along sidewalks within the public right-of-way” is not based on a rational analysis and does not justify the Planning Commission’s recommendation on this issue.

The Planning Commission recommended approval of driveway separations for SFD-40 lots measured at the sidewalk that will range from 10-feet where driveways abut one another to a maximum separation of 25-feet.

The Planning Commission’s recommendation to deny Applicants request to adjust driveway widths for SFD-60 and SFD-70 lots fails to consider the fact that driveway separations on SFD-60 lots with the requested adjustment will range from 10-feet (where driveways abut one another), to a maximum separation of 45-feet, and that the maximum separation for SFD-70 lots with the requested adjustment increases to 65-feet.

Given these conditions, it is extremely difficult to justify the Planning Commission’s conclusions that a 45-foot or 65-foot separation between driveways will create “conflicts and disruptions . . . along sidewalks within the public right-of-way.”

Applicant believes that the driveway width adjustments it has requested for SFD-60 and SFD-70 lots are reasonable and that the variances are required to meet homebuyers’ demands and expectations for new housing in the McMinnville area. Therefore, Stafford asks the Council to approve its request to grant a variance through the PUD process that would allow driveways for SFD-70 and SFD-60 lots to be 30 feet wide, and SFD-40 lots to be 20 feet wide.

## II. Density

### 1. The Baker Creek PD exceeds planned densities.

**Applicant's Response:** Evidence in the record demonstrates the gross density of the single-family residential element of the Baker Creek North PUD is 23 percent lower than the planned density of the area generally, and the maximum gross density of the Baker Creek North PUD is 17 percent lower than the area's planned density.

The Baker Creek PD contains approximately 55.32 acres. The McMinnville Growth Management and Urbanization Plan ("MGMUP") anticipates that this area will allow for the development of up to 481 residential units at an overall gross density of 8.7 dwelling units per acre.

Applicant's Planned Development and Tentative Subdivision applications (PD 1-19 and S 1-19) propose to develop only 280 new residential units at an overall gross density of only 5.75 dwelling units per acre.

The Planned Development Amendment application (PDA 1-19) would allow up to 120 multi-family residential units to be constructed within the commercial element of the Baker Creek North PD.

The total number of residential units in the Baker Creek PD would rise to no more than 400 units and a gross density that would not exceed 7.2 dwelling units per acre.

### III. Traffic Concerns

1. **Traffic counts taken on January 22, 2020 and January 23, 2020 show a higher average daily trip count than Applicant's traffic study.**

**Applicant's Response:** The materials Applicant submitted on February 4, 2020 include comments offered by Applicant's traffic engineer that analyze the vehicle counts reported in the document opponents submitted into the record. The supplemental report notes that the PM peak hour traffic count data opponents entered into the record are lower than both the AM peak hour and the PM peak hour traffic counts Applicant's traffic study relied on.

The supplemental report explains that the PM peak hour count is the critical analysis hour because the Baker Creek North PD will generate the most vehicle trips during the PM peak hour and existing PM street volumes are higher than the AM values.

Since Applicant's traffic study relies on PM peak hour traffic counts that are higher than the PM peak hour counts shown in the more recent traffic counts opponents entered into the record, there is no rational basis to assert that the traffic counts opponents measured would significantly alter the conclusions or recommendations contained in Applicant's traffic study. Likewise, the traffic count data opponents submitted into the record offers no rational basis to conclude that Applicant's traffic study did to consider worst case traffic scenarios based on the best and most recently available data or the impacts the proposed development will have on Baker Creek Road.

2. **Vehicle trips generated by the Baker Creek North PD will not exceed the capacity of Baker Creek Road.**

**Applicant's Response:** Baker Creek Road a minor arterial. Minor arterials are designed and intended to carry up to 20,000 vehicle trips per day. The record reflects that Baker Creek Road is presently functioning in the manner it was designed. The record also contains testimony provided by city staff that states Baker Creek Road and the Baker Creek Road/Hill Road traffic circle will continue to function as designed after trips the Baker Creek North PD is projected to generate are added to the existing background traffic counts.

Opponents have not offered any analysis by an Oregon registered professional engineer with special expertise in traffic engineering or other substantial evidence of any kind that conclusively demonstrates traffic the proposed Baker Creek North PD is projected to generate will exceed the designed carrying capacity of Baker Creek Road or cause the Baker Creek Road/Hill Road traffic circle to exceed its designed carrying capacity.

Applicant agrees that Exhibit 3-9 of the city's 2010 Transportation Systems Plan ("2010 TSP") projects that the 2023 PM Peak Hour v/c ratio on the westbound lane of Baker Creek Road may exceed 1.00. The city's Capital Improvement Plan proposes to address this condition by installing a new traffic light at the intersection of Baker Creek Road and Michelbook Lane in 2023. The traffic light will reduce the v/c ratio at this location to an acceptable level of 0.70, and homes constructed in the Baker Creek North PD will pay transportation impact fees that will be available to help fund costs the city will incur to install the new traffic light.

**3. The Baker Creek Road/Hill Drive traffic circle may be too small to accommodate traffic the Baker Creek North PD will generate.**

**Applicant's Response:** Opponents question whether the diameter of the traffic circle that forms the intersection of Baker Creek Road and Hill Road is adequate to carry the added traffic the Baker Creek North PD is projected to generate. The record contains testimony provided by city staff that states Baker Creek Road and the Baker Creek Road/Hill Road traffic circle will continue to function as designed after trips the Baker Creek North PD is projected to generate are added to the existing background traffic counts.

Opponents' comments are not supported by any substantive examination based on any formal study or analysis of empirical data or generally accepted principles of transportation engineering. The comments are speculative opinions that offer no rational basis to conclude that Applicant's traffic study did not consider worst case traffic scenarios based on the best and most recently available data or sufficiently consider the impacts the proposed development will have on Baker Creek Road/Hill Road traffic circle.

#### **IV. Development in Wetland and Flood Plains.**

##### **1. Homes and roads will be constructed in wetland and flood plain areas.**

**Applicant's Response:** Opponents claims are simply untrue and are likely recycled comments submitted in opposition to a previous development application from a different developer for a different project. The Baker Creek North PD does not propose to construct any public or private improvements on any lands the City of McMinnville has designated as being wetland or flood plain areas, or that are or may be subject to regulation by the Oregon Division of State Lands or the United States Army Corps of Engineers.



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

[www.mcminnvilleoregon.gov](http://www.mcminnvilleoregon.gov)

# MINUTES

**December 5, 2019**  
**Planning Commission**  
**Regular Meeting**

**6:30 pm**  
**McMinnville Civic Hall, 200 NE 2<sup>nd</sup> Street**  
**McMinnville, Oregon**

**Members Present:** Chair Roger Hall, Commissioners: Erin Butler, Martin Chroust-Masin  
Susan Dirks, Roger Lizut, Amanda Perron, and Lori Schanche

**Members Absent:** Christopher Knapp and Gary Langenwalter

**Staff Present:** Heather Richards – Planning Director, Chuck Darnell – Senior Planner, and  
Spencer Parsons – Legal Council

## 1. Call to Order

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

## 2. Citizen Comments

None

## 3. Public Hearing:

### **A. Quasi-Judicial Hearing. Comprehensive Plan Map Amendment, Zone Change, Planned Development Amendment, Planned Development, Tentative Subdivision, and Landscape Plan Review (CPA 1-19 / ZC 1-19 / PDA 2-19 / PD 1-19 / S 1-19 / L 12-19) (Exhibit 1)**

Request: Approval of six concurrent actions.

- 1) Comprehensive Plan Map Amendment on the southwestern portion of the site to reduce the size of an existing area designated as Commercial on the Comprehensive Plan Map. The proposed amendment would result in 4.76 acres of existing Commercially designated land being designated as Residential;
- 2) Zone Change from mix of R-1 (Single Family Residential) and EF-80 (remnant County Exclusive Farm Use zone from prior to annexation) to a mix of 6.62 acres of C-3 (General Commercial) and 48.7 acres of R-4 (Multiple Family Residential);
- 3) Planned Development Amendment to reduce the size of the existing Planned Development Overlay District governed by Ordinance 4633 to the size of the proposed 6.62 acre C-3 (General Commercial) site and amending the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site;
- 4) Planned Development to allow for the development of 280 single family detached dwelling units, public right-of way improvements, and open spaces on the proposed 48.7 acres of R-4 (Multiple Family Residential) land with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages,

driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities;

- 5) Tentative Subdivision to allow for a 10-phase subdivision including a total of 280 single family detached dwelling units, public right-of-way improvements, and open spaces consistent with the proposed Planned Development plan;
- 6) Landscape Plan Review for the landscaping of proposed open space tracts within the subdivision phases and a street tree plan for the planting of street trees in the planter strips within the right-of-way adjacent to the single family dwelling unit lots.

Location: The subject site located Northeast corner of the intersection of NW Hill Road and NW Baker Creek Road. It is more specifically described as Tax Lots 100, 105, 107, Section 18, T. 4 S., R. 4 W., W.M. and a portion of Tax Lot 106, Section 18, T. 4 S., R. 4 W., W.M.

Applicant: Stafford Development Company, LLC

6:31 Opening Statement: Chair Hall read the opening statement and described the application.

6:36 Disclosures: Chair Hall opened the public hearing and asked if there was any objection to the jurisdiction of the Commission to hear this matter. There was none. He asked if any Commissioner wished to make a disclosure or abstain from participating or voting on this application. There was none. Chair Hall asked if any Commissioner 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. Chair Hall asked if any Commissioner had visited the site. If so, did they wish to discuss the visit to the site? Several members of the Commission had visited the site, but had no comments to make on the visits.

6:37 Staff Presentation: Senior Planner Darnell said this was a request for six land use applications associated with the Baker Creek North project. He described the subject site. The Comprehensive Plan Map amendment would reduce the size of an existing area designated as Commercial from 11.3 acres to 6.62 acres and the remaining 4.76 acres would be designated as Residential. The Zone Change request was to change the current mix of R-1 and EF-80 to a mix of 6.62 acres of C-3 (General Commercial) and 48.7 acres of R-4 (Multiple Family Residential). The Planned Development amendment would reduce the size of the existing Planned Development Overlay District to the size of the proposed 6.62 acre C-3 (General Commercial) site and amend the conditions of approval of the Commercial Planned Development Overlay District to allow up to 120 multiple family dwelling units and require a minimum of 2 acres of neighborhood commercial uses on the site. The fourth application would create a new Planned Development to apply to the R-4 (Multiple Family Residential) land on the site to allow for the development of 280 single family detached dwelling units with modifications from the underlying zoning requirements for lot size, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities. The tentative Subdivision would correspond to that Planned Development and would allow for a 10-phase subdivision of the 280 single family detached dwelling units and all associated improvements. A Landscape Plan application for the subdivision had also been submitted which included tree removal requests, street tree plan, and landscaping areas. All of these applications were going through a concurrent process and the Planning Commission would be making a recommendation to the Council on all the applications.

Senior Planner Darnell showed maps of the parcel and of the requests. The majority of the parcel was zoned EF-80 which was a remnant of the County Exclusive Farm Use zone when the property was annexed into the City. There was a portion of R-1 on the site and some of the park donation site was zoned Flood Plain, consistent with the FEMA 100 year floodplain line.<sup>732</sup>The

non-floodplain areas would be changed to a mix of 6.62 acres of C-3 (General Commercial) and 48.7 acres of R-4 (Multiple Family Residential). He also showed a map of the development plan for the subdivision. He then reviewed the Comprehensive Plan Map amendment and Zone Change criteria. He explained the Comprehensive Plan goals that applied to this request including encouraging growth, diversification of the economy, and promoting development and quality housing for all City residents. The City had a deficit of both commercial and residential land. Even though this would be reducing commercial land, it would provide more residential land and he noted the housing policies were given added emphasis in the Comprehensive Plan. There was a housing need in the City to warrant the reduction of the commercial. The surrounding area was mostly residential and the smaller commercial area would allow for appropriately scaled commercial uses at this location. The zone change would designate the commercial as C-3, General Commercial, and the residential as R-4, Multiple Family Residential. There was a goal in the Comprehensive Plan that called for the City to allow for commercial development that maximized the efficiency of the land use. The proposed C-3 zone would be consistent with that goal. The Planned Development amendment would also regulate the use and development of the site in a way that was consistent with the Comprehensive Plan policies and neighborhood commercial uses that the applicant intended, and staff suggested that the zone change not be approved unless the Planned Development amendment was approved. Regarding the housing goals in the Comprehensive Plan, they related to providing affordable, quality housing and promoting a residential development pattern that was land intensive and energy efficient. One policy that was applicable to the zone change was the locational requirements for high density housing. Overall the site met the locational requirements as it would be located on an arterial, future transit corridor, adjacent to commercial services, and was not subject to any development limitations. There were a couple locational requirements that were not achieved, such as being adjacent to public/private open space, ability to buffer from low density residential, and capacity of existing services had not been shown for the maximum buildout. All of these issues were addressed in the Planned Development application.

Senior Planner Darnell then reviewed the Planned Development Amendment which applied to the commercial area of the site. There was an existing ordinance and Planned Development Overlay District which had recently been reduced to allow for the McMinnville Water and Light substation expansion. The request was to reduce the size of the Overlay District to be consistent with the Comprehensive Plan Map commercial designation and to amend the existing conditions of approval to allow up to 120 multi-family units and to require a minimum of two acres of neighborhood commercial uses. No development plan had been submitted for this portion of the site. He explained the criteria for amending a Planned Development. This proposal would introduce a mix of uses on the site by allowing multi-family residential and neighborhood commercial uses. Staff thought that these special objectives could warrant departure from the existing requirements if the development was designed appropriately given its location in the surrounding residential area and the intent to provide neighborhood commercial uses which were currently not provided in this area and would be more fitting with the surrounding residential development. Staff thought mixed uses could be provided on site if they were integrated well and if the development was consistent with all applicable Comprehensive Plan policies. There had been changes in the City since this Planned Development was adopted in 1996. There are identified housing inventory and affordability issues in the City and providing multi-family units on the site would help meet the needs. There was a lack of commercial land in this area and staff suggested the minimum size of the neighborhood commercial uses be 5 acres instead of the 2 acres proposed by the applicant. He discussed the Comprehensive Plan policies and goals that applied to this site including efficiency of land use, providing a compact form of urban development, and exploring utilization of innovative land use regulatory ordinances to integrate the functions of housing and commercial into a compatible framework. Staff was suggesting a condition to allow up to 120 multi-family dwelling units on the site as proposed by the applicant if they were integrated with neighborhood commercial uses. This integration could be done in

either a mixed use building or some other form in a development plan that integrated the uses in a manner acceptable to the Planning Commission when detailed development plans were submitted for review. Staff also added a condition that the minimum neighborhood commercial area be 5 acres as part of a mixed use development. The 5 acres would be calculated based on all the development requirements for the commercial use. There was a policy that called for neighborhood commercial uses in residential areas, but the applicant had not stated what those uses would be. Staff suggested a condition that would allow neighborhood commercial uses on this property as defined in the C-1 zone and to allow a restaurant on the property. They also included language that would allow the applicant to request another use when detailed development plans were submitted and the Planning Commission could determine if it was a neighborhood commercial use. There were a number of policies in the economy chapter of the Comprehensive Plan that applied to how a commercial use was designed in terms of scale and size and impacts on surrounding land uses as well as on access points, traffic patterns, bicycle and pedestrian designs, and not creating auto oriented development patterns. Staff suggested a condition of approval that required the review of detailed development plans continue to be applied to this Overlay District as they were today and staff added more site and design components to meet applicable Comprehensive Plan policies. There were also policies related to a commercial site that it was not providing excessive traffic on the surrounding street network. Staff suggested a condition that an updated traffic impact analysis would be provided before development on the site.

Senior Planner Darnell continued with the Planned Development application for the residential zoned property. It would be a separate Planned Development Overlay District that would be created to allow for the 280 single family detached residential units, 18 open space tracts, and a dedicated public park. The request included modifications to lot sizes, setbacks, lot dimensions and frontages, driveway widths, alley widths, block lengths, block perimeter lengths, street tree spacing standards, and street tree setbacks from utilities. There would be 7 different lot types throughout the Planned Development area. Reduced setbacks were requested for each of the lot types and larger setbacks were requested on some lots for tree preservation. The average lot size that was being proposed was just under 5,000 square feet which was the minimum required in the R-4 zone. Planned Development policies allowed for a slight change in the density of the site. Staff thought it was close to the 5,000 square foot minimum and the applicant had described how the front loaded lots exceeded the 5,000 square feet and the alley loaded lots exceeded what would be required by a townhome. He went over the review criteria for Planned Developments. The applicant had listed the special objectives for the application including tree preservation, natural areas preservation, providing a mix of housing types throughout the development, providing open space amenities, and providing adequate off street parking. Staff suggested a condition that prior to any other tree removal than what was shown in the current plans, that the removal would be submitted for review by the Planning Director. A geotechnical report was submitted by the applicant that had some recommendations for additional analysis on the slope area and recommendations to be followed during construction. Staff had included a condition that those recommendations be followed. Staff suggested the plan for the transition of density from the south side to the north side of the site and the denser development near the arterial and the less dense development by the natural features be binding. Staff also suggested a condition allowing lot size averaging. Staff suggested another condition that all lots less than 40 feet in width would be alley-loaded which would reduce vehicle conflicts with the sidewalk space and streetscape environment and reduce garage door dominance on the front facades. The alleys would be private. There were 18 open space tracts proposed throughout the site. The City would accept some of those as public parks and some conditions had been added stating which of the tracts would be accepted by the City at the time of the plat and the improvements that would be required. He explained how these tracts would connect with the trail system and the plans that were in the Parks Master Plan. The tracts that the City would not be accepting would be private and maintained by the Homeowners Association and he explained the

amenities that would be on those tracts. The applicant was requesting wider driveways for adequate off street parking and staff included a condition that would allow the private lots the maximum driveway width to be what was requested by the applicant, but that the driveway narrow down at the property line to the maximum 40% of the lot frontage that was required by the code. This would reduce vehicle conflicts at the street and provide more space for street trees and utilities. In terms of the overall lot pattern and types of lots being created, the applicant wanted to avoid cookie cutter housing. The lot sizes and dimensions being proposed would result in a denser development pattern throughout the area. To avoid the cookie cutter housing, staff was suggesting a condition that design standards be applied to the building plans that were developed on the lots within the Planned Development. These would deal with style and massing, type of exterior materials, front porches and entry areas, roof design, exterior doors and windows, garage doors, lighting, and colors. Another suggested condition was to not allow any same house design in adjacency to another including both sides of the street. He discussed the other design features that were proposed, such as a wider meandering sidewalk path on Baker Creek Road and longer block lengths and block perimeter lengths with mid-block crossings. Staff had proposed conditions to include these features. He discussed the other review criteria including the streets being adequate to support the anticipated traffic and utility and drainage facilities being adequate for the density. There had been no issues raised regarding the utilities and drainage. A traffic impact analysis was provided by the applicant and the analysis showed that the volume-to-capacity ratios were less than the City's standard for the surrounding intersections except for Michelbook and Baker Creek Road at full build out. The applicant noted there was a future signal identified in the City's Transportation System Plan to address that intersection.

Senior Planner Darnell discussed the subdivision application. The applicant planned to have 10 phases for the 280 single family lots to be developed. Streets were required to be provided to connect to the surrounding areas. There would be a connection at Hill Road, Meadows Drive, and Shadden Drive. Easements would also be required for public utilities and drainage. Access easements and pedestrian ways would be provided as well. The lots were consistent with the Planned Development Overlay District and street access was provided to all the lots except those with alleys. Conditions were included to allow for the phasing of the project and the timeframes for the phases. There was a lot sale policy in the Comprehensive Plan that required a number of lots to be provided for sale to encourage a variety of housing types within a Planned Development. Staff had included a condition that 25% of the lots in each phase be offered for sale. There were a couple of conditions that related to public improvements, which included a redesign of the intersection geometry at Gregory and Augustine Streets and that the alleys be private either in a tract or an easement. There were other conditions related to the general conditions that were typically applied to a subdivision including the creation of CC&Rs and a Homeowners Association to maintain the open spaces and maintain the park until 2032, right-of-way dedication along Baker Creek Road, standards for right-of-way improvements, process for review of final plats, and applicant obtaining all required permits.

Senior Planner Darnell discussed the last application which was the Landscape Plan. Tree removals were being proposed, there was a street tree plan for all of the new streets and improved Baker Creek Road, and landscaping in the open spaces. There was a condition for variation in the spacing of the street trees. Some locations were identified that could accommodate additional trees and were included as conditions of approval unless they were found to be in conflict with the utilities. Other conditions included changing tree species in the open spaces next to the overhead easement, transmission line, and BPA easement, setbacks from utilities, and planting standards. A revised Landscape Plan would need to be submitted to the Planning Director for review to respond to some of the conditions related to changes in species and coordinating with utility locations. Open Space Tract G was not identified with any improvements in the Landscape Plan. This was a tract that the City would be taking over for a

public sewer pump station. A condition was included that a landscape plan be submitted for this tract. The pump station needed to be screened from the surrounding lots and a minimum of 25% of the site needed to be landscaped. Maintenance vehicles would also need to be able to access the site.

Senior Planner Darnell said the City had received one written public testimony from Patty O'Leary. The testimony referenced older Planned Development ordinances in relation to the multi-family use that was proposed. He gave an overview of the history of these ordinances. In 1991, Ordinance 4506 was passed which designated commercial land on the south side of Baker Creek Road. That was amended in 1996 by Ordinance 4626 which reduced the commercial land south of Baker Creek Road and allowed multi-family in that location. There was also a condition of approval that land north of Baker Creek Road would be changed to commercial, but no multi-family would be allowed there. That was what led to the application for the dedication of commercial land which was approved by Ordinance 4633. More recently, Ordinance 5021 was approved in 2017 which approved the amendment to the south side of Baker Creek Road which allowed Baker Creek West and Baker Creek East to be developed. That ordinance repealed Ordinance 4626. Ordinance 5076 reduced the size of the Planned Development Overlay District subject to Ordinance 4633 that allowed for the substation expansion. The size of the Overlay District was the 11.3 commercial acres that remained in the applicant's property. He explained other planned developments that did not move forward when Ordinance 4633 was adopted. Staff was recommending approval of all six applications. Staff had provided a memo to the Planning Commission on potential revisions to the conditions for the Planning Commission to consider. He reviewed those revisions which included providing for flexibility in alternative design features, Public Open Space S to be paved, access for McMinnville Water and Light, driveway width, revisions to architectural design standards for front porch sizes, vertical projections in building facades, and variations to ridgelines and eaves, garage width and design standards, Landscape Plan reviewed by the Planning Director instead of the Landscape Review Committee, and lot sale policy.

7:40 Commission Questions: Commissioner Schanche thought mid-block crossings were unsafe, and was surprised that they were being proposed. She asked how they were going to make these crossings visible to drivers to keep pedestrians safe such as warning signs and crosswalks. Senior Planner Darnell explained an enhanced crossing would be provided for the BPA trail crossing. The plans showed curb cuts and ADA access points at the mid-block crossings. Outside of that there were no other improvements proposed.

Community Development Director Bisset said they had mid-block crossings all over the City. Larger mid-block crossings were discouraged from the aspect of being marked. There was evidence that stripes on the road did not affect driver behavior. In those locations where there was a BPA crossing, they did do enhanced crossings, but at regular intersections they preferred not to mark them because they wanted pedestrians to be cautious. He would have to think about the need for more stripes on the road as it was not recommended.

Commissioner Schanche thought there should be at least warning signs. Community Development Director Bisset said the road signage was not part of the applications and it was possible that they would ask for warning signs at crossing locations where it was warranted. That would happen in the subdivision construction phase.

There was discussion and clarification on the proposed conditions. It was clarified the Great Neighborhood Principles did not apply to these applications since they were submitted before the Great Neighborhood Principles became effective.

7:48 The Commission took a short break.

7:54 Applicant's Testimony: Gordon Root, Stafford Development Company, was the applicant. He introduced himself and his development team. He was a local developer who worked in rural communities and brought attainable housing to those communities. He had to be attuned to the market and what people in the community wanted to buy. He focused on building high performance homes and made many lots available for purchase. As a company they delivered 450-500 lots to the market per year and last year they sold 94.6% of their lots. They had an objective of keeping 80% of their lots overall and he thought they would keep about 75% of the Baker Creek North lots to build themselves as they had found McMinnville to be a good market place. Staff had done a good job explaining the modifications he was requesting including the setbacks. Most of the yards met the R-4 standards and 66% of the lots had a five foot side yard setback instead of a six foot side yard setback and only 6% had a four foot side yard setback. The small alley-loaded lots had a three foot side yard setback. They needed some exceptions to the curbs in order to reach the driveways for the larger lots on the corners or irregular shapes. Regarding the driveways, they needed to provide ample off street parking. They strove to provide a double car garages and a driveway, so every home had at least four off street parking spaces. The proposed driveway widths varied from 18 feet to 30 feet. For the homes with alleys, the alleys were wider than most people were familiar with as there was 60 feet between garage doors. The mid-block paths would break up the blocks for pedestrian access. The street trees were provided at regular intervals, but were off-set at times due to water meters or driveways. They provided extra barrier and root protection for the street trees. He was requesting two monument signs at Meadows and Shadden. He thought the proposed Landscape Plan would create a sense of place along with the diversity of housing types. The housing types would allow people to stay in the same neighborhood and move to the different types as their lifestyles changed. There were 18 open space tracts and there would be a park as well as trail connections. They had agreed that the HOA would maintain the park until 2032 and then the City would maintain it. He showed pictures of what the green spaces would look like and the amenities they would provide. He then discussed the lot types, single family detached and detached alley. There were 102 larger lots, 100 medium lots, and 78 smaller lots. In McMinnville people were more attracted to the larger lots, and their best-selling product was a single story three car garage plan. He compared the standard lot in the R-4 zone which was 50 x 100 to his proposed single family detached lots. The large and medium lots were 7,000, 6,000, and 5,000 square feet and there were some that were below the minimum at 4,600 and 4,100 square feet. The lots around the perimeter were deeper to be able to protect the trees on the site. The lot size averaging allowed them to go smaller on some of the lots and to have big lots as well. He then compared the smallest lot size to common wall lot size. The common wall lot size was 2,500 square feet and his smallest lot size alternated between 2,600 and 3,000 square feet to get a variation in the housing types and facades. He then reviewed each product that would be built in the development. There were standards for each lot size as well as parking. The reduced side yard setbacks would push people out into the common areas and would create a social environment and allowed people to walk to the commercial area. Some of the lots allowed the facades to protrude into the setbacks to create extra depth. The alley-loaded lots would have four off street parking spaces and no common walls.

Mr. Root explained the streets would be extended with this project and there would also be internal streets and alleys. He thought the circulation plan was good and would make it easy for people to get in, out, and around. They had gone through property line adjustments to match the phases. Regarding the conditions of approval, one had been worked out with McMinnville Water and Light for access on Meadows Drive and a turn around area. Others were the driveway modification request and architectural design book which had been taken care of. There were some concerns with the new modified conditions, especially regarding the elevations. The trees that would be planted would help screen the lots and hide elevations. If homeowners put in additional landscaping there would be a lot more greenery and screening as well. There would

be different housing styles and widths and it would not be a stark mass. He thought as the landscape matured, it would be a lot less offensive looking. He was also concerned about the front porch requirement as it would eliminate some of his house plans from being able to be built. He thought the intent of the condition was making sure they had a good looking smaller home product, but it might affect building some of the larger projects as well. He wanted to make sure the ridgelines and eavelines worked for the project and could be applied to the lots that did not meet the standard instead of all the lots. These would all need continued discussion and more clearly defined facades. He agreed with the façade requirements for the public facing side of the buildings, but did not agree with having to put the façade features on the backs of the buildings. These features would not be seen and would make the homes more expensive. He discussed the features that he questioned putting on the back sides of the homes and proposed that they be on street facing elevations only. He also had some concern about the paint schemes and not requiring a third color for all the architectural styles.

8:40 Commission Questions: Commissioner Schanche asked if they would be putting in the infrastructure first before selling the lots. Mr. Root said yes, they sold finished lots. They did not put in the street trees associated with each house; that would be the builder's responsibility. They did put in street trees in front of and inside the open spaces. The trees that weren't planted in front of the homes were bonded and when they were planted by the builder the bond was released.

Commissioner Schanche said the houses in the area now all had dead street trees due to being buried too deep. She wanted to make sure that did not happen here.

Commissioner Butler asked about the phasing and completing Shadden Drive especially for the Oak Ridge Meadows development. Mr. Root said the phasing was driven by the ability to service each phase and the market. He explained Shadden was likely not going to be done in the first two years. He explained why the phases were in the order that was proposed, especially to be able to extend the services to the site.

Commissioner Dirks was in favor of the alley design that focused on the neighborhoods instead of the cars and driveways. She asked if they had considered a similar design for the larger lots or a cottage cluster design. Mr. Root said they had considered every design, but decided not to go with those designs due to the lot depths and fitting with the topography.

Commissioner Dirks did not think they could count the pump station property as an open space. Mr. Root said it was not counted in the open space.

Commissioner Dirks was concerned about the fines they received from DEQ for Baker Creek South. She wanted to be assured that would not happen again. Mr. Root said the DEQ fines were in regard to the multi-family parcel. There was a rock construction entrance that in a heavy downpour did not allow for proper drainage and the runoff ran down the gutter. Their site development manager had died, and they were in transition on who was maintaining the site at that time. They had already sold all of the lots to LGI and the paperwork was submitted to DEQ for the transfer, but it took longer than expected to process. They thought LGI was taking care of it and their site development manager was not there to confirm that they were. They found out LGI was not taking care of it and they were on the hook because their name was still on the paperwork. They would make sure to have concrete washouts, to clean out the catch basins, and to have a manager to watch it. They planned to be more careful in the future.

Commissioner Lizut discussed electronic magnetic flux in the space between the commercial and housing. He questioned the effect of that to the human body and thought measurements

should be taken and an analysis done to find the value of the flux for this development. If there was an issue, it needed to be addressed. Mr. Root said they were aware of that issue.

8:58 Public Testimony:

Proponents: None

Opponents: Doug Johnson, McMinnville resident, had concerns that came from the current development on Baker Creek South. He understood the Great Neighborhood Principles were not directly applicable, but there were certain architectural design criteria that he wanted to address. He did not want a monoculture design, and he did not think the argument that within a number of years that would be alleviated by future plantings was compelling. Another issue was tree preservation and he described how trees were removed in Baker Creek East that should not have been. He did not know whose responsibility it would be to preserve the trees. The developer had different housing types, however they were not integrated with each other in the same block but there was a block of one housing type and then another block of a different housing type and so on.

Rick Weidner, McMinnville resident, was concerned that not all of these lots would be built by Stafford. He discussed his dismay at the three story apartment building that was being built up against beautiful Hill Road. It took away from the sense of place to the neighborhood. Watching the construction crew, trade methods, and building materials, he did not know how they could build anything less expensive. He hoped that Stafford would take the ball and run with it and establish a better bar for this development. He also hoped it did not become a lease to own situation where people would lose their homes and move out. He asked if there would be any on street parking for visitors.

Senior Planner Darnell confirmed there would be on street parking.

Mr. Weidner said many people in McMinnville had big pickup trucks and he questioned if they would fit in the driveways and it might make the roads narrower if they had to park on the sides. He also asked if they would be putting in a bathroom at the park.

Planning Director Richards said no, as the property was in the floodplain.

Mr. Weidner thought a bathroom was needed. He thought there should be more design considerations for the monument at the entries that had an agricultural reference and not a New England rock art look that was seen everywhere.

Kathy Loving, McMinnville resident, was opposed to the mass and scale of the development. She was concerned about the homes LGI had built previously in the City on Hill Road and this could be the same type of development. She understood that they needed to have affordable housing, but it needed to be done in moderation. This was too much density and Baker Creek Road could not support this much traffic. She wanted to keep McMinnville as it was, and not turn it into another Beaverton.

9:18 Rebuttal: Mr. Root said the trees in Baker Creek East had been taken down because they were dying and he had been directed to take them down. For this project, there would be some trees removed but there were others that would be preserved and protected. The traffic study addressed the traffic issues. Stafford had the ability to complete the project in a timely manner. Home spacing and fire risk had been addressed and they had met the architectural standards. Regarding integration of housing types, this was consistent with good planning with higher density housing on smaller lots by the arterial and future transit and larger lots by the

preservation areas and existing neighborhoods. There were different standards for Hill Road that was at the Urban Growth Boundary. He thought the façade in the rear would mitigate over time. The landscape plan would mitigate for the apartments. A third party would be constructing the apartments.

Commissioner Schanche asked when the commercial would be developed. Mr. Root was not sure as it would depend on a commercial developer purchasing the property and developing it. It would probably be around 3-5 years after the residential went in.

Commissioner Butler clarified no multi-family would be built until there was a developer for the commercial. Mr. Root said it might come earlier if the market demanded it. Staff was requiring a mixed use approach for the multi-family and commercial for five acres, but there was a little more than an acre that could be developed as only multi-family. They were planning for 120 units on that parcel, and he explained how that was less density than was allowed. There were site constraints with parking and landscaping that limited the number of units as well as height restrictions.

Chair Hall asked for direction from staff about the conditions that were still in question. Planning Director Richards said the Planning Commission could direct staff to evaluate the request to look at the architectural design standard conditions for the Planned Development. That would require continuing the hearing and the 120 day deadline.

Mr. Root thought there would be more time for discussion between this decision and the application going to the City Council to discuss the conditions with staff. The Commission could make a decision with an added condition that the applicant work with staff on these conditions before the City Council hearing. He did not think it was necessary for the Commission to delay the decision.

9:34 The Commission took a short break.

9:41 Chair Hall asked if the Commission wished to continue or close the hearing.

There was consensus to close the hearing. Chair Hall closed the public hearing.

9:42 Commission Deliberation: Commissioner Butler was dismayed to see that the applicant did not take the opportunity to use different housing types in the development. This area did not have a lot of commercial land, and she was not in favor of reducing the amount of commercial because it also reduced the amount of multi-family housing.

Commissioner Dirks thought the problem was they could not ensure that the development of the commercial property would be the mixed use of commercial and multi-family. Planning Director Richards clarified what approval would mean for this area, and how though design and development standards would be in place it would not guarantee development of 120 multi-family units. A developer would be allowed to do so if these applications were approved. The current ordinance prohibited multi-family on this site.

Commissioner Dirks thought they were doing as well as they could here because they were getting the opportunity to have multi-family housing. It would probably not be developed right away but they did not have control over that.

Planning Director Richards clarified the applicant requested a minimum of 2 acres of commercial with the ability to do 120 multi-family units, and staff had recommended a minimum of 5 acres of

commercial mixed with multi-family. Staff also recommended reducing the height to 45 feet because it was nestled into a residential area.

Chair Hall was in favor of staff's recommendation because he did not want too much commercial on this site as it needed to fit with the neighborhood.

Commissioner Butler said they needed more affordable housing and the only place to build multi-family affordable housing options was in the portion that was being suggested to be reduced. They would not approve a big box commercial here and it seemed like they were stealing from Peter to pay Paul.

Planning Director Richards explained the applicant made the request, and the Commission could approve it with conditions or deny it. If denied, it would remain as it was today that would prohibit multi-family on all 11.3 commercial acres. They had not come in with a request to rezone the 11.3 acres to C-3 with the removal of the multi-family prohibition, but had come in with a request to rezone the 6.62 acres to C-3.

Commissioner Dirks suggested adding a condition that would not allow the use of temporary flag signs. Senior Planner Darnell said the Commission could determine if it was more in line with the location of the site to limit the number of temporary signs or something that was measurable. A blanket prohibition on temporary signs would be a heavy lift.

Planning Director Richards said if the concern was the flag signs and that they were not appropriate in a neighborhood serving commercial situation, then they could discuss that. If it was a complete prohibition on temporary signs it would be difficult to write a finding for that.

There was not consensus to create a condition on temporary signs.

Commissioner Schanche thought they should discuss the porch façade situation.

Commissioner Dirks said the way staff wrote the revised Condition #20 looked good to her. She thought they should support staff's revised wording. Commissioner Schanche agreed.

Commissioner Butler said the developer had a point about the lots in the back. Chair Hall said those lots would be the most expensive and probably most able to afford it.

Commissioner Schanche thought the issue was those on the trail looking up to a lot of windowless walls if the facades were not changed.

Commissioner Dirks asked about timing and holding two public hearings on these applications. Senior Planner Darnell clarified that an extra Planning Commission meeting was scheduled in December, in case two hearings needed to be scheduled this month on these applications. But they had only sent out property owner notice for the first meeting as the public hearing date. They did not send out notices for a second hearing because it was not yet known whether the Planning Commission would continue the public hearing. They had received less public comment on this hearing than they typically did for these types of applications.

Commissioner Dirks did not think people knew about the applications. Planning Director Richards said there was an article in the paper about this development as well.

Commissioner Butler was disappointed that there was nothing more that could be done to expedite the Shadden Drive extension.

10:07 Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to RECOMMEND APPROVAL to the City Council of CPA 1-19 per the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Chroust-Masin. The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to RECOMMEND APPROVAL to the City Council of ZC 1-19 subject to the conditions of approval provided in the decision document. SECONDED by Commissioner Lizut. The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to RECOMMEND APPROVAL to the City Council of PDA 2-19 subject to the conditions of approval provided in the decision document and the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Chroust-Masin. The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Schanche MOVED to RECOMMEND APPROVAL to the City Council of PD 1-19 subject to the conditions of approval provided in the decision document and the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Butler.

Commissioner Dirks asked if they wanted to add a condition regarding the bathrooms in Tract F near the shelter. Planning Director Richards said the Parks and Recreation Director had been involved in the discussions regarding the park land amenities. She did not encourage them to move forward with that condition at this time without having the opportunity to discuss it with the Director.

The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Lizut MOVED to RECOMMEND APPROVAL to the City Council of S 1-19 subject to the conditions of approval provided in the decision document and the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Butler. The motion PASSED 7-0.

Based on the findings of fact, conclusionary findings for approval, and materials submitted by the applicant, Commissioner Perron MOVED to RECOMMEND APPROVAL to the City Council of L 12-19 subject to the conditions of approval provided in the decision document and the revised conditions in the memo dated December 5, 2019. SECONDED by Commissioner Chroust-Masin. The motion PASSED 7-0.

#### **4. Commissioner Comments**

10:18 Commissioner Chroust-Masin announced this was his last meeting.

#### **5. Staff Comments**

10:19 Planning Director Richards said there was a public hearing scheduled for December 19.

#### **6. Adjournment**

Chair Hall adjourned the meeting at 10:21 p.m.

---

Heather Richards  
Secretary



PO Box 1920, Silverton, OR 97381  
www.cascadiapd.com / 503-804-1089

## CITY OF MCMINNVILLE

### BAKER CREEK NORTH DEVELOPMENT

Location: 1755 NW Baker Creek Road  
McMinnville, Oregon  
Yamhill County

**Parcel A:** Known in Yamhill County Official Records as the property described in: Exhibit C of Instrument # 201904865 (a.k.a. Commercial property)

**Parcel B:** Known in Yamhill County Official Records as the property described in: Exhibit C of Instrument # 201904867 (a.k.a. Phase 2)

**Parcel C:** Known in Yamhill County Official Records as the property described in: Exhibit C of Instrument # 201904874 (a.k.a. Phase 1)

**Parcel D:** Known in Yamhill County Official Records as the property described in: Exhibit C of Instrument # 201904870 (a.k.a. Park Donation property)

**Parcel E:** Known in Yamhill County Official Records as the property described in: Exhibit D of Instrument # 201904874 (a.k.a. Phase 3)

Prepared by: Steve Kay, AICP

Prepared for: Stafford Development Company, LLC  
8840 SW Holly Lane  
Wilsonville, OR 97070

[Revised Nov. 8, Sept. 11 & 23, 2019] April 29, 2019

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## **APPLICANT'S STATEMENT**

**PROJECT NAME:** Baker Creek North Development

**REQUEST:** Concurrent Approval of:

- Land Donation to the City for a "Special Use Park"
- Comprehensive Plan Map Amendment
- Zoning Map Amendment to C-3
- Zoning Map Amendment to R-4
- Planned Development Amendment to Ordinance No. 4633
- Phased Subdivision (more than 10 lots)
- (New) Planned Development
- Tree Removal & Street Tree Planting Plan

**Affected Parcels:**

Parcel D  
Parcels A & B  
Parcel A  
Parcels B, C, & E  
Parcels A & B  
Parcels B, C, & E  
Parcels B, C, & E  
Parcels B, C, & E

**APPLICANT:**

Stafford Development Company, LLC  
8840 SW Holly Lane, Wilsonville, OR 97070  
Contact: Morgan Will, 503-305-7647  
morgan@staffordlandcompany.com

**PROPERTY OWNER:**

Baker Creek Development, LLC  
8840 SW Holly Lane, Wilsonville, OR 97070  
Manager: Gordon Root, 503-305-7647

**APPLICANT'S REPRESENTATIVES:**

Steve Kay, AICP, Cascadia Planning + Development Services  
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Greg Wilson, PLS, Barker Surveying  
3657 Kashmir Way SE, Salem, OR 97317  
503-588-8800; Greg@barkerwilson.com

Ben Cook, RG/James Imbrie GE, CEG, GeoPacific Engineering  
14835 SW 72<sup>nd</sup> Ave, Portland, OR 97224  
503-598-8445; bcook@geopacificeng.com

**PROPOSED COMPREHENSIVE PLAN  
MAP AMENDMENT AREA:**

4.672 Acres

**PROPOSED ZONING MAP AMENDMENTS AREA:** 55.328 Acres

**PROPOSED SUBDIVISION AND  
NEW PLANNED DEVELOPMENT AREA:**

48.7 Acres

**PROPOSED PARK LAND DONATION AREA:**

14.9 Acres

## **LIST OF EXHIBITS**

- 1: Copies of Signed Application Forms
- 2: Property Deeds
- 3: Preliminary Development Plan Set
  - EXH-1 through EXH-8 Various General Exhibits including Map Key
  - PL-1 through PL-5 Preliminary Plat
  - SP-1 through PL-5 Site Plan (Typical Street Sections Drawing SP-5)
  - GR-1 through GR-5 Grading Plan
  - UT-1 through UT-5 Utility Plan
  - ST-1 through ST-26 Street Plan & Profile
  - L1.0 through L.10.0 Street Tree and Landscape Plan
  - IR1.0 through IR2.0 Irrigation Plan
- 4: Geotechnical Report
- 5: Neighborhood Meeting Documentation
- 6: Traffic Analysis Report

## **CONTENTS**

Page 1	Cover
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Page 13	Section III: Findings (Applicant's Comments)
Page 145	Section IV: Summary and Conclusions

**I. REGULATIONS ADDRESSED**

**A. McMinnville Comprehensive Plan**

**Volume I: Goals and Policies**  
**Page 13 Residential Development – Design Considerations**

**Volume II: Goals and Policies**  
**Page 23 Chapter IV: Economy of McMinnville**  
**Page 29 Chapter V: Housing and Residential Development**  
**Page 45 Chapter VI: Transportation System**  
**Page 65 Chapter VII: Community Facilities**

**B. McMinnville Municipal Code**

**Title 17: McMinnville Zoning Ordinance**  
**Page 75 Chapter 17.09: Zone Classification, Boundaries and Maps**  
**Page 75 Chapter 17.21: R-4 Multiple-Family Residential Zone**  
**Page 81 Chapter 17.33: C-3 General Commercial Zone**  
**Page 83 Chapter 17.48: F-P Flood Plain Zone**  
**Page 84 Chapter 17.51: Planned Development Overlay**  
**Page 95 Chapter 17.53: Land Division Standards**  
**Page 120 Chapter 17.57: Landscaping**  
**Page 121 Chapter 17.58: Trees**  
**Page 127 Chapter 17.60: Off-Street Parking and Loading**  
**Page 129 Chapter 17.61: Solid Waste and Enclosure Plan**  
**Page 129 Chapter 17.62: Signs**  
**Page 131 Chapter 17.72: Applications and Review Process**  
**Page 139 Chapter 17.74: Review Criteria**

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## II. SUMMARY:

The applicant, Stafford Development Company, LLC, is requesting concurrent review and approval of multiple applications:

- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Planned Development Amendment to Ordinance No. 4633
- Phased Subdivision
- (New) Planned Development
- Tree Removal Permit
- Street Tree Plan & Landscape Plan Review

In addition to the above land use actions, the applicant requests acceptance of the donation of Parcel D, 14.9 acres of land, from the property owner to the City of McMinnville for use as a public “Special Use Park” called for in the City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999.

### **Park Land Donation**

There is no application process in this code for acceptance of the proposed land donation as well as the suggested acceptance of the dedication of open space tracts as public parks. The June 1999 Parks Master Plan (page 22) states that park acquisition is to be coordinated by the Director of Parks and Recreation. So, the applicant requests that a decision on acceptance of the proposed 14.9 acre park land donation, and a decision on whether to accept transfer of tracts in the Baker Creek North Planned Development, be coordinated simultaneously with review of these applications, so the applicant can plan for the future ownership and maintenance of those parcels.

To permit public use of the donated park land, the applicant is proposing to install a rustic pedestrian path with a bark chip surface. The proposed path will be installed as off-site improvements during Phases 2A and/or Phase 3A of the Baker Creek North Planned Development. The pathway will have connectivity to proposed common open spaces within the planned development. The off-site park improvements will also be accessible to the general public from adjacent sidewalks and the BPA trail south of the site.

### **Comprehensive Plan Map Amendment**

This requested comprehensive plan map amendment, in conjunction with the planned development amendment as discussed below, will remove the commercial designation from 4.76 acres of the site. The applicant is proposing to replace this with a residential designation and reconfigure the comprehensive plan map consistent with the boundary of the 6.62-acre parcel proposed for commercial zoning below.

### **Zoning Map Amendment**

The requested amendment will rezone two areas of the site. The applicant is proposing to zone a total of 48.7 acres of the site to an R4 designation. Of the 48.7 acres, the southwest 9.41 acres is existing R1 zoned land that will convert to R4 with this request. The remaining 39.29 acres to be zoned R4 currently has no urban zoning, only remnant County zoning. In addition, the requested map amendment will zone another 6.62 acres to C3, which also is an area that currently has no urban zoning, only remnant County

zoning. The portion of the site to be zoned C3 conforms to the previously mentioned Comprehensive Plan Map amendment. The area zoned C3 will also conform to the revised planned development boundary for Ordinance 4633 as described below, thus this portion of the site will be designated with a C3-PD planned development overlay.

### **Planned Development Amendment - Ordinance No. 4633**

Ordinance 4633 was approved in October of 1996 resulting in the commercial designation of 11.3 acres of the site and a commercial planned development overlay (C3-PD) which restricts development with two conditions of approval. Ordinance 4633 was the product of Ordinance No. 4626 condition #7, which was approved in July of 1996 and required 10 acres to be designated commercial with a restriction for residential uses. Planned Development Ordinance No. 4626 was repealed in its entirety as condition #7 of City Case File No. AP 1-17 with approval of Ordinance No. 5021 in April 2017, therefore it no longer applies and has no effect on Ordinance 4633 which the applicant requests to amend here. The City ordinance that was the impetus for the creation of Ordinance 4633 is no longer in effect and circumstances of twenty years ago that generated the planned development conditions are no longer present, thus the proposed planned development amendment is prudent and warranted.

The applicant is requesting to amend the boundary of the planned development overlay, as previously delineated by Ordinance 4633, to correspond to the current boundary of Parcel A of this application. Furthermore, the applicant requests to replace the two conditions of approval of the planned development overlay created under Ordinance 4633 with the following conditions:

1. No more than 120 multi-family units may be developed on the site.
2. At least 2-acres of neighborhood commercial uses shall be developed on the site.

The proposed conditions of approval would allow for a future development application to include a request for neighborhood commercial and multi-family residential uses allowed in the C3 zone.

It is the applicant's understanding that this area was designated commercial at a time when expansion of the City's urban growth boundary (UGB) westward was being pursued and this commercial area was hoped to be a large commercial center for McMinnville's (north)westward expansion. This UGB expansion to the northwest did not materialize. This has left the site with a glut of commercial land on the fringe of the urban area in a market that cannot support that much commercial land on the edge of town. The applicant, being a developer who has owned the site for almost four years, and having purchased it from a bankruptcy trustee, attests to this lack of demand for so much commercial land based on the lack of interest from others in the property for such uses. The commercially designated area is too large for the current pattern of development in McMinnville. A large commercial development is not appropriate since it would drain economic activity from the downtown commercial core and other established commercial centers in McMinnville. The proposed planned development amendment as established by Ordinance No. 4633, and an amendment to the Comprehensive Plan Map to decrease the area designated commercial as proposed, will allow the remaining commercial area to be regulated under current C3 zone standards. This will allow the property to more freely meet the market needs for uses allowed by the C3 zone, supporting a mix of uses such as neighborhood commercial and needed multi-family housing. The proposed amended planned development conditions will ensure this outcome.

## **Phased Subdivision**

The residential planned development described below is proposed as a ten phase subdivision, as shown on the exhibit drawing EXH-6 Phasing Plan. The phases are clustered into three groups: Phase 1A-D, Phase 2A-2C, & Phase 3A-3C. The phases are predicted to begin in 2020 following approval of these applications and continue over the next 5-10 years as approved by the City of McMinnville.

Phase 1A will be the first phase to begin site construction, as it can be served by gravity sanitary sewer. The sanitary sewer pump station will come in Phase 1B, which can be developed before or after Phase 1C. Phase 2A will come with development of Phase 1D and Phase 3A will come with development of Phase 1B. The other phases will come in their logical order.

As indicated by the attached Existing Conditions Plan and Preliminary Utility Plans, public utilities are in the vicinity of the subject site and the facilities can be extended to accommodate the proposed development in an orderly and timely fashion.

## **Planned Development**

This requested new planned development is for a residential community of 48.7 acres with 280 lots for single-family detached dwelling units. As described above, the applicant is proposing to zone this area R-4, therefore this portion of the site will be designated with an R4-PD planned development overlay.

### Vicinity Description

The proposed planned development site is bounded on each side with land having characteristics as follows:

Northeast: A Planned Development Amendments and Subdivision, City of McMinnville Project No. PDA 3-18/PDA 4-18/S 3-18.

East: Existing Single-family residential dwellings on R2-PD (planned development) zoned lots (Oak Ridge subdivision), and a local church property.

South: Adjacent commercial land, and NW Baker Creek Road, across from which are the phases of Shadden Claim and Baker Creek West planned developments.

Southwest: Hill Road street improvement and new traffic circle (roundabout).

West: Land in the County outside the Urban Growth Boundary (UGB) zoned EF-80.

North: Land in the Baker Creek floodplain corridor, including some upland areas outside the floodplain area designated residential on the Comprehensive Plan Map and within the Urban Growth Boundary.

### Site Description

All of the subject parcels are currently vacant from an urban perspective, but have been actively farmed, primarily with grass seed. The site generally slopes down from the south to north, although a small area drains surface water to the southeast. The entire site is on top of a long bluff and out of the 100-year floodplain and away from any local drainage. The site is located north of Baker Creek Road, generally west of Shadden Drive, and east of the intersection of Baker Creek Road and Hill Road where there is a new roundabout. The project will extend proposed NW Hill Lane from the roundabout, and extend NW Meadows Drive, NW Shadden Drive, and NW Blake Street into the site from their current termini at intersections and street stubs. The applicant's road profiles and details indicate a half street improvement will be installed along the NW Baker Creek Road frontage from Meadows Dr. to Shadden Dr, and new streets within the development will be fully improved to meet City standards.

### Housing

Consistent with Housing Element goals and policies of the Comprehensive Plan, the proposed Planned

Development will include a mix of housing types to meet the diverse needs of McMinnville residents. The applicant's Typical Lots sheet demonstrates that the requested R-4 zoning will allow the construction of various small, medium, and large lot single-family detached dwelling units.

### Open Spaces

Included with the planned development are 19 common open space tracts (Tract "A" - "S"). After the proposed open space tracts are developed with the proposed active and passive recreation amenities, the applicant is proposing to dedicate many of those tracts and facilities to the City of McMinnville as public parks. The applicant requests the City accept them when recording final plats for the phase of development containing the respective tracts. The common open space areas have been designed to meet a variety of recreational needs. They will serve as centers for community interaction within the community. They can also serve as resources for the general public, once accepted as park land by the City. Proposed recreational amenities include a multiple play structures, picnic shelter, picnic tables, and park benches, trails and paths, and more. The open space areas have been sited to extend the City's network of park facilities by extending the existing powerline trail north to proposed "Kent Street Trailheads", where users can connect to the nature trail to the north and paved urban off-street path network to the south and park areas. These tracts when owned by the City will be an excellent asset to the City's park system. They will also facilitate access to the City's planned Special Use Park to the north of the site, which will extend the natural trail east to allow connection to other segments leading ultimately to Tice Park as envisioned.

### Modifications

Below is a list of adjusted development standards as requested through the planned development process:

- 1) Lots: The number in the proposed seven lot types (i.e. SFD-70) reflects the typical width of the lot (i.e. 70 feet typical width). "SFD" stands for "Single-Family Detached" dwelling, and the "a" in "SFDa" stands for a lot with a garage loaded from the alley.
  - Area - The proposed seven lot types provide an overall average lot area that exceeds 4,500 square feet per lot.
    - Overall average lot area for large and medium lot types SFD-70, SFD-60, SFD-50, SFD-45, & SFD-40, where the garage faces the street, will be at least 5,000 square feet per lot. This average mimics the minimum lot size of a detached single-family dwelling in a standard subdivision.
    - Overall average lot area for small lot types SFD-30a & SFD-26a, where the garage faces an alley, will be at least 2,500 square feet per lot. This mimics the minimum lot size of a common wall construction single-family dwelling in a standard subdivision, even though this planned development approach requests these dwellings types detach from the common wall approach.
  - Orientation – Side property lines are oriented as much as practicable at 90 degrees to the roadway where the dwelling takes access. Approval will require lot orientation at the final plat to substantially conform to preliminary plat drawings PL-1 through PL-5.
- 2) Setbacks: Minimum setbacks in the planned development are illustrated on the Typical Lots exhibit for each of the seven lot types per the Lot Type Plan. Below are setbacks that **differ** from a standard subdivision. Setbacks that meet the code standard, like 20-foot setback to the face of the garage, are not listed below:
  - Internal side yard setbacks shall be 5 feet on SFD-70, SFD-60, SFD-50 and SFD-40 lots, one foot less than the standard.

- Internal side yard setbacks shall be 4 feet on SFD-45 lots, two foot less than the standard.
  - Internal side yard setbacks shall be 3 feet on each side of the dwelling on SFD-30a and SFD-26a lots, instead of 0 feet and 6 feet as would be required if these lots were built with dwellings in a standard subdivision with common wall construction. This means, the proposed lot types will have the same amount of total side yard as 2-unit town house lots in a standard subdivision would have, only no burdensome common wall.
  - Rear building setback from an alley shall be 15 feet.
- 3) Frontage: Most lots have the minimum 25 feet of frontage on a public street required by code. The lots listed below do not and the request is for approval of the access as proposed.
- Lot 131 has a flag pole with 20 feet of frontage on a public street.
  - Lot 270 has a flag pole with 20 feet of frontage on a public street with an easement over it for a private drive, which serves as a common access to serve both Lot 270 and adjacent Lot 269. As preferred by MZO Section 17.53.100C.3, Lot 269 does not have a proposed flag pole.
  - Lots 206-209 have no frontage or flag poles (as preferred by the code section stated above), rather they are served by a private drive that is in a 25-foot wide easement from a public street over the fronts of Lots 207-210.
  - Lots 21-32, 44-49, & 69-80 have more than 25 feet of frontage on a proposed public alley at the rear of the lot. In addition, the lots maintain over 25 feet of frontage on a proposed private open space tract with a pedestrian way (some end lots also have side yard frontage on a public street).
- 4) Private Drives: The following lots are served by a common drive in an easement shown on the preliminary plat, rather than a driveway with frontage on a public street.
- Lots 270 and 269, through an easement over Lot 270, see drawing PL-5.
  - Lots 206-210, through an easement over Lot 207-210, see drawing PL-3.
- 5) Driveways: Modified driveway widths at the public street as shown on the proposed Site Plan drawings SP-1 through SP-5. Driveways are paired, where possible, to facilitate on-street parking between driveways and a street tree planted between them in the parking strip between the curb and sidewalk, where possible.
- SFD-70 & SFD-60 lots have 30 feet wide driveways.
  - SFD-40 lots have 20 feet wide driveways.
  - SFD-45 lots have 18 feet wide driveways.
  - SFD-30a & SFD-26a lots have driveways the same width of the dwelling from an alley.
- 6) Alleys: Both through alleys and dead end alleys (of less than 150 feet) are proposed, all with a right-of-way width of 22 feet.
- 7) Blocks: Some blocks exceed the perimeter dimension standards, but are provided with mid-block pedestrian ways to ensure adequate circulation and access.
- 8) Street Trees: Street tree spacing varies from the standards of the code as shown on the drawing L1.0 Street Tree Plan. In higher density developments lot frontage decreases and frequency of driveways and utilities increase, creating conflicts that require greater spacing between street trees than outlined in the code. The planned development compensates for the increase in spacing in the following ways.
- The planned development avoids the reduction in the allowed street trees that would occur through a strict application of the spacing standards. The applicant is proposing to encroach into

the minimum 5-ft. spacing requirement for street trees by wrapping a root barrier from the curb to sidewalk in front of the apron's wing as shown in the Root Barrier Detail on drawing L.1.0 Street Tree Plan. In addition, the applicant is proposing to encroach into 10-ft. spacing for requirement street trees by wrapping a root barrier adjacent to the water meter as shown in the detail. This is primarily in front of SFD-40 & SFD-45 lots, but may occur on other lots in the development.

- SFD-30a & SFD-26a lots are served with vehicle access from an alley. This reduces the frequency of driveway conflicts allowing more street trees to be provided on the block face.
- Street tree frequency is maximized on side street block faces where no driveway conflicts exist.
- The planned development has various common open space tracts. Proposed tree planting in these tracts, as shown on the Landscape Plans L1.0-L10.0 add to the community's overall tree canopy, compensating for gaps in the street tree canopy due to conflicts with driveway and utility improvements.
- Many large trees are preserved in tracts and in rear yards on larger lots as shown on the drawing L1.0 Street Tree Plan.

9) Monument Signs: Two monument signs along Baker Creek Road are proposed with the dimensions described on drawing L9.0 Landscape Plan.

- One will be located in Phase 1A on the NW corner of Shadden Drive oriented to the east, and the other in Phase 1C on the NE corner of Meadows Drive oriented to the west as shown on the Landscaping Plan drawing L2.0.

### **Tree Removal Permit, Street Tree Plan and Landscape Plan Review**

Tree removal is allowed by code as part of an approved development project, and street tree planting is required in a new residential subdivision. Trees needed to be removed to facilitate the development project are shown on landscape drawing L1.0 Street Tree Plan, as are the proposed street tree plantings in the public right of way. Modifications are requested under the planned development to allow variation to the spacing standards of street trees due to conflict with improvements. Trees that will be preserved in tracts and the rear of lots are shown with protective fencing on this drawing. Additional trees are shown to be planted in common area open space tracts within the planned development on the other landscaping plan sheets L2.0-L10.0.

### **Sign Permit**

A subdivision monument sign is allowed by code. Two are proposed above under #9 in the list of modifications proposed with the planned development to allow them with the dimensions shown on Landscape Plan L9.0 and at the locations shown and Landscape Plan drawing L2.0.

### **Concurrent Review and Approval Requested**

This Applicant's Statement addresses applicable provisions of the McMinnville Comprehensive Plan and the McMinnville Zoning Ordinance. Copies of the signed Application Forms, Property Deeds and Easements, Preliminary Development Plans, Geotechnical Report, Neighborhood Meeting Documentation, and Traffic Analysis Report have been attached to this narrative. The exhibits and narrative demonstrate that the submitted land use applications meet the criteria for approval.

**III. FINDINGS**

**A. MCMINNVILLE COMPREHENSIVE PLAN**

**VOLUME I: GOALS AND POLICIES**

**RESIDENTIAL DEVELOPMENT – DESIGN CONSIDERATIONS**

The final segment in this section examines the requirements which currently must be met in all new residential developments. Those requirements include the provision of a minimum level of public facilities and services and the retention of creation of parklands and open space. In addition to these requirements, the Citizens' Advisory Committee's subcommittees examined several other design considerations not currently required—including energy-efficient subdivision designs and the provision of bike and pedestrian paths—for their possible application to future residential developments. Each of these design considerations is explored below:

**Public Facilities and Services Requirements**

The land division ordinance, as well as other codes, set the minimum requirements for the provision of public facilities and services for new residential developments. Those requirements include the provision of sanitary sewerage collection lines, storm drainage systems, street improvements, and water service. Not only are the minimum requirements set in these ordinances, but the responsibilities of both the city and the developer for providing these facilities and services are established.

It is important that the design standards for these public improvements be adequate to handle the expected levels of development without adding unnecessary costs to the price of housing. It is noted in the transportation element of this plan that street improvement standards, especially for local discontinuous streets, should be reevaluated to allow some flexibility in improvement requirements. Still, the provision of at least a minimum level of these services must remain a priority consideration.

**COMMENT:**

The plans demonstrate that the provision of public facilities and services will occur concurrent with the phased development. As required, the facilities have been designed to handle the needs of the proposed development and meet requirements set forth by the McMinnville Zoning Ordinance and Public Works standards. The Applicant has received concurrence from City staff that system capacity exists for the extension of utilities service. Traffic capacity is demonstrated in the Traffic Analysis Report included with this application.

### Open Space and Parklands

Open space is established in residential developments in several ways. First, the setbacks which apply in all residential zones are designed, in part, to leave a portion of each lot in open area for landscaping. In a single-family residential zone, these setbacks can reserve over 50 percent of the lot area for open space. Second, these requirements in the landscape ordinance, which apply to multiple-family developments, currently require up to 25 percent of the area to be landscaped and/or to be left in large recreational open spaces. Planned developments, finally, can combine open spaces into more efficient and usable land areas by clustering development.

Parklands are provided for through the requirements of the land division ordinance, which requires a dedication of land, or money in lieu of land, to the public. As currently written, the ordinance sets a fee per unit for those developments which have not dedicated land. The ordinance does not apply to new lots created through partitioning procedures or to mobile home park developments. The city should review the ordinance to determine the advisability of requiring these future residential units to contribute to the park funds.

#### **COMMENT:**

With approval of the proposed Comprehensive Plan Amendment, and Zoning Map Amendment applications, the applicant requests concurrent approval of the Baker Creek North Planned Development. The planned development includes the creation of 19 common open space tracts. Proposed recreational amenities include multiple play structures, picnic shelter, picnic tables, park benches, and paths. Some of the tracts within the planned development are proposed for dedication to the City for future park land. The proposed tracts efficiently provide open space and recreation amenities, permitting the proposed reductions in lot sizes and in required setbacks, and the clustering of residential uses within the planned development.

In addition to the common open space tracts, the applicant is proposing to donate an additional 14.9 acres of park land adjacent to Baker Creek for a Special Use park.

### Residential Development – Land Use Controls

The traditional tools for land use development—zoning and subdivision ordinances—have been employed almost exclusively in McMinnville. The zoning ordinance controls the land uses permitted within a designated area and such other concerns as minimum lot sizes, setbacks of structures from property lines, and density. The subdivision ordinance controls the actual division of land into lots, and the provision of public facilities and

**amenities (e.g., parklands)—the actual design of a development.**

**On the whole, these land development techniques have been successful, accepted by both public and private interests. However, with changes in development technology and changing social and economic patterns, traditional zoning is being viewed as an antiquated method of land use control. Some of the problems associated with zoning include:**

- 1. It is arbitrary, with lines on a map bestowing great economic windfalls to a few landowners.**
- 2. The uses allowed in certain zones (primarily commercial and industrial) often bear little relationship to the effect a land use would leave on surrounding property. For instance, certain commercial uses may be entirely compatible with residential neighborhoods, but only allowed in commercial zones.**

**COMMENT:**

The applicant is requesting approval of several map amendment applications to address current economic trends in McMinnville that are related to the above-mentioned residential development goals and policies. This includes the use of the planned development process to deal with “traditional zoning...being...an antiquated method of land use control.” This process allows residential development that more closely meets the needs of the community and housing market.

When the existing C3-PD designation was applied to 11.3 acres of the subject site in 1996, there was an expectation that a large UGB expansion would occur in the northwest quadrant of the City and a large regional commercial complex should be developed on the property. It was thought that residential use of the land should be prohibited to reserve it for commercial use. However, this UGB expansion effort was abandoned by the City 2011. In 2013, the City completed its Economic Opportunity Analysis (EOA), which recommends that the City re-designate some of its 235.9 acres of surplus Industrial land for regional commercial uses near the City’s downtown core. Consistent with current economic needs of the community, the proposed Planned Development Amendment, Comprehensive Plan Map Amendment, and Zoning Map Amendment will reduce the amount of Commercial designated land to 6.62 acres, which is more appropriately sized for commercial uses. The proposed planned development amendment removing conditions created by Ordinance 4633 will ensure that no less than 2 acres is used for neighborhood commercial and that no more than 120 multi-family dwelling units are created on the remainder of the commercial land area.

The proposed Comprehensive Plan Map and Zoning map amendments also address current housing needs in the community. In 2001, the McMinnville Housing Needs Analysis determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs for the 2000-2020 planning period. However, as indicated above, the City’s last UGB expansion effort was unsuccessful. Since the City’s deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently

completing its Housing Needs Analysis. The updated analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. The attached Preliminary Development Plans indicate that the applicant is proposing to rezone a portion of the site to R4 to develop 280 dwelling units, helping to address the McMinnville's current housing needs, and the proposed C3 zone with a planned development overlay will allow for multi-family dwellings to further address this urgent housing need (see Exhibit 3).

- 3. As methods of housing construction and subdivision design change to meet market demand, zoning restrictions often inhibit the new trend.**

**In reaction to these problems, planners have devised alternate methods of land use controls which try to circumvent the shortcomings of zoning and provide a more equitable method of dispersing land development rights. Some of these techniques include:**

#### **Performance Standards**

**A method whereby certain standards concerning traffic generation, noise levels, open space requirements, etc., are set, and as long as any development meets those standards, the use is allowed.**

#### **COMMENT:**

Concurrent with the map amendments, the applicant is requesting approval of a Planned Development application. The applicant has addressed the planned development approval criteria with this narrative to demonstrate how the proposal meets applicable performance standards as well or better than residential developments that are approved under typical subdivision standards.

#### **Transferable Development Rights (TDRs)**

**Involves the transfer of the right of land development from one parcel of land to the next, with both owners benefiting financially.**

#### **COMMENT:**

The applicant is not proposing transferable development rights with the submitted applications.

#### **Purchasing of Development Rights**

**A technique whereby the government purchases the development rights to property but the landowner retains title to the land and continues to use it for farming, forestry, or some other use deemed desirable for the community.**

**COMMENT:**

The applicant is not proposing to sell development rights with the submitted applications.

**Density Bonus Incentive Zoning**

**A variation of traditional zoning that permits the modification of standards to allow developers greater leeway in land use utilization provided that some other public good is offered as a tradeoff. For instance, a developer may be allowed to build additional units on the land as long as a certain amount of open space is provided or a bikeway system is developed.**

**In McMinnville, the alternative to traditional zoning has been the use of the planned development concept.**

**COMMENT:**

As mentioned above, the applicant is requesting approval of a Planned Development application with the proposed map amendments. As demonstrated by the attached preliminary development plans, the applicant is not proposing to exceed the maximum density of the R-4 zoning district. The applicant also intends to apply the base zone density to the commercial area of the site, whose amended planned development condition would allow no more than 120 multi-family dwelling units.

**Planned Developments**

**The planned development (PD) is a method by which creative, large-scale development of land is encouraged for the collective benefit of the area's future residents. Unlike conventional zoning, planned developments allow for varying of lot sizes, flexibility in design, and integration of different building types such as townhouses, multi-family units, and single-family homes. In addition, amenities such as common open areas, playgrounds, and recreation centers may be provided to the development's residents. Typically, structures in a planned development are clustered in such a manner as to achieve the same overall density that would have been achieved if the developer had laid out the project in a conventional grid lotting pattern.**

**Since the PD concept encompasses planning on the level of a "community" or "neighborhood" area rather than on the basis of "single" or "individual" lots, the elements of the development can have a**

close relationship to each other. Numerous studies have shown that construction cost of roads can be less for the developer (many PDs require less roads than conventional developments), and municipal services can also be provided at less cost.

McMinnville's zoning ordinance allows planned developments in two ways—as an overlay over an area in which conditions for approval for development are specified and as an overlay which accompanies a specific development plan submitted by a developer. As written, the planned development provisions are intended to provide specific benefits to a development (e.g., developed parks, retention of unique natural areas, etc.) while allowing developments to achieve the overall density of the underlying zone. The flexibility of these provisions is attractive to developers. It is important that the City continue to scrutinize planned development designs to insure that amenities are being provided in excess of what is normally required. It is also imperative that the conditions attached to these planned developments, especially as they concern the technical aspects of the development (including those requirements of the underlying zone) are carefully considered and then specified.

Based on the information presented on land use controls, the City finds that:

1. The traditional tools for land use development—the zoning and subdivision ordinances—have been used almost exclusively in McMinnville until recently.
2. A number of alternative development tools are available for land use control; these tools merit future consideration by the City. They include: performance standards, transferable development rights, the purchase of development rights, and density bonus incentive zoning.

**COMMENT:**

As stated above, the proposed map amendments will allow approval of Baker Creek North, a residential planned development that maintains the density of the underlying R-4 zone. The attached preliminary development plans demonstrate that housing will be clustered for efficient provision of transportation and utilities facilities. The proposed open space tracts will function as community gathering spaces and

will address both active and passive recreational needs of the neighborhood. Proposed recreational facilities also include the development of an off-site trail within 14.9 acres of donated park land north of the development. As such, the proposed amenities on-site and off-site improvements on the donated land are being provided in excess of what is normally required under traditional subdivision and zoning ordinances. These benefits associated with the proposed planned development will be provided without a request for transferable development rights, the purchase of development rights, or density bonus incentive zoning.

**3. The planned development provisions of the zoning ordinance have been used extensively in McMinnville. Advantages of planned developments include:**

- **Less expense in development and maintenance than the conventional grid design if properly designed. More efficient use of streets and sewers can allow savings to accrue not only to the housing consumer, but also to the local government body which must ultimately service the new population's needs.**
- **Opportunities for the development to design with flexibility, incorporating street patterns and residential arrangements which effectively utilize the land and can protect unique natural areas.**

**COMMENT:**

The applicant is proposing use of the City's planned development provisions to create attainable housing opportunities for a variety of income levels. The proposed mix of small, medium, and large lot single-family dwellings will address the diverse housing needs of the community. As demonstrated by the attached preliminary development plans, efficient provision of transportation and utility services will be achieved by the proposed street layout and the use of alleys. Smaller yards and increased density along the south side of the site is consistent with the goals of the transit corridor along Baker Creek Road, while larger lots in the northern portion of the site provide a buffer for the natural area associated with the donated special use park land.

**4. Future planned developments should be carefully scrutinized to insure that there are trade-offs favorable to the community when zoning ordinance requirements are varied. Those trade-offs should not just include a mixture of housing types.**

**COMMENT:**

The Baker Creek North Planned Development provides several public benefits in addition to varied

housing options. The mix of housing types will promote social inclusion and a more diverse street scape, adding to homes and property values, as opposed to a monotonous cookie cutter pattern of a standard subdivision approach. Smaller yards and clustering of density along the south side of the project adjacent to the transit corridor will allow for more reduction of resource consumption in terms of yard maintenance costs and use of alternative transportation modes such as walking or biking, and eventually transit use, once added as planned by local authorities.

The attached Landscape Plans demonstrate that 19 open space tracts are proposed to be developed with pedestrian pathways and recreation amenities. The recreational spaces will be attractively landscaped as shown on the landscaping plans included in the application materials. Proposed amenities including multiple play structures, picnic shelter, picnic tables, and park benches. The community spaces will support active and passive recreation interests and promote social interaction among the residents.

5. **When planned developments are utilized, it is important that those requirements which are varied in the zoning ordinance are carefully considered and that new requirements are clearly specified.**

**COMMENT:**

As required, the applicant has addressed how the proposed Code standard modifications are offset by the proposed amenities. The requested modifications are detailed in this narrative and include variations from the minimum lot size, setback, and frontage requirements. The applicant is also proposing to include common drives, paired driveways, alleys, pedestrian accessways, and modified street tree spacing within the planned development.

**Additional Design Considerations**

**Two specific areas of concern were examined by the Citizens' Advisory Committee's subcommittees in relation to residential development designs.**

**The incorporation of solar access review into the land division ordinance received favorable reaction. Such review could require that all subdivision designs seek to maximize access to the sun through orientation of both streets and lots. This requirement has been used in other cities without causing major development problems. By orienting streets and lots towards the optimal access to the sun, the City would not be requiring the installation of active solar energy systems, but would instead encourage and allow the use of both passive and active solar systems. The large size of future areas proposed for residential development further enhances the applicability of this design requirement in McMinnville.**

**Pedestrian paths (sidewalks) are required by ordinance to be constructed in all new residential developments. Bike paths, however, have only been constructed in a few**

selected areas. The City should encourage the development of bike paths and foot paths to activity areas, such as parks, schools, and recreation facilities, in all development designs. Close attention to maintenance costs to the public will, however, have to be monitored. Based on the information presented on residential development design considerations, the City finds that:

1. **A minimum level of public facilities and services including, but not limited to, sanitary sewer, storm drainage systems, water services, and improved streets should continue to be required for all residential developments. The standards for these facilities and services should be periodically examined to insure the services are commensurate with, but do not exceed, the density of development projected.**

**COMMENT:**

The submitted plans demonstrate that the proposed development meets City standards for sanitary sewer, storm, and water services. The proposed street improvements will support all modes of transportation. Pedestrian accessways are proposed, helping to encourage alternative modes of travel to parks, schools, and other activity centers.

2. **Open space is required in all residential developments in several ways. Traditional zoning setbacks reserve a large portion of each individual lot for potential open space. Planned developments can preserve large open areas for open space by clustering development in smaller areas. The requirements of landscaping ordinance also insure that multiple-family developments provide both open recreational space and landscaped open areas.**

**COMMENT:**

The attached Preliminary Site Plan indicates that the applicant is proposing to reduce setbacks for some of the housing types in order to cluster the residential development and preserve more of the site for common open space. As a result, larger open space areas are provided with the proposed planned development than what is normally provided if the site were subdivided under traditional zoning. Besides the preservation of open space in tracts to off-set smaller lots and smaller yard setbacks on some lots, some lots have larger yards and larger setbacks, thus open space is also preserved in larger yards (i.e. on the east edge of the site adjacent to Oak Ridge subdivision).

3. **Parkland requirements in the land division ordinance provide for either the dedication of parkland to the public or payment of moneys in lieu of land to develop the city park system. The requirements of the ordinance need to be examined to see that all**

**future residential developments, including mobile home parks and newly created parcels through partitioning, contribute equitably to the park program.**

**COMMENT:**

The submitted plans indicate donation to the City of several open space tracts with recreation amenities within the Baker Creek Planned Development. The other tracts not desired as park land for the City will be owned and maintained by a homeowners association. In addition, the applicant is proposing to donate a separate 14.9 acre parcel to the City as park land. To facilitate public use of the park land, the applicant is proposing to install off-site pedestrian trail improvements within the donated land during Phase 2A and/or Phase 3A of the Baker Creek North Planned Development project to connect the BPA corridor to the east, such that it may extend east to Tice Park with improvements off-site by others as envisioned in the City's parks plan of 1999.

- 4. The incorporation of solar access review into the land division ordinance should be undertaken. Such review would require the orientation of streets and lots towards the sun in a manner which would best utilize access to solar energy. The requirement should not be designed to lessen the density of development available on any parcel of land.**

**COMMENT:**

The attached plans illustrate that the proposed streets are laid out in an east-west direction to the maximum extent possible given limitations of the existing topography, significant natural features along the north boundary of the site, and the existing street pattern.

- 5. The City should encourage the provision of bike and foot paths within residential developments to connect to public and/or private parks, or recreation facilities and to connect to any paths which currently abut the land.**

**COMMENT:**

The applicant's Preliminary Landscape Plans illustrate how proposed pedestrian paths within the common open space tracts and the proposed pedestrian accessways connect to recreation facilities within the site and to those which abut the site. Specifically, the plans indicate that a proposed pedestrian pathway directly connects to the powerline (BPA easement) trail south of the site. In addition, the plans demonstrate that several pedestrian paths will provide connections to a proposed off-site trail within the donated park land adjacent to Baker Creek.

**VOLUME II:                  GOALS AND POLICIES**

**CHAPTER IV:      ECONOMY OF MCMINNVILLE**

**Commercial Development**

**Goal IV 2:          To encourage the continued growth of McMinnville as the commercial center of Yamhill County in order to provide employment opportunities, goods, and services for the city and county residents.**

**COMMENT:**

This policy is supported by the applications for a Comprehensive Plan Map and Proposed Zoning Map amendment, along with the proposed Planned Development Amendment to replace the conditions of approval associated with the planned development overlay approved by Ordinance No. 4633. This will allow larger commercial uses to be developed and maintained in preferred business districts in the City. With the removal of Conditions 1 and 2 of the ordinance, at least 2-acres of neighborhood commercial use and no more than 120 multi-family dwelling units can be developed on the proposed commercial area of the site. With the proposed planned development amendment for Ordinance 4633, the boundary of the current planned development overlay will be reduced to the size of the proposed C3 designated area, which is equal to 6.62 acres. (see Exhibit 3).

The applicant reviewed City documents and found that the City’s last Economic Opportunity Analysis (EOA) was completed in 2013. The study concluded that that the Commercial land supply for the 2013-2033 planning period was deficient by 35.8 acres, while the Industrial land supply held a surplus. To adjust for the deficient Commercial land supply, the EOA recommends to re-designate excess industrial land for commercial use to make up for forecasted land needs. Since there are approximately 235.9 acres of Industrial land supply that can be converted to a Commercial designation, there is more than enough Industrial land to not only meet forecasted commercial land needs, but to also replace the proposed loss of commercial land on the subject site. Of the area removed from a commercial designation, about 2 acres is proposed right-of-way to support adjacent commercial and residential land use, so there is really only approximately 2.7 acres of functional land converted from commercial designation to residential.

As demonstrated by the attached Proposed Comprehensive Plan Map, the applicant is proposing to zone Commercial designated land at the intersection of NW Baker Creek Road and NW Hill Lane. The City has recently installed a roundabout at this location to serve as a new northwest gateway into McMinnville. This application does not include a specific development proposal for the C3 zoned land, however the intent is to facilitate future development of uses allowed in the C3 zone such as neighborhood commercial and multi-family housing. Therefore, the C3 zoned parcel is appropriately sized as proposed to support the development of commercial uses typical of this zone.

**Policy 21.04:          The City shall make infrastructure investments that support the economic development strategy a high priority, in order to attract high-wage employment.**

**COMMENT:**

The City has recently constructed a roundabout at the intersection of NW Hill Road and NW Baker Creek Road and also improved NW Hill Road North south of Baker Creek Road, adjacent to the site. The Commercial designated land is located adjacent to these roadways where recent City investments have provided the site with adequate access to public transportation and utility facilities. The City has also recently made improvements to the City's Sanitary Sewer system's capacity to facilitate additional development. The housing and commercial development at this site as proposed will capitalize on those City investments to support further economic development in the form of good housing for the local economy's workforce and appropriately scaled commercial area.

**Policy 21.05: Commercial uses and services which are not presently available to McMinnville residents will be encouraged to locate in the city. Such uses shall locate according to the goals and policies in the comprehensive plan.**

**COMMENT:**

The proposed C3 zoned area of the site is in an area already designated for commercial on the City's comprehensive plan. By allowing uses listed in the C-3 zone, development of the commercial area will occur according to the City's comprehensive plan goals and policies.

**Goal IV 3: To ensure commercial development that maximizes efficiency of land use through utilization of existing commercially designated lands, through appropriately locating future commercial lands, and discouraging strip development.**

**COMMENT:**

The proposed commercial area will maximize efficiency of land, as it is utilizing an area for commercial uses that is existing commercial designated land. The site is also not a strip of land, but rather a node at the intersection of two minor arterial streets.

**General Policies:**

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

**COMMENT:**

As mentioned above, the applicant is requesting a Planned Development Amendment to modify several conditions of approval associated with Ordinance No. 4633. The applicant is proposing to reduce the size of the existing C3-PD designation from 11.3 to 6.62 acres and increase the amount of Residential designated land with a concurrent Comprehensive Plan Map Amendment by the difference (see Exhibit 3). The City's 2013 EOA recommends to re-designate some of the 235.9 acres of excess industrial land to make up for forecasted commercial land needs. Much of the available excess industrial land is adjacent to the downtown core, therefore large-scale regional commercial uses can be efficiently sited in this location. By developing additional commercial uses near the downtown core, revitalization of unused

industrial properties will occur. Conversely, with the reduction of C3-PD zoned area on the site, smaller-scaled commercial uses can be developed to serve the needs of Baker Creek North residents and other northwest neighborhoods in McMinnville.

**Policy 24.00:**      **The cluster development of commercial uses shall be encouraged rather than auto-oriented strip development.**

**COMMENT:**

The commercial area is a node and can be developed with appropriately scaled and clustered uses allowed by the C3 zone.

**Locational Policies:**

**Policy 24.50:**      **The location, type, and amount of commercial activity within the urban growth boundary shall be based on community needs as identified in the Economic Opportunities Analysis.**

**COMMENT:**

The City of McMinnville completed their last Economic Opportunity Analysis (EOA) in 2013. As discussed above, the report indicates that there is a 35.8-acre deficit of Commercial designated land for the 20-year planning horizon. To address this need, the report recommends that the City re-designated some of the 235.9 acres of surplus Industrial land for commercial use. Since there is such a surplus of Industrial land that can be converted to a Commercial designation, the applicant's proposal to reduce the amount of Commercial land from 11.3 acres to 6.62 acres will not significantly diminish the City's ability to meet its commercial land needs.

The EOA provides specific recommendations to fulfill the City's economic development objectives. One key objective in the report is to reduce out-shopping from this trade area by providing a full range of commercial services in McMinnville. Another strategic objective is to promote the downtown as the cultural, administrative service, and retail center of McMinnville. The applicant's proposed reduction in Commercial designated land on the subject site to allow the development of smaller-scaled uses allowed by the C3 zone is consistent with these objectives. By reducing the amount of the Commercial designated land on the subject site, larger-scaled regional commercial uses will be encouraged to locate in the Downtown area, where revitalization efforts continue, and an oversupply of Industrial land is present.

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

**COMMENT:**

There will be minimal impacts to adjacent land uses by the proposed C3 zoned parcel. It is appropriately

located adjacent to a minor arterial on the south side and buffered from adjacent high density residential land by a full public street on all other sides. In addition, a power substation is sited to the east side of the commercial zoned land. The proposed commercial land location has readily available City utility services, including sanitary sewer services installed in 2018.

**Policy 26.00:**      **The size of, scale of, and market for commercial uses shall guide their locations. Large-scale, regional shopping facilities, and heavy traffic-generating uses shall be located on arterials or in the central business district, and shall be located where sufficient land for internal traffic circulation systems is available (if warranted) and where adequate parking and service areas can be constructed.**

**COMMENT:**

No specific commercial use is proposed at this time. Any commercial uses proposed in the future on the C3 zoned area of the site will be appropriately scaled. As proposed with the amended planned development overlay, future development will contain at least 2-acres of commercial use and no more than 120 multifamily dwelling units. Existing commercial designated land on the site is located on a minor arterial and not in the central business district. The existing commercial land is capable of developing 10 acres of commercial use, or 100,000 square feet of commercial development which generates “heavy traffic”. That type of commercial should be located on arterials and in the central business district per this policy. The applicant’s attached traffic analysis supports proposed development plans for the site. The proposed commercial land area of just over 6 acres will have less intense traffic demands than would 10 acres. Future development plans for the commercial property will demonstrate that the commercial use will have sufficient internal circulation, parking, and service areas.

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

**COMMENT:**

This commercial designated area is across the street from residential areas. No specific commercial use is proposed at this time. Any commercial uses proposed in the future on the proposed C3 zoned area will be appropriately scaled as allowed by the C3 zone. There are residential areas around the commercial parcel and neighborhood oriented commercial uses of no less than 2 acres are proposed with the amendment to the planned development overlay, which will make future commercial uses less intensive than envisioned by the current Ordinance 4633.

**Design Policies:**

**Policy 29.00:**      **New direct access to arterials by large-scale**

**commercial developments shall be granted only after consideration is given to the land uses and traffic patterns in the area of development as well as at the specific site. Internal circulation roads, acceleration/deceleration lanes, common access collection points, signalization, and other traffic improvements shall be required wherever necessary, through the use of planned development overlays.**

**COMMENT:**

No specific commercial use is proposed at this time. Consideration to land uses and traffic patterns will be given for any commercial uses proposed in the future on the proposed C3 zoned area, if access to arterials is sought. The proposed residential development plans internal circulation roads and access to the minor arterial Baker Creek Road at three points: 1) An extension of the north leg of Hill Road and Baker Creek Road roundabout in the form of a street proposed as Hill Lane, 2) An extension of Meadows Drive north from its current intersection with Baker Creek Road where new striping will be added for bike lanes, and 3) An extension of Shadden Drive north from its current intersection with Baker Creek Road where new striping will also be added for bike lanes. Both Meadows and Shadden drive will have additional pavement width on the west side of their sections to allow for a right turn lane.

**Policy 30.00: Access locations for commercial developments shall be placed so that excessive traffic will not be routed through residential neighborhoods and the traffic-carrying capacity of all adjacent streets will not be exceeded.**

**COMMENT:**

The C3 zoned area is located adjacent to NW Baker Creek Road, a minor arterial street. Future access to the commercial uses will not focus traffic through residential neighborhoods or reduce the carrying capacity of the adjacent streets. The traffic analysis provided with this application showed that, in the worst case scenario, the capacity of adjacent streets is sufficient.

**Policy 31.00: Commercial developments shall be designed in a manner which minimizes bicycle/pedestrian conflicts and provides pedestrian connections to adjacent residential development through pathways, grid street systems, or other appropriate mechanisms.**

**COMMENT:**

No specific commercial use is proposed at this time. A design to minimize bike and pedestrian conflicts and provide connections can be considered at the time of a future commercial development application. These travel modes are facilitated by the proposed semi-grid like street pattern of the adjacent residential developments and other pathways.

**Proposals:**

**Policy 6.00:** A planned development overlay should be placed on the large cluster commercial development areas and the entrances to the City to allow for review of site design, on-site and off-site circulation, parking, and landscaping. The areas to be overlaid by this designation shall be noted on the zoning map and/or comprehensive plan map.

**COMMENT:**

The submitted plans indicate that the applicant is not currently proposing to develop the C3 zoned portion of the site. Prior to development of the site, a commercial use development application will be submitted for review of the proposed site design, circulation, parking facilities, and landscaping features. The traffic study provided with this application demonstrates that in the worst case scenario, there is sufficient off-site capacity in the surrounding street network for future uses of the commercial site.

## CHAPTER V: HOUSING AND RESIDENTIAL DEVELOPMENT

**Goal V 1: To promote development of affordable, quality housing for all city residents.**

### **General Housing Policies:**

**Policy 59.00: Opportunities for multiple-family and mobile home developments shall be provided in McMinnville to encourage lower-cost renter and owner-occupied housing. Such housing shall be located and developed according to the residential policies in this plan and the land development regulations of the City.**

### **COMMENT:**

In 2001, the City adopted the Residential Land Needs Analysis, which evaluated housing needs for the 2000-2020 planning period. The study determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs, of which 63.9 acres would need to be zoned R4 to meet higher density housing needs. To address its deficient residential land supply, the City moved forward with an UGB amendment application. However, the UGB expansion effort was shelved in 2011 after LUBA remanded City Council's land use decision.

While the 2001 analysis provides some insight into McMinnville's on-going housing challenges, Policy 71.05 does not require use of a State acknowledged planning document when evaluating what is required to achieve a continuous 5-year supply of buildable land for all housing types. Since the City's deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently updating its Housing Needs Analysis. Current analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R4 land within the UGB. This acreage will accommodate the development of 891 dwelling units which are unable to be accommodated by the current R4 land supply.

While the current Housing Needs Analysis has not been acknowledged by the State, it still qualifies as a beneficial study and provides helpful information regarding McMinnville's current and future housing needs. The study received grant funding from DLCD, and a condition of the grant award, this State agency prepared a scope of work and qualified the consultant Econorthwest to prepare the report. DLCD staff currently serves as a member of the project's Technical Advisory Committee and has ensured that the study's methodology follows Oregon Administrative Rule standards.

It is due to rising housing costs, as well as McMinnville's persistent challenge to maintain an adequate residential land supply, that the City is currently updating its Buildable Lands Inventory and Housing Needs Analysis. These studies have identified how many acres of additional residential land must be added to the Urban Growth Boundary (UGB) to meet housing demands over the next 20-year planning period. The City has also identified new strategies to encourage the development of a greater variety of housing types including single-family detached homes, townhomes, mobile homes, condominiums, duplexes, apartments, and affordable housing options.

As demonstrated by the attached Preliminary Development Plans, the proposed project will facilitate the development of 280 small, medium, and large sized single-family lots within the Baker Creek North Planned Development area. The proposed planned development amendment to the overlay created by Ordinance 4633 will allow for the future development of up to 120 apartment units within the C3 zoned area as demand for commercial uses and housing determines. This will further help to address McMinnville's current housing needs. A future development application will be submitted for the development of the multi-family dwelling units on the C3 zoned portion of the site. As discussed throughout this narrative, the proposed map and planned development amendments are consistent with applicable residential policies and the land development regulations of the City.

**Goal V 2: To promote a residential development pattern that is land intensive and energy-efficient, that provides for an urban level of public and private services, and that allows unique and innovative development techniques to be employed in residential designs.**

**COMMENT:**

In order to create a more intensive and energy efficient pattern of residential development, the applicant is requesting approval of a Zoning Map Amendment to zone 9.41 acres of existing R1 zoned land and 39.29 acres of currently unzoned land to an R4 classification. The attached Preliminary Development Plans demonstrate that all of the R4 zoned land will be included within the proposed Baker Creek North Planned Development.

The submitted plans illustrate that the planned development will provide an urban level of private and public services. The submitted planned development application includes a request to modify several City Code standards so that unique and innovative single-family detached housing can be developed on the subject site that is land intensive. The plans demonstrate that the proposed housing provides a more compact urban form, is more energy efficient, and provides more variety in housing types than are developed in the R4 zone with a standard subdivision.

The amendment to the planned development overlay ordinance to allow no more than 120 multifamily dwelling units on the commercial parcel will also help facilitate the development of more efficient housing in the area.

**Policies:**

**Policy 68.00: The City of McMinnville shall encourage a compact form of urban development by directing residential growth close to the city center and to those areas where urban services are already available before committing alternate areas to residential use.**

**COMMENT:**

The site is adjacent to NW Baker Creek Road, an area where urban services are already available, and near NW Hill Road, where the City has recently made improvements to urban services to accommodate development in McMinnville.

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

**COMMENT:**

This is a directive to the City and not an approval criterion. The planned development ordinance which is being used in this application appears to integrate the proposed housing and commercial uses as proposed in the amended planned development in a compatible framework.

**Westside Density Policy:**

**Policy 71.01:** The City shall plan for development of the property located on the west side of the city that is outside of planned or existing transit corridors (1/4 mile either side of the route) to be limited to a density of six units per acre. It is recognized that it is an objective of the City to disperse multiple family units throughout the community. In order to provide higher density housing on the west side, sewer density allowances or trade-offs shall be allowed and encouraged.

**COMMENT:**

The Baker Creek North site is located within a ¼ mile of the north side of a planned transit corridor. The October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I, which was adopted on 10/18/18, shows the area of Baker Creek North as adjacent to a planned transit corridor in Figure 2-11 (page 2-18), Figure 6-18 and 6-19 (pages 6-26 and 6-27 respectively).

The area is labeled as 1b. Baker Creek Road and Hill Road on the TDP's Figure 2-11 Potential Future Transit Service Areas. Route "5" is labeled as a future route serving Baker Creek Road on the TDP's Figure 6-18 System Map and Figure 6-19 McMinnville map, both subtitled Near-Term, Short-Term and Mid-Term Changes. Finally, the TDP's page 6-31 shows this planned new transit corridor as Project ID number SL9.

The significance of the proximity of the Baker Creek North site being within ¼ mile of this transit corridor is that that area is not limited by the 6 units per acre density applied to areas outside of ¼ mile of a planned transit corridor by Policy 71.01. The proposed planned development amendment condition to allow no more than 120 dwelling units would allow multi-family to be dispersed into this area. This area is also within a ¼ mile of the transit corridor, so it is not limited by the 6 units per acre policy.

The submitted Preliminary Development Plans indicate that 280 single-family dwellings will be constructed within the site's 48.7 acre planned development. Virtually the entire planned development site is inside the transit corridor, less than ¼ miles away from Baker Creek Road. The planned development area has a gross density of 5.75 units per acre, and a net density of 8.16 dwelling units per net acre. Therefore, the planned densities meet this policy.

- 1. It will be the obligation of the City Planning Director and the City Engineer to determine whether or not the density of each proposed development can exceed six units per acre. School property, floodplain, and parklands will not be included in the density calculations.**

**COMMENT:**

Over the past year, the City's Planning Director and City Engineer have evaluated and provided feedback regarding the preliminary plans for the proposed residential development during multiple meetings with the applicant.

As mentioned above, the proposed planned development provides a gross density of 5.75 units per acre and is inside the transit corridor. This is less than the 6 units per acre established by these policies. The planned development density within the transit corridor is an appropriate density along a transit corridor per Policy 71.01 (above) and to provide a compact urban form along those areas where existing services already exist per Policy 68.00 (above).

The entire site is privately owned, so no portion is school property or parklands. No area of floodplain exists on the proposed development site. Therefore, none of these three area types is included in the density calculations. Analysis has been done in conjunction with City staff to confirm that public facilities and services have the capacity to support the proposed commercial area under the planned development amendment application, in addition to the proposed density of the new residential planned development described above. The Applicant seeks the City Planning Director and the City Engineer's positive determination through a decision of approval for these planned densities on both the new residential planned development area and the commercial parcels amended planned development area.

- 4. In no case will a residential development of a higher density than six units per acre be approved if, by allowing the development, some other undeveloped property (which is not included in the application, but which is within the above-mentioned sewer service area) would be caused to develop at less than six units per acre because of lack of sewer capacity.**

**COMMENT:**

Allowing the development proposed and future development of the commercial lot will not cause other properties to develop at less than 6 dwelling units per acre. The proposed development is at the end of the sewer line, so there are no uphill properties within this sewer service area with pending development dependent on surplus sewer service capacity. There have also been recent improvements made by the City to the sewer system capacity. Thus, the proposed project will not generate a lack of sewer capacity.

5. **Applications for multiple-family zone changes will be considered in relation to the above factors, e.g., sewer line capacity and dispersal of units. In addition, requests for zone changes to multiple-family shall consider those factors set for in Section 17.74.020 (Comprehensive Plan Map Amendment and Zone Change – Review Criteria) of the zoning ordinance**

**COMMENT:**

The applicant is requesting approval of a Zoning Map Amendment application to designate 48.7 acres of the site as R-4 (Multi-Family Residential). The proposed planned development addresses the above factors in this narrative. As required, the applicant has addressed in this narrative below how the proposed zone change meets those factors set forth by Section 17.74.020 of the zoning ordinance. There is sewer capacity, per analysis completed with the City. The submitted applications illustrate a common sense dispersal of dwelling unit types with higher residential density closer to parks, transit, commercial uses, and arterial streets and lower density farther away.

**Policy 71.05:** **The City of McMinnville shall encourage annexations and rezoning which are consistent with the policies of the Comprehensive Plan so as to achieve a continuous five-year supply of buildable land planned and zoned for all needed housing types.**

**COMMENT:**

As required, the applicant has addressed applicable policies of the Comprehensive Plan to demonstrate consistency with the proposed Zoning Map amendments. The 2001 McMinnville Residential Land Needs Analysis evaluated housing needs for the 2000-2020 planning period and determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs. At the time, the needed residential acreage included 63.9 acres of additional R4 zoned land beyond what was available within the UGB. Although the City moved forward with an UGB expansion in 2011 to address its deficient residential land supply, the boundary amendment was shelved after LUBA remanded City Council's land use decision in 2011. As a result, residential land needs dating back to 2001 have yet to be addressed.

While the 2001 Residential Land Needs Analysis provides some insight into McMinnville's on-going housing challenges, Policy 71.05 does not require use of a State acknowledged planning document when evaluating what is required to achieve a continuous 5-year supply of buildable land for all housing types. Since the City's deficient residential land supply has continued to be an issue for two decades, and housing costs have now soared in recent years, the City is currently updating its Housing Needs Analysis. Current analysis indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R-4 land within the UGB. This acreage will accommodate the development of 891 dwelling units which are unable to be accommodated by the current R4 land supply. As indicated by the attached Preliminary Development Plans, the applicant is proposing to rezone a portion of the site R4 to develop 280 dwelling units, helping to address the McMinnville's current housing needs (see Exhibit 3).

**Policy 71.09: Medium and High-Density Residential (R-3 and R-4) - The majority of residential lands in McMinnville are planned to develop at medium density range (4 – 8 dwelling units per net acre). Medium density residential development uses include small lot single-family detached uses, single family attached units, duplexes and triplexes, and townhouses. High density residential development (8 – 30 dwelling units per net acre) uses typically include townhouses, condominiums, and apartments:**

**COMMENT:**

Much of the proposed planned development area north of Augustine, Charles and Wessex, respectively, will be developed with blocks in a medium-density range (4-8 dwelling units per net acre) like most of McMinnville. These lots south of Augustine, Charles, and Wessex, respectively, have density ranges by block from about 10 to 15 units a net acre. Bringing the overall site to just over 8 dwelling units per net acre.

- 1. Areas that are not committed to low density development;**

**COMMENT:**

The applicant is requesting approval of a Zoning Map Amendment to change 9.41 acres of existing R1 zoned land to an R4 classification. The 2001 McMinnville Residential Land Needs Analysis evaluated housing needs for the 2000-2020 planning period and determined that 63.9 acres of additional R4 zoned land should be added the UGB. As mentioned above, the City is currently conducting a Housing Needs Analysis and has found that McMinnville currently has a deficit of 217 gross acres of R-4 land within the UGB for the 2018-2041 planning period.

When the City's UGB last expansion effort was undertaken in 2011, a Court of Appeals remand prevented 320.2 acres of identified buildable residential land need from being included in the UGB. Since a future UGB expansion effort could have similar challenges, some existing low-density residential land should be changed to medium and high-density designations. The proposed R4 zoning of the 9.41 acres of existing R1 zoned land will permit an increase in residential density, helping to address the City's critical need for additional housing units without expanding the City's UGB.

- 2. Areas that have direct access from collector or arterial streets;**

**COMMENT:**

The attached Preliminary Development Plans indicate that the proposed R4 zoned portion of the site, and the C-3 zone area, are located directly adjacent to NW Baker Creek Road, a minor arterial street (see Exhibit 3). The proposed planned development is provided consolidated access onto NW Baker Creek Road from the proposed extensions of NW Hill Lane, NW Meadows Drive, and NW Shadden Drive.

- 3. Areas that are not subject to development limitations such as topography, flooding, or poor drainage;**

**COMMENT:**

The submitted Preliminary Development Plans indicate that the proposed R4 zoned area of the site is not constrained by environmental factors such as topography, flooding, or poor drainage. The proposed planned development is located outside of the riparian corridor along Baker Creek north of the site, where a 100-year floodplain limits development.

- 4. Areas where the existing facilities have the capacity for additional development;**

**COMMENT:**

The Existing Conditions Plan demonstrates that adequate public utilities are currently located within NW Baker Creek Road and can be extended to serve the proposed development (see Exhibit 3). The applicant worked with City staff to confirm sewer and other utility capacity exits. The submitted plan also indicates that NW Hill Road's transportation facilities have recently been upgraded and a roundabout has been installed at the intersection with NW Baker Creek Road adjacent to the site. The City is adding center turn lane striping to Baker Creek Road. These transportation facilities can accommodate future development of the subject site as well as other developable properties in McMinnville's northwest quadrant. This is further demonstrated by the transportation study provided with this application.

- 5. Areas within one-quarter mile of existing or planned public transportation; and**

**COMMENT:**

The proposed R4 zoned area and C3 zoned area are currently located within ¼ mile of planned public transportation as described in the October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I (see also response to Policy 70.01 above).

- 6. Areas that can be buffered from low density residential areas in order to maximize the privacy of established low density residential areas.**

**COMMENT:**

There are no low density residential areas adjacent to the Baker Creek North site that are planned for high density residential uses.

There is a church and a residential development known as Oak Ridge east of the site that was developed with an R2-PD overlay zone. There is also a proposed development northeast of the site, which is a new residential development and a modification of an old approved development. These areas are not low density even though underlying zoning may be R-2 because net density is over 4 units per acre, classifying them as medium density developments per Policy 71.09 above. The proposed lots in this area

of Baker Creek North Planned Development are larger, therefore they will not be development at a higher density. The attached Preliminary Development Plans demonstrate that the proposed lots adjacent to the Oak Ridge development are extra deep to retain the mature trees along this boundary. The trees and extra deep rear yards will help buffer this existing development, regardless of how density is measured for the adjacent development.

**Policy 71.13: The following factors should serve as criteria in determining areas appropriate for high-density residential development:**

- 1. Areas which are not committed to low or medium density development;**

**COMMENT:**

In 2001, the City adopted the McMinnville Housing Needs Analysis, which evaluated housing needs for the 2000-2020 planning period. The study determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs, of which 63.9 acres would need to be zoned R4 to meeting higher density housing needs. To address its deficient residential land supply, the City moved forward with an UGB amendment application in 2011. However, the UGB expansion effort was shelved in 2011 after LUBA remanded City Council's land use decision.

As mentioned above in response to Policy 71.09 1., the City is currently conducting a Housing Needs Analysis and has found that an additional 449 acres should be added to the UGB to meet housing needs over the next 20 year planning period. When the City's last attempt to expand the UGB occurred in 2011, a Court of Appeals remand prevented 320.2 acres of identified buildable residential land need from being included in the UGB. Since only a portion of the current housing need can currently be accommodated by Residential designated land within the UGB, some low-density residential land will need to be changed to medium and high-density designations. The proposed R4 zoned portion of the site, most of which has not yet received urban zoning, is not currently committed to low or medium density housing. This area and the 9.41 acres zoned R1 that will change to R-4 classification will allow a needed increase in residential density, helping to address the City's critical need for additional housing units. These factors make this area appropriate for high density residential development.

- 2. Areas which can be buffered by topography, landscaping, collector or arterial streets, or intervening land uses from low density residential areas in order to maximize the privacy of established low density residential areas;**

**COMMENT:**

As mentioned above in response to Policy 71.09 2., there are no established low-density residential areas adjacent to the site. To the south of the site, the proposed planned development is buffered from existing residential areas with an R1-PD zone overlay by NW Baker Creek Road, a minor arterial street. To the east of the site is the Oak Ridge Subdivision, which has been developed with medium-sized lots in the R2-PD zone overlay. The proposed development has extra deep lots adjacent to the Oak Ridge lots to allow existing trees to remain in the rear yards as a buffer. Mitigation measures to buffer the proposed development are not required since there are no low-density residential areas adjacent to the

site.

- 3. Areas which have direct access from a major collector or arterial street;**

**COMMENT:**

As mentioned above in response to Policy 71.09 4., the proposed R4 zoned portion of the site is located directly adjacent to NW Baker Creek Road, an arterial street. The proposed planned development is provided with consolidated access to NW Baker Creek Road, a minor arterial street, from the proposed extensions of NW Hill Lane, NW Meadows Drive, NW Shadden Drive. Therefore, the proposed access is appropriate for the high-density development.

- 4. Areas which are not subject to development limitations;**

**COMMENT:**

The development site is appropriate for high-density development since it is not constrained by development limitations.

- 5. Areas where the existing facilities have the capacity for additional development;**

**COMMENT:**

The submitted Existing Conditions Plan illustrates that adequate public utilities are currently located within NW Baker Creek Road and can be extended to serve the proposed development (see Exhibit 3). The applicant completed analysis in conjunction with the City which concluded sewer capacity exists to serve the site. The submitted plan also indicates that NW Hill Road's transportation facilities were recently upgraded with the addition of a roundabout at the intersection with NW Baker Creek Road. Center turn lanes on Baker Creek Road were also added by the City. The transportation improvements were designed to accommodate future development of the subject site and other developable properties in the northwest area of McMinnville. Sufficient existing capacity of facilities adjacent to the site make it appropriate for high density residential development. This is further evidenced by the traffic analysis provided by the applicant with this application.

- 6. Areas within a one-half mile wide corridor centered on existing or planned public transit routes;**

**COMMENT:**

As discussed above in response to Policy 71.09 5., all of the proposed R-4 zoned and C-3 zoned areas are located within one-half mile of planned public transit routes. This proximity to planned public transit routes makes this area appropriate for high density residential development.

- 7. Areas within one-quarter mile from neighborhood and general commercial**

**shopping centers; and**

**COMMENT:**

The applicant is proposing a Zoning Map amendment to designate 6.62 acres within the C3 zone in the southwest corner of the site, conforming to the Commercial Comprehensive Plan designation for that parcel. This proximity to a commercial designated land qualifies this site for high density residential development, and the proposed R4 zoning classification requested.

**8. Areas adjacent to either private or public permanent open space.**

**COMMENT:**

Included with the proposed Baker Creek Planned Development are numerous common open space areas with amenities that will serve a variety of recreational needs in the community. The submitted plans indicate that the proposed open space areas are located in various portions of the site to permit both active and passive recreation uses for all. Proposed recreational amenities include multiple play structures, picnic shelter, picnic tables, park benches, trails and paths, and more. The proposed open space areas have been sited to extend the City's network of park facilities by connecting to the existing BPA powerline trail. The proposed park improvements will allow the trail to extend north. As indicated by the attached landscape plans, the proposed paved trails will connect to an unpaved off-site trail within the donated park land. The open space tracts and donated park land, if owned by the City, will be excellent assets to the City's park system. Proximity to the proposed open spaces make this subject site suitable for high density residential development per this Policy.

**Planned Development Policies:**

**Policy 72.00: Planned developments shall be encouraged as a favored form of residential development as long as social, economic, and environmental savings will accrue to the residents of the development and the city.**

**COMMENT:**

As this narrative and responses to these Policies have demonstrated, the proposed zoning of R4 for the residential designated portions of the site is appropriate due to the site characteristics. The applicant could develop the site with a standard subdivision approach to meet the R4 standards with basic 2,500 square feet common wall dwelling lots (townhouses) and 5,000 square feet cookie cutter detached single-family dwellings. However, because it is written in Policy 72.00 that it is the City's policy that planned developments shall be encouraged and be the favored form of residential development in the City, and in order to allow the developer to use unique and innovative development techniques as is the City's goal (see Goal V 2 above), the applicant has prepared a planned development application for the R4 zoned portion of the site to help meet the City's goals and policies. Likewise, the applicant is proposing to amend the planned development overlay created under Ordinance 4633 to strike the existing conditions and allow no less than 2 acres of neighborhood commercial and no more than 120 multi-family dwelling units on the C3 zoned portion of the site.

The Baker Creek North Planned Development will accrue the benefits sought by this policy in many

ways, some of which are highlighted here. The development provides a bounty of open space, common walkways and recreational amenities to support the social fabric of the community and creating habitat space to benefit the environment. The proposed lot sizes and building setbacks create attainable housing choices for a variety of income levels. The mix of housing will promote social inclusion and an aesthetically diverse streetscape adding to the value of homes and property. The volume of new dwellings will help support the community's need for housing, providing economic and social benefits for the City. Smaller yards and clustering of density along the south side of the project adjacent to the transit corridor will allow for a reduction of resource consumption in terms of yard maintenance costs as well as an incremental reduction in transportation costs since more residents will live closer to the arterial and have convenient access to transit options in the future. Therefore, environmental benefits will be provided by a reduction in pollution that comes from less yard maintenance and fewer vehicle trips for residents. Higher density housing in the planned development will support the demand for future planned transit, which will deliver a social, economic and environmental benefit to all residents in that corridor.

**Policy 73.00:       Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged.**

**COMMENT:**

The attached Typical Lots Plan indicates that the applicant is proposing 7 different single-family lot sizes with specifications to provide a variety of housing types within the development. Lots that would normally contain a common wall structure (a.k.a. townhouse) are proposed with side yards, so the lots are wider than the standard to accommodate the yards. These planned development lots allow a product that is similar to a townhouse, but better for the occupant in many ways, including livability, independence and privacy. These two types (SFD-26 & SFD-30) are the "small" lots. The two types (SFD-45 & SFD-40) slightly smaller than standard R-4 lots are "medium" lots. Lots larger than standard R-4 lots (SFD-50, SFD-60, & SFD-70) are "large" lots. The Preliminary Site Plans illustrate that some of the lots will be accessed by alleys and others directly from the street. Some will even have front yards facing a common walkway and green space. Also, lot sizes vary from street to street or block to block, and sometimes even alternate from lot to lot. This unique approach to the lot layout adds to the variety of housing available on a given street. Depending on the lot size, single-family homes will be developed as either one or two-story structures. With different single-family dwelling choices on small, medium and large sized lots, the planned development will offer attainable housing for a wide range of income levels within the community.

**Policy 74.00:       Distinctive natural, topographic, and aesthetic features within planned developments shall be retained in all development designs.**

**COMMENT:**

The applicant has sited the proposed planned development to capitalize on its location along the bluff overlooking the Baker Creek riparian corridor. The general natural topography of the site will be retained with the proposed development. Proposed Tract F is an open space that will have a public path, benches and picnic amenities for the community, with excellent views of this natural feature. Tract L is also an area that will contain a trail with public access to view this significant adjacent natural area. Tract N is being preserved as a common open space with significant trees, and the trees on the rear of the lots along the east boundary adjacent to Oak Ridge development are also preserved, along with various

single trees on the rear of lots along the site's boundary. (see Landscape Plans)

**Policy 75.00:** Common open space in residential planned developments shall be designed to directly benefit the future residents of the developments. When the open space is not dedicated to or accepted by the City, a mechanism such as a homeowners association, assessment district, or escrow fund will be required to maintain the common area.

**COMMENT:**

The Baker Creek Planned Development includes 19 proposed common open space tracts that are designed to directly benefit future residents of the development. After the proposed open space tracts are developed with active and passive recreation amenities as shown on the applicant's Landscape Plan sheets and the final plat records for the respective phase of development, the applicant is proposing to dedicate those tracts and facilities to the City of McMinnville that the City desires to own. Any tracts not dedicated or accepted by the City will be transferred to an incorporated homeowners association with an assessment and reserve fund to maintain the common areas for the community.

**Policy 76.00:** Parks, recreation facilities, and community centers within planned developments shall be located in areas readily accessible to all occupants.

**COMMENT:**

The submitted Preliminary Site Plans identify the location of 19 common open space tracts that are dispersed throughout the Baker Creek Planned Development and readily accessible to future occupants of the development. They are all adjacent to a public street with a sidewalk.

**Policy 77.00:** The internal traffic system in planned developments shall be designed to promote safe and efficient traffic flow and give full consideration to providing pedestrian and bicycle pathways.

**COMMENT:**

The submitted Preliminary Site Plans and Preliminary Landscape Plan demonstrate how the proposed sidewalk and street system promote safe and efficient travel throughout the development. Roadways are fully looped with no cul-de-sacs. The plans illustrate how pedestrian and bicycle travel will be enhanced with the development of accessways which shorten the distance between residential blocks and provide access to open space areas. The proposed improvements include widening and striping the north side of Baker Creek Road to add a bike lane and extra wide sidewalk, as well as a center turn lane. Both Meadows Drive and Shadden Drive include a three-lane section at their southern ends with a right turn lane from these streets onto Baker Creek Road.

**Policy 78.00:** Traffic systems within planned developments

shall be designed to be compatible with the circulation patterns of adjoining properties.

**COMMENT:**

The submitted Preliminary Site Plan demonstrates that the proposed planned development connects to all streets which are stubbed to the subject site (see Exhibit 3). To provide connectivity and compatible circulation with adjoining properties, the applicant is proposing to extend NW Blake Street, NW Shadden Drive, NW Meadows Drive, and proposed NW Hill Lane with the proposed development. The internal streets are also stubbed out to facilitate future development of adjacent underdeveloped parcels.

**Residential Design Policies:**

**Policy 79.00:** The density allowed for residential developments shall be contingent on the zoning classification, the topographical features of the property, and the capacities and availability of public services including but not limited to sewer and water. Where densities are determined to be less than that allowed under the zoning classification, the allowed density shall be set through adopted clear and objective code standards enumerating the reason for the limitations, or shall be applied to the specific area through a planned development overlay. Densities greater than those allowed by the zoning classification may be allowed through the planned development process or where specifically provided in the zoning ordinance or by plan policy.

**COMMENT:**

The applicant is proposing concurrent Comprehensive Plan Map and Zoning Map amendments to designated 48.7 acres of the site within the R4 district. The attached plans indicate that the Baker Creek Planned Development is located within the proposed R4 zoned portion of the site and will have a net density of 8.16 dwelling units/acre. There are no topographic or utility capacity constraints which limit the subject site's development potential. Water and sewer services are available adjacent to the site and can be extended to serve the development with on-site improvements constructed and paid for by the developer. Some phases of the development can be served by gravity sanitary sewer, but development of other phases include service from a pump station on proposed Tract "G" in Phase 1B. The applicant is not proposing to modify the allowed net density range of 8-30 dwelling units/acre allowed in the R4 zone with this application. See comments below under MMC Section 17.21.

**Policy 80.00:** In proposed residential developments, distinctive or unique natural features such as wooded areas, isolated preservable trees, and drainage swales shall be preserved wherever feasible.

**COMMENT:**

The applicant is proposing to retain existing trees and wooded areas in common open space tracts and those preservable trees in rear yards where feasible as shown on the Landscape Plans.

**Policy 81.00:** Residential designs which incorporate pedestrian and bikeway paths to connect with activity areas such as schools, commercial facilities, parks, and other residential areas, shall be encouraged.

**COMMENT:**

Pedestrian and bikeway paths are provided to connect the large active open spaces in the residential areas with convenient routes between residential blocks. The proposed paths and sidewalks also connect to the existing powerline trail which leads to a neighborhood park to the south and provides access to views of the adjacent significant natural space to the north of the site.

**Multiple-family Development Policies:**

**Policy 90.00:** Greater residential densities shall be encouraged to locate along major and minor arterials, within one-quarter mile from neighborhood and general commercial shopping centers, and within a one-half mile wide corridor centered on existing or planned public transit routes.

**COMMENT:**

The site is located along NW Baker Creek Road, a minor arterial street, and within a planned public transit route (see also comments above under Policy 70.01). The proposed zoning and uses are consistent with this policy.

**Policy 92.00:** High-density housing developments shall be encouraged to locate along existing or potential public transit routes.

**COMMENT:**

As discussed above (see also comments under Policy 70.01), this proposed housing development is located along a potential public transit route per current transit planning documents. The applicant is proposing to develop high density housing along this potential public transit route, meeting this policy.

**Policy 92.01:** High-density housing shall not be located in undesirable places such as near railroad lines, heavy industrial uses, or other potential nuisance areas unless design factors are included to buffer the development from the incompatible use.

**COMMENT:**

No portion of the site is located near incompatible uses such as railroad lines, heavy industrial uses, or other potential nuisance areas.

**Policy 92.02:** High-density housing developments shall, as far as possible, locate within reasonable walking distance to shopping, schools, and parks, or have access, if possible, to public transportation.

**COMMENT:**

To the extent possible, this proposed housing development meets this policy. It is within reasonable walking distance to proposed on-site common open space parks and across the street from an existing City park property and trail system beginning at Meadows Drive at Baker Creek Road (with a planned neighborhood park improvement currently under construction south of this existing City park property and west of the existing trail). There is a future school site planned about ¼ miles south of the site on Hill Road. The applicant is proposing a planned development amendment to provide 6.62 acres of Commercial designated land at the corner of Hill Road and Baker Creek Road. The adjacent minor arterial is also planned for future public transportation.

**Urban Policies**

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

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

**COMMENT:**

As shown on the preliminary utility plans, each proposed phase of the development will improve public facilities to provide an adequate level of urban services as required by this policy. In coordination with the City, the applicant has confirmed that adequate sanitary sewer capacity exists. Storm sewer improvements will be installed with each phase of the planned development. Streets will be built to City standards as shown by the plans. Water services for the proposed residential uses will be extended to

the site from adjacent main lines.

**CHAPTER VI: TRANSPORTATION SYSTEM**

**Goal VI: To encourage development of a transportation system that provides for the coordinated movement of people and freight in a safe and efficient manner.**

**COMMENT:**

The development of the sites outlined in these applications will result in the improvement of the north side of the minor arterial called Baker Creek Road which to allow for the coordinated movement as envisioned by the City's Transportation System Plan. The proposed on-site streets, pedestrian accessways, and trail improvements will also promote this goal.

**Streets Policies**

**Policy 117.00: The City of McMinnville shall endeavor to insure that the roadway network provides safe and easy access to every parcel.**

**COMMENT:**

This policy is met by the proposed roadways and lot frontages along those right-of-ways in the application's plans.

**Policy 118.00: The City of McMinnville shall encourage development of roads that include the following design factors:**

- 1. Minimal adverse effects on, and advantageous utilization of, natural features of the land.**
- 2. Reduction in the amount of land necessary for streets with continuance of safety, maintenance, and convenience standards.**
- 3. Emphasis placed on existing and future needs of the area to be serviced. The function of the street and expected traffic volumes are important factors.**
- 4. Consideration given to Complete Streets, in consideration of all modes of transportation (public transit, private vehicle, bike, and foot paths).**
- 5. Connectivity of local residential streets shall be encouraged. Residential cul-de-sac streets shall be discouraged where opportunities for through streets exist**

**COMMENT:**

The attached preliminary development plans indicate that the proposed road sections meet the City design standards. Where proposed Charles Street does not extend straight east from proposed Alfred Drive to proposed Gregory Drive, a pedestrian path is provided to ensure minimal adverse effects on adjacent natural features as encouraged by factor 1 above. Where large blocks are proposed with mid-block pedestrian paths instead of streets under the flexibility proposed by the planned development application, policy design factor 2 above is being supported. The extra right turn lanes for southbound traffic at Meadows Drive and Shadden Drive are supporting design factor 3 above. The development will support all modes of transportation as encouraged by design factor 4. Connectivity to adjacent developments and extension of existing streets is proposed, while no cul-de-sacs are planned to provide conformance with design factor 5. Therefore, all design factors of this policy are met by the proposal.

**Policy 119.00:** The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.

**COMMENT:**

The existing Baker Creek Road transportation corridor will be more efficiently utilized with this proposal, meeting the intent of this policy.

**Policy 120.00:** The City of McMinnville may require limited and/or shared access points along major and minor arterials, in order to facilitate safe access flows.

**COMMENT:**

The applications propose access at existing street intersections with Baker Creek Road. The traffic analysis provided shows this can be done safely even in the worst case scenario. No development or other access to Baker Creek Road from the commercial property is proposed at this time, although it may be proposed at a future time upon application for site development of that parcel.

**Policy 121.00:** The City of McMinnville shall discourage the direct access of small-scale residential developments onto major or minor arterial streets and major collector streets.

**COMMENT:**

No direct access is proposed from the residential development to Baker Creek Road. Street intersections from this large scale residential development are proposed to match up with opposite existing intersections.

**Policy 122.00:** The City of McMinnville shall encourage the following provisions for each of the three

**functional road classifications:**

**1. Major, minor arterials.**

**–Access should be controlled, especially on heavy traffic-generating developments.**

**–Designs should minimize impacts on existing neighborhoods.**

**–Sufficient street rights-of-way should be obtained prior to development of adjacent lands.**

**–On-street parking should be limited wherever necessary**

**–Landscaping should be required along public rights-of-way.**

**COMMENT:**

Proposed improvements in all phases developed along Baker Creek Road will control and limit access to the existing intersections. The designs include an extra right turn lane at Meadows Drive and Shadden Drive to minimize delay. Approval of the development will also create additional connectivity to the minor arterial for other developments via streets stubbed to adjacent properties. The proposed extension of exiting streets stubs will also disburse traffic volumes in adjacent residential communities. The attached plans indicate that required right-of-way widths are provided to facilitate the street improvements. No on-street parking is proposed on Baker Creek Road, an arterial street. Street trees will be provided in the planter strips of all proposed street improvements. The planned residential development also proposes landscaping to be installed in a private tract along the arterial as passive open space in support of this policy.

**2. Major, minor collectors.**

**–Designs should minimize impacts on existing neighborhoods.**

**–Sufficient street rights-of-way should be obtained prior to development of adjacent lands.**

**–On-street parking should be limited wherever necessary.**

**–Landscaping should be required along public rights-of-way. (Ord.4922, February 23, 2010)**

**–As far as is practical, residential collector streets should be no further than 1,800 feet apart in order to facilitate a grid pattern of collector streets in residential areas.**

**COMMENT:**

No collector streets are proposed with these development applications.

**3. Local Streets**

**–Designs should minimize through-traffic and serve local areas only.**

**–Street widths should be appropriate for the existing and future needs of the area.**

**–Off-street parking should be encouraged wherever possible.**

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

**COMMENT:**

Anticipated through-traffic on local streets will serve this neighborhood only, not the larger regional area. The proposed street widths are standard for local streets. The width increases in the southern segments at the approach to Baker Creek Road to allow right turn only lanes. Off-street parking is encouraged with standard 20-foot driveway depths for two off-street parking spaces in front of the garage at a minimum on all single-family lots. Street trees will be provided along public rights-of-way as shown on the Street Tree Plan, and landscaping will be installed in open spaces adjacent to the streets. Therefore, this policy is met by the proposal.

**Policy 123.00: The City of McMinnville shall cooperate with other governmental agencies and private interest to insure the proper development and maintenance of the road network within the urban growth boundary.**

**COMMENT:**

All of the proposed street improvements are within the urban grown boundary and rights-of-way will be dedicated to the City after improvements to City standards are installed in compliance with this policy.

**Policy 125.00: The City of McMinnville shall adopt measures to control access onto U.S. Highway 99W from heavy traffic-generating developments. Planned development overlays on new large**

commercially or industrially designated areas adjacent to the highway would give the City needed access controls.

**COMMENT:**

No access to Hwy 99W is proposed as this site is not the vicinity of the highway. Therefore, this Policy is not applicable.

**Parking Policies**

**Policy 126.00:** The City of McMinnville shall continue to require adequate off-street parking and loading facilities for future developments and land use changes.

**COMMENT:**

The proposed developments will achieve sufficient off street parking. Single-family residential lots will all have two off-street parking spaces in front of the garage door at a minimum.

**Policy 127.00:** The City of McMinnville shall encourage the provision of off-street parking where possible, to better utilize existing and future roadways and rights-of-way as transportation routes.

**COMMENT:**

The proposed developments will encourage off-street parking. Single-family residential lots will all have two off-street parking spaces in front of the garage door at a minimum. The commercial parcel will also be provided with off-street parking. No parking will be allowed on Baker Creek Road, an arterial street.

**Policy 128.00:** The City of McMinnville shall continue to assist in the provision of parking spaces for the downtown area.

**COMMENT:**

The site is not downtown. This Policy is not applicable to this application.

**Bike Path Policies**

**Policy 130.00:** The City of McMinnville shall encourage implementation of the Bicycle System Plan that connects residential areas to activity areas such as the downtown core, areas of work, schools, community facilities, and recreation facilities.

**COMMENT:**

These development applications will result in the phased improvement of the north side of Baker Creek

Road with a bicycle lane in the shoulder. The improvements also include an extension of the power line trail into the site with a connection to on-site walkways. As such, the improvements will connect people with elements called for in this policy.

**Policy 130.05:** In areas where bikeways are planned, the City may require that new development provide bikeway improvements such as widened streets, bike paths, or the elimination of on-street parking. At the minimum, new development shall be required to make provisions for the future elimination of on-street parking along streets where bikeways are planned so that bike lanes can be striped in the future. Bike lanes and bike paths in new developments shall be constructed to standards recommended in the bikeway plan.

**COMMENT:**

The applicant is proposing to install a bike lane on the north side of Baker Creek Road as phases of the planned development are constructed, meeting this policy.

**Policy 131.00:** The City of McMinnville shall encourage development of bicycle and footpaths in scenic and recreational areas as part of future parks and activities.

**COMMENT:**

The residential planned development will dedicate several tracts to the City for public park land in phases as part of the amenities offered with the planned development application. The applicant is also providing several private common area tracts which will be retained by the development's homeowners association. The open spaces will include paths and scenic areas for both active and passive enjoyment. In addition, the applicant is offering to donate an adjacent parcel to the City for use as a special use park with high natural recreational value to help the City meet its Park Master Plan goals.

**Policy 132.00:** The City of McMinnville shall encourage development of subdivision designs that include bike and foot paths that interconnect neighborhoods and lead to schools, parks, and other activity areas.

**COMMENT:**

The proposed bike lane on Baker Creek Road will connect the surrounding neighborhoods. The connection of proposed sidewalks and open space tracts to the power line trail at Meadows drive will provide a route to other parks and other activity areas to the south of the site. Therefore, this policy is met by the proposed development.

**Complete Streets Policies**

**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. Design and construct right-of-way improvements in compliance with ADA accessibility guidelines (see below).

**COMMENT:**

The site is relatively flat, and the streets, walkways, and ramps are planned to comply with ADA standards.

2. Incorporate features that create a pedestrian friendly environment, such as:
  - a. Narrower traffic lanes;
  - b. Median refuges and raised medians;
  - c. Curb extensions (“bulb-outs”);
  - d. Count-down and audible pedestrian signals;
  - e. Wider sidewalks;
  - f. Bicycle lanes; and
  - g. Street furniture, street trees, and landscaping

**COMMENT:**

The internal local streets will have traffic lanes that conform to City local street standards. Wider sidewalks are proposed along the north side of Baker Creek Road, on the west side of Meadows Drive to the roadway’s first intersection, and for internal mid-block paths. The attached landscape plans indicate that street trees and landscaping is proposed throughout the development. Therefore, this policy is met.

3. Improve pedestrian accommodation and safety at signalized intersections by:

- a. Using good geometric design to minimize crossing distances and increase visibility between pedestrians and motorists.
- b. Timing signals to minimize pedestrian delay and conflicts.
- c. Balancing competing needs of vehicular level of service and pedestrian safety.

**COMMENT:**

There are no signalized intersections near or internal to the site. This section is not applicable.

**Connectivity and Circulation Policies**

**Policy 132.26.00:** The vehicle, pedestrian, transit, and bicycle circulation systems shall be designed to connect major activity centers in the McMinnville planning area, increase the overall accessibility of downtown and other centers, as well as provide access to neighborhood residential, shopping, and industrial areas, and McMinnville’s parks and schools.

**COMMENT:**

The proposed improvements to transportation infrastructure support this policy.

**Policy 132.26.05:** New street connections, complete with appropriately planned pedestrian and bicycle features, shall be incorporated in all new developments consistent with the Local Street Connectivity map.

**COMMENT:**

The proposed new street connections have the elements to create the connectivity envisioned by this policy.

**Livability Policies**

**Policy 132.35.00:** Transportation facilities in the McMinnville planning area shall be, to the degree possible, designed and constructed to mitigate noise, energy consumption, and neighborhood disruption, and to encourage the use of public

**transit, bikeways, sidewalks, and walkways.**

**COMMENT:**

The street layout and the mid-block paths proposed are designed to encourage residents to walk and bike, and with density oriented closer to the future transit corridor, the transportation improvements will facilitate use of public transit in the future as stops will be close and walking distances reasonable. Homes are oriented away from arterial streets and landscaped open space tracts will buffer noise. Therefore, the proposed development supports this policy.

**Health and Welfare Policies**

**Policy 132.36.00: Through implementation of its Complete Streets policy and the TSP by enhancing its pedestrian and bicycle systems, the City of McMinnville will help encourage greater physical activity and improved health and welfare of its residents.**

**COMMENT:**

The development has been designed to encourage walking to local amenities which will support this policy.

**Aesthetics and Streetscaping Policies**

**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.**

**COMMENT:**

The street tree plan and landscaping of passive and active open spaces adjacent to public ways support this policy.

**Circulation Policies**

**Policy 132.41.00: Residential Street Network – A safe and convenient network of residential streets should serve neighborhoods. When assessing the adequacy of local traffic circulation, the following considerations are of high priority:**

- 1. Pedestrian circulation;**
- 2. Enhancement of emergency vehicle access;**

3. Reduction of emergency vehicle response times;
4. Reduction of speeds in neighborhoods, and
5. Mitigation of other neighborhood concerns such as safety, noise, and aesthetics.

**COMMENT:**

All proposed street improvements include sidewalks to provide adequate circulation. Emergency vehicle access is ensured through the provision of streets built to City standards and the avoidance of cul-de-sacs through the planned looping of the internal street network. Temporary fire turn-arounds and fire lanes can be provided as necessary with the phasing of the project.

**Policy 132.41.05: Cul-de-sac streets in new development should only be allowed when connecting neighborhood streets are not feasible due to existing land uses, topography, or other natural and physical constraints. (Ord. 4922, February 23, 2010)**

**COMMENT:**

No cul-de-sac streets are proposed, providing conformance with this policy.

**Policy 132.41.10: Limit Physical Barriers – The City should limit the placement of facilities or physical barriers (such as buildings, utilities, and surface water management facilities) to allow for the future construction of streets that facilitate the establishment of a safe and efficient traffic circulation network. (Ord. 4922, February 23, 2010)**

**COMMENT:**

No physical barriers are proposed. This policy is met.

**Policy 132.41.15: Establish Truck Routes – To support the efficient and safe movement of goods and freight, the City should establish and identify truck routes to the city’s major destinations. Such routes should be located along arterial roadways and should avoid potential impacts on neighborhood streets.**

**COMMENT:**

This policy is not applicable to these applications.

**Policy 132.41.20: Modal Balance – The improvement of roadway circulation must not impair the safe and efficient movement of pedestrians and bicycle traffic.**

**COMMENT:**

The roadway improvements proposed do not impair pedestrian nor bicycle movement. They enhance it through better connectivity and more facilities.

**Policy 132.41.25: Consolidate Access – Efforts should be made to consolidate access points to properties along major arterial, minor arterial, and collector roadways.**

**COMMENT:**

Access is consolidated for single family residential properties to new street legs at existing intersections to conform to this policy.

**Policy 132.41.30: Promote Street Connectivity – The City shall require street systems in subdivisions and development that promote street connectivity between neighborhoods.**

**COMMENT:**

The street connections proposed between adjacent property and rights of way conform to this policy.

**Street Width – Human Scale Policies**

**Policy 132.42.00: Generally, a major arterial street should not be widened beyond two through lanes in each direction with auxiliary turn lanes as appropriate. Minor arterials and collector streets should not be widened beyond one through lane in each direction with auxiliary left-turn lanes as appropriate. Major arterial streets with more than five lanes and minor arterial and collector streets with more than three lanes are perceived as beyond the scale that is appropriate for McMinnville.**

**COMMENT:**

Baker Creek Road along the site frontage is a minor arterial and is not proposed to be widened beyond one through lane in each direction. The project conforms to this policy.

### Neighborhood Traffic Management Policies

**Policy 132.43.00: Implementation – The City should adopt and implement its Neighborhood Traffic Calming Program (see Appendix I). (Ord. 4922, February 23, 2010)**

**COMMENT:**

This is a recommendation to the City not applicants. This policy is not applicable to this application.

**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:**

1. Traffic circles;
2. Painted or raised crosswalks (see also recommended crosswalk designation in Chapter 4);
3. Landscaping barriers between roadway and non-motorized uses;
4. Landscaping that promotes a residential atmosphere;
5. Sidewalks and trails; and
6. Dedicated bicycle lanes.

**COMMENT:**

There is an existing traffic circle at Hill Road and Baker Creek Road at the SW corner of this project, whose north leg will be connected with a phase of the residential planned development. Crosswalks at Meadows Drive and Shadden Drive across Baker Creek Road are proposed to be striped. Street trees are proposed in planter strips along all streets promoting a residential character. There are sidewalks and trails throughout the project, and dedicated bike lanes will be striped along the site frontage. Therefore, this plan conforms to this policy.

**Policy 132.43.10: Limited Neighborhood Cut-Through Traffic – Local residential streets should be designed to prevent or discourage their use as shortcuts for through traffic. Local traffic control measures should be coordinated with the affected neighborhood.**

**COMMENT:**

There is no risk of use of these streets as shortcuts for through traffic as there are no street connections, from the north residential neighborhoods, to other parts of the City or County. These local streets will only be used for local access. The plan conforms to this policy.

**Access Management Policies**

**Policy 132.44.00: The City should continue to coordinate with ODOT in the administration of jointly adopted plans to manage access and highway improvements as noted in Chapter 2 of the Transportation System Plan.**

**COMMENT:**

This policy is not applicable. There is not ODOT highway frontage for this project.

**Environmental Preservation Policies**

**Policy 132.46.00: Low impact street design, construction, and maintenance methods should be used first to avoid, and second to minimize, negative impacts related to water quality, air quality, and noise in neighborhoods. (Ord. 4922, February 23, 2010)**

**COMMENT:**

Streets are designed and will be constructed to City standards to meet this policy. Maintenance will be completed by the City. Street trees are proposed to improve air quality, noise buffering, and support water quality, as trees absorb rainfall. The right turn lane added to Meadows Drive and Shadden Drive will also decrease delay at the intersections. This will minimize negative impacts in terms of pollution and noise from cars during idling while queuing. This policy is supported by the project.

**Policy 132.46.05: Conservation – Streets should be located, designed, and improved in a manner that will conserve land, materials, and energy. Impacts should be limited to the minimum necessary to achieve the transportation objective.**

**COMMENT:**

Streets are designed and will be constructed to City standards to meet this policy. In some cases, large blocks are proposed with mid-block paths to facilitate pedestrian and bicycle connections. This approach supports this policy as the proposed streets with mid-block paths achieve the transportation objective.

**Policies 132.46.10: Clean Burning Fuels – The City should support the use of clean burning and/or renewable fuels through regional organizations (see U.S. Environmental Protection Agency guides).**

**COMMENT:**

This is a recommendation for the City about fuels and not applicable to this application.

**Aesthetics Policies**

**Policy 132.47.00:** The City should update and maintain its street design standards to increase aesthetics of the street's environment through landscaping and streetscape design.

**COMMENT:**

This is a recommendation for the City about fuels and not applicable to this application. This is not approval criterion. These applications support a street aesthetic discussed in this policy through the proposed street trees and landscaped open space tracts along streets shown on the landscape plans.

**Systems Development Policies**

**Policy 132.51.05:** Ensuring Future Sidewalk Connections – All future development must include sidewalk and walkway construction as required by the McMinnville Zoning Ordinance and City Code and adopted City of McMinnville Design Standards. All road construction or renovation projects shall include sidewalks. The City will support, as resources are available, projects that would remove identified barriers to pedestrian travel or safety.

**COMMENT:**

The proposed project will provide sidewalks in support of this policy in phases. It will result in sidewalk travel being continuous along the north side of Baker Creek Road, where it currently ends abruptly in the SE corner of the site in front of a church.

**Policy 132.51.10:** Complete Connections with Crosswalks – All signalized intersections must have marked crosswalks. School crosswalks will be marked where crossing guards are provided. Subject to available funding, and where appropriate, marked crosswalks, along with safety enhancements (medians and curb extensions), shall be provided at unsignalized intersections and uncontrolled traffic locations in order to provide greater mobility in areas frequently traveled by persons with limited mobility. Marked crosswalks may also be installed at other high volume pedestrian locations without

medians or curb extensions if a traffic study shows there would be a benefit to those pedestrians.

**COMMENT:**

The project will construct the north corners of the intersections of Baker Creek Road with Meadows Drive and Shadden Drive, such that all corners are improved, and provide crosswalks across Baker Creek Road in support of this policy.

**Policy 132.51.15: Connecting Shared-Use Paths – The City will continue to encourage the development of a connecting, shared-use path network, expanding facilities along parks and other rights-of-way.**

**COMMENT:**

The shared use path under the BPA power lines will be extended north into the project as illustrated on the attached landscape plans in support of this policy.

**Americans with Disabilities Act Compliance Policies**

**Policy 132.52.00: Compliance with ADA Standards – The City shall comply with the requirements set forth in the Americans with Disabilities Act regarding the location and design of sidewalks and pedestrian facilities within the City’s right-of-way.**

**COMMENT:**

This is a directive to the City. Through construction plan review by the City of sidewalks and pedestrian facilities, the Applicant will meet this policy objective.

**Pedestrian Programs Policies**

**Policy 132.54.00: Promoting Walking for Health and Community Livability – The City will encourage efforts that inform and promote the health, economic, and environmental benefits of walking for the individual and McMinnville community. Walking for travel and recreation should be encouraged to achieve a more healthful environment that reduces pollution and noise to foster a more livable community. (Ord. 4922, February 23, 2010)**

**COMMENT:**

With the network of proposed sidewalks and paths, this project will promote this policy. Walking to future transit will be more feasible due to the clustering of housing density on the south side of the site

closer to Baker Creek Road. The proposed neighborhood commercial area of no less than 2 acres is within reasonable walking distance of most of the proposed residential units, as well as other existing higher density housing to the south of Baker Creek Road. Thus, walking to shops, restaurants, and other services will be feasible. Walking for recreation will also be promoted with the connection/extension of the BPA powerline trail. In addition, a nature trail on the adjacent property proposed to be donated to the City as a Special Use Park will also connect to the BPA trail.

**Policy 132.55.00: Safe Routes to School – The City shall work, where possible, with the McMinnville School District and neighborhood associations to maintain and improve its programs to evaluate the existing pedestrian access to local schools, estimate the current and potential use of walking as a travel mode, evaluate safety needs, and propose changes to increase the percentage of children and young adults safely using this mode.**

**COMMENT:**

This is a directive to the City. With the network of pedestrian facilities proposed, this project helps the City meet this policy.

**Bicycle System Plan Policies**

**Policy 132.56.00: Provide Bicycle Facilities on Arterials and some Collector Streets – To the extent possible, arterial and some collector streets undergoing overlays or reconstruction will either be re-striped with bicycle lanes or sharrow (bicycle/auto shared-lane) routes as designated on the Bicycle System Plan Map. Every effort will be made to retrofit existing arterials and selective collectors with bicycle lanes, as designated on the Bicycle System Plan Map.**

**COMMENT:**

Baker Creek Road is a minor arterial and will have a bike lane striped on its north side as proposed in this application in support of this policy.

**Policy 132.56.05: Mitigation of On-street Parking Loss From Bicycle Projects – New bicycle facilities require the removal of on-street parking spaces on existing streets, parking facilities should be provided that mitigate this loss, to the extent practicable. (Ord. 4922, February 23, 2010)**

**COMMENT:**

No on-street parking will be lost from the proposed bike facilities as no on-street parking exists on the north side of Baker Creek Road along the project frontage. This policy is not applicable.

**Policy 132.56.10: Eliminate Barriers to Bicycle Travel – The City will actively pursue a comprehensive system of bicycle facilities through designing and constructing projects, as resources are available, and implementing standards and regulations designed to eliminate barriers to bicycle travel. As a result of this policy, new developments or major transportation projects will neither create new, nor maintain existing, barriers to bicycle travel.**

**COMMENT:**

This is a directive to the City. With the proposed bike land striping on the north side of Baker Creek Road, this project helps the City meet this policy by removing a barrier to bicycling on Baker Creek Road.

**Policy 132.56.15: Bicycle Routes and Signage – As resources are available, the City will periodically consult with local bicyclists to review existing and proposed bicycle lanes, and identify improvements needed to make these routes function better for bicyclists. These routes shall be identified by signage on the routes and shown on updates of the bicycle route map.**

**COMMENT:**

This is a directive to the City. This is not applicable to this application.

**Policy 132.56.20: Complete the Major Bicycle System – A completed system of major bicycle facilities is one of the most important factors in encouraging bicycle travel. The City will work toward annually completing a minimum five percent addition to the bicycle system, as designated on the Bicycle System Plan Map, with priority given to projects that fill critical missing links in the bicycle system or address an identified safety hazard. (Ord. 4922, February 23, 2010)**

**COMMENT:**

This is a directive to the City. Approval of this project, and the associated bicycle system improvements planned in phases with this project, will help the City meet this policy to complete a minimum of 5% addition to the bicycle system annually.

**Policy 132.56.25: Establish Minimum Standards for Bicycle Facility Maintenance – The City shall develop minimum standards that will keep bicycle facilities clean of debris, properly striped, and clearly marked and signed. (Ord. 4922, February 23, 2010)**

**COMMENT:**

This is a directive to the City. This is not applicable to this application.

**Policy 132.56.30: Zoning Ordinance Requirements for Bicycle Parking – The McMinnville Zoning Ordinance (Section 17.60.140) contains bicycle parking supply requirements and standards that require new developments to provide a minimum amount of bicycle parking, based on the needs of the specific zone or land use type.**

**COMMENT:**

The applicant recognizes this policy and responds to the MZO elsewhere in this application.

**Policy 132.56.35: Bicycle Parking at Transit Facilities – The City will work with the Yamhill County Transit Authority (YCTA) to encourage the installation of public bicycle parking facilities at transit stations and other inter-modal facilities, and encourage the provision of bicycle racks on all public transit vehicles.**

**COMMENT:**

This is a directive to the City. This policy is not applicable to this application.

**Policy 132.56.40: Target and Eliminate Key Behaviors that Lead to Bicycle Accidents – The City will encourage schools, safety organizations, and law enforcement agencies to provide information and instruction on bicycle safety issues that focus on the most important accident problems.**

**COMMENT:**

This is a directive to the City. This policy is not applicable to this application.

**Policy 132.56.45: Safe Routes to School – The City will work with the McMinnville School District to: evaluate existing bicycle access to local schools and supporting infrastructure (bicycle racks, lockers, etc.); estimate the current and potential use of**

bicycling as a travel mode; evaluate safety needs; and propose changes to increase the percentage of children and young adults safely using this mode.

**COMMENT:**

This is a directive to the City. This policy is not applicable to this application.

**Transit System Plan Policies**

**Policy 132.57.00: Transit-supportive Street System Design – The City will include the consideration of transit operations in the design and operation of street infrastructure.**

**COMMENT:**

This is a directive to the City. This policy is not applicable to this application. The proposed street improvements meet 4City standards.

**Policy 132.57.05: Transit-supportive Urban Design – Through its zoning and development regulations, the City will facilitate accessibility to transit services through transit-supportive streetscape, subdivision, and site design requirements that promote pedestrian connectivity, convenience, and safety.**

**COMMENT:**

The proposed residential planned development is a subdivision with site design that directly supports this policy. The clustering of density with smaller lots on the south side of the project with multiple pathways to support access to Baker Creek Road, a planned transit route, supports convenient and safe connections to transit. The proposed planned development amendment to allow no less than 2-acres of commercial and no more than 120 multi-family dwelling units on the commercial designated property will likewise promote and support transit service and use in the area by creating a node of activity and density of use needed to support transit use volumes.

**Policy 132.57.10: Transit Facilities – The City will continue to work with YCTA to identify and help develop supportive capital facilities for utilization by transit services, including pedestrian and bicycle access to bus stop and bus shelter facilities where need is determined and right-of-way is available.**

**COMMENT:**

This is a directive to the City. This policy is not applicable to this application. The Applicant is dedicating

the required right-of-way along Baker Creek Road to meet the City's standard design for a minor arterial, so the City will have the area and improved facilities at full build out to meet this policy.

**Policy 132.57.15: Pedestrian Facilities – The City will ensure that arterial and collector streets' sidewalk standards are able to accommodate transit amenities as necessary along arterial and collector street bus routes. The City will coordinate with YCTA on appropriate locations.**

**COMMENT:**

This is a directive to the City. This policy is not applicable to this application.

**Policy 132.57.20: Intermodal Connectivity – The City of McMinnville will encourage connectivity between different travel modes. Transit transfer facilities should be pedestrian and cyclist accessible.**

**COMMENT:**

This is a suggestion to the City. This policy is not applicable to this application.

**CHAPTER VII: COMMUNITY FACILITIES**

**Goal VII 1: To provide necessary public and private facilities and utilities at levels commensurate with urban development, extended in a phased manner, and planned and provided in advance of or concurrent with development, in order to promote the orderly conversion of urbanizable and future urbanizable lands to urban lands within the McMinnville urban growth boundary.**

**COMMENT:**

This goal is met for this project. Public and private utilities have been and will be planned and provided for in advance of or concurrent with development. This includes parks, streets and ways, water service, storm and sanitary sewer service, power, and other franchise utilities.

**Sanitary Sewer Policies**

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

**COMMENT:**

This is a directive to the City. This policy will be met when construction plans are reviewed, field work is inspected, and work accepted.

**Policy 137.00: The City of McMinnville shall undertake necessary long-range planning efforts for the sewage system to implement the McMinnville Comprehensive Plan.**

**COMMENT:**

This is a directive to the City. This policy has been met as sanitary sewer capacity exists to serve the proposed development, as ensured through coordination and assurances with the City staff and the applicant prior to application completion.

**Policy 138.00: The City of McMinnville shall develop, or require development of, sewer system facilities capable of servicing the maximum levels of development envisioned in the McMinnville Comprehensive Plan.**

**COMMENT:**

This is a directive to the City. The applicant will improve on-site sanitary sewer to meet City standards

and connect that to the existing facilities already built with capacity for the proposed development.

**Policy 139.00:** The City of McMinnville shall extend or allow extension of sanitary sewage collection lines within the framework outlined below:

1. Sufficient municipal treatment plant capacities exist to handle maximum flows of effluents.
2. Sufficient trunk and main line capacities remain to serve undeveloped land within the projected service areas of those lines.
3. Public water service is extended or planned for extension to service the area at the proposed development densities by such time that sanitary sewer services are to be utilized.
4. Extensions will implement applicable goals and policies of the comprehensive plan.

**COMMENT:**

This is a directive to the City. The City can allow extension of sanitary sewage because the proposed project meets the framework outlined in this policy.

**Policy 140.00:** The City of McMinnville shall continue to limit sewer service extensions to the areas within the urban growth boundary, except where service is granted to comply with state or federal laws. Areas outside the city limits, but within the urban growth boundary, shall be granted sewer service hook-ups only under policies adopted by the City.

**COMMENT:**

The site is within the urban grown boundary and within city limits, so extension to this site shall not be limited under this policy.

**Policy 141.00:** The City of McMinnville shall continue to separate storm and sanitary sewers where they are connected to reduce the inflow of storm sewer waters to the sewage treatment plant. Ongoing maintenance and improvements of the existing system shall also be undertaken to reduce infiltration of rain water into the system.

**COMMENT:**

The proposed sanitary sewer and storm sewer systems are separate, conforming to this policy.

**Storm Drainage Policies**

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

**COMMENT:**

This is a directive to the City. The City will ensure it is met during review of construction plans for conformance with City standards. The preliminary utility plans show compliance is feasible.

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

**COMMENT:**

The proposed project retains natural drainage ways for storm water drainage, conforming to this policy.

**Water System Policies**

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

**COMMENT:**

This is a directive to the City and McMinnville Water and Light. The applicant has been assured by these agencies that water service at urban densities is available to the site for development.

**Policy 145.00:** The City of McMinnville, recognizing McMinnville Water and Light as the agency responsible for water system services, shall extend water services within the framework outlined below:

1. Facilities are placed in locations and in such a manner as to insure compatibility with surrounding land uses.
2. Extensions promote the development

patterns and phasing envisioned in the McMinnville Comprehensive Plan.

3. For urban level developments within McMinnville, sanitary sewers are extended or planned for extension at the proposed development densities by such time as the water services are to be utilized.
4. Applicable policies for extending water services, as developed by the City Water and Light Commission, are adhered to.

**COMMENT:**

This is a directive to the City. The water services will be extended on-site with development to serve the new lots.

**Policy 146.00:** The City of McMinnville shall continue to support the long-range planning efforts of McMinnville Water and Light to provide water system facilities and services commensurate with the projected population in the Comprehensive Plan.

**COMMENT:**

This is a directive to the City and not applicable to this application.

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

**COMMENT:**

This is a directive to the City and not applicable to this application.

**Policy 148.00:** The City of McMinnville shall encourage McMinnville Water and Light to continue management practices in the municipal watershed which insure highest quality water.

**COMMENT:**

This is a directive to the City and not applicable to this application

**Policy 149.00:** The City of McMinnville shall carefully consider the environmental impact of the location and design of water system facilities to minimize adverse effects on residential, farm, and natural areas.

**COMMENT:**

This is a directive to the City. No water system extension on-site will impact natural areas. It will all be completed within proposed dedicated street rights-of-way outside of natural areas.

**Policy 150.00:** The City of McMinnville and McMinnville Water and Light shall cooperate with Yamhill County, the Bureau of Land Management, and private parties owning or regulating lands around the municipal water supply impoundments to restrict land uses around these sites to those which would be compatible with and protect water quality and quantity.

**COMMENT:**

This is a directive to the City and not applicable to this application.

**Water and Sewer – Land Development Criteria**

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

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

**COMMENT:**

The applicant recognizes these applications will be reviewed in coordination to McMinnville Water and Light for the City to obtain concurrence that sufficient water supply is available to meet demands of the development. This review will ensure that the proposed uses are commensurate with the planned comprehensive plan map designation for the area.

2. Sufficient municipal sewage system facilities, as determined by the City Public

**Works Department, are available, or can be made available, to collect, treat, and dispose of maximum flows of effluents.**

**COMMENT:**

The applicant has coordinate with the City Public Works Department and received assurance that sufficient sewer capacity exists with the proposed on-site improvements and connections to the existing system.

- 3. Sufficient water and sewer system personnel and resources, as determined by McMinnville Water and Light and the City, respectively, are available, or can be made available, for the maintenance and operation of the water and sewer systems.**

**COMMENT:**

This is a directive to the City and McMinnville Water and Light.

- 4. Federal, state, and local water and waste water quality standards can be adhered to.**

**COMMENT:**

This is a directive to the City to review construction plans and field practices to ensure standards are adhered to.

- 5. Applicable policies of McMinnville Water and Light and the City relating to water and sewer systems, respectively, are adhered to.**

**COMMENT:**

This is a directive to the City to ensure policies are adhered to through the plan review and construction process.

**Parks and Recreation**

**Goal VII 3: To provide parks and recreation facilities, open spaces, and scenic areas for the use and enjoyment of all citizens of the community.**

**COMMENT:**

This goal is not an approval criterion. The proposed donation of land for the Special Use Park site is called for in the City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999. The donation will help the City meet this goal of providing open spaces and scenic areas for the use and

enjoyment of all citizens of the community. The applicant is also proposing to dedicate to the City with the recording of the plat (in phases) several tracts of land with open spaces and recreational facilities for the enjoyment of all citizens and to facilitate better access and enjoyment of the Special Use Park. Acceptance by the City of the proposed donation of land for the Special Use Park and acceptance of the dedication of the tracts will help the City meet the above goal. If the City does not accept the dedication of the tracts, then they will remain in private ownership of the development's homeowners association.

**Policies:**

**Policy 163.05:** The City of McMinnville shall locate future community and neighborhood parks above the boundary of the 100-year floodplain. Linear parks, greenways, open space, trails, and special use parks are appropriate recreational uses of floodplain land to connect community and other park types to each other, to neighborhoods, and services, provided that the design and location of such uses can occur with minimum impacts on such environmentally sensitive lands.

**COMMENT:**

The City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999, (page 41) states that Map 1 shows underserved neighborhoods. This Planning Areas map shows the subject site is located in Underserved Area 3. Underserved means not within a half mile of a neighborhood/community park or separated from it by a major street. To serve this area, the plan identifies actions in the Table 10 Recreation Facility Action Plan – Northwest on (page 43). The City is currently constructing a neighborhood park along Yohn Ranch Drive, located within a half mile of the subject site.

The proposed donation of land, dedication of tracts within the planned development, and other improvements proposed will help the City serve this area as intended by this policy and as envisioned by the parks plan through bringing to fruition many of the items in the action plan, including:

- City acquisition of a special use park adjacent to the BPA Easement (proposed land donation)
- City acquisition of a greenway to help connect Tice Park with the BPA Easement (dedication of proposed Tracts)
- Develop a trail in the greenway acquired

The proposed donation of the special use park is land that is partially within the 100-year floodplain. The portion outside the 100-year floodplain includes an old farm access haul road well suited for use as a greenway trail. The proposed off-site improvement of this trail with a bark chip surface will ensure minimum impact on environmentally sensitive lands while achieving the intent of this policy.

The tracts in the planned development are proposed to be improved with trails and dedicated to the City after the improvements are constructed. All of the proposed trails are located outside of the 100-year floodplain and do not contain environmentally sensitive lands.

**Policy 164.00:** The City of McMinnville shall continue to acquire floodplain lands through the provisions of Chapter 17.53 (Land Division Standards) of the

**zoning ordinance and other available means, for future use as natural areas, open spaces, and/or parks.**

**COMMENT:**

There are no floodplain lands within the boundary of the planned development proposed for land division, so this policy does not apply to the planned development. The proposed donation of land for a special use park, which does include floodplain lands, is not part of the planned development. The park land is simply being offered to the City, and acceptance of the donation is sought concurrent with the development review. This will allow for efficient processing of the offer by City staff and permit the City to evaluate how the donation fits into the City's park system. The City of McMinnville Parks, Recreation, and Open Space Master Plan, June 1999, (page 41) states, "The Director of Parks and Recreation oversees park acquisition..." It is hoped the proposed donation will be accepted by the Director and the City as it meets these policies.

**Policy 166.00: The City of McMinnville shall recognize open space and natural areas, in addition to developed park sites, as necessary elements of the urban area.**

**COMMENT:**

The proposed Planned Development meets these policies with the open spaces and natural areas proposed to be preserved in tracts, in addition to the mini-parks proposed to be developed in tracts.

**Policy 168.00: Distinctive natural features and areas shall be retained, wherever possible, in future urban developments.**

**COMMENT:**

Where possible within the planned development boundary, which is an urban development, distinctive natural features are retained in tract areas. Tract N includes a grove of protected trees. The landscape plans indicate that many significant trees are preserved in the rear yards of lots, particularly on the north and east boundaries of the site. Large trees along Baker Creek Road could not be preserved as they were within the area of required frontage improvements.

**Policy 169.00: Drainage ways in the City shall be preserved, where possible, for natural areas and open spaces and to provide natural storm run-offs.**

**COMMENT:**

Drainage ways north of the site are not proposed to be developed.

**Policy 170.05: For purposes of projecting future park and open space needs, the standards as contained in the adopted McMinnville Parks, Recreation, and Open Space Master Plan shall be used.**

**COMMENT:**

The applicant has reviewed the adopted City of McMinnville Parks, Recreation, and Open Space Master Plan prepared for the City by MIG, Inc. on June 1999. The applicant owns a parcel with an area of 14.9 acres adjacent to and north of the proposed Baker Creek North Planned Development. Concurrent with this application, the applicant requests acceptance of the donation of this land to the City.

The donated parcel would become a Special Use Park, and allow for Trails and a Linear Park, as defined on page 10 of the City's Master Plan (see also Appendix A Facility Inventory's Map 2, the Master Plan map, where a Special Use Park symbol is located in the area). Acceptance of this donation by the City would allow it to fulfill the recommendations listed in Chapter 6 of the Master Plan related to benefiting the residents of McMinnville. Acquisition of this property is listed in the Master Plan in Table 10 - Recreation Facility Action Plan – Northwest (page 43) under "Special Use Parks" as a top priority. City ownership of this land would also allow the City to achieve another action item in this table, which is acquiring a "Greenway" to connect Tice Park to the BPA easement, as this property has an old farm haul road along the bluff from the BPA easement east to the adjacent property boundary that is well suited for development of a trail. This land donation will also allow the City to make a connection to the adjacent Baker Creek Greenway segment being proposed by an adjacent development (PDA 3-18/PDA 4-18/S 3-18), which is also an action item in Table 10 ("Develop a trail in the Baker Creek Greenway").

The purpose of the park land donation is to facilitate public open space enjoyment, protection of the floodplain from development encroachment, and conservation of riparian habitat along the waterway.

The proposed land donation is adjacent to the proposed planned development. The Proposed Planned development will create Tracts "F", "I", "J", "K", "L", "N" & "S", which the applicant recommends the City accept ownership of following installation of recreational amenities as proposed in their respective phases. These tracts include paths and trail improvements to support linear parks and greenspaces. These tracts and their improvements will facilitate public access to and enjoyment of the donated land.

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**B. MCMINNVILLE MUNICIPAL CODE**

**TITLE 17: MCMINNVILLE ZONING ORDINANCE**

**Chapter 17.09: Zone Classification, Boundaries and Maps**

**Section 17.09.020: Zone boundaries—Map adopted by reference.**

**The boundaries for the zones listed in this title are indicated on the McMinnville Zoning Map of 1980, which is adopted by reference. The boundaries shall be modified in accordance with zoning map amendments which shall be adopted by reference.**

**COMMENT:**

A review of the McMinnville Zoning Map indicates that 9.41 acres of the proposed planned development is currently zoned R-1. The remaining acres of the subject site currently have no urban zoning. The boundaries are proposed to be modified per the applicant's exhibit so there are 6.62 acres of land zoned C-3 and 48.70 acres of land zoned R-4. All of the currently R-1 zoned land becomes R-4. Under the planned development code sections addressed below, a planned development overlay is proposed over all of the R-4 zoned land to facilitate the planned development.

**Chapter 17.21: R-4 Multiple-Family Residential Zone**

**COMMENT:**

This narrative and the comments to this code are made under the assumption that the City will approve the requested zone boundary amendment designating 48.70 acres within the R-4 zone.

**Section 17.21.010: Permitted uses. In an R-4 zone, the following uses and their accessory uses are permitted:**

**A. Single-family dwelling;**

**COMMENT:**

The proposed planned development will have single-family dwellings and their accessory uses, which are uses allowed in the R-4 zone.

**G. A single-family dwelling having a common wall with one or more other single-family dwelling, provided:**

- 1. Each dwelling unit shall be situated on an individual, legally subdivided or partitioned lot.**
- 2. The dwelling shall have a common wall at the "zero" lot line.**

3. Each lot shall comprise not less than twenty-five hundred square feet in area.
4. Lot area and setback requirements will apply to the combined dwelling units as one structure and the combined lots as one lot.
5. Each dwelling unit must have independent services which include, but are not limited to sewer, water and electricity.
6. The common wall shall be a fire wall, and shall be a kind of construction that will insure fire protection as per the Uniform Building Code as adopted by the State.
7. Common wall, single-family structures shall be required to provide a sound barrier at the common wall which has a sound transmission class rating of not less than fifty (50) as per the Uniform Building Code as adopted by the State. The building technique used to achieve the sound barrier rating shall be the responsibility of the general contractor and will be accepted upon inspection if it meets the code requirements and is supported by proof of meeting sound emission controls as specified.
8. Existing duplexes will be allowed to be converted to common wall, single-family units if they meet the provisions of this title and were constructed after January, 1974.

**COMMENT:**

Through the planned development process, the applicant is requesting approval to develop lots (designated on the plans as SFD-30a and SFD-26a) at a scale that would normally be single-family units having a common wall with one more single-family dwellings, thereby meeting the standards of subsection G. above. Through the planned development process, the applicant is requesting flexibility to allow the dwellings to not be connected with a common wall. Instead, a unique approach is applied where the required side yards are split between the units so each side of the dwelling will have a side yard. The lots will meet the standards of the eight subsections listed above, or will be modified through the planned development as follows:

1. The dwelling units will be situated on an individually, legally subdivided lots meeting this code.
2. The dwelling units will not have a common wall, rather they will be modified through the planned development approval process to have two 3-foot wide side yards, one on each side of the dwelling, resulting in six (6) feet between structures.
3. All SFD-30a and SFD-26a lots in the proposed development combined will average more than twenty-five hundred (2500) square feet in area, and no lot will be less than twenty-three hundred (2300) square feet in area.

4. Lot area minimum and building setback requirements from property lines as modified by this application will apply to the dwelling units individually (except the average per #3 above).
5. Each dwelling unit will have independent services.
6. There will be no common wall as described in #2 above. The wall will meet the Uniform Building Code as adopted by the State for dwellings with 3-foot side yard setbacks to the property line.
7. There will be no common wall as described in #2 above, therefore there is no need for a sound barrier.
8. The dwelling units will not include existing duplexes, so this item is not applicable.

**O. Public park and recreation area;**

**P. Sewage pump station;**

**COMMENT:**

The proposed residential development will include other uses permitted in the R-4 zone, such as open space tracts proposed to be dedicated to the City as public parks and a tract with a sewage pump station.

**Section 17.21.030: Lot size. In an R-4 zone, the lot size shall not be less than five thousand square feet, except that the lot area for common wall, single-family lots shall not be less than two thousand five hundred square feet per family.**

**COMMENT:**

The policies of the Comprehensive Plan and this code encourage planned developments with unique approaches to development that meet the purposes of those policies and this code. The proposed planned development achieves these goals as outlined in this narrative. One method to meet these goals is to create new lots of varying sizes. The applicant has proposed seven (7) different lot types. To meet these goals, some lots are larger than five thousand square feet and some are smaller.

The average size of the single-family detached (SFD) lots, designated on the proposed plans as SFD-70, SFD-60, SFD-50, SFD-40, & SFD-45, is 5,745 square feet. So, on average these planned development lots exceed the standard lot area minimum in this code. Likewise, the planned development's alley loaded lots SFD-30a & SFD-26a, that would have common walls in a standard subdivision, but are proposed in this planned development with a unique design to be detached with two 3-foot side yards (see comments under Section 17.21.010G. above), have an average size of 2,760 square feet. These lots exceed the lot area minimum of 2,500 in this code for this type of lot. Overall the average lot size is 4,925 square feet, only 75 square feet less than the minimum. For a planned development of this size, with the myriad of common open spaces proposed, the lot sizes meet the intent and purpose of these standards and policies.

**Section 17.21.040: Yard requirements. In an R-4 zone, each lot shall have yards of the following size unless otherwise provided for in Section 17.54.050:**

**A. A front yard shall not be less than fifteen feet;**

- B. A side yard shall not be less than six feet, except an exterior side yard shall not be less than fifteen feet;**
- C. A rear yard shall not be less than twenty feet;**
- D. Whether attached to a residence or as a separate building, a covered storage facility for a vehicle on which the main opening is toward a street shall be located not less than twenty feet to the property line bordering the street;**
- E. All yards shall be increased, over the requirements of this section, one foot for each two feet of building height over thirty-five feet.**

**COMMENT:**

The applicant's Typical Lots plan illustrates proposed planned development yard setbacks for each typical single-family detached lot. The plan indicates the standards of this section will be met or modified by the proposed planned development in the following ways:

- A. This section will be met, as lots are proposed with a front yard setback of not less than fifteen feet.
- B. This section will be met in terms of exterior side yards, as lots are proposed with an exterior side yard setback of not less than fifteen feet.

The proposed planned development [internal] side yard setbacks vary for the seven (7) proposed lot types as shown on the Typical Lots plan summarized here:

- SFD-30a and SFD-26a: Instead of common wall or zero lot line construction on one side of the unit and the required six feet side yard on the other, these planned development lots will split this yard area to have three (3) feet of yard area on each side of the dwelling. Thus, there will still be six feet total of side yard per dwelling, just like with common wall construction of a two-unit town house structure.
  - SFD-45: These planned development lots will have four (4) feet internal side yards. These lots are similar in scale (26' wide building envelope) as the recently approved planned development lots in a nearby project (AP 1-17) that have only 3-foot side setbacks. So, this planned development will have one foot more internal side yard per lot of this type, than the other did, with 15-foot street side yard standard.
  - SFD-40, SFD-50, SFD-60, and SFD-70: These planned development lots will all have five (5) feet side yards. The flexibility requested in this planned development is to allow these lots to have just one foot less than the six feet standard. In exchange this planned development will provide more variety of housing and common open space areas.
- C. This section will be met, as all lots are proposed with a rear setback of not less than twenty (20) feet, except lots that have garages served from the alley. For lots loading the

garage from the alley, the 20-foot setback applies to the garage door. The planned development proposes a rear building setback from the alley of fifteen (15) feet. This will allow for, if desired, a bump out for an entry, second story overhang or other structural feature to add texture to the rear of the dwelling along the alley.

- D. This section will be met. All garage setbacks are shown as 20-feet, which meets this code.
- E. This section will be met for dwellings higher than thirty-five feet.

**Section 17.21.050: Building height. In an R-4 zone, a building shall not exceed sixty feet in height.**

**COMMENT:**

The applicant intends to develop single-family detached dwellings in the R-4 zone that conform to Section 17.21.040 E. above. Thus, proposed structures will not in any way exceed this 60-ft. height standard.

**Section 17.21.060: Density requirements. In an R-4 zone, the lot area per family shall not be less than fifteen hundred square feet for each unit with two bedrooms or less, and not less than seventeen hundred fifty square feet for each unit with three bedrooms, and an additional five hundred square feet for each additional bedroom in excess of three in any one unit. The above requirements may be waived if the provisions of Section 17.21.020(M) are utilized.**

**COMMENT:**

The provisions of Section 17.21.020(M) do not apply to this application.

This code section is met by the proposed development. The code would require a minimum of 2,200 square feet for a four-bedroom dwelling unit. The smallest lot in the proposed planned development is over 2,200 square feet. Thus, all lots in the development can have up to four bedrooms, and any lot over 2,700 square feet can have five bedrooms, etc.

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## Chapter 17.33: C-3 General Commercial Zone

### COMMENT:

This narrative and the comments to this code are made under the assumption that the City will approve the requested amendments to the planned development established by Ordinance 4633, the proposed comprehensive plan map amendment reducing the Commercial designated portion of the site, and the requested zoning map amendment to designate 6.62 acres within the C-3 zone.

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

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

### COMMENT:

Although no development proposal has been submitted for the C-3 zoned portion of the site, the applicant intends to develop neighborhood commercial uses on a portion of this parcel in the future. As required, only uses which are permitted will be developed on the parcel.

3. **Multiple-family dwelling subject to the provisions of the R-4 zone;**

### COMMENT:

Again, no development proposal has been submitted for the C-3 zoned portion of the site. The submitted Lot Type Plan illustrates that only the R-4 zoned portion of the site is included within the boundary of the Baker Creek North Planned Development (see Exhibit 3). The applicant intends in the future to develop some apartment units on a portion of the C-3 zoned area of the site, however this will occur with the submittal of a future land use application. Approval of the request to amend the planned development established by Ordinance No. 4633 will facilitate this future uses which are consistent with the requirements of this code.

**Section 17.33.030: Yard requirements. Except as provided in Section 17.54.050, and "A" and "B" below, there shall be no required yards in a C-3 zone:**

- A. **Side yard shall not be less than twenty feet when adjacent to a residential zone;**
- B. **Rear yard shall not be less than twenty feet when adjacent to a residential zone.**

### COMMENT:

Although no specific development plans are currently submitted for the parcel proposed to be zoned C-3, the parcel is appropriately sized to meet the yard requirements of this zone.

**Section 17.33.040: Building height. In a C-3 zone, buildings shall not exceed a height of eighty feet.**

**COMMENT:**

No development plans have been submitted for the parcel to be zoned C-3. Future land development applications will be subject to the above standards.

**Section 17.33.050: Use limitations. In a C-3 zone, outside storage abutting or facing a residential zone shall be enclosed by a sight obscuring fence. The fence shall obstruct the storage from view on the sides of the property abutting or facing a residential zone. The fence shall be of such material and design as will not detract from adjacent residences, shall be free of advertising, and shall be constructed according to plans submitted by the owner or authorized agent and approved by the Planning Director. Outside storage in a required yard shall not exceed ten feet in height.**

**COMMENT:**

As discussed above, no specific development plans have been submitted for the C-3 zoned parcel. Future land development applications will be subject to the the above standards.

## **Chapter 17.48: F-P Flood Area Zone**

- Section 17.48.005**      **Purpose.** The purpose of a floodplain is to establish and regulate land uses in those areas designated as hazardous due to periodic flooding in order to protect the community from financial burdens through flood damage losses. Further, this zone is intended to protect natural floodways and drainage ways from encroachment by uses and/or indiscriminate land filling or diking which may adversely affect the overall stream and downstream flood levels. Finally, the floodplain zone shall set aside an area which shall, for the most part, be preserved in its natural state or farmed to provide open spaces, natural habitats, and recreational places.
- Section 17.48.010**      **Established—Area included.** In accordance with Section 17.09.010, all property within the corporate limits of the City lying within Special Flood Hazard Areas (100-year flood) identified by the Federal Insurance Administration in the report entitled “The Flood Insurance Study for Yamhill County, Oregon and Incorporated Areas,” (effective date March 2, 2010), and accompanying Flood Insurance Rate Maps (FIRM) is declared to be flood area zone property and subject to the requirements of this Chapter.
- Section 17.48.025**      **Definitions.** For the purpose of this section refer to Section 17.06.030 for Flood Area related definitions.
- Section 17.48.030**      **Permitted uses.** In an F-P zone, the following uses and their accessory uses are permitted (subject to the provisions of Section 17.48.060):
- A. Farming;**
  - B. Public park and recreation facility, not requiring the use of any structure;**
  - C. Sewage pump station.**

### **COMMENT:**

No portion of the proposed planned development is located in the F-P Flood Area Zone.

Portions of the parcel proposed to be donated to the City for its special use park are within an area designated on the City zoning map as F-P. Acceptance of ownership of this parcel by the City will facilitate meeting the purpose of this code by, among other things, providing open spaces, natural habitats, and recreational places in the City available to the public. Within the F-P zone there are no proposed uses of the donated land that are not permitted uses.

## Chapter 17.51: Planned Development Overlay

**Section 17.51.010:** Purpose. The purpose of a planned development is to provide greater flexibility and greater freedom of design in the development of land than may be possible under strict interpretation of the provisions of the zoning ordinance. Further, the purpose of a planned development is to encourage a variety in the development pattern of the community; encourage mixed uses in a planned area; encourage developers to use a creative approach and apply new technology in land development; preserve significant man-made and natural features; facilitate a desirable aesthetic and efficient use of open space; and create public and private common open spaces. A planned development is not intended to be simply a guise to circumvent the intent of the zoning ordinance.

### COMMENT:

The proposed planned development meets the Purpose of this Section. The design uses the flexibility allowed to offer a development pattern that provides a variety of lot sizes and uses of the land. The applicant uses a creative approach to site design including:

- Providing extra lot depth to respond to existing trees and topography.
- Alternating lot sizes on various block faces to create a diverse mix of housing types and appealing streetscape throughout the development.
- Preservation of open space under the power line easement and in a tree grove.
- Orienting the fronts of some lots to common open space.
- Aligning pathways with destination open spaces, both private and public.
- Clustering density near future transit corridors.
- Preserving view corridors and access to adjacent parks and natural features both north and south of the site.

This planned development is not a guise to circumvent the intent of the zoning ordinance. The density of the development in both the average lot sizes and scale of the housing is comparable those uses allowed outright in the code. Therefore, the proposed planned development meets the intent of the code while providing a residential community that is better than would be allowed by a strict enforcement of the code.

### [Purpose continued]

In approving a planned development, the Council and the Planning Commission shall also take into consideration those purposes set forth in Section 17.03.020 of this ordinance. A planned development shall be considered as an overlay to an existing zone, and the development of said property shall be in accordance with that zone's requirements, except as may be specifically allowed by the Planning Commission. For purposes of implementing these objectives, two means are available:

**COMMENT:**

The proposed planned development also meets the purpose of Section 17.03.029 for appropriate and orderly physical development of the City as evidenced by this narrative and the supporting exhibits. The applicant recognizes that approval of the request will create a planned development overlay over the R-4 zoned portion of the site and it will be developed according to the zone requirements except those approved modification as requested here. The method for implementing this planned development will be addressed under code subsection A. below:

**[Purpose continued]**

- A. The property owner or his representative may apply for a planned development to overlay an existing zone and shall submit an acceptable plan and satisfactory assurances it will be carried out in accordance with Section 17.51.030. Such plan should accomplish substantially the same general objectives as proposed by the comprehensive plan and zoning ordinance for the area; (The fee charged for processing such an application shall be equal to the one charged for zone changes.)**

**COMMENT:**

This narrative discusses how the planned development substantially meets the same general Comprehensive Plan and Zoning Ordinance objectives for the R-4 zone.

**Section 17.51.020: Standards and requirements. The following standards and requirements shall govern the application of a planned development in a zone in which it is permitted:**

- A. The principal use of land in a planned development shall reflect the type of use indicated on the comprehensive plan or zoning map for the area. Accessory uses within the development may include uses permitted in any zone, except uses permitted only in the M-2 zone are excluded from all other zones. Accessory uses shall not occupy more than twenty-five percent of the lot area of the principal use;**

**COMMENT:**

The planned development is being proposed concurrent with a Comprehensive Plan Map amendment and a Zoning Map amendment to designate all of the planned development area within the R-4 zone, so the principal use of land in the planned development, single-family residential, will reflect the type of use indicated on those maps.

- B. Density for residential planned development shall be determined by the underlying zone designations.**

**COMMENT:**

The underlying proposed zone designation is R-4. As required, residential density is addressed in applicant's response to Section 17.21.060. The proposed development conforms to the underlying zone requirements.

**Section 17.51.030: Procedure. The following procedures shall be observed when a planned development proposal is submitted for consideration:**

- A. An applicant shall submit twenty-one (21) copies of a preliminary development plan to the Commission for study at least thirty days prior to the Commission meeting at which it is to be considered. The preliminary plan shall include the following information:**
  - 1. Proposed land uses, building locations and housing unit densities.**

**COMMENT:**

This application's drawings EXH-2 Proposed Zoning Plan & EXH-3 Lot Type Plan illustrate the proposed residential land uses. Drawings SP-1 through SP-5, and EXH-5 Typical Lots, show proposed building locations. Housing unit densities are summarized on the submitted EXH-4 Density Plan.

- 2. Proposed circulation pattern indicating the status of street ownership.**

**COMMENT:**

This application's drawings EXH-3 Lot Type Plan and SP-1 through SP-5 Preliminary Site Plan illustrate the proposed vehicle and pedestrian circulation pattern. The plans identify the location of proposed public streets and public alleys, public sidewalks and mid-block pedestrian accessways within the development.

- 3. Proposed open space uses.**

**COMMENT:**

The application's drawings PL-1 through PL-5 Preliminary Plat identify 19 common open space tracts within the proposed planned development. Proposed improvements to these tracts are illustrated in the Landscape Plan drawings L1.0-L10.0 and Irrigation Plans IR1.0-IR2.0.

- 4. Proposed grading and drainage pattern.**

**COMMENT:**

The application's drawings GR-1 through GR-5 Grading Plan and UT-1 through UT-5 Utility Plan illustrate the grading and drainage pattern of the proposed planned development.

- 5. Proposed method of water supply and sewage disposal.**

**COMMENT:**

The application's drawings UT-1 through UT-5 Utility Plan show water and sanitary sewer pipe layouts for the proposed planned development.

- 6. The location, size, and type of any isolated trees over four inches in diameter one foot from ground level and any groups of trees.**

**COMMENT:**

The application's drawings, EXH-1 Existing Conditions Plan and L1.0 Street Tree Plan, identify the size, location, and type of all trees within the planned development in accordance with the above standards.

- 7. Relation of the proposed development to the surrounding area and the comprehensive plan;**

**COMMENT:**

The application's drawings EXH-1 Existing Conditions Plan shows the relationship of the proposed development site to the surrounding area, and the EXH-8 shows its relationship to the comprehensive plan map as do the responses in this narrative.

- B. Prior to discussion of the plan at a Commission meeting, copies shall be submitted by the Planning Director to City departments for study and comment;**

**COMMENT:**

As required, City staff will review the submitted applications and prepare a report prior to scheduling a public hearing before the Planning Commission.

- C. The Commission shall consider the preliminary development plan at a meeting at which time the findings of persons reviewing the proposal shall also be considered. In reviewing the plan, the Commission shall need to determine that:**
  - 1. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;**

**COMMENT:**

As mentioned previously, the applicant is requesting to modify several Conditions of Approval associated with Ordinance 4633, which is an existing Planned Development Overlay that applies to 12.34 acres of the subject site. The proposed planned development amendment requests the removal of Condition 1, which is carried over from Ordinance 4605, Section 2(a-g) when Ordinance 4633 was

enacted. When Ordinance 4633 was adopted, the City had envisioned a UGB expansion in the NW quadrant. Since the boundary amendment wasn't realized, a large regional commercial area was no longer needed on this area of town. However, certain assumptions were made about the scale and intensity of a future commercial use on the site when Condition 1 was approved in 1996. It was also unanticipated at the time that similar development review provisions and design standards would later be incorporated into the McMinnville Zoning Ordinance (MZO). The following section of the Applicant's Statement address why the provisions of Condition 1 are no longer necessary, duplicative with current C-3 standards, and inconsistent with intended neighborhood uses on the site:

Condition 1 of Ordinance 4633, Referencing Ordinance 4506 – Section 2(a-g)

- Section 2(a) - Under 17.58.100 of the MZO, the existing development code already requires landscape plans to be reviewed by the Landscape Review Committee for commercial, industrial, parking lots, and multi-family developments. Also, with the proposed street plan, the entire lot would be surrounded by public streets and a power substation, so the hedge screening is not applicable. As such, this section is not needed.
- Section 2(b) - Under Section 17.72.090, detailed elevations, layouts, landscaping, parking, lighting plans are required to be submitted to the Planning Director for review. Therefore, this portion of the condition is inconsistent with current City code standards.
- Section 2(c) - The applicant is considering neighborhood commercial uses for the C-3 zoned portion of the site. Since a convenience market could be established with the commercial development, prohibiting retail commercial activity from 12:30 a.m. to 6 a.m. would create an issue for neighborhood residents.
- Section 2(d) - The C-3 zone permits the development of structures up to 80-ft. high, while the condition only allows 35 feet high buildings. The applicant envisions the development of buildings up to 50-ft. high, with neighborhood commercial uses on the ground floor and multi-family units on the upper floors. Therefore, this section is inconsistent with current code standards and will prevent the parcel from being efficiently developed.
- Section 2(e) - Per Section 17.56.050, exterior lighting plans are currently required for commercial uses and must be directed away from property lines. Therefore, this element of the condition is not required.
- Section 2(f) - The City adopted its current sign regulations in 2008, with subsequent revisions during the past 10 years. The current sign code fully addresses this portion of Condition 1; therefore, it is no longer needed.
- Section 2(g) - Under Section 17.33.040 outside storage must be enclosed by a sight-obscuring fence. Any additional outdoor use restrictions could be determined and applied as conditions of approval when a future design review application is submitted for the neighborhood commercial development.

In addition to Condition 1, the applicant is also requesting to eliminate Condition 2 from the Planned Development Overlay that was enacted by Ordinance 4633. Condition 2 prohibits residential uses within the area of the site that is currently designated as Commercial on the Comprehensive Plan Map. As discussed above, there is currently a 700 acre shortage of residential zoned land when addressing housing needs in McMinnville during the 2021-2041 planning period. With the proposed Comprehensive Plan Map and Zoning Map Amendments, 6.62 acres of 12.34 acres currently regulated by Ordinance 4633 will be zoned C-3, while the remaining 5.72 acres will be zoned R-4. The applicant is intending to submit a future land use application for the C-3 zoned parcel to permit the development of a mixed-use development with neighborhood commercial and multi-family units. The apartments will

help address the need for 1,537 additional multi-family units in the community and will provide economic support for the planned neighborhood commercial use.

Regarding the Baker Creek North Planned Development, the applicant intends to develop a residential community that provides home attainability, balance, and choice. The applicant seeks to address the following physical conditions and achieve a number of special objectives as part of the overall development concept, warranting a departure from standard regulation requirements:

- (1) Preserve trees in rear yards and tracts.
- (2) Accommodate homes along the bluff while keeping appropriate separation from the natural areas on the adjacent property.
- (3) Developing around the BPA Easement that traverses the site.
- (4) Provide a diversity of lot sizes to accommodate a mix of housing sizes at various price points to meet the goals and policies of the City's Comprehensive Plan and this code to serve today's market needs of home consumers in McMinnville.
- (5) Focus on the detached Single-Family Residential housing type.
- (6) Offer on-site open space amenities to the residents who cannot cross a minor arterial to reach the nearest neighborhood park.
- (7) Provide access to City park facilities.
- (8) Create a sense of place.
- (9) Ensure adequate off-street parking.
- (10) Avoid "cookie cutter" approach to housing on any block face.
- (11) Promote future transit service.

The proposed development addresses each of these special physical conditions and objectives through its design and the requested flexibility offered by a planned development as shown on the plans and discussed in detail in this narrative and below.

- (1) Preserve trees in rear yards and tracts

Along the north and northeast boundary of the site there are stands of oak trees as well as rows of oak trees. These oak trees are preserved in the rear yards of proposed lots along the perimeter of the project with extra deep rear yards to accommodate space for these trees outside of the building envelop. Tree protection for these trees during site construction is shown on the landscaping plan drawing L1.0. A grove of these trees is preserved in proposed Tract "N" in Phase 2A of the project. Proposed Lots 129-133 in Phase 2A and Lots 269-280 will have a thirty-foot rear building setback where a large oak tree exists to protect this feature and provide a natural buffer between the site and adjacent land. Preservation of this area is in part meant to off-set the planned development request to decrease side yard setbacks by one foot from six feet to five feet setbacks for most lots, and to four feet for other lots, as well as to allow for a mix of lot sizes throughout the planned development.

- (2) Accommodate homes along the bluff while keeping appropriate separation from the natural areas on the adjacent property.

The site is adjacent to a bluff, at the bottom of which is a parcel that is planned for a City special use park. Lots along the bluff have been designed with extra depth to allow for horizontal separation between the dwellings, which will sit on top of the bluff, and the adjacent natural area at the rear property line. Use of this portion of the site to create larger deeper lots is in part meant to off-set the planned development request to allow for a mix of lot sizes throughout the planned development, some of which are smaller.

- (3) Developing around the BPA Easement that traverses the site.

The site is encumbered by a 60-foot wide BPA Easement and transmission lines. The area under the transmission lines is preserved as community open space and proposed to be improved with picnic tables and a grassy area near the street, and a gravel walking trail (and utility access way) with excellent views of the future City special use park. This area is proposed to be dedicated to the City as a park. Improvement of this active open space is in part intended to support the planned development request to allow for a mix of lot sizes throughout the planned development, some of which have less lot area.

- (4) Provide a diversity of lot sizes to accommodate a mix of housing sizes at various price points to meet the goals and policies of the City's Comprehensive Plan and this code and to serve today's market needs of home consumers in McMinnville

The Comprehensive Plan Policy 72.00 states, "Planned developments shall be encouraged as a favored form of residential development." Policy 73.00 states, "Planned residential developments which offer a variety and mix of housing types and prices shall be encouraged." This code states under Section 17.51.010, "...the purpose of a planned development is to encourage a variety in the development pattern of the community..." The proposed planned development provides the variety called for by the City in the above referenced documents with its seven different lot sizes described in this narrative and in the exhibits to the application: SFD-70, SFD-60, SFD-50, SFD-40, SFD-30a, & SFD-26a. This approach will better meet the various needs of home buyers than development built to the standard, as it would only create two lot types: common wall single family dwellings on lots of 2500 square feet in area and detached single-family dwellings on lots of 5000 square feet in area.

- (5) Focus on the detached Single-Family Residential housing type

A 2014 residential preference study done by DHM Research for Metro<sup>1</sup> shows that about 80% of people view detached single-family dwellings as their preferred housing choice. In recognition of this finding, the Applicant has specifically designed the planned development with detached single-family housing in mind. This in part addresses the applicants request through the planned development process to develop the alley loaded lots referred to as SFD-30a and SFD-26a as detached dwellings instead of using common wall construction as allowed outright in the code for lots in this size range.

This unique approach to site design creates a housing product type commonly referred to as the missing middle, or single-family detached homes at the scale of an attached dwelling without the attachment. This is a product type that meets consumer needs for lower cost attainable housing that would normally only be found with a townhouse/row house structure, only these proposed lot types are without the burden of a common wall. So, by meeting this objective the development is also helping meet objective (4) discussed above.

- (6) Offer on-site open space amenities to the residents who cannot cross a minor arterial to reach the nearest neighborhood park

There is a neighborhood park under construction within a ½ mile of the site which is anticipated to be complete prior to development of this site, however it is located across a minor arterial. Therefore, private mini-parks are proposed on tracts with active recreational amenities for residents of the Baker

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<sup>1</sup> (<http://www.oregonmetro.gov/residential-preference-study>)

Creek North development. For details, see the landscaping plan drawings L1.0-L10.0. Sidewalks and mid-block pathways provide convenient access to the proposed facilities. The site design also includes pathways and marked crosswalks to connect residents of the site to City park facilities to the south beginning at Baker Creek Road and Meadows Drive. On-site open space areas and proposed recreation amenities in part off-set the request for varied lots sizes as part of the planned development.

(7) Provide access to City park facilities

In addition to pathways and sidewalks leading south to the City park facilities as described in objective (6) above, the proposed planned development provides multiple tracts that can provide public access to the adjacent special use park land to the north of the site. The applicant is proposing to dedicate ownership of several open space tracts to the City, upon recording of the respective phases of development, for use to access the future special use park land being donated.

(8) Create a sense of place

The site is adjacent to minor arterial called Baker Creek Road and Baker Creek lies to the north of the site. The plan includes a landscaped open space tract with a white rail fence the entire length of the site's frontage with Baker Creek Road accented with two entrance monuments located in the tract at Meadows Drive and Shadden Drive. Opposite this strip at Shadden Drive is a landscaped storm pond tract. Opposite this strip at Meadows Drive is a tract with a pathway to extend the BPA trail into the site and terminate it at the proposed intersection of Kent Street and Meadows Drive. This location will include a proposed mini-park that will include picnic space at the trailhead and a natural path overlooking the City's future special use park. These features along with the other common open spaces and curvilinear tree lined streets will create a unique new community in the City of McMinnville with a vibrant housing mix and excellent access to recreation and other services.

(9) Ensure adequate off-street parking

Parking can present challenges in developments that propose compact urban form. Having witnessed mistakes by developers who did not provide sufficient parking in small lot projects, the applicant is committed to providing sufficient off-street parking so that on-street parking is available. Therefore, each single-family unit will have a minimum of four off-street parking spaces as shown on the exhibit drawing EXH-5 Typical Lots. This will typically include two garage spaces and two spaces on a standard driveway pad in front of the garage. As such, this design will exceed McMinnville city off-street parking standards by 100%. Driveways will be paired where feasible in order to maximize on street parking as well. The off-street and on-street parked vehicles are graphically represented in the exhibit drawings SP-1 through SP-5 Site Plans.

(10) Avoid "cookie cutter" approach to housing on any block face

A primary goal of this planned development is to avoid the appearance from the public street of monotonous tract housing (aka: "cookie cutter") pattern of development. This objective has been achieved in part through site design where lot sizes alternate along a block face and where lots types differ from one side of the street to the other. To further support this objective, the applicant is proposing a condition that no building elevation shall repeat itself on an adjacent lot nor the lot directly across the street.

(11) Promote future transit service

The October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I, which was adopted on 10/18/18, shows the site is located within a ¼ mile on the north side of a planned transit corridor along Baker Creek Road. The applicant has designed the site to cluster density along the south end of the site, which is close to this future transit corridor, in order to make the transit service conveniently within walking distance for the majority of the future residents. Since convenience and walking distance are major factors in a person's choice to use transit, the proposed site design will encourage transit use. The density of the housing and convenience of use will also encourage future transit service to be developed as planned.

- 2. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;**

**COMMENT:**

The applicant is requesting concurrent approval of the proposed amendments to Ordinance No. 4633, an amendment to the Comprehensive Plan Map to change a portion of the Commercial designated land to Residential, and a zone change to designate portions of the area regulated by the ordinance as C-3 and R-4. The applicant is also requesting approval of a zone change to designate the remainder of the Baker Creek North Planned Development area R-4. As discussed in the above narrative, the proposed land use actions and resulting development are consistent with applicable Comprehensive Plan goals, policies, and objectives of the area.

- 3. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;**

**COMMENT:**

The attached exhibits include street and utility plans for the proposed Baker Creek North Planned Development. The plans also illustrate how adjoining parcels, including the C-3 zoned parcel regulated by Ordinance 4633, will be provided adequate access and provision of services. The proposed improvements with Baker Creek North include a connection to the existing Blake Street stub, a stubbed street connection of Shadden Drive north that aligns with the proposed adjacent development's street stub, and a stubbed street connection of proposed William Drive south to the adjacent parcel. Access is provided via tracts to the north. The adjacent property to the south, referred to as the substation property, has adequate access from Baker Creek Road and recorded easements. No access is provided to the west as that land is outside of the urban growth boundary.

- 4. The plan can be completed within a reasonable period of time;**

**COMMENT:**

The applicant has submitted a Phasing Plan to illustrate how the site will be developed in the proposed 10 phases. If land use approval is granted in 2019, Phase 1A-1D will be completed in one or more phases between about 2019 and 2021, Phase 2A-2C will be completed following Phase 1D, likely from about 2021 to 2024, and Phase 3A-3C will be completed following Phase 1B between about 2020 and 2024. A phased development of 10 phases can take a long time to complete, however, some phases can be constructed concurrently depending on market conditions. For example, Phase 3A could begin

construction at the same time, or even before, Phase 2A, as Phase 3A is contingent only on completion of Phase 1B, not Phase 2A. This means development can even occur faster than predicted if conditions are right. Phased development could also extend beyond 2024 as suggested here, but would be completed within a reasonable time as allowed by this code.

- 5. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;**

**COMMENT:**

The new streets providing internal circulation are proposed with sections to meet local residential street standards, so they will support the anticipated local traffic. The street connections at Shadden Drive and Meadows Drive connecting to NW Baker Creek Road will be improved with extra pavement width to accommodate a 3-lane section on the side streets for a right-turn-out lane, center left-turn/through lane, and an in-bound lane. This will ensure extra capacity for turning movements at the intersection for outbound traffic. Baker Creek Road will be improved with a half-street improvement along the site's frontage to City standards, which will add a center left-turn lane to support circulation at the intersections, including north and south left-in turning movements that will not block through traffic on Baker Creek Road. The streets outside the planned area have already been developed to accommodate the anticipated development in the area.

- 6. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;**

**COMMENT:**

The exhibits submitted with this application, including UT-1 through UT-5 Utility Plans, indicate that public utility and drainage facilities are adequate for the proposed population density and type of development.

- 7. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole;**

**COMMENT:**

The noise, air and water pollutants generated by the proposed development will not have adverse effects upon surrounding uses. Noise and air pollution of the proposed residential development will be similar to and compatible to the existing noise and air pollution created by the existing adjacent residential uses. Water pollutants will be similar to and compatible with adjacent uses and will be managed by the development of sanitary and storm sewer infrastructure by the developer as proposed with the street construction described in the Exhibits attached to this narrative. Therefore, this Criterion is met.

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## Chapter 17.53: Land Division Standards

**Section 17.53.010-030:** [omitted for brevity]

**Section 17.53.040:** **Planned Development.** The subdivision of land in accordance with the planned development section of the City of McMinnville Zoning Ordinance (No. 3380, as revised) may result in the terms and requirements of this chapter being waived, altered, or otherwise changed as determined by action of the Planning Commission and approved by the City Council.

### COMMENT:

The applicant is requesting approval of a Planned Development application to waive alter, or otherwise change the requirements of this chapter as described below. Where flexibility is not requested this application will meet these standards.

### Subdivision

**Section 17.53.070:** **Submission of Tentative Subdivision Plan.** An application to subdivide land shall be submitted in accordance with the application submittal procedures as stated in Sections 17.72.020 through 17.72.070 and shall be reviewed and approved under the following procedure: A subdivider shall prepare a tentative plan together with improvement plans and other supplementary material required to indicate his general program and objectives, and shall submit 25 (twenty-five) copies of the tentative plan and supplementary data to the Planning Director's office. The tentative plan need not be a finished drawing, but shall show pertinent information to scale in order that the review body may properly review the proposed development. Additionally, condominiums shall be processed under the provisions of ORS 100. All subdivision developments shall comply with the requirements of the Oregon Fire Code.

### COMMENT:

The Sections 17.72.020 through 17.72.070 have been met as described under those sections below. This application includes a tentative plan with improvement plans and supplementary material as required by this code that indicates the development's program and objectives. The applicant has provided the necessary copies to the City staff for review. The development complies with the requirements of the Oregon Fire Code. There are no proposed condominiums. This section's requirements are met.

- A. Scale.** The tentative plan shall be drawn on a sheet 18 (eighteen) by 24 (twenty-four) inches in size at a scale of one inch equals 50 (fifty) feet, or a reasonable engineer's scale for the sheet size. A smaller sheet size may be used

provided that all required information is legible and is approved for use by the Planning Department.

**COMMENT:**

The plans submitted with this application meet these specifications.

**B. General Information. The following general information shall be shown on the tentative plan:**

- 1. Proposed name of subdivision. No plan of a subdivision shall be approved which bears a name which is the same as, similar to, or pronounced the same as a word in the name of any other subdivision in the same county, except for the words "town," "city," "place," "court," "addition," or similar words, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the block numbers of the contiguous subdivision plat of the same name last filed; Date, north arrow, and scale of drawing;**
- 2. Appropriate identification clearly stating the plan is a tentative plan;**
- 3. Location of the subdivision sufficient to define the location and boundaries of the proposed tract;**
- 4. Names and addresses of the owner(s), subdivider, engineer, and surveyor;**
- 5. In the event the subdivider plans to utilize the provisions of ORS 92.060 as pertains to "Delayed Monumentation," he shall notify the County Surveyor and Planning Commission and report said fact on the tentative plan;**

**COMMENT:**

The submitted plans provide all of the required information listed above.

- 6. A subdivision guarantee report issued by a title insurance company in the name of the owner(s) of the land, showing all parties whose consent is necessary and their interest in the premises and all encumbrances, covenants, and other restrictions**

pertaining to the subject property.

**COMMENT:**

As required, the applicant has attached a Subdivision Guarantee Report with this application (see Exhibit 2).

**C. Existing Conditions. The following existing conditions shall be shown on the tentative plan:**

- 1. The location, widths, and names of both opened and unopened streets within or adjacent to the tract, together with easements and other important features, such as section lines, city boundary lines, and monuments;**
- 2. The direction of slope by means of arrows or other suitable symbol;**
- 3. The location of at least one temporary bench mark, on established City datum, within 200 feet of the plat boundaries;**
- 4. The location and direction of water courses, and the location of areas subject to flooding on a probability frequency one (1) percent or greater;**
- 5. Natural features such as rock outcroppings, marshes, wooded areas, and isolated preservable trees. Areas noted in the Comprehensive Plan, Volume I Background Element, Chapter VII, The Parks and Recreation and Open Space Master Plan (1999), as potential open space lands should be identified;**
- 6. Existing uses of the property, including location of existing structures to remain on the property after platting.**

**COMMENT:**

The attached Existing Conditions Plan provides all of the required information listed above (see Exhibit 3).

**D. Proposed Plan of Subdivision. The following information shall be included on the tentative plan:**

- 1. The location, width, names, approximate grades, and radii of curves of streets. The relationship of**

streets to any existing streets and to any projected streets as shown on the McMinnville Comprehensive Plan Map 1980, as amended, or as identified in the McMinnville Comprehensive Plan text and Transportation System Plan, or as may be suggested by the Planning Commission in order to assure adequate traffic circulation;

2. The location, width, and purpose of easements;
3. The location and approximate dimensions of lots and the proposed lot and block numbers;
4. Sites, if any, allocated for purposes other than single-family dwellings, such as multiple-family dwellings, parkland, open space common areas, etc.
5. Access. As required by the Oregon Fire Code, a minimum of two access points is required when more than 30 (thirty) one-family or two-family dwellings or one-hundred multi-family units are being served.

**COMMENT:**

The attached Preliminary Plat, Preliminary Grading Plan, Preliminary Site Plan, and Street Profiles and Details provide all of the required information identified in this section.

- E. **Partial Development.** If the tentative subdivision plan pertains to only part of the tract owned or controlled by the subdivider, the requirements of Section 17.53.090 (future development plan) shall apply.

**COMMENT:**

The tentative subdivision plan pertains to all of the tracts owned by the subdivider, so Section 17.53.090 does not apply.

- F. **Explanatory Information with Tentative Subdivision Plan.** The following information shall be required by the Planning Commission or staff and if it cannot be shown practicably on the tentative plan, it shall be submitted in separate statements accompanying the tentative plan:
  1. A vicinity plan, showing existing subdivisions and unsubdivided land ownerships adjacent to the proposed subdivision, and showing how proposed streets and utilities may be extended to connect to existing streets and utilities;

2. **Proposed deed restrictions, if any, in outline form;**

**COMMENT:**

The attached plans show the information described in Item 1. and 2. above as applicable.

3. **The location of existing sewers, water mains, culverts, drain pipes, and electric lines and elevations of sewers at points of probable connections within the subdivision and in the adjoining streets and property;**

**COMMENT:**

The attached plans provide the information described above.

4. **Special studies of areas which appear to be hazardous due to local conditions such as inundation or slippage;**

**COMMENT:**

The applicant's Geotechnical Report has analyzed soil conditions on the subject site. The report provides specific construction recommendations.

5. **Contour lines related to an established bench mark on city datum and having minimum intervals as follows:**
  - a. **For slopes of less than five (5) percent: show the direction of slope by means of arrows or other suitable symbol together with not less than four (4) spot elevations per acre, evenly distributed;**
  - b. **For slopes of five (5) percent to 15 (fifteen) percent: two (2) feet;**
  - c. **For slopes of 15 (fifteen) percent to 20 (twenty) percent: five (5) feet;**
  - d. **For slopes of over 20 (twenty) percent: 20 (twenty) feet.**

**COMMENT:**

The attached Existing Conditions Plan and proposed Grading Plans include 1-ft. contour lines in accordance with this section.

**G. Supplemental Plans with Tentative Subdivision Plans. Any of the following plans may be required by the Planning Commission or staff to supplement the plan of subdivision:**

- 1. Approximate center line and right-of-way profiles with extensions for a reasonable distance beyond the limits of the proposed subdivision showing the finished grade of the streets and the nature and extent of street construction. Where any cut or fill will exceed three (3) feet in depth, a cross section of the road shall also be submitted.**

**COMMENT:**

The plans attached with this application include the above information for streets.

- 2. Proposals for storm water drainage and flood control, including profiles of proposed drainage ways.**

**COMMENT:**

The Utility Plans show the proposed storm sewer improvements.

- 3. If lot areas are to be graded, a plan showing the nature of cuts and fills exceeding five (5) feet, and information on the character of the soil.**

**COMMENT:**

The attached Preliminary Grading Plan illustrates all cuts and fills associated with the proposed development. The applicant has also attached a Geotechnical Report which analyzes existing soil conditions and provides recommendations to ensure soil stability.

**Future Development Plan**

**Section 17.53.080: Submission of Future Development Plan. A future development plan is required when it is evident that the property to be subdivided or partitioned can be further divided. The future development plan shall be submitted at the same time that the tentative plan for either subdivision or partition is submitted and shall contain the following information:**

**COMMENT:**

The applicant has submitted Preliminary Development Plans for the Baker Creek Planned Development project. The plans indicate that the planned development will be fully developed with 280 single-family detached lots, common open space areas, and public right-of-way improvements. Therefore, submittal

of a future development plan is not required for this application.

**Approval of Streets and Ways**

**Section 17.53.100: Creation of Streets.**

- A. The creation of streets shall be in conformance with requirements for a subdivision except, however, the City Council shall recommend the creation of a street to be established by deed if any of the following conditions exist:**

**COMMENT:**

The streets will be created in conformance with the requirements for a subdivision. City Council has not initiated the establishment of a street on the subject site, therefore these conditions do not apply and have been omitted for brevity.

- B. In those cases where approval of a street is to be established by deed, a copy of the proposed deed shall be submitted to the City Engineer at least 15 (fifteen) days prior to the Planning Commission meeting at which consideration is desired. The deed and such information as may be submitted shall be reviewed by the Planning Commission and, if not in conflict with the standards of Sections 17.53.060 to 17.53.079 and Section 17.53.101 of these regulations, shall be recommended for approval with such conditions as are necessary to preserve these standards.**

**COMMENT:**

The applicant will establish the proposed streets through the recording of a final plat. Therefore, these standards do not apply.

- C. An easement providing access to property and which is created to allow the partitioning of land for the purpose of lease, transfer of ownership, or building development, whether immediate or future, shall be in the form of a street in a subdivision, except that a private easement to be established by deed without full compliance with these regulations may be approved by the Planning Director under the following conditions:**
  - 1. If it is the only reasonable method by which the rear portion of a lot being unusually deep or having an unusual configuration that is large enough to warrant partitioning into two more new parcels, i.e., a total of not more than three (3) parcels including the original may then exist, that**

may be provided with access and said access shall be not less than 15 (fifteen) feet in width and shall have a hard surfaced drive of 10 (ten) feet width minimum;

2. **The Planning Director shall require the applicant to provide for the improvement and maintenance of said access way, and to file an easement for said access way which includes the right to passage and the installation of utilities. Such requirements shall be submitted to and approved by the City Attorney.**
3. **Access easements shall be the preferred form of providing access to the rear lots created by partition if the alternative is the creation of a flag lot.**

**COMMENT:**

No partitioning is proposed, rather a subdivision is proposed as part of a planned development. The planned development proposes that the access easement preferred in subsection C.3. above over the creation of flag poles, be applied to the private drives proposed in subsection D. below.

- D. **A private way/drive which is created to allow the subdivision of land shall be in the form of common ownership, provide on-street parking or parking bays to replace that displaced by limited parking area, be approved by the Planning Commission in the form of a planned development, and meet the following conditions:**
  1. **If it is the only reasonable method by which the rear portion of the existing parcel can be provided with access; or because of unusual topography, vegetative cover (preservable trees), lot size, or shape, it is the most feasible way to develop the parcel.**

**COMMENT:**

The northwest corner of the planned development extends along a narrow bluff. Due to the existing parcels unusual topography, the most logical way to develop the parcel is to extend a private drive north from proposed Mercia Street. Therefore, access to Lots 204-208 in Phase 2C is proposed through a shared private drive in a common easement over Lots 206-208 as depicted on drawing PL-3 Preliminary Plat. Also, due to lot sizes and shapes that are deeper to protect trees in rear yards of nearby lots, the street is particularly far from Lot 269 in the corner of the site in Phase 3C. Therefore, the most feasible way to develop the parcel is to provide a shared private drive in common easement over Lot 270, as depicted on drawing PL-5 Preliminary Plat, to serve both Lots 269 and 270. This approach to lot access is proposed as part of the planned development as opposed to flag poles for each lot as it is the preferred

method of access as described in subsection C.3. above. With approval of by the Planning Commission, access to these lots will meet the requirements of this code.

- 2. The Planning Commission shall require the subdivider to provide the improvements to standards as set forth in Section 17.53.101(P) and maintenance of said private way/drive; to establish binding conditions upon each parcel taking access over said private way/drive, not limited to only the required maintenance, but to include adherence to the limited parking restrictions imposed by the individual planned development ordinance; and to provide necessary easements for the installation, operation, and maintenance of public utilities.**
- 3. Provisions must be made to assure that the private streets will be properly maintained over time and that new purchasers of homes or lots within the subdivision are notified, prior to purchase, that the street is private and that maintenance fees may be charged. Such provisions must meet with the approval of the Planning Commission.**

**COMMENT:**

The attached Preliminary Plat drawings indicate that the private drive serving Lots 204-208 is located within an access easement on Lot 206-208, and the private drive serving Lots 269 and 270 is located within an access easement on Lot 270. The private drive improvements will be designed in accordance with the standards of Section 17.53.101(P). Necessary public utility easements are shown within the access easements on the lots adjacent to and served by the easements. The private drives will be identified as a common improvement in the CC&Rs and maintenance provisions will be included so new purchasers are aware of the maintenance costs. These documents will be recorded with final plats for each phase of the development.

- 4. Street sign posts on private streets must contain a sign stating that the street is private. The design and location of such signs must be approved by the City Engineer.**
- 5. Gates are prohibited within or across public rights-of-way. Gates are prohibited across private streets that serve single-family residential development of four or more lots or parcels, multi-family housing complexes, manufactured home parks, or commercial or industrial subdivisions**

**COMMENT:**

The shared private drives proposed with this development are located in easements, and are not private

streets, so it is the applicant's understanding a private street sign will not be required. No gates are proposed within or across public streets or private driveways.

**Section 17.53.101: Streets.**

- A. General. The location, width, and grade of streets shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and to the proposed use of the land to be served by the streets. Where location is not shown in a comprehensive plan, the arrangement of streets in a subdivision shall:**
- 1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or**
  - 2. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical; or**
  - 3. Maximize potential for unobstructed solar access to all lots or parcels. Streets providing direct access to abutting lots shall be laid out to run in a generally east-west direction to the maximum extent feasible, within the limitations of existing topography, the configuration of the site, predesigned future street locations, existing street patterns of adjacent development, and the preservation of significant natural features. The east-west orientation of streets shall be integrated into the design.**

**COMMENT:**

The attached plans illustrating the location, width, and grade of the proposed streets have been considered in relation to existing and planned streets, topography, public safety, and the proposed uses. As required by subsection 1. above, the arrangement of streets in the proposed subdivision provides for the extension of existing principal streets in surrounding areas. Namely, NW Blake Street is extended into the site from the east. Shadden Drive and Meadows Drive are extended north into the site opposite existing intersections of those streets with Baker Creek Road. A street north of Hill Road's new traffic circle which is also planned to extend north into the site will be named Hill Lane. Shadden Drive is also proposed to continue north in Phase 3B and align with a planned street in the adjacent development to the north of the site.

- B. Rights-of-way and street widths. The width of rights-of-way and streets shall be adequate to fulfill city specifications as provided in Section 17.53.151 of this**

chapter. Unless otherwise approved, the width of rights-of-way and streets shall be as shown in the following table:

Where existing conditions, such as the topography or the size or shape of land parcels, make it otherwise impractical to provide buildable lots, the Planning Commission may accept a narrower right-of-way, ordinarily not less than 50 (fifty) feet. If necessary, special slope easements may be required.

**COMMENT:**

The applicant is proposing dedication of street rights-of-way and design of road improvements to conform to City standards.

- C. **Reserve strips.** Reserve strips or street plugs controlling access to streets will not be approved unless necessary for the protection of the public welfare or of substantial property rights, and in these cases they may be required. The control and disposal of the land comprising such strips shall be placed within the jurisdiction of the Planning Commission under conditions approved by them.

**COMMENT:**

Reserve strips or street plugs are not proposed with this application.

- D. **Alignment.** As far as practical, streets other than minor streets shall be in alignment with existing streets by continuations of the center lines thereof. Staggered street alignment resulting in "T" intersections shall, wherever practical, leave a minimum distance of 200 feet between the center lines of streets having approximately the same direction and otherwise shall not be less than 125 feet.

**COMMENT:**

Proposed streets which align with the continuation of existing street center lines are Hill Road, Meadows Drive, Shadden Drive, and Blake Street. Blake Street and proposed Augustine Place intersections are spaced approximately 200 feet apart, as are the intersections of Kent Street and Emma Streets.

- E. **Future extension of streets.** Where necessary to give access to or permit a satisfactory future subdivision of adjoining land, streets shall be extended to the boundary of the subdivision; and the resulting dead-end streets may be approved without a turnaround. Local streets shall provide connectivity as identified in Exhibit

**2-1 of the McMinnville Transportation System Plan or connectivity that is functionally equivalent. Reserve strips and street plugs may be required to preserve the objectives of street extensions.**

**COMMENT:**

Shadden Drive in Phase 3B, and Williams Drive in Phase 3C, are proposed to be extended to the north and south boundaries of the site to provide access to adjoining land. No reserve strips or street plugs are proposed.

- F. Intersection angles. Streets shall be laid out to intersect at angles as near to right angles as practical except where topography requires a lesser angle, but in no case shall the acute angle be less than 60 (sixty) degrees unless there is a special intersection design. The intersection of an arterial or collector street with another street shall have at least 100 feet of tangent, measured from right-of-way adjacent to the intersection unless topography requires a lesser distance. Other streets, except alleys, shall have at least 50 (fifty) feet of tangent measured from property line adjacent to the intersection unless topography requires a lesser distance. Intersections which contain an acute angle of less than 80 (eighty) degrees or which include an arterial street shall have a minimum corner radius sufficient to allow for a roadway radius of 20 (twenty) feet and maintain a uniform width between the roadway and the right-of-way line.**

**COMMENT:**

The proposed intersection angles of this development meet the above standards as shown on the plans.

- G. Existing streets. Whenever existing streets adjacent to or within a tract are of inadequate width, additional right-of-way shall be provided at the time of subdivision. The City may consider a reduction in arterial or collector street lane widths (lanes no less than 10 feet wide) by restriping existing travel lanes.**

**COMMENT:**

NW Baker Creek Road is the only existing street adjacent to the tract of land proposed for development. The applicant is proposing to dedicate 18-feet of right-of-way and install a ½ street improvement and striping along the north side of the road to conform to the design standard for a minor arterial. Lane widths will be sufficient along the site's frontage. The south side of the right-of-way was already improved with earlier development and sufficient pavement exists on that half of the right-of-way to achieve the required road section.

- H. **Half streets.** Half streets, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision, when in conformity with other requirements of these regulations, and when the Planning Commission finds it will be practical to require the dedication of the other half when the adjoining property is subdivided. Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tract. Reserve strips and street plugs may be required to preserve the objectives of half streets.

**COMMENT:**

The site is the “adjoining property” in this case and the proposed Baker Creek Road improvements are completing the other half of a street developed with an earlier project.

- I. **Cul-de-sacs.** A cul-de-sac shall be as short as possible and shall have a maximum length of 400 feet and serve not more than 18 (eighteen) dwelling units. A cul-de-sac shall terminate with a turnaround.

**COMMENT:**

There are no cul-de-sacs proposed with this planned development, therefore these standards do not apply.

- J. **Eyebrows.** Where conditions do not warrant the use of cul-de-sacs and the land available in the proposed plan does not allow for a discontinuous minor street extension and where there are no more than three (3) dwelling units proposed to take access, the City Engineer or Planning Director may allow eyebrows. Eyebrows shall be limited to a maximum length of 125 feet, when measured from the main street right-of-way from which the eyebrow takes access. The City Engineer or Planning Director may allow less than that required in (d) above, after taking into consideration the effects upon traffic flows. The right-of-way width shall be 36 (thirty-six) feet, with a paved 10 (ten) foot curb-to-curb radius at the terminus. Sidewalks shall not be installed within eyebrows without additional right-of-way dedication.

**COMMENT:**

The applicant is not proposing to install eyebrows with the proposed development, therefore these standards do not apply.

- K. **Street names.** Except for extensions of existing streets, no street name shall be used which will duplicate or be

confused with the names of existing streets. Street names and numbers shall conform to the established pattern in the City. Street names shall be subject to the approval of the Planning Director. The naming of new streets with names of local historic significance and/or where appropriate in alphabetical order is encouraged.

**COMMENT:**

As required, all extended streets maintain the same street names with the proposed development. Streets names for new streets have been proposed with the Preliminary Plat for review and approval of the Planned Director. The proposed streets reflect an English history theme.

- L. **Grades and curves. Grades shall not exceed six (6) percent on arterials, 10 (ten) percent on collector streets, or 12 (twelve) percent on any other street except as described below. Any local street grad exceeding 12 (twelve) percent shall be reviewed for approval by the Fire Code Official during the land use application process. When a local residential street is approved to exceed 12 (twelve) percent the following shall be required:**

- 1. **A maximum of 200 feet of roadway length may be allowed with a grade between 12 (twelve) percent and 15 (fifteen) percent for any one section. The roadway grade must reduce to no more than 12 (twelve) percent for a minimum of 75 linear feet of roadway length between each such section for firefighting operations.**
- 2. **Fire sprinklers shall be installed in all residential and commercial structures whose access road is constructed at a grade higher than 12 (twelve) percent. The approval of such fire sprinklers shall be accomplished in accordance with the provisions of ORS 455.610(6).**

**Centerline radii of curves shall not be less than 300 feet on major arterials, 200 feet on secondary arterials, or 100 feet on other streets, and shall be to an even 10 (ten) feet. Where existing conditions, particularly topography, make it otherwise impractical to provide buildable lots, the Planning Commission may accept sharper curves.**

**COMMENT:**

Preliminary grading plans and street profiles have been submitted and the applicant intends to construct these requirements. Street design will comply with City requirements during the permitting of public

improvement construction plans.

- M. Streets adjacent to a railroad right-of-way. Wherever the subdivision contains or is adjacent to a railroad right-of-way, provision may be required for a street approximately parallel with and on each side of such right-of-way at a distance suitable for the appropriate use of the land between the streets and the railroad. The distance shall be determined with due consideration at cross streets of the minimum distance required for approach grades to a future grade separation, and to provide sufficient depth to allow screen planting along the railroad right-of-way.**

**COMMENT:**

The subject site is not located within the vicinity of a railroad right-of-way. Therefore, these standards do not apply.

- N. Frontage roads/streets. Where a subdivision or partition abuts or contains an existing or proposed arterial street, the Planning Commission may require frontage streets, reverse frontage lots with suitable depth, screen planting contained in a non-access reservation along the rear or side property lines, or other treatment necessary for adequate protection of residential properties and to afford separation of through and local traffic.**

**COMMENT:**

The site design includes a 10-foot wide landscaped common open space tract between the proposed residential lots and NW Baker Creek Road right-of-way, so no lots directly abut an arterial street. This section is not applicable.

- O. Alleys. Alleys shall be provided in commercial and industrial districts, unless other permanent provisions for access to off-street parking and loading facilities are approved by the Planning Commission.**

**COMMENT:**

The proposed planned development is not located in a commercial or industrial district. The site's design includes proposed public alleys with 22-foot right-of-ways. See the Site Plan Exhibit SP-5 for the alley section. A standard alley may only be 20-foot wide, but the Applicant is proposing the extra two feet of width to allow a six-inch gap on both sides from edge of right-of-way to back of the six-inch flush curb creating the unobstructed area for placement of the property pins and to provide a full twenty feet wide paved surface. This alley configuration will allow for extra maneuvering space for vehicles entering and exiting driveway on lots served by the alleys. This in combination with the proposed full 20-foot setback from the right-of-way to the face of a garage will make for a safe and functional public alley. The applicant seeks the City's approval of these alleys as part of this planned development.

- P. Private way/drive.** This type of street will be allowed when the conditions of Section 17.53.100(D) are met. A private drive shall be constructed to the same structural standards that would apply to a public street. Storm runoff will be controlled to prevent damage to adjacent properties. A storm drainage plan shall be approved by the City Engineer. The right-of-way width will be determined based on site conditions and proposed use and will be approved by the Planning Commission.

**COMMENT:**

The applicant has addressed how the proposed private drive meets the standards of Section 17.53.100(D) in this narrative. The private drive has an adequate width for the proposed use and will be constructed to the same structural standards as a public street as required by this code. The submitted Preliminary Utility Plan indicates that storm drainage facilities have also been provided within the private drive to manage storm drainage.

- Q. Bikeways.** Provisions shall be made for bikeways planned along arterial and collector streets and where shown on the Transportation System Plan. Arterial streets shall be designed to be wide enough to accommodate a six (6) foot wide bike lane adjacent to each outside traffic lane. All major collector and some minor collector streets (dependent upon available right-of-way) shall be designed with five-foot wide bike lanes. Where a proposed development abuts a collector street less than 40 feet (Minor Collector) or 44 feet (Major Collector) in width, the Planning Commission may require that on-street parking be restricted to one side of the street only or that the deed(s) of the lot(s) adjacent to the street show that on-street parking will be eliminated in the future for bikeway development.

**COMMENT:**

The applicant is proposing to widen NW Baker Creek Road along the planned development's site frontage as required by this code and will stripe bike lanes and restripe travel lanes accordingly. The proposed planned development improvements are shown on exhibits SP-1 and SP-2 Site Plans.

- R. Residential Collector Spacing.** Generally, residential collector or arterial streets should be spaced no more than 1,800 feet from each other unless it is determined otherwise after consideration of the unique characteristics of the land including geography, topography, unique vegetation, and the relation of the site to developments already present or proposed in the area.

**COMMENT:**

The applicant is not proposing to develop a new residential collector nor arterial street within the Baker Creek North Planned Development. Therefore, these standards do not apply.

- S. Sidewalks. Along arterials and along major collectors with bikeways in commercial areas, sidewalks shall be eight (8) feet in width or, where less than eight (8) feet of right-of-way is available, shall extend to the property line and be located adjacent to the curb. Sidewalks in all other locations shall be five (5) feet in width and be placed one (1) foot from the right-of-way line. Sidewalks adjacent to a cul-de-sac bulb shall be located adjacent to the curb.**

**COMMENT:**

The proposed planned development has frontage on Baker Creek Road, a minor collector in a residential area. Therefore, this section does not apply. The applicant is proposing to install a meandering 10-foot wide sidewalk along the planned development's frontage on NW Baker Creek Road as shown on the exhibit SP-1 Site Plan. The applicant is also proposing to install a 12-foot wide sidewalk along the west side of Meadows Drive, south of Kent Street to its intersection with Baker Creek Road, with half the sidewalk in the ROW and half in the adjacent open space tract. This sidewalk will effectively extend the BPA trail to the common area amenities at Kent Street, where the applicant is proposing to dedicate open space tracts to the City with the proposed improvements. The applicant seeks approval of these wider sidewalks in these locations as designed.

- T. Park strips. Park strips shall be provided between the curb and sidewalk along both sides of all streets except (a) commercial arterial and collector streets, in which case street trees may be placed in tree wells as specified by the McMinnville Street Ordinance; or (b) cul-de-sac bulbs. Street trees shall be planted and maintained within the park strip as specified in Chapter 17.58 (Trees) of the McMinnville Zoning Ordinance.**

**COMMENT:**

Park strips are provided between the curb and sidewalk of all streets in accordance with the above standards. Street trees proposed in park strips are shown on drawing L1.0 Street Tree Plan. The applicant is requesting landscape plan review concurrent with this planned development application. Chapter 17.58 is addressed below.

- U. Gates. Gates are prohibited within or across public rights-of-way. Gates are also prohibited across private streets that serve single-family residential development of four or more lots or parcels, multi-family housing complexes, manufactured home parks, or commercial or industrial subdivisions. The City may permit gates of limited duration for the purpose of facilitating public**

**events, construction of public infrastructure, or other similar activities having a public interest or benefit at the discretion of the City Manager.**

**COMMENT:**

The applicant is not proposing to install gates within or across public rights-of-way. Therefore, these standards have been met.

**Section 17.53.103: Blocks.**

- A. General. The length, width, and shape of blocks shall take into account the need for adequate lot size and street width and shall recognize the limitations of the topography.**
- B. Size. No block shall be more than 400 feet in length between street corner lines or have a block perimeter greater than 1,600 feet unless it is adjacent to an arterial street, or unless the topography or the location of adjoining streets justifies an exception. The recommended minimum length of blocks along an arterial street is 1,800 feet.**

**COMMENT:**

The proposed block layout has been proposed taking into account adequate lot sizes, street width and the site's topography, as well as adjacent street network.

Land outside of the urban growth boundary is located to the west of the subject site, and sloping topography and the 100-year floodplain and urban growth boundary are to the north. The adjacent constrained lands make it infeasible to extend public streets in those directions to create smaller block perimeters. Where a street can be extended in the northeast boundary of the site for future development, it is proposed. The adjoining street network represented by Blake Street justifies an exception to this standard along the east side of the project.

The block bound by proposed Emma Street, Meadows Drive and Shadden Drive is adjacent to an arterial street, Baker Creek Road. Its perimeter is controlled by the existing spacing between Meadows Drive and Shadden Drive. This spacing meets the above standards. The spacing between along Hill Lane at the north leg of the existing traffic circle also meets this code.

The site's block pattern is also constricted by the BPA easement, adjacent substation property, the large C-3 zoned parcel, Baker Creek Road's arterial intersection spacing standards, and existing development to the east. Where large blocks are proposed, mid-block paths and open space tracts are proposed to facilitate pedestrian connectivity and access to the greatest extent practicable (as shown on Exhibit 3's sheet EXH-4).

The applicant seeks approval of the proposed planned development block pattern.

**C. Easements.**

1. **Utility lines.** Easements for sewers, water mains, electric lines, or other public utilities shall be dedicated whenever necessary. The easements shall be at least 10 (ten) feet wide and centered on lot lines where possible, except for utility pole tieback easements which may be reduced to six (6) feet in width. Easements of 10 (ten) feet in width shall be required along all rights-of-way. Utility infrastructure may not be placed within one foot of a survey monument location noted on a subdivision or partition plat. The governing body of a city or county may not place additional restrictions or conditions on a utility easement granted under this chapter.

**COMMENT:**

The attached Preliminary Plat indicates that the applicant is proposing to dedicate 10-ft. wide public utility easements along all street right-of-ways within the proposed planned development. Other easements through proposed lots or tracts are also shown, as necessary, at the required widths.

2. **Water courses.** If a subdivision is traversed by water courses such as a drainage way, channel, or stream, there shall be provided a storm unit easement or drainage right-of-way conforming substantially with the lines of the water course and of such width as will be adequate for the purpose, unless the water course is diverted, channeled, or piped in accordance with plans approved by the City Engineer's office. Streets or parkways parallel to major water courses may be required.

**COMMENT:**

The subdivision is not traversed by a water course. This section is not applicable.

3. **Pedestrian ways.** When desirable for public convenience, safety, or travel, pedestrian ways not less than 10 (ten) feet in width may be required to connect to cul-de-sacs, to pass through unusually long or oddly shaped blocks, to connect to recreation or public areas such as schools, or to connect to existing or proposed pedestrian ways.

**COMMENT:**

Pedestrian ways that are in tracts greater than ten (10) feet in width are proposed at several locations in the form of mid-block paths throughout the development.

**Section 17.53.105: Lots.**

- A. Size and shape. Lot size, width, shape, and orientation shall be appropriate for the location of the subdivision and for the type of use contemplated. All lots in a subdivision shall be buildable.**
- 1. Lot size shall conform to the zoning requirement of the area. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street parking and service facilities required by the type of use contemplated. The depth of lot shall not ordinarily exceed two times the average width.**

**COMMENT:**

The applicant has submitted a Planned Development application to create 280 single-family detached lots within the R-4 zoned portion of the site. Through the planned development process, the applicant is proposing to modify lot sizes so that all lots will be buildable and conform to the planned development's zoning overlay. The planned development includes appropriately sized and orientated lots for each unique site condition. Smaller lots are located closer to Baker Creek Road and will facilitate future planned transit along the roadway. Larger deeper lots are arranged adjacent to natural features. Medium lots are located in the middle area as a transition to density. Narrow lots are oriented to the street or common open space tracts with garage loading from an alley in the rear, while medium and large lots have access oriented to adjacent streets. Lots adjacent to the BPA easement are predominately oriented with the rear yard toward the easement, and this easement has been placed in an open space tract.

The width and depth of the proposed lots are also appropriate for the location of the lot. There are seven different lot types, organized by typical lot width, as shown on Exhibit 3's Lot Type Plan sheet EXH-3. Where a lot depth exceeds two times the average width, as requested with approval of this Planned Development, the dimensions are prudent as described below:

- SFD-70 lots would normally have a lot depth of no more than 140-feet. Of the 21 lots of this type, the proposed depths are typically less than 150-feet, with only a few approaching 160-feet. Therefore, this variance from the standards is a marginal amount. These lots are all on the perimeter of the project with the rear of the lots adjacent to sloping land that is proposed to be donated as a future special use park. The proposed depths as shown on Exhibit 3's Preliminary Plat sheets PL-1 through PL-5, allow for these lots to act as a buffer between the future open space and the developed portion of the site, so this added depth to the lots is appropriate for the location.
- SFD-60 lots would normally not have a lot depth of no more than 120-feet. Of the 36 lots of this type, the proposed depths are all less than 120-feet meeting this code standard, except for lots 206 & 207 which have a 25-foot wide driveway easement encumbering the front of the lots. Therefore, the functional depth of these lots is less than 120-feet, meeting the intent of this code section.

- SFD-50 lots would normally not have a lot depth of no more than 100-feet. Of the 48 lots of this type, many conform to this code. Where they do not, they are adjacent to the exterior of the project like the SFD-70 lots. The added depth also helps preserve trees on Lots 269-280, provide a buffer from the adjacent use on Lots 122-129 or 126-203, and rear yards of Lots 137 and 212 which are adjacent to the side yard of another lot to provide added lot depth and buffer the adjacent use. As such, the intent of this code section is met by the added depth of these planned development lots.
- SFD-40 and SFD-45 lots would normally not have a lot depth of no more than 80-feet or 90-feet respectively, if conforming to this code subsection exactly. Of the respective lots of these types, all of lot depths are greater than that which the code would prescribe. An 80-foot deep lot could have a 20-foot garage setback in the front and a 20-foot rear yard setback, leaving 40-feet of depth for the dwelling unit. However, that would mean the ground floor depth of the livable part of the dwelling would be only 20-feet deep after providing 20-feet for the typical depth of a garage. The planned development request for flexibility of this standard to allow for lot depths ranging from 90-feet to just over 100-feet means these dwellings will be 10-feet to 20-feet deeper than if conforming to the code. The proposed lots will have more functional internal ground floor space within the dwelling, as well as an increased area on the second floor. Lot depths of 100-feet, plus or minus, are ordinary depths for single-family dwelling lots so this request is within reason. These dimensions are also appropriate for the higher density portions of this site these lots occupy, providing conformance with the intent of this code.
- SFD-30a and SFD-26a lots would normally not have a lot depth of no more than 60-feet or 52 feet respectively. Of the respective 24 and 54 lots of these types, all of lot depths are greater than that which the code would prescribe. This code section also states that “all lots in a subdivision shall be buildable,” The lots are proposed to be 90-feet deep, which is a necessary depth to make them buildable. With the exception of Lots 17-20 and 81-84, all of which have front yards facing Shadden Drive or Meadows Drive, respectively, and are therefore deeper.

**B. Access. Each lot shall abut upon a street other than an alley for a width of at least 25 (twenty-five) feet or shall abut an access easement which in turn abuts a street for at least 15 (fifteen) feet if approved and created under the provisions of 17.53.100(C). Direct access onto a major collector or arterial street designated on the McMinnville Comprehensive Plan Map shall be avoided for all lots subdivided for single-family, common wall, or duplex residential use, unless no other access point is practical.**

**COMMENT:**

All proposed lots about upon a street for a width of 25-feet as required by this section, except those listed here. Through this planned development process, the applicant seeks approval for the alternative proposed access:

- Lots 21-32 in Phase 1A, Lots 44-49 in Phase 1B, and Lots 69-77 in Phase 1C have over 25-feet of frontage on the proposed public alley at the rear of the lot, and 25-feet of frontage on the proposed common area tract with a pedestrian way at the front of the lot.

- Lot 269 is served by a shared drive in an easement over the flag pole portion of adjacent Lot 270. Per drawing PL-5 Preliminary Plat, the flag portion of Lot 270 has 20.08' of public street frontage.
- Lots 204-208 on drawing PL-3 Preliminary Plat are served by a shared drive in an easement over the front of lots 205-208 that is 25-foot wide, providing more than the required frontage on a public street.
- Lot 129 is shown on drawing PL-3 Preliminary Plat to have 20.34-ft. of frontage for the flag pole portion of the lot.

**C. Through lots. Through lots shall be avoided except where they are essential to provide separation of residential development from major traffic arteries or adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. A planting screen easement at least 10 (ten) feet wide, and across which there shall be no right of access, may be required along the line of lots abutting such a traffic artery or other incompatible use.**

**COMMENT:**

No through lots are proposed within the planned development. They have been avoided, so this section has been met.

**D. Lot side lines. The side lines of lots, as far as practicable, shall run at right angles to the street upon which the lots face.**

**COMMENT:**

As far as practicable, each lot's side property line runs at or near right angles to the adjacent streets.

**E. Flag lots. The creation of flag lots shall be discouraged and allowed only when it is the only reasonable method of providing access to the rear of a lot which is large enough to warrant partitioning or subdividing.**

**COMMENT:**

Flag lots were avoided with the design of the planned development as much as possible. Flag lots are proposed only in three locations: 1) Lot 129 in Phase 2A, 2) Lots 269 and 270 in Phase 3C, and 3) Lots 204-208 in Phase 2C. In both the 2<sup>nd</sup> and 3<sup>rd</sup> instance, a private access drive in an easement is proposed to serve multiple lots, as is the preferred manner to provide access as described in Section 17.53.100 C.3. above. After consideration of topography, adjacent lots, and utilities, it was determined that street layouts to increase individual lot frontage for each of the lots listed above is not feasible, an inefficient use of land, and/or contrary to the policies of the Comprehensive Plan and this code. Flag lots and

associated easements were determined to be the only way to reasonably access the rear portions of the lots to be subdivided.

**Section 17.53.110: Lot Grading.** Lot grading shall conform to the following standards unless physical conditions demonstrate the propriety of other standards:

- A. Cut slopes shall not exceed one and one-half (1½) feet horizontally to one (1) foot vertically.
- B. Fill slopes shall not exceed two (2) feet horizontally to one (1) foot vertically.
- C. The character of soil for fill and the characteristics of lots made usable by fill shall be suitable for the purpose intended.
- D. The minimum elevation at which a structure may be erected, taking into consideration the topography of the lot, the surrounding area, drainage patterns, and other pertinent data shall be established by the City Building Official.
- E. The City Engineer shall determine whether a storm drainage system is necessary to control, manage, and dispose of water lying on or running over a subdivision. In addition, the subdivider shall be required to meet other standards and conditions imposed by state laws and city ordinances.

**COMMENT:**

The exhibit drawings GR-1 through GR-5 Grading Plans demonstrate that the proposed cuts and fills conform to these standards. The proposed storm drainage system is shown on drawings UT-1 through UT-5 Utility Plans.

**Section 17.53.120: Building Lines.** If special building setback lines are to be established in the subdivision or partition, they shall be shown on the plat or included in the deed restrictions.

**COMMENT:**

A special rear yard setback of 30-ft. is proposed for those lots where large oak trees are proposed to be preserved. The additional setback area will be identified on deed restrictions for the respective lots.

**Section 17.53.130: Large Lot Subdivision.** In subdividing tracts into large lots which at some future time are likely to be re-subdivided, the Planning Commission may require that the blocks be of such size and shape, be so divided into lots, and contain such building site restrictions as will provide for extension and

**opening of streets at intervals which will permit a subsequent division of any parcel into lots of smaller size.**

**COMMENT:**

The drawings show that full development of the planned development area is proposed with this application. Therefore, the above standards do not apply.

**Section 17.53.140: Left-over Land. Islands, strips, or parcel of property unsuited for subdividing and not accepted by the City for appropriate use shall not be left unsubdivided but shall be identified as required in Section 17.53.075(A)(10).**

**COMMENT:**

All land not developed as single-family lots or public right-of-ways has been identified as Tracts A-S on the applicant's Preliminary Plat drawings. Tracts A-F and H-S will be developed as common open space areas. Tract G will be developed as a sanitary sewer pump station. Therefore, there are no left-over strips of land within the proposed planned development.

**Improvements**

**Section 17.53.150: Improvement Procedures.**

**COMMENT:**

Improvements Procedures will be followed at the time of site construction and permitting.

**Section 17.53.151: Specifications for Improvements.**

**COMMENT:**

When detailed construction plans are prepared for the proposed planned development, design of the facilities will conform to the specification of this code section.

**Section 17.53.153: Improvement Requirements.**

**COMMENT:**

The applicant/developer will install water, electrical, sewer, drainage facilities, streets, pedestrian ways, private drives, alleys, and street trees with the proposed planned development project as required with each phase of development.

**Exceptions, Variances, and Enforcement**

**Section 17.53.160: Exceptions in Case of Large Scale Development. The Planning Commission may modify the standards and requirements of this ordinance if the subdivision plat comprises a planned development unit, a large scale shopping center, or a planned industrial area. The Planning Commission shall determine that**

**such modifications are not detrimental to the public health, safety, and welfare, and that adequate provision is made within the development for traffic circulation, open space, and other features that may be required in the public interest.**

**COMMENT:**

As mentioned in this narrative, the applicant is proposing and seeking the City's approval of modifications to this ordinance through the planned development process. As required, the applicant has addressed how the modifications meet the criteria for planned developments under Chapter 17.51. Adequate provisions have been made for traffic circulation with the proposed streets and ways, open space with the proposed tracts and amenities, and other features such as easements.

**Chapter 17.57: Landscaping**

**Section 17.57.030**      **Zones where required. Landscaping shall be required in the following zones except as otherwise noted:**

- A. R-4 (Multiple-Family Residential zone, except the construction of a Single Family or Two-Family Residential unit);**
- D. C-3 (General Commercial zone);**

**COMMENT:**

The planned development is within the R-4 zone, however it is proposed with single-family residential units, so no landscaping is required per this section. No specific development or use is proposed within the proposed C-3 zone, so no landscaping is required for that area.

**Section 17.57.040:**      **Specific uses requiring landscaping.**

- D. Multiple-family, commercial, and industrial uses in residential planned developments, subject to the landscaping requirements of the type of use in the planned development.**

**COMMENT:**

The applicant is not proposing multi-family uses with this residential planned development. Therefore, these standards do not apply.

## **Chapter 17.58: Trees**

**Section 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 with trunks located completely or partially within any public area or right-of-way;**
- C. All trees with trunks located completely within 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 to or undergoing development review such as site plan review, tentative subdivision review, or partition review;**

### **COMMENT:**

The applicant is requesting development review of its application for a planned development and subdivision to create 280 single-family detached lots, construct public streets and alleys, and develop common open space areas as illustrated on the plans. Therefore, per subsection D. above, the provisions of Chapter 17.58 apply to trees on the planned development site.

**Section 17.58.040: Tree Removal/Replacement**

- A. The removal or major pruning of a tree, if applicable under Section 17.58.020, shall require City approval, unless specifically designated as exempt by this ordinance. Persons wishing to remove or prune such trees shall file an application 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, and the costs associated with tree removal, replacement, and repair of any other public infrastructure impacted by the tree removal or major pruning. 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 30 (thirty) 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 their 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 written notice of the appeal is filed with the Planning Department within 15 (fifteen) 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.

**COMMENT:**

The exhibit landscaping plan drawing L1.0 Street Tree Plan indicates that the applicant is proposing to remove trees to facilitate site development of the planned development. The applicant requests concurrent review and approval of this request with the proposed planned development and subdivision applications.

- Section 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.**
  - B.    The tree is in conflict with public improvements.**
  - 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.**
  - D.    Verification of tree health or a tree's impacts on infrastructure shall be required, at the expense of the applicant, by a Certified Arborist acceptable to the City.**

**COMMENT:**

With concurrent review and approval of this tree removal request with the proposed planned development and subdivision applications, the trees proposed for removal are part of an approved development project which meets criteria C. above.

- Section 17.58.080:**      **Street Tree Planting—When Required. All new multi-family development, commercial or industrial development, subdivisions, partitions, or parking lots fronting on a public roadway which has a designated curb-side planting strip or**

planting island shall be required to plant street trees in accordance with the standards listed in Section 17.58.090.

**COMMENT:**

The proposal is for a new subdivision so street tree planting is required in the curb-side planting strip.

**Section 17.58.090: Street Tree Standards.**

- A. The species of the street trees to be planted shall be chosen from the McMinnville Street Tree List, as approved by Resolution 2016-22, unless approval of another species is given by the McMinnville Landscape Review Committee. The Landscape Review Committee may periodically update the McMinnville Street Tree List as necessary to reflect current arborist practices and industry standards.**

**COMMENT:**

Proposed street tree species were chosen from the McMinnville Street Tree List. The trees are identified on the attached landscape drawing L1.0 Street Tree Plan, which was prepared by a landscape architect.

- B. Street trees shall be a minimum of two (2) inches in caliper measured at six (6) inches above ground level. All trees shall be healthy grown nursery stock with a single straight trunk, a well developed leader with tops and roots characteristic of the species cultivar or variety. All trees must be free of insects, diseases, mechanical injury, and other objectionable features when planted.**

**COMMENT:**

Following site construction, the street trees will be planted according to the specifications of this code section, as noted on the attached landscaping plans included with this application.

- C. Small or narrow stature trees (under 25 feet tall and less than 16 feet wide branching) should be spaced no greater than 20 feet apart; medium sized trees (25 feet to 40 feet tall, 16 feet to 35 feet wide branching) should be spaced no greater than 30 feet apart; and large trees (over 40 feet tall and more than 35 feet wide branching) should be spaced no greater than 40 feet apart. Within residential developments, street trees should be evenly spaced, with variations to the spacing permitted as approved by the City for specific site limitations and safety purposes. Within commercial and industrial development staggered, or irregular spacing is permitted, as may be approved by the McMinnville Landscape Review Committee. When planting**

**replacement trees within the Downtown Tree Zone, consideration shall be given to the height of adjacent buildings.**

**COMMENT:**

The proposed stature of the street trees, small, medium, and large, as well as the mature height and proposed spacing are referenced on the landscaping drawing L1.0 Street Tree Plan. This planned development is a residential neighborhood where street trees are evenly spaced where possible. The applicant is requesting concurrent approval by the City to permit variations to the spacing as shown on the plans. The proposed modifications are due to specific site limitations inherent in a planned development with a mix of housing types, a variety of lot widths, and range of driveway types, coupled with pedestrian curb ramps, alley access ramps, lamp posts, and other utility conflicts.

- D. When located adjacent to a local residential street or minor collector street, street trees shall be planted within a curbside landscape strip measuring a minimum of three (3) feet in width. Street trees adjacent to major collector streets or arterial streets shall be placed a minimum of four (4) feet from the back edge of the sidewalk. In no case shall a tree be planted closer than two and one-half (2 1/2) feet from the face of a curb. These standards may be superseded by design drawings and specifications as periodically developed and adopted by the City.**

**COMMENT:**

The landscape strips of the proposed development are primarily located adjacent to local residential streets, with one strip also located along a minor arterial street. The proposed street trees and landscape strips meet the above standards (see Exhibit 3).

- E. Street trees shall not be planted within ten (10) feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines, or within twenty (20) feet of street light standards or street intersections, or within five (5) feet of a private driveway or alley. New utility poles shall not be located within five (5) feet of an existing street tree. Variations to these distances may be granted by the Public Works Director and as may be required to ensure adequate clear vision.**

**COMMENT:**

The landscape plan drawing L1.0 Street Tree Plan illustrates that the proposed street trees are properly spaced from utilities, street intersections, driveways, alleys, as required by this Section, except in some cases driveway wings and water meter boxes encroach into the 5-foot and 10-foot spacing requirements. However, the proposed root barrier detail provides a means to deal with this encroachment in a way that will allow a tree to still be planted. Utilities shown on this drawing account for some of the proposed gaps in standard street tree spacing. The applicant seeks concurrent approval

of this Street Tree Plan with the proposed planned development and subdivision.

- F. Existing street trees shall be retained unless approved by the Planning Director for removal during site development or in conjunction with a street construction project. Sidewalks of variable width and elevation may be utilized as approved by the Planning Director to save existing street trees. Any street tree removed through demolition or construction within the street right-of-way, or as approved by the City, shall be replaced within the street right-of-way at a location approved by the city with a tree, or trees, of similar value. As an alternative the property owner may be required to pay to the City an amount sufficient to fund the planting and establishment by the city of a tree of similar value. The value of the existing street 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. The developer or applicant shall be responsible for the cost of the planting, maintenance and establishment of the replacement tree.

**COMMENT:**

There are no street trees on or adjacent to the subject site. Therefore, these standards do not apply.

- G. Sidewalk cuts in concrete for tree planting shall be a minimum of four feet by six feet, with the long dimension parallel to the curb, and if located within the Downtown Tree Zone shall follow the design drawing or updated design drawings and specifications as periodically developed and adopted by the City.

**COMMENT:**

The applicant is not proposing to locate street trees within sidewalk cuts, therefore these standards do not apply.

**Section 17.58.100: Street Tree Plans**

**A. Submittal.**

- 1. Subdivisions and Partitions: Street tree planting plans shall be submitted to the Landscape Review Committee for review and approval prior to the filing of a final subdivision or partition plat.

**COMMENT:**

The applicant is requesting approval of a Planned Development application to create 280 single-family detached lots, construct public streets and alleys, and develop common open space areas. The applicant is also proposing to plant street trees with the planned development project in phases. The applicant is requesting concurrent approval of the street tree plan (L1.0) with this application.

**Section 17.58.110: Street Tree Planting**

**A. Residential subdivisions and partitions.**

- 1. Planting Schedule: Street trees required of residential subdivisions and partitions shall be installed prior to submittal of a final subdivision plat or partition plat. As an alternative the applicant may file a surety bond or other approved security to assure the planting of the required street trees, as prescribed in Section 17.53.153.**

**COMMENT:**

As required, the developer will provide a surety bond at the developer's expense to the City to assure the planting of the required street trees shown on the approved Street Tree Plan.

## **Chapter 17.60: Off-Street Parking and Loading**

**Section 17.60.050: Spaces—Location.** Off-street parking spaces for dwellings shall be located on the same lot with the dwelling. All other required parking spaces shall be located not farther than two hundred feet from the building or use they are required to serve, measured in a straight line from the building.

### **COMMENT:**

Each single-family lot is provided with off-street parking spaces on the same lot as the dwelling as shown on the drawings SP-1 through SP-5 Site Plans.

**Section 17.60.060: Spaces—Number required.** Except for the southerly 100 feet of Block 10 and the northerly 100 feet of Block 11, Rowland's Addition and the area bounded by Second Street, Adams Street, Fourth Street, and Galloway Street, at the time of erection of a new structure or at the time of enlargement or change of use of an existing structure, off-street parking spaces shall be provided as follows unless greater requirements are otherwise established. Where square feet are specified, the area measured shall be the gross floor area primary to the functioning of the particular use of the property but shall exclude space devoted to off-street parking or unloading.

**A. Residential land use category:**

**5. Single-family and two-family dwelling.**

**Two spaces per dwelling with four or fewer bedrooms, and one additional space for every two additional bedrooms.**

### **COMMENT:**

Although detailed building plans have not been completed, most of the proposed single-family lots will have homes with 3-4 bedrooms, therefore 2 parking spaces are required. The attached Site Plans indicates that each dwelling is provided with 2 off-street parking spaces in garages and another 2 spaces in proposed driveways. City staff will verify that the minimum required number of required off-street parking spaces are provided for each lot during building permit review when each dwelling's total number of bedrooms is apparent.

**Section 17.60.080: Design requirements.**

**B. In a residential zone, a required front yard or a required side yard adjacent to the street shall not be used for any purpose except for off-street parking of motor vehicles, unless otherwise allowed by this ordinance, and such**

**parking space shall not be less than twenty feet in depth from the property line.**

**COMMENT:**

The proposed off-street parking spaces and driveway depths are a minimum of 20-feet from the property line.

**Section 17.60.140: Bicycle parking.**

**A. Bicycle parking facilities shall be required as follows:**

- 2. The uses exempted from bicycle parking requirements include: residential uses, drive-in theaters, mortuaries, motels, hotels, and automobile service stations.**

**COMMENT:**

Per the above standards, bicycle parking requirements are exempt for residential uses.

**Chapter 17.61: Solid Waste and Recycling Enclosure Plan**

**Section 17.61.020: Applicability and Exemptions.**

- A. The requirements of this chapter shall apply to all new commercial, industrial and multi-family developments of three (3) or more dwelling units.**

**COMMENT:**

The applicant is proposing single-family detached dwellings with the planned development, therefore the requirements of this chapter do not apply.

**Chapter 17.62 Signs**

**Section 17.62.070 Permanent Sign Regulations. Permanent signs may be erected and maintained only in compliance with the following specific provisions:**

- A. Residential (R-1, R-2, R-3, and R-4) zones.**
  - 1. Each subdivision or multi-family complex is permitted one permanent monument sign not to exceed six (6) feet in height and forty-eight (48) square feet in area. The sign shall be nonilluminated.**

**COMMENT:**

The applicant requests approval of the proposed monument sign shown on the exhibit drawing L9.0 Landscape Plan at the two locations shown on L2.0 Landscape Plan. The proposed sign locations are in the common open space along Baker Creek Road.

**Section 17.62.080 Sign Permits.**

- A. General Provisions.**
  - 1. No sign which is not specifically listed as exempt from the provisions of this ordinance shall be erected, constructed, attached, relocated, or structurally altered without obtaining City approval.**
  - 2. Such approvals are not required for temporary signs, mounted signs that protrude less than twelve (12) inches, signs listed as exempt, or for routine sign maintenance.**
- B. Sign Permit.**
  - 1. Permit Requirements. An applicant for a sign permit shall supply the following information on forms provided by City:**
    - a. Size, height, location, description, and material of the sign;**

- b. Name of the manufacturer, contractor, owner, and business advertised;
  - c. Scaled drawing(s) and description of copy, structure, and lighting;
  - d. Photo(s) or drawing(s) of the proposed sign location(s); and
  - e. Signature of property owner or designee.
  - f. Other information required to demonstrate compliance with this Chapter.
2. Sign Permit Fee.
- a. The fee for a sign permit shall be as set forth in a resolution adopted by the City Council.
  - b. The fee for a sign permit shall be waived if the permit application is to bring a nonconforming sign into compliance within the first eight (8) years following the adoption of this ordinance.

**COMMENT:**

No monument sign will be erected without City approval. Upon filing of an application on forms provided by the City. Specifications for the sign are provided in the attached L9.0 Landscaped Drawings exhibit. The required fee has been provided with this application, therefore this section is met.

## Chapter 17.72: Applications and Review Process

**Section 17.72.020: Application Submittal Requirements.** Applications shall be filed on forms provided by the Planning Department and shall be accompanied by the following;

- A. A scalable site plan of the property for which action is requested. The site plan shall show existing and proposed features, such as access, lot and street lines with dimensions in feet, distances from property lines, existing and proposed buildings and significant features (slope, vegetation, adjacent development, drainage etc.)

### COMMENT:

The applicant has filed these applications on forms provided by the Planning Department and has submitted scalable site plans which show the elements required by this section.

- B. An explanation of intent, nature and proposed use of the development, and any pertinent background information.

### COMMENT:

As required, this Applicant's Statement discusses in narrative form the project background, the intent, nature and proposed use of the proposed development in detail. All applicable approval criteria have been met.

- C. Property description and assessor map parcel numbers(s).
- D. A legal description of the property when necessary.
- E. Signed statement indicating that the property affected by the application is in the exclusive ownership or control of the applicant, or that the applicant has the consent of all partners in ownership of the affected property.

### COMMENT:

The attached Preliminary Development Plans and this narrative provide a property description and assessor map parcel numbers. Legal descriptions for the subject parcels have been submitted with this application (see Exhibit 2). In addition, the applicant has submitted land use application forms which indicate that the applicant is also the sole property owner of the subject site (see Exhibit 2).

- F. Materials required by other sections of the McMinnville Zoning Ordinance specific to the land use application.

- G. **Other materials deemed necessary by the Planning Director to illustrate compliance with applicable review criteria, or to explain the details of the requested land use action.**

**COMMENT:**

In addition to the materials listed above, the applicant has submitted a Geotechnical Report and Neighborhood Meeting Documentation for the proposed development.

**Section 17.72.030: Filing Fees. The City shall charge and collect a filing fee for each such application as established by resolution of the City Council.**

- A. **The applicant(s) shall submit the required filing fee at the time of application submittal;**
- B. **Whether the request is approved or denied, the petitioner shall not be entitled to a refund of the initial fee paid.**

**COMMENT:**

As required, the applicant has submitted the required filing fee with the submitted applications.

**Section 17.72.070: Concurrent Applications. When a proposal involves more than one application for the same property, the applicant may submit concurrent applications which shall be processed simultaneously. In so doing, the applications shall be subject to the hearing procedure that affords the most opportunity for public hearing and notice.**

**COMMENT:**

Several land use applications have been submitted for concurrent Planning Commission and City Council review. The applicant and property owner are requesting that the applications be processed simultaneously per this section.

There is no application process in this code for acceptance of the proposed land donation as well as the suggested acceptance of the dedication of open space tracts as public parks. The June 1999 Parks Master Plan (page 22) states that park acquisition is to be coordinated by the Director of Parks and Recreation. So, the applicant requests that the proposed land donation and dedication be coordinated simultaneously as well, so the applicant can plan for the future ownership and maintenance of those parcels.

**Application Review and Decision Process**

**Section 17.72.080: Legislative or Quasi-Judicial Hearings. The applications listed in this Chapter are either legislative or quasi-judicial in nature and are subject to a public hearing before the Planning**

**Commission or City Council.**

- B. An application that is site specific (such as a zone change or annexation request) would call for a quasi-judicial hearing. The decisions made as a result of such hearings must be based upon testimony submitted and supported by Findings of Fact. An amendment that is site specific may be initiated by the City Council, the Planning Commission, the Citizens' Advisory Committee or by application of the property owner.**

**COMMENT:**

The applicant has submitted several land use applications that will be reviewed through a quasi-judicial hearing process. A public hearing will be held before the Planning Commission and City Council for the submitted Planned Development Amendment, Comprehensive Plan Map Amendment, Zoning Map Amendment, new residential Planned Development, Subdivision, Tree Removal, Street Tree Plan and Landscape Plan Review applications. In addition, the City Council will consider the offer for donated public park land to the City of McMinnville.

**Section 17.72.090: Application Review Summary Table. The following table offers an overview of land use applications and corresponding review body. Additional information regarding the notification and approval criteria for specific land use applications can be found by referring to the procedural reference section in the right-hand column of the table. Information regarding the hearing body and the hearing procedure can be found in this chapter.**

**COMMENT:**

This Applicant's Statement and the attached exhibits demonstrate that the applicant has addressed appropriate criteria for the submitted land use applications. City staff will ensure that required procedures are followed for public noticing and at the required quasi-judicial hearings.

**Section 17.72.095: Neighborhood Meetings.**

- A. A neighborhood meeting shall be required for:**
  - 1. All applications that require a public hearing as described in Section 17.72.120, except that neighborhood meetings are not required for the following applications:**

**COMMENT:**

The submitted Comprehensive Plan Map Amendment, Zoning Map Amendment, Subdivision (more than 10 lots), and Planned Development applications require public hearings, therefore a neighborhood meeting is also required. The applicant held a neighborhood meeting to discuss the land use applications with area residents on November 1, 2018.

**B. Schedule of Meeting.**

- 1. The applicant is required to hold one neighborhood meeting prior to submitting a land use application for a specific site. Additional meetings may be held at the applicant's discretion.**
- 2. Land use applications shall be submitted to the City within 180 calendar days of the neighborhood meeting. If an application is not submitted in this time frame, the applicant shall be required to hold a new neighborhood meeting.**

**COMMENT:**

The applicant held a neighborhood meeting to discuss the land use applications with area residents on November 1, 2018. As required, the applicant submitted the attached land use applications by April 30, 2019, less than 180 days from the neighborhood meeting.

**C. Meeting Location and Time.**

- 1. Neighborhood meetings shall be held at a location within the city limits of the City of McMinnville.**
- 2. The meeting shall be held at a location that is open to the public and must be ADA accessible.**
- 3. An 8 ½ x 11" sign shall be posted at the entry of the building before the meeting. The sign will announce the meeting, state that the meeting is open to the public and that interested persons are invited to attend.**
- 4. The starting time for the meeting shall be limited to weekday evenings between the hours of 6 pm and 8 pm or Saturdays between the hours of 10 am and 4 pm. Neighborhood meetings shall not be held on national holidays. If no one arrives within 30 minutes after the scheduled starting time for the neighborhood meeting, the applicant may leave.**

**COMMENT:**

The applicant scheduled the neighborhood meeting at the Baker Creek Community Church at 325 NW Baker Creek Road within the City limits of the City of McMinnville. The meeting was held in a community room that is ADA accessible between 6:00 pm and 7:30 pm on Thursday, November 1, 2018. A copy of the 8 1/2" x 11" sign that was posted at the building entrance has been submitted with this application (see Exhibit 6).

**D. Mailed Notice.**

- 1. The applicant shall mail written notice of the neighborhood meeting to surrounding property owners. The notices shall be mailed to property owners within certain distances of the exterior boundary of the subject property. The notification distances shall be the same as the distances used for the property owner notices for the specific land use application that will eventually be applied for, as described in Section 17.72.110 and Section 17.72.120.**
- 2. Notice shall be mailed not fewer than 20 calendar days nor more than 30 calendar days prior to the date of the neighborhood meeting.**
- 3. An official list for the mailed notice may be obtained from the City of McMinnville for an applicable fee and within 5 business days. A mailing list may also be obtained from other sources such as a title company, provided that the list shall be based on the most recent tax assessment rolls of the Yamhill County Department of Assessment and Taxation. A mailing list is valid for use up to 45 calendar days from the date the mailing list was generated.**

**COMMENT:**

As required, the applicant mailed a neighborhood meeting notice to all property owners within 300-feet of the subject site. The notice was mailed out on October 5, 2018 meeting the requirements of this code. A copy of the mailing list, invitation letter, and other materials mailed to the neighbors has been submitted with this application (see Exhibit 6).

- 4. The mailed notice shall:**
  - a. State the date, time and location of the neighborhood meeting and invite people for a conversation on the proposal.**
  - b. Briefly describe the nature of the proposal (i.e., approximate number of lots or units, housing types, approximate building dimensions and heights, and proposed land use request).**
  - c. Include a copy of the tax map or a GIS map that clearly identifies the location of the**

**proposed development.**

- d. Include a conceptual site plan.**

**COMMENT:**

The attached Neighborhood Meeting Documentation indicates that the applicant included all of the above information when inviting neighbors to the meeting.

- 5. The City of McMinnville Planning Department shall be included as a recipient of the mailed notice of the neighborhood meeting.**
- 6. Failure of a property owner to receive mailed notice shall not invalidate the neighborhood meeting proceedings.**

**COMMENT:**

As required, the applicant mailed a copy of the neighborhood meeting notice to the City Planning Department.

**E. Posted Notice.**

- 1. The applicant shall also provide notice of the meeting by posting one 18 x 24" waterproof sign on each frontage of the subject property not fewer than 20 calendar days nor more than 30 calendar days prior to the date of the neighborhood meeting.**
- 2. The sign(s) shall be posted within 20 feet of the adjacent right-of-way and must be easily viewable and readable from the right-of-way.**
- 3. It is the applicant's responsibility to post the sign, to ensure that the sign remains posted until the meeting, and to remove it following the meeting.**
- 4. If the posted sign is inadvertently removed (i.e., by weather, vandals, etc.), that shall not invalidate the neighborhood meeting proceedings.**

**COMMENT:**

As required, the applicant posted a sign at the subject site to advertise the neighbor meeting in accordance with the above standards. A copy of the site sign has been included with the attached Neighborhood Meeting Documentation.

**F. Meeting Agenda.**

1. The overall format of the neighborhood meeting shall be at the discretion of the applicant.
2. At a minimum, the applicant shall include the following components in the neighborhood meeting agenda:
  - a. An opportunity for attendees to view the conceptual site plan;
  - b. A description of the major elements of the proposal. Depending on the type and scale of the particular application, the applicant should be prepared to discuss proposed land uses and densities, proposed building size and height, proposed access and parking, and proposed landscaping, buffering, and/or protection of natural resources;
  - c. An opportunity for attendees to speak at the meeting and ask questions of the applicant. The applicant shall allow attendees to identify any issues that they believe should be addressed.

**COMMENT:**

A neighborhood meeting agenda that includes the above elements was distributed to meeting attendees. A copy of the agenda has been submitted with the attached Neighborhood Meeting Documentation.

- G. Evidence of Compliance. In order for a land use application that requires a neighborhood meeting to be deemed complete, the following evidence shall be submitted with the land use application:
  1. A copy of the meeting notice mailed to surrounding property owners;
  2. A copy of the mailing list used to send the meeting notices;
  3. One photograph for each waterproof sign posted on the subject site, taken from the adjacent right-of-way;
  4. One 8 ½ x 11" copy of the materials presented by the applicant at the neighborhood meeting; and

5. **Notes of the meeting, which shall include:**
  - a. **Meeting date;**
  - b. **Meeting time and location;**
  - c. **The names and addresses of those attending;**
  - d. **A summary of oral and written comments received; and**
  - e. **A summary of any revisions made to the proposal based on comments received at the meeting.**

**COMMENT:**

As required, the applicant took minutes at the neighborhood meeting and a meeting summary has been submitted with this application. Copies of all materials listed above have been attached with the submitted Neighborhood Meeting Documentation. Based on positive comments received at the neighborhood meeting, the applicant did not make any subsequent major revisions to the proposal.

**Section 17.72.120: Applications – Public Hearings. The Planning Commission shall hold at least one public hearing on the following land use applications.**

- **Comprehensive Plan Map Amendment**
- **Planned Development**
- **Tentative Subdivision (more than 10 lots)**
- **Zone Change**

**COMMENT:**

As required, the submitted Comprehensive Plan Map Amendment, Zoning Map Amendment, Tentative Subdivision (more than 10 lots) and Planned Development applications will be reviewed concurrently at a public hearing before the Planning Commission.

## Chapter 17.74: Review Criteria

### Section 17.74.020: Comprehensive Plan Map Amendment and Zone Change - Review Criteria.

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

- A. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan;**

#### **COMMENT:**

This Applicant's Statement has demonstrated how the proposed Comprehensive Plan Map and Zoning Map Amendment applications are consistent with applicable goals and policies of the Comprehensive Plan in the responses above under III. Findings A. of the McMinnville Comprehensive Plan.

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

#### **COMMENT:**

Several changes have occurred in the neighborhood or community to warrant the proposed amendments. First of all, the October 2018 Yamhill County Transit Area Transit Development Plan (YCTA TDP) Volume I designated Baker Creek Road adjacent to the site as a planned transit corridor. This makes it an appropriate action for the R-1 zoned parcel to be rezoned to R-4, as well as applying the R-4 zone to the remainder of the planned development site's area that does not have urban zoning. This type of residential zone will promote the type of density proposed with the planned development overlay and the type of density needed to support future transit service along this corridor. All of the lots are within ¼ mile of this planned transit corridor, providing consistency with Comprehensive Plan policies for this zoning classification.

It is the applicant's understanding, that a portion of the subject site was designated commercial at a time when a northwest expansion of the City's urban growth boundary was being pursued and a future commercial center was desired for this area of McMinnville. However, this expansion to the northwest did not materialize. This has left the site with an excess of commercial land on the fringe of the urban area in a market that cannot support that much commercial land on the edge of town. The applicant, who is a developer who has owned the site for almost four years after purchasing it from a bankruptcy trustee, attests to the lack of demand for so much commercial land through the lack of interest from others in the property for such uses. The commercially designated area is too large given the current pattern of development in McMinnville. A large commercial development is not appropriate and would drain economic activity from the downtown core and established commercial centers in McMinnville. The proposed planned development amendment and the amendment to the Comprehensive Plan Map will decrease the area designated commercial and will allow the property to more freely meet the

market needs permitted under the C-3 zone. As discussed previously, development of the remaining commercial land will likely be a mix of neighborhood commercial and multi-family housing.

An additional change in the community is the successful development of the surrounding area with medium and high-density single-family housing. For example, the Baker Creek East and West development to the south, which was a modification of the original Shadden Claim planned development, improved the area with a gross housing density of 5.83 dwelling units per acre. The proposed Baker Creek North development is proposed to be 5.75 dwelling units per acre, so the proposed amendments allow the proposed development which is of a similar gross density to the adjacent developments.

The proposed amendments are also timely as the demand for housing increases. As the last large tracts of buildable land in the City are consumed, the proposed amendments will ensure that the subject site is efficiently developed with high density housing and provides housing diversity in an area that contains medium and low density neighborhoods (i.e. Oak Ridge, Michelbook Meadows, Adjacent new development to the northeast).

Approval of the amendments will allow for an orderly development of the area. The earlier phases of the planned development are along the south side of the site, where utilities exist and small and medium sized lots meet the current market needs. Later phases will allow for more housing diversity with small, medium, and large lots to serve the broad housing needs of the community. The new lots in the planned development, and the development of multi-family units on the commercial lot, will provide economic support for neighborhood commercial uses on the C-3 zoned parcel.

The City of McMinnville completed its last Economic Opportunity Analysis (EOA) in 2013. The report indicates that there is a 35.8 acre deficit of Commercial designated land for the 20-year planning horizon. To address this need, the report recommends that the City re-designate some of the 235.9 acres of surplus Industrial land for commercial use. Since this surplus of Industrial land can be converted to a Commercial designation, the applicant's proposal to reduce the amount of Commercial designated land from 11.3 acres to 6.62 acres will not diminish the City's ability to meet its commercial land needs.

In 2001, the City of McMinnville completed a Residential Land Needs Analysis for the 2000-2020 planning period and determined that an additional 449 buildable acres of residential land needed to be added to the UGB to accommodate projected land needs. At the time, the needed residential acreage included 63.9 acres of additional R-4 zoned land beyond what was available within the UGB. Although the City moved forward with an UGB expansion in 2011 to address its deficient residential land supply, the boundary amendment was shelved after LUBA remanded City Council's land use decision in 2011. As a result, residential land needs dating back to 2001 have yet to be addressed.

Over the last two decades, the City's deficient residential land supply has continued to be a lingering problem and housing costs have risen to a point where they are now unattainable for many residents. To address these issues, the City is currently updating its Housing Needs Analysis. This study indicates that an additional 4,070 housing units need to be developed in McMinnville to meet residential demands during the 2018-2041 planning horizon. McMinnville currently has a deficit of 217 gross acres of R-4 land within the UGB. This acreage will allow the development of 891 dwelling units which can't be accommodated by the current R-4 land supply.

The applicant's proposal to zone 48.7 acres of the site R-4 will increase the density of existing Residential designated land to permit the develop additional housing in the community. As demonstrated by the attached Typical Lots Plan and Site Plan, the proposed Comprehensive Plan Map and Zoning Map

Amendments will facilitate the development of 280 small, medium, and large sized single-family lots within the proposed planned development area. The proposed map amendments will also allow the future development of apartment units in addition to neighborhood commercial within the C-3 zoned portion of the site, further working to meet the housing needs of the community.

- C. Utilities and services can be efficiently provided to serve the proposed uses or other potential uses in the proposed zoning district.**

**COMMENT:**

This narrative and the attached plans show that utilities and services can be efficiently provided to serve the proposed and potential uses in the proposed residential and commercial zoning districts.

**When the proposed amendment concerns needed housing (as defined in the McMinnville Comprehensive Plan and state statute), criterion "B" shall not apply to the rezoning of land designated for residential use on the plan map.**

**In addition, the housing policies of the McMinnville Comprehensive Plan shall be given added emphasis and the other policies contained in the plan shall not be used to: (1) exclude needed housing; (2) unnecessarily decrease densities; or (3) allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delay.**

**COMMENT:**

The applicant has addressed the McMinnville Comprehensive Plan policies, and nothing in this narrative is intended to exclude needed housing or unnecessarily decrease density. The applicant requests approval of the concurrently reviewed applications with conditions that do not add unreasonable cost or delay in the development of this needed housing in McMinnville.

**17.74.070**

**Planned Development Amendment - Review Criteria.**

**An amendment to an existing planned development may be either major or minor. Minor changes to an adopted site plan may be approved by the Planning Director. Major changes to an adopted site plan shall be processed in accordance with Section 17.72.120, and include the following:**

- **An increase in the amount of land within the subject site;**
- **An increase in density including the number of housing units;**
- **A reduction in the amount of open space; or**
- **Changes to the vehicular system which results in a**

**significant change to the location of streets, shared driveways, parking areas and access.**

**An amendment to an existing planned development may be authorized, provided that the proposal satisfies all relevant requirements of this ordinance, and also provided that the applicant demonstrates the following:**

- A. There are special physical conditions or objectives of a development which the proposal will satisfy to warrant a departure from the standard regulation requirements;**
- B. Resulting development will not be inconsistent with the Comprehensive Plan objectives of the area;**
- C. The development shall be designed so as to provide for adequate access to and efficient provision of services to adjoining parcels;**
- D. The plan can be completed within a reasonable period of time;**
- E. The streets are adequate to support the anticipated traffic, and the development will not overload the streets outside the planned area;**
- F. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed;**
- G. The noise, air, and water pollutants caused by the development do not have an adverse effect upon surrounding areas, public utilities, or the city as a whole.**

**COMMENT:**

This application's proposed amendments to the existing planned development in Ordinance 4633 are major changes because there would be an increase in density. Section 17.72.120 is addressed above. The current ordinance allows no housing and the amendment would allow no more than 120 multi-family dwelling units. The applicant requests this amendment be authorized because it satisfies all relevant requirements of this ordinance. The above items are addressed below.

- A. This application does not propose to depart from standard regulation requirements of commercial and residential development within the commercial lot, thus this application demonstrates this item is addressed.
- B. The Comprehensive Plan Map is proposed to be amended concurrently and consistent with the planned development area proposed in this Planned Development Amendment application. This narrative addresses how the Comprehensive Plan Map and Zoning Map amendments and the commercial and residential uses within the proposed planned development amendment area are consistent with the Comprehensive Plan objectives by providing neighborhood commercial and needed residential housing.
- C. The area of the planned development amendment is surrounded by existing and proposed streets. Thus, access and services will be available to adjoining parcels from and through those

streets. Upon future development of the planned development amendment site with the commercial C3-PD overlay, public right-of-way along Baker Creek Road will be improved and dedicated to the City and a public utility easement along street frontages will be granted. Documents to affect the dedication and granting of right-of-way and easements will be recorded in the local County records.

- D. The plan to amend the planned development can be completed in a reasonable amount of time. The amendment will be done as soon as the City passes ordinances to affect the change.
- E. The site of the planned development amendment is adjacent to a minor arterial with capacity planned in the City's Transportation Plan adequate to serve the area with over ten acres of commercial use. The applicant's traffic analysis shows this. The proposed use is 6.62 acres with no less than 2 acres of neighborhood commercial and no more than 120 multi-family dwelling units. The intensity of the proposed uses in the application are less than the intensity of the commercial use planned for in the City's plans under the current planned development scenario. Therefore, development of the site as the amendment proposes will not overload the streets, rather the impact will be lighter than planned for by the City.
- F. The area amended by the planned development has street frontage, sanitary sewer service and other utilities available as shown on the plans that are adequate for development of the site. No development of the site is proposed at this time.
- G. No development of the site is proposed at this time. However, neighborhood commercial and multi-family impacts are those anticipated for typical urban development. Noise, air, and water pollutants from the site will no impact surrounding properties. Surrounding properties are buffered from the site by public streets.

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**IV. SUMMARY AND CONCLUSIONS**

Based on the above findings, the applicant has demonstrated compliance with applicable sections of the McMinnville Comprehensive Plan and McMinnville Municipal Code. Therefore, the applicant requests that the submitted applications be concurrently approved.

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

Office Use Only:	
File No.	_____
Date Received	_____
Fee	_____
Receipt No.	_____
Received by	_____

## Comprehensive Plan Map Amendment/ Zone Change Application

### Applicant Information

Applicant is:  Property Owner    Contract Buyer    Option Holder    Agent    Other \_\_\_\_\_

Applicant Name STAFFORD DEVELOPMENT COMPANY, LLC Phone \_\_\_\_\_

Contact Name ATTN: MORGAN WILL Phone 503-305-7647  
*(If different than above)*

Address 8840 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97381

Contact Email morgan@staffordlandcompany.com

### Property Owner Information

Property Owner Name BAKER CREEK DEVELOPMENT, LLC Phone \_\_\_\_\_  
*(If different than above)*

Contact Name ATTN: MORGAN WILL Phone 503-305-7647

Address 8840 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97381

Contact Email morgan@staffordlandcompany.com

### Site Location and Description

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

Property Address 1755 NW BAKER CREEK ROAD

Assessor Map No. R4 4 - 18 - 100 Total Site Area 11.3 ACRES

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation COMMERCIAL Zoning Designation UNZONED

This request is for a:

Comprehensive Plan Amendment

Zone Change

1. What, in detail, are you asking for? State the reason(s) for the request and the intended use(s) of the property. APPLICANT IS REQUESTING REPEAL OF ORDINANCE NO. 4633 WITH THIS COMPREHENSIVE PLAN MAP AMENDMENT TO CONFIGURE THE SITE WITH 6.62 ACRES OF COMMERCIAL AND 4.7 ACRES OF RESIDENTIAL DESIGNATED LAND. WHEN THE ORDINANCE WAS APPROVED IN 1996, THERE WAS INTEREST IN EXPANDING THE UGB TO THE NORTHWEST. SINCE THIS EXPANSION DID NOT MATERIALIZE, A LARGE COMMERCIAL DEVELOPMENT IN THIS LOCATION IS NOT APPROPRIATE FOR THE NEIGHBORHOOD AND WOULD DIMINISH ECONOMIC ACTIVITY WITHIN THE DOWNTOWN CORE. THE REMAINING COMMERCIAL LANDS WILL LIKELY BE DEVELOPED WITH A NEIGHBORHOOD COMMERCIAL USE, WHILE THE PROPOSED RESIDENTIAL LAND WILL BE DEVELOPED WITH BAKER CREEK NORTH PLANNED DEVELOPMENT.
2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. 2). THE REQUEST TO REDUCE THE AMOUNT OF COMMERCIAL LAND TO FACILITATE A NEIGHBORHOOD COMMERCIAL USE, AND INCREASE THE AMOUNT OF RESIDENTIAL LAND TO ADDRESS DEFICIENT LAND SUPPLY AS IDENTIFIED IN HOUSING NEEDS ANALYSIS IS CONSISTENT WITH GOAL IV-2, POLICY 21.05, GOAL IV-3, POLICIES 24.00, 24.50, 25.00, 26.00, 27.00, 29.00, 30.00, 31.00, GOAL V-1, POLICY 59.00, GOAL V-2, POLICIES 68.00, 71.01, 71.05, 71.09, 71.13, 72.00, 73.00, 74.00, 75.00, 76.00, 77.00, 78.00, 79.00, 80.00, 81.00, 90.00, 92.00, 92.01, AND 92.01 OF THE McMINNVILLE COMPREHENSIVE PLAN.
3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay. AS MENTIONED ABOVE, THE APPLICANT IS REQUESTING THE REPEAL OF ORDINANCE NO. 4633 TO REMOVE THE EXISTING PLANNED DEVELOPMENT OVERLAY ON THE SITE AND RECONFIGURE THE PROPERTY WITH 6.62 ACRES OF COMMERCIAL AND 4.7 ACRES OF RESIDENTIAL DESIGNATED LAND. THEREFORE, THIS REQUEST WILL NOT BE SUBJECT TO THE PROVISIONS OF AN EXISTING PLANNED DEVELOPMENT OVERLAY.

4. If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation. THE APPLICANT IS ONLY REQUESTING A PLANNED DEVELOPMENT FOR THE 4.7 ACRES OF PROPOSED RESIDENTIAL DESIGNATED LAND. THE RESIDENTIAL LAND WILL BE INCLUDED IN THE BAKER CREEK NORTH PLANNED DEVELOPMENT. MODIFICATIONS TO THE SIDE YARD AND LOT SIZE STANDARDS WILL PERMIT EFFICIENT CLUSTERING OF RESIDENTIAL UNITS, INCREASED DIVERSITY OF HOUSING TYPES, AND DEVELOPMENT OF COMMON/OPEN SPACE AREAS AND AMENITIES. WHERE PROPOSED BLOCK AND PERIMETER BLOCK LENGTHS EXCEED STANDARDS, MID-BLOCK PEDESTRIAN ACCESSWAYS ARE PROPOSED. A MODIFICATION TO THE LOT FRONTAGE STANDARD IS PROPOSED DUE TO THE CONFIGURATION OF THE SITE AND INABILITY TO EXTEND A ROAD TO THOSE LOTS. (SEE ATTACHED NARRATIVE)
5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely. IF THE CURRENT AMOUNT OF COMMERCIAL DESIGNATED LAND WERE DEVELOPED INTO A LARGE COMMERCIAL USE ON THE SITE, IT WOULD CREATE SIGNIFICANT TRAFFIC, NOISE, AND VISUAL IMPACTS FOR THE SURROUNDING NEIGHBORHOOD. THIS WOULD ULTIMATELY LEAD TO A LOSS IN VALUE FOR PROPERTIES AND WOULD REDUCE THE QUALITY OF LIFE FOR AREA RESIDENTS. THE CITY'S HOUSING NEEDS ANALYSIS DETERMINED THAT 4,421 NEW DWELLINGS ARE NEEDED BY 2041. THE PROPOSED REPEAL OF ORDINANCE NO. 4633 AND DESIGNATION OF 4.7 ACRES OF ADDITIONAL RESIDENTIAL LAND WILL HELP ADDRESS THIS NEED. CONCURRENT WITH THESE REQUESTS, THE APPLICANT IS PROPOSING TO DEVELOP 280 SINGLE-FAMILY DETACHED DWELLINGS ON SMALL, MEDIUM AND LARGE SIZED LOTS WITH THE BAKER CREEK NORTH PROJECT.
6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request. WITH THE RECENT DEVELOPMENT OF RESIDENTIAL USES TO THE EAST AND SOUTH OF THE SITE, AND THE PLANNED BAKER CREEK NORTH PROJECT, THE DEVELOPMENT OF A NEIGHBORHOOD COMMERCIAL USE ON A SMALLER COMMERCIAL DESIGNATED PARCEL WILL PROVIDE APPROPRIATELY SCALED RETAIL USES AND SERVICES WITHIN WALKING DISTANCE OF THE SURROUNDING NEIGHBORHOODS. WITH THE DEMAND FOR HOUSING INCREASING OVER THE PAST DECADE, THE CITY IS IDENTIFYING NEW STRATEGIES TO ENCOURAGE THE DEVELOPMENT OF A GREATER VARIETY OF HOUSING TYPES. THE PROPOSED ORDINANCE REPEAL AND CREATION OF ADDITIONAL RESIDENTIAL LAND SUPPLY WILL ALLOW THE DEVELOPMENT OF NEEDED HOUSING, INCLUDING POTENTIAL MULTI-FAMILY DWELLINGS WITHIN A PORTION OF THE COMMERCIAL ZONED AREA OF THE SUBJECT SITE.

7. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use. THE APPLICANT'S PLANS INDICATE THAT PUBLIC FACILITIES ARE LOCATED IN THE VICINITY OF THE SITE AND CAN BE EXTENDED TO SERVE THE PROPOSED USE. PUBLIC WATER, SANITARY SEWER, ELECTRICITY, AND GAS WILL BE PROVIDED BY CONNECTING TO THE EXISTING MAIN LINES WITHIN NW BAKER CREEK ROAD. STORMWATER WILL BE MANAGED BY COLLECTING DRAINAGE, DETAINING IT ON SITE, AND RELEASING IT AT THE PRE-DEVELOPMENT RATE INTO BAKER CREEK AND TO THE PUBLIC STORM SYSTEM WITHIN NW BAKER CREEK ROAD.
8. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation? CITY STAFF DETERMINED THAT TRAFFIC ANALYSIS WOULD NOT BE REQUIRED FOR THE SUBMITTED APPLICATIONS. HOWEVER, THE REDUCTION OF COMMERCIAL DESIGNATED LAND WILL REDUCE THE NUMBER OF TRIPS THAT WILL BE GENERATED ONTO ROADWAYS IN THE VICINITY OF THE SITE.

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), indicating existing and proposed features within and adjacent to the subject site, such as: access; lot and street lines with dimensions; distances from property lines to structures; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to an electronic copy with the submittal.
- A legal description of the parcel(s), preferably taken from the deed.
- 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

04/29/2019  
Date

  
Property Owner's Signature

04/29/2019  
Date



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## Comprehensive Plan Map Amendment/ Zone Change Application

### Applicant Information

Applicant is:  Property Owner    Contract Buyer    Option Holder    Agent    Other \_\_\_\_\_

Applicant Name STAFFORD DEVELOPMENT COMPANY, LLC Phone \_\_\_\_\_

Contact Name ATTN: MORGAN WILL Phone 503-305-7647  
*(If different than above)*

Address 8850 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97381

Contact Email morgan@staffordlandcompany.com

### Property Owner Information

Property Owner Name BAKER CREEK DEVELOPMENT, LLC Phone \_\_\_\_\_  
*(If different than above)*

Contact Name ATTN: MORGAN WILL Phone 503-305-7647

Address 8850 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97381

Contact Email morgan@staffordlandcompany.com

### Site Location and Description

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

Property Address 1755 NW BAKER CREEK ROAD

Assessor Map No. R4 4 - 18 - 105,106, +107 Total Site Area 55.32 ACRES

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation COMMERCIAL AND RESIDENTIAL Zoning Designation UNZONED

This request is for a:

Comprehensive Plan Amendment

Zone Change

1. What, in detail, are you asking for? State the reason(s) for the request and the intended use(s) of the property. CONCURRENT WITH THE REPEAL OF ORDINANCE NO. 4633 AND COMPREHENSIVE PLAN MAP AMENDMENT TO DESIGNATE 4.7 ACRES OF THE SITE RESIDENTIAL, THE APPLICANT IS PROPOSING TO REZONE A TOTAL OF 48.70 ACRES R-4 AND 6.62 ACRES C-3. THE PROPOSED ZONE CHANGE WILL ALLOW THE DEVELOPMENT OF 280 LARGE, MEDIUM, AND SMALL DETACHED SINGLE-FAMILY LOTS AND 4.08 ACRES OF COMMON OPEN SPACE AREAS WITH THE APPLICANT'S CONCURRENT PLANNED DEVELOPMENT APPLICATION. THESE NEW DWELLINGS WILL HELP MEET RESIDENTIAL DEMANDS THAT ARE IDENTIFIED IN THE CITY'S HOUSING NEEDS ANALYSIS. THE C-3 ZONED AREA WILL ALLOW FOR PERMITTED USES IN THE C-3 ZONE.
2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Vol. 2). THE REQUEST TO CHANGE THE SITE'S ZONING TO R-4 WILL INCREASE THE PERMITTED DENSITY OF RESIDENTIAL LAND AND ADDRESS DEFICIENT LAND SUPPLY AS IDENTIFIED IN CITY'S HOUSING NEEDS ANALYSIS. THEREFORE, THE PROPOSAL IS CONSISTENT WITH GOAL V-1, POLICY 59.00, GOAL V-2, POLICY 68.00, 71.01, 71.05, 71.09, 71.13, 72.00, 73.00, 74.00, 75.00, 76.00, 77.00, 78.00, 79.00, 80.00, 81.00, 90.00, 92.00, 92.01, AND 92.02 OF THE MCMINNVILLE COMPREHENSIVE PLAN. IN ADDITION, THE C-3 ZONED PORTION OF THE SITE ALSO COMPLIES WITH THE COMPREHENSIVE PLAN.
3. If your request is subject to the provisions of a planned development overlay, show, in detail, how the request conforms to the requirements of the overlay. AS MENTIONED ABOVE, THE APPLICANT IS REQUESTING THE REPEAL OF ORDINANCE NO. 4633 TO REMOVE AN EXISTING PLANNED DEVELOPMENT OVERLAY ON A PORTION OF THE SITE. AS SUCH, THE ZONE CHANGE REQUEST WILL NOT BE SUBJECT TO THE PROVISIONS OF AN EXISTING PLANNED DEVELOPMENT OVERLAY.

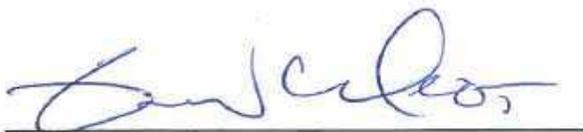
4. If you are requesting a Planned Development, state how the proposal deviates from the requirements of the Zoning Ordinance and give justification for such deviation. THE APPLICANT IS REQUESTING CONCURRENT APPROVAL OF A 48.7 ACRE PLANNED DEVELOPMENT REFERRED TO AS BAKER CREEK NORTH. MODIFICATIONS TO THE SIDE YARD AND LOT SIZE STANDARDS WILL PERMIT EFFICIENT CLUSTERING OF RESIDENTIAL UNITS, INCREASED DIVERSITY OF HOUSING TYPES, AND DEVELOPMENT OF COMMON OPEN SPACE AREAS AND AMENITIES WHERE PROPOSED BLOCK AND PERIMETER BLOCK LENGTHS EXCEED STANDARDS, MID-BLOCK PEDESTRIAN ACCESSWAYS ARE PROPOSED. A MODIFICATION TO THE LOT FRONTAGE STANDARDS IS ALSO PROPOSED DUE TO THE CONFIGURATION OF THE SITE AND INABILITY TO EXTEND A ROAD TO THOSE LOTS. (SEE ATTACHED NARRATIVE)
5. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely. THE CITY'S HOUSING NEEDS ANALYSIS DETERMINED THAT 4,421 NEW DWELLINGS ARE NEEDED BY 2041. THE PROPOSED REPEAL OF ORDINANCE NO. 4633 AND DESIGNATION OF 4.7 ACRES OF ADDITIONAL RESIDENTIAL LAND WILL HELP ADDRESS THIS NEED. CONCURRENT WITH THESE REQUESTS, THE APPLICANT IS PROPOSING TO DEVELOP 280 SINGLE-FAMILY DETACHED DWELLINGS ON SMALL, MEDIUM AND LARGE SIZED LOTS WITH THE BAKER CREEK NORTH PROJECT. IN ADDITION, WITH THE IMPROVEMENT OF NW HILL ROAD, IT IS TIMELY AND ORDERLY TO ZONE THE CORNER NEAR THE ROUNDABOUT C-3.
- 
6. Describe any changes in the neighborhood or surrounding area which might support or warrant the request. WITH THE DEMAND FOR AFFORDABLE HOUSING INCREASING OVER THE PAST DECADE, THE CITY OF McMINNVILLE IS CURRENTLY DEVELOPING NEW STRATEGIES TO ENCOURAGE THE DEVELOPMENT OF A GREATER VARIETY OF HOUSING TYPES. THE PROPOSED ZONE CHANGE WILL INCREASE DENSITY AND INCREASE THE SUPPLY OF RESIDENTIAL LAND FOR NEEDED HOUSING. ALSO, RECENT DEVELOPMENT ACROSS NW BAKER CREEK ROAD OF HIGHER DENSITY HOUSING SUPPORTS THE C-3 ZONING.
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7. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use. THE APPLICANT'S PLANS INDICATE THAT PUBLIC FACILITIES ARE LOCATED IN THE VICINITY OF THE SITE AND CAN BE EXTENDED TO SERVE THE PROPOSED USE. PUBLIC WATER, SANITARY SEWER, ELECTRICITY, AND GAS WILL BE PROVIDED BY CONNECTING TO THE EXISTING MAIN LINES WITHIN NW BAKER CREEK ROAD. STORMWATER WILL BE MANAGED BY COLLECTING DRAINAGE, DETAINING IT ON-SITE, AND RELEASING IT AT THE PRE-DEVELOPMENT RATE INTO BAKER CREEK AND TO THE PUBLIC STORM SYSTEM WITHIN NW BAKER CREEK ROAD.
8. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation? CITY STAFF DETERMINED THAT TRAFFIC ANALYSIS WOULD NOT BE REQUIRED FOR THE SUBMITTED APPLICATIONS. HOWEVER, THE REDUCTION OF COMMERCIAL DESIGNATED LAND WILL REDUCE THE NUMBER OF TRIPS THAT WILL BE GENERATED ONTO ROADWAYS IN THE VICINITY OF THE SITE.

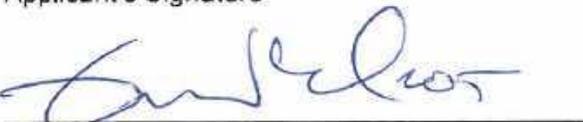
In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, with a north arrow, legible, and of a reproducible size), indicating existing and proposed features within and adjacent to the subject site, such as: access; lot and street lines with dimensions; distances from property lines to structures; improvements; and significant features (slope, vegetation, adjacent development, drainage, etc.). If of a larger size, provide five (5) copies in addition to an electronic copy with the submittal.
- A legal description of the parcel(s), preferably taken from the deed.
- 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

04/29/2019  
Date

  
Property Owner's Signature

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City Of  
**McMinnville**  
 Planning Department  
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Fee	_____
Receipt No.	_____
Received by	_____

## Planned Development Application

### Applicant Information

Applicant is:  Property Owner    Contract Buyer    Option Holder    Agent    Other \_\_\_\_\_

Applicant Name STAFFORD DEVELOPMENT COMPANY, LLC Phone \_\_\_\_\_

Contact Name ATTN: MORGAN WILL Phone 503-305-7647  
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### Site Location and Description

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

Property Address 1755 NW BAKER CREEK ROAD

Assessor Map No. R4 4 - 18 - 105, 106, + 107 Total Site Area 55.32 ACRES

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation COMMERCIAL AND RESIDENTIAL Zoning Designation UNZONED

1. Show in detail your request for a Planned Development. State the reason(s) for the request and the intended use(s) of the property: THE REQUEST WILL ALLOW THE DEVELOPMENT OF A VARIETY OF LARGE, MEDIUM, AND SMALL SINGLE-FAMILY DETACHED LOTS AND 4.05 ACRES OF COMMON OPEN SPACE AREAS. THE PROPOSED DEVELOPMENT OF 280 DWELLING UNITS WILL HELP ADDRESS THE DEMAND FOR ADDITIONAL HOUSING IN McMinnville. THE CITY'S HOUSING NEEDS ANALYSIS HAS DETERMINED THAT ADDITIONAL 4,421 NEW DWELLING UNITS ARE NEEDED BY THE YEAR 2041 TO MEET THE CURRENT DEMAND.

2. Describe the specific regulations this proposal wishes to modify (e.g., setbacks, density) and how the physical site conditions or objectives of the proposed development warrant a departure from those regulations: THE PROPOSED MODIFICATIONS TO THE SIDE YARD AND LOT SIZE STANDARDS WILL PERMIT EFFICIENT CLUSTERING OF RESIDENTIAL UNITS, INCREASED DIVERSITY OF HOUSING TYPES, AND DEVELOPMENT OF COMMON OPEN SPACE AREAS AND AMENITIES, WHERE PROPOSED BLOCK AND PERIMETER BLOCK LENGTHS EXCEED STANDARDS, MID-BLOCK PEDESTRIAN ACCESSWAYS ARE PROPOSED. A MODIFICATION TO THE LOT FRONTAGE STANDARDS IS ALSO PROPOSED DUE TO THE CONFIGURATION OF THE SITE AND INABILITY TO EXTEND A ROAD TO THOSE LOTS. THE APPLICANT IS ALSO REQUESTING A MODIFICATION TO THE STREET TREE SPACING STANDARDS SINCE HIGHER DENSITY DEVELOPMENT RESULTS IN MORE FREQUENT DRIVEWAY AND UTILITY CONNECTIONS.

3. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Volume II): THE PLANNED DEVELOPMENT REQUEST WILL PERMIT EFFICIENT CLUSTERING OF RESIDENTIAL UNITS, INCREASED DIVERSITY OF HOUSING TYPES, AND DEVELOPMENT OF COMMON OPEN SPACE AREAS AND AMENITIES. THEREFORE, THIS PROPOSAL IS CONSISTENT WITH GOAL V-1, POLICY 59.00, GOAL V-2, POLICY 68.00, 71.01, 71.05, 71.09, 71.13, 72.00, 73.00, 74.00, 75.00, 76.00, 77.00, 78.00, 79.00, 80.00, 81.00, 90.00, 92.00, 92.01, 92.02, GOAL VII-3, POLICY 163.05, 166.00, 168.00, 169.00, AND 170.05.

4. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposal is orderly and timely: THE CITY'S HOUSING NEEDS ANALYSIS DETERMINED THAT 4,421 NEW DWELLINGS ARE NEEDED BY THE YEAR 2041. THE PROPOSED REPEAL OF ORDINANCE NO. 4633 AND ZONING OF THE SITE R-4 WILL ALLOW THE SITE TO BE DEVELOPED WITH 280 DWELLING UNITS TO HELP MEET THE HOUSING NEEDS. THE PROPOSED DEVELOPMENT INCORPORATES OPEN SPACE AREAS AND RETAINS NATURAL VEGETATION SO THAT THE PLANNED DEVELOPMENT COMPLIMENTS ADJACENT RESIDENTIAL DEVELOPMENTS. THE PLANNED DEVELOPMENT IS ALSO IDEALLY LOCATED SINCE IT PROVIDES MODERATE DENSITY HOUSING WITHIN A SHORT WALKING DISTANCE OF THE ADJACENT COMMERCIAL DESIGNATED PROPERTY TO THE SOUTHWEST, WHICH WILL LIKELY BE DEVELOPED WITH A NEIGHBORHOOD COMMERCIAL USE.
5. Describe any changes in the neighborhood or surrounding area which might support or warrant the request: DUE TO RISING HOUSING COSTS, THE CITY IS CURRENTLY UPDATING ITS BUILDABLE LANDS INVENTORY AND HOUSING NEEDS ANALYSIS. THE CITY IS ALSO IDENTIFYING NEW STRATEGIES TO ENCOURAGE THE DEVELOPMENT OF HOUSING DIVERSITY, INCLUDING SINGLE-FAMILY HOMES ON SMALLER LOTS THAT ARE ATTAINABLE FOR LOCAL RESIDENTS. THE PROPOSED PLANNED DEVELOPMENT CLUSTERS RESIDENTIAL UNITS SO THAT THEY ARE MORE EFFICIENT AND CAN BE OFFERED AT A LOWER COST. THE PLANNED DEVELOPMENT WILL ALSO INCREASE HOUSING DIVERSITY BY OFFERING SINGLE-FAMILY DWELLINGS ON SMALL, MEDIUM, AND LARGE LOTS.
- 
- 
6. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use: PUBLIC FACILITIES ARE LOCATED IN THE VICINITY OF THE SITE AND HAVE THE CAPACITY TO SERVE THE PROPOSED PLANNED DEVELOPMENT. PUBLIC WATER, SANITARY SEWER, ELECTRICITY, AND GAS WILL BE PROVIDED BY CONNECTING TO THE EXISTING MAIN LINES WITHIN NW BAKER CREEK ROAD. STORMWATER WILL BE MANAGED BY COLLECTING DRAINAGE, DETAINING IT ON-SITE, AND RELEASING IT AT THE PRE-DEVELOPMENT RATE INTO BAKER CREEK AND TO THE PUBLIC STORM SYSTEM WITHIN NW BAKER CREEK ROAD.
- 
-

7. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation? CITY STAFF DETERMINED THAT TRAFFIC ANALYSIS IS NOT REQUIRED FOR THE PLANNED DEVELOPMENT APPLICATION. HOWEVER, CONCURRENT COMPREHENSIVE PLAN MAP AMENDMENT TO CHANGE 4.7 ACRES OF THE SITE FROM COMMERCIAL TO RESIDENTIAL WILL REDUCE THE NUMBER OF TRIPS THAT WILL BE GENERATED ONTO ROADWAYS IN THE VICINITY OF THE SITE.

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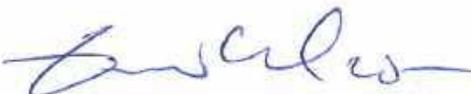


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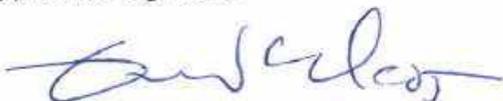
In addition to this completed application, the applicant must provide the following:

- A site plan (drawn to scale, legible, and of a reproducible size) indicating existing and proposed features such as: access; lot and street lines with dimensions in feet; distances from property lines; improvements; north direction arrow, and significant features (slope, vegetation, adjacent development, drainage, etc.).
- A legal description of the subject site, preferably taken from the deed.
- 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

04/29/2019  
 Date

  
 Property Owner's Signature

04/29/2019  
 Date



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

<b>Office Use Only:</b>	
File No.	_____
Date Received	_____
Fee	_____
Receipt No.	_____
Received by	_____

## Tentative Subdivision Application

### Applicant Information

Applicant is:  Property Owner    Contract Buyer    Option Holder    Agent    Other \_\_\_\_\_

Applicant Name STAFFORD DEVELOPMENT COMPANY, LLC Phone \_\_\_\_\_

Contact Name MORGAN WILL Phone 503-305-7647  
*(if different than above)*

Address 8840 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97070

Contact Email morgan@staffordlandcompany.com

### Property Owner Information

Property Owner Name BAKER CREEK DEVELOPMENT, LLC Phone \_\_\_\_\_  
*(if different than above)*

Contact Name MORGAN WILL Phone 503-305-7647

Address 8840 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97070

Contact Email morgan@staffordlandcompany.com

### Site Location and Description

*(if metes and bounds description, indicate on separate sheet)*

Property Address 1755 NW BAKER CREEK ROAD

Assessor Map No. R4 4 - 18 - 105, 106, & 107 Total Site Area 55.32 ACRES

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation COMMERCIAL AND RESIDENTIAL Zoning Designation UNZONED

**Subdivision Information**

1. What is this application for?

- Subdivision (10 (ten) or fewer lots)
- Subdivision (more than 10 (ten) lots)

2. Briefly describe the project: PHASED APPLICANT IS PROPOSING A PLANNED DEVELOPMENT WITH COMMON OPEN SPACE AREAS AND SINGLE-FAMILY DWELLING UNITS, THIS REQUEST INCLUDES A SUBDIVISION APPLICATION FOR TENTATIVE APPROVAL OF 280 SINGLE-FAMILY DETACHED LOTS, 19 COMMON OPEN SPACE TRACTS, AND 1 TRACT FOR A SANITARY SEWER PUMP STATION.

3. Name of proposed subdivision: BAKER CREEK NORTH

4. Size of proposed subdivision in acres or square feet: 48.70 ACRES

5. Number of lots: 280 Minimum lot size: ~2,300

6. Number and type of Residential Units: 280 SINGLE-FAMILY DETACHED DWELLING UNITS ARE PROPOSED.

7. Average lot size: ~4,900 SQ. FT. Gross density per acre of entire subdivision: 5 DWELLING UNITS/ACRE

8. Total anticipated population: 745 INDIVIDUALS (AVERAGE HOUSEHOLD = 2.66)

9. Size of park(s)/open space in acres or square feet: ~4.08 ACRES

10. General description of the subject site and current land use: SUBJECT SITE IS CURRENTLY VACANT AND GENERALLY SLOPES DOWN FROM SOUTHEAST TO NORTHWEST CORNER OF THE PROPERTY. THE STEEP BANK OF BAKER CREEK IS LOCATED ALONG THE NORTH BOUNDARY, PROVIDING A PHYSICAL BARRIER BETWEEN THE 100-YEAR FLOODPLAIN AND THE PROPOSED SUBDIVISION.

11. Describe existing uses and zoning of surrounding properties:

Zoning	Current Use
North	<u>PARCELS DESIGNATED RESIDENTIAL + FLOODPLAIN / TRANSITIONAL FARM USE</u>
South	<u>R1-PD AND C3-PD / BAKER CREEK WEST PD, SHADEN CLAIM SUBDIVISION, VACANT COMMERC.</u>
East	<u>R1 AND R2 PARCELS / OAK RIDGE SUBDIVISION</u>
West	<u>EF-80 ZONED PARCEL / FARM USE</u>

12. Describe the topography of the subject site: SITE IS FAIRLY FLAT AND IS LOCATED ON A BLUFF THAT OVERLOOKS A RIPARIAN AREA AND 100-YEAR FLOODPLAIN ALONG BAKER CREEK.

13. Does the site contain any existing structures, wells, septic tanks? Explain THE SUBJECT SITE IS CURRENTLY VACANT AND DOES NOT CONTAIN EXISTING STRUCTURES, WELLS, OR SEPTIC TANKS.

14. How will the proposed subdivision be served by utilities? Note the location and size of all service lines (water, sanitary sewer, storm sewer, natural gas, electricity). PUBLIC WATER, SANITARY SEWER, ELECTRICITY, AND GAS WILL BE PROVIDED BY CONNECTING TO THE EXISTING MAIN LINES WITHIN NW BAKER CREEK ROAD. STORMWATER WILL BE MANAGED BY COLLECTING DRAINAGE, DETAINING IT ON-SITE, AND RELEASING IT AT THE PREDEVELOPED RATE INTO BAKER CREEK AND PUBLIC STORM SYSTEM WITHIN NW BAKER CREEK ROAD.

15. What is the anticipated date construction will begin? FALL 2019

16. What is the anticipated date of completion? FALL 2023

17. If applicable, explain how the subdivision will be phased? PHASE 1A-D TO BE CONSTRUCTED BETWEEN 2019 AND 2021, PHASE 2A-2C TO BE COMPLETED BETWEEN 2021 AND 2024, PHASE 3A-3C TO BE COMPLETED BETWEEN 2020 AND 2024.

18. Does your tentative subdivision plan delineate the general location of all previously recorded easements and encumbrances presently binding upon the subdivision site? (A current title report or subdivision guarantee for the site would disclose such easements or encumbrances).

Yes  No  N/A

19. Does your tentative subdivision plan delineate necessary access and utility easements?

Yes  No  N/A

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), tentative subdivision plan, and supplementary data. Tentative plans should be accompanied by improvement plans so that the general programs and objectives are clear to the reviewer. The information to be included in the tentative subdivision plan as listed in the information sheet and in Section 17.53.070 (Submission of Tentative Subdivision Plan) of the Zoning Ordinance. If of a larger size, provide five (5) copies in addition to an electronic copy with the submittal.

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

04/29/2019  
Date

  
Property Owner's Signature

04/29/2019  
Date



**City Of McMinnville**  
**Planning Department**  
 231 NE Fifth Street - McMinnville, OR 97128  
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<b>Office Use Only:</b>	
File No. _____	
Date Received _____	
Fee _____	
Receipt No. _____	
Received by _____	

# Street Tree Landscape Plan Review Application

## Applicant Information

Applicant is:  Property Owner    Contract Buyer    Option Holder    Agent    Other \_\_\_\_\_

Applicant Name STAFFORD DEVELOPMENT COMPANY, LLC Phone \_\_\_\_\_

Contact Name ATTN: MORGAN WILL Phone 503-305-7647  
*(if different than above)*

Address 8840 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97070

Contact Email morgan@staffordlandcompany.com

## Property Owner Information

Property Owner Name BAKER CREEK DEVELOPMENT, LLC Phone \_\_\_\_\_  
*(if different than above)*

Contact Name ATTN: MORGAN WILL Phone 503-305-7647

Address 8840 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97070

Contact Email morgan@staffordlandcompany.com

## Site Location and Description

*(if metes and bounds description, indicate on separate sheet)*

Property Address 1755 NW BAKER CREEK ROAD

Assessor Map No. R4 4 - 18 - 100 Total Site Area 48.7 ACRES

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation PROPOSED RESIDENTIAL Zoning Designation PROPOSED R-4

# Street Trees

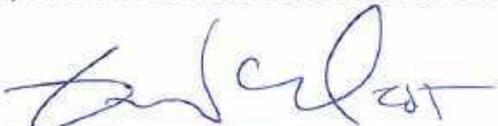
## Landscaping Information

1. Total Landscaped Area: ~ 4.08 ACRES WITHIN COMMON OPEN SPACE AREAS
2. Percent Landscaped: ~ 8.38%
3. Building Floor Area: PICNIC STRUCTURE IN TRACT 'F'  
New Structure: ~ 660 S.F. Existing Structure: \_\_\_\_\_ Addition: \_\_\_\_\_
4. Architect Name OTTEN LANDSCAPE ARCHITECTS Phone \_\_\_\_\_  
*(Landscape Architect, Engineer, or Other Designer)*  
Contact Name JANET OTTEN Phone 503-972-0311  
Address 3933 SW KELLY AVENUE, SUITE B  
City, State, Zip PORTLAND, OR 97239  
Contact Email janet@ottenla.com

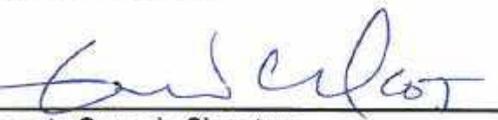
In addition to this completed application, the applicant must provide the following:

- 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

04/29/2019  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Property Owner's Signature

04/29/2019  
\_\_\_\_\_  
Date



**Planning Department**  
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<b>Office Use Only:</b>	
File No.	_____
Date Received	_____
Fee	_____
Receipt No.	_____
Received by	_____

## Planned Development Amendment Application

### Applicant Information

Applicant is:  Property Owner    Contract Buyer    Option Holder    Agent    Other \_\_\_\_\_

Applicant Name STAFFORD DEVELOPMENT COMPANY, LLC Phone \_\_\_\_\_

Contact Name MORGAN WILL Phone 503-305-7647  
*(if different than above)*

Address 8840 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97381

Contact Email morgan@staffordlandcompany.com

### Property Owner Information

Property Owner Name BAKER CREEK DEVELOPMENT, LLC Phone \_\_\_\_\_  
*(if different than above)*

Contact Name MORGAN WILL Phone 503-305-7647

Address 8840 SW HOLLY LANE

City, State, Zip WILSONVILLE, OR 97381

Contact Email morgan@staffordlandcompany.com

### Site Location and Description

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

Property Address 1755 NW BAKER CREEK ROAD

Assessor Map No. R4 A - 18 - 100 Total Site Area 10.00 ACRES

Subdivision \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_

Comprehensive Plan Designation COMMERCIAL Zoning Designation UNZONED

1. Show in detail how your request seeks to amend the existing planned development overlay. State the reason(s) for the request and the intended use(s) of the property: \_\_\_\_\_

SEE ATTACHED MEMO

2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Volume II): \_\_\_\_\_

SEE ATTACHED MEMO

3. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely: \_\_\_\_\_

SEE ATTACHED MEMO

4. Describe any changes in the neighborhood or surrounding area which might support or warrant the request: \_\_\_\_\_

SEE ATTACHED MEMO

5. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use:

SEE ATTACHED MEMO

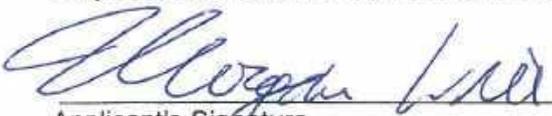
6. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation?

SEE ATTACHED MEMO

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

- A site plan (drawn to scale, legible, and of a reproducible size). The site plan should show existing and proposed features such as: access; lot and street lines with dimensions in feet; distances from property lines; improvements; north direction arrow, and significant features (slope, vegetation, adjacent development, drainage, etc.). - PREVIOUSLY SUBMITTED WITH OTHER BAKER CREEK NORTH APPLICATIONS
- A copy of the current planned development overlay ordinance.
- A legal description of the subject site, preferably taken from the deed. - PREVIOUSLY SUBMITTED
- Compliance of Neighborhood Meeting Requirements. - PREVIOUSLY SUBMITTED
- 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

9/23/19  
Date

  
Property Owner's Signature

9/23/19  
Date

**Cascadia Planning + Development Services**

P.O. Box 1920  
Silverton, OR 97381  
(503) 804-1089  
steve@cascadiapd.com



**MEMO**

**DATE:** September 19, 2019

**TO:** Chuck Darnell  
City of McMinnville

**FROM:** Steve Kay, AICP  
Cascadia Planning + Development Services

**RE:** Responses for Planned Development Amendment Form  
Baker Creek North Development

**Application Form Questions:**

- 1. Show in detail how your request seeks to amend the existing planned development overlay. State the reason(s) for the request and the intended use(s) of the property:**

**APPLICANT'S RESPONSE:**

The applicant is requesting to amend the boundary of the planned development overlay, as previously delineated by Ordinance 4633, to correspond with the 6.62 acre Parcel A in this application. Furthermore, the applicant requests to replace the two conditions of approval created under Ordinance 4633 with the following: 1) No more than 120 multi-family units may be developed on the site; and 2) At least 2-acres of neighborhood commercial uses shall be developed on the site.

This area was designated commercial at a time when the City's westward UGB expansion was being pursued and a large commercial center was planned to support the expansion. However, since the UGB amendment did not materialize, the subject site was left with excess commercial land. The proposed conditions of approval will allow for the future development of smaller-scaled neighborhood commercial and needed multi-family residential uses within Parcel A.

- 2. Show in detail, by citing specific goals and policies, how your request is consistent with applicable goals and policies of the McMinnville Comprehensive Plan (Volume II):**

**APPLICANT'S RESPONSE:**

A reduction in the existing planned development overlay area, in conjunction with the proposed zoning map and comprehensive plan map amendment proposals, is consistent with economic and housing goals and policies of the McMinnville Comprehensive Plan. The 2013 Economic Opportunity Analysis (EOA), recommends that the City re-designate some of its 235.9 acres of surplus Industrial land for regional commercial uses near the downtown core. The City is also currently completing its Housing Needs Analysis which finds that an additional 1,537 additional multi-family units need to be developed to meet projected residential demands. Applicable goals and policies associated with these economic and housing issues include Volume I Residential Land Use Controls Policies 1-5, Volume II Commercial Development Goal IV-2, Goal IV 3, and Policies 24.50, 25.00, 26.00, 27.00, 30.00, and Housing and Residential Development Goal V 1 and Policies 59.0, 71.01, 71.05, 71.13, 90.00, 92.00, and 92.02.

- 3. Considering the pattern of development in the area and surrounding land uses, show, in detail, how the proposed amendment is orderly and timely:**

**APPLICANT'S RESPONSE:**

Several changes have occurred in the community to warrant the proposed planned development amendment. The 2018 Yamhill County Transit Development Plan designated Baker Creek Road adjacent to the site as a planned transit corridor. The proposed planned development amendment will allow up to 120 multi-family units and will promote the type of residential density needed to support future transit service along this corridor. The existing commercial designated planned development is too large given the current pattern of development in McMinnville. The proposed smaller-scaled area is appropriate for neighborhood commercial uses and will not drain economic activity from the downtown core. As supported by the City's 2019 Housing Needs Analysis, the proposed amendment will also help address current housing needs by changing 3.38 acres of existing commercial land to a residential designation. In addition, the amendment will permit the development of up to 120 multi-family units within Parcel A.

- 4. Describe any changes in the neighborhood or surrounding area which might support or warrant the request:**

**APPLICANT'S RESPONSE:**

The City has recently constructed a roundabout at the intersection of NW Hill Road and NW Baker Creek Road and also improved NW Hill Road North south of Baker Creek Road, adjacent to the site. The City has also made improvements to the sanitary sewer system's capacity in order to support anticipated development. The proposed multi-family housing and smaller-scaled neighborhood commercial center will effectively use City investments by supporting the

construction of workforce housing and further economic development in the community. The proposed planned development amendment will allow Parcel A to accommodate an efficient mixed use development with neighborhood commercial and multi-family uses. This ultimately will increase housing diversity in an existing neighborhood that mainly contains medium and low density residential subdivisions.

- 5. Document how the site can be efficiently provided with public utilities, including water, sewer, electricity, and natural gas, if needed, and that there is sufficient capacity to serve the proposed use:**

**APPLICANT'S RESPONSE:**

Analysis done in conjunction with City staff confirms that existing public facilities and services, as well as the City's most recent improvements to the sanitary sewer system, provide sufficient capacity to support the proposed planned development amendment. The applicant's submitted preliminary development plans demonstrate that either existing public utilities, or the proposed improvements to these facilities, provide sufficient capacity to support the proposed neighborhood commercial use and a future multi-family development on the site.

- 6. Describe, in detail, how the proposed use will affect traffic in the area. What is the expected trip generation?**

**APPLICANT'S RESPONSE:**

The proposed planned development amendment helps reduce projected demand on the area's transportation system by reducing commercial use and increasing residential use in the area. The site's existing commercial designated area contains over 10 acres and has the potential to be developed with approximately 10,000 sq. ft. of retail space, generating 3,775 ADT and 251 pm peak hour trips on to the transportation system. The traffic analysis completed looked at this worst case scenario. Less traffic will be generated by the proposed amended planned development because the commercial area will be reduced to 6.62 acres, with only 2-acres, or so, of neighborhood commercial use and no more than 120 multi-family units. The analysis indicates that the intersections of Baker Creek Road/Shadden Drive, Baker Creek Road/Meadows Drive, and Baker Creek Road/Hill Lane (new north leg of traffic circle) would operate at acceptable levels and no mitigation will be required in the worst case scenario. So, it concludes the proposed less intensive uses will also operate successfully. SDCs collected by the City during development will contribute towards the cost of planned future capital improvement projects, such as the City installation of a traffic signal at the Baker Creek Road/Michelbook Lane intersection in 2023, thus increasing local capacity to manage changes in traffic volumes.

ORDINANCE NO. 4633

An Ordinance amending the City of McMinnville Comprehensive Plan Map from an existing residential designation to a commercial designation and enacting certain development conditions by placing a Planned Development overlay on approximately 12.34 acres of land located on the north side of Baker Creek Road and directly east of its intersection with Hill Road.

RECITALS:

The Planning Commission received an application from Don Jones for a comprehensive plan map amendment (CPA 2-96), dated July 9, 1996, for the property described as a portion of Tax Lot 100, Section 18, T. 4 S., R. 4 W., W.M.

A public hearing was held on September 12, 1996, at 7:30 p.m. before the Planning Commission after due notice had been given in the local newspaper on September 7, 1996, and written notice had been mailed to property owners within 300 feet of the affected property; and

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

The Planning Commission, being fully informed about said request, found that said change conformed to the applicable criteria listed in Ordinance No. 3380 based upon the material submitted by the applicant and findings of fact and the conclusionary findings for approval contained in the staff report, all of which are on file in the Planning Department, and that the plan map amendment is consistent with the Comprehensive Plan; and

The Planning Commission approved said plan map amendment and has recommended said change to Council; now, therefore,

THE CITY OF McMINNVILLE ORDAINS AS FOLLOWS:

Section 1. That the Council adopts the findings and conclusions of the Planning Commission, staff report on file in the Planning Department, and the application filed by Don Jones.

Section 2. That the Comprehensive Plan Map shall be amended from an existing residential designation to a commercial designation for the property described in Exhibit "A" which is attached hereto and by this reference incorporated herein.

Section 3. That a planned development overlay which shall be noted on the Comprehensive Plan Map is hereby created and placed on the property described in "Exhibit A" which is attached hereto and is referenced in Section 2 above. The planned development overlay establishes the following conditions and limitations on development of the site:

1. That development of the site is subject to the requirements of McMinnville Ordinance No. 4605, Section 2(a) - (g).
2. That no multiple-family residential use shall be allowed on the site.

Read and passed by the Council this 8<sup>th</sup> day of October 1996 by the following votes:

Ayes: Hughes, Kirchner, Massey, Payne, Tomcho, Windle

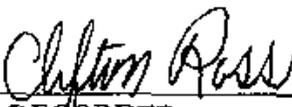
Nays: \_\_\_\_\_

Abstentions: \_\_\_\_\_

Approved this 8<sup>th</sup> day of October 1996.

  
MAYOR

Attest:

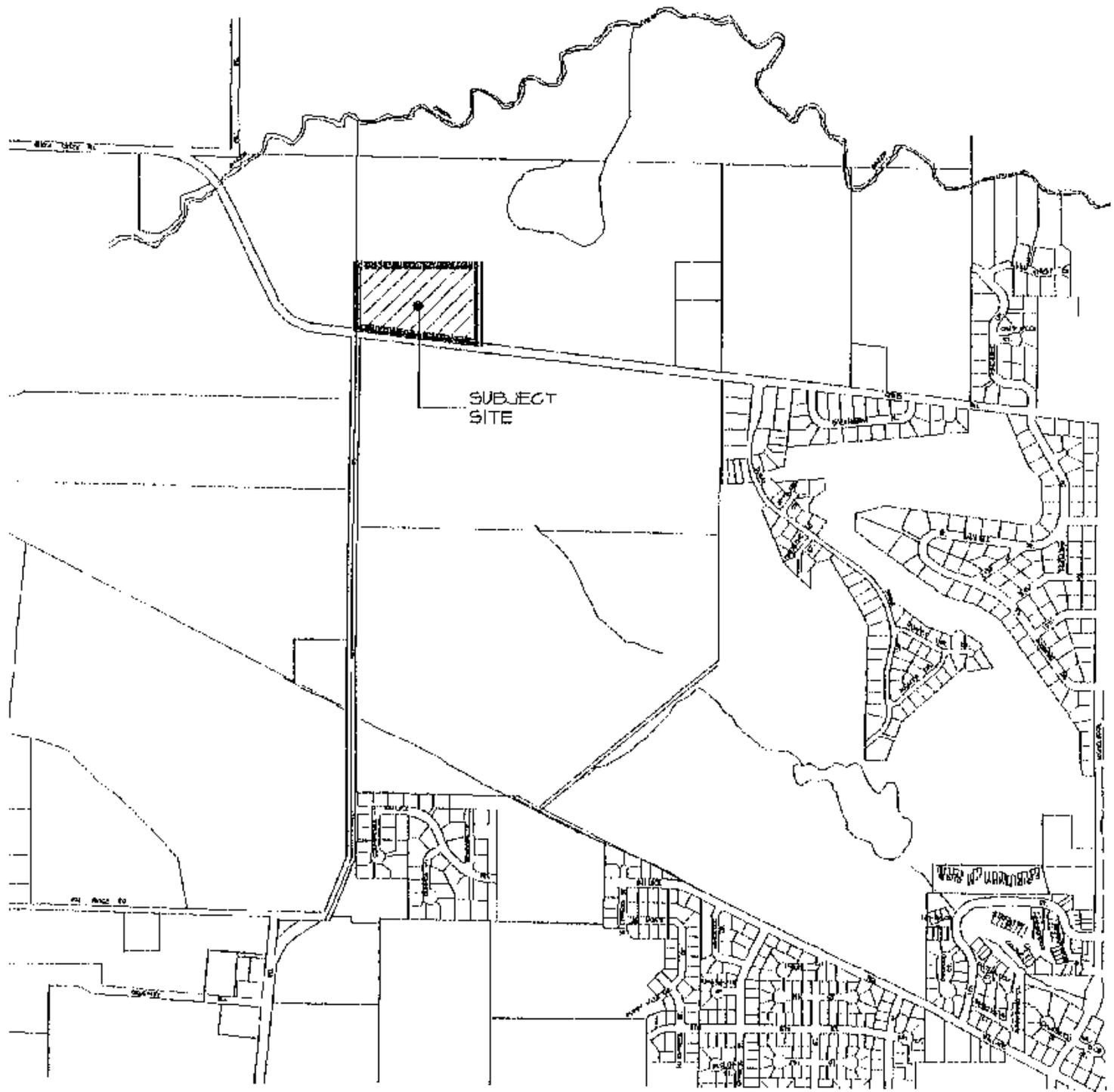
  
\_\_\_\_\_  
RECORDER PRO TEM

Beginning at a point on the northerly right-of-way line of Baker Creek Road at its intersection with the West line of that tract of land conveyed to Del Casteel, et al by deed recorded in Film Volume 231, Page 0620, Records for Yamhill County, Oregon, which point bears North 89°17'50" West 2514.12 feet and South 00°18'08" West 1221.36 feet from the Northeast corner of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon; thence North 00°18'08" East along the West line of said Casteel tract, a distance of 560.00 feet; thence South 84°07'51" East parallel with the northerly right-of-way line of said Baker Creek Road, a distance of 963.44 feet to a point on the centerline of a Bonneville Power Administration easement as described in Film Volume 39, Page 462, Records for Yamhill County; thence South 00°02'49" West along said centerline a distance of 560.25 feet to a point on the northerly right-of-way line of said Baker Creek Road; thence North 84°07'51" West along said right-of-way line, a distance of 965.95 feet to the point of beginning.

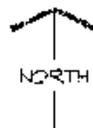
Contains 12.3435 acres of land, more or less.

# VICINITY MAP

CPA 2-96



SCALE: 1" = 1000'



NORTH

**After recording, return to:**  
Baker Creek Development LLC  
8840 SW Holly Lane  
Wilsonville, OR 97070

**Send tax statements to:**  
Baker Creek Development LLC  
8840 SW Holly Lane  
Wilsonville, OR 97070  
Consideration = \$0

OFFICIAL YAMHILL COUNTY RECORDS  
BRIAN VAN BERGEN, COUNTY CLERK

201904865



00557702201900048650120125

\$136.00

04/22/2019 02:21:35 PM

DMR-DDMR Cnt=1 Stn=2 MILLSA  
\$60.00 \$5.00 \$11.00 \$60.00

## Property Line Adjustment Deed #1

Baker Creek Development, LLC, an Oregon limited liability company, hereinafter called Grantor, 8840 SW Holly Lane, Wilsonville, OR 97070, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein. Baker Creek Development, LLC, an Oregon limited liability company, hereinafter called Grantee, 8840 SW Holly Lane, Wilsonville, OR 97070, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property B, more particularly described on Exhibit B, which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (Deed) is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 30.640 acres and will hereafter consist of only the land described on Exhibit C, which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 30.640 acres and will hereafter consist of the land more particularly described on Exhibit D, which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured properties as described on Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Yamhill County, Oregon, described on Exhibit E, which is attached hereto and by this reference incorporated herein.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336, AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS

INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.”

The true and actual consideration for this transfer, stated in terms of dollars is N/A; however, the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

This Property Line Adjustment Deed is executed this 19<sup>th</sup> day of APRIL, 2019.

**GRANTOR**

Baker Creek Development, LLC, an Oregon limited liability company

By: [Signature]  
Gordon C. Root, Manager

**GRANTEE**

Baker Creek Development, LLC, an Oregon limited liability company

By: [Signature]  
Gordon C. Root, Manager

State of OREGON            )  
  ) ss.  
County of Clackamas    )

This instrument was acknowledged before me on April 19, 2019, by Gordon C. Root as Manager of Baker Creek Development, LLC, an Oregon limited liability company.

Before me:

[Signature]  
Notary Public for Oregon  
My Commission Expires: January 28, 2022

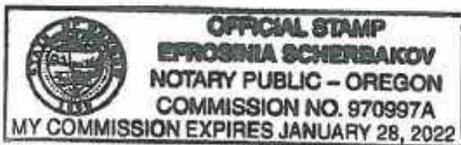


EXHIBIT "A"

Legal Description For:  
Original Property "A"

All that portion of the following described tract lying North of Baker Creek Road: Commencing at the Northeast corner of Section 18, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon, which place of beginning is also the Northeast corner of the T.J. Shadden Donation Land Claim; thence South 39.30 chains; thence West 38.16 chains to the center of the County Road; thence North 39.31 chains to the Northwest corner of the lands formerly owned by William L. Toney as described in deed recorded in Volume "W", Page 20, Yamhill County Deed Records, said corner being also on the North line of Section 18; thence East 38.16 chains to the place of beginning.

EXCEPTING THEREFROM a parcel of land located in the T.J. Shadden Certificate Claim No. 18 in the Northeast Quarter of Section 18, in Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon that is more particularly described as follows:

Beginning at a 5/8 inch iron rod on the East section line of Section 18, said iron rod being South 00°08'00" East 716.65 feet from the Northeast corner of Section 18, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; thence South 89°52'00" West 323.00 feet to a 5/8 inch iron rod; thence South 00°08'00" East 725.16 feet, more or less, to the North line of Baker Creek Road; thence South 84°16'23" East along said North line 324.69 feet, more or less, to the East line of Section 18; thence North 00°08'00" West along said East line 758.31 feet, more or less, to the place of beginning.

FURTHER EXCEPTING those parcels conveyed to VJ-2 Development, Inc., in the following: deed recorded January 28, 1997 as Instrument No. 199701382; deed recorded January 26, 1998 as Instrument No. 199801435; and deed recorded February 5, 1999 as Instrument No. 199902487.

FURTHER EXCEPTING that parcel conveyed to the City of McMinnville in that dedication deed recorded August 10, 2017 as Instrument No. 201713023, Yamhill County Deed Records.

FURTHER EXCEPTING that parcel conveyed to the City of McMinnville in that dedication deed recorded September 10, 2018 as Instrument No. 201812980, Yamhill County Deed Records.

FURTHER EXCEPTING the following described property:

A tract of land situated in the northeast one quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the southeast corner of that property described in that instrument recorded as Instrument No. 200208810, Yamhill County Deed Records, said point recorded as being South 00°08'00" East 691.80 feet and South 89°52'00" West 323.00 feet and South 00°08'00" East 724.19 feet and North 84°07'51" West 1211.13 feet from the northeast corner of said Section 18, said point being on the north right of way line of N.W. Baker Creek Road 30.00 feet at a perpendicular distance Northerly of the centerline of said road; thence South 84°07'51" East 37.69 feet along said north right of way to the TRUE POINT OF BEGINNING of this description; and running thence:

North 84°07'51" West 211.08 feet along said north right of way;

thence leaving said north right of way, North 0°02'49" East 242.92 feet;

thence South 89°57'11" East 210.00 feet;

thence South 0°02'49" West 264.33 feet to the TRUE POINT OF BEGINNING,  
containing 1.223 acres of land, more or less.

Bearings are based on Yamhill County Survey No. 10616 (along the centerline of N.W. Baker Creek Road).

EXHIBIT "B"

Legal Description For:  
Original Property "B"

Beginning at a point on the West line of that tract of land described in Volume 186, Page 137, Deed Records, which bears South 00°08'00" East 691.80 feet and South 89°52'00" West 323.00 feet and South 00°08'00" East 104.35 feet from the brass cap at the Northeast corner of the T.J. Shadden Donation Land Claim, said Donation Land Claim corner is also the Northeast corner of Section 18, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; thence North 84°07'51" West parallel to Baker Creek Road a distance of 777.31 feet to the TRUE POINT OF BEGINNING; thence continuing North 84°07'51" West 197.85 feet; thence North 00°08'00" West 713.04 feet to a point on the North line of said Section 18; thence South 89°17'50" East along said North line a distance of 196.79 feet to a point which bears North 89°17'50" West 1096.16 feet from said Northeast corner of Section 18; thence South 00°08'00" East 730.86 feet to the true point of beginning.

EXHIBIT "C"

Legal Description For:  
Adjusted Property "A"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records, said point recorded as being South 00°08'00" East 691.80 feet and South 89°52'00" West 323.00 feet and South 00°08'00" East 724.19 feet and North 84°07'51" West 1173.44 feet and North 0°02'49" East 264.33 feet from the northeast corner of said Section 18; thence North 89°57'11" West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687", said point being the TRUE POINT OF BEGINNING of this description; and running thence:  
North 89°57'11" West 167.50 feet along the north line of said property to the northwest corner thereof;  
thence South 0°02'49" West 242.92 feet along the west line of said property to the southwest corner thereof, said point being on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road;  
thence North 84°07'51" West 494.00 feet along said north right of way to the southeast corner of that tract of land conveyed to the City of McMinnville by that instrument recorded in Instrument No. 201713023, Yamhill County Deed Records;  
thence North 5°52'09" East 18.00 feet to the northeast corner of said City of McMinnville tract;  
thence North 84°07'51" West 240.43 feet along the north line of said tract to the beginning of a 46.00-foot radius non-tangent curve concave to the Northeast;  
thence Northwesterly along the arc of said curve (whose radius point bears North 37°08'37" East and the chord of which bears North 42°16'08" West 16.90 feet) 17.00 feet along the north line of said tract to a point of reverse curve;  
thence Northwesterly along the arc of a 91.00-foot radius curve to the left (the chord of which bears North 32°37'50" West 3.01 feet) 3.01 feet along the north line of said tract to the beginning of a 191.00-foot radius non-tangent curve concave to the Northeast;  
thence Northwesterly along the arc of said curve (whose radius point bears North 57°49'15" East and the chord of which bears North 22°03'14" West 67.16 feet) 67.51 feet along the northeasterly line of that tract of land conveyed to the City of McMinnville by that instrument recorded in Instrument No. 201812980, Yamhill County Deed Records to the northeast corner thereof;  
thence North 11°55'43" West 14.74 feet to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687" at the point of curvature;

thence Northwesterly along the arc of 200.00-foot radius curve to the right (the chord of which bears North 7°02'26" West 34.08 feet) 34.12 feet to a like iron rod at a point of compound curve;

thence Northeasterly along the arc of a 225.00-foot radius curve to the right (the chord of which bears North 12°38'27" East 114.90 feet) 116.19 feet to a like iron rod at a point of reverse curve;

thence Northeasterly along the arc of an 815.00-foot radius curve to the left (the chord of which bears North 23°56'47" East 99.16 feet) 99.22 feet to a like iron rod at a point of reverse curve;

thence Northeasterly along the arc of a 20.00-foot radius curve to the right (the chord of which bears North 58°09'50" East 24.46 feet) 26.32 feet to a like iron rod at a point of tangency;

thence South 84°07'51" East 647.11 feet to a like iron rod at a point of curvature;

thence Southeasterly along the arc of an 825.00-foot radius curve to the left (the chord of which bears South 87°02'31" East 83.80 feet) 83.84 feet to a like iron rod at a point of tangency;

thence South 89°57'11" East 60.03 feet to a like iron rod at a point of curvature;

thence Northeasterly along the arc of a 325.00-foot radius curve to the left (the chord of which bears North 83°58'36" East 68.74 feet) 68.86 feet to a like iron rod;

thence South 0°02'49" West 128.08 feet to the TRUE POINT OF BEGINNING, containing 6.628 acres of land, more or less.

EXHIBIT "D"

Legal Description For:  
Adjusted Property "B"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 2" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North  $89^{\circ}17'50''$  West 1096.16 feet from the northeast corner of said Section 18; and running thence:

South  $0^{\circ}08'00''$  East 1350.70 feet along the east line of said property and along the east line of that property described as "Parcel 2: Tract 1" in said Instrument No. 201600557 to a point on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road;

thence North  $84^{\circ}07'51''$  West 396.14 feet along said right of way to the southeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records;

thence North  $0^{\circ}02'49''$  East 264.33 feet along the east line of said property to the northeast corner thereof;

thence North  $89^{\circ}57'11''$  West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687";

thence North  $0^{\circ}02'49''$  East 128.08 feet to a like iron rod at the beginning of a 325.00-foot radius non-tangent curve concave to the North;

thence Southwesterly along the arc of said curve (whose radius point bears North  $12^{\circ}05'37''$  West and the chord of which bears South  $83^{\circ}58'36''$  West 68.74 feet) 68.86 feet to a like iron rod at a point of tangency;

thence North  $89^{\circ}57'11''$  West 60.03 feet to a like iron rod at a point of curvature;

thence Northwesterly along the arc of an 825.00-foot radius curve to the right (the chord of which bears North  $87^{\circ}02'31''$  West 83.80 feet) 83.84 feet to a like iron rod at a point of tangency;

thence North  $84^{\circ}07'51''$  West 647.11 feet to a like iron rod at a point of curvature;

thence Southwesterly along the arc of a 20.00-foot radius curve to the left (the chord of which bears South  $58^{\circ}09'50''$  West 24.46 feet) 26.32 feet to a like iron rod at a point of reverse curve;

thence Southwesterly along the arc of an 815.00-foot radius curve to the right (the chord of which bears South  $23^{\circ}56'47''$  West 99.16 feet) 99.22 feet to a like iron rod at a point of reverse curve;

thence Southwesterly along the arc of a 225.00-foot radius curve to the left (the chord of which bears South  $12^{\circ}38'27''$  West 114.90 feet) 116.19 feet to a like iron rod at a point of compound curve;

thence Southeasterly along the arc of a 200.00-foot radius curve to the left (the chord of which bears South 7°02'26" East 34.08 feet) 34.12 feet to a like iron rod at a point of tangency;  
thence South 11°55'43" East 14.74 feet to the northeast corner of that tract of land conveyed to the City of McMinnville by that instrument recorded in Instrument No. 201812980, Yamhill County Deed Records;  
thence South 89°22'04" West 56.01 feet along the north line of said City of McMinnville tract to the west line of the aforementioned property described as "Parcel 2: Tract 1";  
thence North 0°18'08" East 1136.33 feet along said west line to the northwest corner of said property;  
thence South 89°17'50" East 1417.97 feet along the north line of said Section 18 to the Point of Beginning, containing 33.901 acres of land, more or less.

EXHIBIT "E"

Legal Description For:  
Transferred Property

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 2" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 1096.16 feet from the northeast corner of said Section 18; thence North 89°17'50" West 196.79 feet along the north line of said property to the northwest corner thereof and the TRUE POINT OF BEGINNING of this description; and running thence:

South 0°08'00" East 713.04 feet along the west line of said property to the southwest corner thereof;

thence South 84°07'51" East 197.85 feet along the south line of said property to the southeast corner thereof;

thence South 0°08'00" East 619.84 feet along the east line of that property described as "Parcel 2: Tract 1" in said Instrument No. 201600557 to a point on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road;

thence North 84°07'51" West 396.14 feet along said right of way to the southeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records;

thence North 0°02'49" East 264.33 feet along the east line of said property to the northeast corner thereof;

thence North 89°57'11" West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687";

thence North 0°02'49" East 128.08 feet to a like iron rod at the beginning of a 325.00-foot radius non-tangent curve concave to the North;

thence Southwesterly along the arc of said curve (whose radius point bears North 12°05'37" West and the chord of which bears South 83°58'36" West 68.74 feet) 68.86 feet to a like iron rod at a point of tangency;

thence North 89°57'11" West 60.03 feet to a like iron rod at a point of curvature;

thence Northwesterly along the arc of an 825.00-foot radius curve to the right (the chord of which bears North 87°02'31" West 83.80 feet) 83.84 feet to a like iron rod at a point of tangency;

thence North 84°07'51" West 647.11 feet to a like iron rod at a point of curvature;

thence Southwesterly along the arc of a 20.00-foot radius curve to the left (the chord of which bears South 58°09'50" West 24.46 feet) 26.32 feet to a like iron rod at a point of reverse curve;

thence Southwesterly along the arc of an 815.00-foot radius curve to the right (the chord of which bears South 23°56'47" West 99.16 feet) 99.22 feet to a like iron rod at a point of reverse curve;

thence Southwesterly along the arc of a 225.00-foot radius curve to the left (the chord of which bears South 12°38'27" West 114.90 feet) 116.19 feet to a like iron rod at a point of compound curve;

thence Southeasterly along the arc of a 200.00-foot radius curve to the left (the chord of which bears South 7°02'26" East 34.08 feet) 34.12 feet to a like iron rod at a point of tangency;

thence South 11°55'43" East 14.74 feet to the northeast corner of that tract of land conveyed to the City of McMinnville by that instrument recorded in Instrument No. 201812980, Yamhill County Deed Records;

thence South 89°22'04" West 56.01 feet along the north line of said City of McMinnville tract to the west line of the aforementioned property described as "Parcel 2: Tract 1";

thence North 0°18'08" East 1136.33 feet along said west line to the northwest corner of said property;

thence South 89°17'50" East 1221.18 feet along the north line of said Section 18 to the TRUE POINT OF BEGINNING, containing 30.640 acres of land, more or less.

**After recording, return to:**  
Baker Creek Development LLC  
8840 SW Holly Lane  
Wilsonville, OR 97070

**Send tax statements to:**  
Baker Creek Development LLC  
8840 SW Holly Lane  
Wilsonville, OR 97070  
Consideration = \$0

OFFICIAL YAMHILL COUNTY RECORDS  
BRIAN VAN BERGEN, COUNTY CLERK

201904867



\$126.00

04/22/2019 02:22:35 PM

DMR-DDMR Cnt=1 Stn=2 MILLSA  
\$50.00 \$5.00 \$11.00 \$60.00

## Property Line Adjustment Deed #2

Baker Creek Development, LLC, an Oregon limited liability company, hereinafter called Grantor, 8840 SW Holly Lane, Wilsonville, OR 97070, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein. Baker Creek Development, LLC, an Oregon limited liability company, hereinafter called Grantee, 8840 SW Holly Lane, Wilsonville, OR 97070, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property B, more particularly described on Exhibit B, which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (Deed) is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 16.869 acres and will hereafter consist of only the land described on Exhibit C, which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 16.869 acres and will hereafter consist of the land more particularly described on Exhibit D, which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured properties as described on Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Yamhill County, Oregon, described on Exhibit E, which is attached hereto and by this reference incorporated herein.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336, AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS

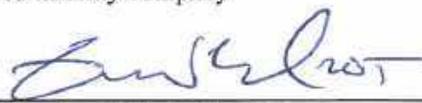
INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.”

The true and actual consideration for this transfer, stated in terms of dollars is N/A; however, the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

This Property Line Adjustment Deed is executed this 22<sup>ND</sup> day of APRIL, 2019.

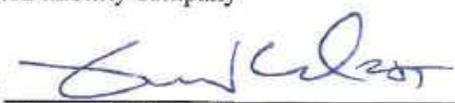
**GRANTOR**

Baker Creek Development, LLC, an Oregon limited liability company

By:   
Gordon C. Root, Manager

**GRANTEE**

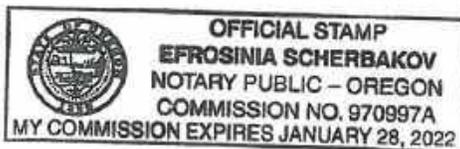
Baker Creek Development, LLC, an Oregon limited liability company

By:   
Gordon C. Root, Manager

State of OREGON )  
County of Clackamas ) ss.

This instrument was acknowledged before me on April 22, 2019, by Gordon C. Root as Manager of Baker Creek Development, LLC, an Oregon limited liability company.

Before me:



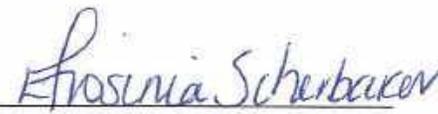
  
Notary Public for Oregon  
My Commission Expires: January 28, 2022

EXHIBIT "A"

Legal Description For:  
Original Property "A"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 2" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North  $89^{\circ}17'50''$  West 1096.16 feet from the northeast corner of said Section 18; and running thence:

South  $0^{\circ}08'00''$  East 1350.70 feet along the east line of said property and along the east line of that property described as "Parcel 2: Tract 1" in said Instrument No. 201600557 to a point on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road;

thence North  $84^{\circ}07'51''$  West 396.14 feet along said right of way to the southeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records;

thence North  $0^{\circ}02'49''$  East 264.33 feet along the east line of said property to the northeast corner thereof;

thence North  $89^{\circ}57'11''$  West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687";

thence North  $0^{\circ}02'49''$  East 128.08 feet to a like iron rod at the beginning of a 325.00-foot radius non-tangent curve concave to the North;

thence Southwesterly along the arc of said curve (whose radius point bears North  $12^{\circ}05'37''$  West and the chord of which bears South  $83^{\circ}58'36''$  West 68.74 feet) 68.86 feet to a like iron rod at a point of tangency;

thence North  $89^{\circ}57'11''$  West 60.03 feet to a like iron rod at a point of curvature;

thence Northwesterly along the arc of an 825.00-foot radius curve to the right (the chord of which bears North  $87^{\circ}02'31''$  West 83.80 feet) 83.84 feet to a like iron rod at a point of tangency;

thence North  $84^{\circ}07'51''$  West 647.11 feet to a like iron rod at a point of curvature;

thence Southwesterly along the arc of a 20.00-foot radius curve to the left (the chord of which bears South  $58^{\circ}09'50''$  West 24.46 feet) 26.32 feet to a like iron rod at a point of reverse curve;

thence Southwesterly along the arc of an 815.00-foot radius curve to the right (the chord of which bears South 23°56'47" West 99.16 feet) 99.22 feet to a like iron rod at a point of reverse curve;

thence Southwesterly along the arc of a 225.00-foot radius curve to the left (the chord of which bears South 12°38'27" West 114.90 feet) 116.19 feet to a like iron rod at a point of compound curve;

thence Southeasterly along the arc of a 200.00-foot radius curve to the left (the chord of which bears South 7°02'26" East 34.08 feet) 34.12 feet to a like iron rod at a point of tangency;

thence South 11°55'43" East 14.74 feet to the northeast corner of that tract of land conveyed to the City of McMinnville by that instrument recorded in Instrument No. 201812980, Yamhill County Deed Records;

thence South 89°22'04" West 56.01 feet along the north line of said City of McMinnville tract to the west line of the aforementioned property described as "Parcel 2: Tract 1";

thence North 0°18'08" East 1136.33 feet along said west line to the northwest corner of said property;

thence South 89°17'50" East 1417.97 feet along the north line of said Section 18 to the Point of Beginning, containing 33.901 acres of land, more or less.

EXHIBIT "B"

Legal Description For:  
Original Property "B"

Beginning at a point on the West line of that tract of land described in Volume 186, Page 137, Deed Records of Yamhill County, Oregon which bears South 00°08'00" East 691.80 feet and South 89°52'00" West 323.00 feet and South 00°08'00" East 104.35 feet from the brass cap at the Northeast corner of the T.J. Shadden Donation Land Claim, said Donation Land Claim corner is also the Northeast corner of Section 18, Township 4 South, Range 4 West of the Willamette Meridian in said Yamhill County; thence South 00°08'00" East along the said West line of said Volume and Page a distance of 619.84 feet to a point on the North right-of-way of Baker Creek Road, said point being 30.00 feet Northerly of the centerline of the road when measured at right angles; thence North 84°07'51" West along said North right-of-way a distance of 777.31 feet; thence North 00°08'00" West parallel with said West line of said Volume 186, Page 137 a distance of 619.84 feet; thence South 84°07'51" East parallel with said Baker Creek Road a distance of 777.31 feet to the point of beginning.

EXHIBIT "C"

Legal Description For:  
Adjusted Property "A"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records, said point recorded as being South 00°08'00" East 691.80 feet and South 89°52'00" West 323.00 feet and South 00°08'00" East 724.19 feet and North 84°07'51" West 1173.44 feet and North 0°02'49" East 264.33 feet from the northeast corner of said Section 18; thence North 89°57'11" West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687"; thence North 0°02'49" East 128.08 feet to a like iron rod at the beginning of a 325.00-foot radius non-tangent curve concave to the North, said point being the TRUE POINT OF BEGINNING of this description; and running thence:  
Southwesterly along the arc of said curve (whose radius point bears North 12°05'37" West and the chord of which bears South 83°58'36" West 68.74 feet) 68.86 feet to a like iron rod at a point of tangency;  
thence North 89°57'11" West 60.03 feet to a like iron rod at a point of curvature;  
thence Northwesterly along the arc of an 825.00-foot radius curve to the right (the chord of which bears North 87°02'31" West 83.80 feet) 83.84 feet to a like iron rod at a point of tangency;  
thence North 84°07'51" West 647.11 feet to a like iron rod at a point of curvature;  
thence Southwesterly along the arc of a 20.00-foot radius curve to the left (the chord of which bears South 58°09'50" West 24.46 feet) 26.32 feet to a like iron rod at a point of reverse curve;  
thence Southwesterly along the arc of an 815.00-foot radius curve to the right (the chord of which bears South 23°56'47" West 99.16 feet) 99.22 feet to a like iron rod at a point of reverse curve;  
thence Southwesterly along the arc of a 225.00-foot radius curve to the left (the chord of which bears South 12°38'27" West 114.90 feet) 116.19 feet to a like iron rod at a point of compound curve;  
thence Southeasterly along the arc of a 200.00-foot radius curve to the left (the chord of which bears South 7°02'26" East 34.08 feet) 34.12 feet to a like iron rod at a point of tangency;  
thence South 11°55'43" East 14.74 feet to the northeast corner of that tract of land conveyed to the City of McMinnville by that instrument recorded in Instrument No. 201812980, Yamhill County Deed Records;

thence South 89°22'04" West 56.01 feet along the north line of said City of McMinnville tract to  
the west line of the aforementioned property described as "Parcel 2: Tract 1";  
thence North 0°18'08" East 887.80 feet along said west line;  
thence leaving said west line, South 89°41'52" East 57.02 feet;  
thence North 37°59'42" East 286.76 feet;  
thence South 89°17'50" East 175.48 feet;  
thence South 0°42'10" West 181.23 feet;  
thence South 89°17'52" East 94.65 feet;  
thence North 88°57'30" East 350.00 feet;  
thence North 84°32'05" East 60.31 feet;  
thence South 11°17'26" East 382.81 feet;  
thence South 0°02'49" West 364.45 feet to the TRUE POINT OF BEGINNING, containing  
17.032 acres of land, more or less.

EXHIBIT "D"

Legal Description For:  
Adjusted Property "B"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 2" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 1096.16 feet from the northeast corner of said Section 18; and running thence:  
South 0°08'00" East 730.86 feet along the east line of said property to the northwest corner of that property described as "Parcel 5" in said Instrument No. 201600557;  
thence South 84°07'51" East 777.30 feet along the north line of said property to the northeast corner thereof;  
thence South 0°08'00" East 619.84 feet along the east line of said property to the southeast corner thereof, said point being on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road;  
thence North 84°07'51" West 1173.44 feet along said right of way to the southeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records;  
thence North 0°02'49" East 264.33 feet along the east line of said property to the northeast corner thereof;  
thence North 89°57'11" West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687";  
thence North 0°02'49" East 492.53 feet;  
thence North 11°17'26" West 382.81 feet;  
thence South 84°32'05" West 60.31 feet;  
thence South 88°57'30" West 350.00 feet;  
thence North 89°17'52" West 94.65 feet;  
thence North 0°42'10" East 181.23 feet;  
thence North 89°17'50" West 175.48 feet;  
thence South 37°59'42" West 286.76 feet;  
thence North 89°41'52" West 57.02 feet to the west line of the aforementioned property described as "Parcel 2: Tract 1";  
thence North 0°18'08" East 248.53 feet along said west line to the northwest corner of said property;  
thence South 89°17'50" East 1417.97 feet along the north line of said Section 18 to the Point of Beginning, containing 27.869 acres of land, more or less.

EXHIBIT "E"

Legal Description For:  
Transferred Property

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 2" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 1096.16 feet from the northeast corner of said Section 18; and running thence:  
South 0°08'00" East 1350.70 feet along the east line of said property and along the east line of that property described as "Parcel 2: Tract 1" in said Instrument No. 201600557 to a point on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road;  
thence North 84°07'51" West 396.14 feet along said right of way to the southeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records;  
thence North 0°02'49" East 264.33 feet along the east line of said property to the northeast corner thereof;  
thence North 89°57'11" West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687";  
thence North 0°02'49" East 492.53 feet;  
thence North 11°17'26" West 382.81 feet;  
thence South 84°32'05" West 60.31 feet;  
thence South 88°57'30" West 350.00 feet;  
thence North 89°17'52" West 94.65 feet;  
thence North 0°42'10" East 181.23 feet;  
thence North 89°17'50" West 175.48 feet;  
thence South 37°59'42" West 286.76 feet;  
thence North 89°41'52" West 57.02 feet to the west line of the aforementioned property described as "Parcel 2: Tract 1";  
thence North 0°18'08" East 248.53 feet along said west line to the northwest corner of said property;  
thence South 89°17'50" East 1417.97 feet along the north line of said Section 18 to the Point of Beginning, containing 16.869 acres of land, more or less.

**After recording, return to:**  
Baker Creek Development LLC  
8840 SW Holly Lane  
Wilsonville, OR 97070

**Send tax statements to:**  
Baker Creek Development LLC  
8840 SW Holly Lane  
Wilsonville, OR 97070  
Consideration = \$0

OFFICIAL YAMHILL COUNTY RECORDS  
BRIAN VAN BERGEN, COUNTY CLERK

201904870



\$116.00

04/22/2019 02:23:57 PM

DMR-DDMR Cnt=1 Stn=2 MILLSA  
\$40.00 \$5.00 \$11.00 \$60.00

## Property Line Adjustment Deed #3 (2 of 2)

Baker Creek Development, LLC, an Oregon limited liability company, hereinafter called Grantor, 8840 SW Holly Lane, Wilsonville, OR 97070, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein. Baker Creek Development, LLC, an Oregon limited liability company, hereinafter called Grantee, 8840 SW Holly Lane, Wilsonville, OR 97070, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property B, more particularly described on Exhibit B, which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (Deed) is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 5.726 acres and will hereafter consist of only the land described on Exhibit C, which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 5.726 acres and will hereafter consist of the land more particularly described on Exhibit D, which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured properties as described on Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Yamhill County, Oregon, described on Exhibit E, which is attached hereto and by this reference incorporated herein.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336, AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS

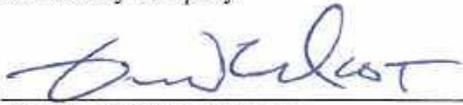
INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.”

The true and actual consideration for this transfer, stated in terms of dollars is N/A; however, the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

This Property Line Adjustment Deed is executed this 22<sup>ND</sup> day of April, 2019.

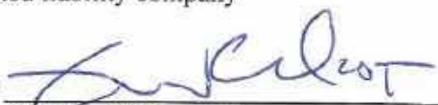
**GRANTOR**

Baker Creek Development, LLC, an Oregon limited liability company

By:   
Gordon C. Root, Manager

**GRANTEE**

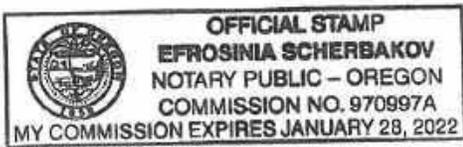
Baker Creek Development, LLC, an Oregon limited liability company

By:   
Gordon C. Root, Manager

State of OREGON )  
County of Clackamas ) ss.

This instrument was acknowledged before me on April 22, 20 19, by Gordon C. Root as Manager of Baker Creek Development, LLC, an Oregon limited liability company.

Before me:



  
Notary Public for Oregon  
My Commission Expires: January 28, 2022

EXHIBIT "A"

Legal Description For:  
Original Property "A"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 1" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 465.15 feet from the northeast corner of said Section 18; and running thence:  
South 0°08'00" East 788.00 feet along the east line of said property to southeast corner thereof;  
thence North 84°07'51" West 634.42 feet along the south line of said property to the southwest corner thereof;  
thence North 0°08'00" West 126.25 feet along the west line of said property;  
thence North 84°07'51" West 436.50 feet;  
thence North 0°02'49" East 6.68 feet;  
thence North 11°17'26" West 382.81 feet;  
thence South 84°32'05" West 60.31 feet;  
thence South 88°57'30" West 350.00 feet;  
thence North 89°17'52" West 94.65 feet;  
thence North 0°42'10" East 181.23 feet;  
thence North 89°17'50" West 175.48 feet;  
thence South 37°59'42" West 286.76 feet;  
thence North 89°41'52" West 57.02 feet to the west line of that property described as "Parcel 2: Tract 1" in said Instrument No. 201600557;  
thence North 0°18'08" East 248.53 feet along said west line to the northwest corner of said property;  
thence South 89°17'50" East 2048.98 feet along the north line of said Section 18 to the Point of Beginning, containing 20.669 acres of land, more or less.

## EXHIBIT "B"

Legal Description For:  
Original Property "B"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 5" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being South 00°08'00" East 691.80 feet and South 89°52'00" West 323.00 feet and South 00°08'00" East 104.35 feet from the northeast corner of said Section 18; and running thence: South 0°08'00" East 619.84 feet along the east line of said property to the southeast corner thereof, said point being on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road; thence North 84°07'51" West 1173.44 feet along said right of way to the southeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records; thence North 0°02'49" East 264.33 feet along the east line of said property to the northeast corner thereof; thence North 89°57'11" West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687"; thence North 0°02'49" East 485.85 feet; thence South 84°07'51" East 436.50 feet to a point on the west line of that property described as "Parcel 3: Tract 1" in the aforementioned Instrument No. 201600557; thence South 0°08'00" East 126.25 feet along said west line to the northwest corner of the aforementioned property described as "Parcel 5"; thence South 84°07'51" East 777.30 feet along the north line of said property to the Point of Beginning, containing 18.200 acres of land, more or less.

EXHIBIT "C"

Legal Description For:  
Adjusted Property "A"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 1" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 465.15 feet from the northeast corner of said Section 18; thence North 89°17'50" West 197.45 feet along the north line of said Section 18 to the TRUE POINT OF BEGINNING of this description; and running thence:

South 46°43'08" West 161.02 feet;

South 0°08'00" East 590.49 feet;

South 70°12'33" West 131.27 feet to a point on the south line of said property;

thence North 84°07'51" West 100.09 feet along said south line;

thence North 16°47'09" West 98.13 feet;

thence North 42°56'41" West 53.15 feet;

thence North 84°07'51" West 465.30 feet;

thence North 0°02'49" East 6.68 feet;

thence North 11°17'26" West 382.81 feet;

thence South 84°32'05" West 60.31 feet;

thence South 88°57'30" West 350.00 feet;

thence North 89°17'52" West 94.65 feet;

thence North 0°42'10" East 181.23 feet;

thence North 89°17'50" West 175.48 feet;

thence South 37°59'42" West 286.76 feet;

thence North 89°41'52" West 57.02 feet to the west line of that property described as "Parcel 2: Tract 1" in said Instrument No. 201600557;

thence North 0°18'08" East 248.53 feet along said west line to the northwest corner of said property;

thence South 89°17'50" East 1851.53 feet along the north line of said Section 18 to the Point of Beginning, containing 14.943 acres of land, more or less.

EXHIBIT "D"

Legal Description For:  
Adjusted Property "B"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 1" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 465.15 feet from the northeast corner of said Section 18; and running thence:  
South 0°08'00" East 788.00 feet along the east line of said property to southeast corner thereof, said point being on the north line of that property described as "Parcel 5" in said Instrument No. 201600557;  
thence South 84°07'51" East 142.88 feet along said north line to the northeast corner of said "Parcel 5";  
thence South 0°08'00" East 619.84 feet along the east line of said property to the southeast corner thereof, said point being on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road;  
thence North 84°07'51" West 1173.44 feet along said right of way to the southeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records;  
thence North 0°02'49" East 264.33 feet along the east line of said property to the northeast corner thereof;  
thence North 89°57'11" West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687";  
thence North 0°02'49" East 485.85 feet;  
thence South 84°07'51" East 465.30 feet;  
thence South 42°56'41" East 53.15 feet;  
thence South 16°47'09" East 98.13 feet to a point on the south line of the aforementioned property described as "Parcel 3: Tract 1";  
thence South 84°07'51" East 100.09 feet along said south line;  
thence North 70°12'33" East 131.27 feet;  
thence North 0°08'00" West 590.49 feet;  
thence North 46°43'08" East 161.02 feet to a point on the north line of said Section 18;  
thence South 89°17'50" East 197.45 feet along said north line to the Point of Beginning, containing 23.926 acres of land, more or less.

EXHIBIT "E"

Legal Description For:  
Transferred Property

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3; Tract 1" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 465.15 feet from the northeast corner of said Section 18; and running thence:  
South 0°08'00" East 788.00 feet along the east line of said property to southeast corner thereof, said point being on the north line of that property described as "Parcel 5" in said Instrument No. 201600557;  
thence North 84°07'51" West 440.94 feet along said north line;  
thence North 70°12'33" East 131.27 feet;  
thence North 0°08'00" West 590.49 feet;  
thence North 46°43'08" East 161.02 feet to a point on the north line of said Section 18;  
thence South 89°17'50" East 197.45 feet along said north line to the Point of Beginning, containing 5.524 acres of land, more or less.

ALSO the following described property:

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3; Tract 1" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 465.15 feet from the northeast corner of said Section 18; thence South 0°08'00" East 788.00 feet along the east line of said property to southeast corner thereof; thence North 84°07'51" West 777.30 feet along the south line of said property to the southwest corner thereof and the TRUE POINT OF BEGINNING of this description; and running thence:  
North 0°08'00" West 126.25 feet along the west line of said property;  
thence South 84°07'51" East 28.80 feet;  
thence South 42°56'41" East 53.15 feet;  
thence South 16°47'09" East 98.13 feet to a point on the south line of said property;  
thence North 84°07'51" West 93.39 feet along said south line to the TRUE POINT OF BEGINNING, containing 8820 square feet of land, more or less.

**After recording, return to:**  
Baker Creek Development LLC  
8840 SW Holly Lane  
Wilsonville, OR 97070

**Send tax statements to:**  
Baker Creek Development LLC  
8840 SW Holly Lane  
Wilsonville, OR 97070  
Consideration = \$0

OFFICIAL YAMHILL COUNTY RECORDS  
BRIAN VAN BERGEN, COUNTY CLERK

201904874



\$126.00

04/22/2019 02:24:43 PM

DMR-DDMR Cnt=1 Stn=2 MILLSA  
\$50.00 \$5.00 \$11.00 \$60.00

## Property Line Adjustment Deed #4 (2 of 2)

Baker Creek Development, LLC, an Oregon limited liability company, hereinafter called Grantor, 8840 SW Holly Lane, Wilsonville, OR 97070, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property A, and more particularly described on Exhibit A, which is attached hereto and by this reference incorporated herein. Baker Creek Development, LLC, an Oregon limited liability company, hereinafter called Grantee, 8840 SW Holly Lane, Wilsonville, OR 97070, is the owner of real property located in Yamhill County, Oregon, referred to herein as Property B, more particularly described on Exhibit B, which is attached hereto and by this reference incorporated herein.

The purpose of this Property Line Adjustment Deed (Deed) is to effect a property line adjustment between Property A and Property B such that Property A will be reduced in size by approximately 5.725 acres and will hereafter consist of only the land described on Exhibit C, which is attached hereto and incorporated herein by this reference, and Property B will be increased in size by approximately 5.725 acres and will hereafter consist of the land more particularly described on Exhibit D, which is attached hereto and incorporated herein by this reference.

NOW THEREFORE, in order to effect the property line adjustment and to create the reconfigured properties as described on Exhibits C and D, Grantor does hereby grant, transfer, and convey unto Grantee all of that certain real property situated in Yamhill County, Oregon, described on Exhibit E, which is attached hereto and by this reference incorporated herein.

“BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON’S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336, AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS

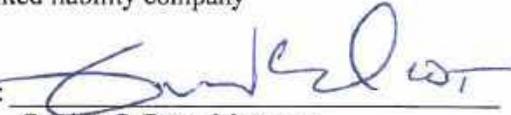
INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301, AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.”

The true and actual consideration for this transfer, stated in terms of dollars is N/A; however, the actual consideration consists of other property or values which is the whole consideration. The purpose of this Deed is to effect a property line adjustment, and the two parcels are to remain separate and distinct.

This Property Line Adjustment Deed is executed this 22<sup>ND</sup> day of April, 2019.

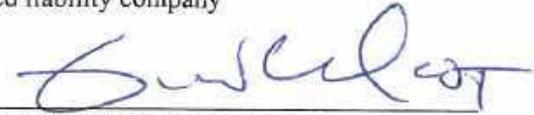
**GRANTOR**

Baker Creek Development, LLC, an Oregon limited liability company

By:   
Gordon C. Root, Manager

**GRANTEE**

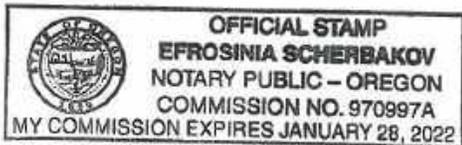
Baker Creek Development, LLC, an Oregon limited liability company

By:   
Gordon C. Root, Manager

State of OREGON )  
County of Clackamas ) ss.

This instrument was acknowledged before me on April 22, 2019, by Gordon C. Root as Manager of Baker Creek Development, LLC, an Oregon limited liability company.

Before me:



Efrosinia Scherbakov  
Notary Public for Oregon  
My Commission Expires: January 28, 2022

EXHIBIT "A"

Legal Description For:  
Original Property "A"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 1" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 465.15 feet from the northeast corner of said Section 18; and running thence:  
South 0°08'00" East 788.00 feet along the east line of said property to the southeast corner thereof, said point being on the north line of that property described as "Parcel 5" in said Instrument No. 201600557;  
thence South 84°07'51" East 85.32 feet along said north line to the beginning of a 175.00-foot radius non-tangent curve concave to the Northwest;  
thence Northeasterly along the arc of said curve (whose radius point bears North 55°56'47" West and the chord of which bears North 16°57'36" East 102.88 feet) 104.42 feet to a point on the Westerly extension of the north line of that property described in that instrument recorded in Volume 186, Page 137, Yamhill County Deed Records;  
thence North 89°52'00" East 27.00 feet along said Westerly extension to the northwest corner of said property;  
thence South 0°08'00" East 724.19 feet along the west line of said property to the southwest corner thereof, said point being on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road;  
thence North 84°07'51" West 1173.44 feet along said right of way to the southeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records;  
thence North 0°02'49" East 264.33 feet along the east line of said property to the northeast corner thereof;  
thence North 89°57'11" West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687";  
thence North 0°02'49" East 485.85 feet;  
thence South 84°07'51" East 465.30 feet;  
thence South 42°56'41" East 53.15 feet;

thence South 16°47'09" East 98.13 feet to a point on the south line of the aforementioned property described as "Parcel 3; Tract 1";  
thence South 84°07'51" East 100.09 feet along said south line;  
thence North 70°12'33" East 131.27 feet;  
thence North 0°08'00" West 590.49 feet;  
thence North 46°43'08" East 161.02 feet to a point on the north line of said Section 18;  
thence South 89°17'50" East 197.45 feet along said north line to the Point of Beginning, containing 24.013 acres of land, more or less.

## EXHIBIT "B"

Legal Description For:  
Original Property "B"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at a brass cap at the Northeast corner of the T.J. Shadden Donation Land Claim, said Donation Land Claim corner is also the Northeast corner of Section 18, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; and running thence: South  $0^{\circ}08'00''$  East 691.80 feet along the East line of said Section 18 to the Northeast corner of that tract of land described in Volume 186, Page 137, Deed Records;  
thence South  $89^{\circ}52'00''$  West 350.00 feet along the North line of said tract and its Westerly extension thereof to the beginning of a 175.00-foot radius non-tangent curve concave to the Northwest;  
thence Southwesterly along the arc of said curve (whose radius point bears South  $89^{\circ}52'00''$  West and the chord of which bears South  $16^{\circ}57'36''$  West 102.88 feet) 104.42 feet to a point on the south line of that property described as "Parcel 4" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records;  
thence North  $84^{\circ}07'51''$  West 85.32 feet along said south line to the southwest corner of said property;  
thence North  $0^{\circ}08'00''$  West 788.00 feet along the west line of said property to the northwest corner thereof;  
thence South  $89^{\circ}17'50''$  East 465.15 feet along the north line of said Section 18 to the Point of Beginning, containing 7.652 acres of land, more or less.

## EXHIBIT "C"

Legal Description For:  
Adjusted Property "A"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 1" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North  $89^{\circ}17'50''$  West 465.15 feet from the northeast corner of said Section 18; thence South  $0^{\circ}08'00''$  East 788.00 feet along the east line of said property to the southeast corner thereof, said point being on the north line of that property described as "Parcel 5" in said Instrument No. 201600557; thence South  $84^{\circ}07'51''$  East 85.32 feet along said north line to the beginning of a 175.00-foot radius non-tangent curve concave to the Northwest and the TRUE POINT OF BEGINNING of this description; and running thence: Northeasterly along the arc of said curve (whose radius point bears North  $55^{\circ}56'47''$  West and the chord of which bears North  $16^{\circ}57'36''$  East 102.88 feet) 104.42 feet to a point on the Westerly extension of the north line of that property described in that instrument recorded in Volume 186, Page 137, Yamhill County Deed Records; thence North  $89^{\circ}52'00''$  East 27.00 feet along said Westerly extension to the northwest corner of said property; thence South  $0^{\circ}08'00''$  East 724.19 feet along the west line of said property to the southwest corner thereof, said point being on the north right of way line of N.W. Baker Creek Road at a perpendicular distance of 30.00 feet from the centerline of said road; thence North  $84^{\circ}07'51''$  West 1173.44 feet along said right of way to the southeast corner of that property described in that Warranty Deed recorded in Instrument No. 201900618, Yamhill County Deed Records; thence North  $0^{\circ}02'49''$  East 264.33 feet along the east line of said property to the northeast corner thereof; thence North  $89^{\circ}57'11''$  West 42.50 feet along the north line of said property to a 5/8-inch iron rod with yellow plastic cap stamped "WILSON PLS 2687"; thence North  $0^{\circ}02'49''$  East 485.85 feet; thence South  $84^{\circ}07'51''$  East 465.30 feet; thence South  $42^{\circ}56'41''$  East 53.15 feet; thence South  $16^{\circ}47'09''$  East 98.13 feet to a point on the south line of the aforementioned property described as "Parcel 3: Tract 1"; thence South  $84^{\circ}07'51''$  East 100.09 feet along said south line; thence North  $70^{\circ}12'33''$  East 131.27 feet; thence South  $67^{\circ}54'10''$  East 95.70 feet to the beginning of a 425.00-foot radius non-tangent curve concave to the Southeast;

thence Southwesterly along the arc of said curve (whose radius point bears South  $67^{\circ}54'10''$  East and the chord of which bears South  $15^{\circ}12'45''$  West 101.89 feet) 102.14 feet;  
thence North  $84^{\circ}58'12''$  East 51.58 feet;  
thence North  $89^{\circ}52'00''$  East 207.29 feet;  
thence South  $77^{\circ}30'56''$  East 51.06 feet to the beginning of a 125.00-foot radius non-tangent curve concave to the Southeast;  
thence Northeasterly along the arc of said curve (whose radius point bears South  $63^{\circ}37'44''$  East and the chord of which bears North  $33^{\circ}32'00''$  East 31.17 feet) 31.25 feet to a point of reverse curve;  
thence Northeasterly along the arc of a 175.00-foot radius curve to the left (the chord of which bears North  $37^{\circ}22'28''$  East 20.28 feet) 20.29 feet to the TRUE POINT OF BEGINNING, containing 18.288 acres of land, more or less.

EXHIBIT "D"

Legal Description For:  
Adjusted Property "B"

A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at a brass cap at the Northeast corner of the T.J. Shadden Donation Land Claim, said Donation Land Claim corner is also the Northeast corner of Section 18, Township 4 South, Range 4 West of the Willamette Meridian in Yamhill County, Oregon; and running thence: South 0°08'00" East 691.80 feet along the East line of said Section 18 to the Northeast corner of that tract of land described in Volume 186, Page 137, Deed Records;  
thence South 89°52'00" West 350.00 feet along the North line of said tract and its Westerly extension thereof to the beginning of a 175.00-foot radius non-tangent curve concave to the Northwest;  
thence Southwesterly along the arc of said curve (whose radius point bears South 89°52'00" West and the chord of which bears South 20°16'52" West 122.08 feet) 124.70 feet to a point of reverse curve;  
thence Southwesterly along the arc of a 125.00-foot radius curve to the left (the chord of which bears South 33°32'00" West 31.17 feet) 31.25 feet;  
thence North 77°30'56" West 51.06 feet;  
thence South 89°52'00" West 207.29 feet;  
thence South 84°58'12" West 51.58 feet to the beginning of a 425.00-foot radius non-tangent curve concave to the Southeast;  
thence Northeasterly along the arc of said curve (whose radius point bears South 81°40'20" East and the chord of which bears North 15°12'45" East 101.89 feet) 102.14 feet;  
thence North 67°54'10" West 95.70 feet;  
thence North 0°08'00" West 590.49 feet;  
thence North 46°43'08" East 161.02 feet to a point on the north line of said Section 18;  
thence South 89°17'50" East 662.60 feet along said north line to the Point of Beginning, containing 13.377 acres of land, more or less.

EXHIBIT "E"

Legal Description For:  
Transferred Property

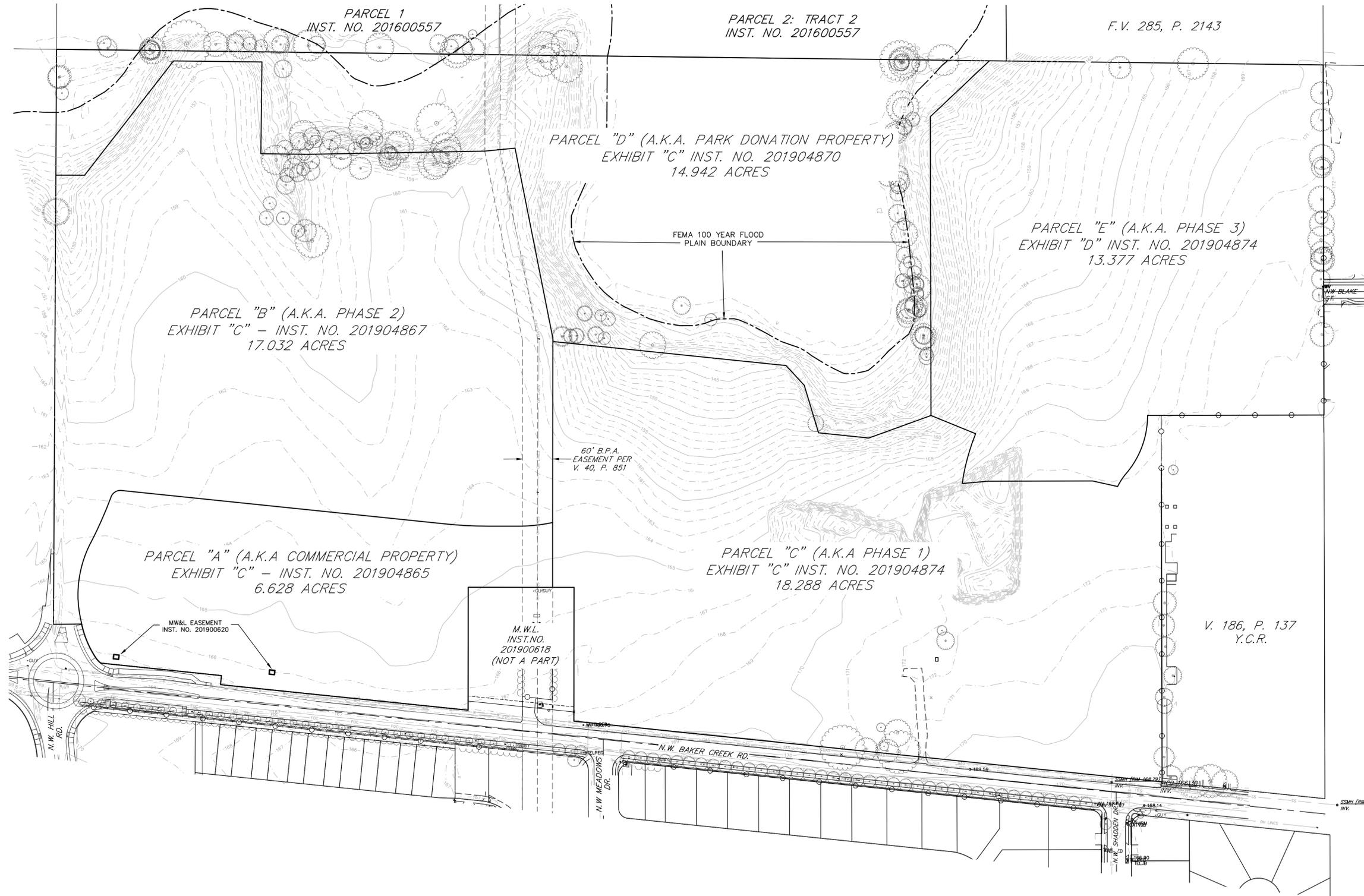
A tract of land situated in the Northeast one-quarter of Section 18, Township 4 South, Range 4 West of the Willamette Meridian, Yamhill County, Oregon, more particularly described as follows:

Beginning at the northeast corner of that property described as "Parcel 3: Tract 1" in that instrument recorded in Instrument No. 201600557, Yamhill County Deed Records, said point recorded as being North 89°17'50" West 465.15 feet from the northeast corner of said Section 18; and running thence:  
South 0°08'00" East 788.00 feet along the east line of said property to the southeast corner thereof, said point being on the north line of that property described as "Parcel 5" in said Instrument No. 201600557;  
thence South 84°07'51" East 85.32 feet along said north line to the beginning of a 175.00-foot radius non-tangent curve concave to the Northwest;  
thence Southwesterly along the arc of said curve (whose radius point bears North 55°56'47" West and the chord of which bears South 37°22'28" West 20.28 feet) 20.29 feet to a point of reverse curve;  
thence Southwesterly along the arc of a 125.00-foot radius curve to the left (the chord of which bears South 33°32'00" West 31.17 feet) 31.25 feet;  
thence North 77°30'56" West 51.06 feet;  
thence South 89°52'00" West 207.29 feet;  
thence South 84°58'12" West 51.58 feet to the beginning of a 425.00-foot radius non-tangent curve concave to the Southeast;  
thence Northeasterly along the arc of said curve (whose radius point bears South 81°40'20" East and the chord of which bears North 15°12'45" East 101.89 feet) 102.14 feet;  
thence North 67°54'10" West 95.70 feet;  
thence North 0°08'00" West 590.49 feet;  
thence North 46°43'08" East 161.02 feet to a point on the north line of said Section 18;  
thence South 89°17'50" East 197.45 feet along said north line to the Point of Beginning, containing 5.725 acres of land, more or less.

# LAND USE APPLICATION - EXISTING CONDITIONS

## BAKER CREEK NORTH

LOCATED IN THE NE 1/4 SECTION 18, TOWNSHIP 4 SOUTH, RANGE 4 WEST, W.M.,  
CITY OF McMinnville, YAMHILL COUNTY, OREGON



**Owner**

Baker Creek Development LLC  
8840 S.W. Holly Ln.  
Wilsonville, Oregon 97070

**Surveyor:**

Gregory L. Wilson  
Barker Surveying  
3657 Kashmir Way SE  
Salem, OR 97317

**Site Address:**

McMinnville, Oregon 97128



SCALE: 1" = 100'

[EXH-1]

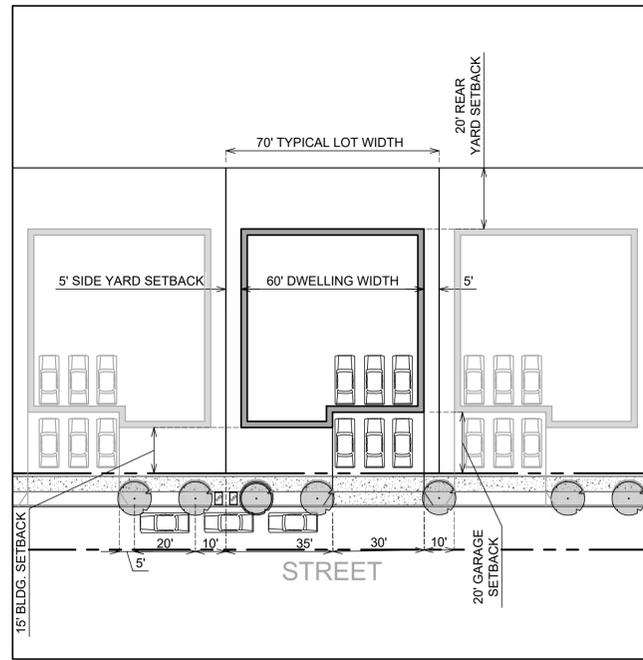


**BARKER SURVEYING**  
3657 KASHMIR WAY SE  
SALEM, OREGON 97317  
PHONE (503) 585-8800  
FAX (503) 363-2469  
EMAIL: INFO@BARKERWILSON.COM



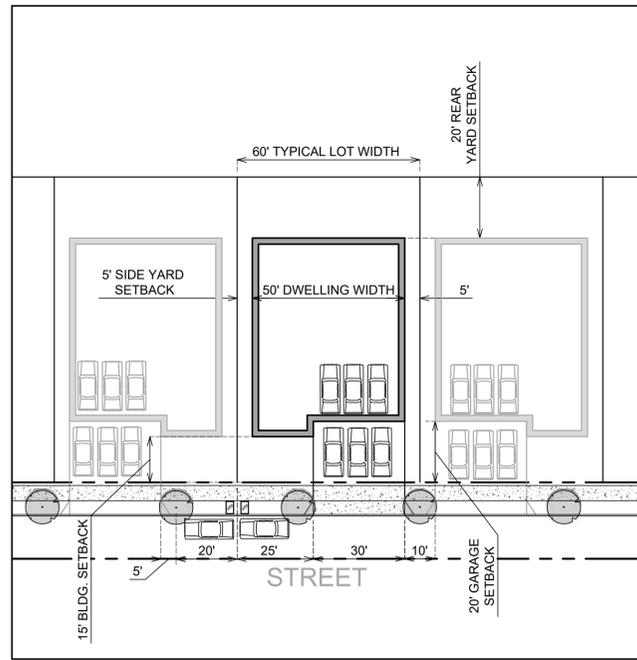






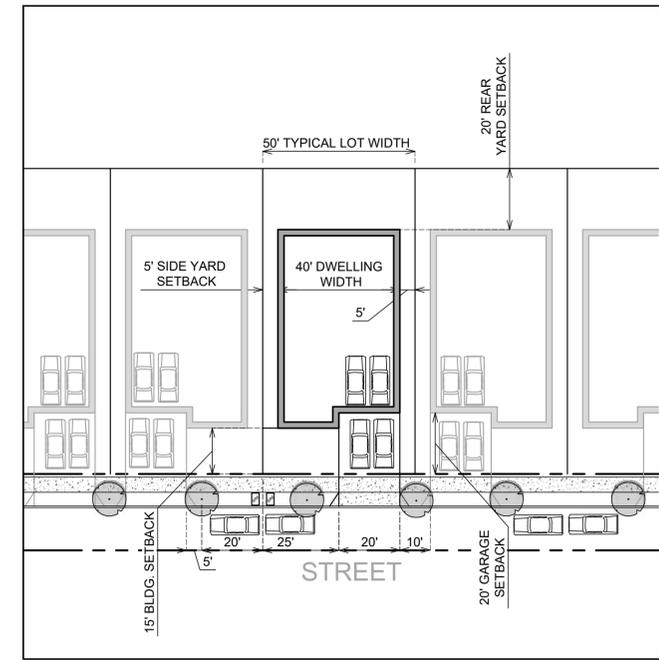
**SFD-70**  
N.T.S.

- SIMILAR TO STANDARD R-1 ZONE LOT SIZE
- 9,000+ S.F. LOT AREA
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 5' SIDE-YARD SETBACKS
- 60'-WIDE DWELLING UNIT
- 4-6 OFF-STREET PARKING SPACES



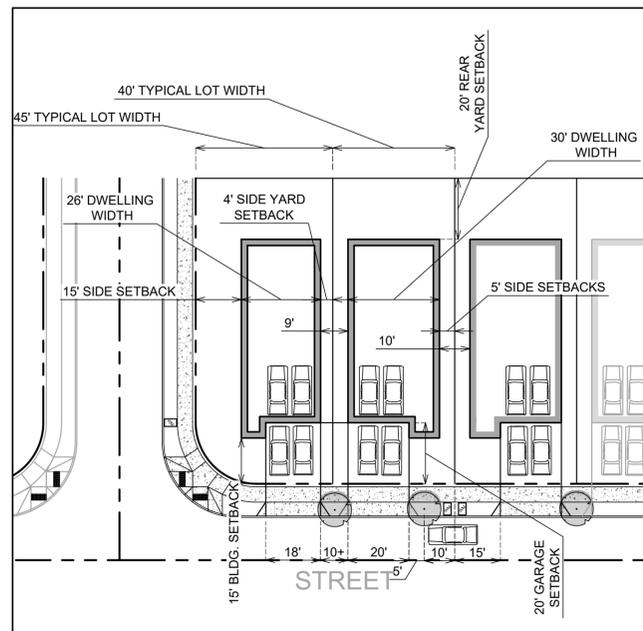
**SFD-60**  
N.T.S.

- SIMILAR TO STANDARD R-4 ZONE LOT SIZE
- 5,000+ S.F. LOT AREA
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 5' SIDE-YARD SETBACKS
- 50'-WIDE DWELLING UNIT
- 4 - 6 OFF-STREET PARKING SPACES



**SFD-50**  
N.T.S.

- SIMILAR TO STANDARD R-4 ZONE LOT SIZE
- 5,000+ S.F. LOT AREA
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 5' SIDE-YARD SETBACKS
- 40'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES



**SFD-45 & SFD-40**  
N.T.S.

**SFD-45**

- PLANNED DEVELOPMENT R-4 ZONE LOT
- 4,000 S.F. LOT AREA TYPICAL
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 4' SIDE-YARD SETBACKS
- 26'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES

**SFD-40**

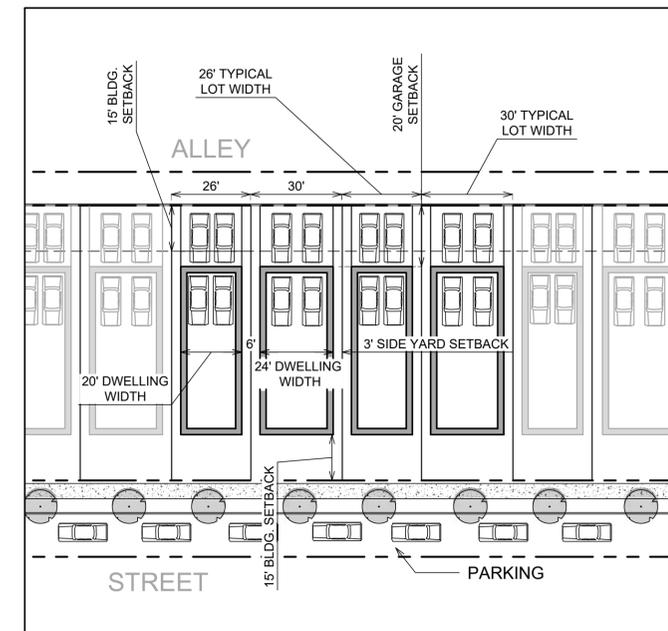
- SIMILAR TO STANDARD R-4 ZONE LOT
- 4,000 S.F. LOT AREA TYPICAL
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 5' SIDE-YARD SETBACKS
- 30'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES

**SFDA-30**

- *INTERSPERSED WITH SFD-26*
- SIMILAR TO AN ATTACHED LOT IN THE R-4 ZONE
- 2,700 S.F. LOT AREA TYPICAL
- 20' GARAGE SETBACKS
- 15' BUILDING SETBACK
- 3' SIDE-YARD SETBACKS
- 24'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES

**SFDA-26**

- SIMILAR TO AN ATTACHED LOT IN THE R-4 ZONE
- 20' GARAGE SETBACKS
- 2,340 SF LOT AREA TYPICAL
- 15' BUILDING SETBACK
- 3' SIDE-YARD SETBACKS
- 20'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES



**SFDA-30 & SFDA-26**  
N.T.S.

11/7/2019 10:04:03 AM R:\Data\Stafford Land Company\Baker Creek\BC NORTH\CIVIL\XREFS\BAKER CREEK N DESIGN.dwg (TYPICAL LOTS - EXH-5.tbl)

NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON SCALES ACCORDINGLY

DATE: 11-2019

DSN. DRN. CKD. DATE: 11-2019

**WE**  
WESTTECH ENGINEERING, INC.  
CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3966  
E-mail: westtech@westtech-eng.com

REVIEW  
WILLIAM J. WELLS  
REGISTERED PROFESSIONAL ENGINEER  
OREGON REG. NO. 12,305

STAFFORD LAND COMPANY  
BAKER CREEK NORTH SUBDIVISION  
TYPICAL LOTS

DRAWING  
**EXH-5**  
JOB NUMBER  
2940.3000.0





11/7/2019 10:26:08 AM  
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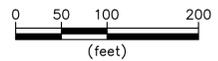
TOTAL ON-SITE DESIGNATED COMMERCIAL\* = 11.30 Ac.

TOTAL ROW AREA = 2.06 Ac.

TOTAL LOT AREA = 2.70 Ac.

\* ROW DEDICATED ALONG BAKER CREEK ROAD & SUBSTATION LOT NOT INCLUDED

ORIGINAL  
 COMMERCIAL  
 ZONE - 12.34  
 Ac.



PLANNED DEVELOPMENT BOUNDARY

NW BAKER CREEK RD

NW HILL RD

MATTEO DR

HAUN DR

FIN RANCH DR

NW MEADOWS DR

NW SHADDEN DR

NO.	DATE	DESCRIPTION	BY
1	11/2019		

# REVIEW REVIEW

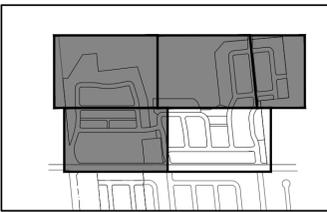
**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

**WE**

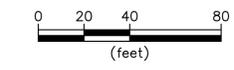
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**COMMERCIAL LOT ADJUSTMENT**

DRAWING  
**EXH-8**  
 JOB NUMBER  
 2940.3000.0

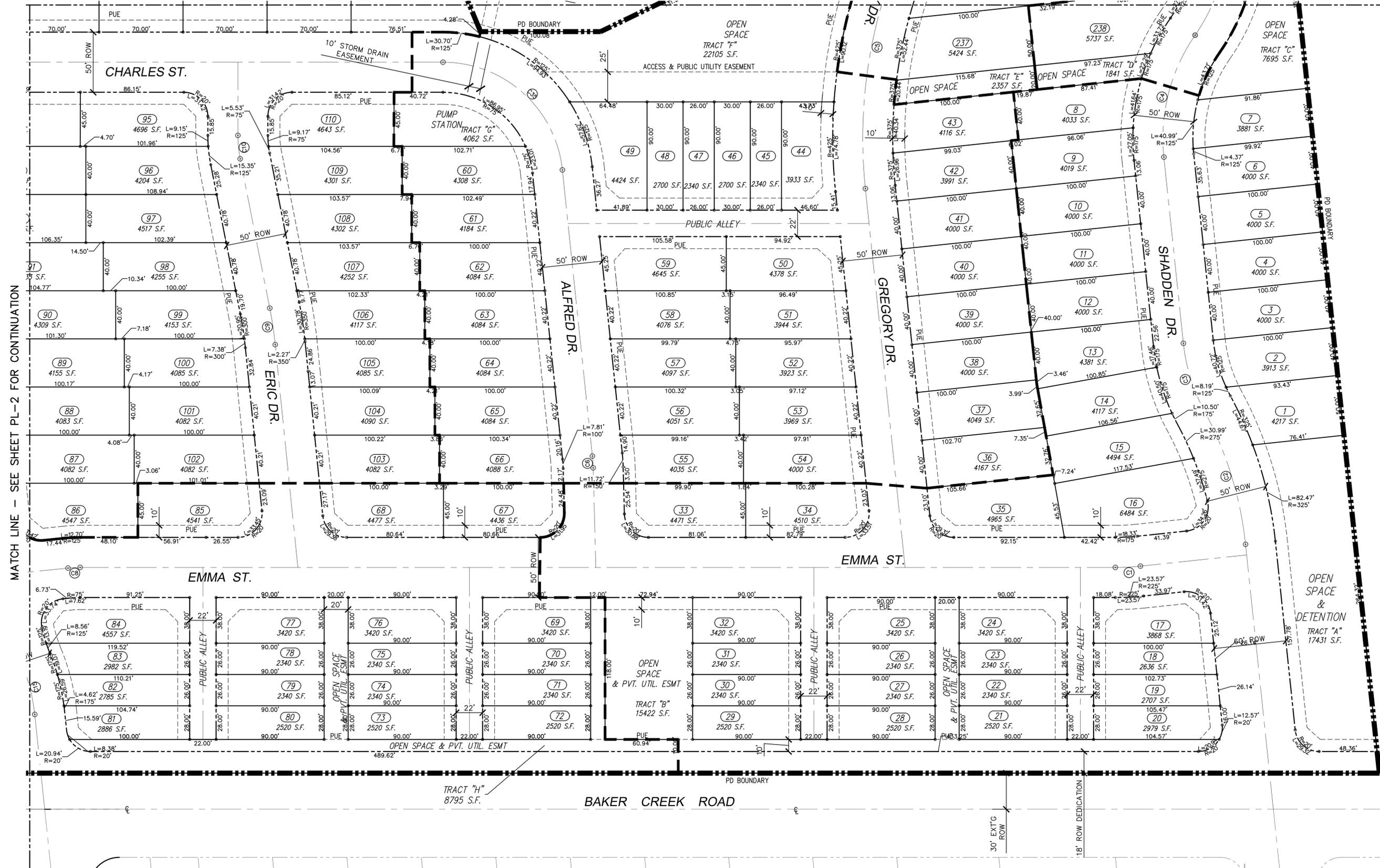


BAKER CREEK NORTH SHEET KEY  
\* SEE SHEET PL-5 FOR CURVE TABLES



MATCH LINE SEE SHEET PL-5 FOR CONTINUATION

MATCH LINE - SEE SHEET PL-4 FOR CONTINUATION



MATCH LINE - SEE SHEET PL-2 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1	11-2019		

VERIFY SCALE  
BASE IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON SCALES ACCURACELY

DSN. JW  
DRN. RS  
CKD. JW  
DATE: 11-2019

**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS

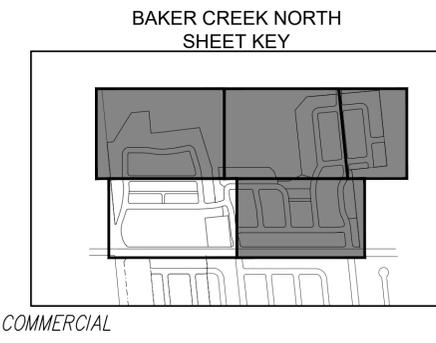
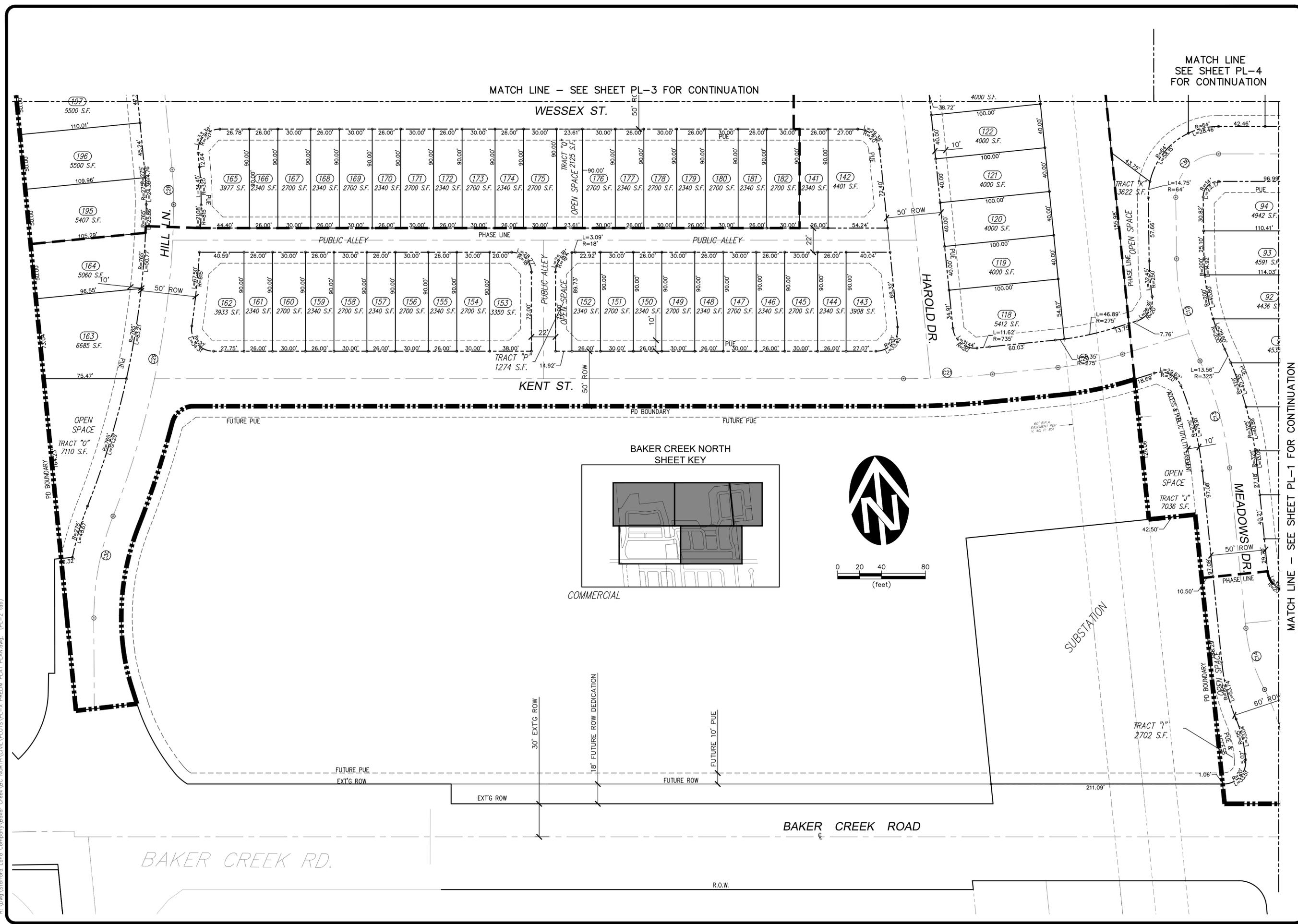
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 565-2474 Fax: (503) 565-3966  
E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION

**PRELIMINARY PLAT**

DRAWING  
**PL-1**  
JOB NUMBER  
2940.3000.0

11/5/2019 4:09:55 PM  
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MATCH LINE - SEE SHEET PL-3 FOR CONTINUATION

MATCH LINE  
 SEE SHEET PL-4  
 FOR CONTINUATION

MATCH LINE - SEE SHEET PL-1 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 BASIS ONE INCH ON  
 ORIGINAL DRAWING  
 IF NOT ONE INCH ON  
 SCALES ACCURACELY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11-2019

**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3966  
 E-mail: westtech@westtech-eng.com

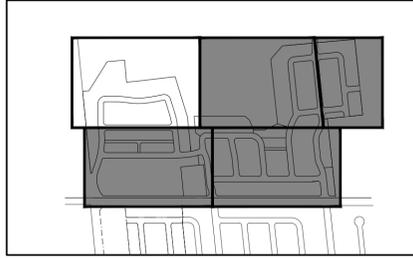
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION

**PRELIMINARY PLAT**

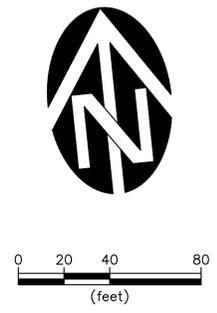
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**PL-2**

JOB NUMBER  
 2940.3000.0

BAKER CREEK NORTH  
SHEET KEY



11/5/2019 4:01:05 PM  
R:\Data\Stafford Land Company\Baker Creek\BC NORTH\CIVIL\LOTS\PL-X PRELIM PLAT PLAN.dwg (PL-3 Tab)



MATCH LINE - SEE SHEET PL-2 FOR CONTINUATION

MATCH LINE - SEE SHEET PL-4 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

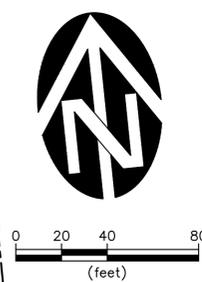
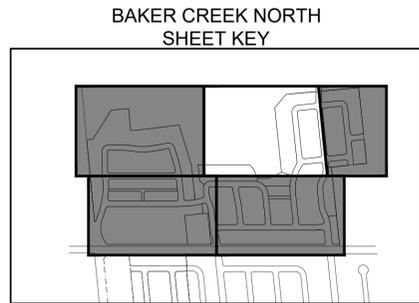
**WESTTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS  
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 565-2474 Fax: (503) 565-3966  
E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION  
**PRELIMINARY PLAT**

DRAWING  
**PL-3**  
JOB NUMBER  
2940.3000.0

11/5/2019 4:01:15 PM  
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MATCH LINE - SEE SHEET PL-3 FOR CONTINUATION



MATCH LINE  
 SEE SHEET PL-2  
 FOR CONTINUATION

MATCH LINE - SEE SHEET PL-1 FOR CONTINUATION

MATCH LINE - SEE SHEET PL-5 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

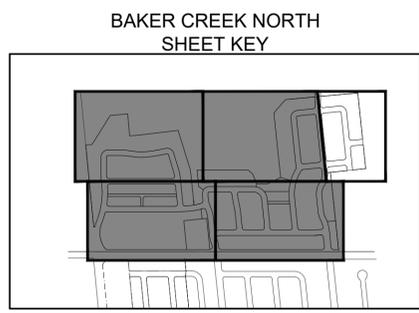
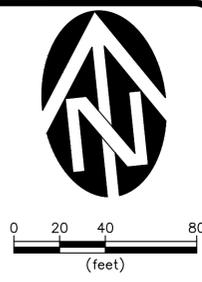
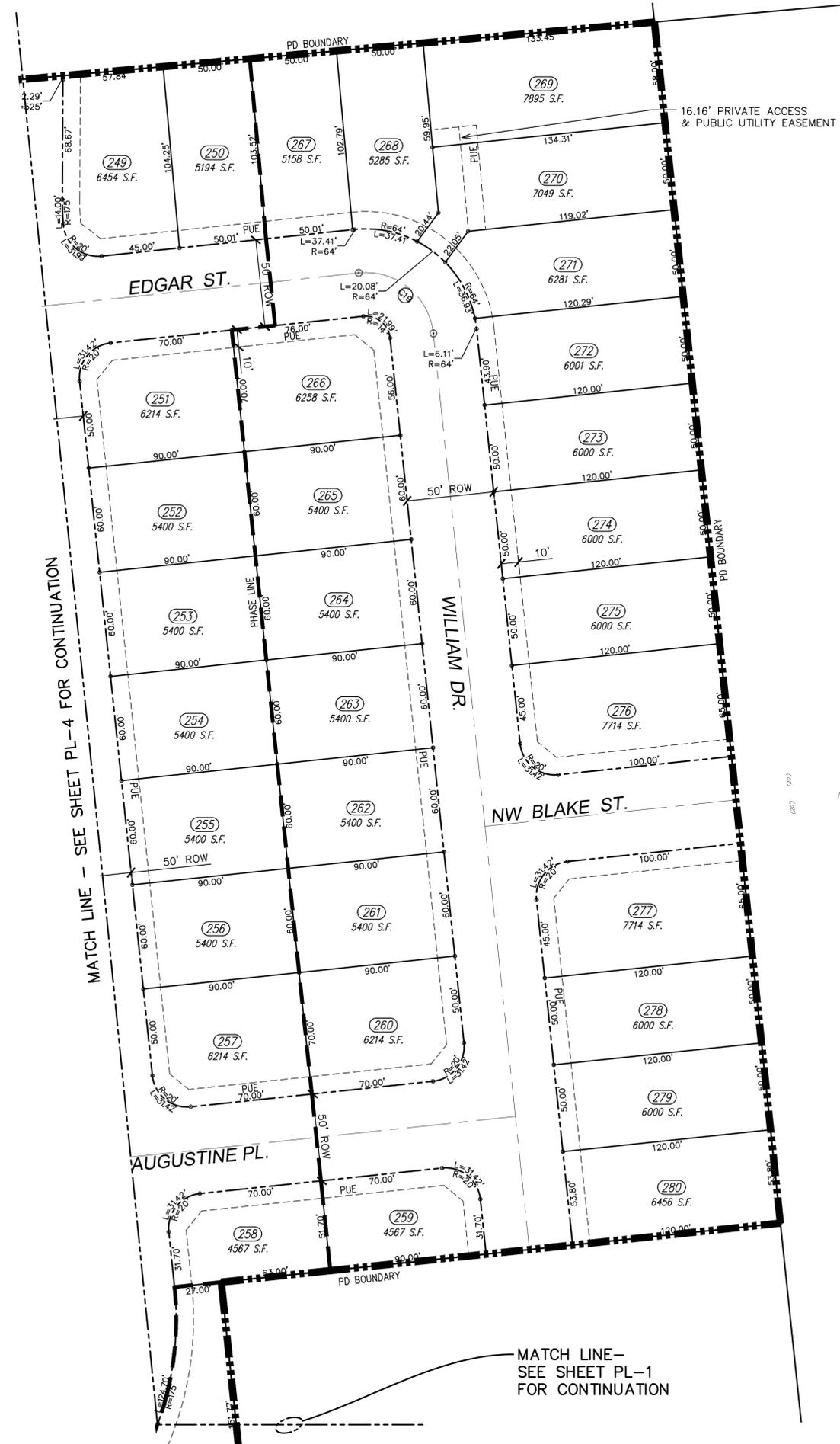
**REVIEW REVIEW**

**WESTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  
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STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**PRELIMINARY PLAT**

DRAWING  
**PL-4**  
 JOB NUMBER  
 2940.3000.0

11/5/2019 4:04:29 PM  
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Curve Table			
Curve #	Length	Radius	Delta
C1	20.95'	200.0'	006°00'09"
C2	117.37'	300.0'	022°24'55"
C3	58.68'	150.0'	022°24'55"
C4	106.89'	150.0'	040°49'44"
C5	263.33'	400.0'	037°43'12"
C6	9.76'	125.0'	004°28'30"
C8	10.16'	100.0'	005°49'21"
C9	30.69'	325.0'	005°24'38"
C10	19.60'	100.0'	011°13'58"
C12	95.98'	225.0'	024°26'31"
C13	101.40'	300.0'	019°21'56"
C14	58.55'	150.0'	022°21'56"
C15	58.08'	150.0'	022°11'07"
C16	29.63'	45.0'	037°43'12"
C17	106.89'	150.0'	040°49'44"
C18	61.26'	39.0'	090°00'00"
C19	61.26'	39.0'	090°00'00"
C20	60.27'	300.0'	011°30'35"
C21	81.30'	800.0'	005°49'21"
C22	98.94'	500.0'	011°20'15"

Curve Table			
Curve #	Length	Radius	Delta
C23	57.34'	39.0'	084°13'59"
C24	127.67'	875.0'	008°21'36"
C25	125.73'	750.0'	009°36'19"
C26	61.26'	39.0'	090°00'00"
C27	9.71'	100.0'	005°33'50"
C28	31.80'	300.0'	006°04'27"
C29	290.31'	790.0'	021°03'17"
C30	94.74'	250.0'	021°42'48"
C31	21.78'	200.0'	006°14'27"
C32	104.77'	475.0'	012°38'18"
C35	146.60'	100.0'	083°59'51"
C36	61.77'	39.0'	090°44'46"

NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 BAR IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCORDINGLY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11-2019

**REVIEW REVIEW**

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 CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
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STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION

PRELIMINARY PLAT

DRAWING  
 PL-5  
 JOB NUMBER  
 2940.3000.0

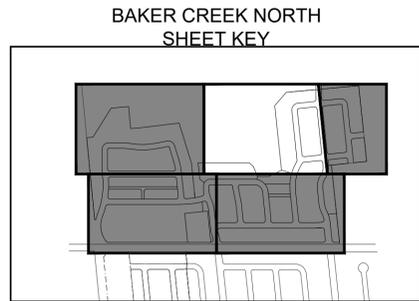




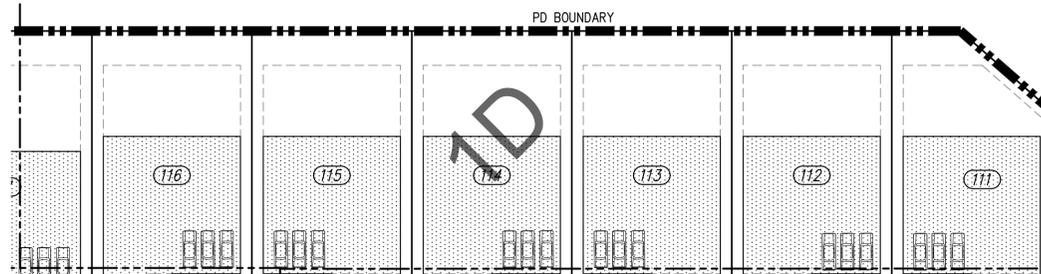


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MATCH LINE - SEE SHEET SP-3 FOR CONTINUATION

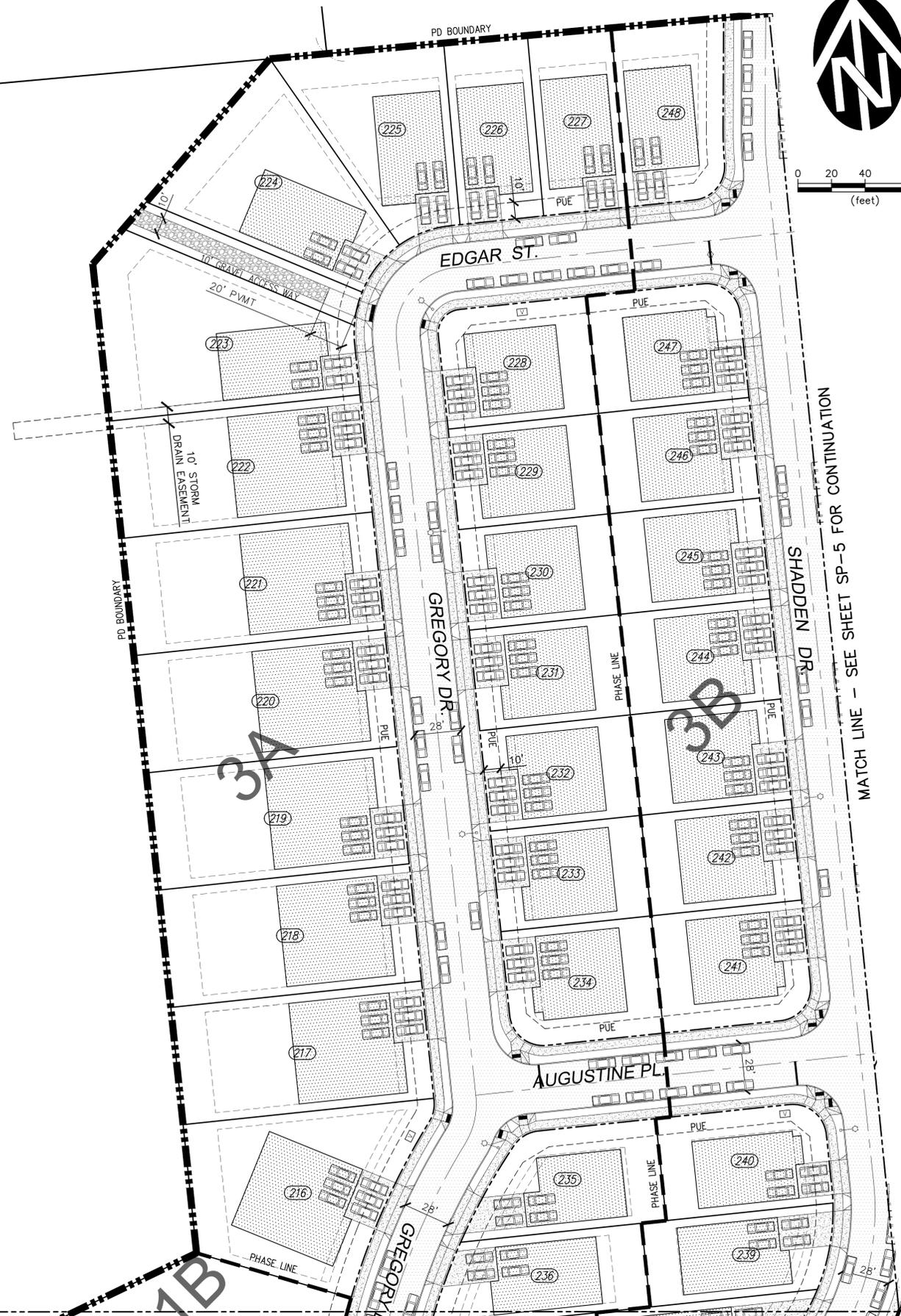


SITE LEGEND	
	PD BOUNDARY
	PHASE BOUNDARY
	RIGHT-OF-WAY
	RIGHT-OF-WAY BOUNDARY
	EASEMENT BOUNDARY
	PARKED CAR
	STREET TREE
	CONCRETE WALKWAYS
	STOP BAR



MATCH LINE  
 SEE SHEET SP-2  
 FOR CONTINUATION

MATCH LINE - SEE SHEET SP-1 FOR CONTINUATION



MATCH LINE - SEE SHEET SP-3 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

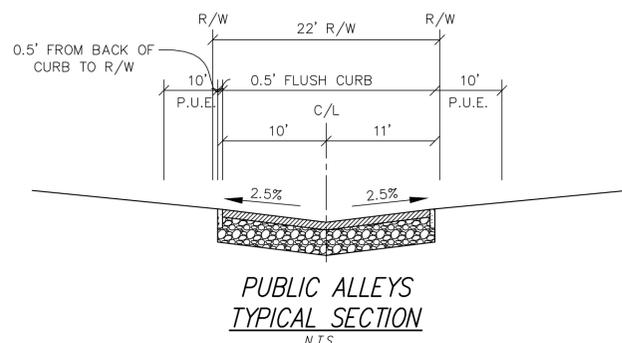
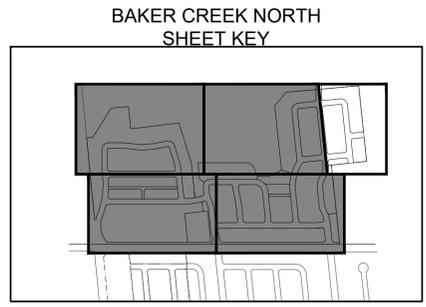
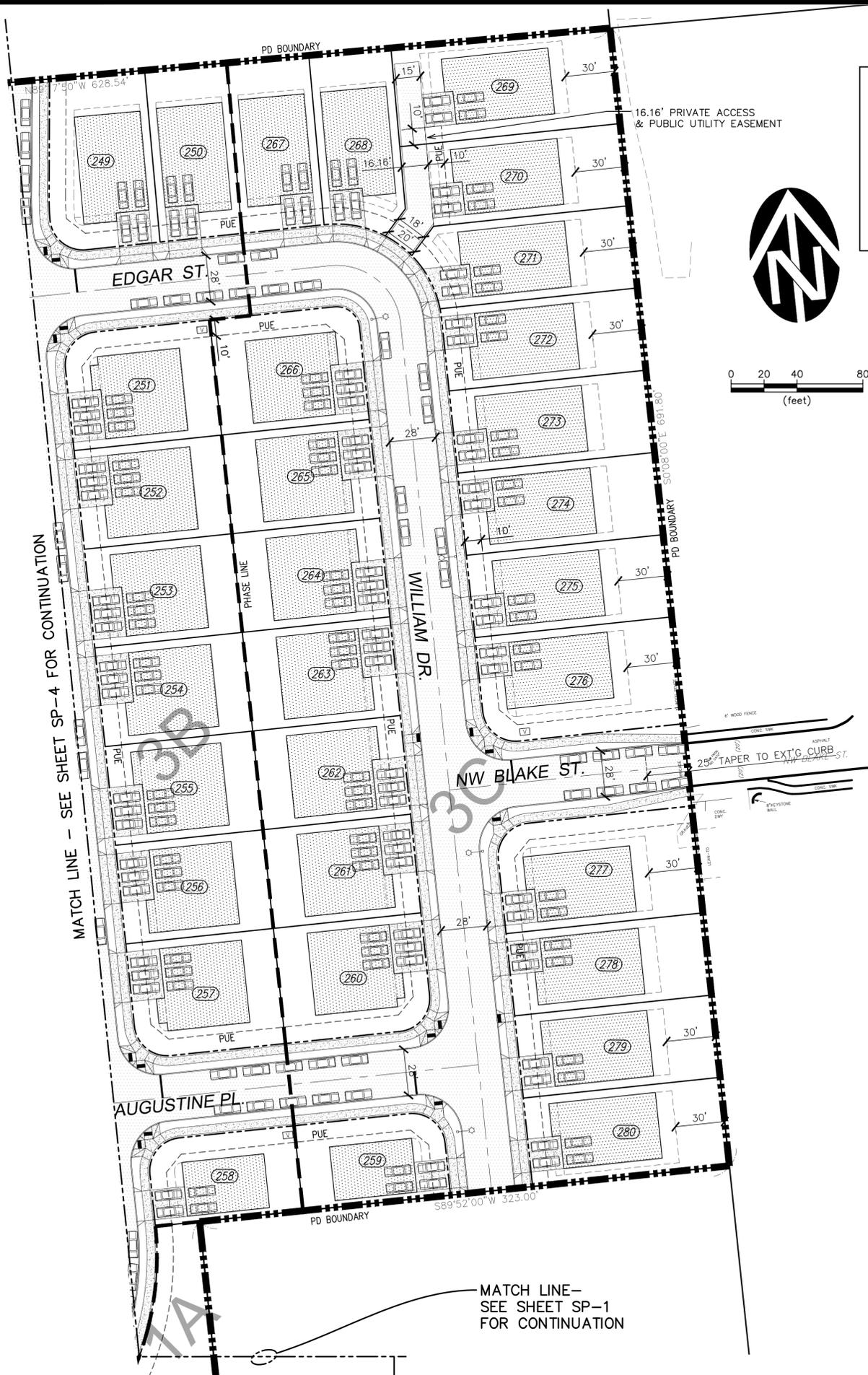
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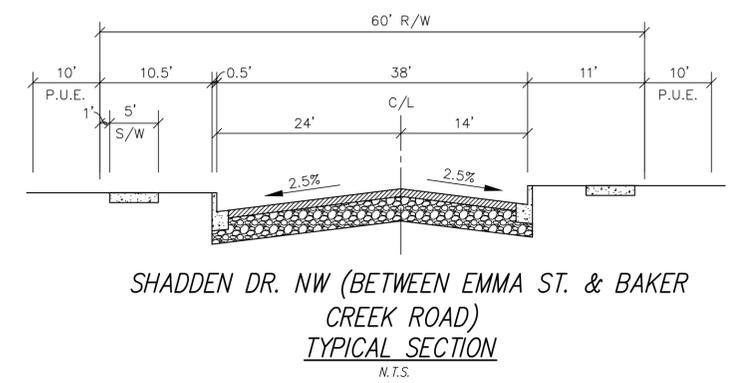
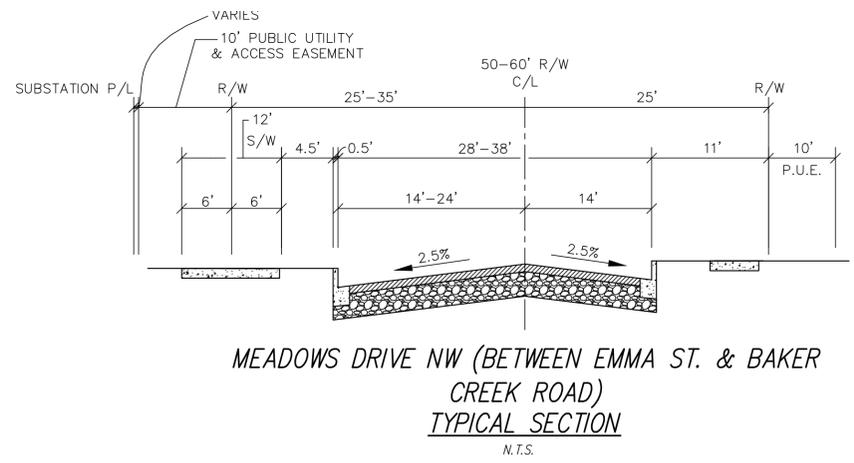
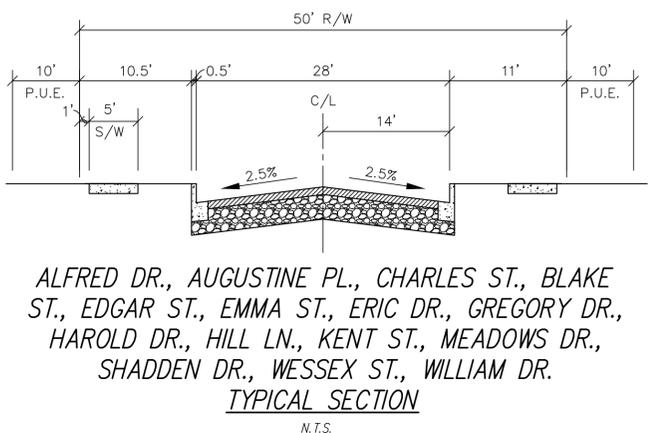
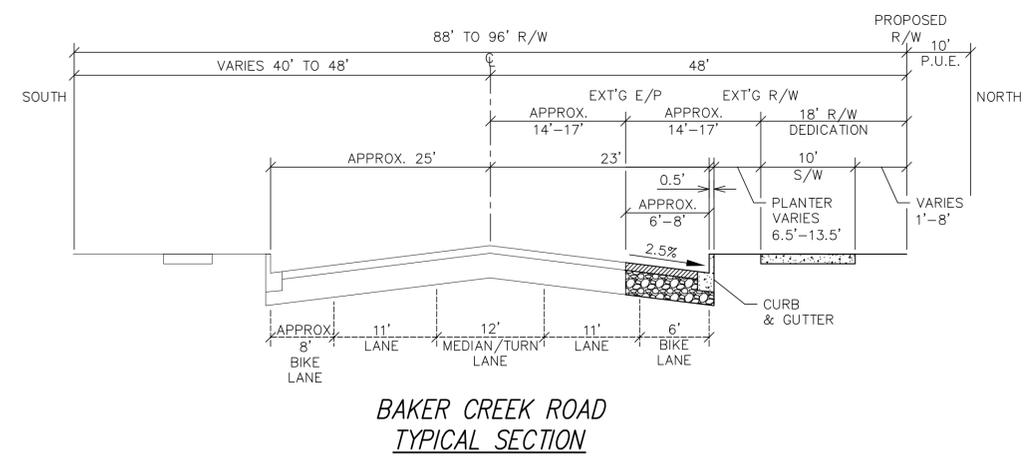
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
 SITE PLAN

DRAWING  
 SP-4  
 JOB NUMBER  
 2940.3000.0



**SITE LEGEND**

- PD BOUNDARY
- PHASE BOUNDARY
- RIGHT-OF-WAY
- RIGHT-OF-WAY BOUNDARY
- EASEMENT BOUNDARY
- PARKED CAR
- STREET TREE
- CONCRETE WALKWAYS
- STOP BAR



BY		REVISIONS
NO.	1	DATE
DESCRIPTION		
DRN.	JW	DATE: 11-2019
CKD.	RS	
DSN.	JW	

**VERIFY SCALE**  
 THIS IS ONE INCH ON ORIGINAL DRAWING  
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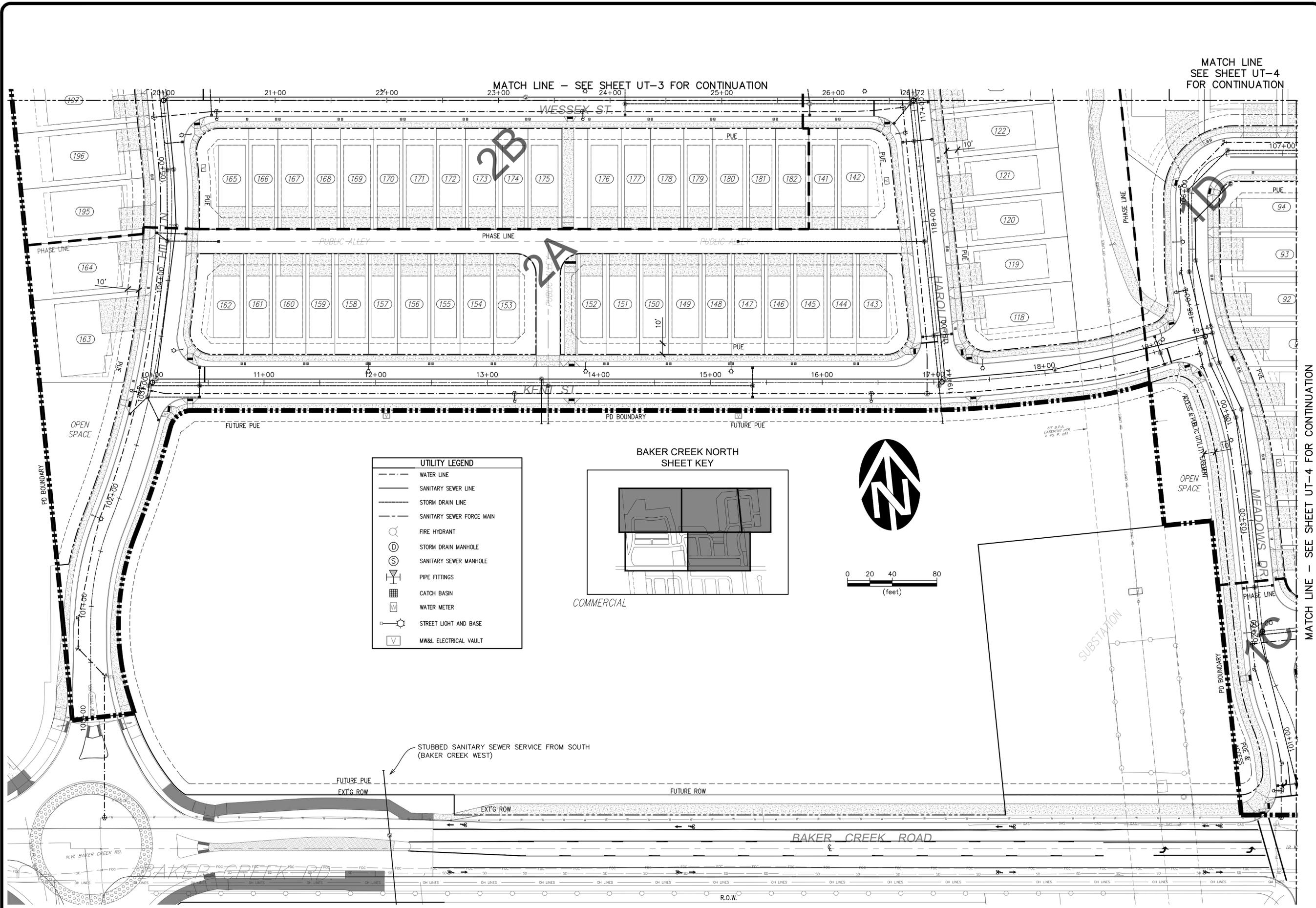
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION

**SITE PLAN**

DRAWING SP-5  
 JOB NUMBER 2940.3000.0



11/8/2019 1:59:54 PM  
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MATCH LINE - SEE SHEET UT-3 FOR CONTINUATION

MATCH LINE SEE SHEET UT-4 FOR CONTINUATION

MATCH LINE - SEE SHEET UT-4 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 THIS IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCURACLY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11-2019

**REVIEW REVIEW**

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 CONSULTING ENGINEERS AND PLANNERS

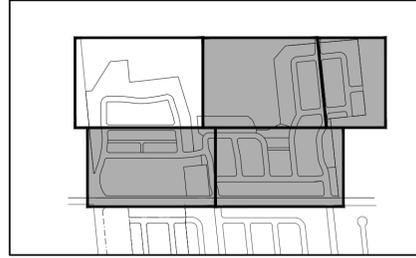
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
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 BAKER CREEK NORTH SUBDIVISION

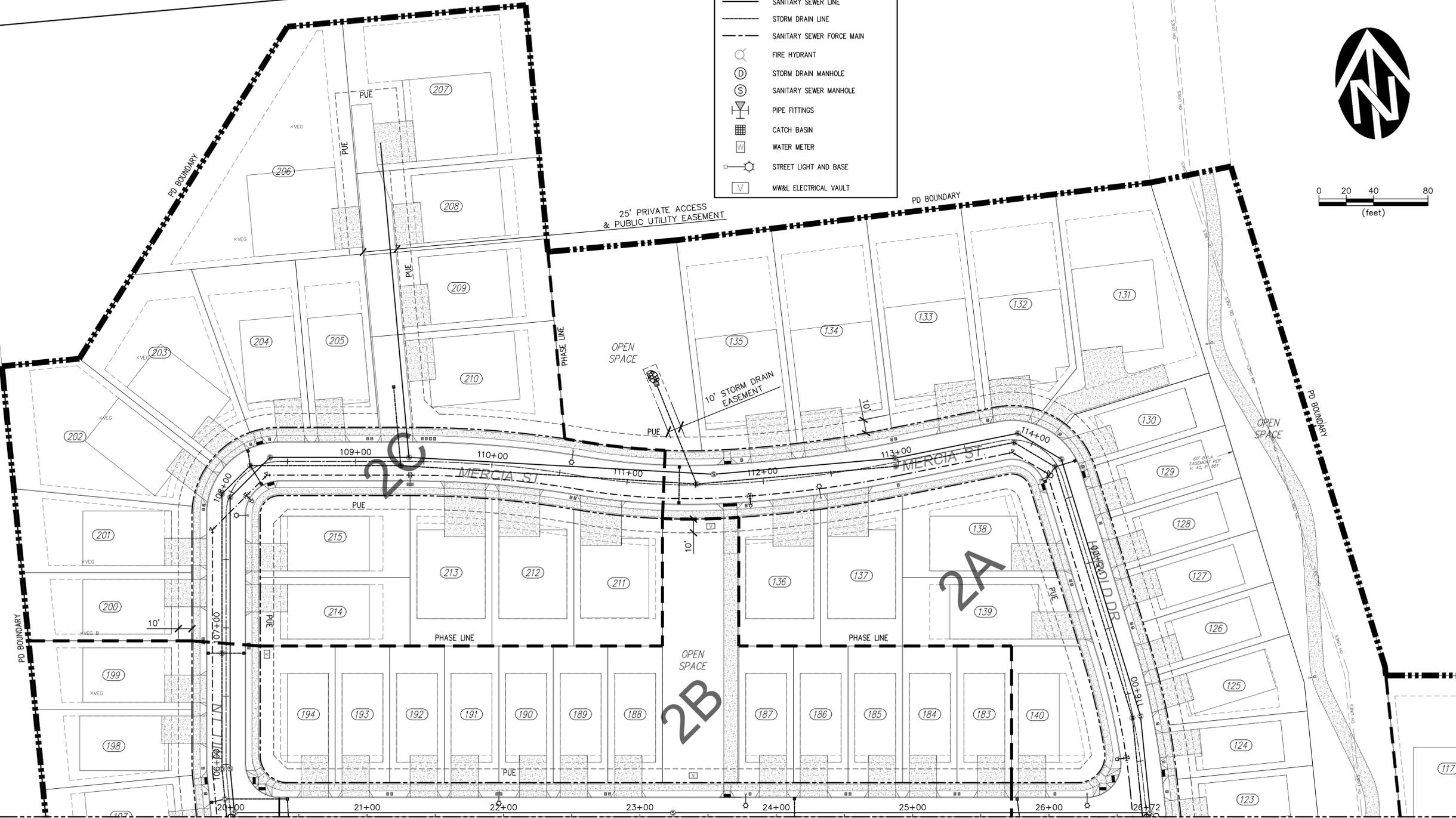
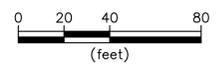
**UTILITY PLAN**

DRAWING  
**UT-2**  
 JOB NUMBER  
 2940.3000.0

BAKER CREEK NORTH  
SHEET KEY



UTILITY LEGEND	
	WATER LINE
	SANITARY SEWER LINE
	STORM DRAIN LINE
	SANITARY SEWER FORCE MAIN
	FIRE HYDRANT
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	PIPE FITTINGS
	CATCH BASIN
	WATER METER
	STREET LIGHT AND BASE
	MW&L ELECTRICAL VAULT



MATCH LINE - SEE SHEET UT-2 FOR CONTINUATION

MATCH LINE - SEE SHEET UT-4 FOR CONTINUATION

11/8/2019 2:09:03 PM  
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NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
BASE IS ONE INCH ON  
ORIGINAL DRAWING  
IF NOT ONE INCH ON  
SCALES ACCORDINGLY  
0 1"

DSN. JW  
DRN. RS  
CKD. JW  
DATE: 11-2019

**REVIEW REVIEW**

**WE**  
WESTTECH ENGINEERING, INC.  
CONSULTING ENGINEERS AND PLANNERS  
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3966  
E-mail: westtech@westtech-eng.com

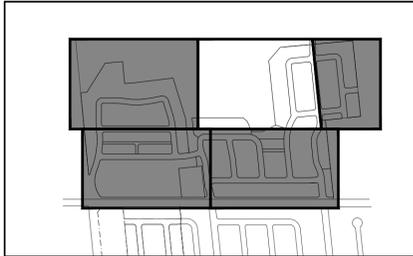
STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION  
**UTILITY PLAN**

DRAWING  
**UT-3**  
JOB NUMBER  
2940.3000.0

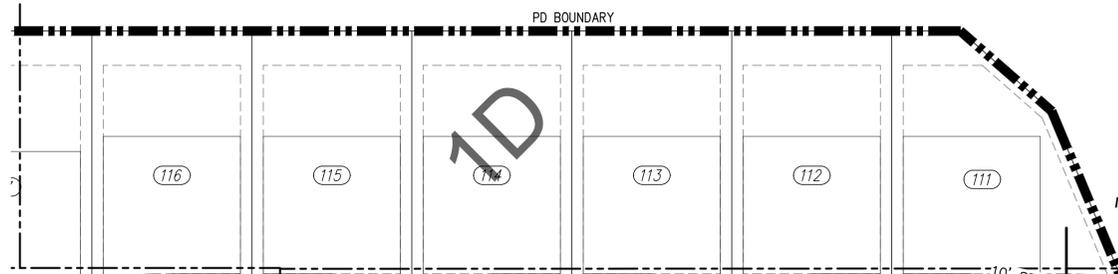
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MATCH LINE - SEE SHEET UT-3 FOR CONTINUATION

BAKER CREEK NORTH  
 SHEET KEY



UTILITY LEGEND	
	WATER LINE
	SANITARY SEWER LINE
	STORM DRAIN LINE
	SANITARY SEWER FORCE MAIN
	FIRE HYDRANT
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	PIPE FITTINGS
	CATCH BASIN
	WATER METER
	STREET LIGHT AND BASE
	MW&L ELECTRICAL VAULT



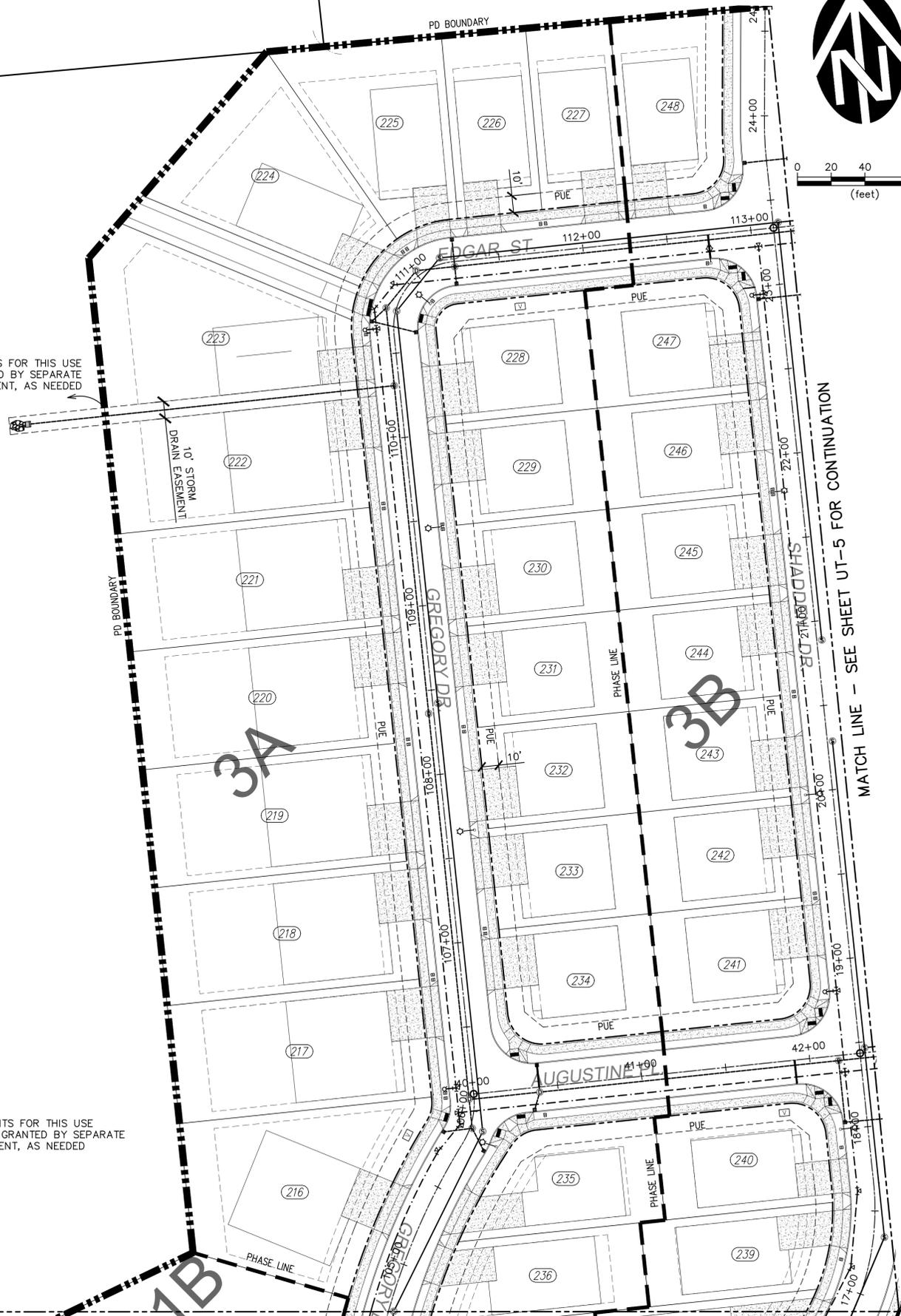
MATCH LINE  
 SEE SHEET UT-2  
 FOR CONTINUATION

MATCH LINE - SEE SHEET UT-1 FOR CONTINUATION

EASEMENTS FOR THIS USE  
 WILL BE GRANTED BY SEPARATE  
 INSTRUMENT, AS NEEDED

10' STORM DRAIN  
 EASEMENT

EASEMENTS FOR THIS USE  
 WILL BE GRANTED BY SEPARATE  
 INSTRUMENT, AS NEEDED



MATCH LINE - SEE SHEET UT-5 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

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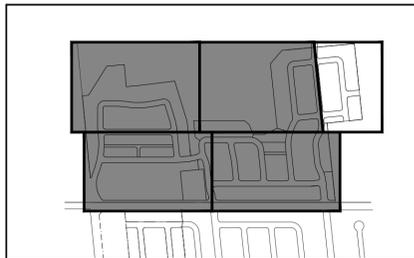
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION

**UTILITY PLAN**

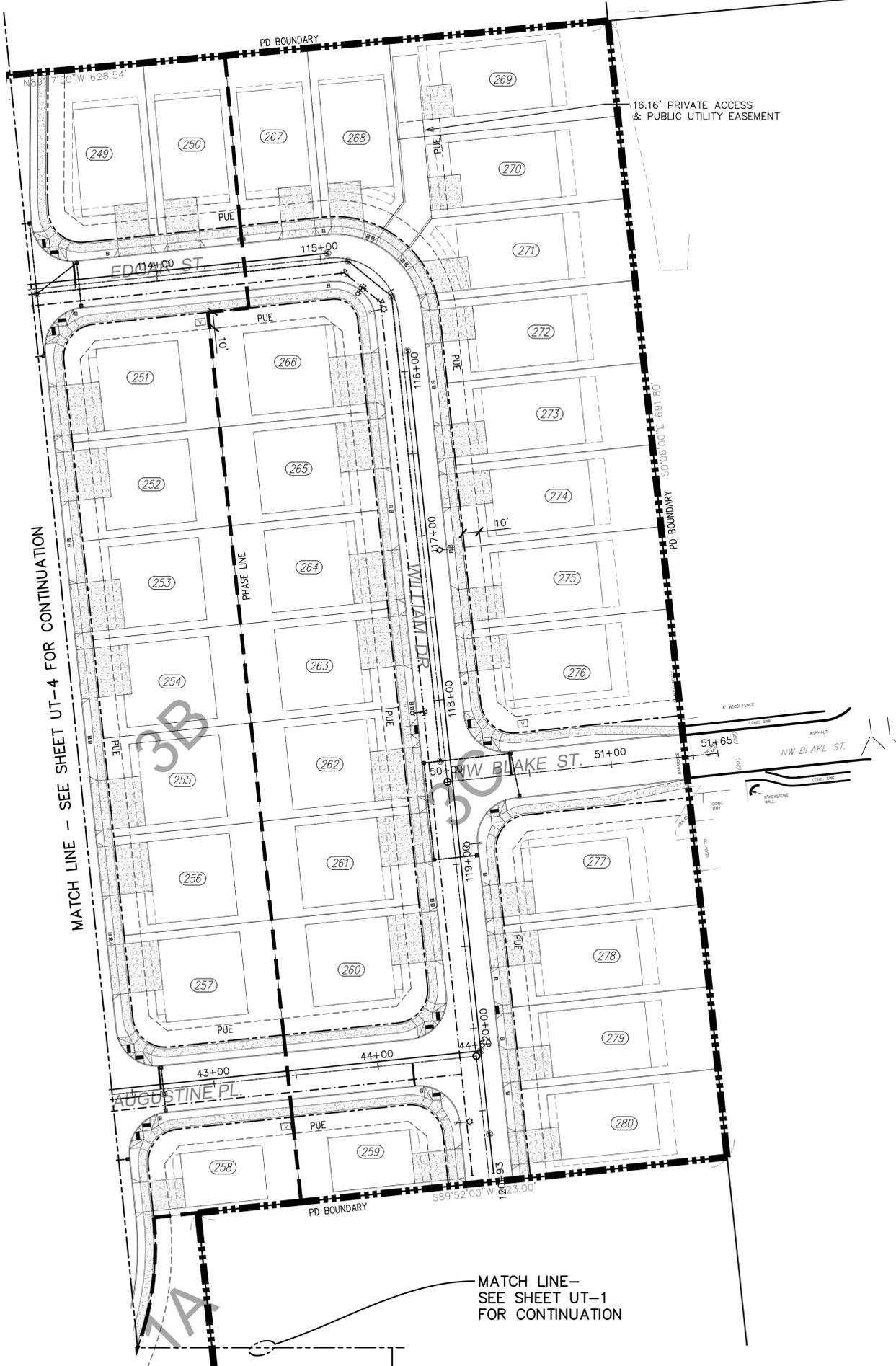
DRAWING  
**UT-4**

JOB NUMBER  
 2940.3000.0

BAKER CREEK NORTH  
 SHEET KEY



UTILITY LEGEND	
	WATER LINE
	SANITARY SEWER LINE
	STORM DRAIN LINE
	SANITARY SEWER FORCE MAIN
	FIRE HYDRANT
	STORM DRAIN MANHOLE
	SANITARY SEWER MANHOLE
	PIPE FITTINGS
	CATCH BASIN
	WATER METER
	STREET LIGHT AND BASE
	MW&L ELECTRICAL VAULT



NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 THIS IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCURACILY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11-2019

**REVIEW REVIEW**

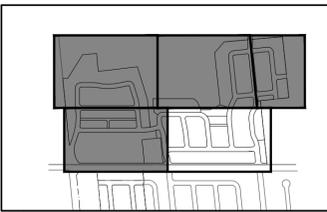
**WESTTECH ENGINEERING, INC.**  
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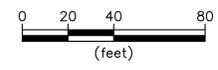
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
 UTILITY PLAN

DRAWING  
 UT-5  
 JOB NUMBER  
 2940.3000.0

BAKER CREEK  
NORTH  
SHEET KEY

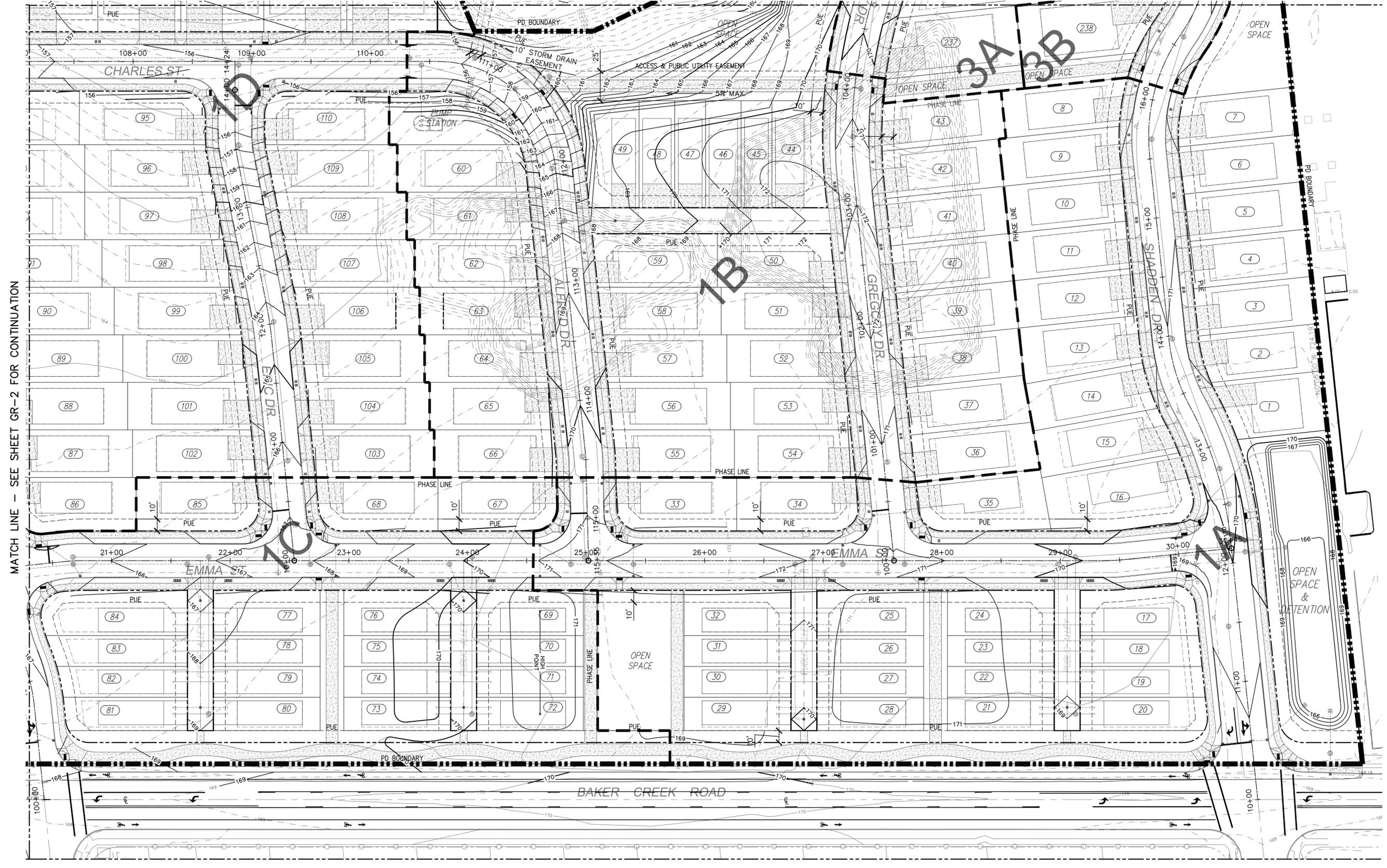


GRADING LEGEND	
	EXISTING MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED WALLS



MATCH LINE  
SEE SHEET GR-5  
FOR CONTINUATION

MATCH LINE - SEE SHEET GR-4 FOR CONTINUATION



MATCH LINE - SEE SHEET GR-2 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

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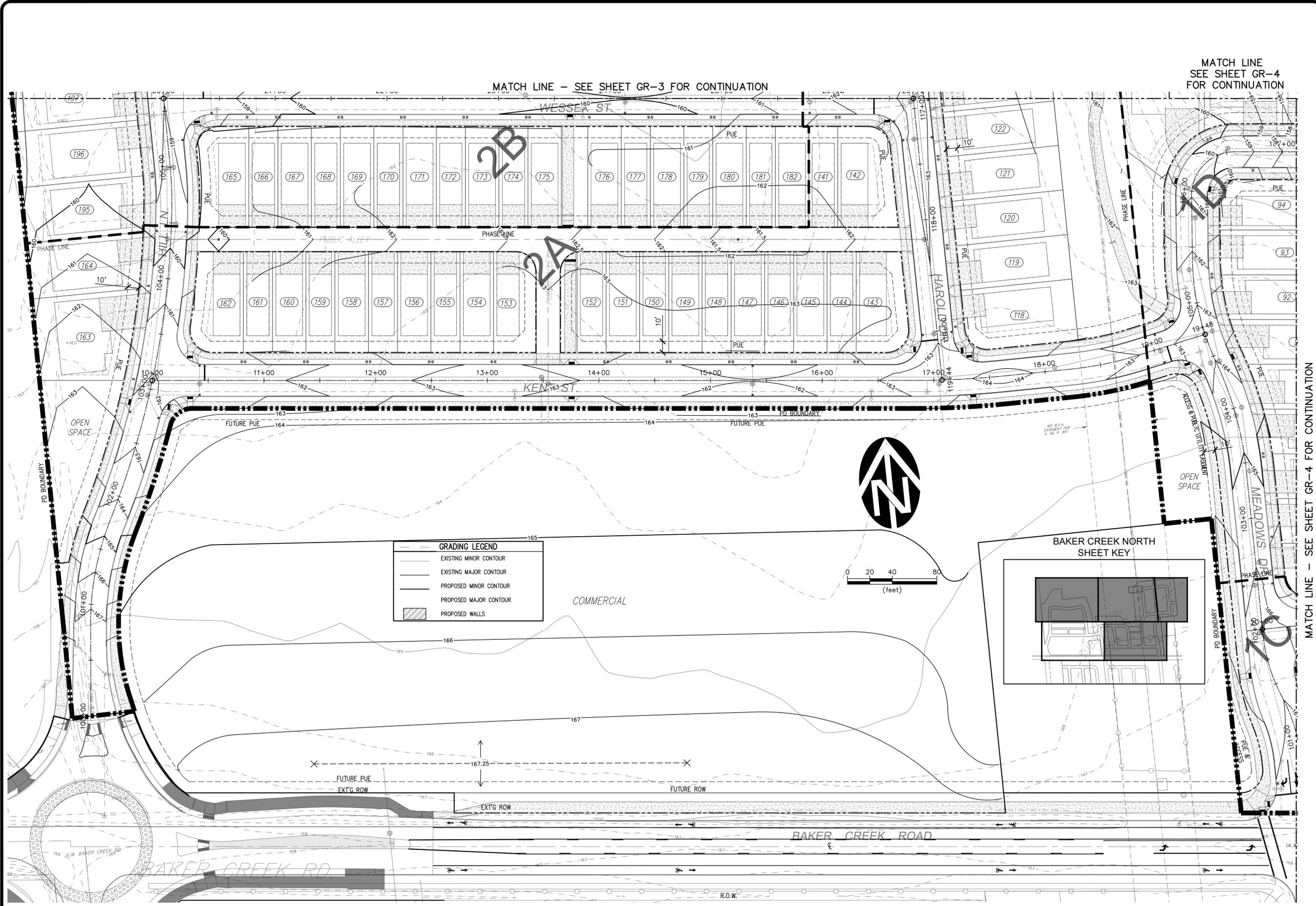
STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION

**GRADING PLAN**

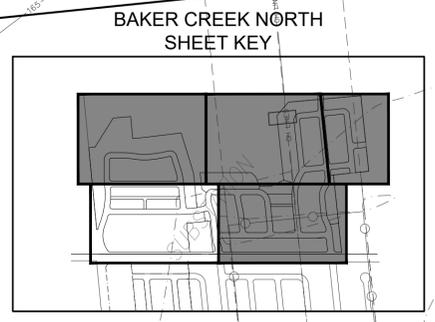
DRAWING  
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JOB NUMBER  
2940.3000.0

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GRADING LEGEND	
	EXISTING MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED WALLS



MATCH LINE - SEE SHEET GR-3 FOR CONTINUATION

MATCH LINE  
SEE SHEET GR-4  
FOR CONTINUATION

MATCH LINE - SEE SHEET GR-4 FOR CONTINUATION

**REVIEW REVIEW**

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CONSULTING ENGINEERS AND PLANNERS

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NO.	DATE	DESCRIPTION	BY
1	11/2019		

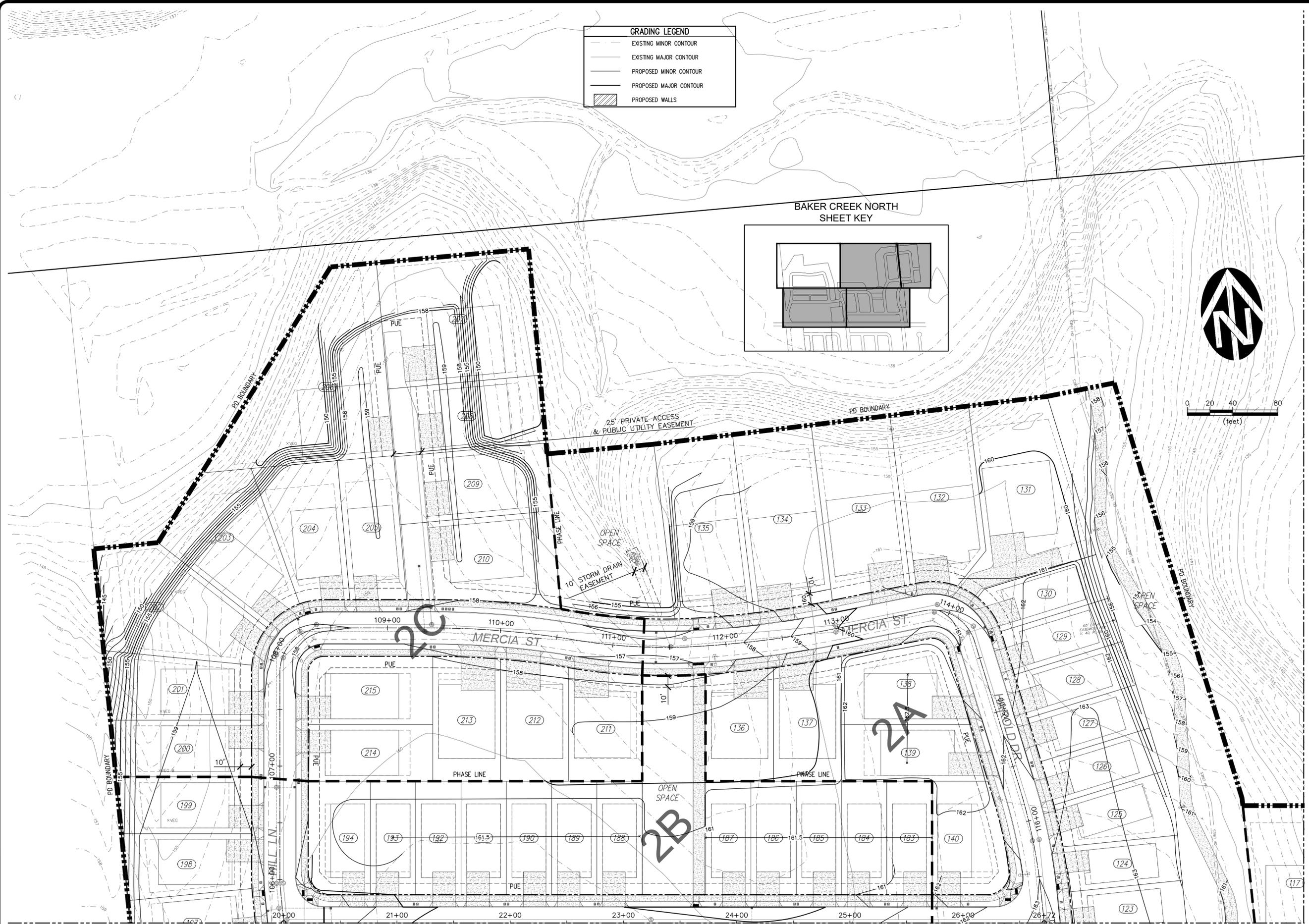
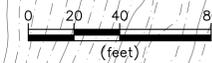
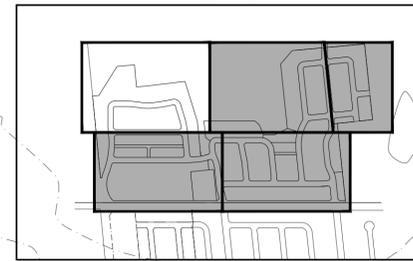
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**GRADING PLAN**

DRAWING  
**GR-2**  
 JOB NUMBER  
 2940.3000.0

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GRADING LEGEND	
	EXISTING MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED WALLS

BAKER CREEK NORTH  
 SHEET KEY



MATCH LINE - SEE SHEET GR-2 FOR CONTINUATION

MATCH LINE - SEE SHEET GR-4 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

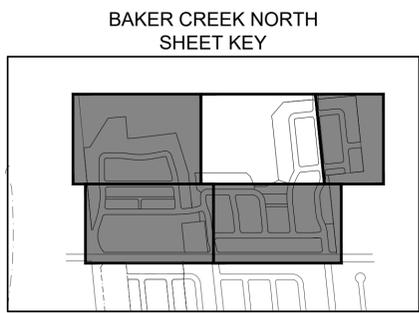
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STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
 GRADING PLAN

DRAWING  
 GR-3  
 JOB NUMBER  
 2940.3000.0

11/8/2019 1:54:35 PM  
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MATCH LINE - SEE SHEET GR-3 FOR CONTINUATION



**GRADING LEGEND**

	EXISTING MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED WALLS



MATCH LINE  
SEE SHEET GR-2  
FOR CONTINUATION

MATCH LINE - SEE SHEET GR-1 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 THIS IS ONE INCH ON ORIGINAL DRAWING  
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DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11/2019

**REVIEW REVIEW**

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 E-mail: westtech@westtech-eng.com

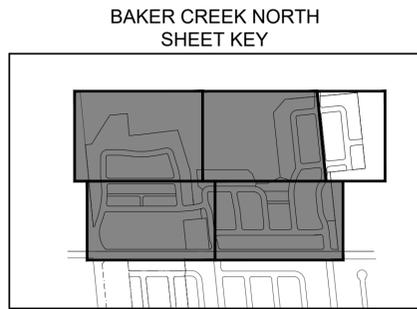
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION

**GRADING PLAN**

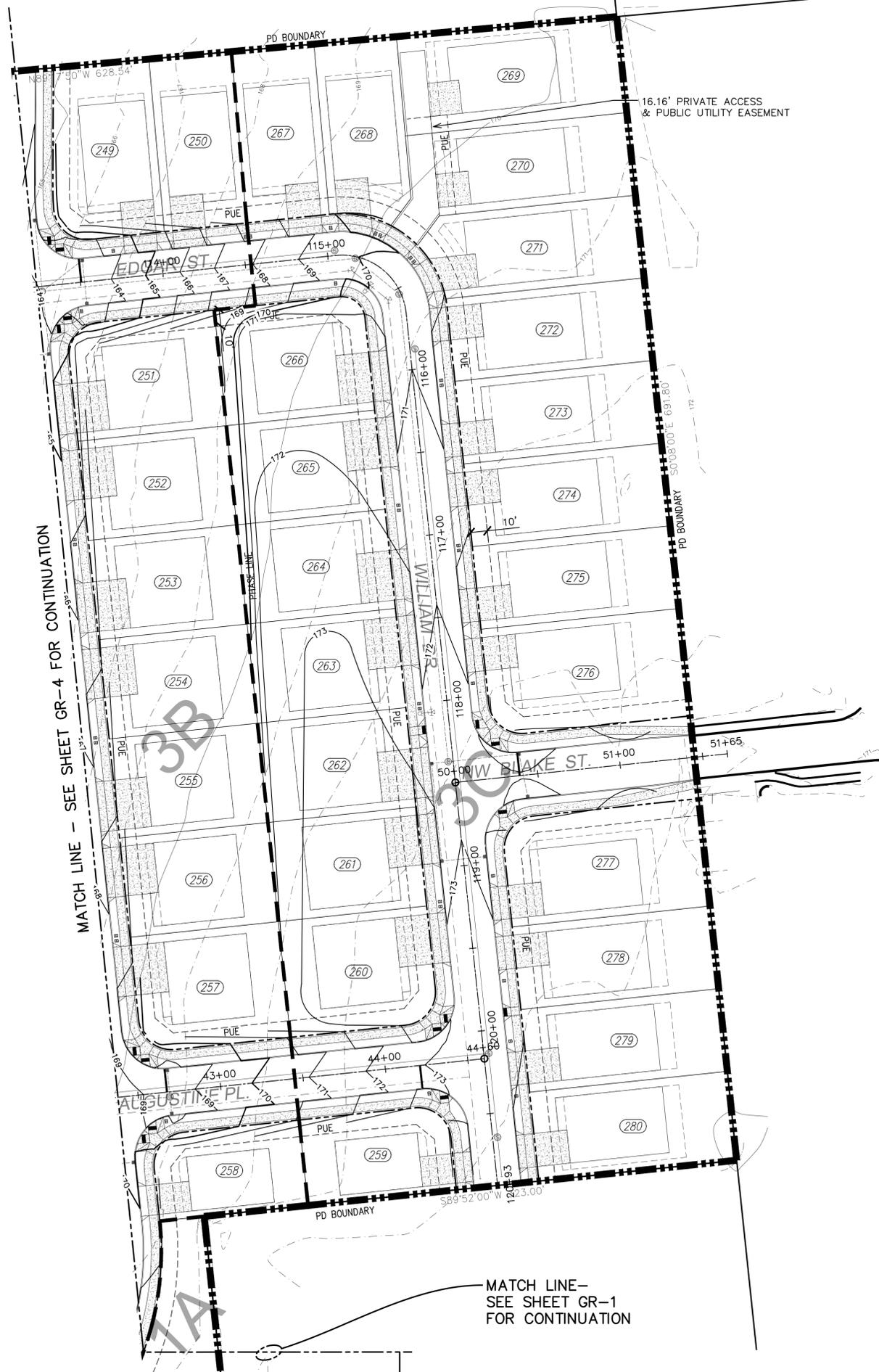
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JOB NUMBER  
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GRADING LEGEND	
	EXISTING MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	PROPOSED WALLS



NO.	DATE	DESCRIPTION	BY
1	11/2019		

VERIFY SCALE  
 THIS IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCORDINGLY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11/2019

**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

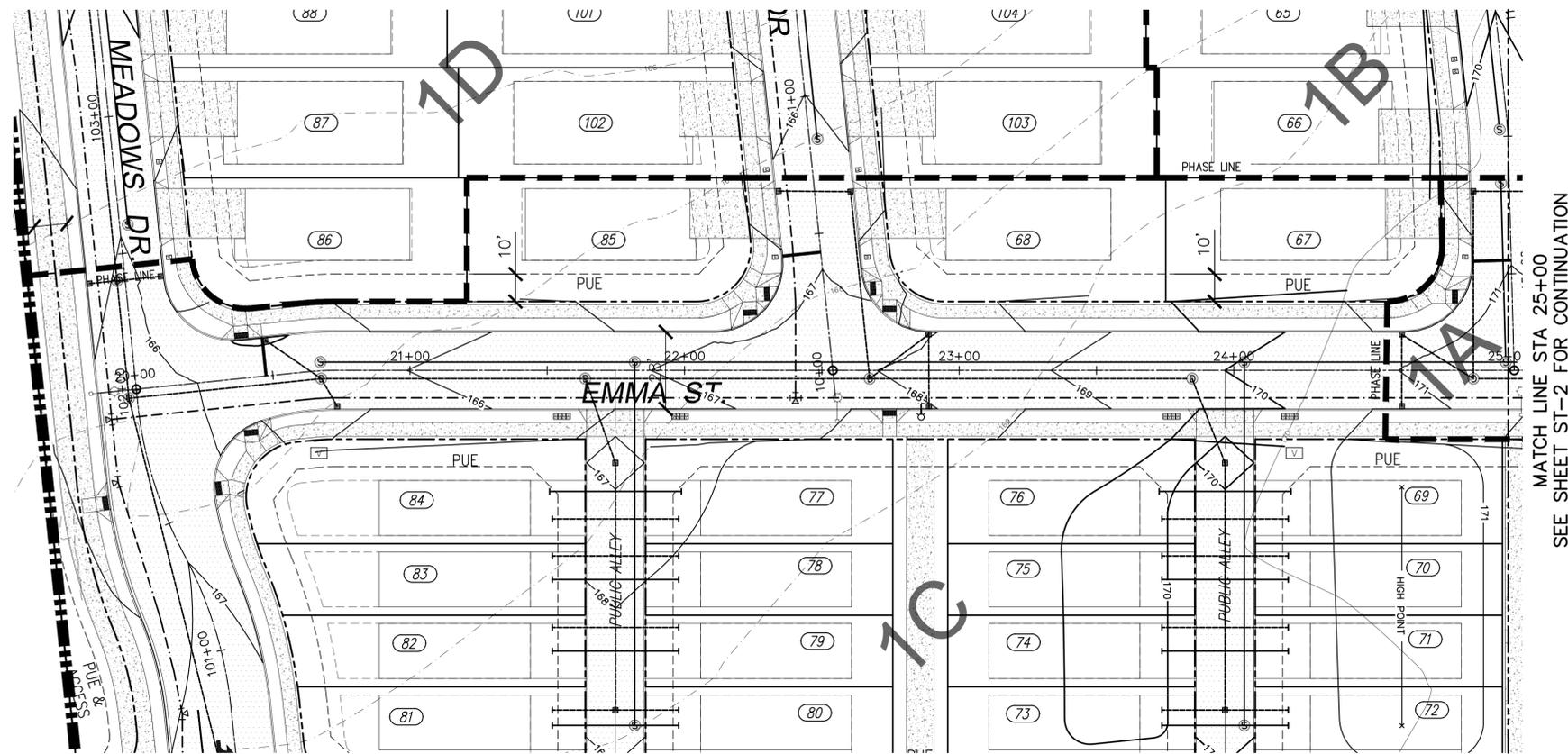
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
 GRADING PLAN

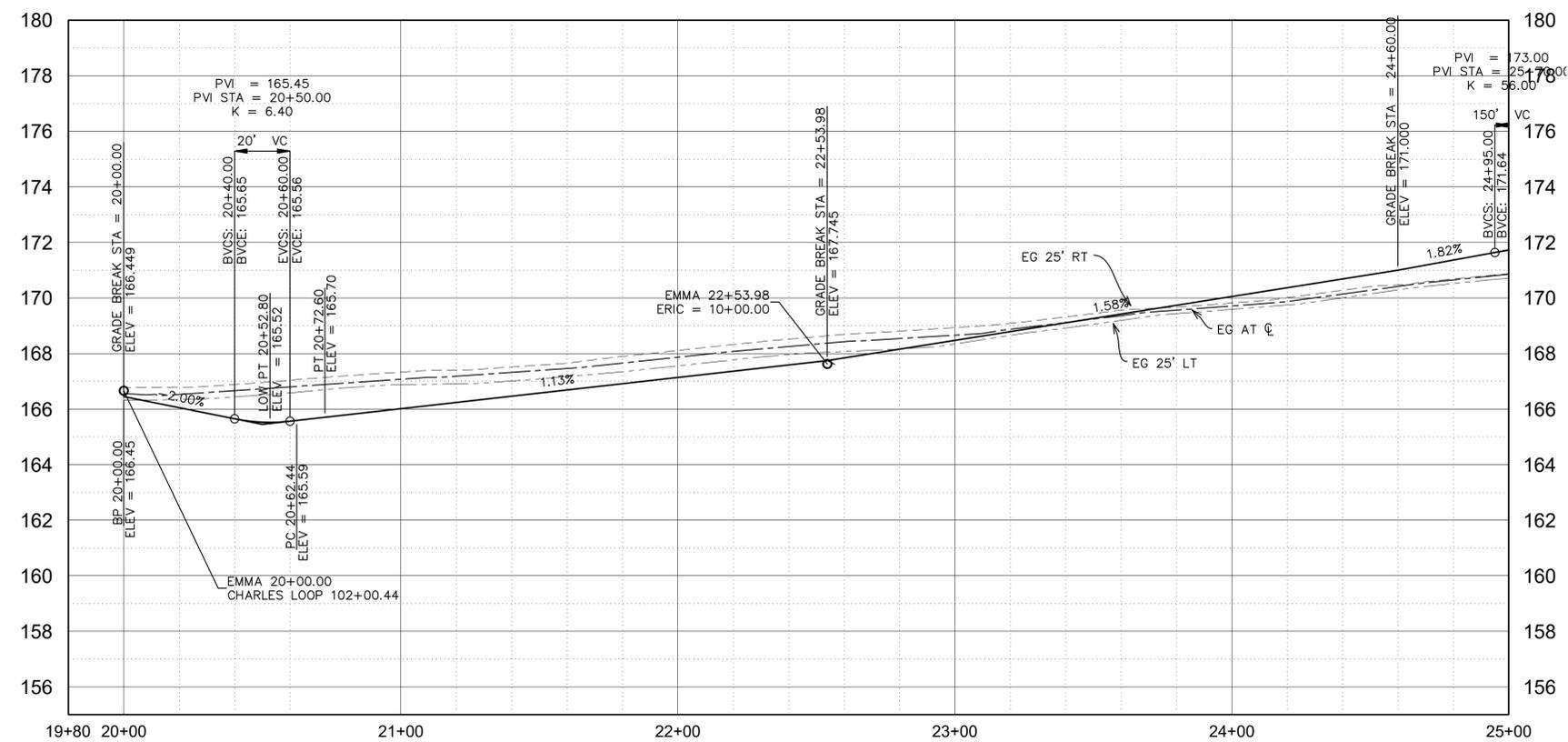
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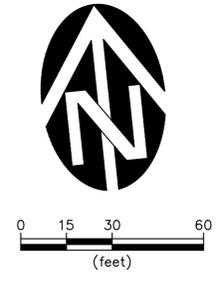
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**EMMA ST. PLAN**  
 1" = 30'



**EMMA ST. PROFILE**  
 H: 1" = 30' V: 1" = 3'



MATCH LINE STA 25+00  
 SEE SHEET ST-2 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 BAR IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCURACELY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11/2019

**REVIEW REVIEW**

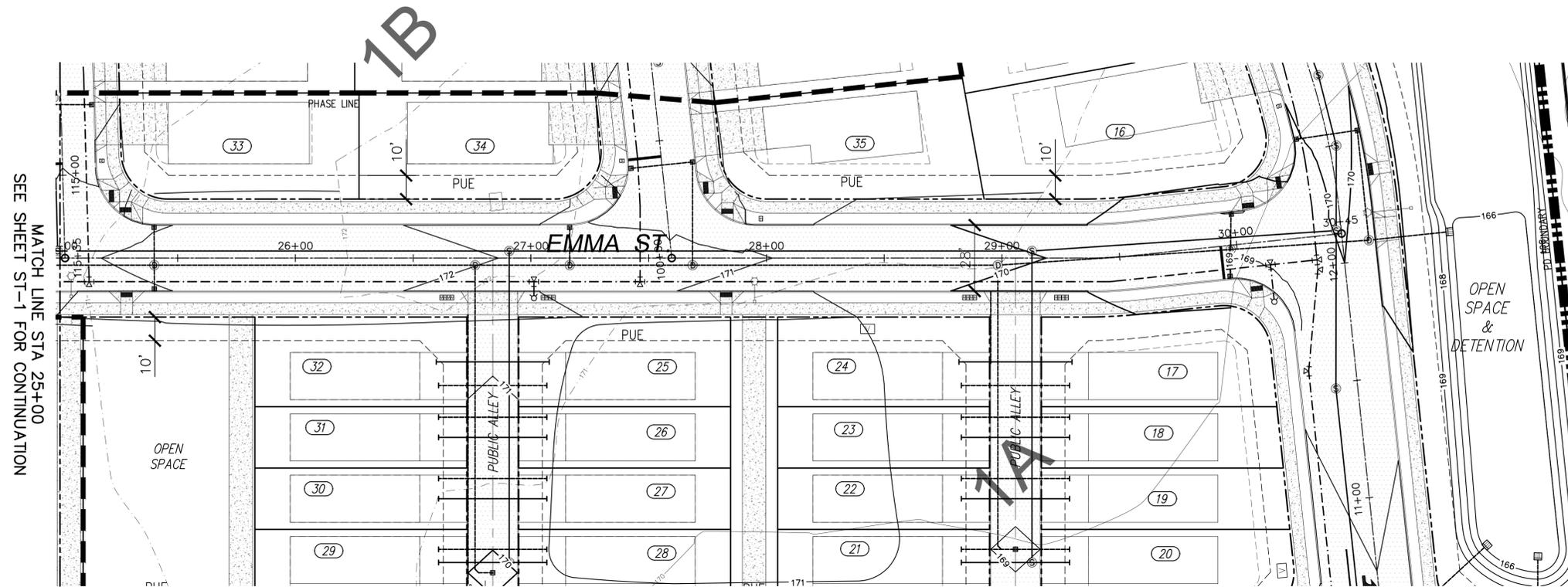
**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3966  
 E-mail: westtech@westtech-eng.com

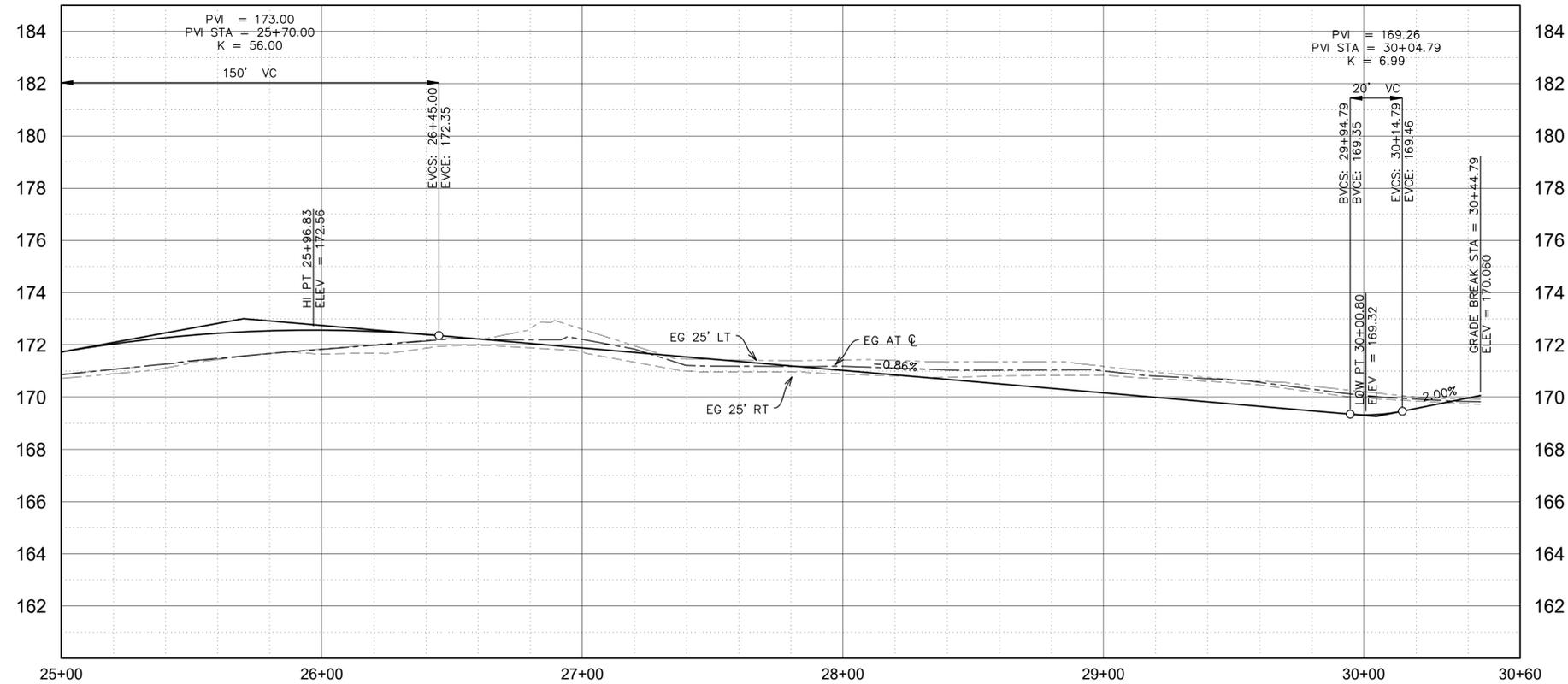
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**EMMA STREET PLAN &  
 PROFILE 20+00 - 25+00**

DRAWING  
**ST-1**  
 JOB NUMBER  
**2940.3000.0**

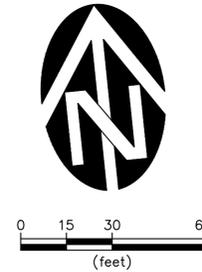
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**EMMA ST. PLAN**  
 1" = 30'



**EMMA ST. PROFILE**  
 H: 1" = 30' V: 1" = 3'



NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

VERIFY SCALE  
 THIS IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCURACLY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11/2019

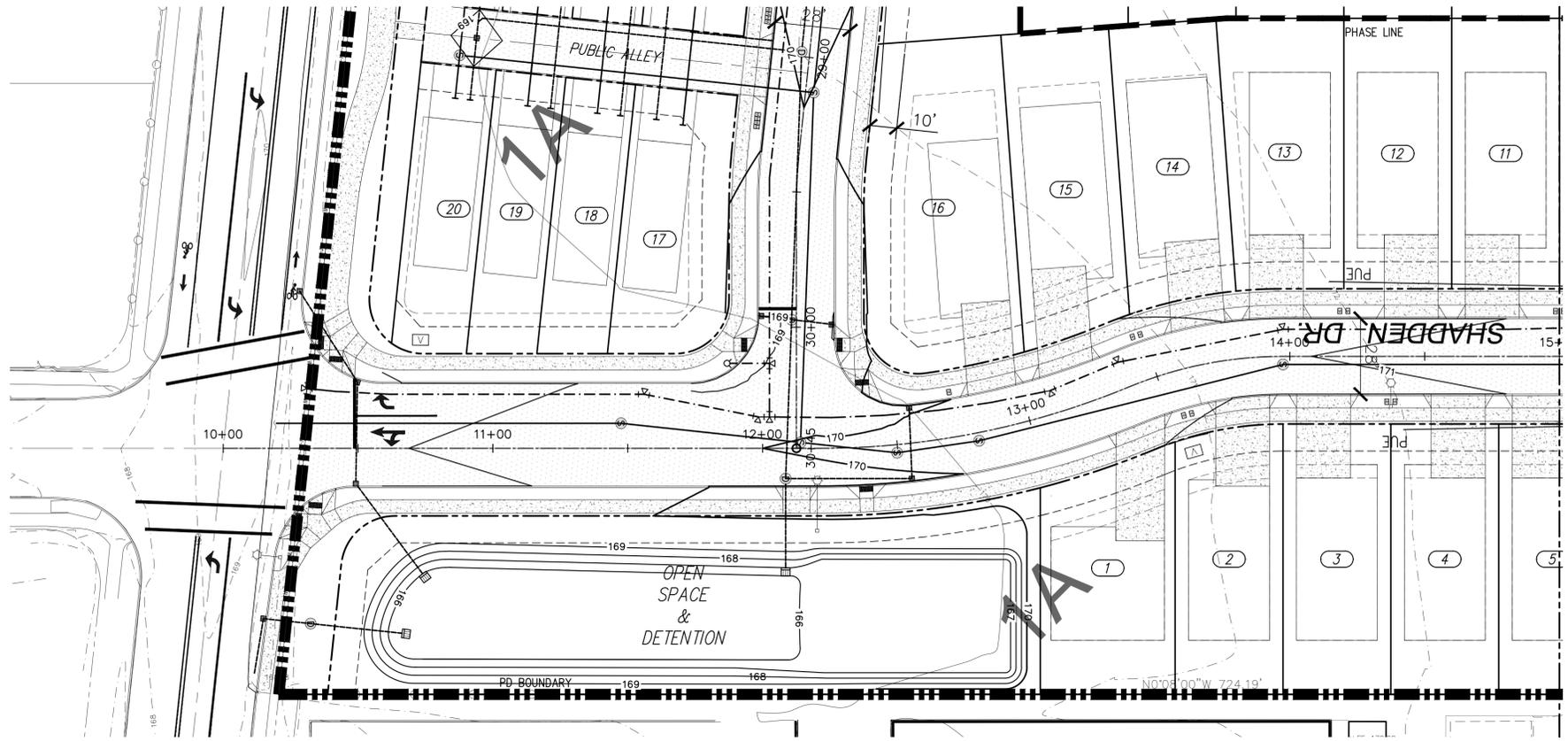
**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**EMMA STREET PLAN & PROFILE 25+00 - END**

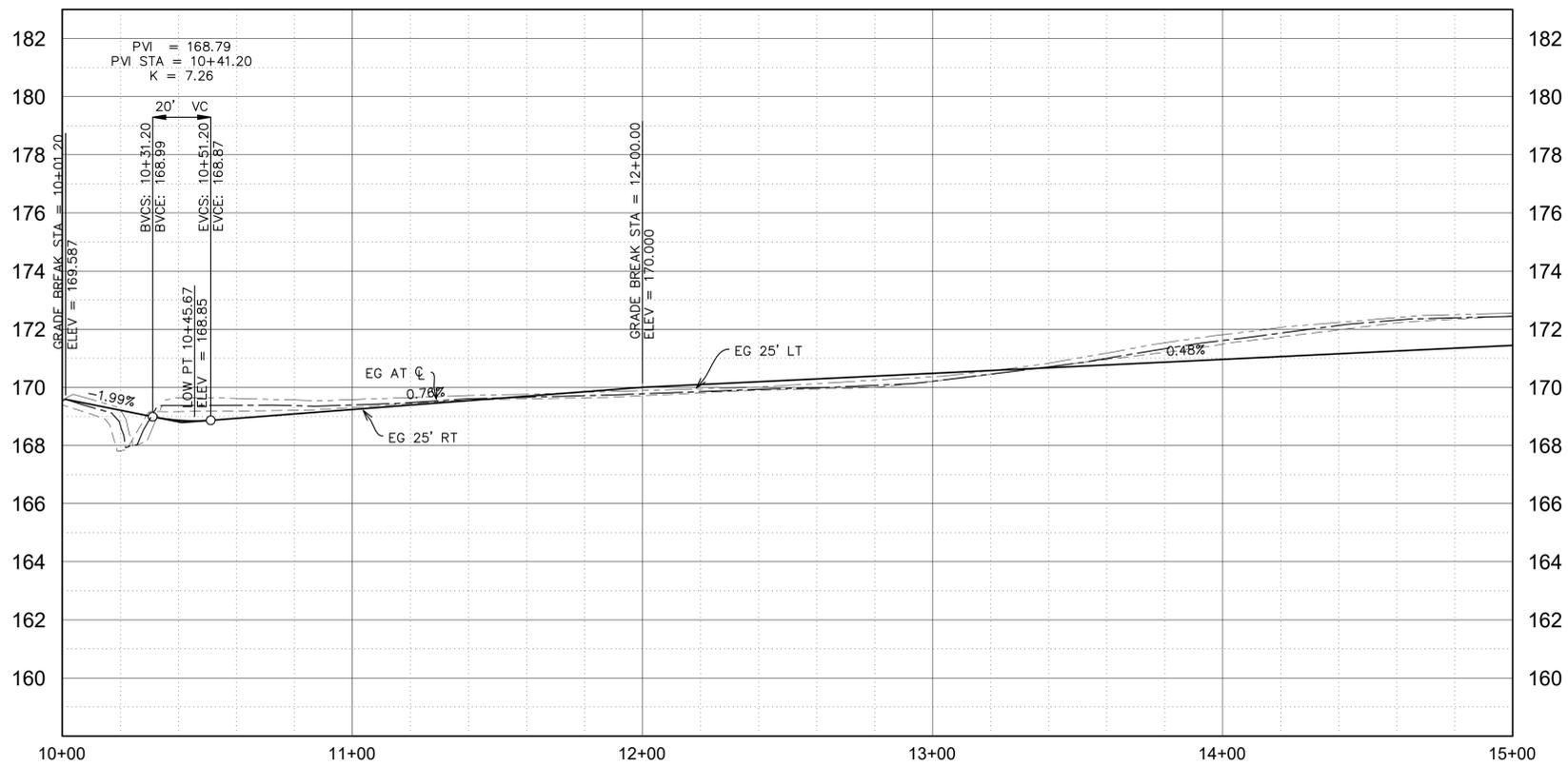
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**SHADDEN DR. PLAN**  
 1" = 30'

MATCH LINE STA 15+00  
 SEE SHEET ST-4 FOR CONTINUATION



**SHADDEN DR. PROFILE**  
 H: 1" = 30' V: 1" = 3'

NO.	DATE	DESCRIPTION	BY
1			

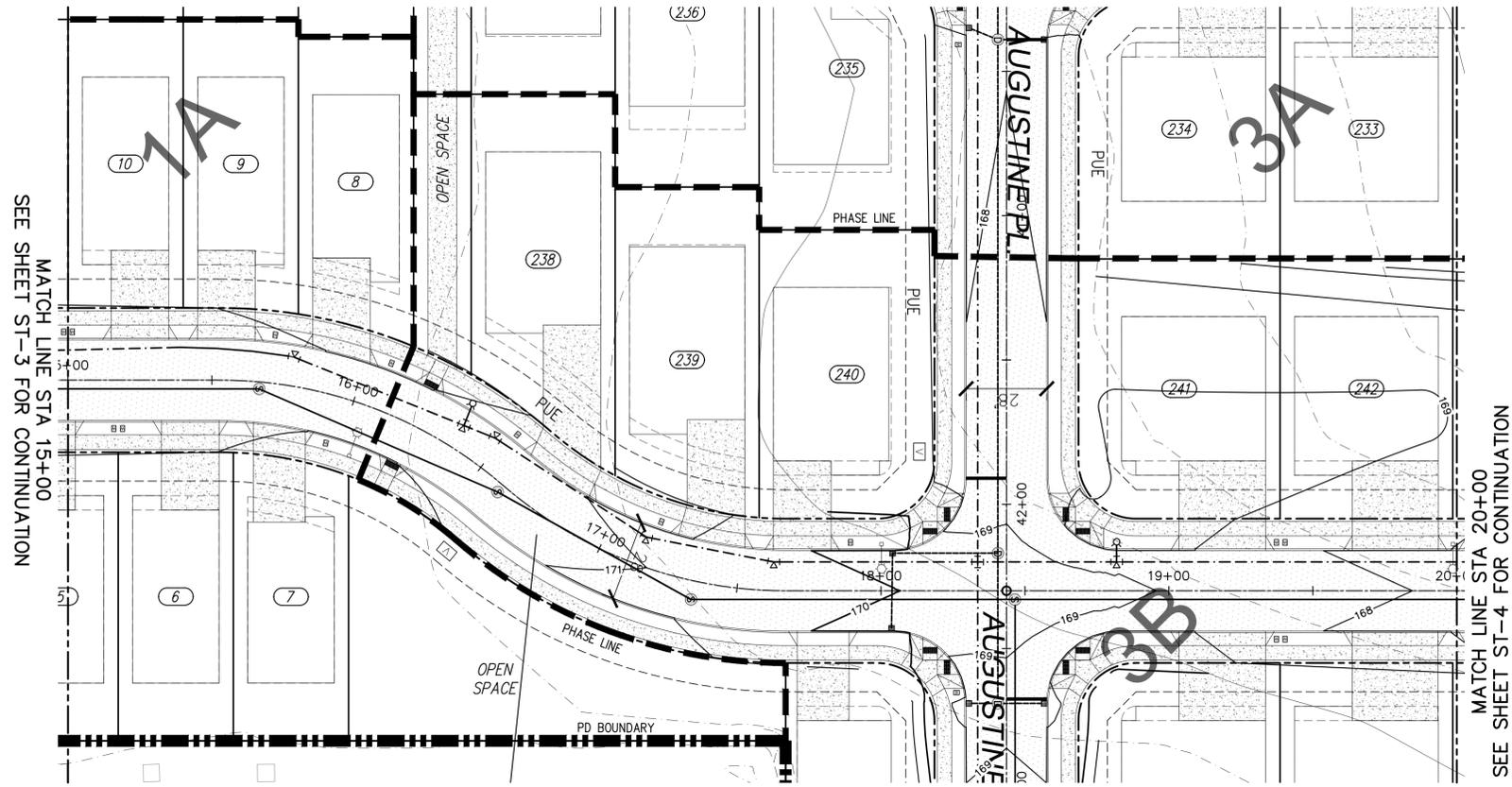
**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

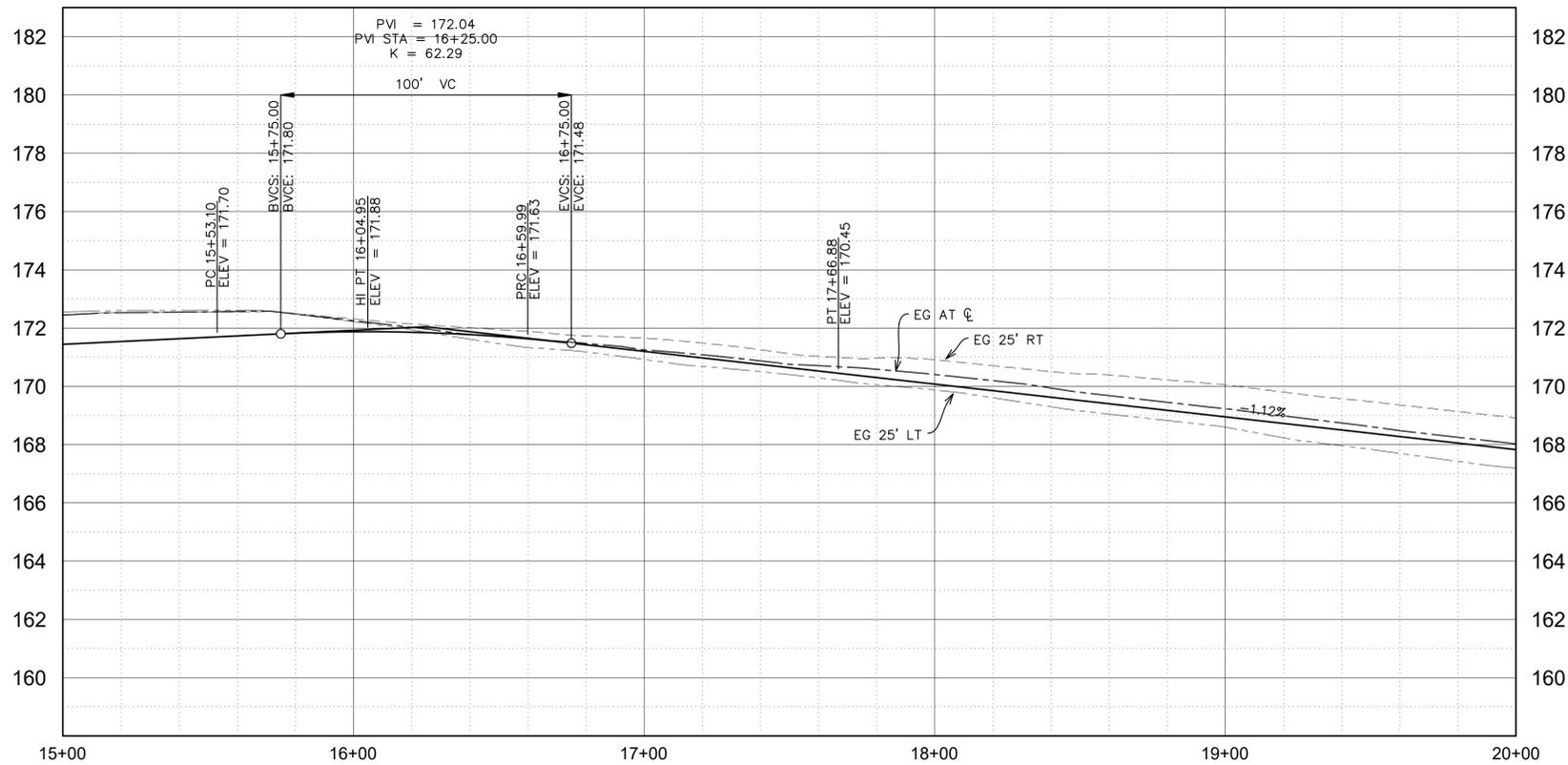
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**SHADDEN DRIVE PLAN &  
 PROFILE 10+00 - 15+00**

DRAWING  
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 JOB NUMBER  
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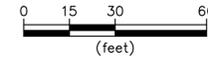
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SHADDEN DR. PLAN  
 1" = 30'



SHADDEN DR. PROFILE  
 H: 1" = 30' V: 1" = 3'



NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 BAR IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCURACELY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11/2019

**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3966  
 E-mail: westtech@westtech-eng.com

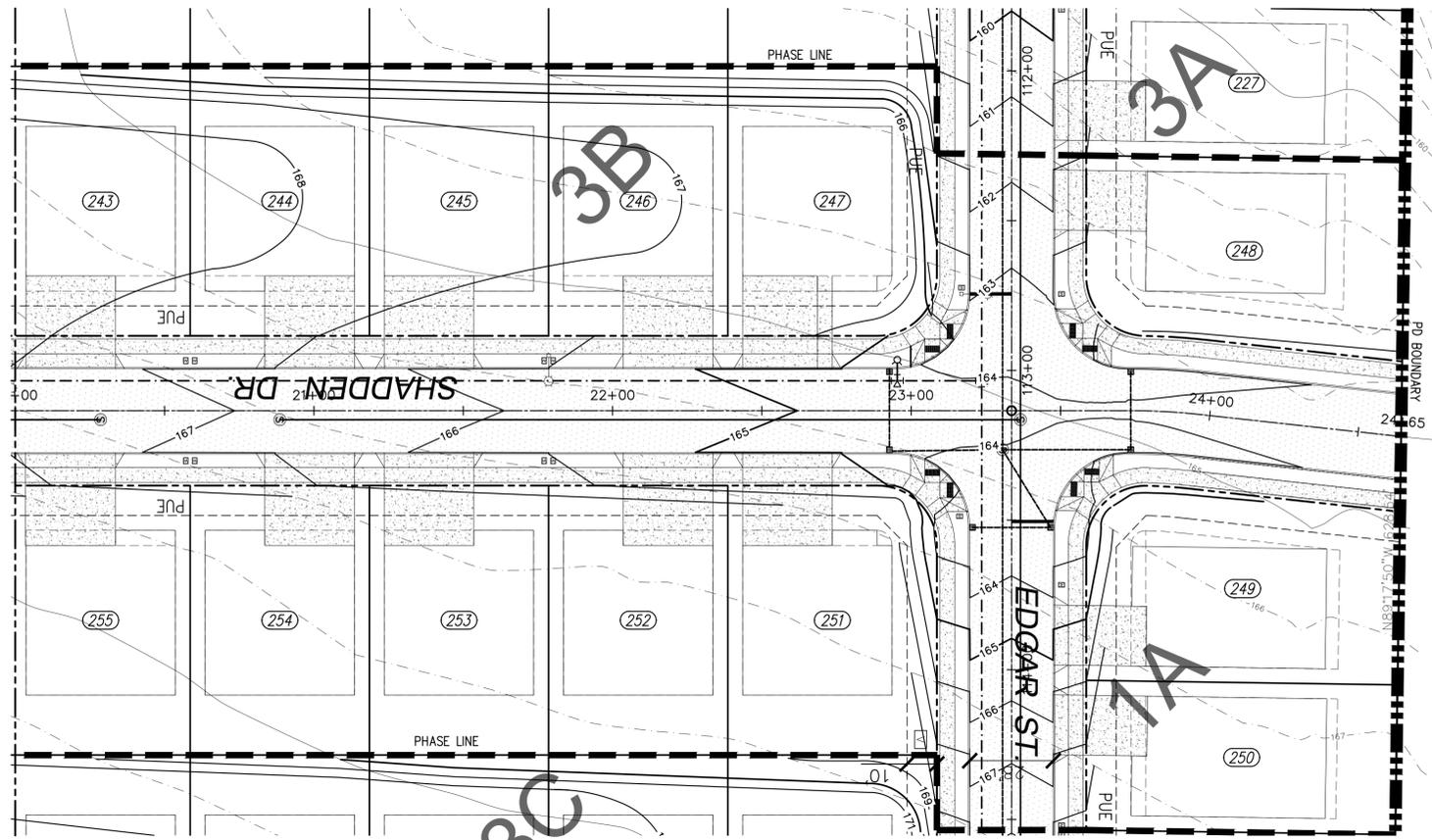
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
 SHADDEN DRIVE PLAN &  
 PROFILE 20+00 - 25+00

DRAWING  
 ST-4

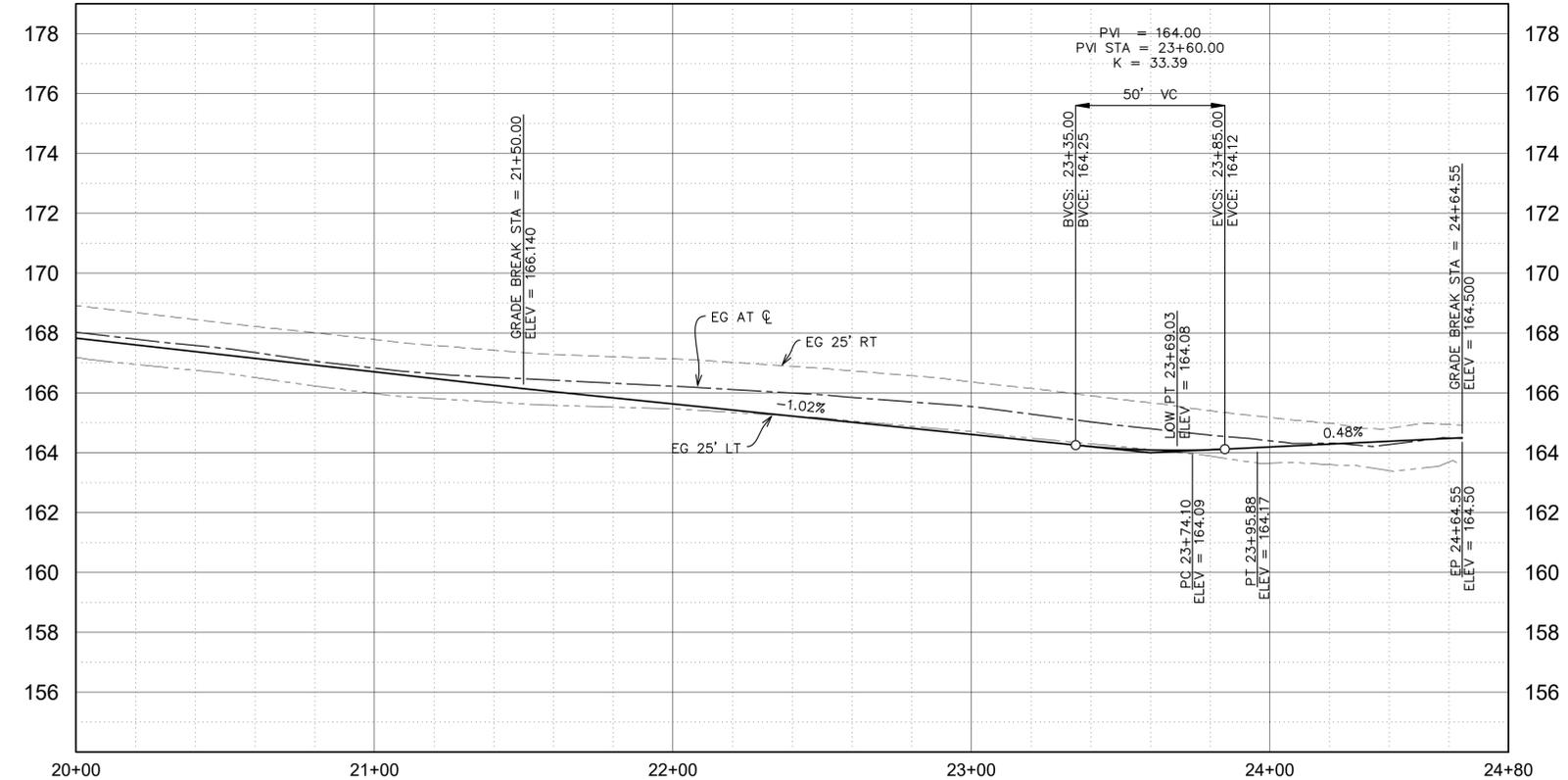
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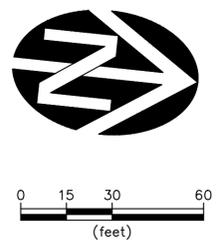
MATCH LINE STA 20+00  
 SEE SHEET ST-1 FOR CONTINUATION



SHADDEN DR. PLAN  
 1" = 30'



SHADDEN DR. PROFILE  
 H: 1" = 30' V: 1" = 3'



NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 BAR IS ONE INCH ON ORIGINAL DRAWING  
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DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11/2019

**REVIEW REVIEW**

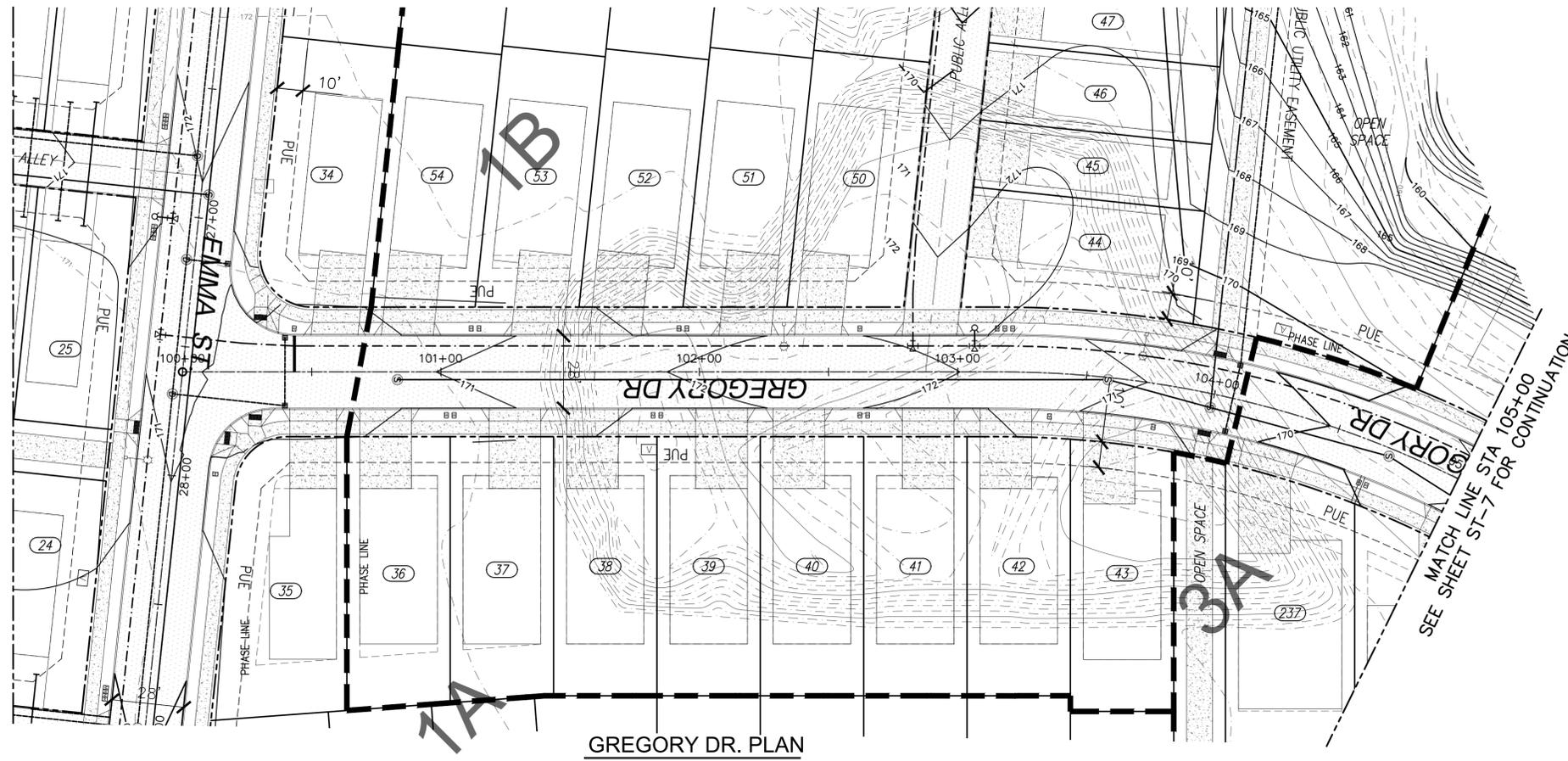
**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3966  
 E-mail: westtech@westtech-eng.com

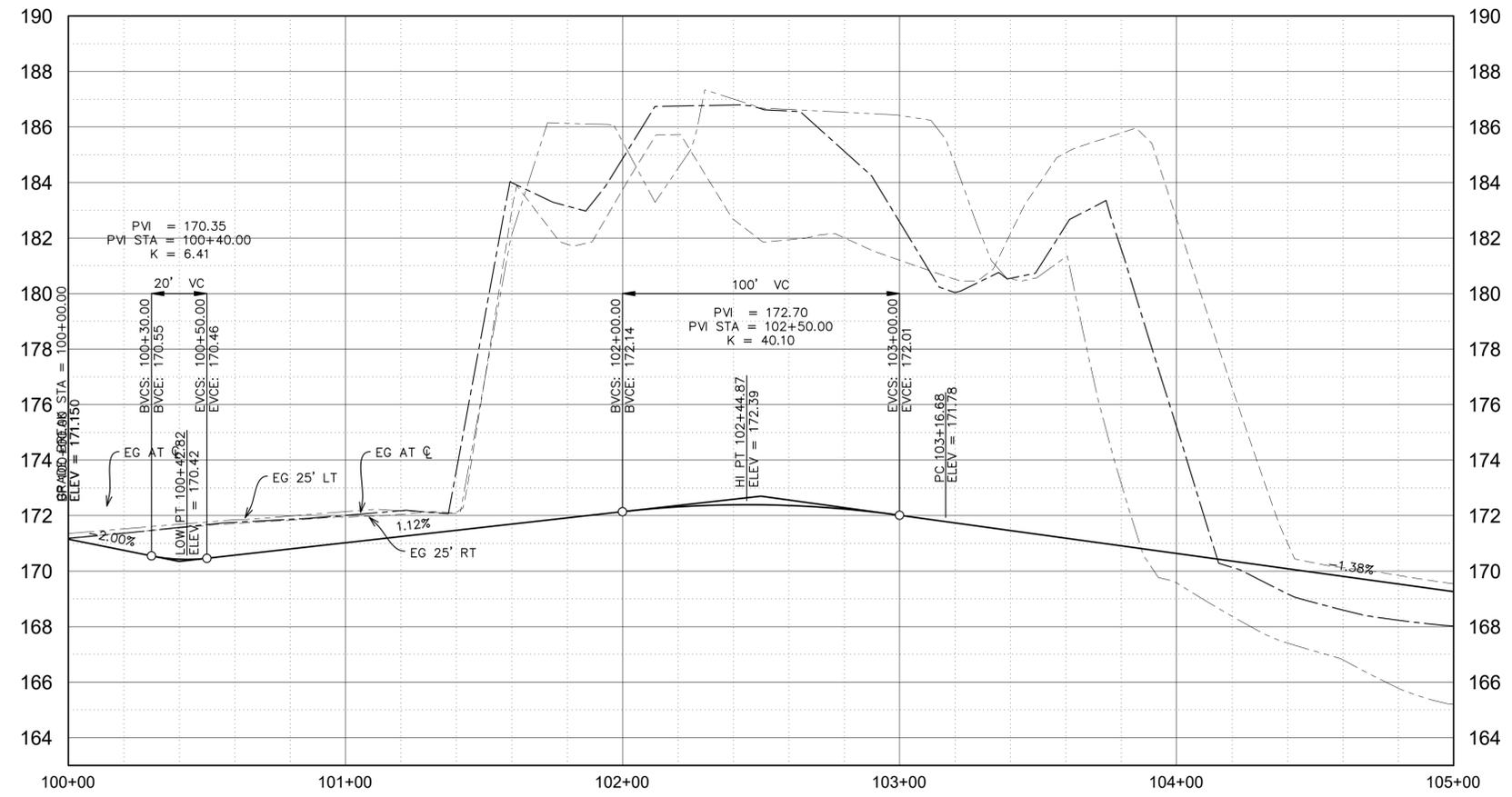
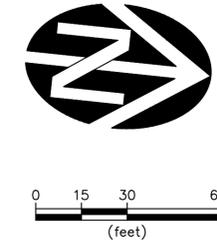
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
 SHADDEN DRIVE PLAN &  
 PROFILE 25+00 - END

DRAWING  
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**GREGORY DR. PLAN**  
 1" = 30'



**GREGORY DR. PROFILE**  
 H: 1" = 30' V: 1" = 3'

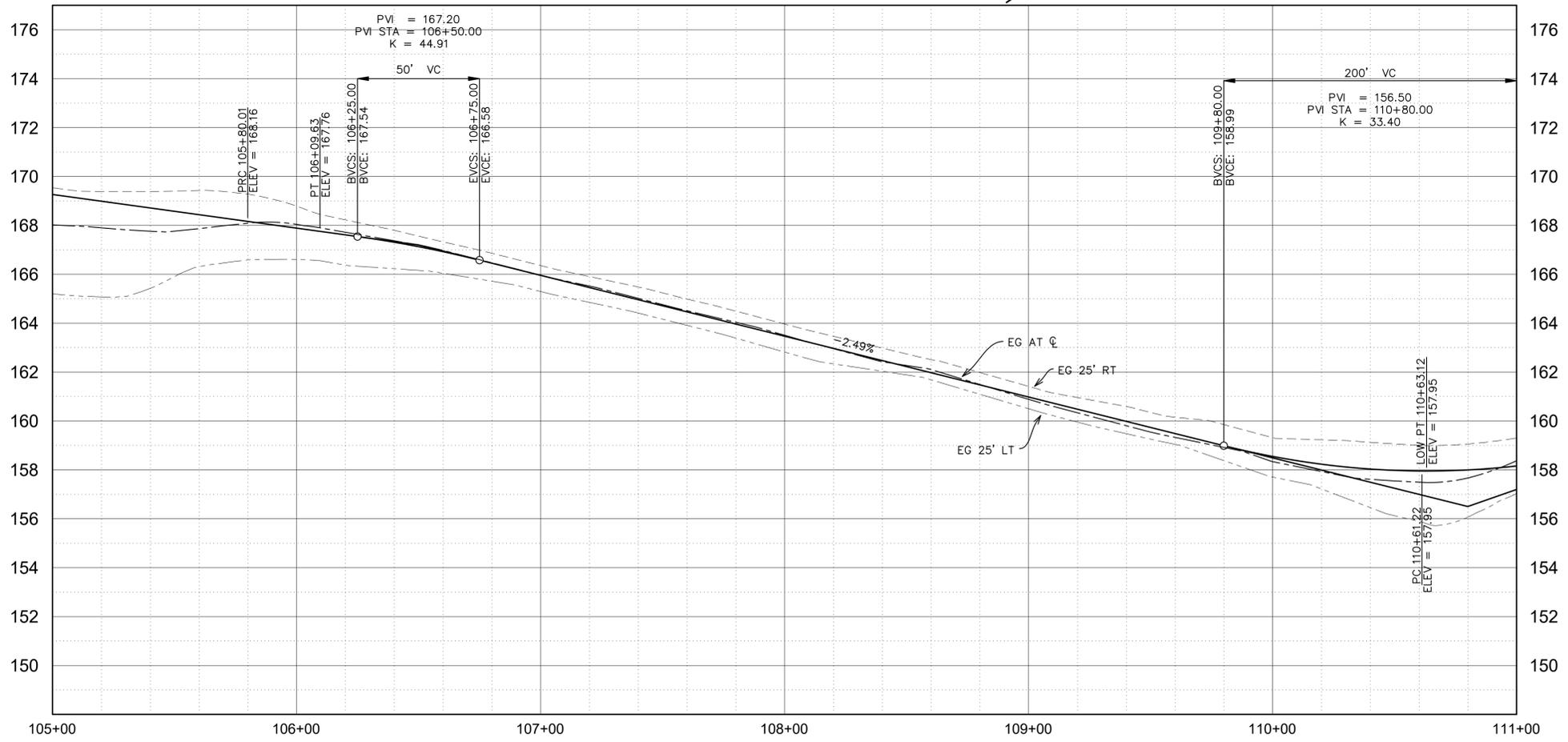
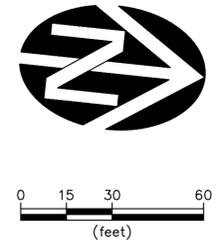
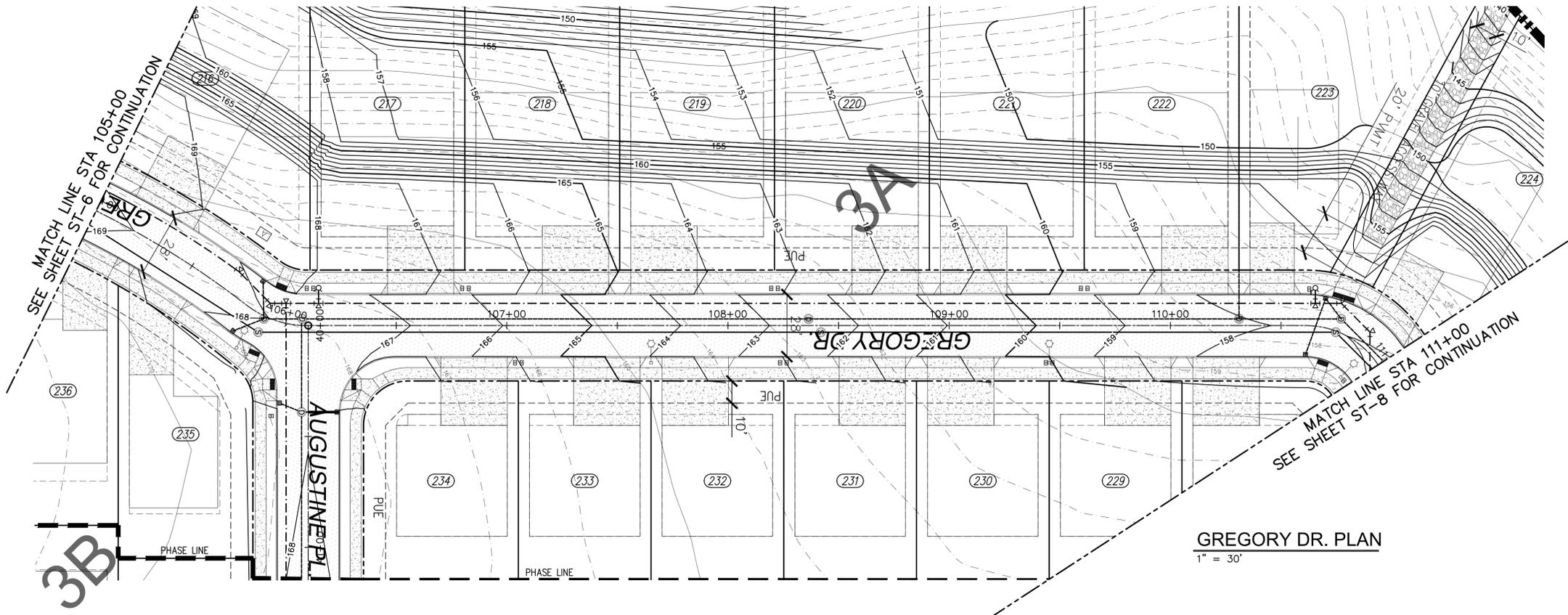
NO.	DATE	DESCRIPTION	BY
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**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**GREGORY DRIVE PLAN &  
 PROFILE 100+00 - 105+00**

DRAWING  
**ST-6**  
 JOB NUMBER  
 2940.3000.0



NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
BASE IS ONE INCH ON  
ORIGINAL DRAWING  
IF NOT ONE INCH ON  
SCALES ACCURACLY

DSN. JW  
DRN. RS  
CKD. JW  
DATE: 11/2019

**REVIEW REVIEW**

**WESTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS

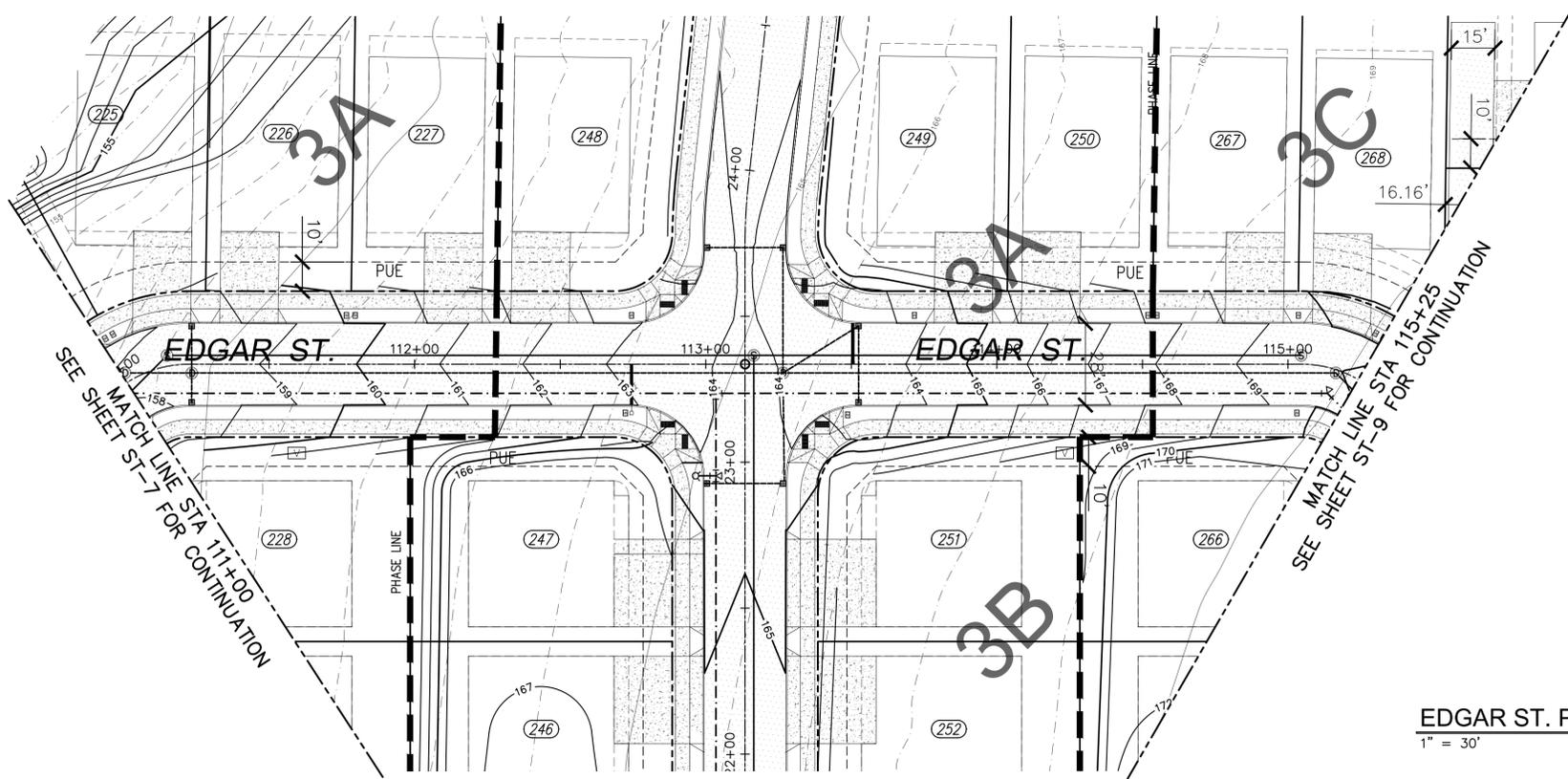
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3966  
E-mail: westech@westech-eng.com

STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION  
**GREGORY DRIVE PLAN &  
PROFILE 105+00 - 111+00**

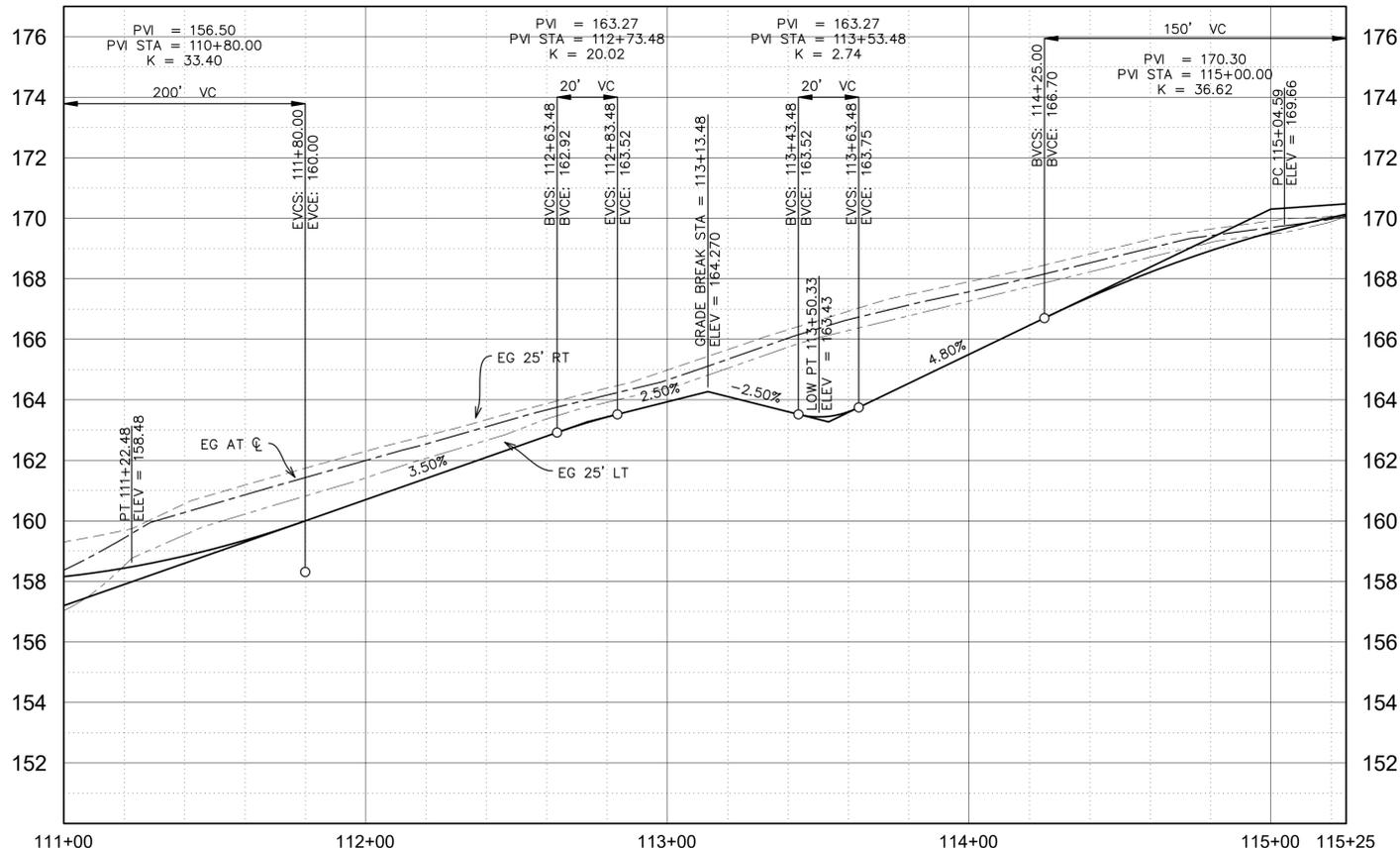
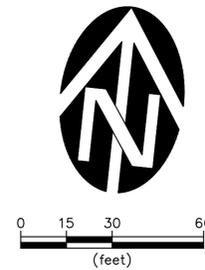
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**EDGAR ST. PLAN**  
 1" = 30'



**EDGAR ST. PROFILE**  
 H: 1" = 30' V: 1" = 3'

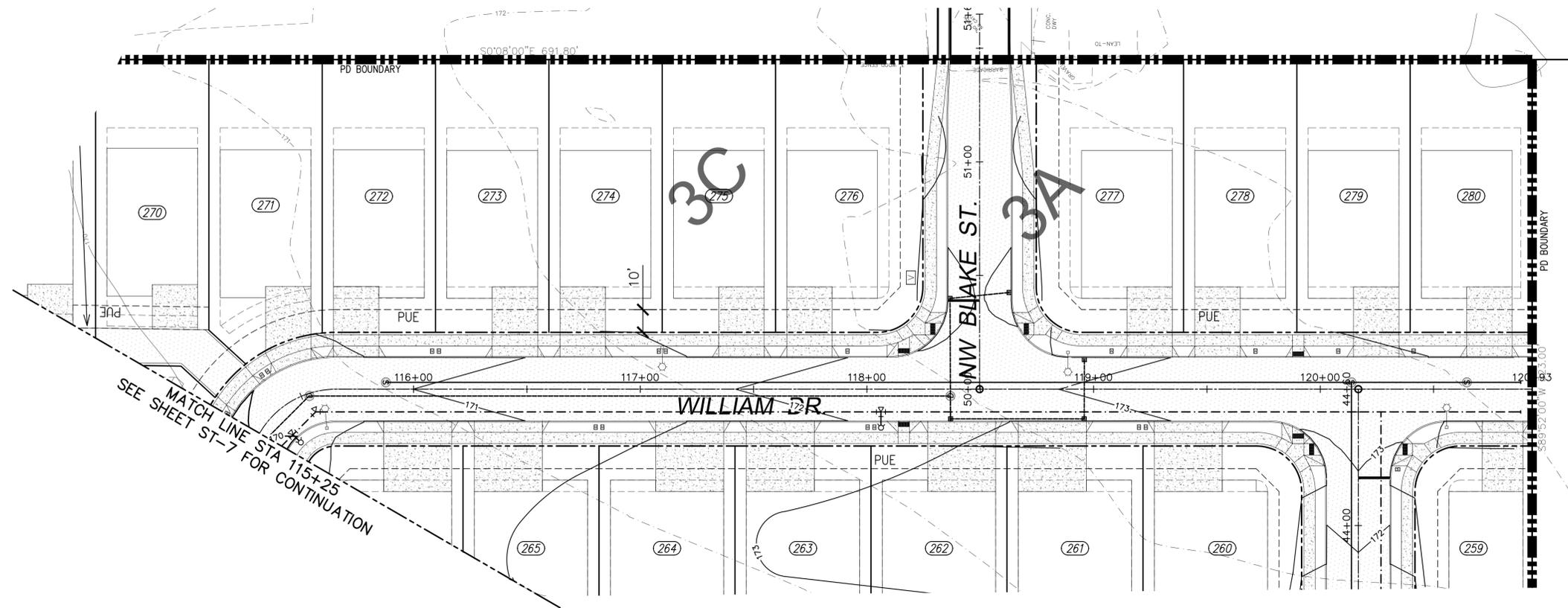
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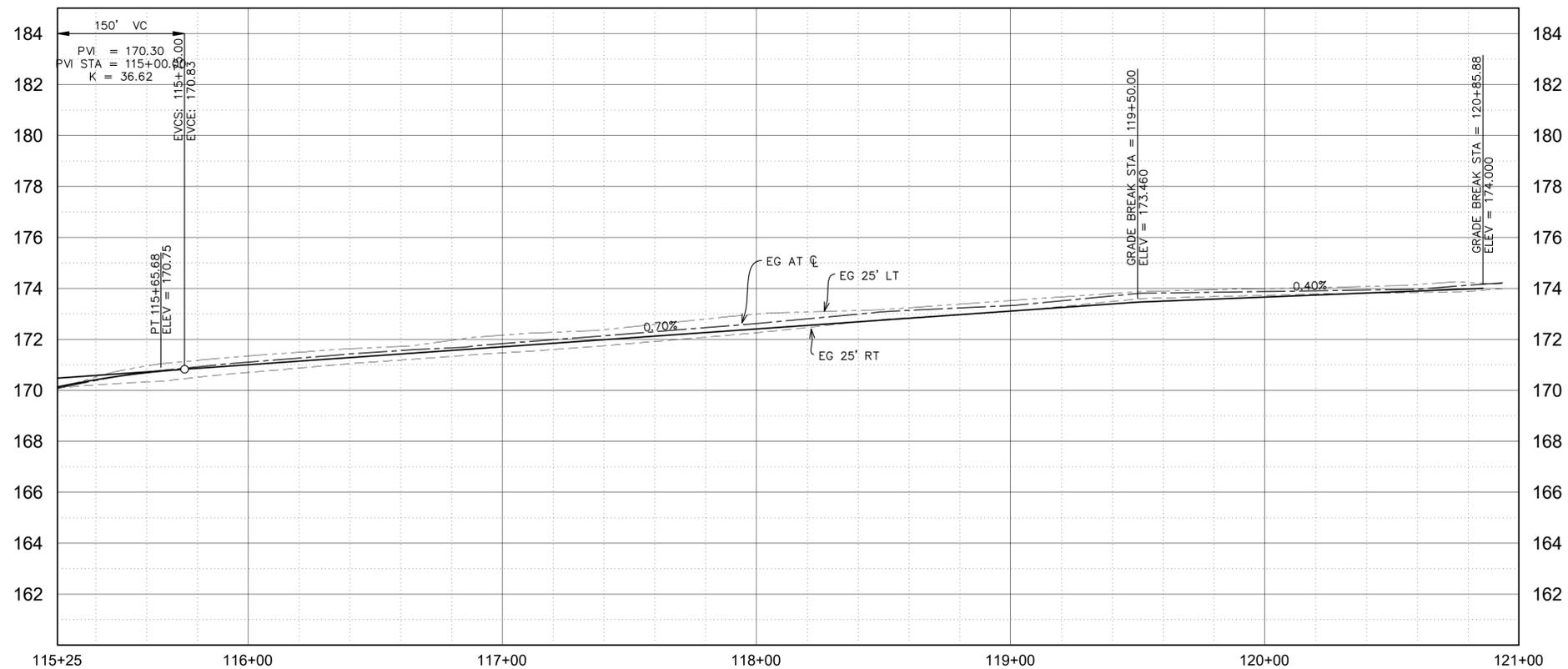
**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**EDGAR STREET PLAN &  
 PROFILE 111+00 - 115+25**

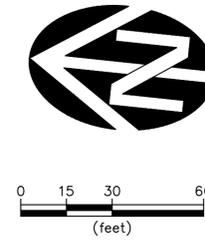
DRAWING  
**ST-8**  
 JOB NUMBER  
 2940.3000.0



**WILLIAM DR. PLAN**  
1" = 30'



**WILLIAM DR. PROFILE**  
H: 1" = 30' V: 1" = 3'



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NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
BASE IS ONE INCH ON ORIGINAL DRAWING  
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DSN. JW  
DRN. RS  
CKD. JW  
DATE: 11/2019

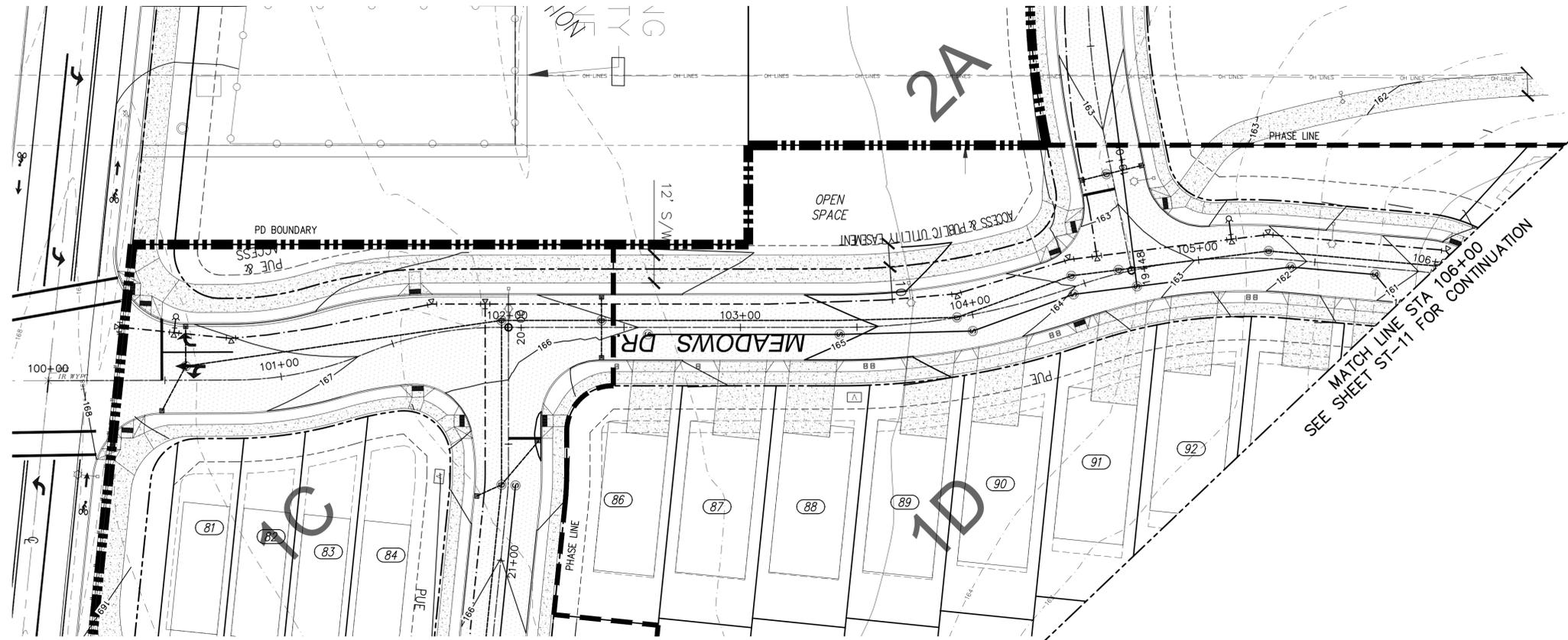
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**WESTTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS

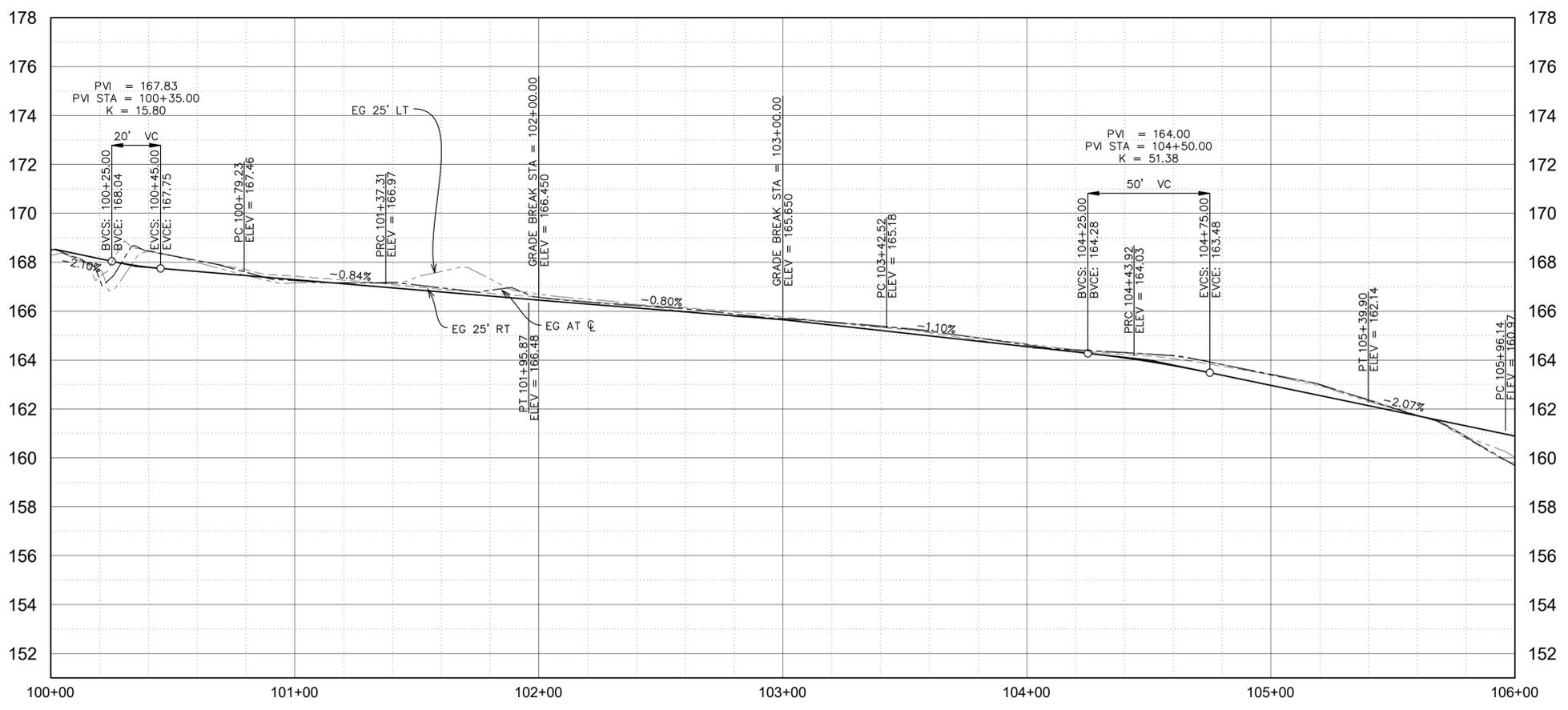
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3966  
E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION  
**WILLAM DRIVE PLAN & PROFILE 115+25 - END**

DRAWING  
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JOB NUMBER  
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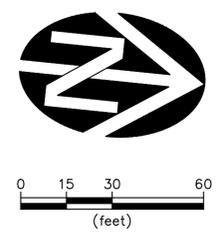


**MEADOWS DR. PLAN**  
1" = 30'



**MEADOWS DR. PROFILE**  
H: 1" = 30' V: 1" = 3'

11/8/2019 2:06:38 PM  
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NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON SCALES ACCURACELY

DATE: 11/2019

DSN: JW  
DRN: RS  
CKD: JW

**WESTTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS

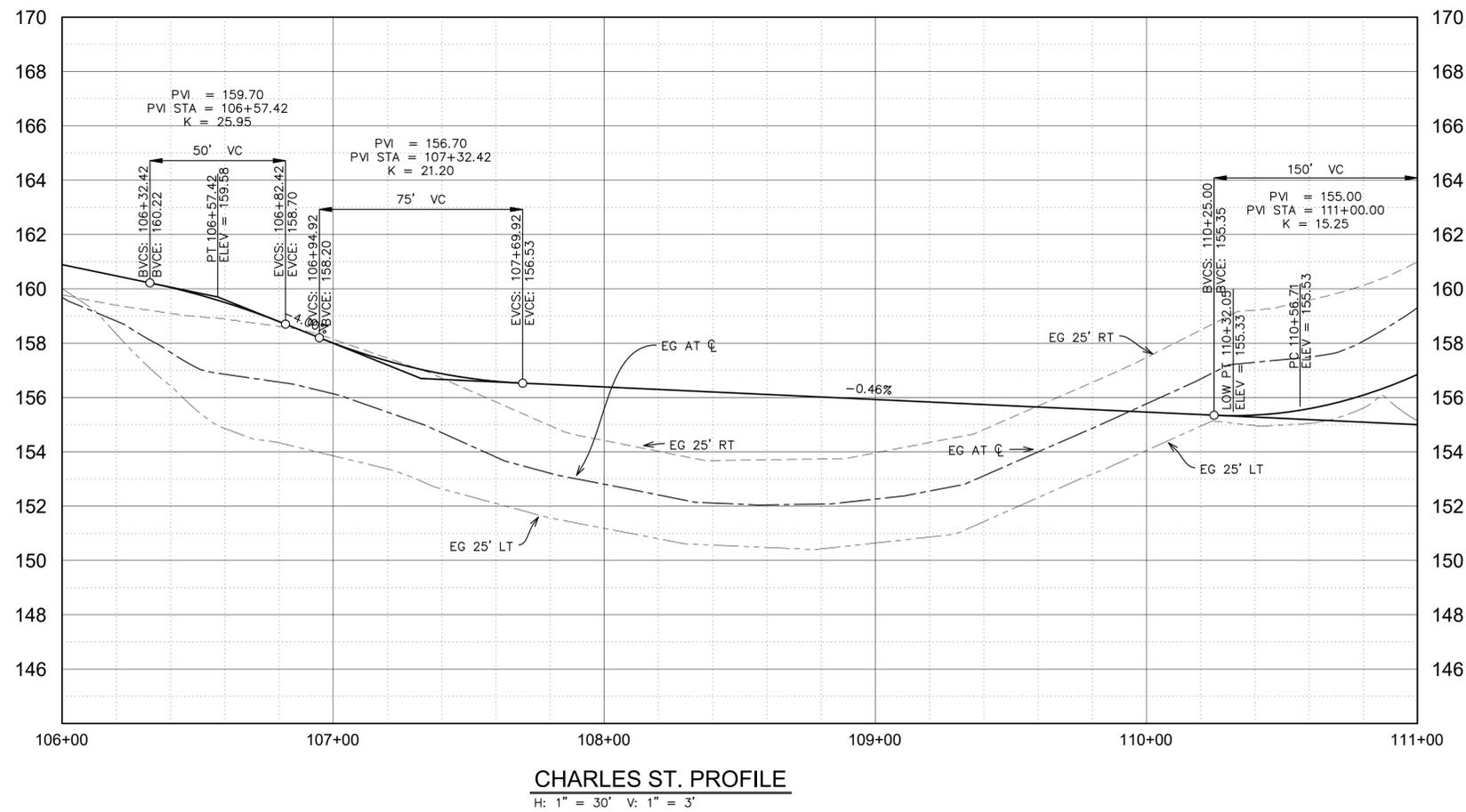
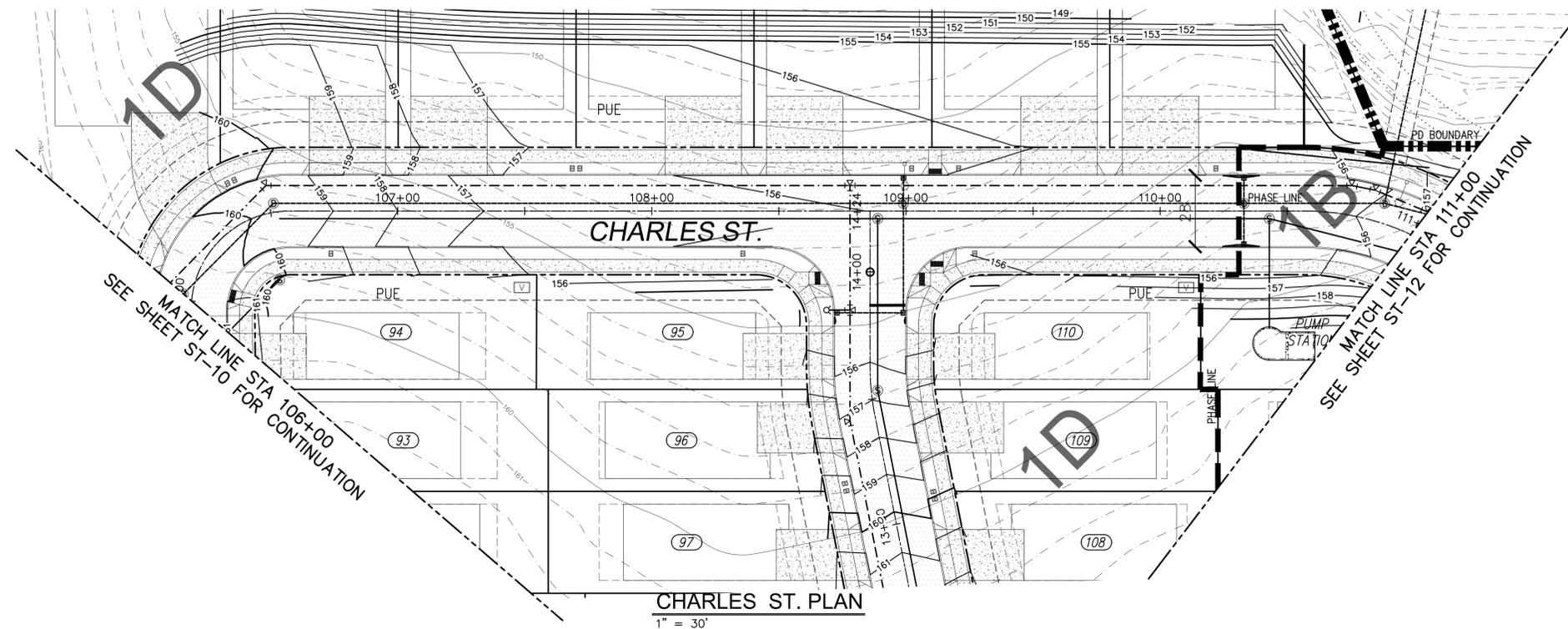
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3966  
E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION

**MEADOWS DRIVE PLAN & PROFILE 100+00 - 106+00**

DRAWING  
**ST-10**

JOB NUMBER  
2940.3000.0



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NO.	DATE	DESCRIPTION	BY
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REVIEW REVIEW

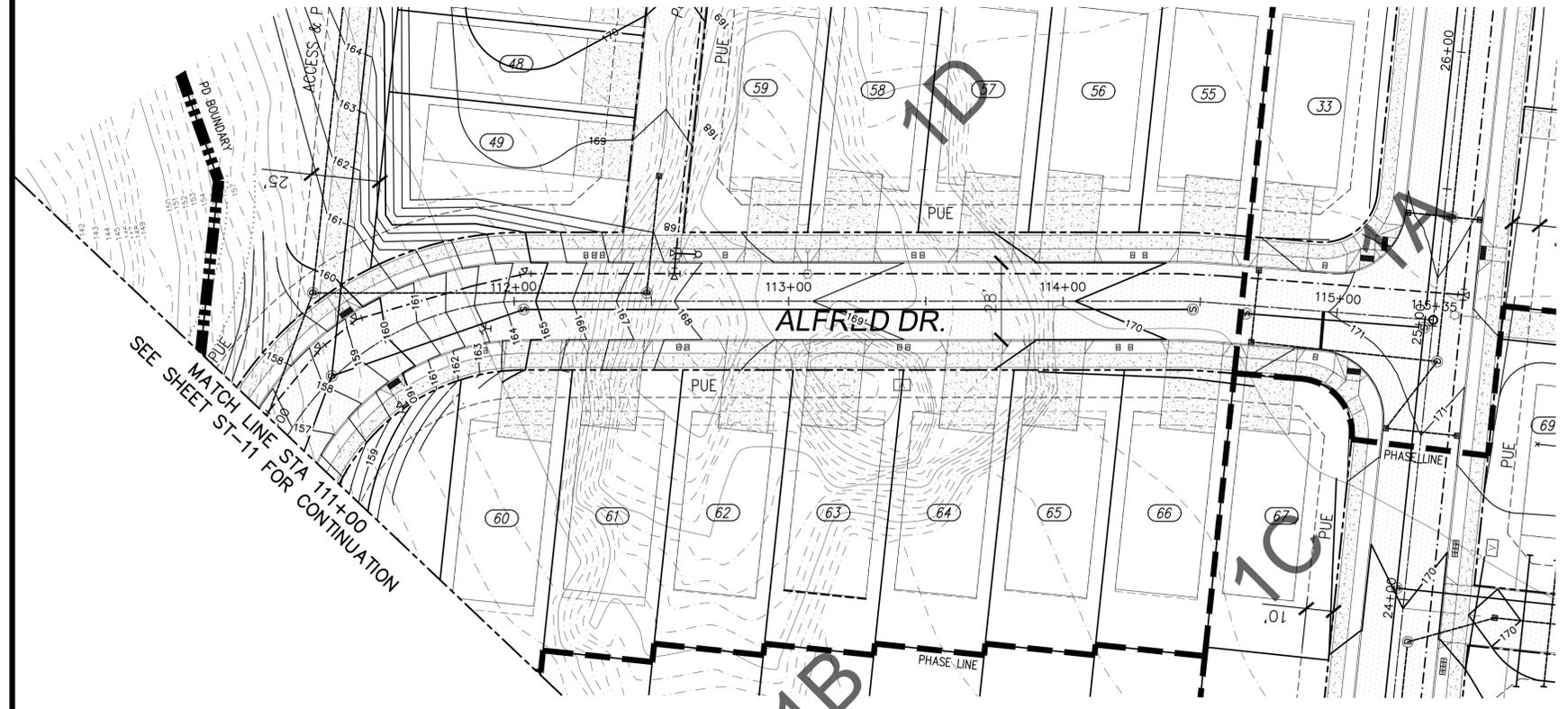
**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  

 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
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 E-mail: westtech@westtech-eng.com

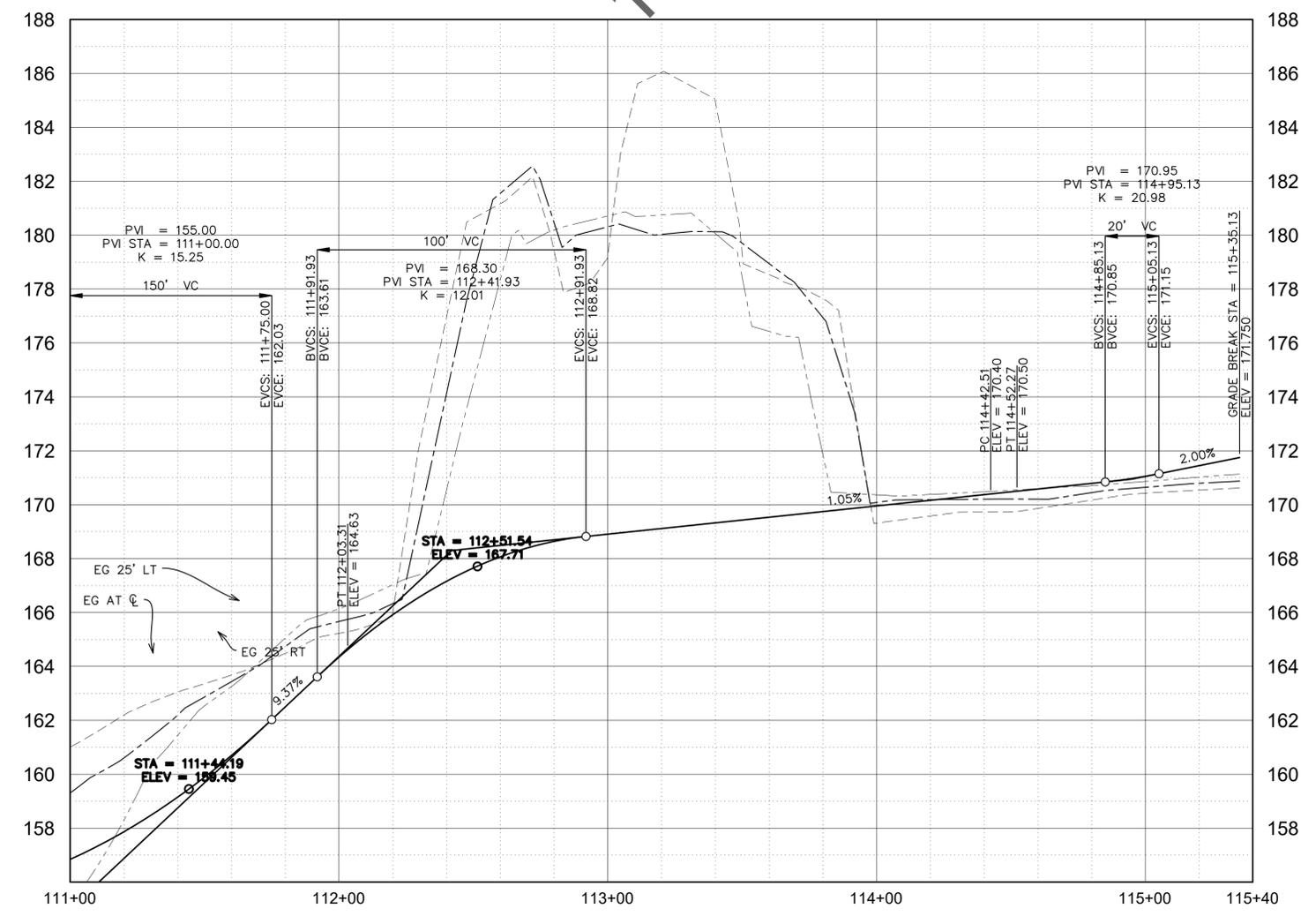
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**CHARLES STREET PLAN &  
 PROFILE 106+00 - 111+00**

DRAWING  
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**2940.3000.0**

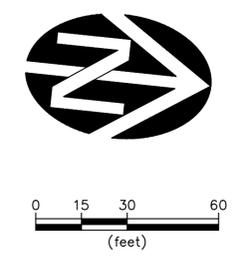
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**ALFRED DR. PLAN**  
 1" = 30'



**ALFRED DR. PROFILE**  
 H: 1" = 30' V: 1" = 3'



NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

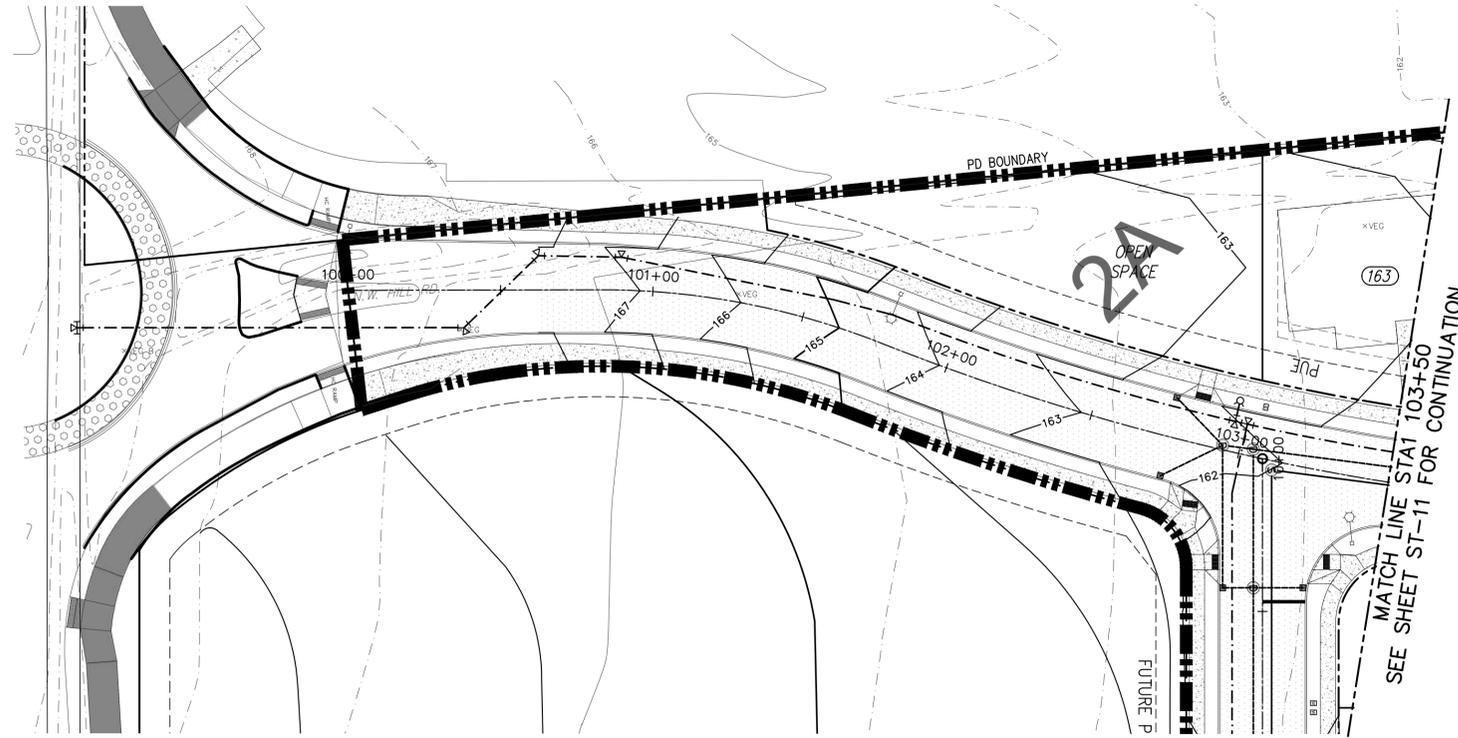
**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**ALFRED DRIVE PLAN &  
 PROFILE 111+00 - END**

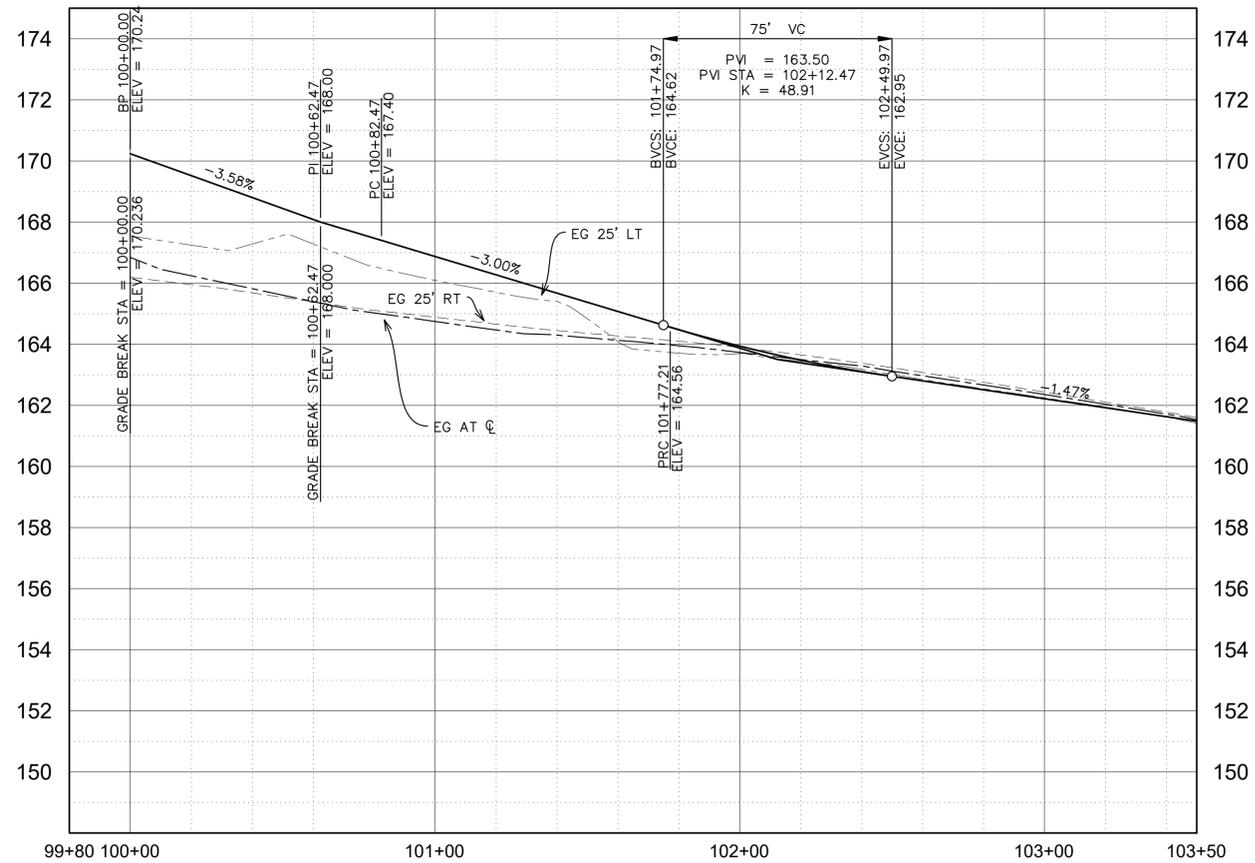
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HILL LN. PLAN  
 1" = 30'



HILL LN. PROFILE  
 H: 1" = 30' V: 1" = 3'

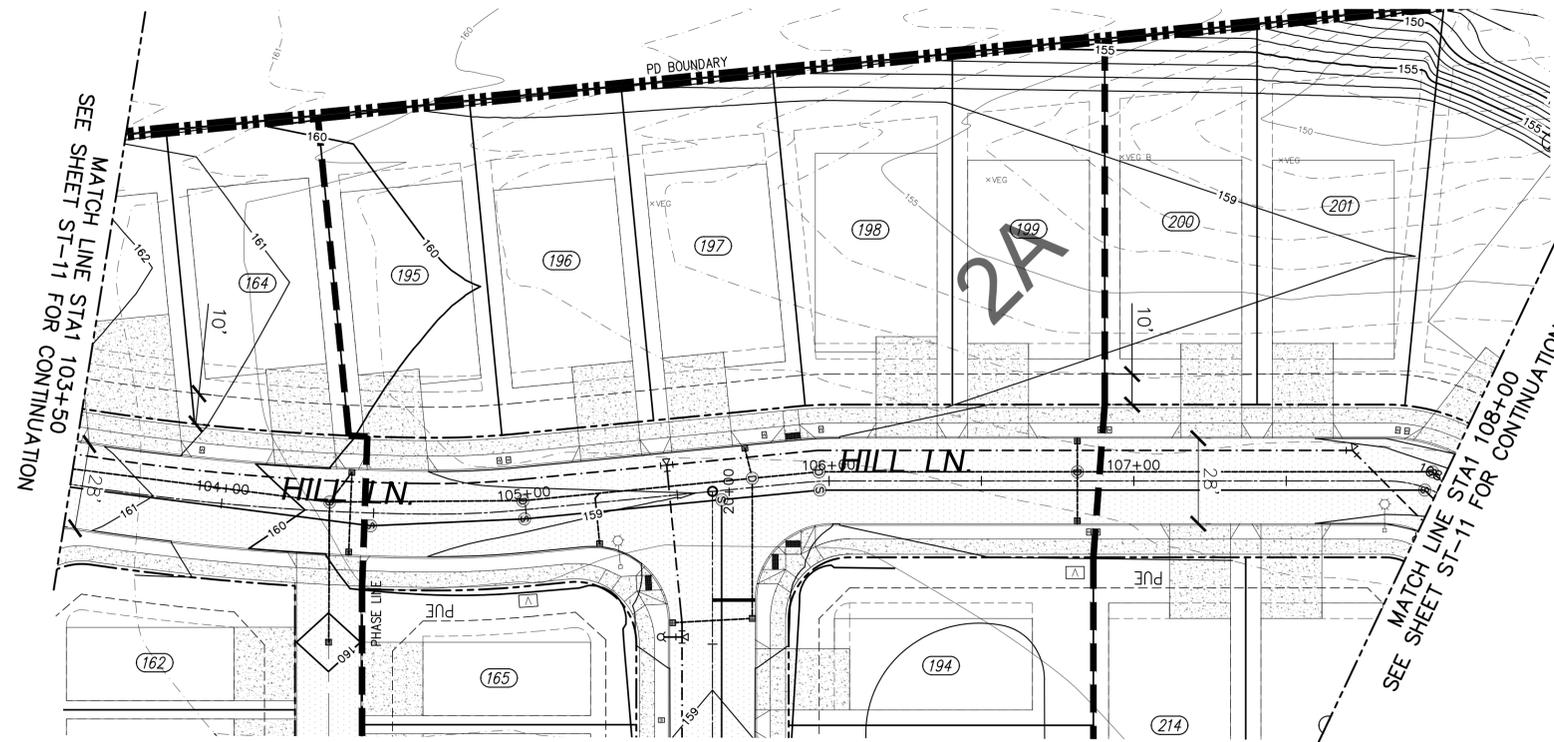
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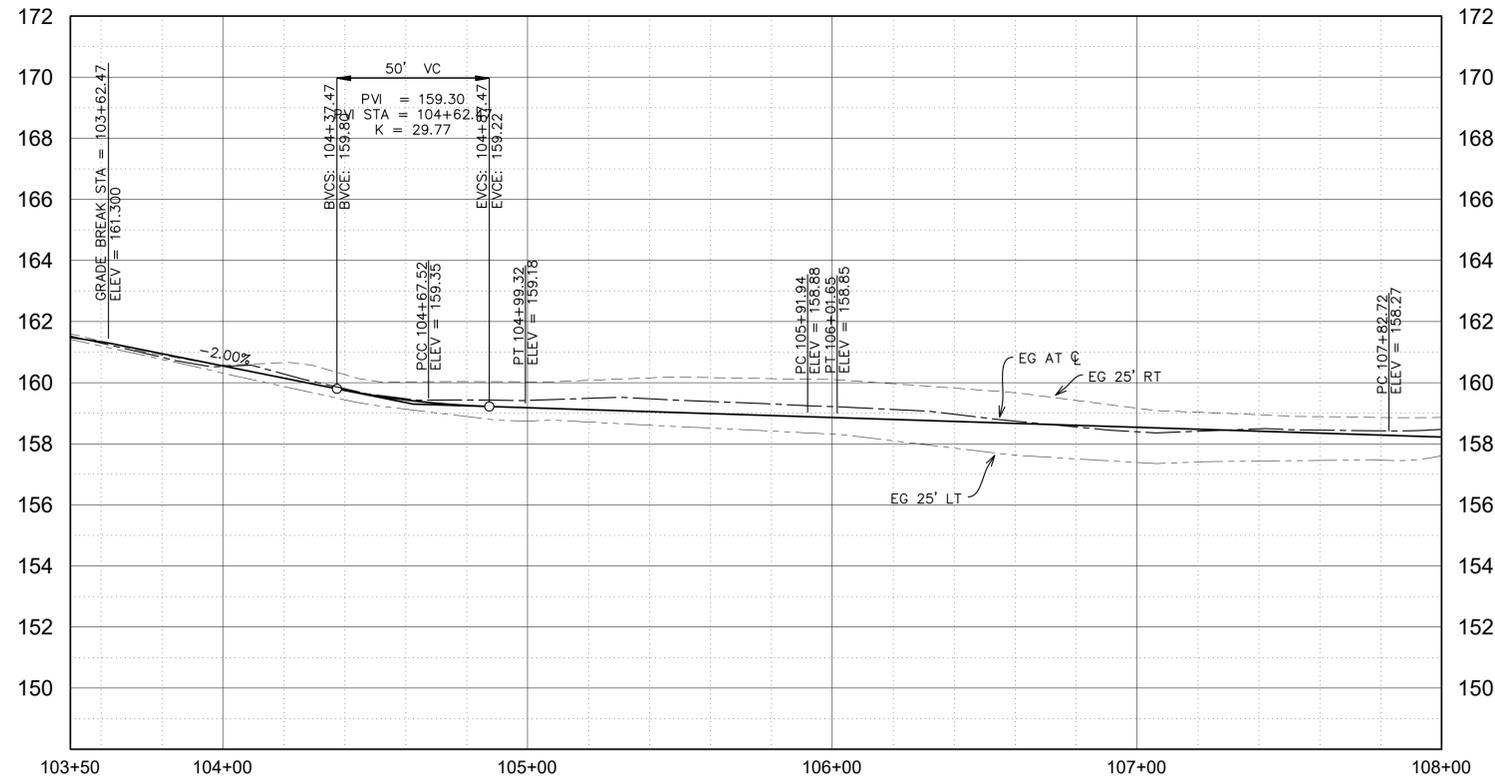
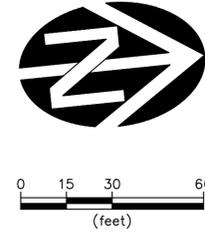
**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**HILL LANE PLAN & PROFILE**  
 100+00 - 103+50  
 DRAWING  
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 JOB NUMBER  
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HILL LN. PLAN  
 1" = 30'



HILL LN. PROFILE  
 H: 1" = 30' V: 1" = 3'

NO.	DATE	DESCRIPTION	BY
1	11/11/2019		

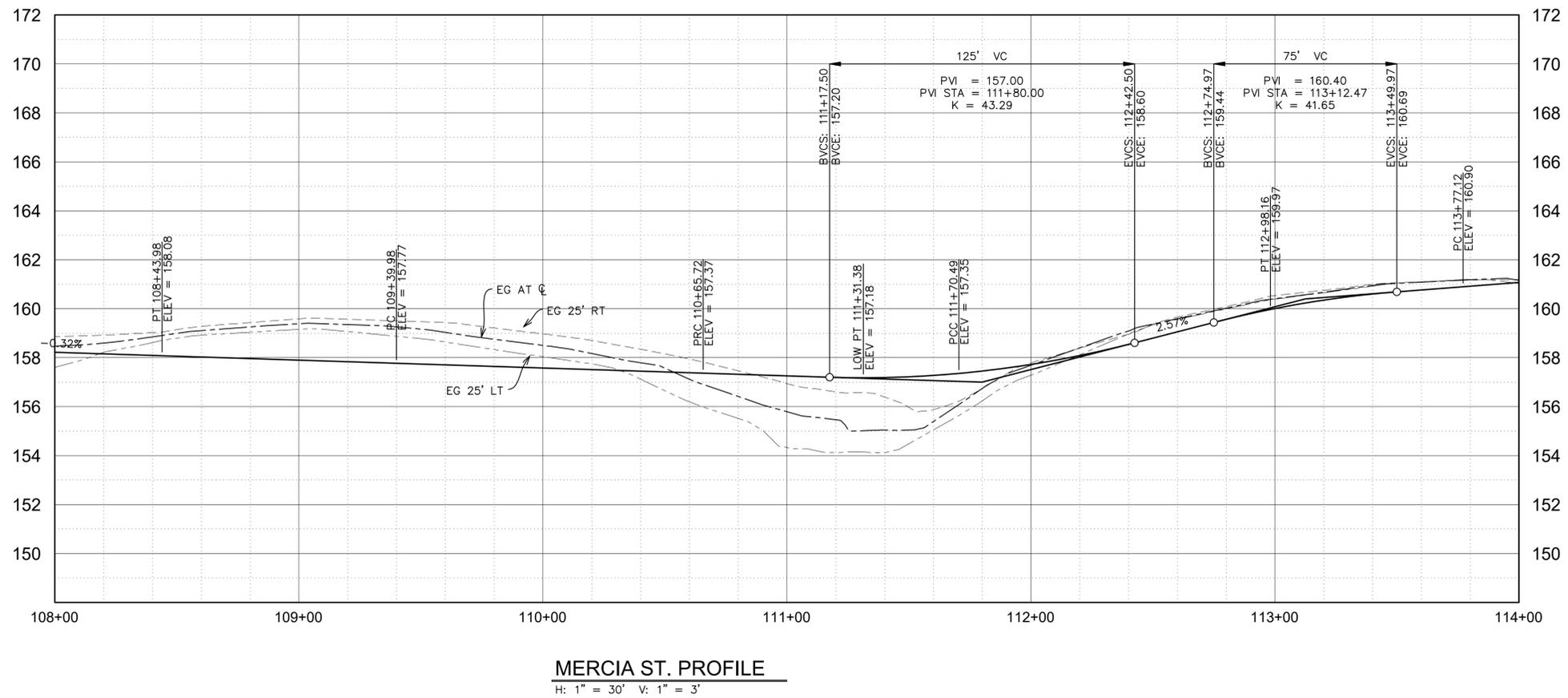
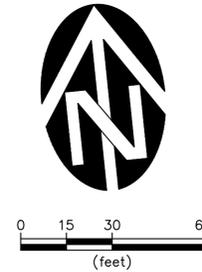
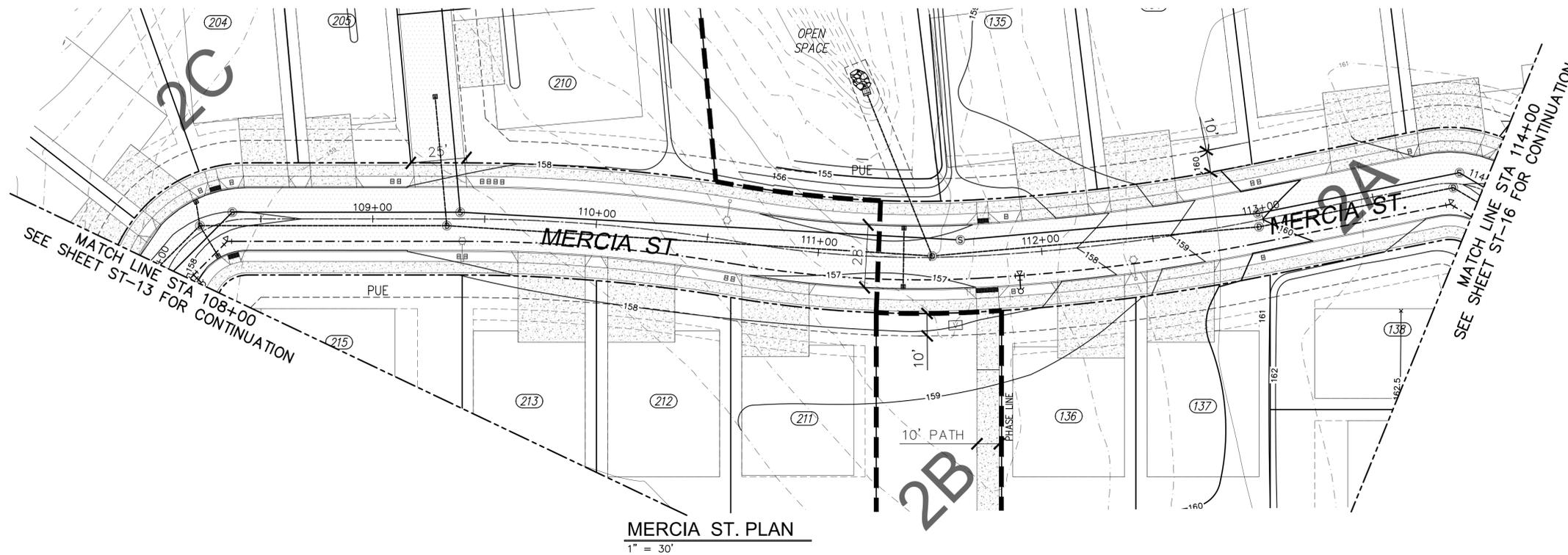
**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**HILL LANE PLAN & PROFILE**  
 103+50 - 108+00

DRAWING  
**ST-14**  
 JOB NUMBER  
 2940.3000.0

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NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

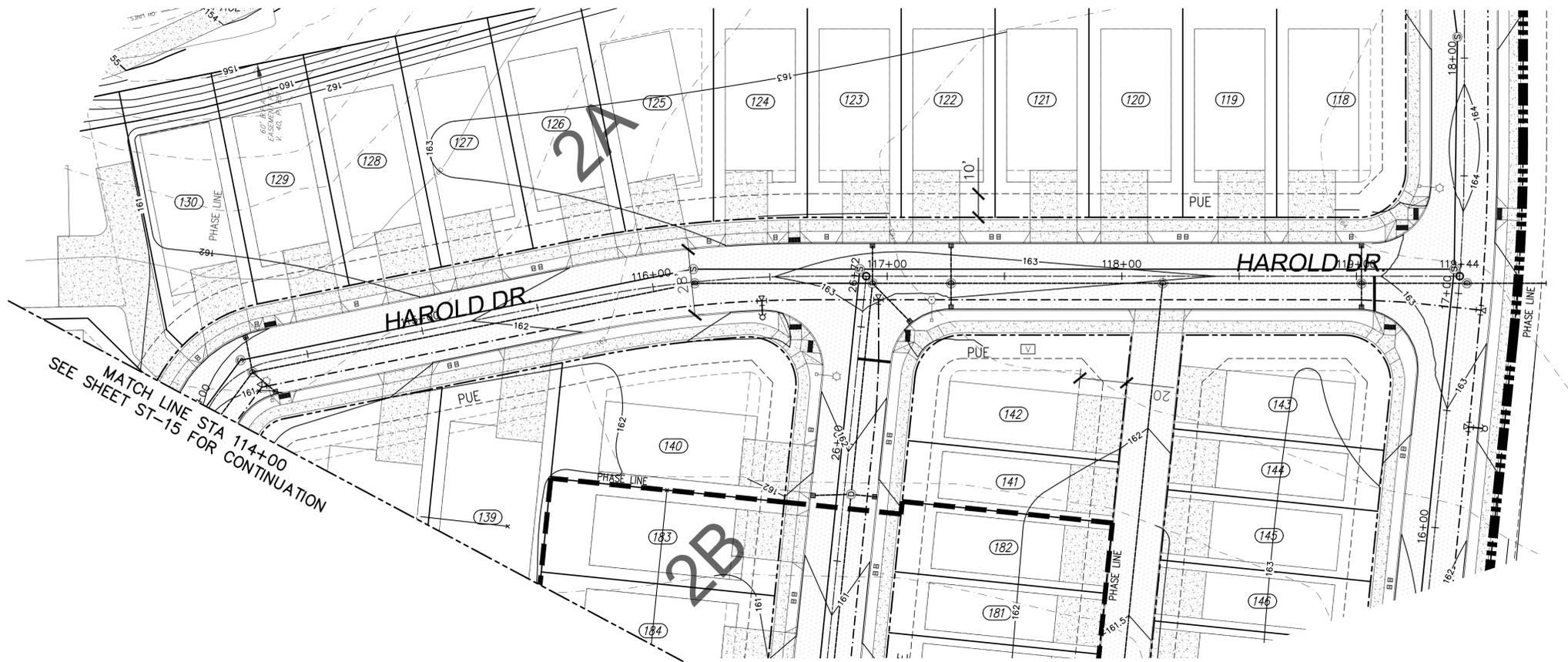
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION

**MERCIA STREET PLAN &  
 PROFILE 108+00 - 114+00**

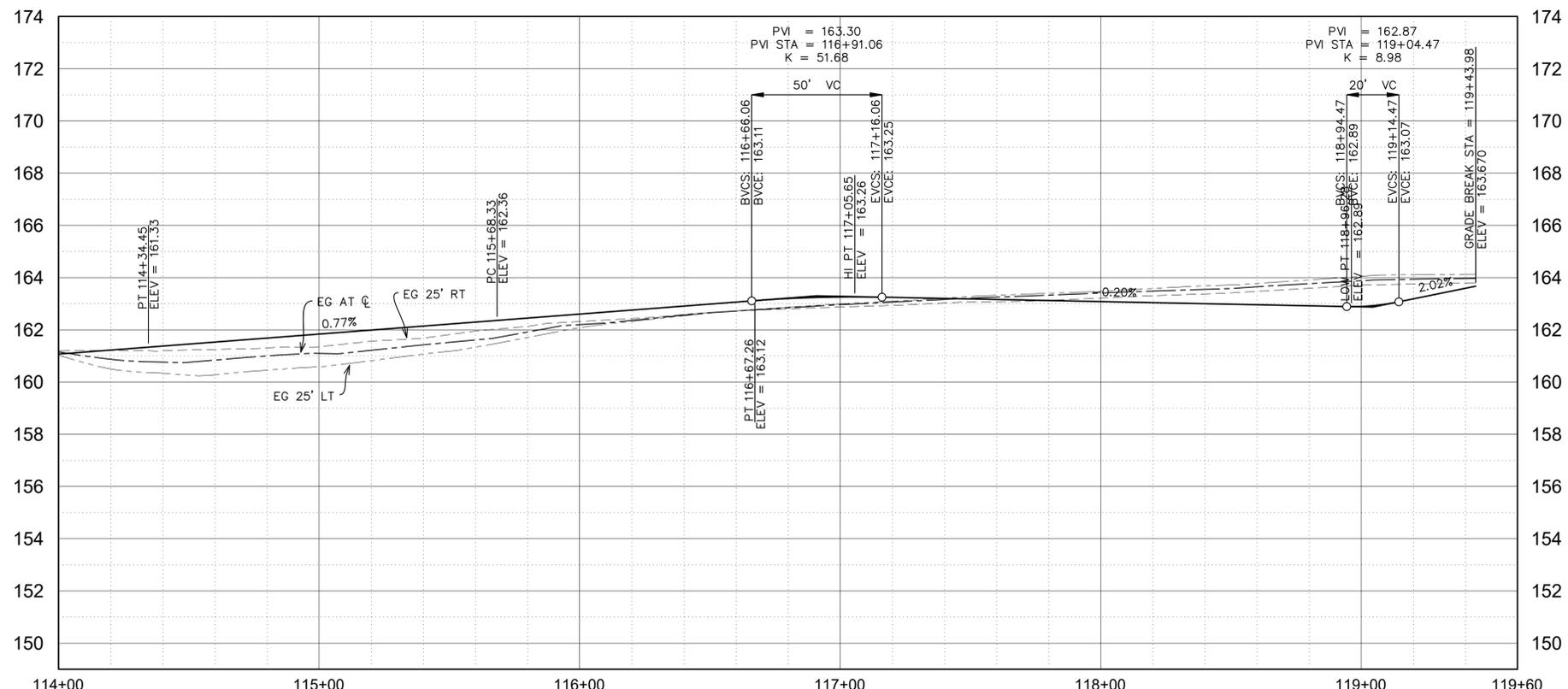
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**ST-15**

JOB NUMBER  
**2940.3000.0**

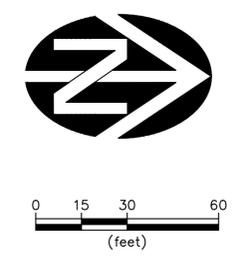


**HAROLD DR. PLAN**  
1" = 30'

MATCH LINE STA 114+00  
SEE SHEET ST-15 FOR CONTINUATION



**HAROLD DR. PROFILE**  
H: 1" = 30' V: 1" = 3'



NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON SCALES ACCORDINGLY

DATE: 11/2019

CKD: JW  
DRN: RS  
DSN: JW

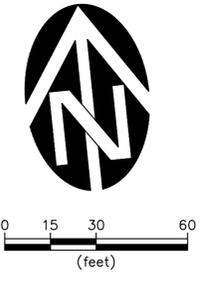
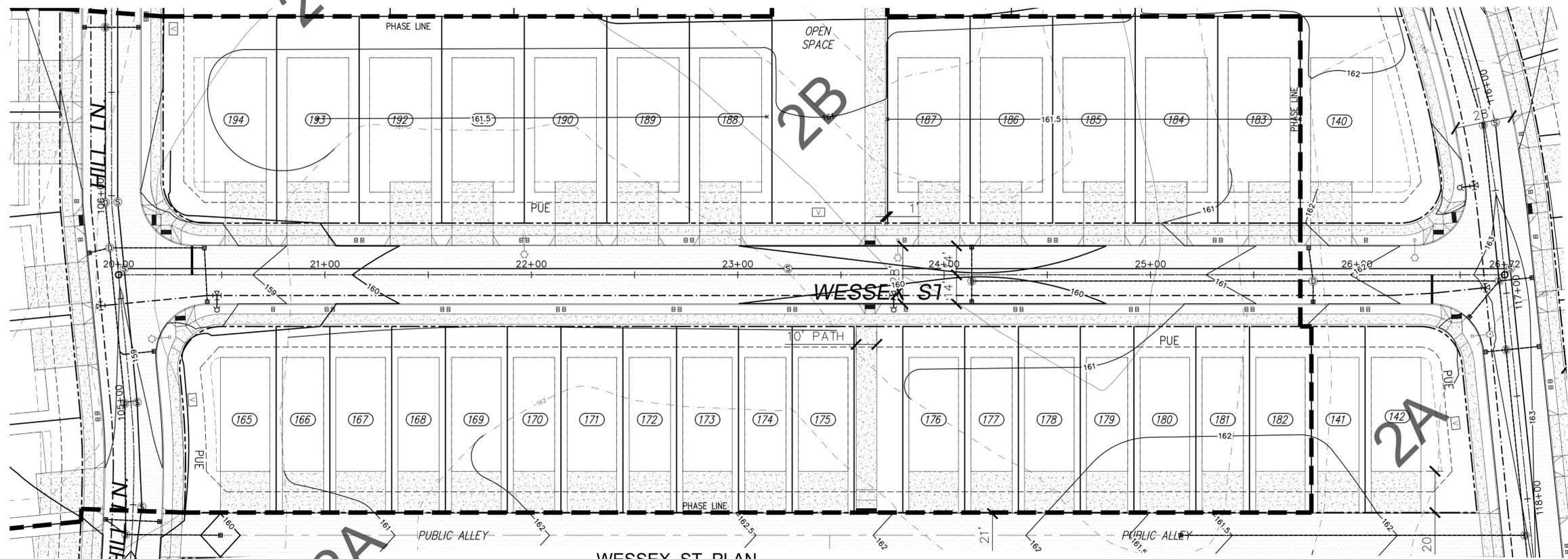
**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS

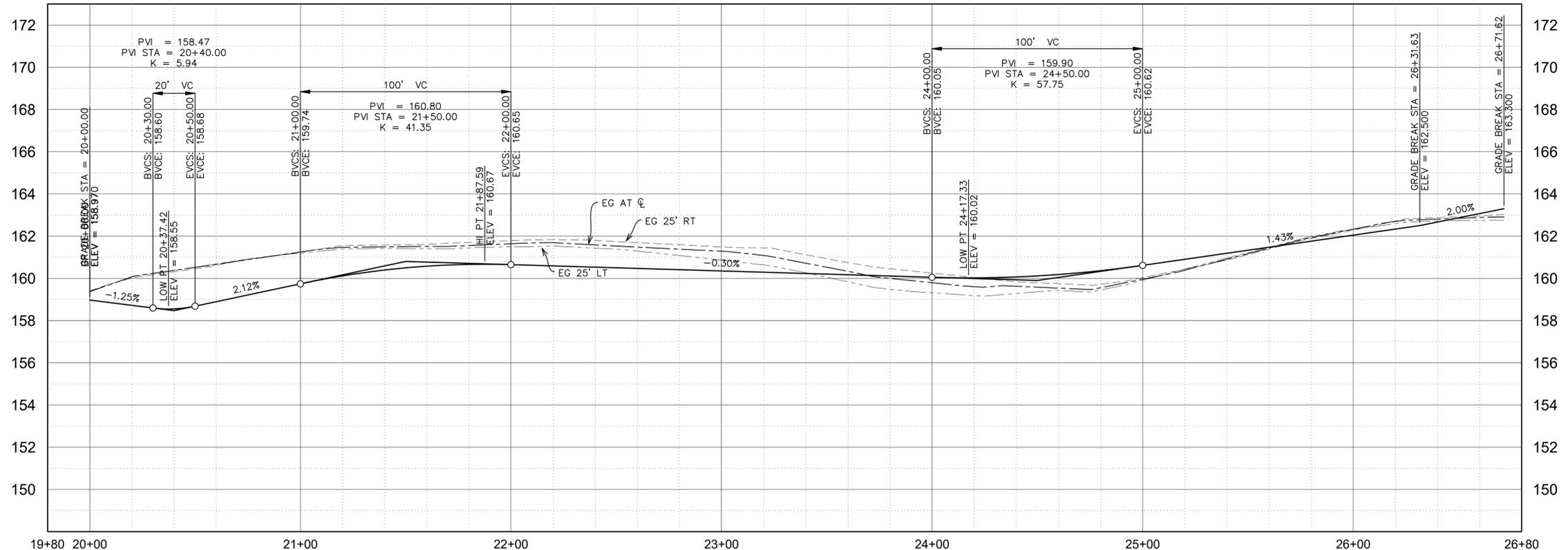
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3966  
E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION  
**HAROLD DRIVE PLAN & PROFILE 114+00 - END**

DRAWING  
**ST-16**  
JOB NUMBER  
2940.3000.0



WESSEX ST. PLAN  
1" = 30'



WESSEX ST. PROFILE  
H: 1" = 30' V: 1" = 3'

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NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

VERIFY SCALE  
BASE IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON SCALES ACCURACLY

DSN: JW  
DRN: RS  
CKD: JW  
DATE: 11/2019

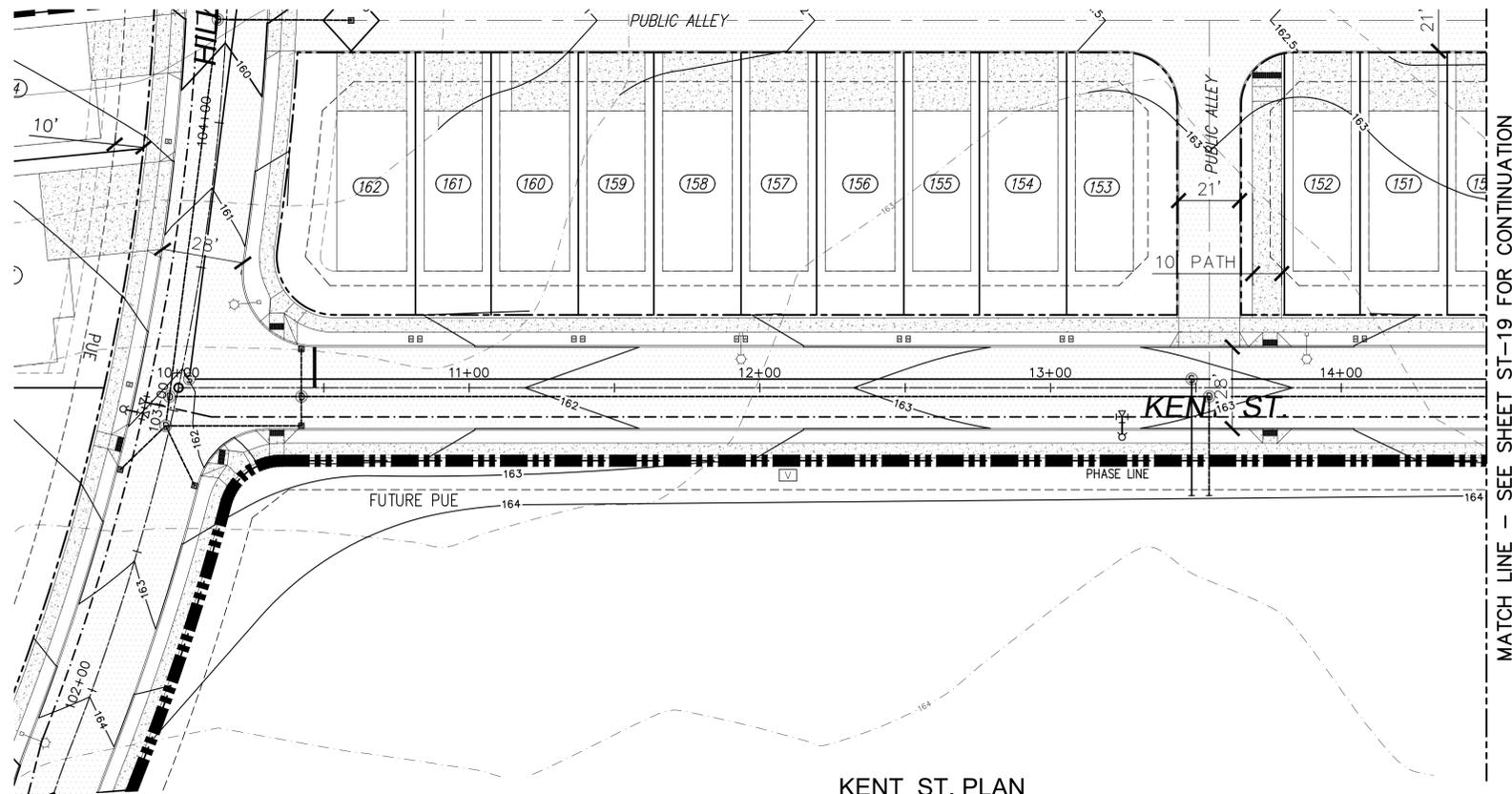
**WE**  
WESTTECH ENGINEERING, INC.  
CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3966  
E-mail: westtech@westtech-eng.com

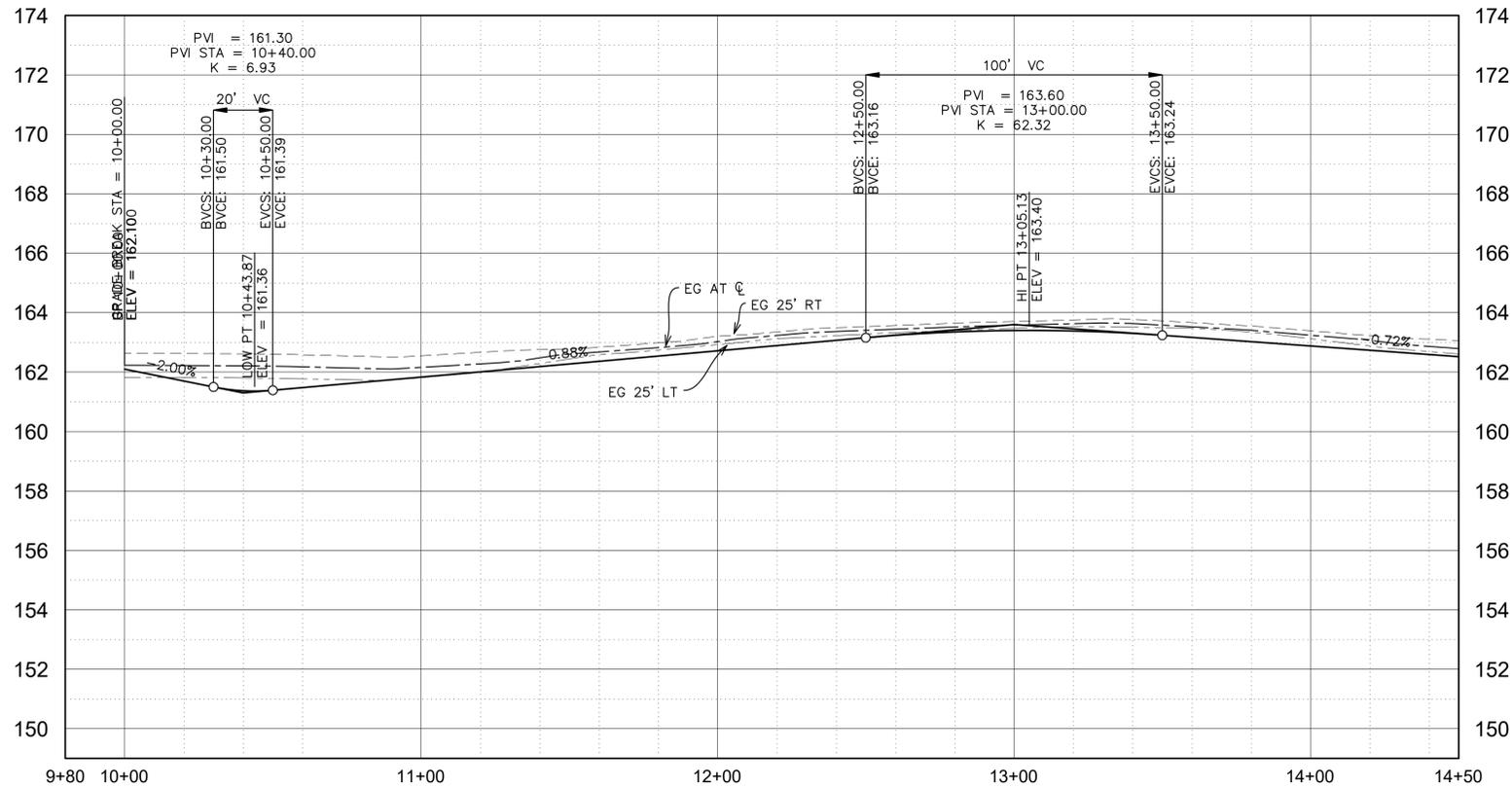
STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION  
**WESSEX STREET PLAN & PROFILE**

DRAWING  
ST-17  
JOB NUMBER  
2940.3000.0

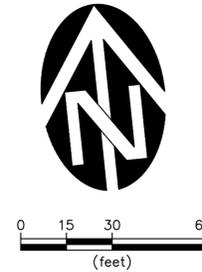
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**KENT ST. PLAN**  
 1" = 30'



**KENT ST. PROFILE**  
 H: 1" = 30' V: 1" = 3'



MATCH LINE - SEE SHEET ST-19 FOR CONTINUATION

NO.	DATE	DESCRIPTION	BY
1			

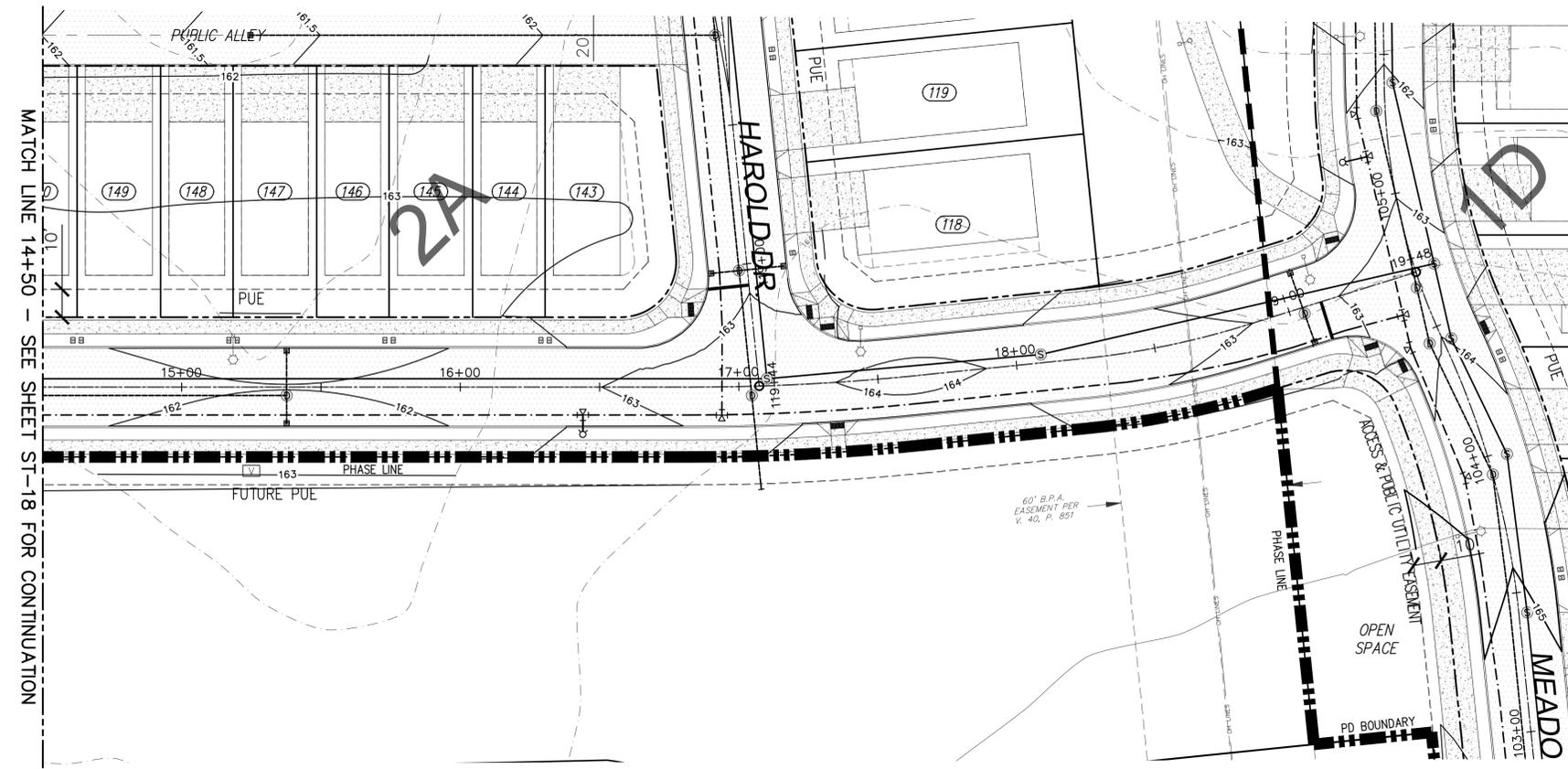
**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

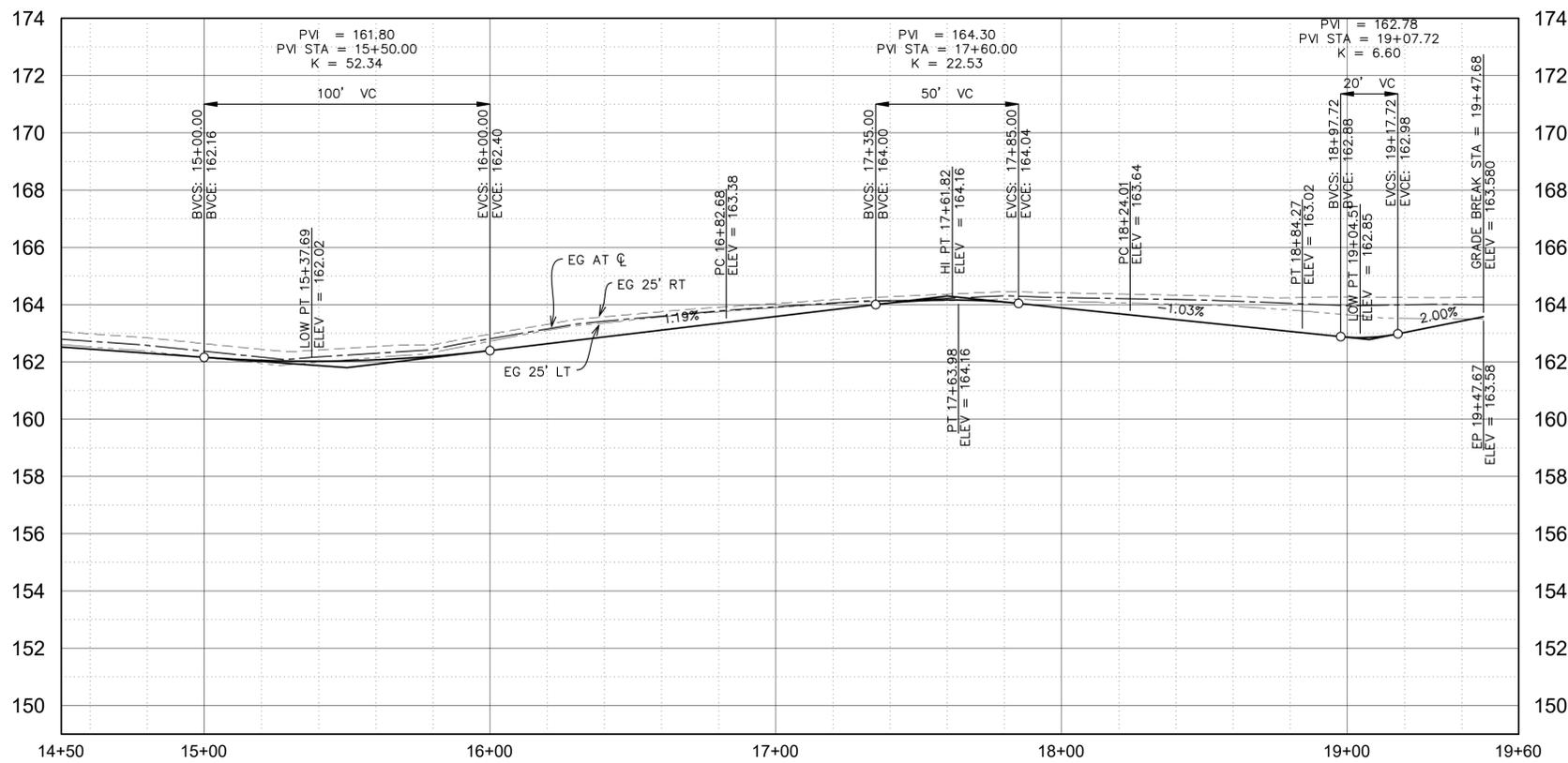
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**KENT STREET PLAN & PROFILE**  
 10+00 - 14+50

DRAWING  
**ST-18**  
 JOB NUMBER  
 2940.3000.0

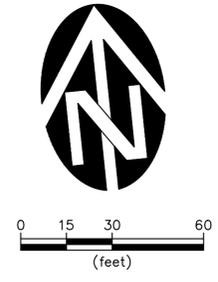
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**KENT ST. PLAN**  
 1" = 30'



**KENT ST. PROFILE**  
 H: 1" = 30' V: 1" = 3'



NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 BASE IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCURACLY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11/2019

**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

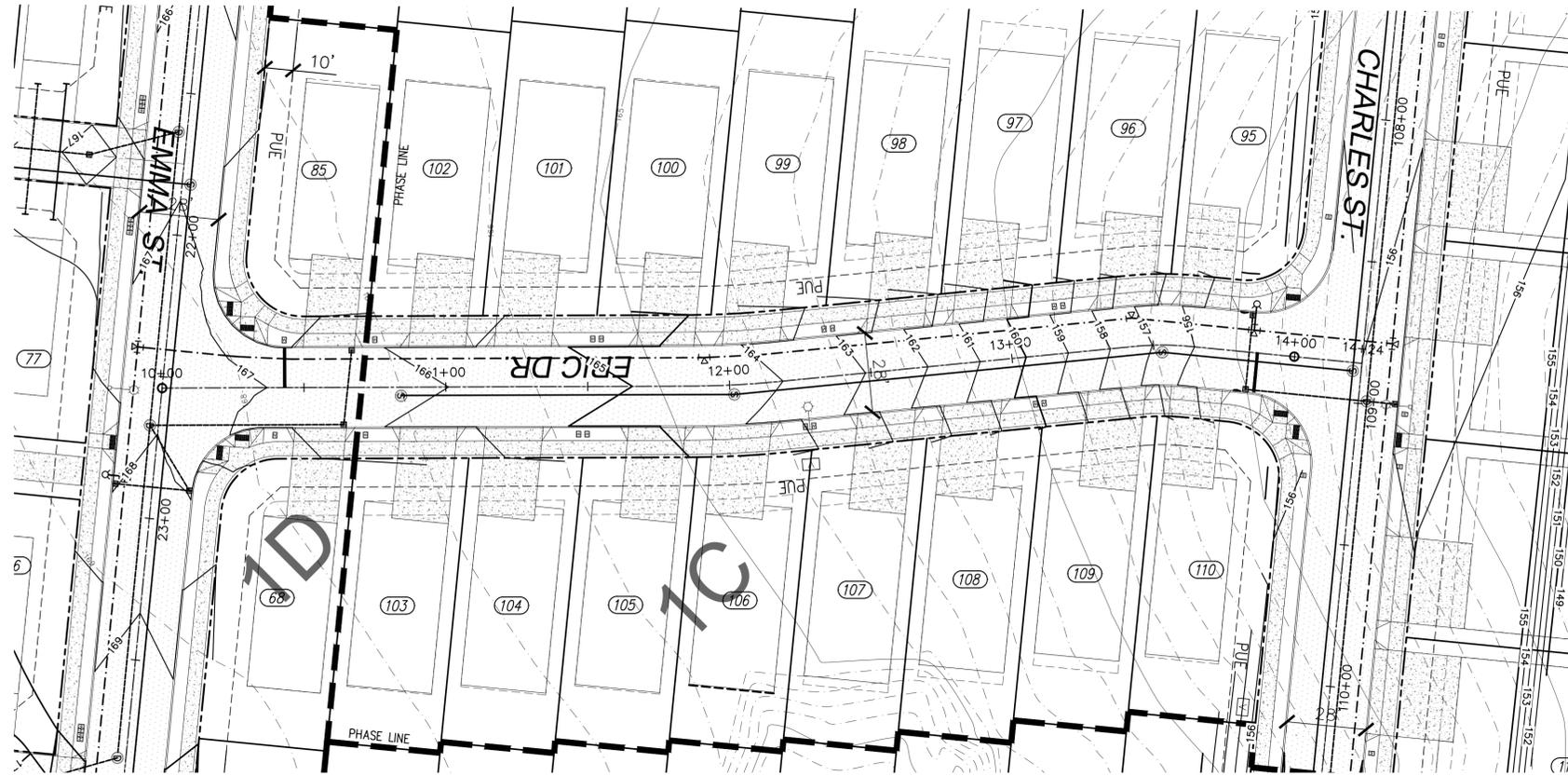
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 565-2474 Fax: (503) 565-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**KENT STREET PLAN & PROFILE**  
 14+50 - END

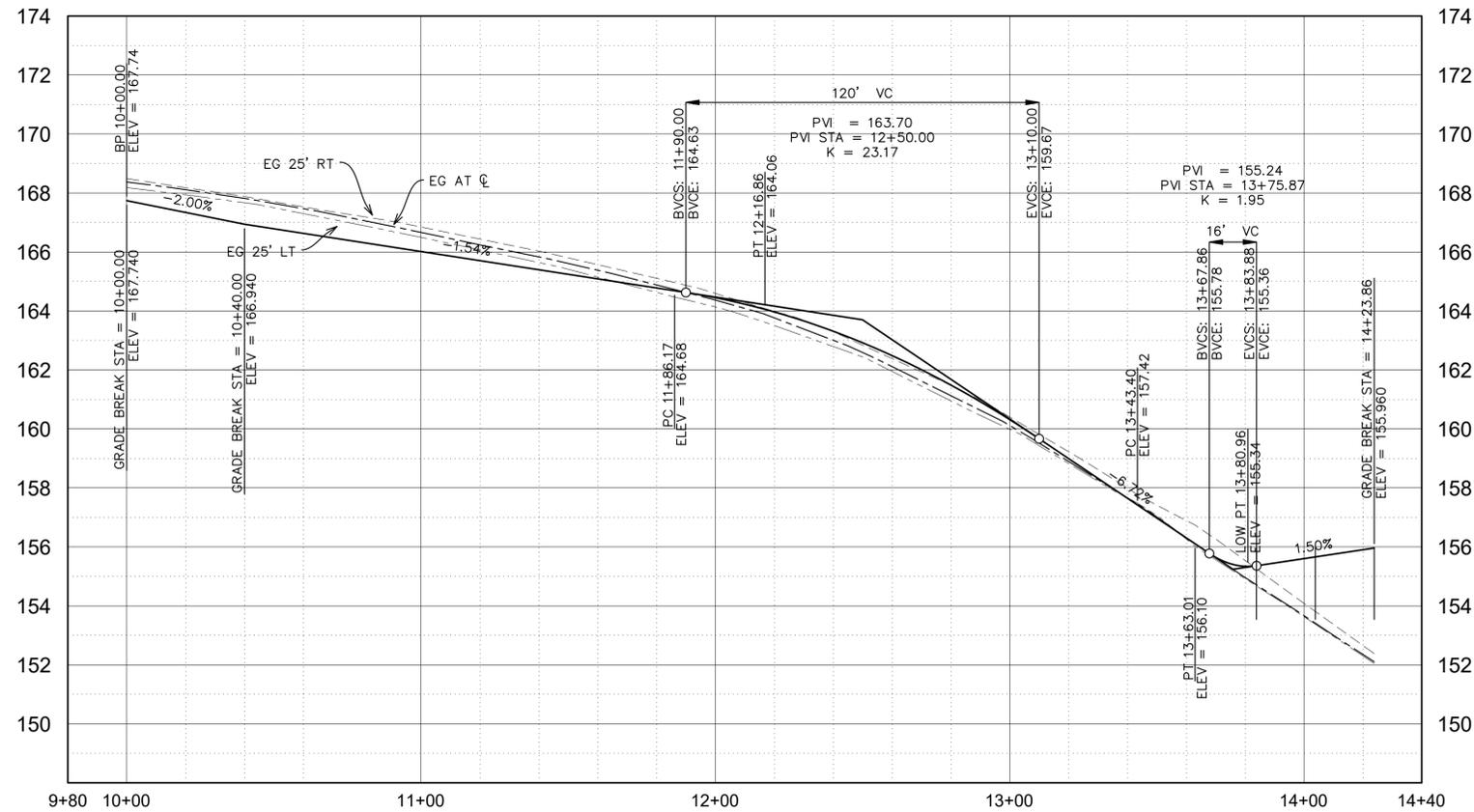
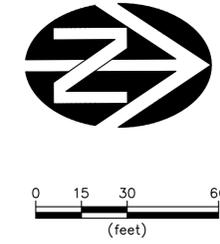
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JOB NUMBER  
 2940.3000.0

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**ERIC DR. PLAN**  
 1" = 30'



**ERIC DR. PROFILE**  
 H: 1" = 30' V: 1" = 3'

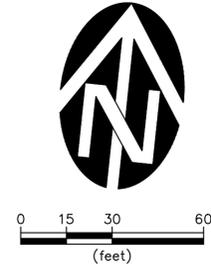
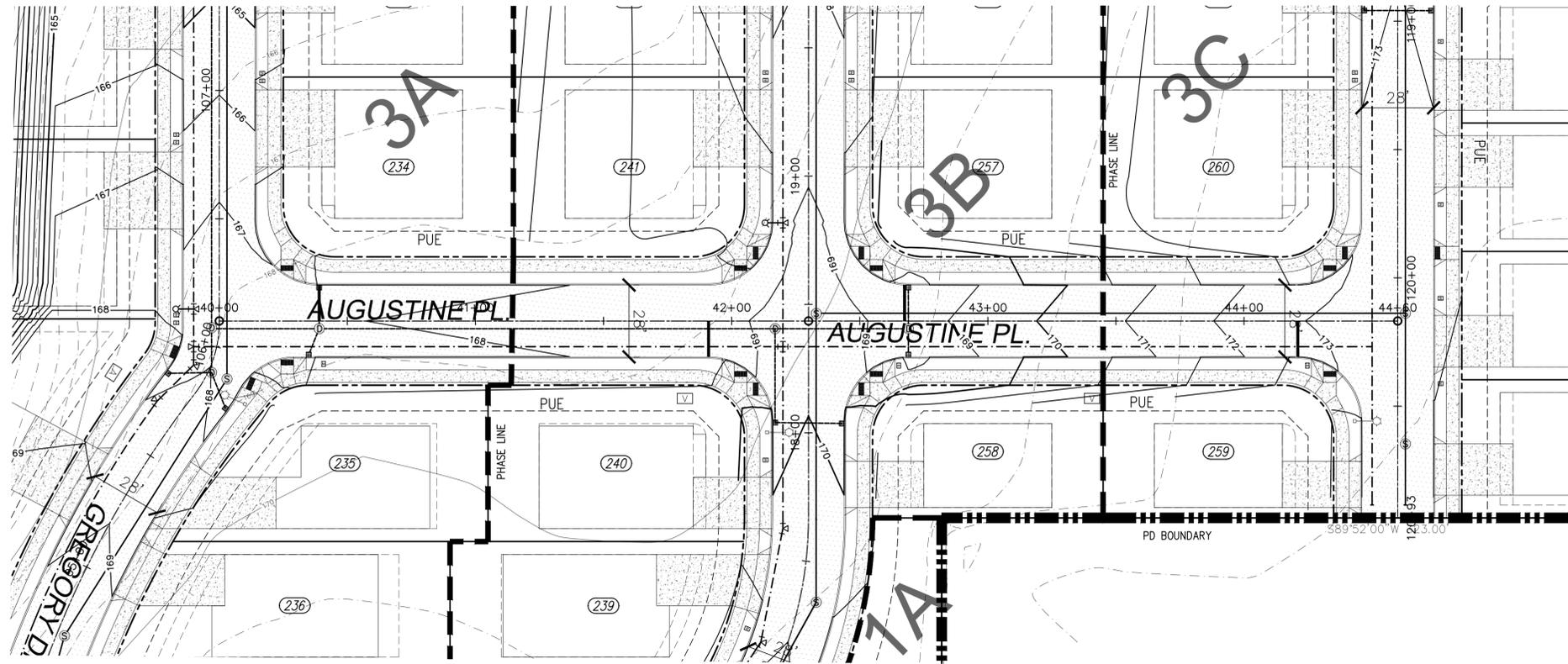
NO.	DATE	DESCRIPTION	BY
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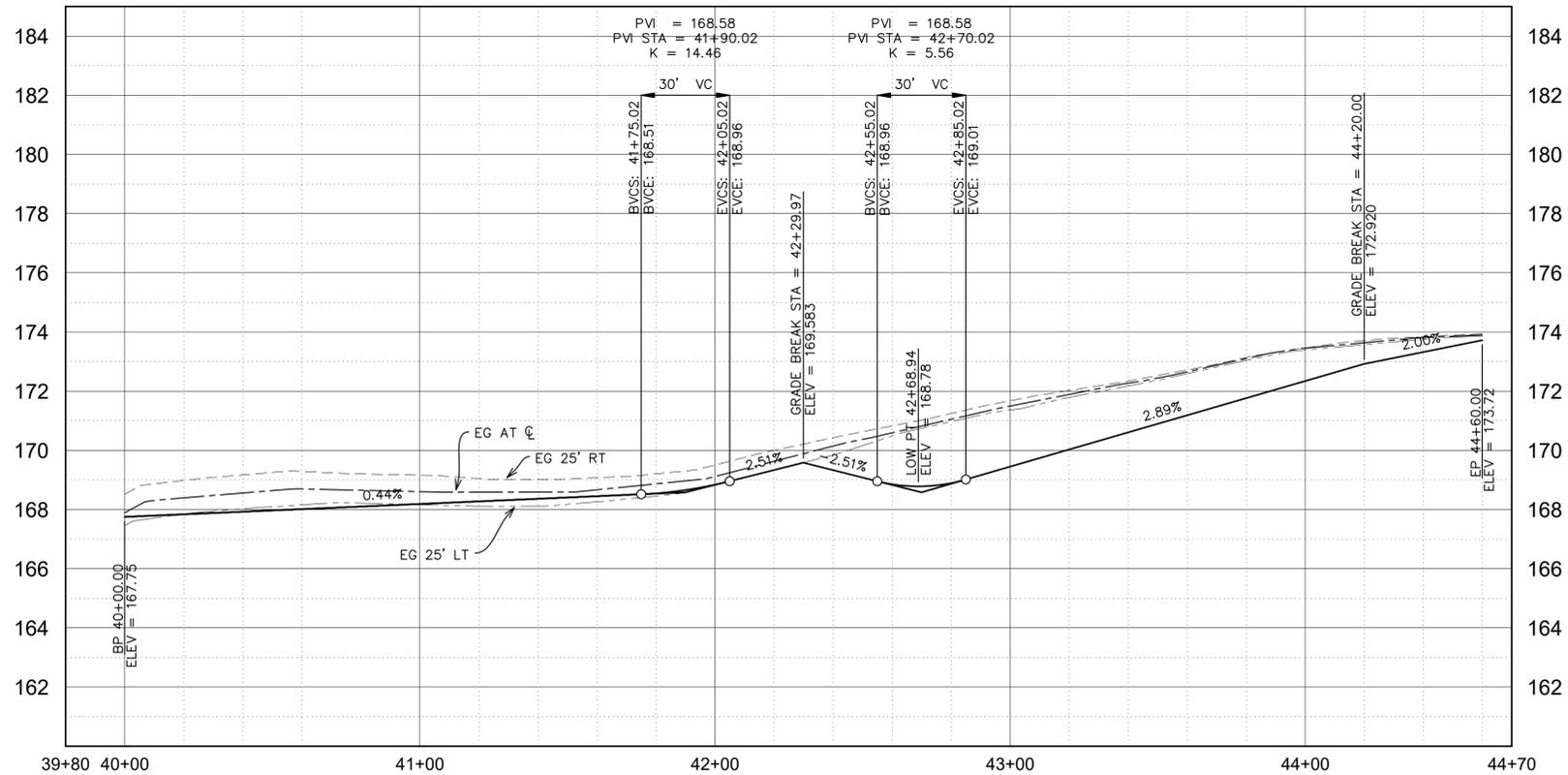
**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS  
 3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**ERIC DRIVE PLAN & PROFILE**

DRAWING  
**ST-20**  
 JOB NUMBER  
**2940.3000.0**



**AUGUSTINE PL. PLAN**  
1" = 30'



**AUGUSTINE PL. PROFILE**  
H: 1" = 30' V: 1" = 3'

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NO.	DATE	DESCRIPTION	BY
1			

**REVIEW REVIEW**

VERIFY SCALE  
BAR IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON SCALES ACCURACLY

DATE: 11/2019

DSN. JW  
DRN. RS  
CKD. JW

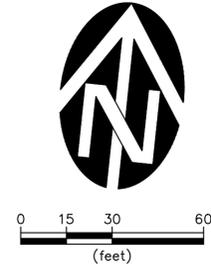
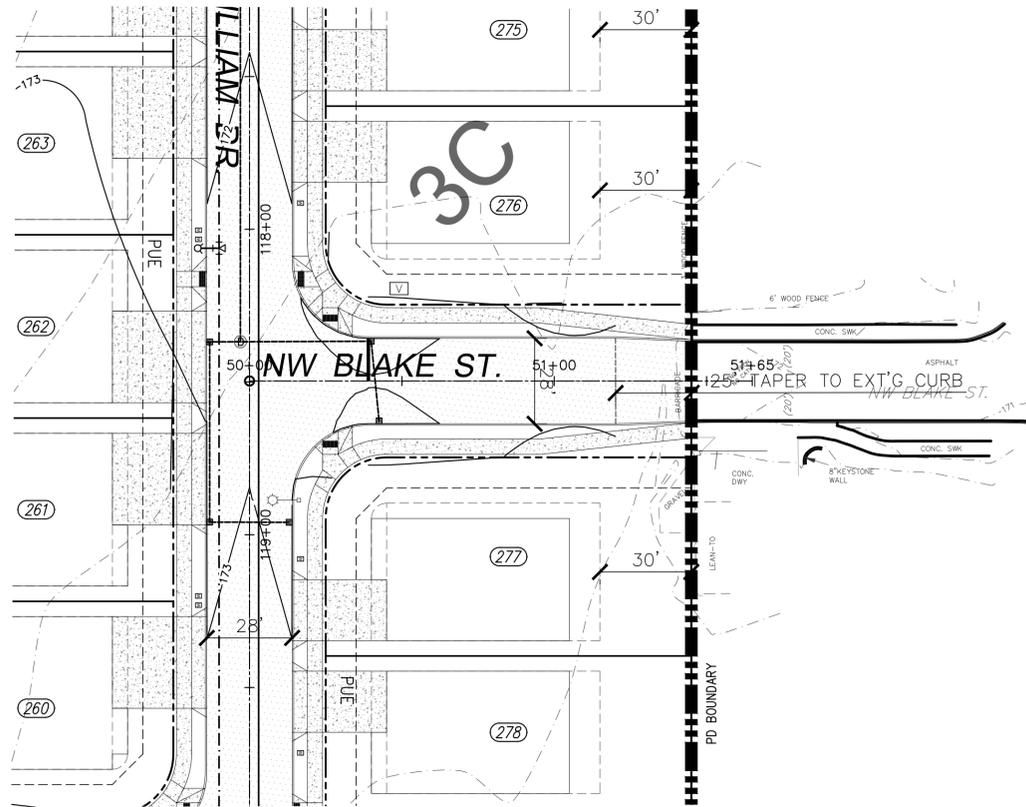
**WESTTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS

**WE**

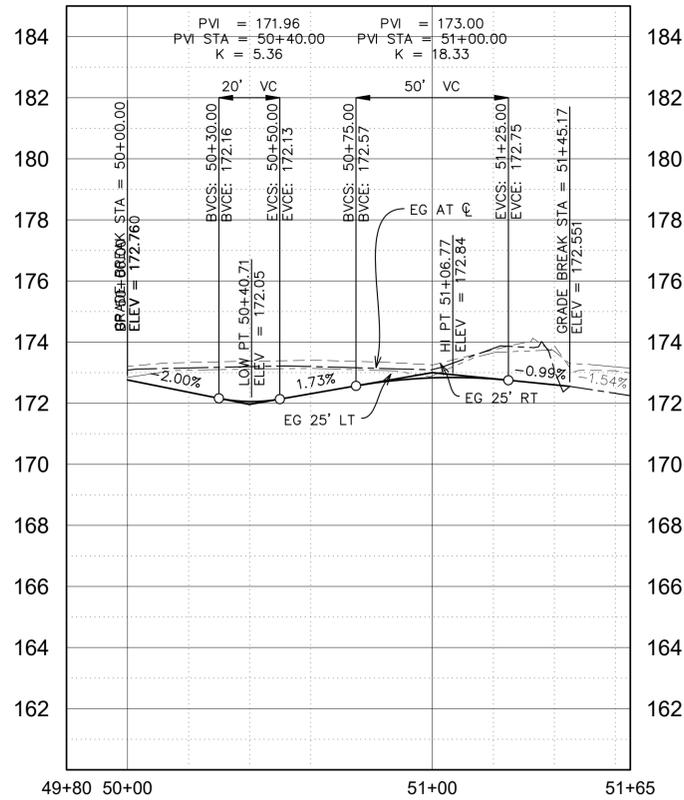
3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3966  
E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
BAKER CREEK NORTH SUBDIVISION  
**AUGUSTINE PLACE PLAN & PROFILE**

DRAWING  
**ST-21**  
JOB NUMBER  
2940.3000.0



**BLAKE ST. PLAN**  
 1" = 30'



**BLAKE ST. PROFILE**  
 H: 1" = 30' V: 1" = 3'

NO.	DATE	DESCRIPTION	BY
1			

VERIFY SCALE  
 BAR IS ONE INCH ON  
 ORIGINAL DRAWING  
 IF NOT ONE INCH ON  
 SCALES ACCORDINGLY

DSN. JW  
 DRN. RS  
 CKD. JW  
 DATE: 11/2019

**REVIEW REVIEW**

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
**BLAKE STREET PLAN &  
 PROFILE**

DRAWING  
**ST-22**

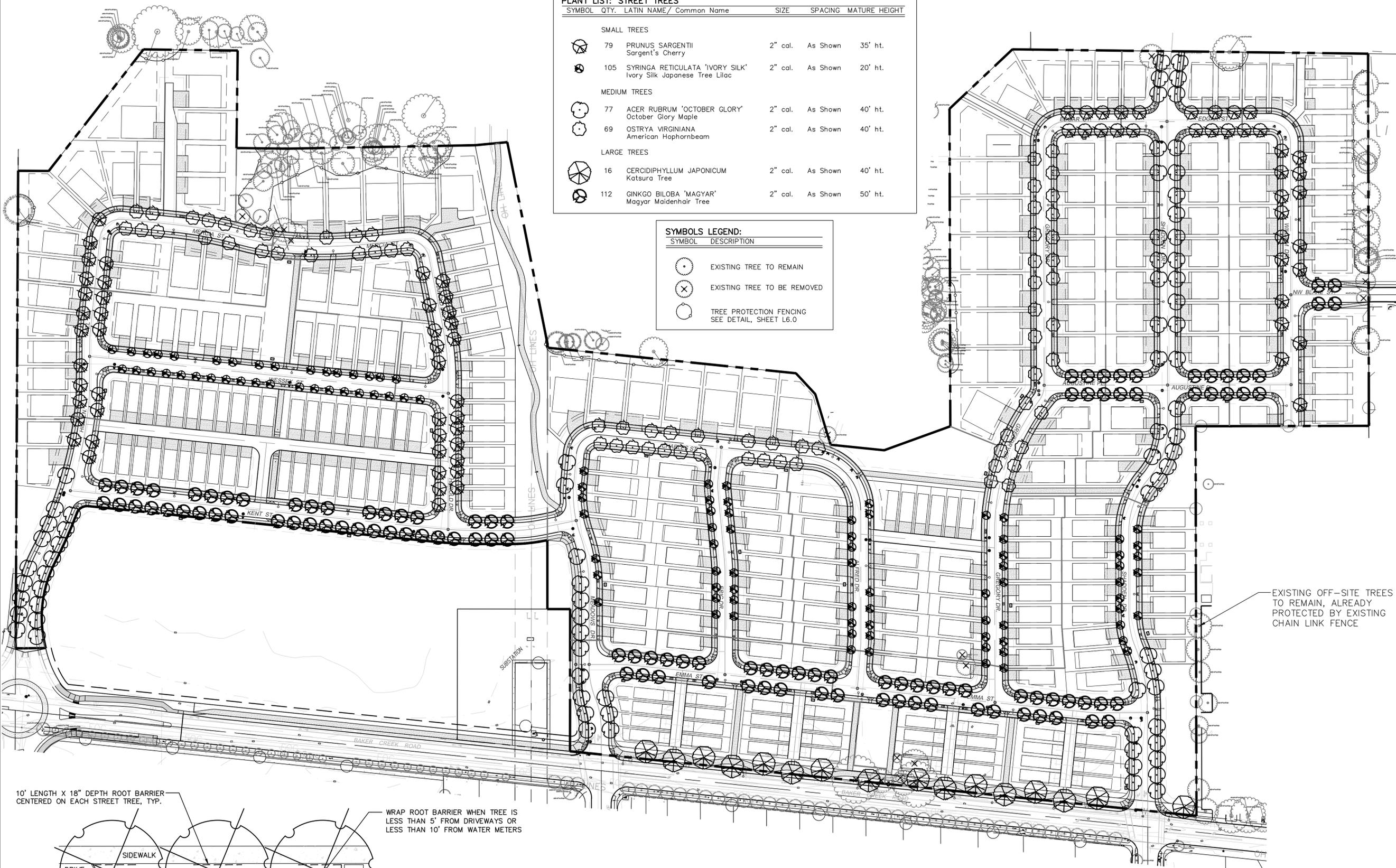
JOB NUMBER  
**2940.3000.0**

**PLANT LIST: STREET TREES**

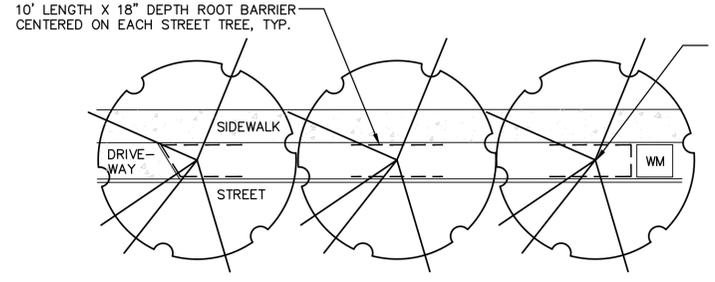
SYMBOL	QTY.	LATIN NAME/ Common Name	SIZE	SPACING	MATURE HEIGHT
<b>SMALL TREES</b>					
	79	PRUNUS SARGENTII Sargent's Cherry	2" cal.	As Shown	35' ht.
	105	SYRINGA RETICULATA 'IVORY SILK' Ivory Silk Japanese Tree Lilac	2" cal.	As Shown	20' ht.
<b>MEDIUM TREES</b>					
	77	ACER RUBRUM 'OCTOBER GLORY' October Glory Maple	2" cal.	As Shown	40' ht.
	69	OSTRYA VIRGINIANA American Hophornbeam	2" cal.	As Shown	40' ht.
<b>LARGE TREES</b>					
	16	CERCIDIPHYLLUM JAPONICUM Katsura Tree	2" cal.	As Shown	40' ht.
	112	GINKGO BILOBA 'MAGYAR' Magyar Maidenhair Tree	2" cal.	As Shown	50' ht.

**SYMBOLS LEGEND:**

SYMBOL	DESCRIPTION
	EXISTING TREE TO REMAIN
	EXISTING TREE TO BE REMOVED
	TREE PROTECTION FENCING SEE DETAIL, SHEET L6.0



EXISTING OFF-SITE TREES TO REMAIN, ALREADY PROTECTED BY EXISTING CHAIN LINK FENCE



ROOT BARRIER DETAIL  
NOT TO SCALE

- STREET TREE NOTES:**
1. Street trees shall not be planted within ten feet of fire hydrants, utility poles, sanitary sewer, storm sewer or water lines; twenty feet of street lights or street intersections; or five feet from a private driveway or alley, except as approved with appropriate root barrier.
  2. Root barrier shall be installed for any street trees planted less than five feet from a curb, sidewalk, or driveway, and less than 10' from a water meter.
  3. Lawn shall be planted in all street planting areas by adjacent property owner at time of home construction.

**TREE PLAN**

SCALE 1" = 90'-0"



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NO.	DATE	DESCRIPTION	BY

**OTTEN & Associates**  
Landscape Architecture, LLC  
3933 SW Kelly Avenue, Suite B  
Portland, Oregon 97239  
Phone: (503) 972-0311  
www.ottenla.com



**WESTTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS  
3941 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3986  
E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY, LLC  
BAKER CREEK NORTH SUBDIVISION  
**STREET TREE PLAN**

DRAWING  
L1.0  
JOB NUMBER  
2940.3000.0

11/8/2019 11:59:20 AM  
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MATCHLINE: SEE SHEET L5.0

MATCHLINE: SEE SHEET L3.0



SEE ENLARGED TRACT VIEWS  
(SHEETS L7.0 & L8.0)

# LANDSCAPE PLAN

SCALE 1" = 40'-0"



NO.	DATE	DESCRIPTION	BY

VERIFY SCALE  
BAS IS ONE INCH ON ORIGINAL DRAWING  
IF NOT ONE INCH ON SCALES ACCORDINGLY

DSN. EH  
DRN. EH  
CKD. EH  
DATE: 11/8/2019

**OTTEN & Associates**  
Landscape Architecture, LLC  
3933 SW Kelly Avenue, Suite B  
Portland, Oregon 97239  
Phone: (503) 972-0311  
www.ottenla.com



**WESTTECH ENGINEERING, INC.**  
CONSULTING ENGINEERS AND PLANNERS

**WE**

3941 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
Phone: (503) 585-2474 Fax: (503) 585-3986  
E-mail: westtech@westech-eng.com

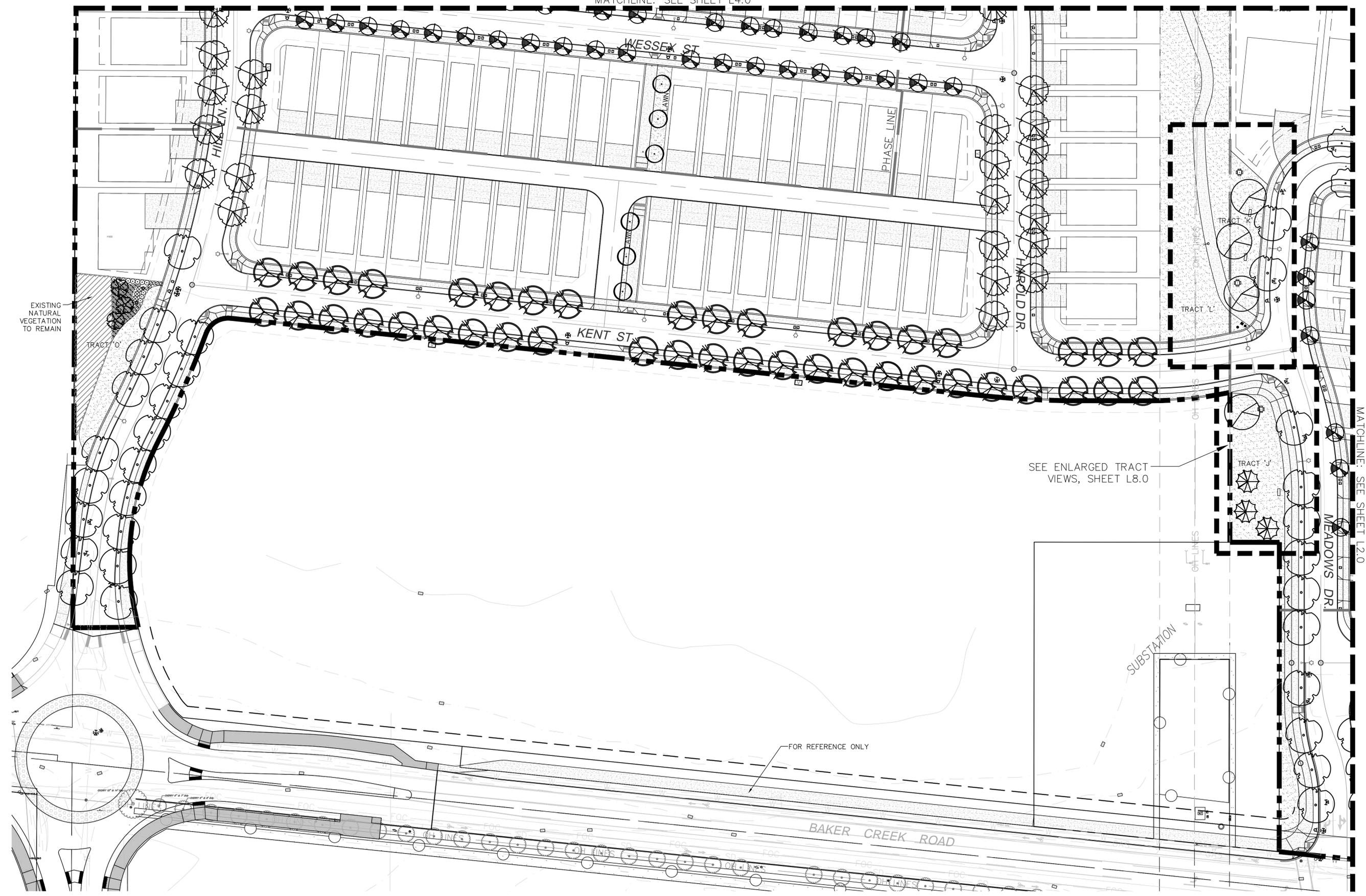
STAFFORD DEVELOPMENT COMPANY, LLC  
BAKER CREEK NORTH SUBDIVISION

## LANDSCAPE PLAN

DRAWING  
L2.0  
JOB NUMBER  
2940.3000.0

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MATCHLINE: SEE SHEET L4.0



LANDSCAPE PLAN

SCALE 1" = 40'-0"

NO.	DATE	DESCRIPTION	BY

VERIFY SCALE  
 BAS IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCORDINGLY

0 DSN: EH DRN: EH CKD: EH DATE: 11/8/2019

**OTTEN & Associates**  
 Landscape Architecture, LLC  
 3933 SW Kelly Avenue, Suite B  
 Portland, Oregon 97239  
 Phone: (503) 972-0311  
 www.ottenka.com



**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

**WE**  
 3941 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3986  
 E-mail: westtech@westtech-eng.com

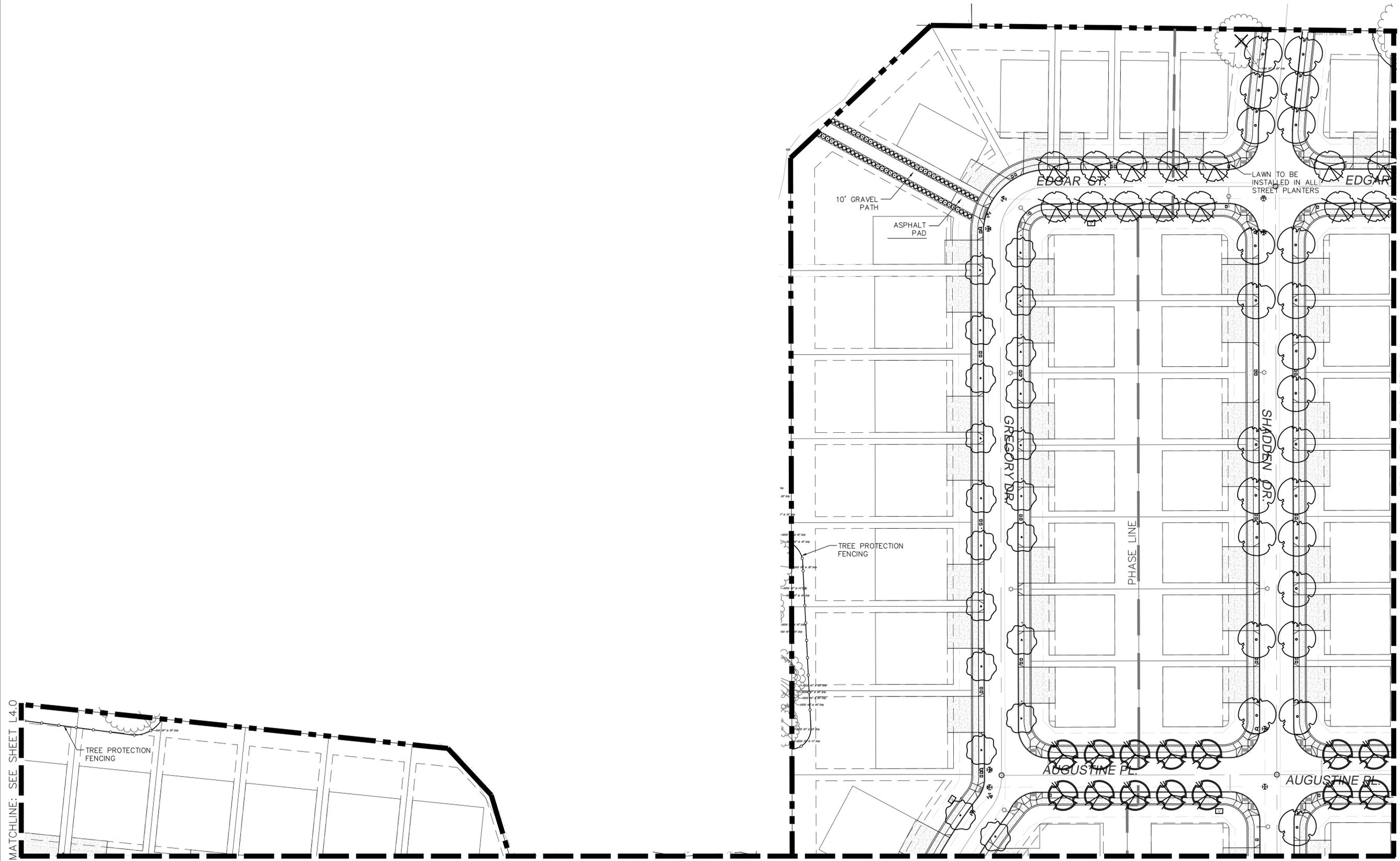
STAFFORD DEVELOPMENT COMPANY  
 BAKER CREEK NORTH SUBDIVISION  
 LANDSCAPE PLAN

DRAWING  
 L3.0  
 JOB NUMBER  
 2940.3000.0



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MATCHLINE: SEE SHEET L4.0



MATCHLINE: SEE SHEET L2.0

LANDSCAPE PLAN

SCALE 1" = 40'-0"



MATCHLINE: SEE SHEET L6.0

NO.	DATE	DESCRIPTION	BY

OTTEN & Associates  
 Landscape Architecture, LLC  
 3933 SW Kelly Avenue, Suite B  
 Portland, Oregon 97239  
 Phone: (503) 972-0311  
 www.ottenla.com



**WESTTECH ENGINEERING, INC.**  
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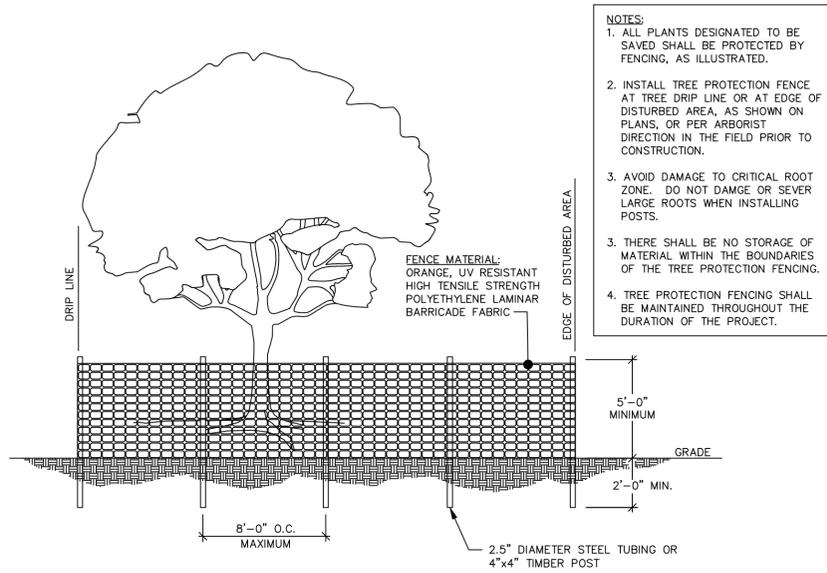
STAFFORD DEVELOPMENT COMPANY, LLC  
 BAKER CREEK NORTH SUBDIVISION

LANDSCAPE PLAN

DRAWING  
 L5.0  
 JOB NUMBER  
 2940.3000.0

**GENERAL NOTES:**

- Landscape Plan is diagrammatic only and does not provide construction details for any hardscape elements. Contractor(s) shall be experienced and skilled in the required scope of work, and assume all responsibility for the work contained herein.
- Tree protection fencing shall be installed for all existing trees to be preserved prior to the commencement of any construction activity.
- Adjust plantings in the field as necessary.
- Project is to be irrigated by an automatic, underground system, which will provide full coverage for all plant material. See Irrigation Plan for meter location and mainline layout. Individual zones and sprinkler layout are to be design/build by Landscape Contractor. Guarantee system for a minimum one year.
- All plants are to be fully foliated, well branched and true to form.
- Contractor is to notify Landscape Architect or Owner's Representative of any site changes or unforeseen conditions that may be detrimental to plant health, or cause future problems to any structural elements of the project.
- Contractor shall notify the Landscape Architect if specified materials or methods are not consistent with local climate and/or practices.



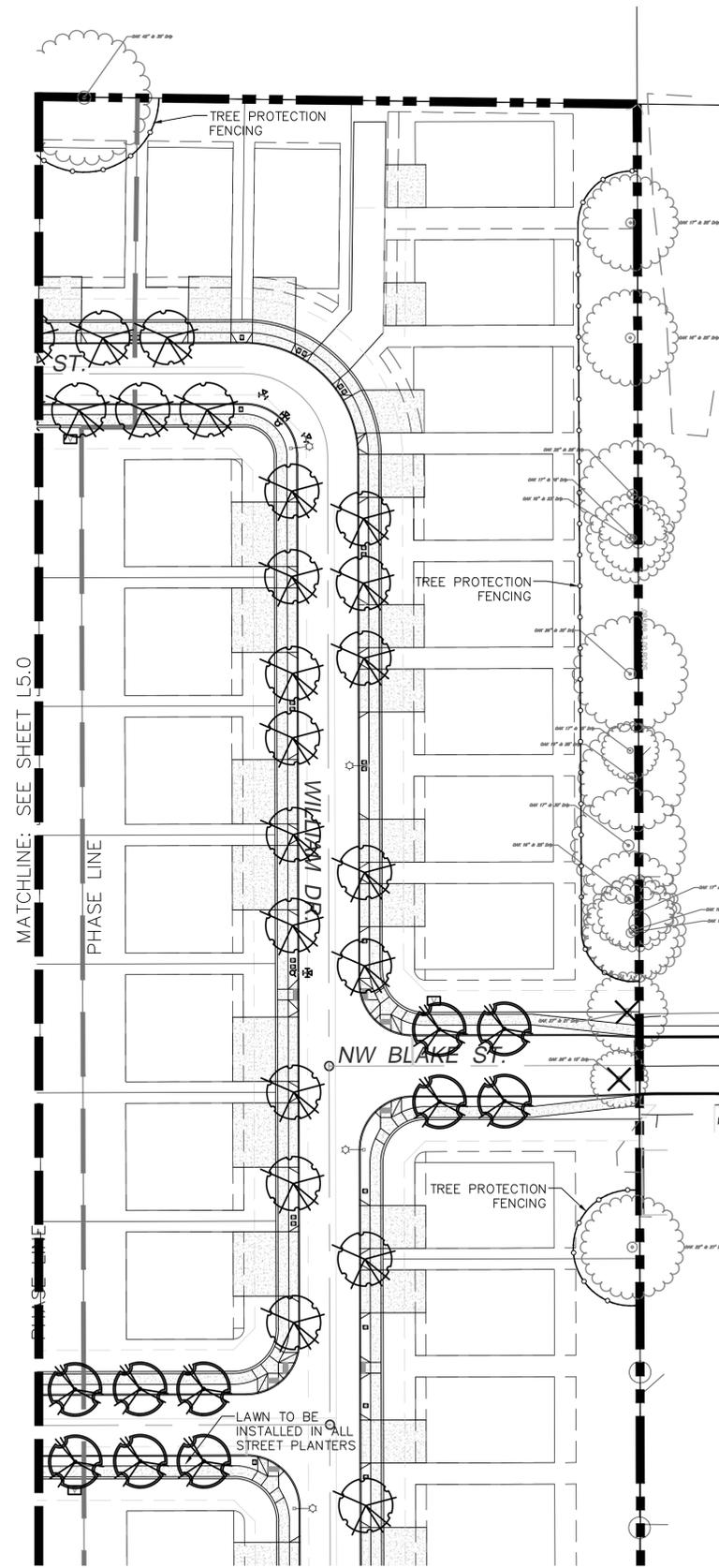
- NOTES:**
- ALL PLANTS DESIGNATED TO BE SAVED SHALL BE PROTECTED BY FENCING, AS ILLUSTRATED.
  - INSTALL TREE PROTECTION FENCE AT TREE DRIP LINE OR AT EDGE OF DISTURBED AREA, AS SHOWN ON PLANS, OR PER ARBORIST DIRECTION IN THE FIELD PRIOR TO CONSTRUCTION.
  - AVOID DAMAGE TO CRITICAL ROOT ZONE. DO NOT DAMAGE OR SEVER LARGE ROOTS WHEN INSTALLING POSTS.
  - THERE SHALL BE NO STORAGE OF MATERIAL WITHIN THE BOUNDARIES OF THE TREE PROTECTION FENCING.
  - TREE PROTECTION FENCING SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.

**TREE PROTECTION FENCING**  
(OR AS REQUIRED BY THE CITY OF MCMINNVILLE) N.T.S.

**PLANT LIST: OPEN SPACE TRACTS**

SYMBOL QTY. SUGGESTED PLANT MATERIAL SIZE SPACING

SYMBOL	QTY.	SUGGESTED PLANT MATERIAL	SIZE	SPACING
<b>SITE TREES</b>				
☉	13	ACER CIRCINATUM Vine Maple	4-5' ht.	As Shown
☼	6	CALOCEDRUS DECURRENS Incense Cedar	6-7' ht.	As Shown
☽	34	CARPINUS BETULUS 'FRANS FONTAINE' Frans Fontaine Hornbeam	2" cal.	As Shown
☾	12	CERCIS CANADENSIS Eastern Redbud	2" cal.	As Shown
☿	9	QLEDITSIA TRIACANTHOS 'SUNBURST' Sunburst Honey Locust	2" cal.	As Shown
♋	17	MALUS 'ROYAL RAINDROPS' Royal Raindrops Flowering Crabapple	2" cal.	As Shown
♌	OR	AMELANCHIER ALNIFOLIA Pacific Serviceberry		
♍	10	PSEUDOTSUGA MENSIEZII Douglas Fir	7-8' ht.	As Shown
♎	7	RHAMNUS PURSHIANA Cascara	2" cal.	As Shown
<b>SHRUBS</b>				
⊙	10	ABELIA GRANDIFLORA 'KALEIDOSCOPE' Kaleidoscope Abelia	2 gal.	3' o.c.
⊕	54	CORNUS ALBA 'ELEGANTISSIMA' Variegated Redtwig Dogwood	5 gal.	5' o.c.
⊗	9	JUNIPERUS CHINENSIS 'BLUE POINT' Blue Point Juniper	4-5' ht.	5' o.c.
⊘	8	LIGUSTRUM JAPONICUM 'TEXANUM' Waxleaf Privet	5 gal.	4' o.c.
⊙	172	MAHONIA AQUIFOLIUM Tall Oregon Grape	2 gal.	4' o.c.
☉	36	MYRICA CALIFORNICA Pacific Wax Myrtle	5 gal.	6' o.c.
☼	24	ROSA NUTKANA Nootka Rose	2 gal.	4' o.c.
☽	16	SYRINGA PATULA 'MISS KIM' Miss Kim Korean Lilac	5 gal.	6' o.c.
☾	3	VIBURNUM TINUS 'SPRING BOUQUET' Spring Bouquet Viburnum	5 gal.	4' o.c.
♋	(3,760 SF)	ORNAMENTAL & NATIVE SHRUBS Lucky Lots Abelia Silver Queen Euonymus Kelsey Dogwood Creeping Mahonia Evergreen Huckleberry Gulf Stream Nandina Dwarf Alaska Blue Willow	2-5 gal.	2-6' o.c.
<b>GROUND COVER &amp; PERENNIALS</b>				
▨	341	ARCTOSTAPHYLOS UVA-URSI Kinnikinnick	1 gal.	3' o.c.
⊙	60	HELICTOTRICHON SEMPERVIRENS Blue Oat Grass	1 gal.	2' o.c.
⊕	10	HEMEROCALLIS 'STELLA D' ORO' Stella d' Oro Daylily	1 gal.	2' o.c.
⊗	2	MISCANTHUS SINENSIS 'MORNING LIGHT' Morning Light Maiden Grass	2 gal.	3' o.c.
<b>SEEDED AREAS</b>				
▨		FINE LAWN See Specifications		Seed
▨		WATER QUALITY MIX See Specifications		Seed



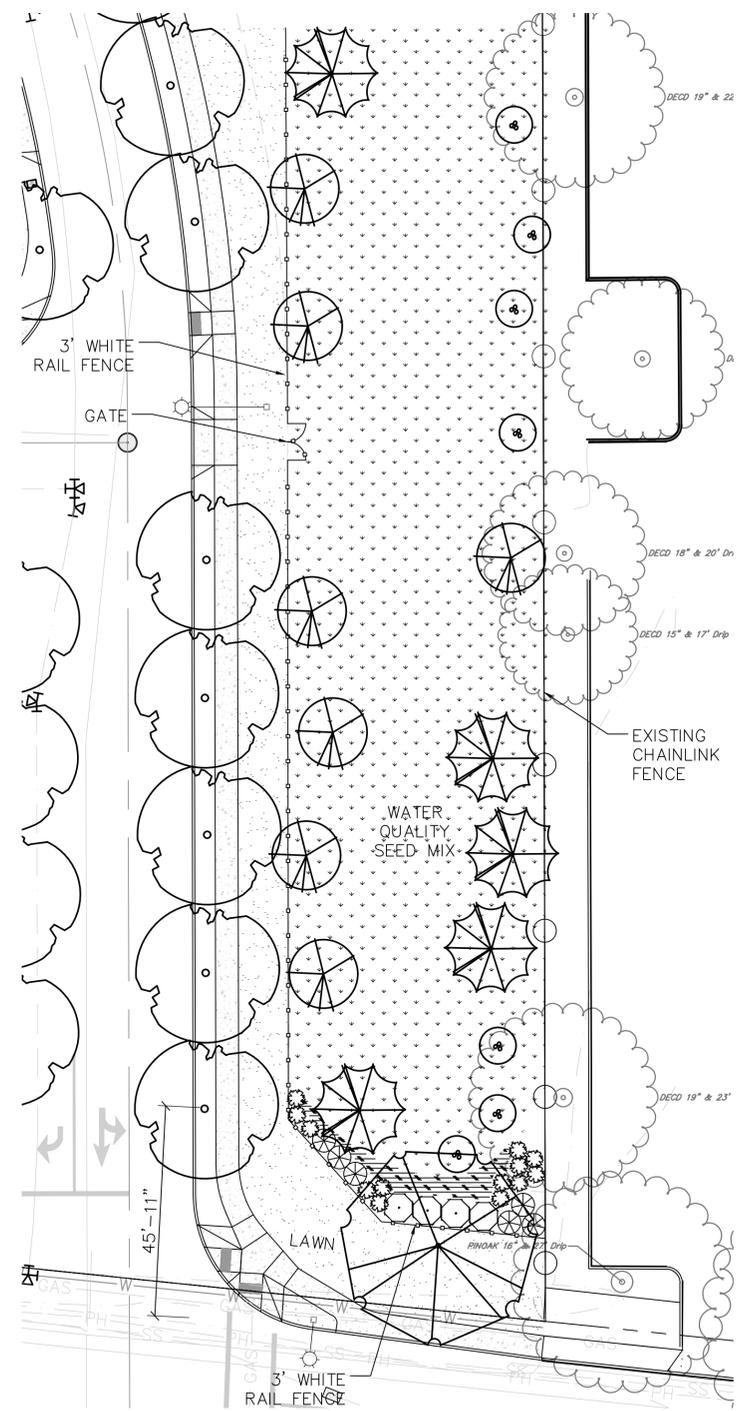
**LANDSCAPE PLAN**

SCALE 1" = 40'-0"

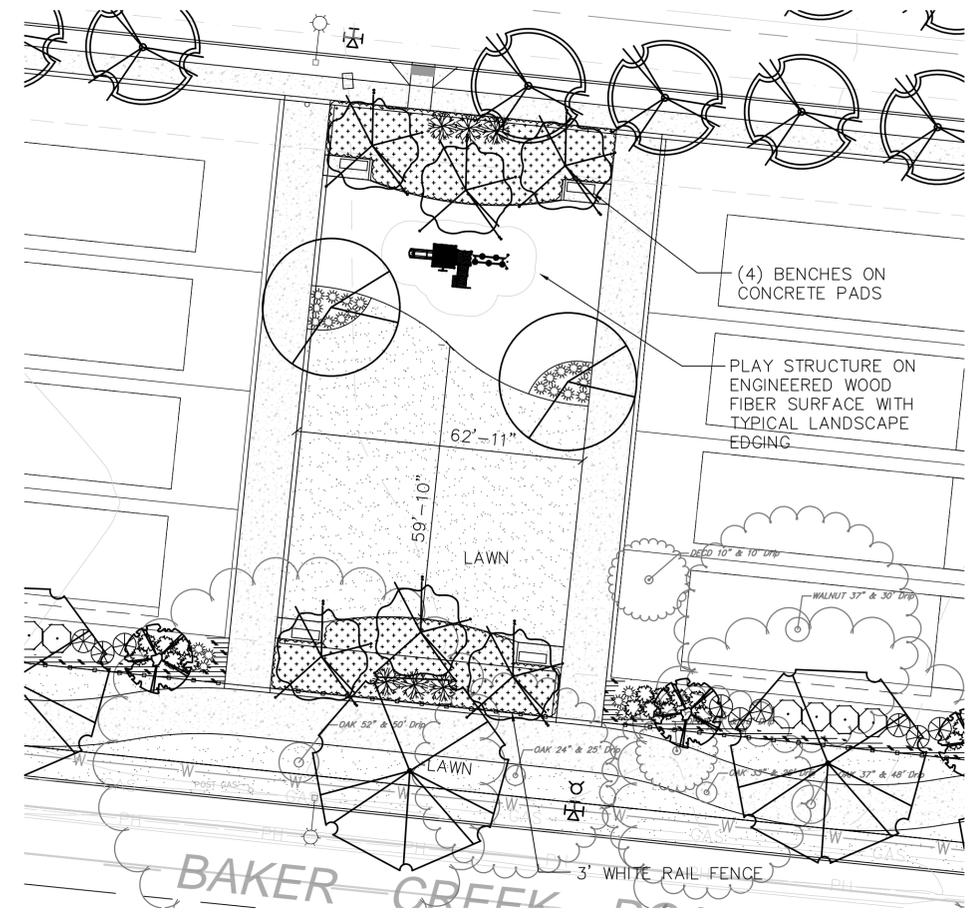
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DRN. EH			
CKD. EH			
	DATE: 11/8/2019		
<p><b>Otten &amp; Associates</b> Landscape Architecture, LLC 3933 SW Kelly Avenue, Suite B Portland, Oregon 97239 Phone: (503) 972-0311 www.ottenla.com</p> <p>REGISTERED LA793 ERIN HOLSINGER OREGON 6/10/2013 EXP. 5/31/20 LANDSCAPE ARCHITECT</p> <p><b>WESTTECH ENGINEERING, INC.</b> CONSULTING ENGINEERS AND PLANNERS 3941 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302 Phone: (503) 585-2474 Fax: (503) 585-3986 E-mail: westtech@westtech-eng.com</p>			
<p>STAFFORD DEVELOPMENT COMPANY, LLC BAKER CREEK NORTH SUBDIVISION</p> <p>LANDSCAPE PLAN</p>			
<p>DRAWING L6.0</p>			
<p>JOB NUMBER 2940.3000.0</p>			

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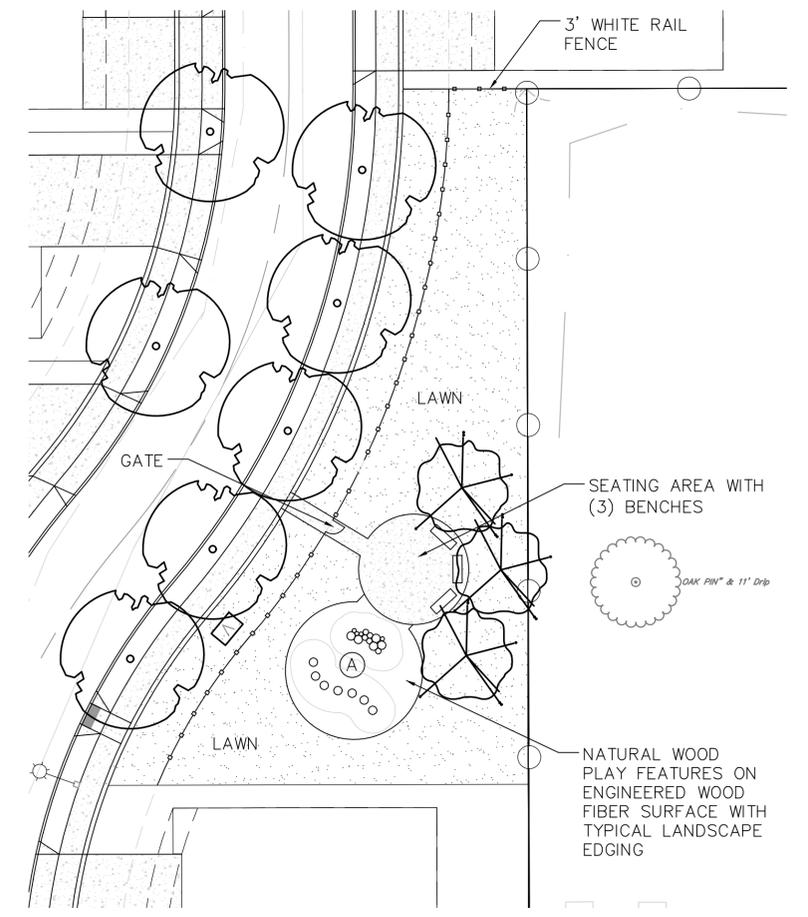
**TRACT 'A' EXPANDED VIEW**  
 SCALE 1" = 20'-0"



**TRACT 'B' EXPANDED VIEW**  
 SCALE 1" = 20'-0"



**TRACT 'B' PROPOSED PLAY EQUIPMENT**  
 NTS



**TRACT 'C' EXPANDED VIEW**  
 SCALE 1" = 20'-0"

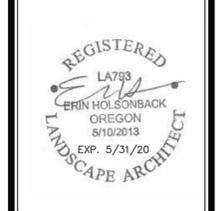


**(A) STUMP CLIMBER/TRAIL**

**TRACT 'C' PROPOSED PLAY EQUIPMENT**  
 NTS  
 NOTE: Remove all rough areas, pointed edges and splinters, and strip bark to the greatest extent possible from all wood to be used for play features. Final design by contractor shall provide adequate footing to create a sturdy structure for climbing.

NO.	DATE	DESCRIPTION	BY

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 Landscape Architecture, LLC  
 3933 SW Kelly Avenue, Suite B  
 Portland, Oregon 97239  
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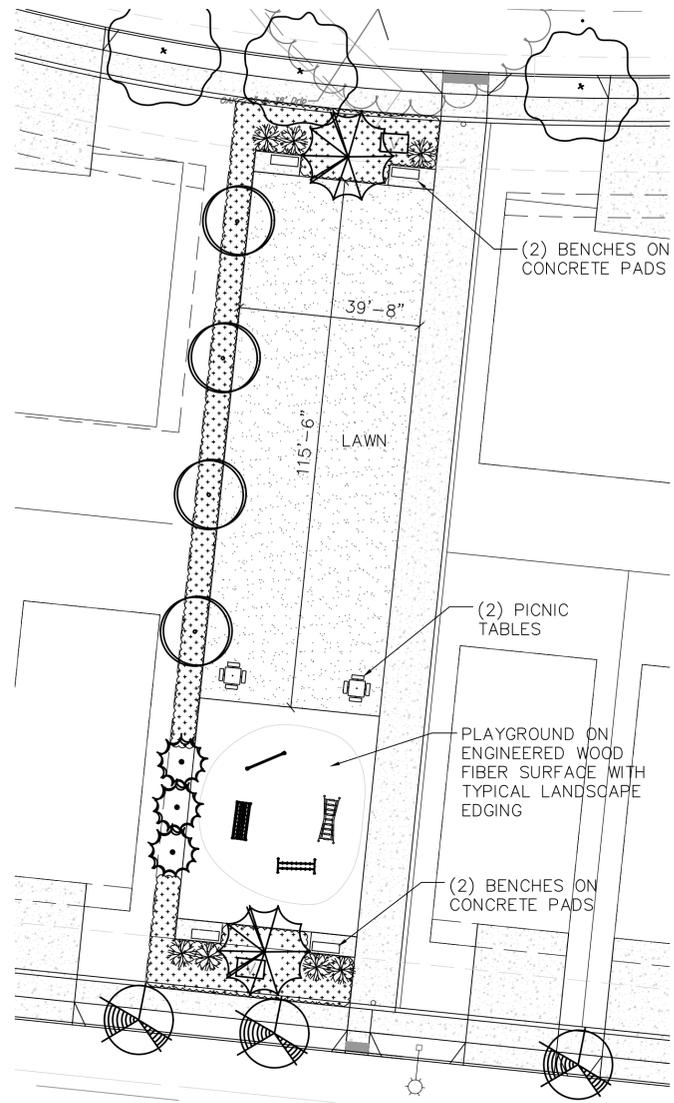


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 BAKER CREEK NORTH SUBDIVISION  
 LANDSCAPE PLAN

DRAWING  
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 2940.3000.0





**TRACT 'R' EXPANDED VIEW**  
SCALE 1" = 20'-0"



**TRACT 'R' PROPOSED PLAY EQUIPMENT**  
NTS



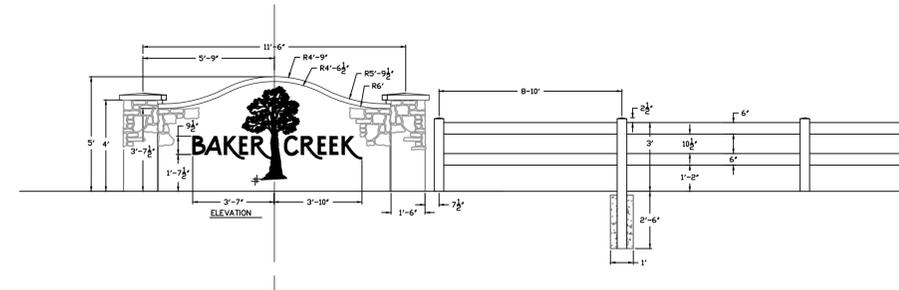
**TYPICAL PARK BENCH**  
NTS  
MANUFACTURER: SUPERIOR RECREATIONAL PRODUCTS  
MODEL: STANDARD BENCH WITH BACK (B6WBPERF)



**TYPICAL PICNIC TABLE**  
NTS  
MANUFACTURER: SUPERIOR RECREATIONAL PRODUCTS  
MODEL: SQUARE PEDESTAL PICNIC TABLE (T46PERFS)



**TYPICAL WASTE RECEPTACLE**  
NTS  
MANUFACTURER: SUPERIOR RECREATIONAL PRODUCTS  
MODEL: PERFORATED TRASH RECEPTACLE (TR32PERF)



**PROPOSED MONUMENT SIGN + RAIL FENCING**  
SCALE: 1/4"=1'-0"



**TYPICAL DOG WASTE BAG DISPENSER**  
MANUFACTURER: DOG-I-POT (OR OTHER APPROVED) NTS

NO.	DATE	DESCRIPTION	BY

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REGISTERED  
LA793  
ERIN HOLSONBACK  
OREGON  
8/10/2013  
EXP. 5/31/20  
LANDSCAPE ARCHITECT

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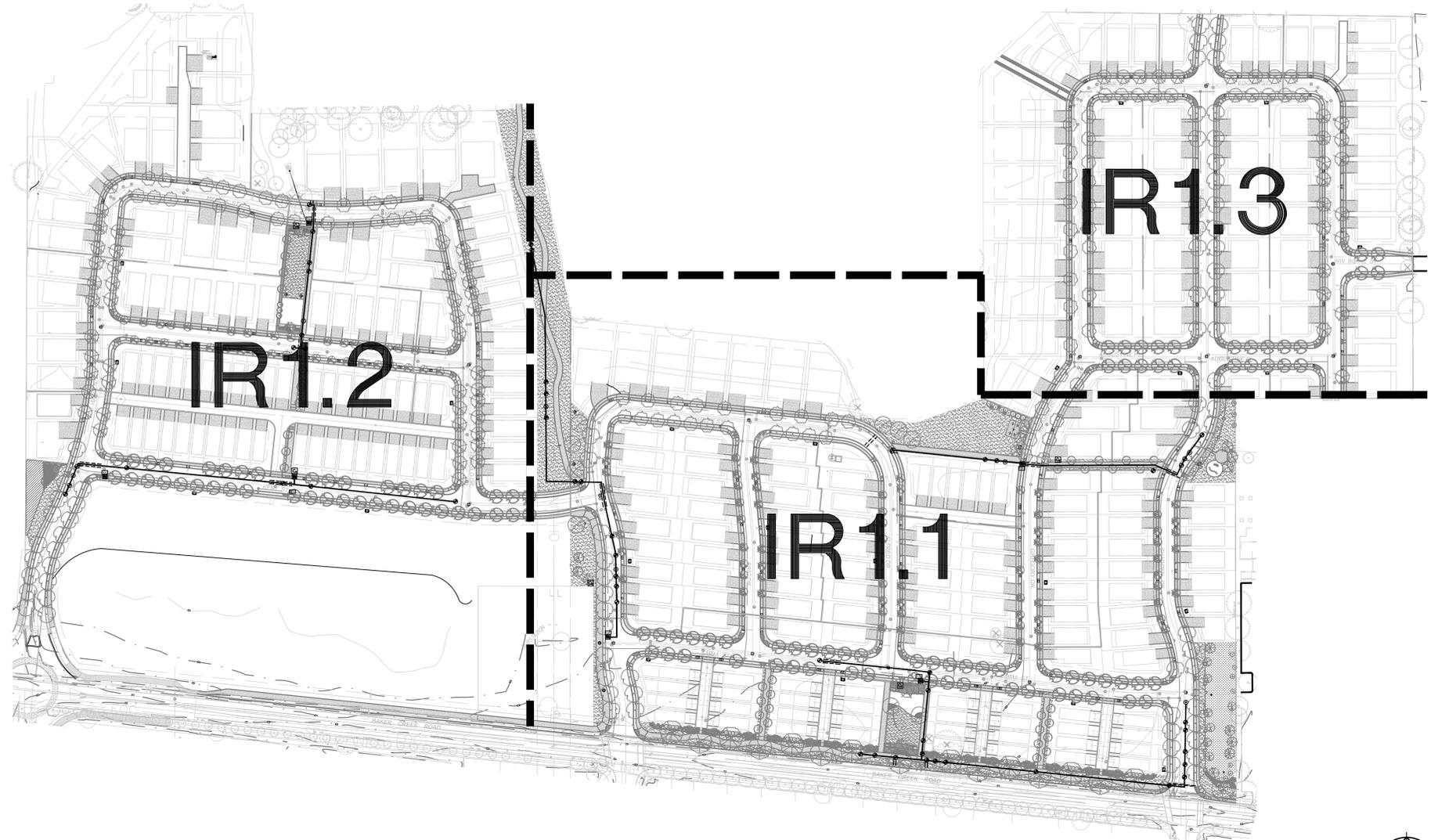
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BAKER CREEK NORTH SUBDIVISION  
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**GENERAL NOTES:**

- This irrigation plan is schematic only and shall be verified by Landscape Contractor. Valve quantity and locations shown are estimated only and based on the use of the recommended sprinkler heads. Individual zones shall be design/build by the Landscape Contractor. Maximum flow per zone for a 2" mainline size shall be 35 gallons per minute.
- The City of McMinnville Water & Light has specified a general area water pressure of 95 psi in the Winter and 70-75 psi in the Summer. Pressure reducing valves shall be installed at each water meter.
- The Contractor shall examine the site and familiarize himself with all conditions pertinent to this work. Contractor will coordinate with other contractors to ensure timely placing of necessary sleeves and piping under walks, curbs, and paving.
- Contractor is to keep his work area clean during installation of his contract, and is to remove at his expense all excess materials, soil, debris, and equipment.
- It will be the Contractor's responsibility to determine the location of all underground utilities and existing irrigation and avoid damage to the same. All damage to be repaired at Contractor's expense.
- Piping shown is diagrammatic. Contractor shall locate piping in landscape areas, except where pipe passes through sleeving under hardscape surfaces. Route piping to avoid conflict with existing conditions or improvements.
- Contractor to notify Landscape Architect of any conditions that may affect the design or installation of this irrigation system.
- All mainlines to be a minimum of 18" below grade. Lateral lines are to be a minimum of 12" below grade.
- Group valve boxes for ease of maintenance and locate in groundcover beds where possible.
- Install spray heads minimum 3" from adjacent curbs, pavement and planting bed edges; 6" from curbs in parking lots unless directed otherwise by Owner's Representative.
- Control wires shall be two-wire decoder system.
- Install 3/4" brass manual drain valves at low points or end of mainline. Valve to be installed with a valve marker and cover.
- A tracer wire shall be installed along the top of mainlines. Tape to piping at 10' intervals with standard black 3/4" electrical tape.
- Point of Connection is shown in approximate location.
- Sleeving for mainline, wires, and laterals must be placed prior to paving. Sleeving pipe will be Schedule 40 PVC. All sleeving will be placed in the trench, on top of rock free soil, and backfilled with rock free soil. Sleeves for mainline will be 6". All sleeving for laterals will be twice the size of the lateral. Sleeving as shown on the plan is schematic. Contractor is to verify count & placement. Sleeves are to be 24" depth under drives & roadways, 18" depth under walkways.
- Size lateral pipe according to following:  
 1-18 GPM 1"  
 19-40 GPM 1.5"  
 41-60 GPM 2"
- Install manual drain valves at all low points in mainline. Provide adequate number of drain valves to fully drain system for winterization.
- Adjust spray heads as necessary to minimize overspray. Radius reduction shall not affect full and even water coverage.
- GUARANTEE:** All Material and labor used in construction of the irrigation system shall be fully guaranteed for one year beginning at the time of acceptance by the owner's representative.
- Project is to be built in phases. Irrigation system has been designed so that mainline and lateral lines may be extended into the next phase(s) as construction progresses.



**IRRIGATION PLAN KEY MAP**

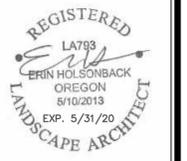
SCALE 1" = 130'-0"

**IRRIGATION SYMBOLS LEGEND:**

SYMBOL	RECOMMENDED SPRINKLERS: MANUFACTURER/MODEL	PSI	GPM	DISTANCE
	<b>SPRAY HEADS:</b> HUNTER PRO-SPRAY PRS40 POP-UP BODY POP-UP HEIGHT: SHRUBS 12", LAWN 6"			
	HUNTER, MP1000 NOZZLE - 360, 270, 180, 90, 45	40	.75, .57, .37, .19, .19	8-12' RAD.
	HUNTER, MP2000 NOZZLE - 360, 270, 180, 90	40	1.47, 1.1, .74, .40	13-21' RAD.
	HUNTER, MP800SR NOZZLE - 360, 210, 180, 90	40	.78, .43, .42, .23	8' RAD.
	HUNTER, MPLC515/MPRC515, SS530 NOZZLE	40	.22, .44	5'x15', 5'x30'
	<b>ROTORS:</b> HUNTER PGP ULTRA / PGP-04-CV	50	1.6	22'-30'
	WATER METER - SIZE AS NOTED ON DRAWING			
	APPROXIMATE POINT OF CONNECTION			
	HUNTER CONTROLLER I-CORE SERIES: VERIFY LOCATION WITH OWNER'S REPRESENTATIVE.			
	HUNTER RAIN-CLIK SENSOR(OPTIONAL): VERIFY LOCATION WITH OWNER'S REPRESENTATIVE.			
	HUNTER ICV SERIES AUTOMATIC CONTROL VALVE - SIZE AS NOTED ON PLAN			
	QUICK COUPLING VALVE (INSTALL THROUGHOUT SITE, LOCATION AND QUANTITY DETERMINED IN FIELD BY OWNERS REP.)			
	LATERAL, CLASS 200 PVC - SIZE AS INDICATED			
	MAINLINE, CLASS 200 PVC - SIZE = 2"			
	SLEEVE, SCHEDULE 40 PVC - SIZE: MAINLINE=3", LATERALS=TWICE THE SIZE OF THE PIPE			

NO.	DATE	DESCRIPTION	BY

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 www.ottenla.com

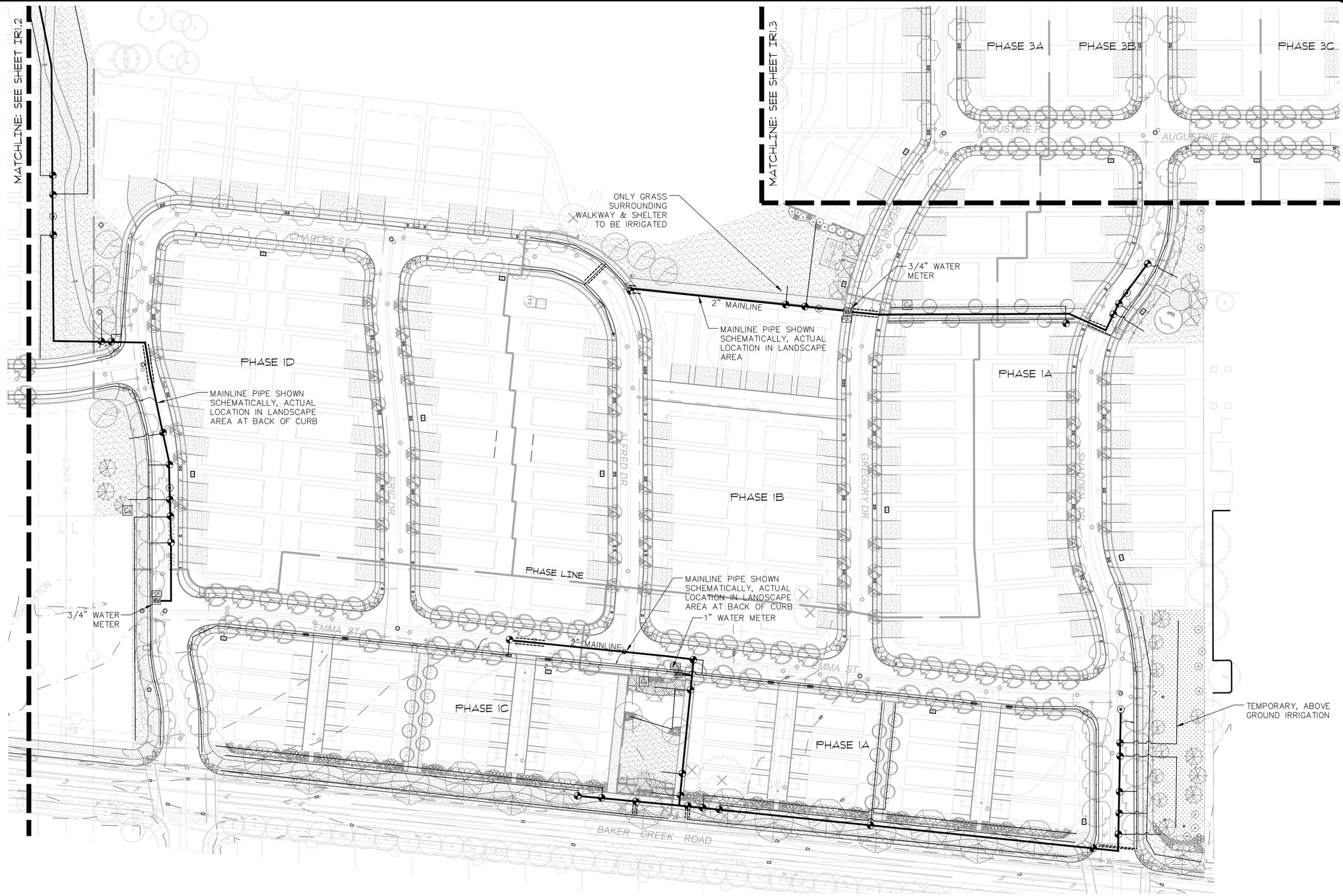


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 E-mail: westtech@westech-eng.com

STAFFORD DEVELOPMENT COMPANY, LLC  
 BAKER CREEK NORTH SUBDIVISION  
 IRRIGATION PLAN

DRAWING  
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 JOB NUMBER  
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**IRRIGATION PLAN**

SCALE 1" = 50'-0"



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 E-mail: westtech@westtech-eng.com

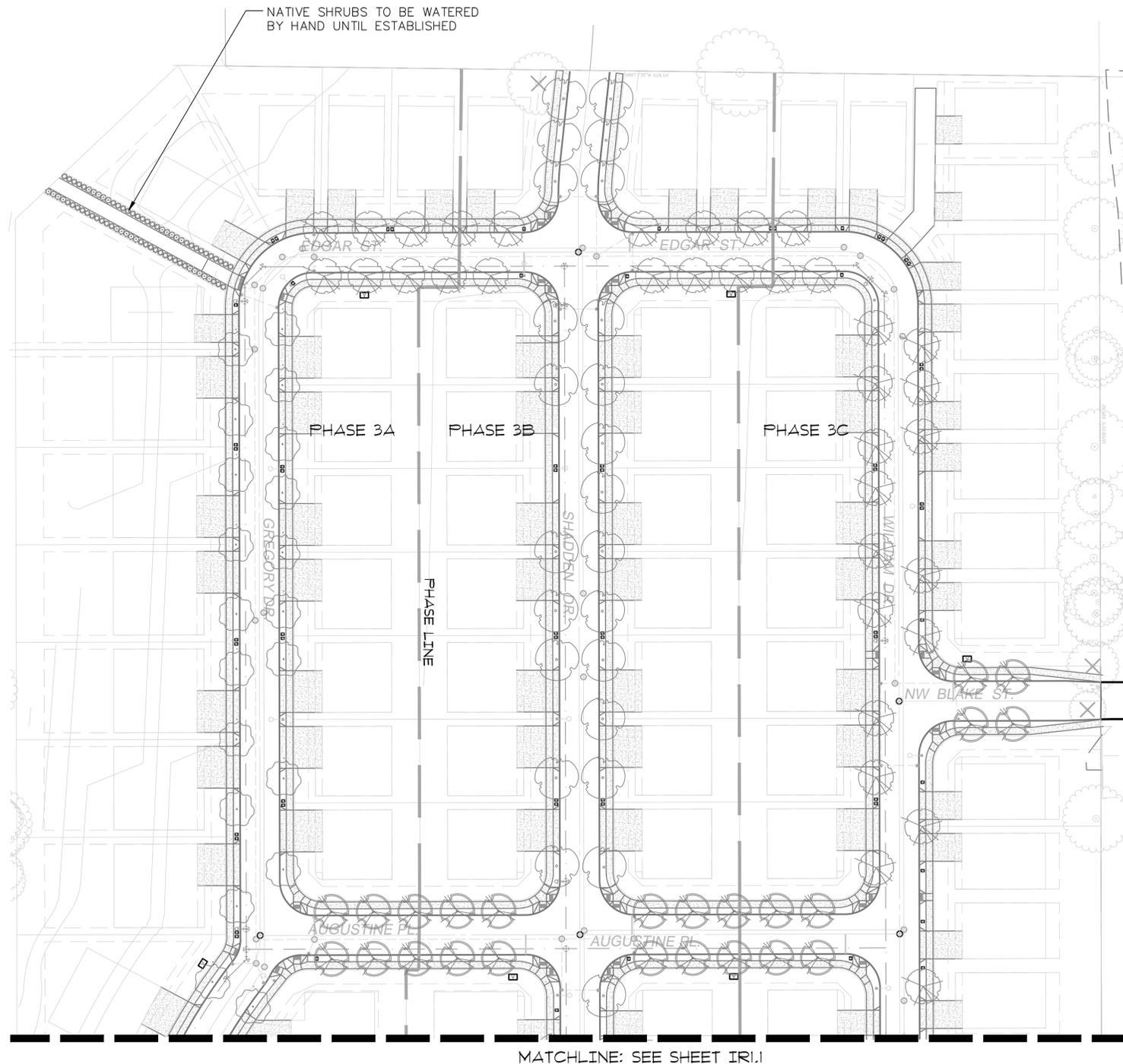
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 IRRIGATION PLAN

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**\* NO AUTOMATIC IRRIGATION  
SYSTEM IS PROPOSED FOR PHASE 3**



# IRRIGATION PLAN

SCALE 1" = 50'-0"

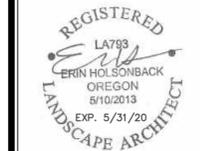


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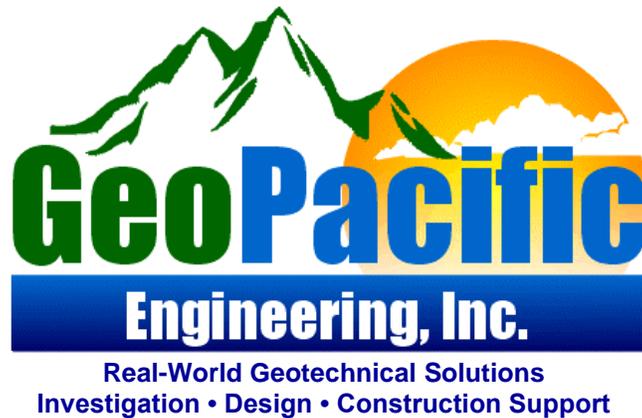
**WE**

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STAFFORD DEVELOPMENT COMPANY, LLC  
BAKER CREEK NORTH SUBDIVISION  
IRRIGATION PLAN

DRAWING  
IR1.3  
JOB NUMBER  
2940.3000.0





## **Preliminary Geotechnical Engineering Report**

**Baker Creek North Subdivision**  
1755 NW Baker Creek Road  
McMinnville, Oregon 97128

GeoPacific Engineering, Inc. Job No. 17-4694  
October 2, 2017



Real-World Geotechnical Solutions  
Investigation • Design • Construction Support

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Laboratory Test Results

Site Research

Photographic Log

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- 2 Site Aerial Map
- 3 Site Plan and Exploration Locations
- 3a Site Plan and Exploration Locations
- 4 Typical Perimeter Footing Drain Detail
- 5 Typical Keyway, Benching & Fill Slope Detail



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October 2, 2017  
Project No. 17-4694

**Stafford Land Company**

Mr. Morgan Will  
485 South State Street  
Lake Oswego, Oregon 97034  
Phone: (503) 305-7647  
Email: morgan@staffordlandcomany.com

**SUBJECT: PRELIMINARY GEOTECHNICAL ENGINEERING REPORT  
BAKER CREEK NORTH SUBDIVISION  
1755 NW BAKER CREEK ROAD  
MCMINNVILLE, OREGON 97128**

**1.0 PROJECT INFORMATION**

This report presents the results of a geotechnical engineering study conducted by GeoPacific Engineering, Inc. (GeoPacific) for the above-referenced project. The purpose of our investigation was to evaluate subsurface conditions at the site, and to provide geotechnical recommendations for site development. This geotechnical study was performed in accordance with GeoPacific Proposal No. P-6185, dated August 16, 2017, and your subsequent authorization of our proposal and *General Conditions for Geotechnical Services*.

---

**Site Location:** 1755 NW Baker Creek Road  
McMinnville, Oregon 97128  
(see Figures 1 through 3)

---

**Developer:** Stafford Land Company  
485 South State Street  
Lake Oswego, Oregon 97034  
Phone: (503) 305-7647

---

**Jurisdictional Agency:** Yamhill County, Oregon

---

**Geotechnical Engineer:** GeoPacific Engineering, Inc  
14835 SW 72<sup>nd</sup> Avenue  
Portland, Oregon 97224  
Tel (503) 598-8445  
Fax (503) 941-9281

## 2.0 SITE AND PROJECT DESCRIPTION

As indicated on Figures 1 through 3, the subject site is located at 1755 NW Baker Creek Road, in McMinnville, Oregon. The approximate site latitude and longitude are 45.228042, -123.222922, and the legal description is a portion of Section 18, T4S, R4W, Willamette Meridian. The regulatory jurisdictional agency is Yamhill County, Oregon. The property consists of Yamhill County Parcel No. 100 and 105 totaling approximately 55.05-acres in size, and is irregular in shape.

The site is bordered by NW Baker Creek Road to the south, by a church and existing residential properties to the east, by undeveloped wetland area and Baker Creek to the north, and by existing agricultural properties to the west. An electrical substation is present at the south central portion of the property between the two tax parcels. Review of available historical aerial photography indicates that the property has primarily been utilized for farming and agricultural purposes, however a residence was once present on tax lot 105 adjacent to Baker Creek Road in the southern portion of the property. Vegetation at the site primarily consists of grasses, native plants, and some trees. The majority of the site has been regularly plowed and currently consists of open space. Topography within the area proposed for development at the site is relatively flat to gently sloping to the north with site elevations ranging from approximately 145 to 170 feet above mean sea level (amsl). However, the northern margin of the site includes a moderately to steeply sloping bluff which extends north to the wetland. The bluff contains areas sloping from approximately 15 to 65 percent with elevations ranging from approximately 132 to 155 feet amsl. The bluff area is designated as a *moderate* to *high* risk for landslide hazard by the Oregon Department of Geology and Mineral Industries (DOGAMI), though no landslides have been mapped or identified at the subject site.

Based upon communication with the client and review of preliminary project plans (see Figures 3 and 3a), GeoPacific understands that site development will consist of a phased subdivision which will create 241 new residential building lots for single-family homes, new public streets, parks, stormwater facilities, and associated underground utility installations. Approximately 4.40-acres of tax lot 100 will include multi-family development with a single-story pavilion building, a three-story senior living facility, and parking and drive aisles. Approximately 3.76-acres of tax lot 100 will also include a commercial development with four single-story buildings, and parking and drive aisles. The project will also include a playground, a pump station, and a nature park. It is our understanding that the homes will be constructed with typical spread foundations and crawl spaces. We anticipate that maximum structural loading on column footings and continuous strip footings of the homes will be on the order of 35 kips, and 4 to 7 kips respectively. At this time, no information has been provided to GeoPacific regarding the potential foundation types or structural loading of the commercial or multi-family buildings. At this time, a grading plan for the project has not been provided to GeoPacific for review, however the client has indicated that development will include significant engineered fill placement along the steep bluff area to the north which has been identified as a potential landslide hazard area. Based upon review of the proposed development layout (Figure 3), we understand that several residential homes and public streets will be constructed in the noted area.

### 3.0 REGIONAL GEOLOGIC SETTING

Regionally, the subject site lies within the Willamette Valley/Puget Sound lowland, a broad structural depression situated between the Coast Range on the west and the Cascade Range on the east. A series of discontinuous faults subdivide the Willamette Valley into a mosaic of fault-bounded, structural blocks (Yeats et al., 1996). Uplifted structural blocks form bedrock highlands, while down-warped structural blocks form sedimentary basins.

The *Generalized Geologic Map of the Willamette Lowland*, Marshall W. Gannett and Rodney R. Caldwell, (U.S. Department of the Interior, U.S. Geological Survey, 1998), indicates that the site is underlain by Pleistocene-aged (approximately 2.6 million to 11,000 years ago) silt, sand, and gravel deposited primarily by late Pleistocene glacial outburst flooding commonly referred to as the Missoula Flood Events, but also including glaciofluvial sediments derived from wreathing of the Cascade Range located to the east (Qs).

The *Web Soil Survey (United States Department of Agriculture, Natural Resource Conservation Service (USDA NRCS 2017 Website))*, indicates that near-surface soils consist of the Willamette silt loam, and Woodburn silt loam soil series. Willamette series soils generally consist of very deep, well-drained soils that formed in silty glaciolacustrine deposits. Woodburn series soils generally consist of very deep, moderately well drained soils that formed in silty, stratified, glaciolacustrine deposits. The Web Soil Survey soil map for the subject site is presented as an attachment to this report.

### 4.0 REGIONAL SEISMIC SETTING

At least three major fault zones capable of generating damaging earthquakes are thought to exist in the vicinity of the subject site. These include the Portland Hills Fault Zone, the Gales Creek-Newberg-Mt. Angel Structural Zone, and the Cascadia Subduction Zone.

#### 4.1 Portland Hills Fault Zone

The Portland Hills Fault Zone is a series of NW-trending faults that include the central Portland Hills Fault, the western Oatfield Fault, and the eastern East Bank Fault. These faults occur in a northwest-trending zone that varies in width between 3.5 and 5.0 miles. The combined three faults reportedly vertically displace the Columbia River Basalt by 1,130 feet and appear to control thickness changes in late Pleistocene (approx. 780,000 years) sediment (Madin, 1990). The Portland Hills Fault occurs along the Willamette River at the base of the Portland Hills, and is located approximately 32.75 miles northeast of the site. The Oatfield Fault occurs along the western side of the Portland Hills, and is located approximately 30 miles northeast of the site. The East Bank Fault occurs along the eastern margin of the Willamette River, and is located approximately 34 miles northeast of the site. The accuracy of the fault mapping is stated to be within 500 meters (Wong, et al., 2000).

According to the USGS Earthquake Hazards Program, the fault was originally mapped as a down-to-the-northeast normal fault, but has also been mapped as part of a regional-scale zone of right-lateral, oblique slip faults, and as a steep escarpment caused by asymmetrical folding above a south-west dipping, blind thrust fault. The Portland Hills fault offsets Miocene Columbia River Basalts, and Miocene to Pliocene sedimentary rocks of the Troutdale Formation. No fault scarps

on surficial Quaternary deposits have been described along the fault trace, and the fault is mapped as buried by the Pleistocene aged Missoula flood deposits. No historical seismicity is correlated with the mapped portion of the Portland Hills Fault Zone, but in 1991 a M3.5 earthquake occurred on a NW-trending shear plane located 1.3 miles east of the fault (Yelin, 1992). Although there is no definitive evidence of recent activity, the Portland Hills Fault Zone is assumed to be potentially active (Geomatrix Consultants, 1995).

#### **4.2 Gales Creek-Newberg-Mt. Angel Structural Zone**

The Gales Creek-Newberg-Mt. Angel Structural Zone is a 50-mile-long zone of discontinuous, NW-trending faults that lies about 12 miles northeast of the subject site. These faults are recognized in the subsurface by vertical separation of the Columbia River Basalt and offset seismic reflectors in the overlying basin sediment (Yeats et al., 1996; Werner et al., 1992). A geologic reconnaissance and photogeologic analysis study conducted for the Scoggins Dam site in the Tualatin Basin revealed no evidence of deformed geomorphic surfaces along the structural zone (Unruh et al., 1994). No seismicity has been recorded on the Gales Creek Fault or Newberg Fault (the fault closest to the subject site); however, these faults are considered to be potentially active because they may connect with the seismically active Mount Angel Fault and the rupture plane of the 1993 M5.6 Scotts Mills earthquake (Werner et al. 1992; Geomatrix Consultants, 1995).

According to the USGS Earthquake Hazards Program, the Mount Angel fault is mapped as a high-angle, reverse-oblique fault, which offsets Miocene rocks of the Columbia River Basalts, and Miocene and Pliocene sedimentary rocks. The fault appears to have controlled emplacement of the Frenchman Spring Member of the Wanapum Basalts, and thus must have a history that predates the Miocene age of these rocks. No unequivocal evidence of deformation of Quaternary deposits has been described, but a thick sequence of sediments deposited by the Missoula floods covers much of the southern part of the fault trace.

#### **4.3 Cascadia Subduction Zone**

The Cascadia Subduction Zone is a 680-mile-long zone of active tectonic convergence where oceanic crust of the Juan de Fuca Plate is subducting beneath the North American continent at a rate of 4 cm per year (Goldfinger et al., 1996). A growing body of geologic evidence suggests that prehistoric subduction zone earthquakes have occurred (Atwater, 1992; Carver, 1992; Peterson et al., 1993; Geomatrix Consultants, 1995). This evidence includes: (1) buried tidal marshes recording episodic, sudden subsidence along the coast of northern California, Oregon, and Washington, (2) burial of subsided tidal marshes by tsunami wave deposits, (3) paleoliquefaction features, and (4) geodetic uplift patterns on the Oregon coast. Radiocarbon dates on buried tidal marshes indicate a recurrence interval for major subduction zone earthquakes of 250 to 650 years with the last event occurring 300 years ago (Atwater, 1992; Carver, 1992; Peterson et al., 1993; Geomatrix Consultants, 1995). The inferred seismogenic portion of the plate interface lies approximately along the Oregon Coast at depths of between 20 and 40 kilometers below the surface.

## 5.0 FIELD EXPLORATION AND SUBSURFACE CONDITIONS

Our site-specific explorations for this report were conducted on September 6, 2017. A total of eighteen exploratory test pits (TP-1 through TP-18) were excavated at the site using a track-mounted excavator subcontracted by GeoPacific to a depth of approximately 13 feet bgs. Explorations were conducted under the full-time observation of GeoPacific personnel. During the explorations, GeoPacific observed and recorded pertinent soil information such as color, stratigraphy, strength, and soil moisture content. Soil samples obtained from the explorations were placed in relatively air-tight plastic bags. Pertinent information including soil sample depths, stratigraphy, soil engineering characteristics, and groundwater occurrence was recorded. Soils were classified in accordance with the Unified Soil Classification System (USCS). At the completion of each exploration, the test pits were backfilled loosely with onsite soil.

The approximate locations of the explorations are indicated on Figures 2 and 3. It should be noted that exploration locations were located in the field by pacing or taping distances from apparent property corners and other site features shown on the plans provided. As such, the locations of the explorations should be considered approximate. Summary exploration logs are attached. The stratigraphic contacts shown on the individual subsurface logs represent the approximate boundaries between soil types. The actual transitions may be more gradual. The soil and groundwater conditions depicted are only for the specific dates and locations reported, and therefore, are not necessarily representative of other locations and times. Soil and groundwater conditions encountered in the explorations are summarized below.

### 5.1 Soil Descriptions

**Fill Stockpiles:** As shown on Figure 2, various piles of soil and debris fill were observed to be present in the approximate area noted on the figure. The piles appeared to be remnant soil stockpiles, various agricultural piles, and various remnant house debris piles. A home once was present in the southern portion of the noted area. An old gravel drive is still present in the noted area. The piles in the northern portion of the site were the largest observed, and were heavily vegetated with blackberries. It is anticipated that the piles will not be suitable for re-use as engineered fill at the site, though the determination for suitability for use as engineered fill should be determined in the field when conditions may be exposed.

**Topsoil/Till Zone:** The ground surface at the locations of test pits TP-1 through TP-18 was typical surfaced with grasses or blackberries, with organic SILT soils containing fine grass roots extending to maximum observed depths of 4 to 12 inches. In our experience, it is likely that large roots may be present extending to up to 2 feet where trees are present. Underlying the topsoil at the locations of our test pit explorations, an agricultural till zone was observed to be present, typically extending to depths of 18 inches bgs. Pocket penetrometer measurements recorded in the till zone of the ground surface indicated unconfined compressive strengths on the order of 3.5 tons/ft<sup>2</sup>. The till zone has created disturbed soil conditions in the upper 18 inches of the majority of the site, which is likely to soften during periods of wet weather.

**Elastic SILT:** Underlying the topsoil and till zone at the locations of our test pits, subsurface soils were observed to consist of very stiff to hard, damp to moist, moderately plastic, light brown, Elastic SILT (MH). The soil type typically was observed to extend to depths ranging from

approximately 6 to 8 feet bgs within our test pits, with the exceptions of test pits TP-2, and TP-9, which were excavated in the wetland. Pocket penetrometer measurements recorded in the upper four to five feet of native undisturbed soils typically indicated unconfined compressive strengths on the order of 3.5 to greater than 4.5 tons/ft<sup>2</sup>.

Soils laboratory testing conducted on representative samples collected from test pit TP-1 indicated approximately 98 to 99 percent by weight passing the U.S. No. 200 sieve, and a moisture content ranging from 30 to 33 percent. Atterberg limit testing indicated a liquid limit ranging from 49 to 62, and a plasticity index ranging from 19 to 29. The soil type classified as Elastic SILT (MH) according to the USCS soil classification system, and as A-7-5(25), and A-7-5(36) according to AASHTO standards.

**Possible Hydric Soils, Elastic SILT:** Underlying the light brown Elastic SILT at the locations of test pits TP-2, and TP-9, which were excavated outside of the site development boundaries, at the base of the northern slope, within the wetland area, subsurface soils were observed to consist of very stiff, damp to moist, moderately plastic, dark gray, brown, orange, and bluish, Elastic SILT (MH). The soil type was observed to extend to the maximum depth of exploration within the noted test pits. The noted soil layers displayed distinct mottling and hydric soil texture. It appears that the soil layers are natural, historic wetland soils. Although the soils appeared to be hydric, the consistency was very stiff to hard, and no groundwater seepage was observed as the excavations were done near the end of the dry season when the water table is at its low point.

**SILT:** Underlying the Elastic SILT at the locations of test pits TP-1, TP-3 through TP-8, and TP-10 through TP-18, subsurface soils were observed to consist of very stiff, moist, moderately plastic, brown, SILT (ML). The soil type typically was observed to extend to the maximum depth of exploration within the noted test pits. The soil type is typically referred to as the Willamette Formation.

Soils laboratory testing conducted on a representative sample collected from test pit TP-1 indicated approximately 99 percent by weight passing the U.S. No. 200 sieve, and a moisture content of 36.7 percent. Atterberg limit testing indicated a liquid limit of 43, and a plasticity index of 15 to 29. The soil type classified as SILT (ML) according to the USCS soil classification system, and as A-7-6(18) according to AASHTO standards.

## **5.2 Groundwater and Soil Moisture**

On September 6, 2017, observed soil moisture conditions were generally damp to moist. Groundwater seepage was not encountered within the test pit explorations which extended to a maximum depth of 13 feet bgs. Based on our review of available well logs from the vicinity of the subject site (see *Site Research*-report appendix), we expect that groundwater may be encountered at depths ranging from approximately 30 to 40 feet bgs, depending on ground surface elevation. Based upon the proximity of the site to Baker Creek and the wetland to the north, we estimate that during the wet season the depth to groundwater corresponds to the elevation of the wetland, or an elevation of approximately 135 feet amsl in the northern portion of the site. It is anticipated that groundwater conditions will vary depending on the season, local subsurface conditions, changes in site utilization, and other factors. Perched groundwater may be encountered in localized areas. Seeps and springs may exist in areas not explored, and may become evident during site grading.

If the seasonal fluctuation of the static groundwater table underlying the subject site require detailed understanding, piezometers may be installed and periodically monitored.

## **6.0 PRELIMINARY CONCLUSIONS AND RECOMMENDATIONS**

Our understanding of the proposed development at the site is currently preliminary. Our site investigation indicates that the proposed construction appears to be geotechnically feasible, provided that the recommendations of this report are incorporated into the design and construction phases of the project. However, additional analysis will be required to address Oregon Department of Geology and Minerals (DOGAMI) geologic hazard mapping in the northern portion of the site where engineered fill, residential homes, and public streets are proposed near slopes extending to the wetland.

The primary geotechnical concern associated with development at the site is the potential for slope instability in the northern portion of the site where the client has indicated that significant engineered fills will be proposed. Based upon our review of preliminary project plans prepared by Westtech Engineering, Inc., entitled Baker Creek North Subdivision, Drawing H, Overall Utility Plan, dated July 2017, specific areas which appear to be located within the DOGAMI hazard zone include Lots 1-16, 162-172, 192-200, 203-206, 211, C Street, and the pump station (see Figure 3). GeoPacific should be consulted to review the grading plan when it becomes available, and to conduct a slope stability analysis of the northern portion of the site with the proposed grading. The soils observed in the test pits in the northern portion of the site appeared to display moderate plasticity, and moderate to high shear strength, which typically indicates relatively stable sloping conditions under normal loading. The degree of engineered fill proposed in the area will impact stability of the slopes and should be studied further. It appears likely that placement of engineered fill may be accomplished in the area with installation of keyways, subdrains, and benching. However, slope stability analysis of the area should be conducted which would at a minimum include creation of geologic cross-sections with the proposed development in the northern portion of the site near the wetland slopes, and quantitative slope stability calculations which take into consideration the propose surcharge loading of the engineered fill. A static factor of safety of 1.5, and a psuedostatic factor of safety of 1.1 against potential slope instability are considered to be the minimum factors of safety for placement of engineered fill and construction of homesites and roadways near a slope.

In addition, structural loading information for the commercial, and multi-family residential developments shown on Figure 3a have not been provided to GeoPacific at this time. After final site planning is completed, GeoPacific should be provided with structural plans and proposed foundation loading information so that recommendations can be provided for the proposed structures.

The recommendations presented below are currently applicable to portions of the site located outside of the potential landslide hazard zone, and include the following areas within the proposed subdivision without additional study (reference Westtech Engineering, Inc. Baker Creek North Subdivision, Drawing H, Overall Utility Plan, dated July 2017):

- Lots 17-161, 173-191, 201-202, 207-210, and 212-241;
- Proposed public streets except C Street

## **6.1 Site Preparation Recommendations**

Areas of proposed construction and areas to receive fill should be cleared of any organic and inorganic debris, and loose stockpiled soils. Inorganic debris and organic materials from clearing should be removed from the site. Organic-rich soils and root zones should then be stripped from construction areas of the site or where engineered fill is to be placed. Depth of stripping of existing topsoil and debris fill is estimated to be approximately 4 to 12 inches across the majority of the site, however depth of organic soil layers may increase in areas where deep till zones are soft; and soil stockpiles, trees, and vegetation are present. The final depth of soil removal will be determined because of a site inspection after the stripping/excavation has been performed. Stripped topsoil should be removed from areas proposed for placement of engineered fill. Any remaining topsoil should be stockpiled only in designated areas and stripping operations should be observed and documented by the geotechnical engineer or his representative.

If encountered, undocumented fills and any subsurface structures (dry wells, basements, driveway and landscaping fill, old utility lines, septic leach fields, etc.) should be completely removed and the excavations backfilled with engineered fill.

We recommend that areas proposed for placement of engineered fill are scarified to a minimum depth of 12 inches and recompacted prior to placement of structural fill. Prior to placement of engineered fill, the underlying soils be over-excavated, ripped, aerated to optimum moisture content, and recompacted to project specifications for engineered fill as determined by the Standard Proctor (ASTM D698).

Areas proposed to be left at grade may require additional over-excavation of foundation areas in order to reach soils which will provide adequate bearing support for the proposed foundations. Site earthwork may be impacted by shallow groundwater. Stabilization of subgrade soils will require aeration and recompaction. If subgrade soils are found to be difficult to stabilize, over-excavation, placement of granular soils, or cement treatment of subgrade soils may be feasible options. GeoPacific should be onsite to observe preparation of subgrade soil conditions prior to placement of engineered fill.

## **6.2 Keyways, Benching, and Subdrains for Fill Slopes**

Engineered fill placed on existing sloped areas inclining steeper than an approximately fifteen percent grade should be constructed on a keyway and benches in accordance with the typical designs shown in the attached Fill Slope Detail (Figure 5). Keyways should have a minimum depth of three feet, and a minimum width of ten feet. Additional removal of weakened or soft soils may be required depending on the conditions observed during construction. Benches and keyways should be roughly horizontal in the down slope direction, but may slope up to a 10 percent grade along a topographic contour. Keyways sloping more than a fifteen percent grade along a topographic contour should be benched or configured as approved by the geotechnical engineer or his designated representative.

If groundwater seepage is observed during excavation, keyways should include a subdrain consisting of a minimum 4-inch-diameter, ADS Heavy Duty Grade (or equivalent), perforated plastic pipe enveloped in a minimum of 4 cubic feet per lineal foot of 2" - 1/2", open-graded gravel

drain rock wrapped with geotextile filter fabric (Mirafi 140N or equivalent). A minimum 0.5 percent gradient should be maintained throughout all subdrain pipes and outlets. GeoPacific should inspect keyways, subdrains and benching prior to fill placement. Subdrains may be eliminated at the discretion of the geotechnical engineer.

### **6.3 Engineered Fill**

All grading for the proposed construction should be performed as engineered grading in accordance with the applicable building code at the time of construction with the exceptions and additions noted herein. Site grading should be conducted in accordance with the requirements outlined in the 2015 International Building Code (IBC), Chapter 18 and Appendix J. Areas proposed for fill placement should be prepared as described in the *Site Preparation Recommendations* section. Surface soils should then be scarified and recompacted prior to placement of structural fill. Site preparation, soil stripping, and grading activities should be observed and documented by a geotechnical engineer or his representative. Proper test frequency and earthwork documentation usually requires daily observation and testing during stripping, rough grading, and placement of engineered fill.

Onsite native soils consisting of Elastic SILT and SILT appear to be suitable for use as engineered fill. Soils containing greater than 5 percent organic content should not be used as structural fill. Imported fill material must be approved by the geotechnical engineer prior to being imported to the site. Oversize material greater than 6 inches in size should not be used within 3 feet of foundation footings, and material greater than 12 inches in diameter should not be used in engineered fill.

Engineered fill should be compacted in horizontal lifts not exceeding 12 inches using standard compaction equipment. We recommend that engineered fill be compacted to at least 95 percent of the maximum dry density determined by ASTM D698 (Standard Proctor) or equivalent. Field density testing should conform to ASTM D2922 and D3017, or D1556. All engineered fill should be observed and tested by the project geotechnical engineer or his representative. Typically, one density test is performed for at least every 2 vertical feet of fill placed or every 500 yd<sup>3</sup>, whichever requires more testing. Because testing is performed on an on-call basis, we recommend that the earthwork contractor be held contractually responsible for test scheduling and frequency.

Site earthwork may be impacted by shallow groundwater, soil moisture and wet weather conditions. Earthwork in wet weather would likely require extensive use of additional crushed aggregate, cement or lime treatment, or other special measures, at considerable additional cost compared to earthwork performed under dry-weather conditions.

### **6.4 Excavating Conditions and Utility Trench Backfill**

We anticipate that onsite soils can generally be excavated using conventional heavy equipment. Bedrock was not encountered within our subsurface explorations which extended to a maximum depth of 13 feet bgs. Maintenance of safe working conditions, including temporary excavation stability, is the responsibility of the contractor. Actual slope inclinations at the time of construction should be determined based on safety requirements and actual soil and groundwater conditions. All temporary cuts in excess of 4 feet in height should be sloped in accordance with U.S. Occupational Safety and Health Administration (OSHA) regulations (29 CFR Part 1926), or be shored. The existing native soils classify as Type B Soil and temporary excavation side slope

inclinations as steep as 1H:1V may be assumed for planning purposes. These cut slope inclinations are applicable to excavations above the water table only.

Shallow, perched groundwater may be encountered during the wet weather season and should be anticipated in excavations and utility trenches. Vibrations created by traffic and construction equipment may cause some caving and raveling of excavation walls. In such an event, lateral support for the excavation walls should be provided by the contractor to prevent loss of ground support and possible distress to existing or previously constructed structural improvements.

Underground utility pipes should be installed in accordance with the procedures specified in ASTM D2321 and City of McMinnville/Yamhill County standards. We recommend that structural trench backfill be compacted to at least 95 percent of the maximum dry density obtained by the Standard Proctor (ASTM D698) or equivalent. Initial backfill lift thicknesses for a ¾"-0 crushed aggregate base may need to be as great as 4 feet to reduce the risk of flattening underlying flexible pipe. Subsequent lift thickness should not exceed 1 foot. If imported granular fill material is used, then the lifts for large vibrating plate-compaction equipment (e.g. hoe compactor attachments) may be up to 2 feet, provided that proper compaction is being achieved and each lift is tested. Use of large vibrating compaction equipment should be carefully monitored near existing structures and improvements due to the potential for vibration-induced damage.

Adequate density testing should be performed during construction to verify that the recommended relative compaction is achieved. Typically, at least one density test is taken for every 4 vertical feet of backfill on each 100-lineal-foot section of trench.

## **6.5 Erosion Control Considerations**

During our field exploration program, we observed soil conditions that may be considered highly susceptible to erosion, primarily located in the sloping portions of the site. In our opinion, the primary concern regarding erosion potential will occur during construction in areas that have been stripped of vegetation. Erosion at the site during construction can be minimized by implementing the project erosion control plan, which should include judicious use of straw waddles, fiber rolls, and silt fences. If used, these erosion control devices should remain in place throughout site preparation and construction.

Erosion and sedimentation of exposed soils can also be minimized by quickly re-vegetating exposed areas of soil, and by staging construction such that large areas of the project site are not denuded and exposed at the same time. Areas of exposed soil requiring immediate and/or temporary protection against exposure should be covered with either mulch or erosion control netting/blankets. Areas of exposed soil requiring permanent stabilization should be seeded with an approved grass seed mixture, or hydroseeded with an approved seed-mulch-fertilizer mixture.

## **6.6 Wet Weather Earthwork**

Soils underlying the site are likely to be moisture sensitive and will be difficult to handle or traverse with construction equipment during periods of wet weather. Earthwork is typically most economical when performed under dry weather conditions. Earthwork performed during the wet-weather season will require expensive measures such as cement treatment or imported granular material to compact areas where fill may be proposed to the recommended engineering specifications. If

earthwork is to be performed or fill is to be placed in wet weather or under wet conditions when soil moisture content is difficult to control, the following recommendations should be incorporated into the contract specifications.

- Earthwork should be performed in small areas to minimize exposure to wet weather. Excavation or the removal of unsuitable soils should be followed promptly by the placement and compaction of clean engineered fill. The size and type of construction equipment used may have to be limited to prevent soil disturbance. Under some circumstances, it may be necessary to excavate soils with a backhoe to minimize subgrade disturbance caused by equipment traffic;
- The ground surface within the construction area should be graded to promote run-off of surface water and to prevent the ponding of water;
- Material used as engineered fill should consist of clean, granular soil containing less than 5 percent passing the No. 200 sieve. The fines should be non-plastic. Alternatively, cement treatment of on-site soils may be performed to facilitate wet weather placement;
- The ground surface within the construction area should be sealed by a smooth drum vibratory roller, or equivalent, and under no circumstances should be left uncompacted and exposed to moisture. Soils which become too wet for compaction should be removed and replaced with clean granular materials;
- Excavation and placement of fill should be observed by the geotechnical engineer to verify that all unsuitable materials are removed and suitable compaction and site drainage is achieved; and
- Geotextile silt fences, straw wattles, and fiber rolls should be strategically located to control erosion.

If cement or lime treatment is used to facilitate wet weather construction, GeoPacific should be contacted to provide additional recommendations and field monitoring.

## **6.7 Spread Foundations**

Based upon communication with the client and review of preliminary project plans (see Figures 3 and 3a), GeoPacific understands that site development will consist of a phased subdivision which will create 241 new residential building lots for single-family homes, new public streets, parks, stormwater facilities, and associated underground utility installations. Approximately 4.40-acres of tax lot 100 will include multi-family development with a single-story pavilion building, a three-story senior living facility, and parking and drive aisles. Approximately 3.76-acres of tax lot 100 will also include a commercial development with four single-story buildings, and parking and drive aisles. The project will also include a playground, a pump station, and a nature park. It is our understanding that the homes will be constructed with typical spread foundations and crawl spaces. We anticipate that maximum structural loading on column footings and continuous strip footings of the homes will be on the order of 35 kips, and 4 to 7 kips respectively. At this time, no information has been provided to GeoPacific regarding the potential foundation types or structural loading of the commercial or multi-family buildings.

The recommendations presented below are currently applicable to portions of the site located outside of the potential landslide hazard zone, and include the following areas within the proposed subdivision without additional study (reference Westtech Engineering, Inc. Baker Creek North Subdivision, Drawing H, Overall Utility Plan, dated July 2017):

For the homes located outside of the potential landslide hazard zone (Lots 17-161, 173-191, 201-202, 207-210, and 212-241), the proposed structures may be supported on shallow foundations bearing on stiff, native soils and/or engineered fill, appropriately designed and constructed as recommended in this report. We understand that much of the site proposed for construction of residential homes will be left at existing grades, and that the majority of the proposed engineered fill will be located in the southwestern portion of the site. Areas where homes are to be constructed where no engineered fill will be placed should either be prepared as recommended for roadway areas; or the foundation envelopes of the proposed homes should be over-excavated to expose native soils on a lot by lot basis. (See *Site Preparation Recommendations* section).

Foundation design, construction, and setback requirements should conform to the applicable building code at the time of construction. For maximization of bearing strength and protection against frost heave, spread footings should be embedded at a minimum depth of 18 inches below exterior grade. If soft soil conditions are encountered at footing subgrade elevation, they should be removed and replaced with compacted crushed aggregate.

The anticipated allowable soil bearing pressure is 2,000 lbs/ft<sup>2</sup> for footings bearing on competent, native soil and/or engineered fill. The recommended maximum allowable bearing pressure may be increased by 1/3 for short-term transient conditions such as wind and seismic loading. For loads heavier than 35 kips, the geotechnical engineer should be consulted. If heavier loads than described above are proposed, it may be necessary to over-excavate point load areas and replace with additional compacted crushed aggregate. The coefficient of friction between on-site soil and poured-in-place concrete may be taken as 0.42, which includes no factor of safety. The maximum anticipated total and differential footing movements (generally from soil expansion and/or settlement) are 1 inch and ¾ inch over a span of 20 feet, respectively. We anticipate that the majority of the estimated settlement will occur during construction, as loads are applied. Excavations near structural footings should not extend within a 1H:1V plane projected downward from the bottom edge of footings.

Footing excavations should penetrate through topsoil and any disturbed soil to competent subgrade that is suitable for bearing support. All footing excavations should be trimmed neat, and all loose or softened soil should be removed from the excavation bottom prior to placing reinforcing steel bars. Due to the moisture sensitivity of on-site native soils, foundations constructed during the wet weather season may require over-excavation of footings and backfill with compacted, crushed aggregate.

Our recommendations are for residential construction incorporating raised wood floors and conventional spread footing foundations. After site development, a Final Soil Engineer's Report should either confirm or modify the above recommendations.

## 6.8 Concrete Slabs-on-Grade

Preparation of areas beneath concrete slab-on-grade floors should be performed as recommended in the *Site Preparation Recommendations* section. Care should be taken during excavation for foundations and floor slabs, to avoid disturbing subgrade soils. If subgrade soils have been adversely impacted by wet weather or otherwise disturbed, the surficial soils should be scarified to a minimum depth of 8 inches, moisture conditioned to within about 3 percent of optimum moisture content, and compacted to engineered fill specifications. Alternatively, disturbed soils may be removed and the removal zone backfilled with additional crushed rock.

For evaluation of the concrete slab-on-grade floors using the beam on elastic foundation method, a modulus of subgrade reaction of 150 kcf (87 pci) should be assumed for the medium stiff, fine-grained soils anticipated to be present at foundation subgrade elevation following adequate site preparation as described above. This value assumes the concrete slab system is designed and constructed as recommended herein, with a minimum thickness of 8 inches of 1½"-0 crushed aggregate beneath the slab. The total thickness of crushed aggregate will be dependent on the subgrade conditions at the time of construction, and should be verified visually by proof-rolling. Under-slab aggregate should be compacted to at least 95 percent of its maximum dry density as determined by ASTM D1557 (Modified Proctor) or equivalent.

In areas where moisture will be detrimental to floor coverings or equipment inside the proposed structure, appropriate vapor barrier and damp-proofing measures should be implemented. A commonly applied vapor barrier system consists of a 10-mil polyethylene vapor barrier placed directly over the capillary break material. Other damp/vapor barrier systems may also be feasible. Appropriate design professionals should be consulted regarding vapor barrier and damp proofing systems, ventilation, building material selection and mold prevention issues, which are outside GeoPacific's area of expertise.

## 6.9 Footing and Roof Drains

Construction should include typical measures for controlling subsurface water beneath the structure, including positive crawlspace drainage to an adequate low-point drain exiting the foundation, visqueen covering the expose ground in the crawlspace, and crawlspace ventilation (foundation vents). The client should be informed and educated that some slow flowing water in the crawlspaces is considered normal and not necessarily detrimental to the home given these other design elements incorporated into its construction. Appropriate design professionals should be consulting regarding crawlspace ventilation, building material selection and mold prevention issues, which are outside GeoPacific's area of expertise.

Down spouts and roof drains should collect roof water in a system separate from the footing drains to reduce the potential for clogging. Roof drain water should be directed to an appropriate discharge point and storm system well away from structural foundations. Grades should be sloped downward and away from buildings to reduce the potential for ponded water near structures.

If the proposed structure will have a raised floor, and no concrete slab-on-grade floors are used, perimeter footing drains may be eliminated at the discretion of the geotechnical engineer based on soil conditions encountered at the site and experience with standard local construction practices.

Where it is desired to reduce the potential for moist crawl spaces, footing drains may be installed. If concrete slab-on-grade floors are used, perimeter footing drains should be installed as recommended below.

Where necessary, perimeter footing drains should consist of 3 or 4-inch diameter, perforated plastic pipe embedded in a minimum of 1 ft<sup>3</sup> per lineal foot of clean, free-draining drain rock. The drain pipe and surrounding drain rock should be wrapped in non-woven geotextile (Mirafi 140N, or approved equivalent) to minimize the potential for clogging and/or ground loss due to piping. A minimum 0.5 percent fall should be maintained throughout the drain and non-perforated pipe outlet. Figure 4 presents a typical perimeter footing drain detail. In our opinion, footing drains may outlet at the curb, or on the back sides of lots where sufficient fall is not available to allow drainage to meet the street.

### **6.10 Permanent Below-Grade Walls**

Lateral earth pressures against below-grade retaining walls will depend upon the inclination of any adjacent slopes, type of backfill, degree of wall restraint, method of backfill placement, degree of backfill compaction, drainage provisions, and magnitude and location of any adjacent surcharge loads. At-rest soil pressure is exerted on a retaining wall when it is restrained against rotation. In contrast, active soil pressure will be exerted on a wall if its top is allowed to rotate or yield a distance of roughly 0.001 times its height or greater.

If the subject retaining walls will be free to rotate at the top, they should be designed for an active earth pressure equivalent to that generated by a fluid weighing 35 pcf for level backfill against the wall. For restrained wall, an at-rest equivalent fluid pressure of 55 pcf should be used in design, again assuming level backfill against the wall. These values assume that the recommended drainage provisions are incorporated, and hydrostatic pressures are not allowed to develop against the wall.

During a seismic event, lateral earth pressures acting on below-grade structural walls will increase by an incremental amount that corresponds to the earthquake loading. Based on the Mononobe-Okabe equation and peak horizontal accelerations appropriate for the site location, seismic loading should be modeled using the active or at-rest earth pressures recommended above, plus an incremental rectangular-shaped seismic load of magnitude 6.5H, where H is the total height of the wall.

We assume relatively level ground surface below the base of the walls. As such, we recommend passive earth pressure of 300 pcf for use in design, assuming wall footings are cast against competent native soils or engineered fill. If the ground surface slopes down and away from the base of any of the walls, a lower passive earth pressure should be used and GeoPacific should be contacted for additional recommendations.

A coefficient of friction of 0.42 may be assumed along the interface between the base of the wall footing and subgrade soils. The recommended coefficient of friction and passive earth pressure values do not include a safety factor, and an appropriate safety factor should be included in design. The upper 12 inches of soil should be neglected in passive pressure computations unless it is protected by pavement or slabs on grade.

The above recommendations for lateral earth pressures assume that the backfill behind the subsurface walls will consist of properly compacted structural fill, and no adjacent surcharge loading. If the walls will be subjected to the influence of surcharge loading within a horizontal distance equal to or less than the height of the wall, the walls should be designed for the additional horizontal pressure. For uniform surcharge pressures, a uniformly distributed lateral pressure of 0.3 times the surcharge pressure should be added. Traffic surcharges may be estimated using an additional vertical load of 250 psf (2 feet of additional fill), in accordance with local practice.

The recommended equivalent fluid densities assume a free-draining condition behind the walls so that hydrostatic pressures do not build-up. This can be accomplished by placing a 12 to 18-inch wide zone of sand and gravel containing less than 5 percent passing the No. 200 sieve against the walls. A 3-inch minimum diameter perforated, plastic drain pipe should be installed at the base of the walls and connected to a suitable discharge point to remove water in this zone of sand and gravel. The drain pipe should be wrapped in filter fabric (Mirafi 140N or other as approved by the geotechnical engineer) to minimize clogging.

Wall drains are recommended to prevent detrimental effects of surface water runoff on foundations – not to dewater groundwater. Drains should not be expected to eliminate all potential sources of water entering a basement or beneath a slab-on-grade. An adequate grade to a low point outlet drain in the crawlspace is required by code. Underslab drains are sometimes added beneath the slab when placed over soils of low permeability and shallow, perched groundwater.

Water collected from the wall drains should be directed into the local storm drain system or other suitable outlet. A minimum 0.5 percent fall should be maintained throughout the drain and non-perforated pipe outlet. Down spouts and roof drains should not be connected to the wall drains in order to reduce the potential for clogging. The drains should include clean-outs to allow periodic maintenance and inspection. Grades around the proposed structure should be sloped such that surface water drains away from the building.

GeoPacific should be contacted during construction to verify subgrade strength in wall keyway excavations, to verify that backslope soils are in accordance with our assumptions, and to take density tests on the wall backfill materials.

Structures should be located a horizontal distance of at least  $1.5H$  away from the back of the retaining wall, where  $H$  is the total height of the wall. GeoPacific should be contacted for additional foundation recommendations where structures are located closer than  $1.5H$  to the top of any wall.

## 7.0 SEISMIC DESIGN

The Oregon Department of Geology and Mineral Industries (DOGAMI), Oregon HazVu: 2017 Statewide GeoHazards Viewer indicates that the site is in an area where *very strong* ground shaking is anticipated during an earthquake. Structures should be designed to resist earthquake loading in accordance with the methodology described in the 2015 International Building Code (IBC) with applicable Oregon Structural Specialty Code (OSSC) revisions (current 2014). We recommend Site Class D be used for design per the OSSC, Table 1613.5.2 and as defined in ASCE 7, Chapter 20, Table 20.3-1. Design values determined for the site using the USGS (United States Geological Survey) 2017 Seismic Design Maps Summary Report are summarized in Table 1, and are based upon existing soil conditions.

**Table 1 - Recommended Earthquake Ground Motion Parameters (USGS 2017)**

Parameter	Value
Location (Lat, Long), degrees	45.228, -123.221
Probabilistic Ground Motion Values, 2% Probability of Exceedance in 50 yrs	
Peak Ground Acceleration $PGA_M$	0.482 g
Short Period, $S_s$	1.014 g
1.0 Sec Period, $S_1$	0.481 g
Soil Factors for Site Class D:	
$F_a$	1.094
$F_v$	1.519
$SD_s = 2/3 \times F_a \times S_s$	0.740 g
$SD_1 = 2/3 \times F_v \times S_1$	0.487 g
Seismic Design Category	D

### 7.1 Soil Liquefaction

The Oregon Department of Geology and Mineral Industries (DOGAMI), Oregon HazVu: 2017 Statewide GeoHazards Viewer indicates that the site is in an area considered to be at *moderate* risk for soil liquefaction during an earthquake. Soil liquefaction is a phenomenon wherein saturated soil deposits temporarily lose strength and behave as a liquid in response to ground shaking caused by strong earthquakes. Soil liquefaction is generally limited to loose, sands and granular soils located below the water table, and fine-grained soils with a plasticity index less than 15. The upper 13 feet of the site was observed to be underlain by very stiff to hard, fine-grained soils with moderate plasticity. Groundwater was not encountered within our subsurface explorations. Based on our review of available well logs from the vicinity of the subject site (see *Site Research*-report appendix), we expect that groundwater may be encountered at depths ranging from approximately 30 to 40 feet bgs, depending on ground surface elevation. Based upon the results of our study, it is our opinion that the risk of soil liquefaction in the upper 13 feet of the ground surface during a seismic event at the subject site should be considered to be low.

If deemed necessary, quantitative liquefaction assessment, beyond the scope of this study, may be conducted at the subject site to determine whether or not liquefiable soil layers are present underneath the subject site beyond the depths explored. Cone penetrometer testing (CPT) would be conducted at a selected location within the site boundaries to explore deeper subsurface soil layers, and the data would be used to estimate anticipated dynamic settlement at the subject site during a seismic ground shaking event.

## 8.0 UNCERTAINTIES AND LIMITATIONS

We have prepared this report for the owner and their consultants for use in design of this project only. This report should be provided in its entirety to prospective contractors for bidding and estimating purposes; however, the conclusions and interpretations presented in this report should not be construed as a warranty of the subsurface conditions. Experience has shown that soil and groundwater conditions can vary significantly over small distances. Inconsistent conditions can occur between explorations that may not be detected by a geotechnical study. If, during future site operations, subsurface conditions are encountered which vary appreciably from those described herein, GeoPacific should be notified for review of the recommendations of this report, and revision of such if necessary.

Sufficient geotechnical monitoring, testing and consultation should be provided during construction to confirm that the conditions encountered are consistent with those indicated by explorations. The checklist attached to this report outlines recommended geotechnical observations and testing for the project. Recommendations for design changes will be provided should conditions revealed during construction differ from those anticipated, and to verify that the geotechnical aspects of construction comply with the contract plans and specifications.

Within the limitations of scope, schedule and budget, GeoPacific attempted to execute these services in accordance with generally accepted professional principles and practices in the fields of geotechnical engineering and engineering geology at the time the report was prepared. No warranty, expressed or implied, is made. The scope of our work did not include environmental assessments or evaluations regarding the presence or absence of wetlands or hazardous or toxic substances in the soil, surface water, or groundwater at this site.

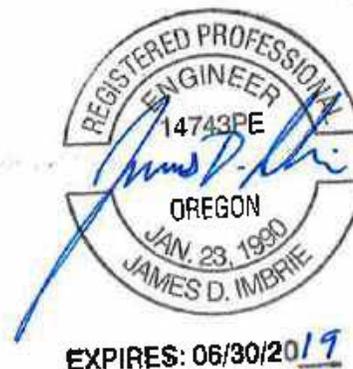
We appreciate this opportunity to be of service.

Sincerely,

**GEO PACIFIC ENGINEERING, INC.**



Benjamin L. Cook, R.G.  
Senior Geologist



James D. Imbrie, G.E., C.E.G.  
Principal Geotechnical Engineer

## REFERENCES

- Atwater, B.F., 1992, Geologic evidence for earthquakes during the past 2,000 years along the Copalis River, southern coastal Washington: *Journal of Geophysical Research*, v. 97, p. 1901-1919.
- Carver, G.A., 1992, Late Cenozoic tectonics of coastal northern California: American Association of Petroleum Geologists-SEPM Field Trip Guidebook, 1992.
- Gannet, Marshall W., and Caldwell, Rodney R., Generalized Geologic Map of the Willamette Lowland, U.S. Department of the Interior, U.S. Geological Survey, 1998.
- Geologic Map of the Vancouver Quadrangle, Washington and Oregon, Washington State Department of Natural Resources, Open-File Report 87-10, William M. Phillips, 1987.
- Goldfinger, C., Kulm, L.D., Yeats, R.S., Appelgate, B., MacKay, M.E., and Cochrane, G.R., 1996, Active strike-slip faulting and folding of the Cascadia Subduction-Zone plate boundary and forearc in central and northern Oregon: in *Assessing earthquake hazards and reducing risk in the Pacific Northwest*, v. 1: U.S. Geological Survey Professional Paper 1560, P. 223-256.
- Lidar-Based Surficial Geologic Map of the Greater Portland Area, Clackamas, Columbia, Marion, Multnomah, Washington, and Yamhill Counties, Oregon, and Clark County, Washington, State of Oregon Department of Geology and Mineral Industries, Open File Report 0-12-02, 2012.
- Ma, L., Madin, I.P., Duplantis, S., and Williams, K.J., 2012, Lidar-based Surficial Geologic Map and Database of the Greater Portland, Oregon, Area, Clackamas, Columbia, Marion, Multnomah, Washington, and Yamhill Counties, Oregon, and Clark County, Washington, DOGAMI Open-File Report O-12-02
- Mabey, M.A., Madin, I.P., and Black G.L., 1996, Relative Earthquake Hazard Map of the Lake Oswego Quadrangle, Clackamas, Multnomah and Washington Counties, Oregon: Oregon Department of Geology and Mineral Industries
- Madin, I.P., 1990, Earthquake hazard geology maps of the Portland metropolitan area, Oregon: Oregon Department of Geology and Mineral Industries Open-File Report 0-90-2, scale 1:24,000, 22 p.
- Open-file report 0-08-06, *Preliminary Geologic Map of the Linnton 7.5' Quadrangle, Multnomah and Washington Counties, Oregon*, (State of Oregon Department of Geology and Mineral Industries, (McConnell, Vicki S, 2008), Oregon Department of Geology and Mineral Industries, Statewide Geohazards Viewer, [www.oregongeology.org/hazvu](http://www.oregongeology.org/hazvu).
- Oregon Department of Geology and Mineral Industries, Madin, Ian P., Ma, Lina, and Niewendorp, Clark A., *Open-File Report 0-08-06, Preliminary Geologic Map of the Linnton 7.5' Quadrangle, Multnomah and Washington Counties, Oregon*, 2008.
- Peterson, C.D., Darioenzo, M.E., Burns, S.F., and Burris, W.K., 1993, Field trip guide to Cascadia paleoseismic evidence along the northern California coast: evidence of subduction zone seismicity in the central Cascadia margin: *Oregon Geology*, v. 55, p. 99-144.
- Phillips, William M., *Geological Map of the Vancouver Quadrangle, Washington and Oregon*, Open File Report 87-10, Washington State Department of Natural Resources, Division of Geology and Earth Resources, 1987.
- United States Geological Survey, USGS Earthquake Hazards Program Website ([earthquake.usgs.gov](http://earthquake.usgs.gov)).
- Unruh, J.R., Wong, I.G., Bott, J.D., Silva, W.J., and Lettis, W.R., 1994, Seismotectonic evaluation: Scoggins Dam, Tualatin Project, Northwest Oregon: unpublished report by William Lettis and Associates and Woodward Clyde Federal Services, Oakland, CA, for U. S. Bureau of Reclamation, Denver CO (in Geomatrix Consultants, 1995).
- Web Soil Survey, Natural Resources Conservation Service, United States Department of Agriculture *2015 website*. (<http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>).
- Werner, K.S., Nabelek, J., Yeats, R.S., Malone, S., 1992, The Mount Angel fault: implications of seismic-reflection data and the Woodburn, Oregon, earthquake sequence of August, 1990: *Oregon Geology*, v. 54, p. 112-117.
- Wong, I. Silva, W., Bott, J., Wright, D., Thomas, P., Gregor, N., Li, S., Mabey, M., Sojourner, A., and Wang, Y., 2000, Earthquake Scenario and Probabilistic Ground Shaking Maps for the Portland, Oregon, Metropolitan Area; State of Oregon Department of Geology and Mineral Industries; Interpretative Map Series IMS-16
- Yeats, R.S., Graven, E.P., Werner, K.S., Goldfinger, C., and Popowski, T., 1996, Tectonics of the Willamette Valley, Oregon: in *Assessing earthquake hazards and reducing risk in the Pacific Northwest*, v. 1: U.S. Geological Survey Professional Paper 1560, P. 183-222, 5 plates, scale 1:100,000.
- Yelin, T.S., 1992, An earthquake swarm in the north Portland Hills (Oregon): More speculations on the seismotectonics of the Portland Basin: *Geological Society of America, Programs with Abstracts*, v. 24, no. 5, p. 92.
- Snyder, D.T., 2008, Estimated Depth to Ground Water and Configuration of the Water Table in the Portland, Oregon Area: U.S. Geological Survey Scientific Investigations Report 2008-5059, 41 p., 3 plates.

**CHECKLIST OF RECOMMENDED GEOTECHNICAL TESTING AND OBSERVATION**

Item No.	Procedure	Timing	By Whom	Done
1	Preconstruction meeting	Prior to beginning site work	Contractor, Developer, Civil and Geotechnical Engineers	
2	Fill removal from site or sorting and stockpiling	Prior to mass stripping	Soil Technician/ Geotechnical Engineer	
3	Stripping, aeration, and root-picking operations	During stripping	Soil Technician	
4	Compaction testing of engineered fill (95% of Standard Proctor)	During filling, tested every 2 vertical feet	Soil Technician	
5	Retaining Wall Keyway and Subbase	During Excavation	Soil Technician/ Geotechnical Engineer	
6	Retaining Wall Backfill and Geogrid Placement	During Construction	Soil Technician/ Geotechnical Engineer	
7	Compaction testing of trench backfill (95% of Standard Proctor)	During backfilling, tested every 4 vertical feet for every 200 linear feet	Soil Technician	
8	Street Subgrade Inspection (95% of Standard Proctor)	Prior to placing base course	Soil Technician	
9	Base course compaction (95% of Modified Proctor)	Prior to paving, tested every 200 linear feet	Soil Technician	
10	Asphalt Compaction (92% Rice Value)	During paving, tested every 100 linear feet	Soil Technician	
11	Final Geotechnical Engineer's Report	Completion of project	Geotechnical Engineer	



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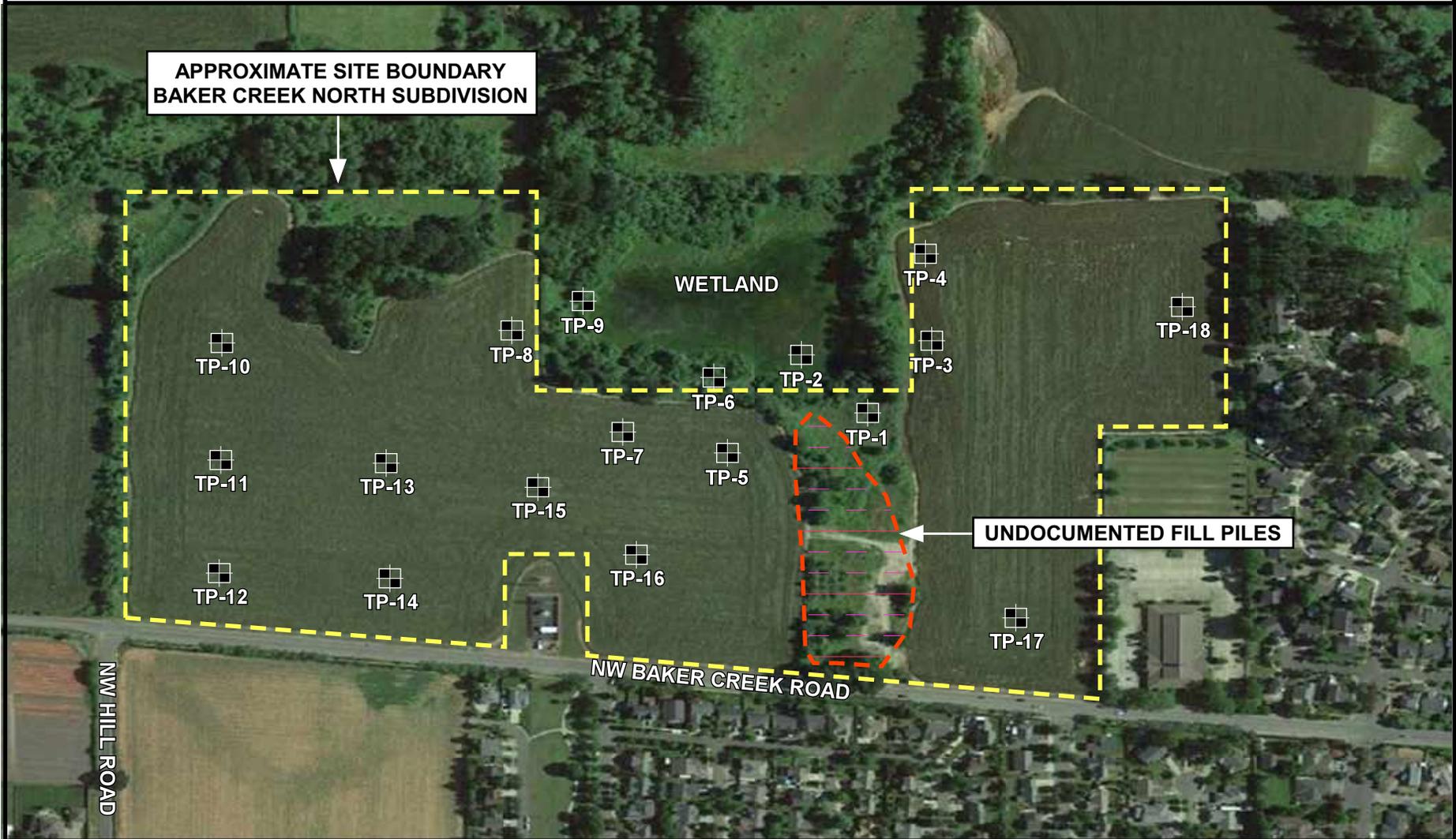
## FIGURES





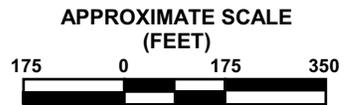
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# SITE AERIAL MAP AND EXPLORATION LOCATIONS



Legend: Base Map - Google Earth Pro 6/22/2017

 Test Pit Designation and Approximate Location



Drawn by: BLC  
 Date: 9/22/2017



Project: Baker Creek North Subdivision  
 1755 NW Baker Creek Road  
 McMinnville, Oregon 97218

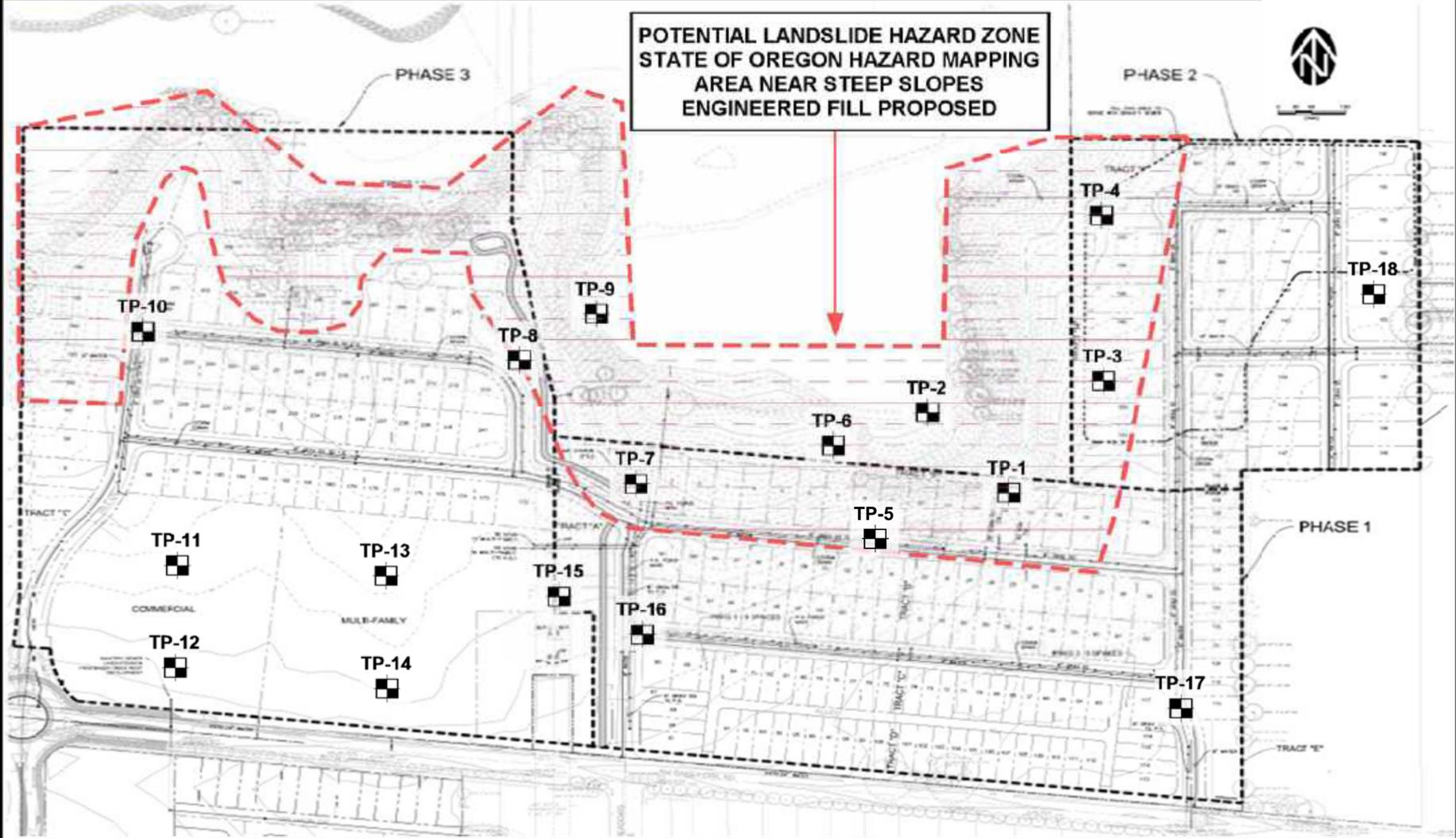
Project No. 17-4694

FIGURE 2



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# SITE PLAN MAP AND EXPLORATION LOCATIONS



Legend: Base Map - Westtech Engineering, Inc., Baker Creek North, Overall Utility Plan, Drawing H

Test Pit Designation and Approximate Location

Drawn by: BLC  
 Date: 9/22/2017



Project: Baker Creek North Subdivision  
 1755 NW Baker Creek Road  
 McMinnville, Oregon 97218

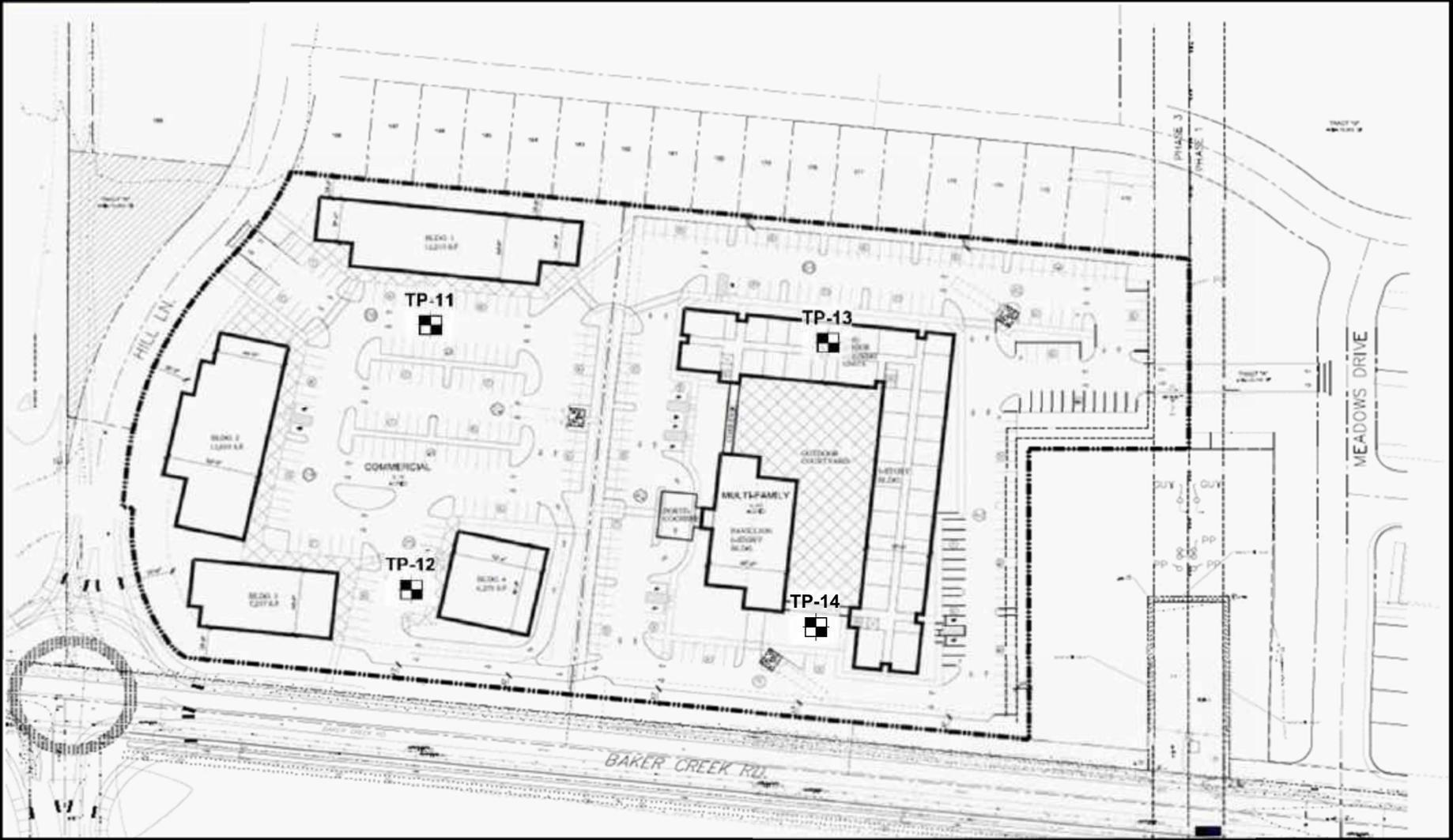
Project No. 17-4694

FIGURE 3



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# SITE PLAN MAP AND EXPLORATION LOCATIONS



Legend: Base Map - Westtech Engineering, Inc., Baker Creek North, Site Concept Plan A, Sheet A1.1A

 Test Pit Designation and Approximate Location

Drawn by: BLC  
Date: 9/22/2017

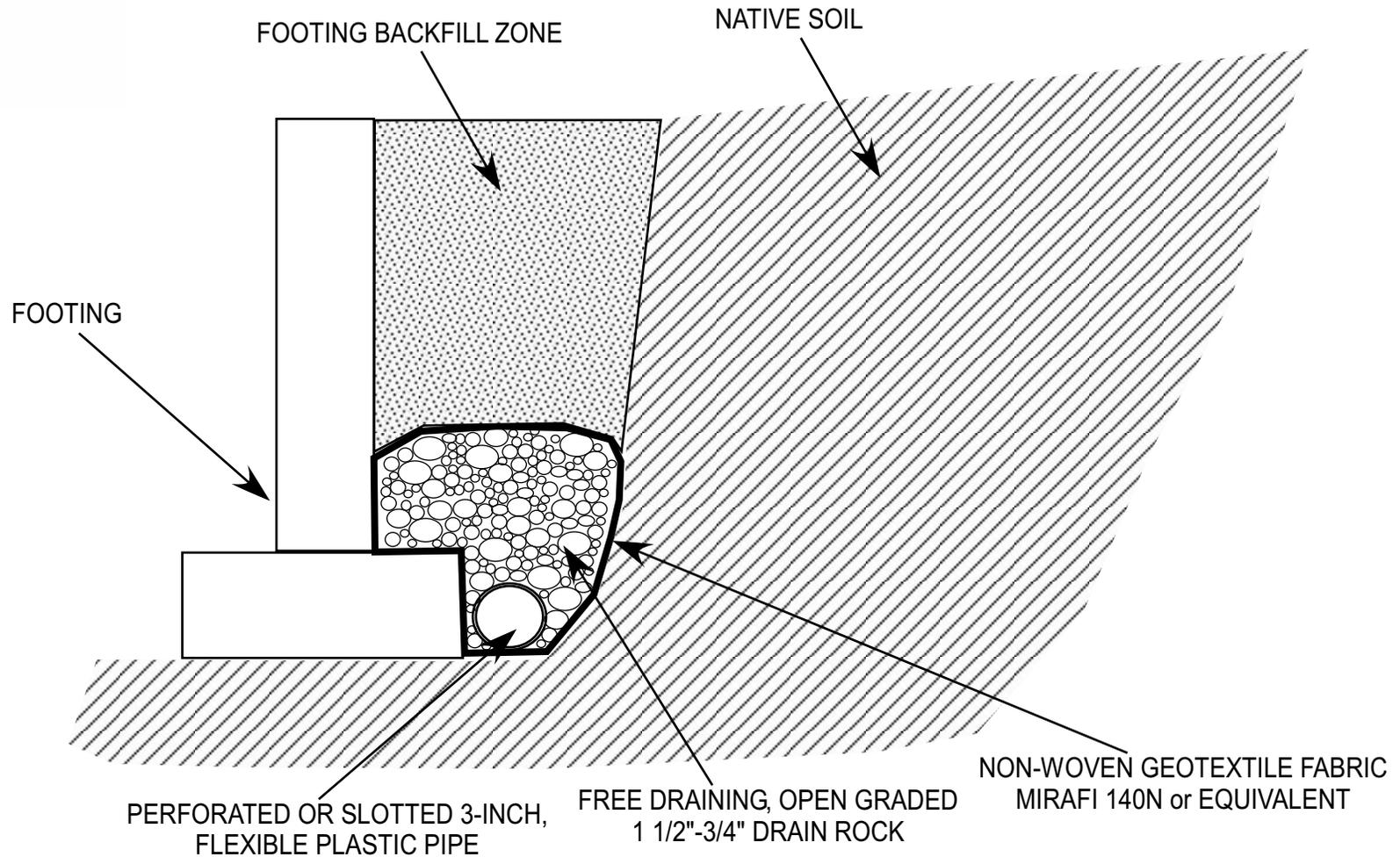


Project: Baker Creek North Subdivision  
1755 NW Baker Creek Road  
McMinnville, Oregon 97218

Project No. 17-4694

FIGURE 3A

## TYPICAL PERIMETER FOOTING DRAIN DETAIL



Notes:

- 1) Drain rock should contain no more than 5 percent fines passing the U.S. No. 200 Sieve.
- 2) Trench bottom and drain pipe should be sloped to drain to approved discharge location.

Date: 9/22/2017

Drawn by: BLC

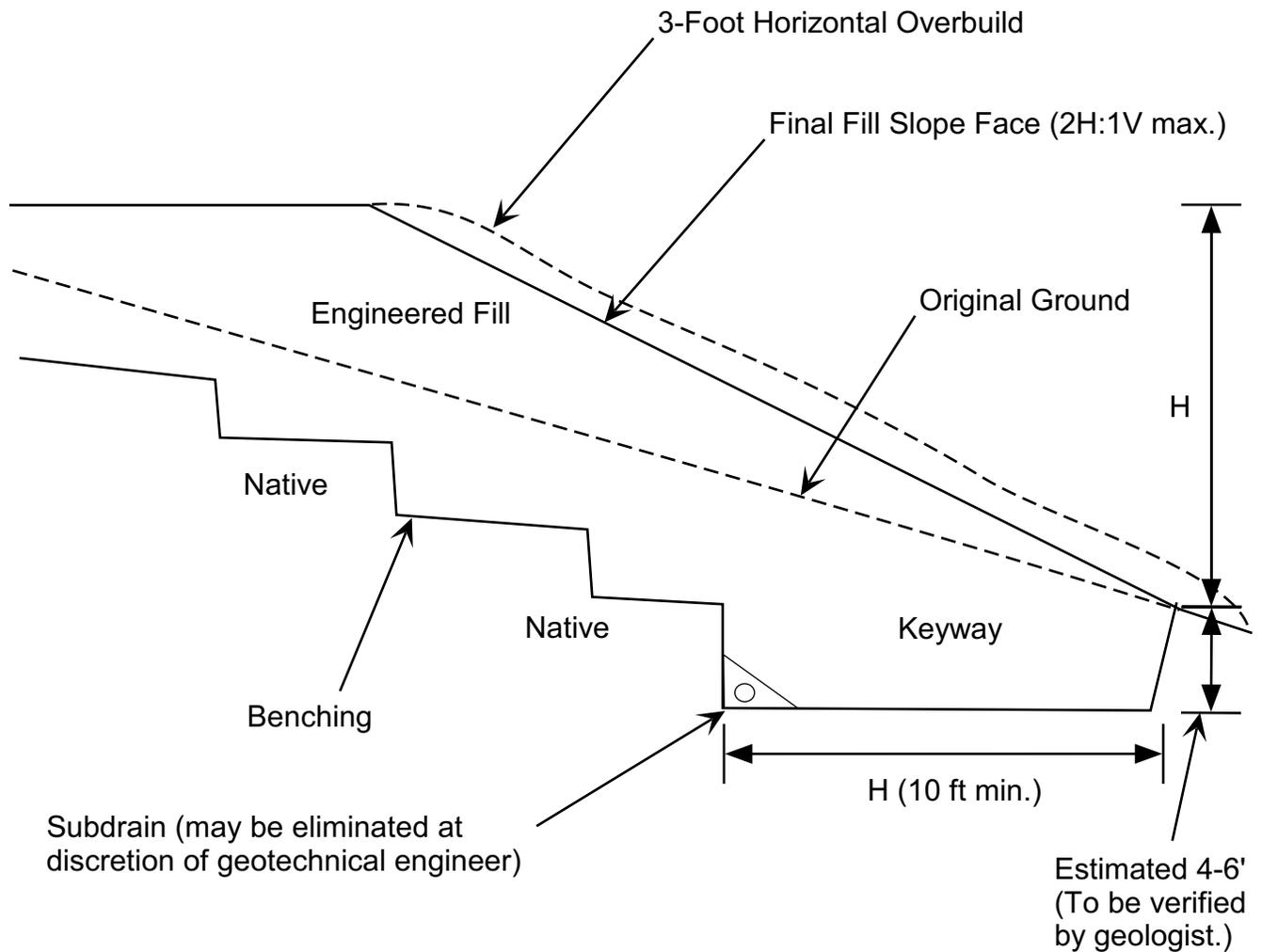
Project: Baker Creek North Subdivision  
 1755 NW Baker Creek Road, McMinnville, Oregon

Project No. 17-4694

FIGURE 4



## TYPICAL KEYWAY, BENCHING & FILL SLOPE DETAIL



Recommended subdrain is minimum 3-inch-diameter ADS Heavy Duty grade (or equivalent), perforated plastic pipe enveloped in a minimum of 3 cubic feet per lineal foot of 2" to 1/2" open-graded gravel drain rock wrapped with geotextile filter fabric (Mirafi 140N or equivalent).



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## EXPLORATION LOGS



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-1</b>
---	---------------------	--------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 6 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 18 inches.
3	>4.5			98.6	33.4		AASHTO Classification = A-7-5(36), Liquid Limit = 62, Plasticity Index = 29
4	>4.5						Increased soil moisture = moist.
6				99.6	30.8		AASHTO Classification = A-7-5(25), Liquid Limit = 49, Plasticity Index = 19
9				99.2	36.7		SILT (ML), brown, very stiff, moist to very moist, moderate plasticity. AASHTO Classification = A-7-6(18), Liquid Limit = 43, Plasticity Index = 15
13							Test pit terminated at 13 feet bgs. No groundwater seepage observed during excavation.
14							
15							
16							
17							

<b>LEGEND</b> <div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> Bag Sample</div> <div style="text-align: center;"> Bucket Sample</div> <div style="text-align: center;"> Shelby Tube Sample</div> <div style="text-align: center;"> Seepage</div> <div style="text-align: center;"> Water Bearing Zone</div> <div style="text-align: center;"> Water Level at Abandonment</div> </div>	Date Excavated: 9/6/2017 Logged By: B. Cook Surface Elevation: 160 Feet
---	---



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-2</b>
---	---------------------	--------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Wetland area. Organic SILT(OL-ML), brown, dry, fine roots extending to 12 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
3	>4.5						Elastic SILT (MH), dark gray, damp to moist, very stiff, moderate plasticity hydric soil, containing fine roots.
4	>4.5						
5							
6							
7							Elastic SILT (MH), dark gray/brown/orange/gray layering and mottling, moist to very moist, stiff, moderate plasticity, hydric soil, containing fine roots.
8							
9							
10							Test pit terminated at 10 feet bgs. No groundwater seepage observed during excavation.
11							
12							
13							
14							
15							
16							
17							

<b>LEGEND</b>  Bag Sample  5 Gal. Bucket Sample  Shelby Tube Sample  Seepage  Water Bearing Zone  Water Level at Abandonment	Date Excavated: 9/6/2017 Logged By: B. Cook Surface Elevation: 130 Feet
---	---



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-3</b>
---	---------------------	--------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 12 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
3	>4.5						
4	>4.5						Increased soil moisture = moist.
5							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
6							
7							
8							
9							
10							Test pit terminated at 10 feet bgs. No groundwater seepage observed during excavation.
11							
12							
13							
14							
15							
16							
17							

**LEGEND**

 Bag Sample	 Bucket Sample	 Shelby Tube Sample	 Seepage	 Water Bearing Zone	 Water Level at Abandonment
---	--	---	--	---	--

Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 165 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-4</b>
---	---------------------	--------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 12 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, <u>till zone, with disturbed texture and appearance to approximately 18 inches.</u>
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
4	>4.5						
5							Increased soil moisture = moist.
6							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
7							
8							
9							
10							Test pit terminated at 9.5 feet bgs. No groundwater seepage observed during excavation.
11							
12							
13							
14							
15							
16							
17							

<b>LEGEND</b>  Bag Sample  Bucket Sample  Shelby Tube Sample  Seepage  Water Bearing Zone  Water Level at Abandonment	Date Excavated: 9/6/2017 Logged By: B. Cook Surface Elevation: 161 Feet
--	---



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# TEST PIT LOG

Project: Baker Creek North Subdivision  
 McMinnville, Oregon

Project No. 17-4694

Test Pit No. **TP-5**

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 12 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
3	>4.5						
4	>4.5						
5							Increased soil moisture = moist.
6							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
7							
8							
9							
10							
11							Test pit terminated at 11 feet bgs. No groundwater seepage observed during excavation.
12							
13							
14							
15							
16							
17							

**LEGEND**



Bag Sample



5 Gal. Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 9/6/2017

Logged By: B. Cook

Surface Elevation: 158 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-6</b>
---	---------------------	--------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with blackberries. Organic SILT(OL-ML), brown, dry, blackberry roots extending to 24 inches bgs.
2	>4.5						----- Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity.
3	>4.5						
4	>4.5						
5							
6							Increased soil moisture = moist.
7							----- SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
8							
9							
10							Test pit terminated at 10 feet bgs. No groundwater seepage observed during excavation.
11							
12							
13							
14							
15							
16							
17							

**LEGEND**

Bag Sample	Bucket Sample	Shelby Tube Sample	Seepage	Water Bearing Zone	Water Level at Abandonment
------------	---------------	--------------------	---------	--------------------	----------------------------

Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 147 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-7</b>
---	---------------------	--------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						<p>TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 6 inches bgs.</p> <p>Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 18 inches.</p>
2	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
3	>4.5						
4	>4.5						
5							
6							
7							Increased soil moisture = moist.
8							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
9							
10							
11							
12							
13							Test pit terminated at 13 feet bgs. No groundwater seepage observed during excavation.
14							
15							
16							
17							

**LEGEND**

 Bag Sample	 Bucket Sample	 Shelby Tube Sample	 Seepage	 Water Bearing Zone	 Water Level at Abandonment
---	--	---	--	---	--

Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 157 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-8</b>
---	---------------------	--------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 6 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 18 inches.
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
4	>4.5						
5							Increased soil moisture = moist.
6							
7							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
8							
9							
10							
11							
12							Test pit terminated at 11.5 feet bgs. No groundwater seepage observed during excavation.
13							
14							
15							
16							
17							

**LEGEND**

 Bag Sample	 Bucket Sample	 Shelby Tube Sample	 Seepage	 Water Bearing Zone	 Water Level at Abandonment
--	---	--	---	--	---

Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 161 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-9</b>
---	---------------------	--------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Wetland area. Organic SILT(OL-ML), brown, dry, fine roots extending to 18 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
3	>4.5						
4	>4.5						Elastic SILT (MH), dark gray, damp to moist, very stiff, moderate plasticity hydric soil, containing fine roots.
5							
6							
7							Elastic SILT (MH), dark gray/yellowish/brown/orange/gray layering and mottling, moist to very moist, stiff, moderate plasticity, hydric soil, containing fine roots.
8							
9							
10							Test pit terminated at 10 feet bgs. No groundwater seepage observed during excavation.
11							
12							
13							
14							
15							
16							
17							

**LEGEND**

 Bag Sample	 Bucket Sample	 Shelby Tube Sample	 Seepage	 Water Bearing Zone	 Water Level at Abandonment
--	---	--	---	--	---

Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 132 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-10</b>
---	---------------------	---------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 6 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 18 inches.
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
4	>4.5						
5							Increased soil moisture = moist.
6							
7							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
8							
9							
10							
11							Test pit terminated at 10.5 feet bgs. No groundwater seepage observed during excavation.
12							
13							
14							
15							
16							
17							

**LEGEND**

 Bag Sample	 Bucket Sample	 Shelby Tube Sample	 Seepage	 Water Bearing Zone	 Water Level at Abandonment
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Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 159 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision  
 McMinnville, Oregon

Project No. 17-4694

Test Pit No. **TP-11**

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 4 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 16 inches
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
4	>4.5						
5							Increased soil moisture = moist.
6							
7							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
8							
9							
10							
11							Test pit terminated at 11 feet bgs. No groundwater seepage observed during excavation.
12							
13							
14							
15							
16							
17							

**LEGEND**



Bag Sample



Bucket Sample



Shelby Tube Sample



Seepage



Water Bearing Zone



Water Level at Abandonment

Date Excavated: 9/6/2017

Logged By: B. Cook

Surface Elevation: 163 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-12</b>
---	---------------------	---------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 4 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 16 inches.
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
4	>4.5						
5							Increased soil moisture = moist.
6							
7							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
8							
9							
10							
11							Test pit terminated at 11 feet bgs. No groundwater seepage observed during excavation.
12							
13							
14							
15							
16							
17							

<b>LEGEND</b>  Bag Sample  5 Gal. Bucket  Shelby Tube Sample  Seepage  Water Bearing Zone  Water Level at Abandonment	Date Excavated: 9/6/2017 Logged By: B. Cook Surface Elevation: 164 Feet
--	---



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-13</b>
---	---------------------	---------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 4 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 16 inches
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
4	>4.5						
5							Increased soil moisture = moist.
6							
7							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
8							
9							
10							
11							Test pit terminated at 11 feet bgs. No groundwater seepage observed during excavation.
12							
13							
14							
15							
16							
17							

**LEGEND**

 Bag Sample	 Bucket Sample	 Shelby Tube Sample	 Seepage	 Water Bearing Zone	 Water Level at Abandonment
--	---	--	---	--	---

Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 163 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-14</b>
---	---------------------	---------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 4 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 16 inches
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
4	>4.5						
5							Increased soil moisture = moist.
6							
7							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
8							
9							Test pit terminated at 9 feet bgs. No groundwater seepage observed during excavation.
10							
11							
12							
13							
14							
15							
16							
17							

<b>LEGEND</b>  Bag Sample  Bucket Sample  Shelby Tube Sample  Seepage  Water Bearing Zone  Water Level at Abandonment	Date Excavated: 9/6/2017 Logged By: B. Cook Surface Elevation: 165 Feet
--	---



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-15</b>
---	---------------------	---------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 4 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 14 inches.
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
4	>4.5						
5							Increased soil moisture = moist.
6							
7							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
8							
9							Test pit terminated at 9 feet bgs. No groundwater seepage observed during excavation.
10							
11							
12							
13							
14							
15							
16							
17							

**LEGEND**

Bag Sample	Bucket Sample	Shelby Tube Sample	Seepage	Water Bearing Zone	Water Level at Abandonment
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Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 165 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-16</b>
---	---------------------	---------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 4 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 14 inches.
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity
4	>4.5						Increased soil moisture = moist.
5							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
6							
7							
8							
9							
10							Test pit terminated at 10 feet bgs.
11							No groundwater seepage observed during excavation.
12							
13							
14							
15							
16							
17							

**LEGEND**

Bag Sample	Bucket Sample	Shelby Tube Sample	Seepage	Water Bearing Zone	Water Level at Abandonment
------------	---------------	--------------------	---------	--------------------	----------------------------

Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 166 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-17</b>
---	---------------------	---------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 4 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 14 inches.
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity.
4	>4.5						
5							Increased soil moisture = moist.
6							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
7							
8							
9							
10							
11							Test pit terminated at 11 feet bgs. No groundwater seepage observed during excavation.
12							
13							
14							
15							
16							
17							

**LEGEND**

 Bag Sample	 Bucket Sample	 Shelby Tube Sample	 Seepage	 Water Bearing Zone	 Water Level at Abandonment
---	--	---	--	---	--

Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 170 Feet



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# TEST PIT LOG

Project: Baker Creek North Subdivision McMinnville, Oregon	Project No. 17-4694	Test Pit No. <b>TP-18</b>
---	---------------------	---------------------------

Depth (ft)	Pocket Penetrometer (tons/ft <sup>2</sup> )	Torvane Shear (tons/ft <sup>2</sup> )	Sample Type	% Passing No. 200 Sieve	Moisture Content (%)	Water Bearing Zone	Material Description
1	3.5						TOPSOIL. Surfaced with grass. Organic SILT(OL-ML), brown, dry, fine roots extending to 4 inches bgs.
2	>4.5						Elastic SILT (MH), light brown, dry to damp, very stiff, moderate plasticity, till zone, with disturbed texture and appearance to approximately 14 inches.
3	>4.5						Elastic SILT (MH), light brown, damp to moist, very stiff, moderate plasticity.
4	>4.5						
5							Increased soil moisture = moist.
6							SILT (ML), brown with concentric orange mottles, very stiff, moist to very moist, moderate plasticity.
7							
8							
9							
10							
11							Test pit terminated at 11 feet bgs. No groundwater seepage observed during excavation.
12							
13							
14							
15							
16							
17							

**LEGEND**

Bag Sample	Bucket Sample	Shelby Tube Sample	Seepage	Water Bearing Zone	Water Level at Abandonment
------------	---------------	--------------------	---------	--------------------	----------------------------

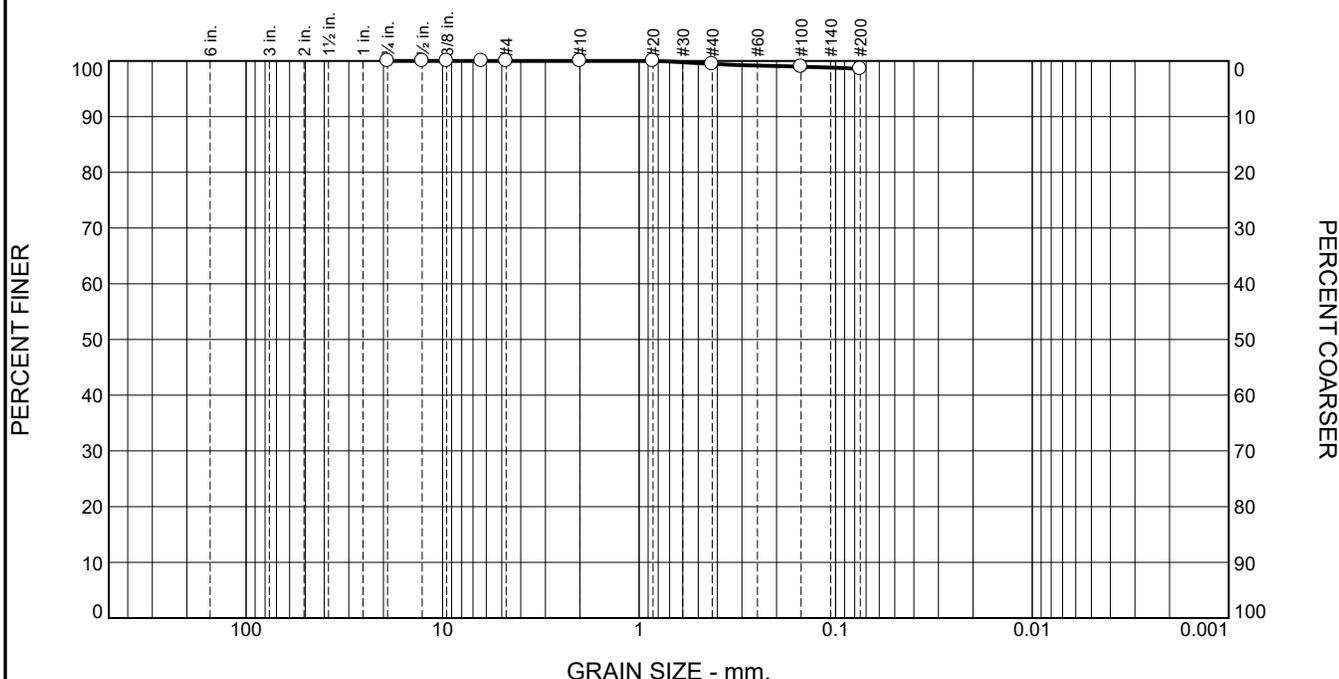
Date Excavated: 9/6/2017  
 Logged By: B. Cook  
 Surface Elevation: 170 Feet



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## LABORATORY TEST RESULTS

# Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	0.0	0.0	0.0	0.5	0.9	98.6	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
.75	100.0		
.5	100.0		
.375	100.0		
.25	100.0		
#4	100.0		
#10	100.0		
#20	100.0		
#40	99.5		
#100	99.0		
#200	98.6		

**Material Description**

Elastic Silt

**Atterberg Limits (ASTM D 4318)**

PL= 32.8                      LL= 62.0                      PI= 29.2

**Classification**

USCS (D 2487)= MH                      AASHTO (M 145)= A-7-5(36)

**Coefficients**

D<sub>90</sub>=                      D<sub>85</sub>=                      D<sub>60</sub>=  
D<sub>50</sub>=                      D<sub>30</sub>=                      D<sub>15</sub>=  
D<sub>10</sub>=                      C<sub>u</sub>=                      C<sub>c</sub>=

Remarks

Moisture 33.4%

---

Date Received: \_\_\_\_\_ Date Tested: 9/13/2017  
Tested By: SJC  
Checked By: \_\_\_\_\_  
Title: \_\_\_\_\_

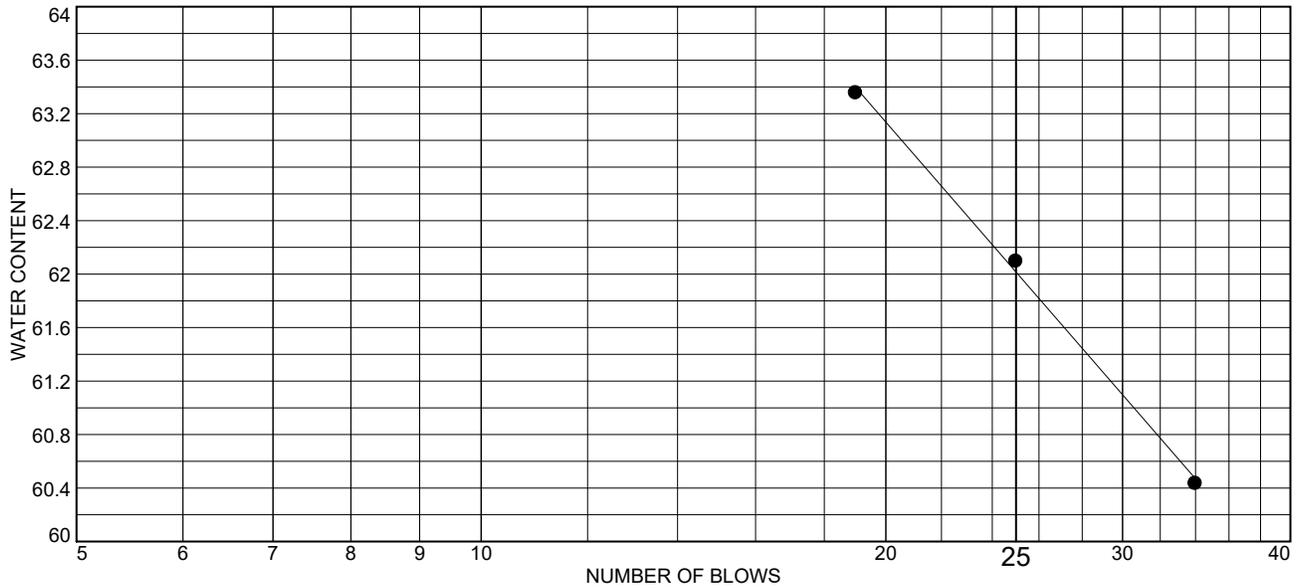
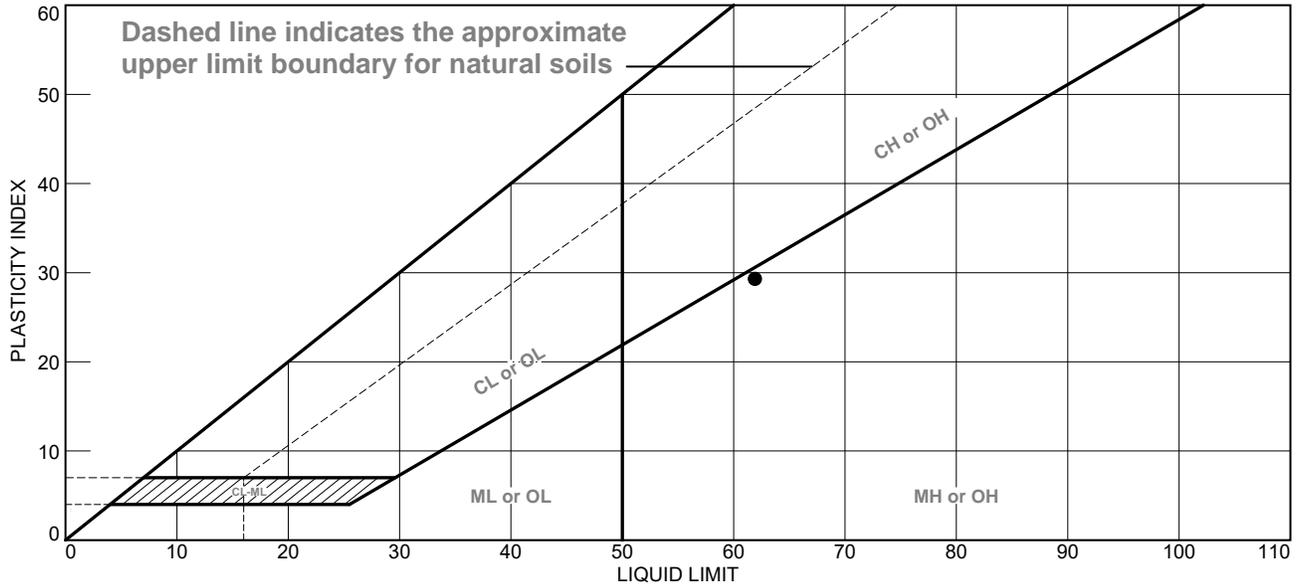
\* (no specification provided)

Location: TP-1 Sample 1.1  
Sample Number: S17-269                      Depth: 3'

Date Sampled: 9/6/2017 BLC

<h2 style="margin: 0;">GEOPACIFIC ENGINEERING, INC.</h2>	<p>Client: Stafford Land Company, Inc.  Project: Baker Creek North Subdivision  Project No: 17-4694</p>
<p>Figure</p>	

# LIQUID AND PLASTIC LIMITS TEST REPORT



MATERIAL DESCRIPTION	LL	PL	PI	%<#40	%<#200	USCS
● Elastic Silt	62.0	32.8	29.2	99.5	98.6	MH

**Project No.** 17-4694      **Client:** Stafford Land Company, Inc.  
**Project:** Baker Creek North Subdivision  
**Location:** TP-1 Sample 1.1  
**Sample Number:** S17-269      **Depth:** 3'

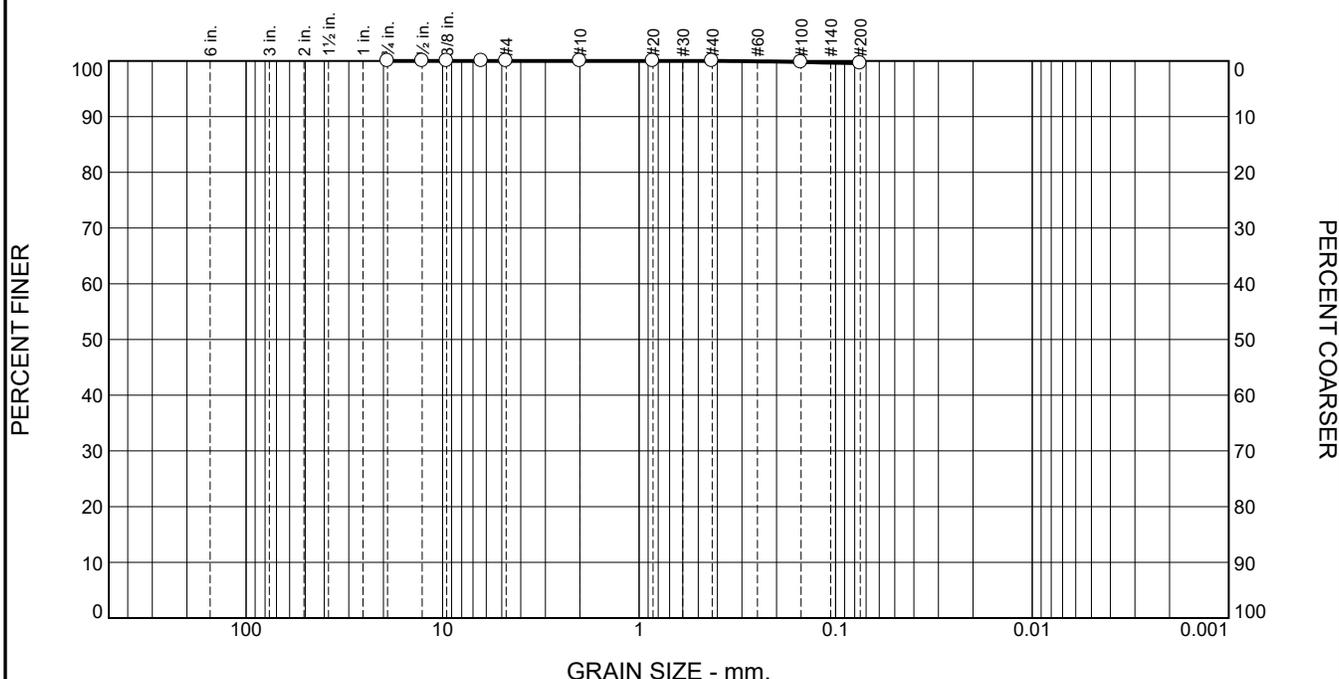
**Remarks:**

## GEOPACIFIC ENGINEERING, INC.

Figure

**Tested By:** SJC

# Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	0.0	0.0	0.0	0.0	0.4	99.6	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
.75	100.0		
.5	100.0		
.375	100.0		
.25	100.0		
#4	100.0		
#10	100.0		
#20	100.0		
#40	100.0		
#100	99.8		
#200	99.6		

**Material Description**

Elastic Silt

**Atterberg Limits (ASTM D 4318)**

PL= 30.2      LL= 49.5      PI= 19.3

**Classification**

USCS (D 2487)= MH      AASHTO (M 145)= A-7-5(25)

**Coefficients**

D<sub>90</sub>=      D<sub>85</sub>=      D<sub>60</sub>=  
D<sub>50</sub>=      D<sub>30</sub>=      D<sub>15</sub>=  
D<sub>10</sub>=      C<sub>u</sub>=      C<sub>c</sub>=

Remarks

Moisture 30.8%

---

Date Received: \_\_\_\_\_ Date Tested: 9/13/2017  
Tested By: SJC  
Checked By: \_\_\_\_\_  
Title: \_\_\_\_\_

\* (no specification provided)

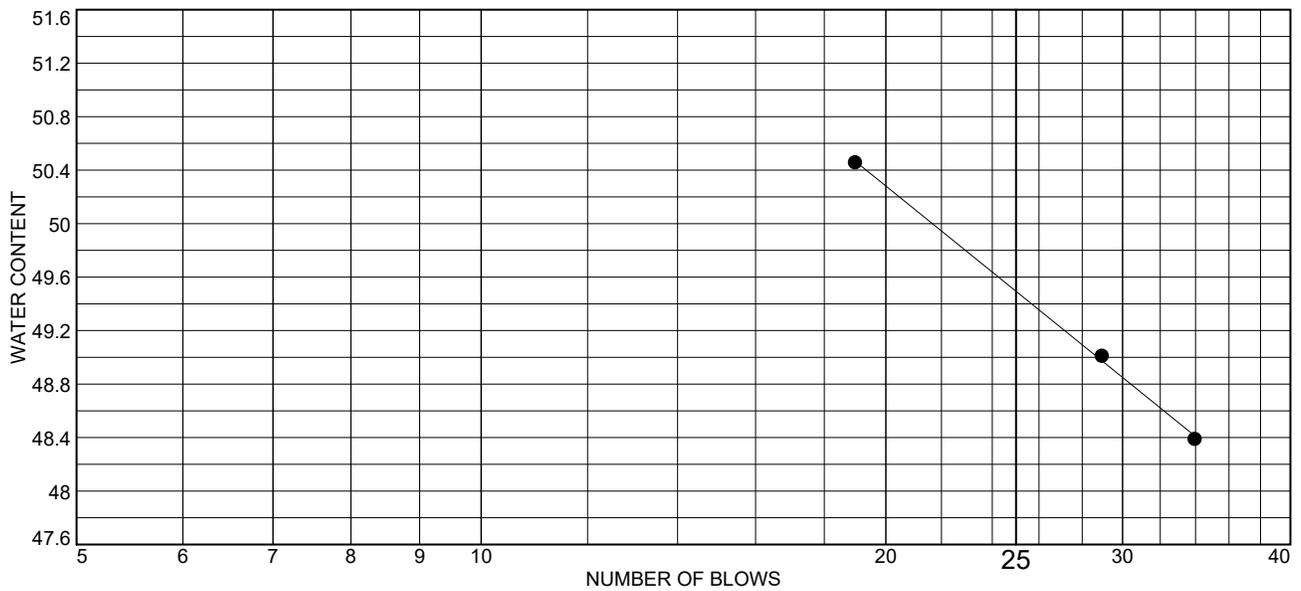
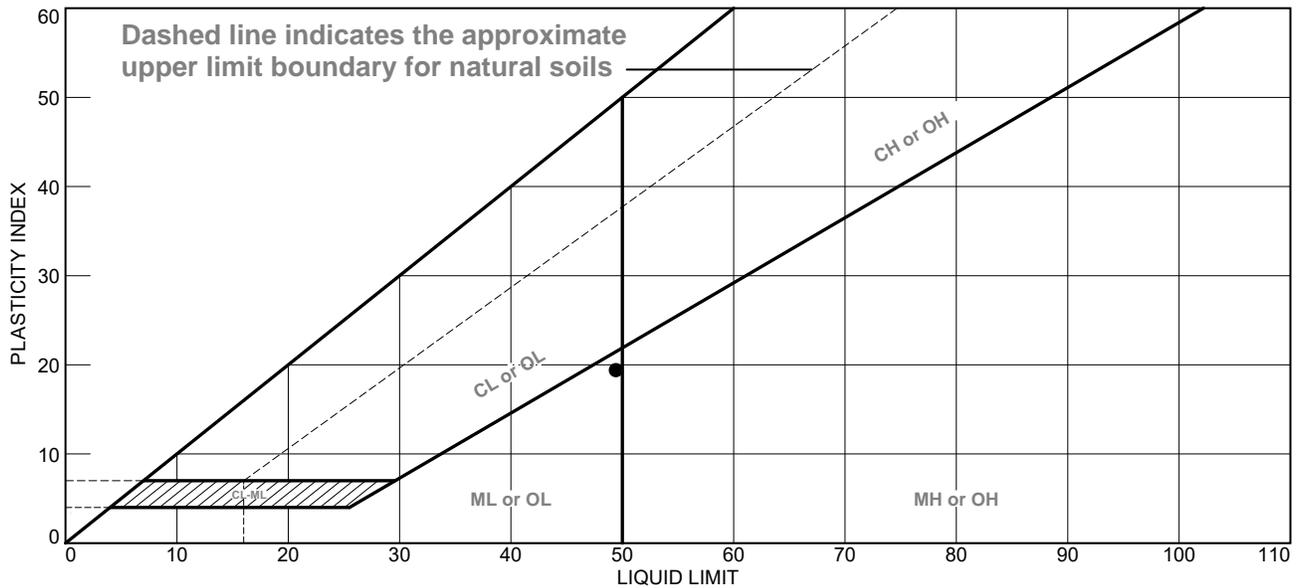
Location: TP-1 Sample 1.2  
Sample Number: S17-270      Depth: 6'

Date Sampled: 9/6/2017 BLC

<h2 style="margin: 0;">GEOPACIFIC ENGINEERING, INC.</h2>	<p>Client: Stafford Land Company, Inc.  Project: Baker Creek North Subdivision  Project No: 17-4694</p>
--	---

Figure

# LIQUID AND PLASTIC LIMITS TEST REPORT



MATERIAL DESCRIPTION	LL	PL	PI	%<#40	%<#200	USCS
Elastic Silt	49.5	30.2	19.3	100.0	99.6	MH

**Project No.** 17-4694      **Client:** Stafford Land Company, Inc.  
**Project:** Baker Creek North Subdivision  
**Location:** TP-1 Sample 1.2  
**Sample Number:** S17-270      **Depth:** 6'

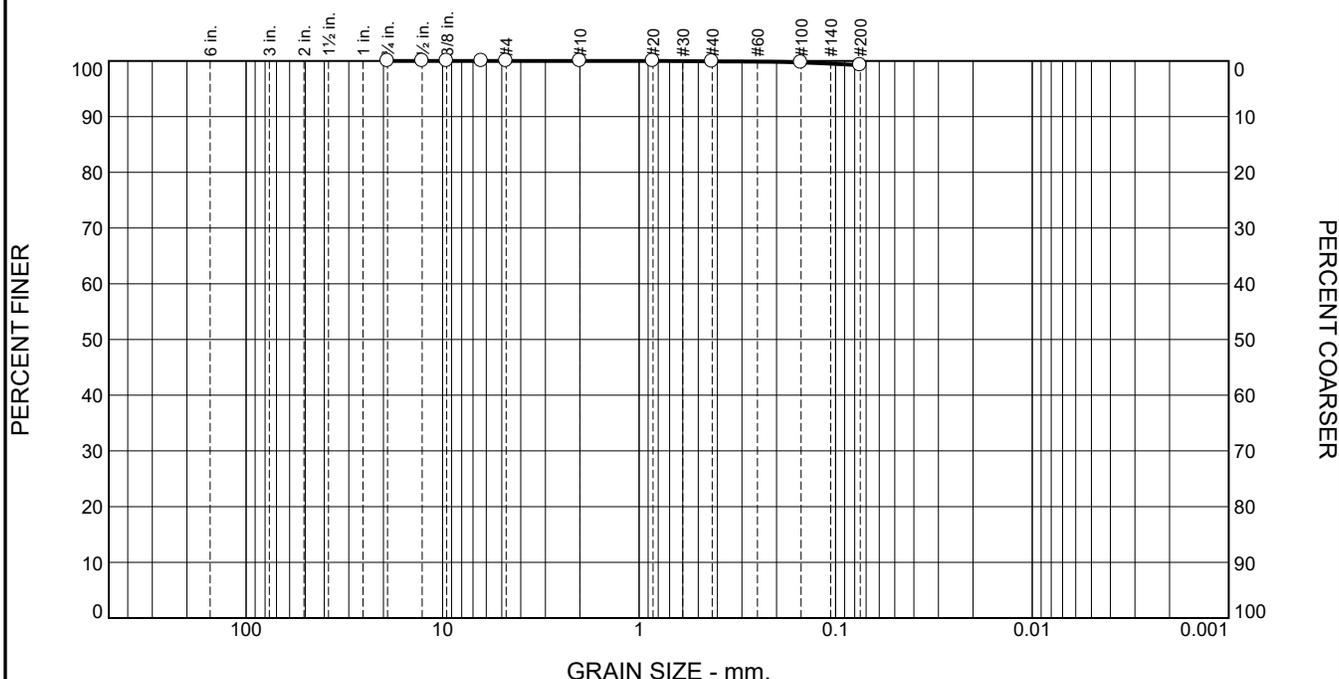
**Remarks:**

## GEOPACIFIC ENGINEERING, INC.

Figure

**Tested By:** SJC

# Particle Size Distribution Report



% +3"	% Gravel		% Sand			% Fines	
	Coarse	Fine	Coarse	Medium	Fine	Silt	Clay
0.0	0.0	0.0	0.0	0.1	0.7	99.2	

TEST RESULTS			
Opening Size	Percent Finer	Spec.* (Percent)	Pass? (X=Fail)
.75	100.0		
.5	100.0		
.375	100.0		
.25	100.0		
#4	100.0		
#10	100.0		
#20	100.0		
#40	99.9		
#100	99.7		
#200	99.2		

**Material Description**

Silt

**Atterberg Limits (ASTM D 4318)**

PL= 28.0                      LL= 43.1                      PI= 15.1

**Classification**

USCS (D 2487)= ML                      AASHTO (M 145)= A-7-6(18)

**Coefficients**

D<sub>90</sub>=                      D<sub>85</sub>=                      D<sub>60</sub>=  
D<sub>50</sub>=                      D<sub>30</sub>=                      D<sub>15</sub>=  
D<sub>10</sub>=                      C<sub>u</sub>=                      C<sub>c</sub>=

Remarks

Moisture 36.7%

---

Date Received:                      Date Tested: 9/13/2017

Tested By: SJC

Checked By: \_\_\_\_\_

Title: \_\_\_\_\_

\* (no specification provided)

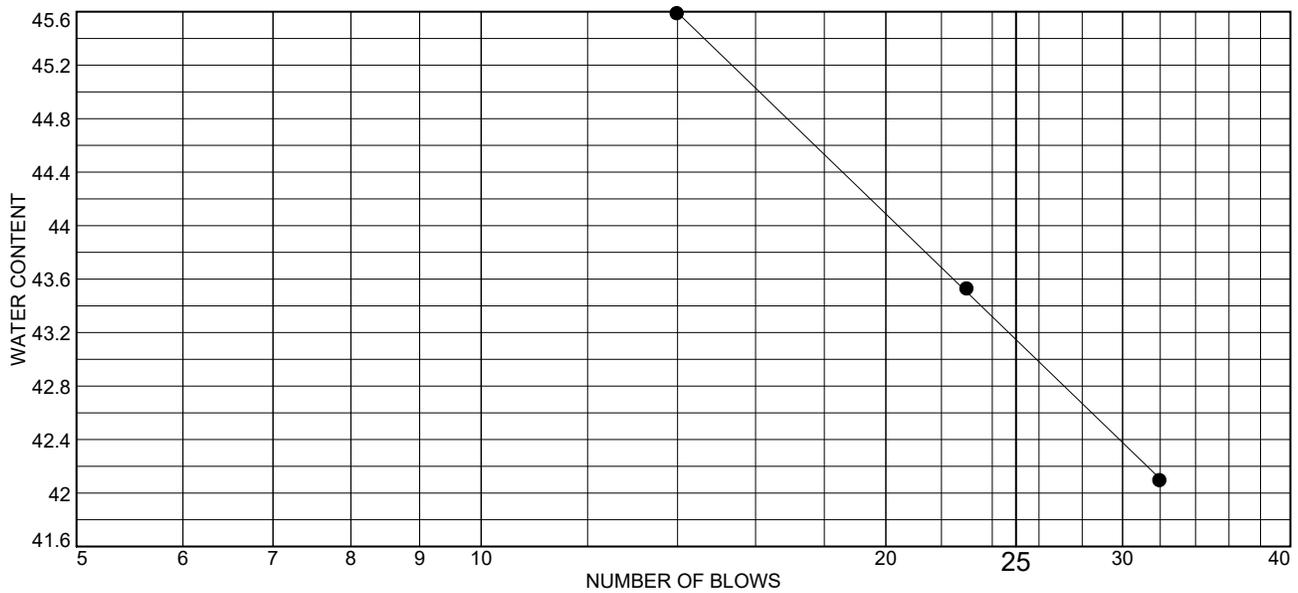
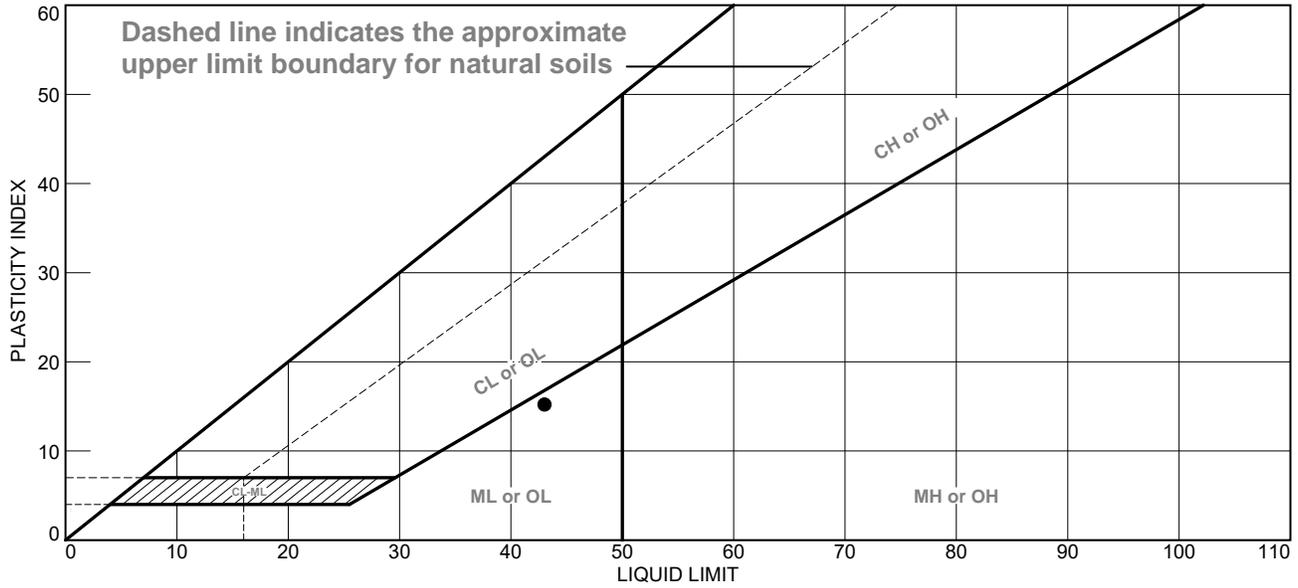
Location: TP-1 Sample 1.3  
Sample Number: S17-271

Date Sampled: 9/6/2017 BLC

<h2 style="margin: 0;">GEO PACIFIC ENGINEERING, INC.</h2>	<p>Client: Stafford Land Company, Inc.  Project: Baker Creek North Subdivision</p> <p>Project No: 17-4694</p>
---	---

Figure

# LIQUID AND PLASTIC LIMITS TEST REPORT



MATERIAL DESCRIPTION	LL	PL	PI	%<#40	%<#200	USCS
● Silt	43.1	28.0	15.1	99.9	99.2	ML

**Project No.** 17-4694      **Client:** Stafford Land Company, Inc.  
**Project:** Baker Creek North Subdivision  
**Location:** TP-1 Sample 1.3  
**Sample Number:** S17-271

**Remarks:**

## GEOPACIFIC ENGINEERING, INC.

Figure

**Tested By:** SJC

# SOIL DESCRIPTION AND CLASSIFICATION GUIDELINES

## Particle-Size Classification

COMPONENT	ASTM/USCS		AASHTO	
	size range	sieve size range	size range	sieve size range
Cobbles	> 75 mm	greater than 3 inches	> 75 mm	greater than 3 inches
Gravel	75 mm – 4.75 mm	3 inches to No. 4 sieve	75 mm – 2.00 mm	3 inches to No. 10 sieve
Coarse	75 mm – 19.0 mm	3 inches to 3/4-inch sieve	-	-
Fine	19.0 mm – 4.75 mm	3/4-inch to No. 4 sieve	-	-
Sand	4.75 mm – 0.075 mm	No. 4 to No. 200 sieve	2.00 mm – 0.075 mm	No. 10 to No. 200 sieve
Coarse	4.75 mm – 2.00 mm	No. 4 to No. 10 sieve	2.00 mm – 0.425 mm	No. 10 to No. 40 sieve
Medium	2.00 mm – 0.425 mm	No. 10 to No. 40 sieve	-	-
Fine	0.425 mm – 0.075 mm	No. 40 to No. 200 sieve	0.425 mm – 0.075 mm	No. 40 to No. 200 sieve
Fines (Silt and Clay)	< 0.075 mm	Passing No. 200 sieve	< 0.075 mm	Passing No. 200 sieve

## Consistency for Cohesive Soil

CONSISTENCY	SPT N-VALUE (BLOWS PER FOOT)	POCKET PENETROMETER (UNCONFINED COMPRESSIVE STRENGTH, tsf)
Very Soft	2	less than 0.25
Soft	2 to 4	0.25 to 0.50
Medium Stiff	4 to 8	0.50 to 1.0
Stiff	8 to 15	1.0 to 2.0
Very Stiff	15 to 30	2.0 to 4.0
Hard	30 to 60	greater than 4.0
Very Hard	greater than 60	-

## Relative Density for Granular Soil

RELATIVE DENSITY	SPT N-VALUE (BLOWS PER FOOT)
Very Loose	0 to 4
Loose	4 to 10
Medium Dense	10 to 30
Dense	30 to 50
Very Dense	more than 50

## Moisture Designations

TERM	FIELD IDENTIFICATION
Dry	No moisture. Dusty or dry.
Damp	Some moisture. Cohesive soils are usually below plastic limit and are moldable.
Moist	Grains appear darkened, but no visible water is present. Cohesive soils will clump. Sand will bulk. Soils are often at or near plastic limit.
Wet	Visible water on larger grains. Sand and silt exhibit dilatancy. Cohesive soil can be readily remolded. Soil leaves wetness on the hand when squeezed. Soil is much wetter than optimum moisture content and is above plastic limit.

# AASHTO SOIL CLASSIFICATION SYSTEM

**TABLE 1. Classification of Soils and Soil-Aggregate Mixtures**

General Classification	Granular Materials (35 Percent or Less Passing .075 mm)				Silt-Clay Materials (More than 35 Percent Passing 0.075)		
	A-1	A-3	A-2	A-4	A-5	A-6	A-7
Sieve analysis, percent passing:							
2.00 mm (No. 10)	-	-	-	-	-	-	-
0.425 mm (No. 40)	50 max	51 min	-	-	-	-	-
0.075 mm (No. 200)	25 max	10 max	35 max	36 min	36 min	36 min	36 min
<u>Characteristics of fraction passing 0.425 mm (No. 40)</u>							
Liquid limit				40 max	41 min	40 max	41 min
Plasticity index	6 max	N.P.		10 max	10 max	11 min	11 min
General rating as subgrade	Excellent to good				Fair to poor		

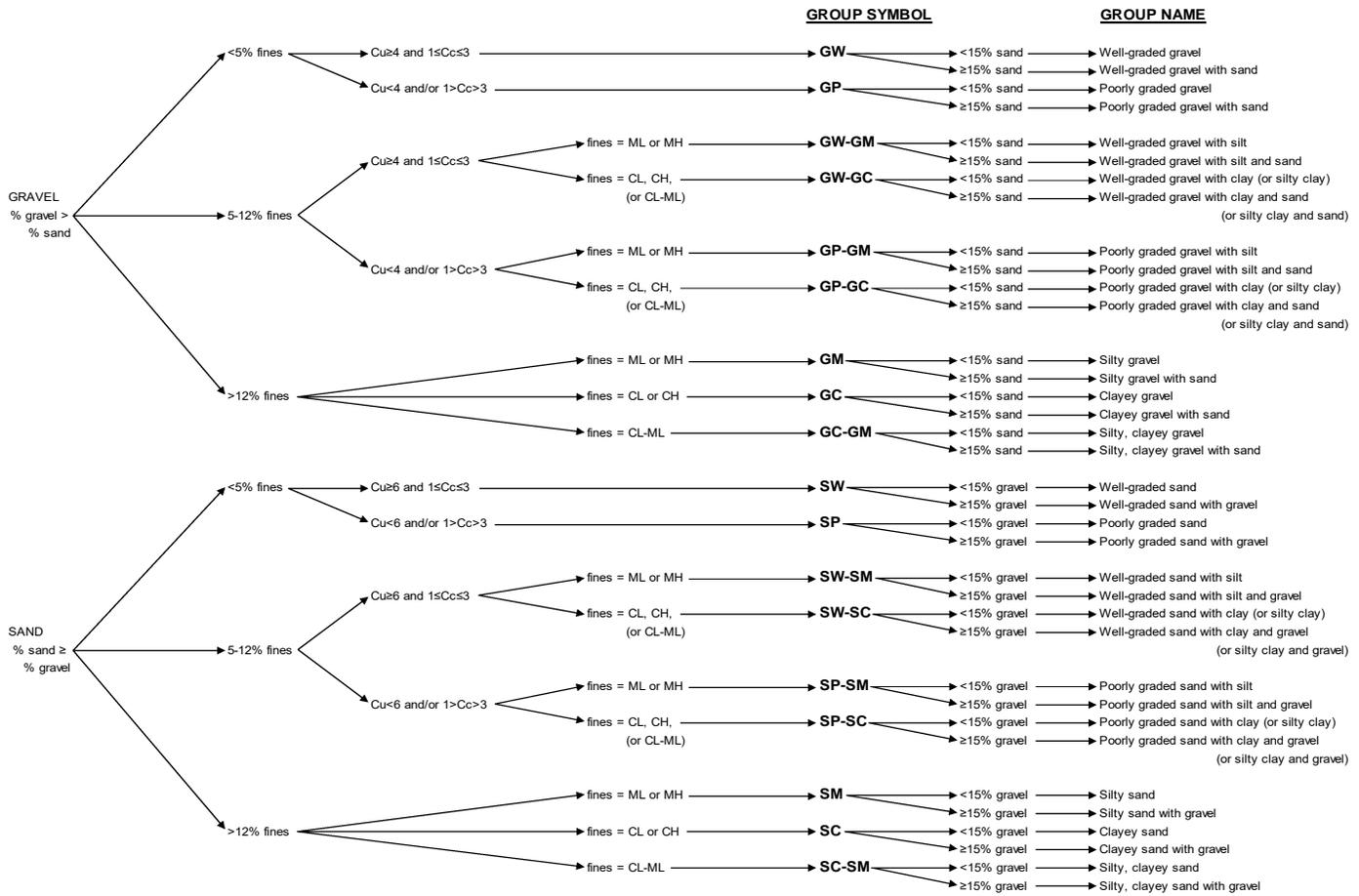
Note: The placing of A-3 before A-2 is necessary in the "left to right elimination process" and does not indicate superiority of A-3 over A-2.

**TABLE 2. Classification of Soils and Soil-Aggregate Mixtures**

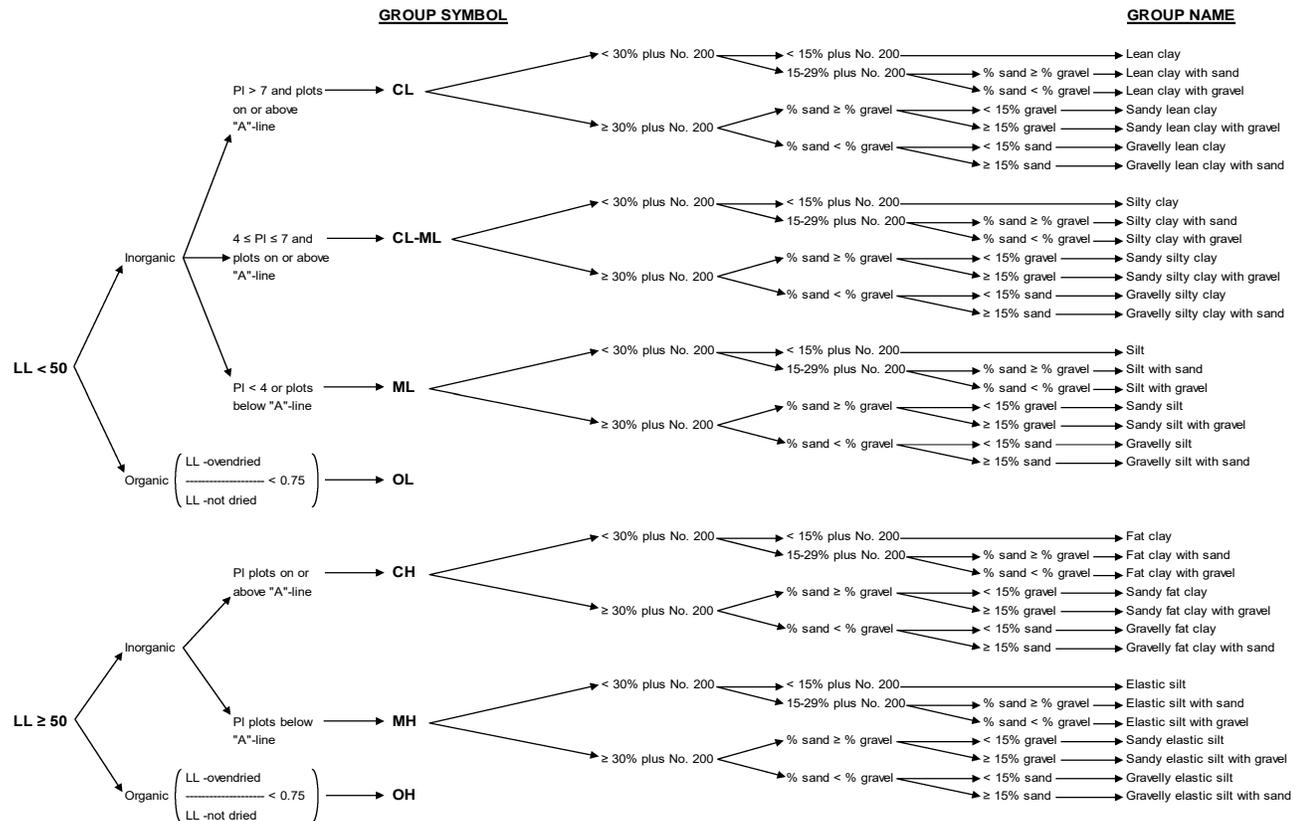
General Classification	Granular Materials (35 Percent or Less Passing 0.075 mm)							Silt-Clay Materials (More than 35 Percent Passing 0.075 mm)			
	A-1		A-2					A-7			
Group Classification	A-1-a	A-1-b	A-3	A-2-4	A-2-5	A-2-6	A-2-7	A-4	A-5	A-6	A-7-5, A-7-6
Sieve analysis, percent passing:											
2.00 mm (No. 10)	50 max	-	-	-	-	-	-	-	-	-	-
0.425 mm (No. 40)	30 max	50 max	51 min	-	-	-	-	-	-	-	-
0.075 mm (No. 200)	15 max	25 max	10 max	35 max	35 max	35 max	35 max	36 min	36 min	36 min	36 min
<u>Characteristics of fraction passing 0.425 mm (No. 40)</u>											
Liquid limit				40 max	41 min	40 max	41 min	40 max	41 min	40 max	41 min
Plasticity index	6 max		N.P.	10 max	10 max	11 min	11 min	10 max	10 max	11 min	11 min
Usual types of significant constituent materials	Stone fragments, gravel and sand		Fine sand	Silty or clayey gravel and sand				Silty soils		Clayey soils	
General ratings as subgrade	Excellent to Good							Fair to poor			

Note: Plasticity index of A-7-5 subgroup is equal to or less than LL minus 30. Plasticity index of A-7-6 subgroup is greater than LL minus 30 (see Figure 2).

AASHTO = American Association of State Highway and Transportation Officials



Flow Chart for Classifying Coarse-Grained Soils (More Than 50% Retained on No. 200 Sieve)



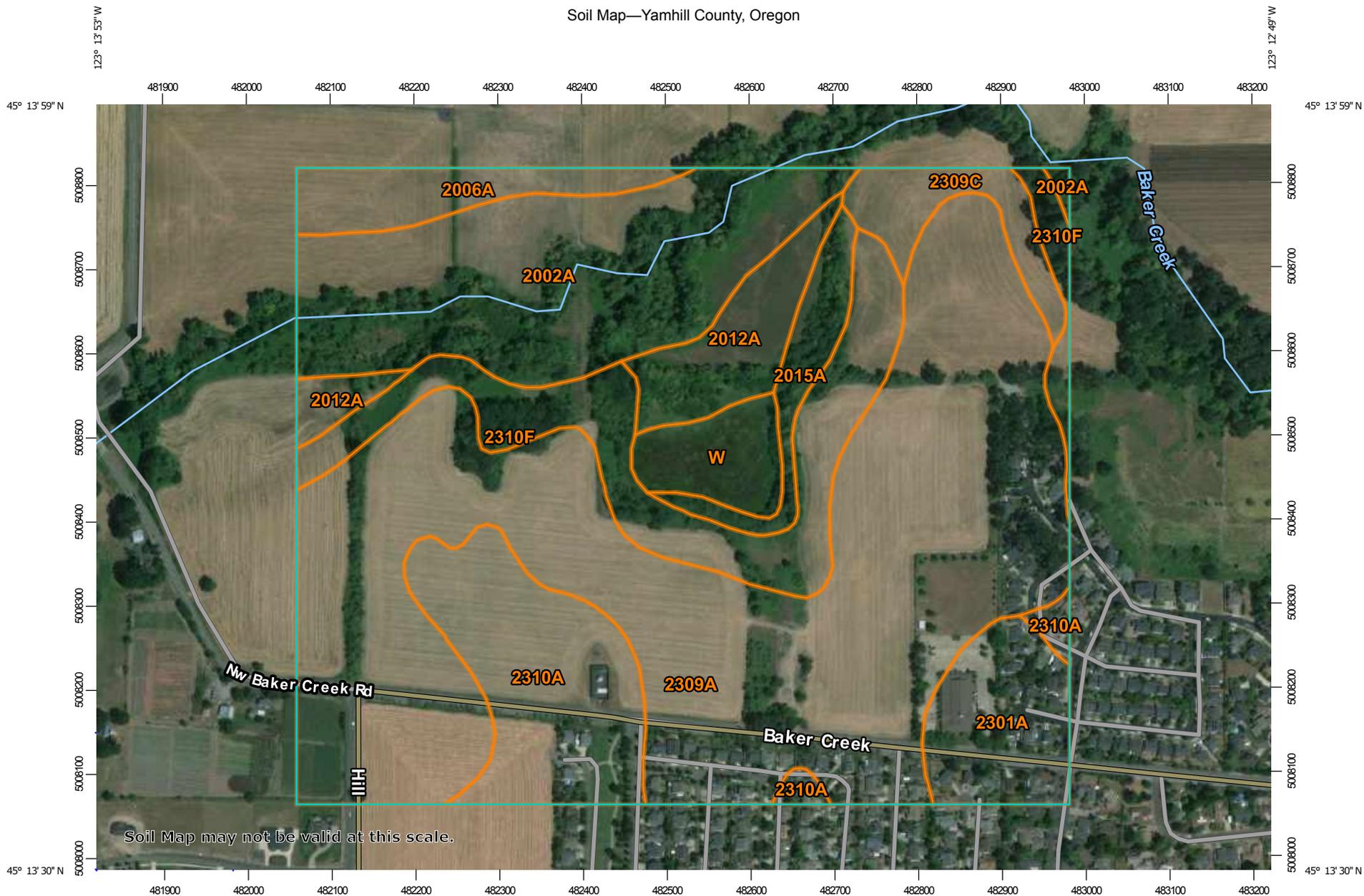
Flow Chart for Classifying Fine-Grained Soil (50% or More Passes No. 200 Sieve)



Real-World Geotechnical Solutions  
Investigation • Design • Construction Support

## SITE RESEARCH

Soil Map—Yamhill County, Oregon



Map Scale: 1:6,410 if printed on A landscape (11" x 8.5") sheet.

0 50 100 200 300 Meters

0 300 600 1200 1800 Feet

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84



### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)

**Soils**

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

**Special Point Features**

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Yamhill County, Oregon  
 Survey Area Data: Version 4, Sep 16, 2016

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

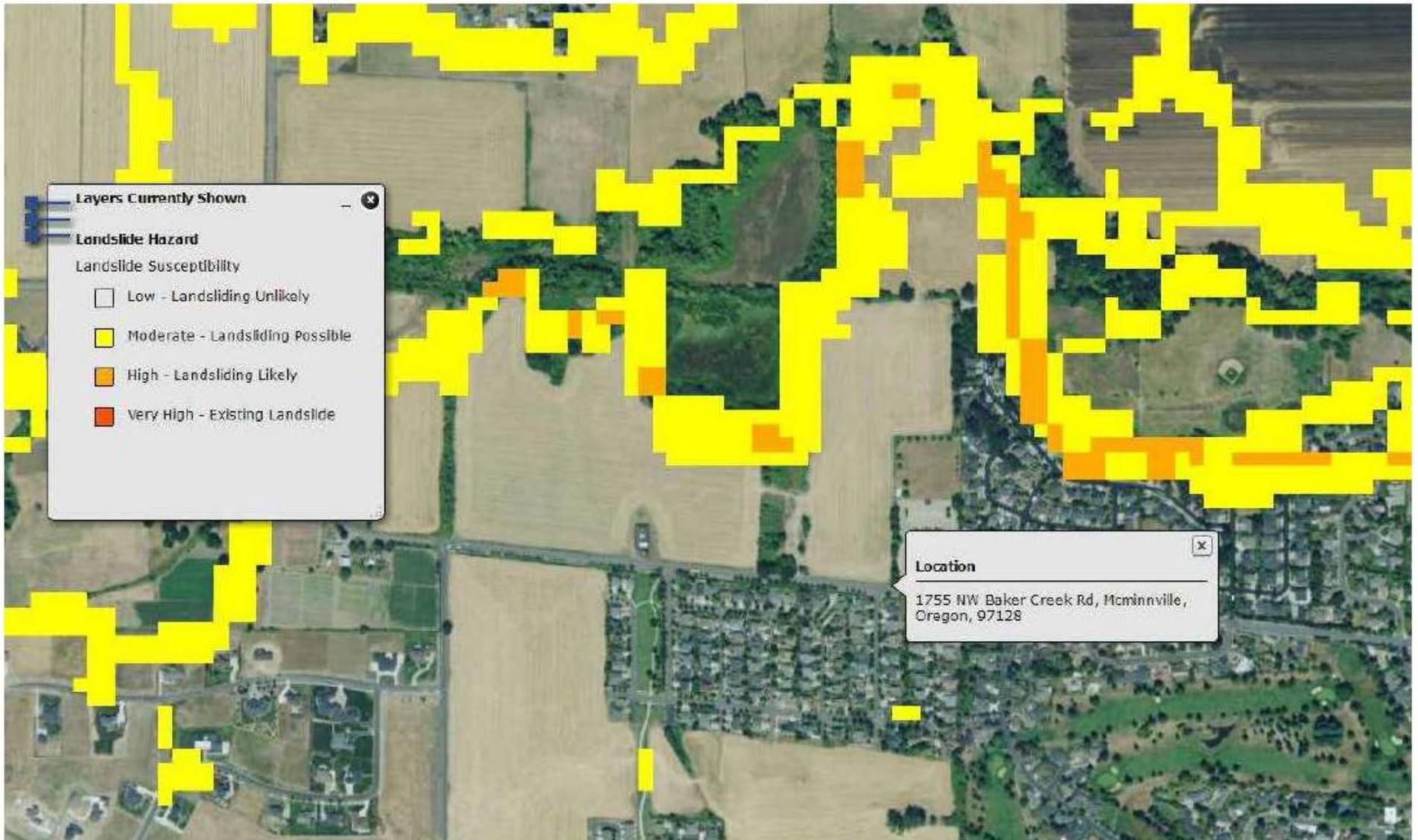
Date(s) aerial images were photographed: Apr 16, 2015—Feb 12, 2017

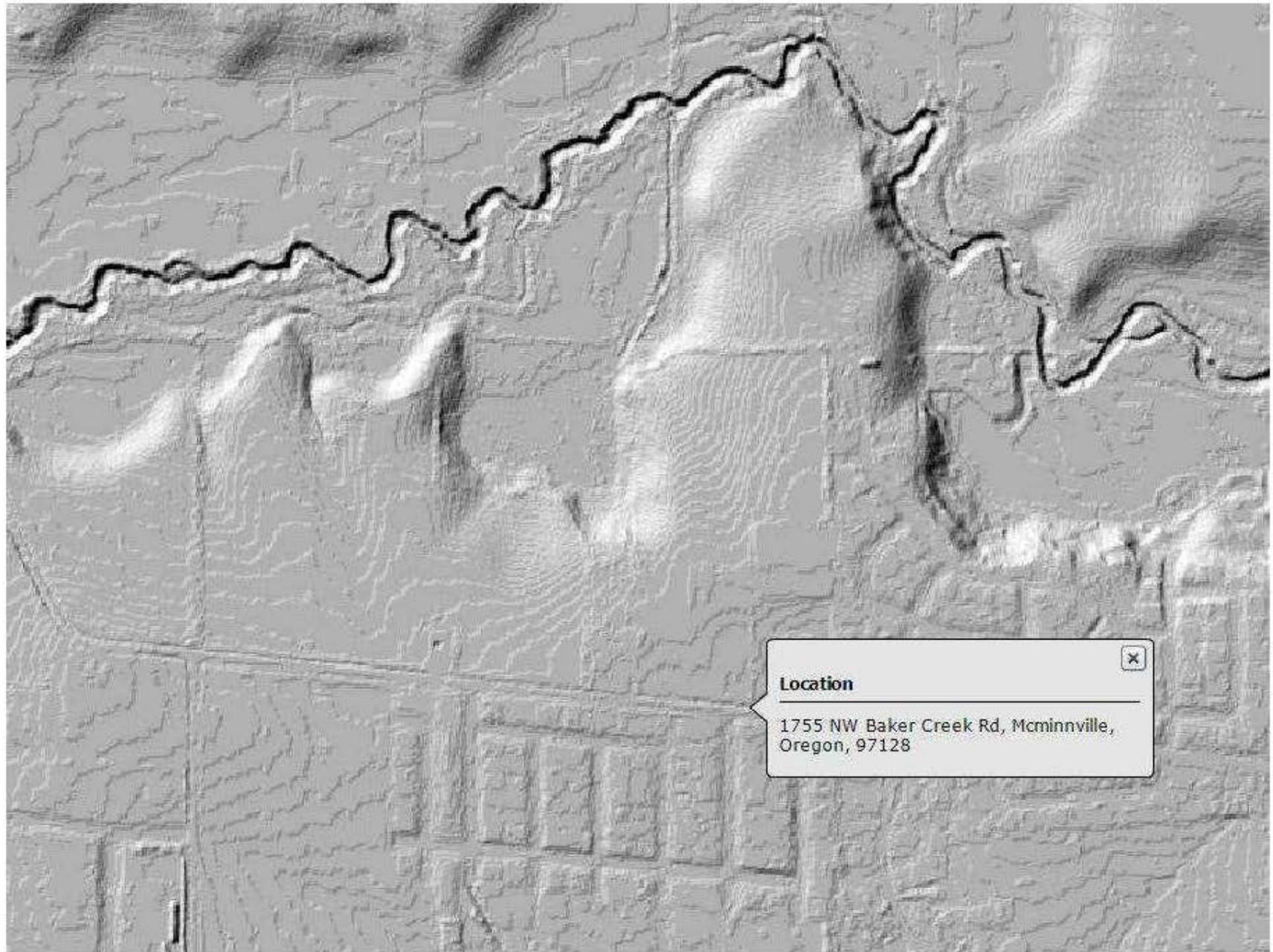
The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Yamhill County, Oregon (OR071)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2002A	Chehalis silty clay loam, 0 to 3 percent slopes	27.8	16.0%
2006A	McBee silty clay loam, 0 to 3 percent slopes	5.5	3.2%
2012A	Waldo silty clay loam, 0 to 3 percent slopes	7.8	4.5%
2015A	Cove silty clay loam, flooded, 0 to 3 percent slopes	4.2	2.4%
2301A	Amity silt loam, 0 to 3 percent slopes	8.1	4.7%
2309A	Willamette silt loam, 0 to 3 percent slopes	76.9	44.4%
2309C	Willamette silt loam, 3 to 12 percent slopes	4.6	2.7%
2310A	Woodburn silt loam, 0 to 3 percent slopes	15.8	9.1%
2310F	Woodburn silt loam, 20 to 55 percent slopes	17.9	10.4%
W	Water	4.5	2.6%
<b>Totals for Area of Interest</b>		<b>173.2</b>	<b>100.0%</b>

Oregon Department of Geology and Mineral Industries (DOGAMI), Oregon HazVu: Statewide Geohazards Viewer  
Landslide Hazard Mapping; [www.oregongeology.org/hazvu](http://www.oregongeology.org/hazvu)





# USGS Design Maps Summary Report

## User-Specified Input

**Report Title** 17-4694, Baker Creek North Subdivision  
 Fri September 22, 2017 19:22:19 UTC

**Building Code Reference Document** ASCE 7-10 Standard  
 (which utilizes USGS hazard data available in 2008)

**Site Coordinates** 45.22881°N, 123.22156°W

**Site Soil Classification** Site Class D – “Stiff Soil”

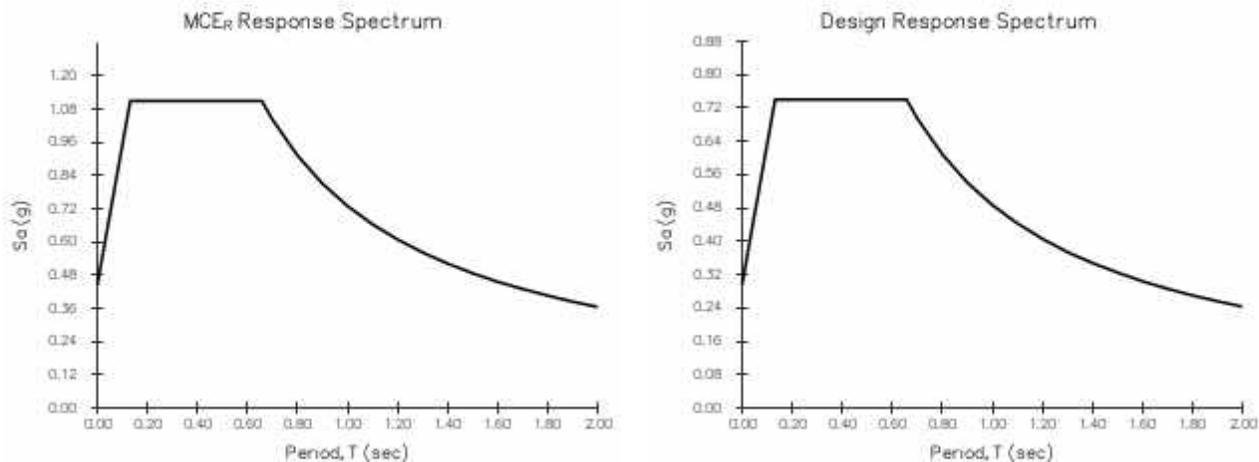
**Risk Category** I/II/III



## USGS-Provided Output

$S_s = 1.014 \text{ g}$	$S_{MS} = 1.110 \text{ g}$	$S_{DS} = 0.740 \text{ g}$
$S_1 = 0.481 \text{ g}$	$S_{M1} = 0.730 \text{ g}$	$S_{D1} = 0.487 \text{ g}$

For information on how the  $S_s$  and  $S_1$  values above have been calculated from probabilistic (risk-targeted) and deterministic ground motions in the direction of maximum horizontal response, please return to the application and select the “2009 NEHRP” building code reference document.



For  $PGA_M$ ,  $T_L$ ,  $C_{RS}$ , and  $C_{R1}$  values, please [view the detailed report](#).

Although this information is a product of the U.S. Geological Survey, we provide no warranty, expressed or implied, as to the accuracy of the data contained therein. This tool is not a substitute for technical subject-matter knowledge.


**Design Maps Detailed Report**

ASCE 7-10 Standard (45.22881°N, 123.22156°W)

Site Class D – “Stiff Soil”, Risk Category I/II/III

**Section 11.4.1 — Mapped Acceleration Parameters**

Note: Ground motion values provided below are for the direction of maximum horizontal spectral response acceleration. They have been converted from corresponding geometric mean ground motions computed by the USGS by applying factors of 1.1 (to obtain  $S_s$ ) and 1.3 (to obtain  $S_1$ ). Maps in the 2010 ASCE-7 Standard are provided for Site Class B.

Adjustments for other Site Classes are made, as needed, in Section 11.4.3.

From [Figure 22-1](#) <sup>[1]</sup>

$$S_s = 1.014 \text{ g}$$

From [Figure 22-2](#) <sup>[2]</sup>

$$S_1 = 0.481 \text{ g}$$

**Section 11.4.2 — Site Class**

The authority having jurisdiction (not the USGS), site-specific geotechnical data, and/or the default has classified the site as Site Class D, based on the site soil properties in accordance with Chapter 20.

Table 20.3-1 Site Classification

Site Class	$\bar{v}_s$	$\bar{N}$ or $\bar{N}_{ch}$	$\bar{s}_u$
A. Hard Rock	>5,000 ft/s	N/A	N/A
B. Rock	2,500 to 5,000 ft/s	N/A	N/A
C. Very dense soil and soft rock	1,200 to 2,500 ft/s	>50	>2,000 psf
D. Stiff Soil	600 to 1,200 ft/s	15 to 50	1,000 to 2,000 psf
E. Soft clay soil	<600 ft/s	<15	<1,000 psf
Any profile with more than 10 ft of soil having the characteristics:			
<ul style="list-style-type: none"> <li>• Plasticity index <math>PI &gt; 20</math>,</li> <li>• Moisture content <math>w \geq 40\%</math>, and</li> <li>• Undrained shear strength <math>\bar{s}_u &lt; 500</math> psf</li> </ul>			
F. Soils requiring site response analysis in accordance with Section 21.1	See Section 20.3.1		

For SI: 1ft/s = 0.3048 m/s 1lb/ft<sup>2</sup> = 0.0479 kN/m<sup>2</sup>

### Section 11.4.3 — Site Coefficients and Risk-Targeted Maximum Considered Earthquake ( $MCE_R$ ) Spectral Response Acceleration Parameters

Table 11.4-1: Site Coefficient  $F_a$ 

Site Class	Mapped $MCE_R$ Spectral Response Acceleration Parameter at Short Period				
	$S_s \leq 0.25$	$S_s = 0.50$	$S_s = 0.75$	$S_s = 1.00$	$S_s \geq 1.25$
A	0.8	0.8	0.8	0.8	0.8
B	1.0	1.0	1.0	1.0	1.0
C	1.2	1.2	1.1	1.0	1.0
D	1.6	1.4	1.2	1.1	1.0
E	2.5	1.7	1.2	0.9	0.9
F	See Section 11.4.7 of ASCE 7				

Note: Use straight-line interpolation for intermediate values of  $S_s$

**For Site Class = D and  $S_s = 1.014$  g,  $F_a = 1.094$**

Table 11.4-2: Site Coefficient  $F_v$ 

Site Class	Mapped $MCE_R$ Spectral Response Acceleration Parameter at 1-s Period				
	$S_1 \leq 0.10$	$S_1 = 0.20$	$S_1 = 0.30$	$S_1 = 0.40$	$S_1 \geq 0.50$
A	0.8	0.8	0.8	0.8	0.8
B	1.0	1.0	1.0	1.0	1.0
C	1.7	1.6	1.5	1.4	1.3
D	2.4	2.0	1.8	1.6	1.5
E	3.5	3.2	2.8	2.4	2.4
F	See Section 11.4.7 of ASCE 7				

Note: Use straight-line interpolation for intermediate values of  $S_1$

**For Site Class = D and  $S_1 = 0.481$  g,  $F_v = 1.519$**

**Equation (11.4-1):**  $S_{MS} = F_a S_S = 1.094 \times 1.014 = 1.110 \text{ g}$

**Equation (11.4-2):**  $S_{M1} = F_v S_1 = 1.519 \times 0.481 = 0.730 \text{ g}$

Section 11.4.4 — Design Spectral Acceleration Parameters

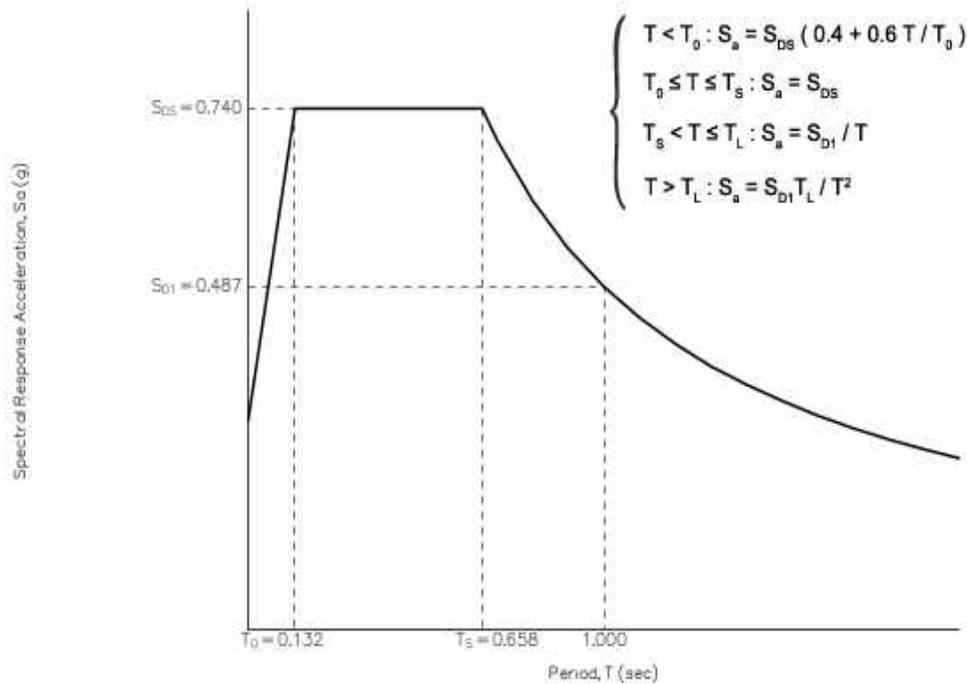
**Equation (11.4-3):**  $S_{DS} = \frac{2}{3} S_{MS} = \frac{2}{3} \times 1.110 = 0.740 \text{ g}$

**Equation (11.4-4):**  $S_{D1} = \frac{2}{3} S_{M1} = \frac{2}{3} \times 0.730 = 0.487 \text{ g}$

Section 11.4.5 — Design Response Spectrum

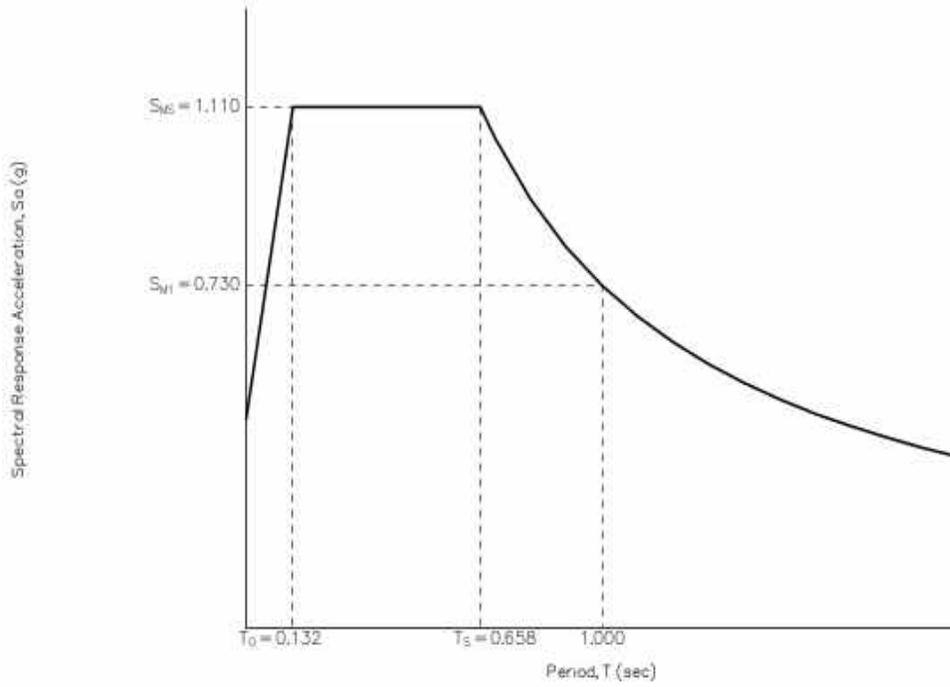
From [Figure 22-12](#) <sup>[3]</sup>  $T_L = 16 \text{ seconds}$

Figure 11.4-1: Design Response Spectrum



### Section 11.4.6 — Risk-Targeted Maximum Considered Earthquake (MCE<sub>R</sub>) Response Spectrum

The MCE<sub>R</sub> Response Spectrum is determined by multiplying the design response spectrum above by 1.5.



Section 11.8.3 — Additional Geotechnical Investigation Report Requirements for Seismic Design Categories D through F

From [Figure 22-7](#) <sup>[4]</sup>

$$PGA = 0.467$$

**Equation (11.8-1):**

$$PGA_M = F_{PGA}PGA = 1.033 \times 0.467 = 0.482 \text{ g}$$

Table 11.8-1: Site Coefficient  $F_{PGA}$

Site Class	Mapped MCE Geometric Mean Peak Ground Acceleration, PGA				
	PGA ≤ 0.10	PGA = 0.20	PGA = 0.30	PGA = 0.40	PGA ≥ 0.50
A	0.8	0.8	0.8	0.8	0.8
B	1.0	1.0	1.0	1.0	1.0
C	1.2	1.2	1.1	1.0	1.0
D	1.6	1.4	1.2	1.1	1.0
E	2.5	1.7	1.2	0.9	0.9
F	See Section 11.4.7 of ASCE 7				

Note: Use straight-line interpolation for intermediate values of PGA

**For Site Class = D and PGA = 0.467 g,  $F_{PGA} = 1.033$**

Section 21.2.1.1 — Method 1 (from Chapter 21 – Site-Specific Ground Motion Procedures for Seismic Design)

From [Figure 22-17](#) <sup>[5]</sup>

$$C_{RS} = 0.879$$

From [Figure 22-18](#) <sup>[6]</sup>

$$C_{R1} = 0.851$$

## Section 11.6 — Seismic Design Category

Table 11.6-1 Seismic Design Category Based on Short Period Response Acceleration Parameter

VALUE OF $S_{DS}$	RISK CATEGORY		
	I or II	III	IV
$S_{DS} < 0.167g$	A	A	A
$0.167g \leq S_{DS} < 0.33g$	B	B	C
$0.33g \leq S_{DS} < 0.50g$	C	C	D
$0.50g \leq S_{DS}$	D	D	D

**For Risk Category = I and  $S_{DS} = 0.740 g$ , Seismic Design Category = D**

Table 11.6-2 Seismic Design Category Based on 1-S Period Response Acceleration Parameter

VALUE OF $S_{D1}$	RISK CATEGORY		
	I or II	III	IV
$S_{D1} < 0.067g$	A	A	A
$0.067g \leq S_{D1} < 0.133g$	B	B	C
$0.133g \leq S_{D1} < 0.20g$	C	C	D
$0.20g \leq S_{D1}$	D	D	D

**For Risk Category = I and  $S_{D1} = 0.487 g$ , Seismic Design Category = D**

Note: When  $S_1$  is greater than or equal to 0.75g, the Seismic Design Category is **E** for buildings in Risk Categories I, II, and III, and **F** for those in Risk Category IV, irrespective of the above.

Seismic Design Category  $\equiv$  "the more severe design category in accordance with Table 11.6-1 or 11.6-2" = D

Note: See Section 11.6 for alternative approaches to calculating Seismic Design Category.

### References

1. Figure 22-1: [https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-1.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-1.pdf)
2. Figure 22-2: [https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-2.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-2.pdf)
3. Figure 22-12: [https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-12.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-12.pdf)
4. Figure 22-7: [https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-7.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-7.pdf)
5. Figure 22-17: [https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-17.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-17.pdf)
6. Figure 22-18: [https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010\\_ASCE-7\\_Figure\\_22-18.pdf](https://earthquake.usgs.gov/hazards/designmaps/downloads/pdfs/2010_ASCE-7_Figure_22-18.pdf)

RECEIVED

STATE OF OREGON  
WATER WELL REPORT APR - 4 1994  
(as required by ORS 537.765)

Yamh  
3072

4s/4w/18cc

(START CARD) # 59918

WATER RESOURCES DEPARTMENT PAGE 1

(1) OWNER: SALEM, OREGON 1425  
Name LLOYD A TOWN  
Address PO BOX 207  
City MCMINNVILLE State OR Zip 97128

(2) TYPE OF WORK:  
 New Well  Deepen  Recondition  Abandon

(3) DRILL METHOD:  
 Rotary Air  Rotary Mud  Cable  
 Other

(4) PROPOSED USE:  
 Domestic  Community  Industrial  Irrigation  
 Thermal  Injection  Other

(5) BORE HOLE CONSTRUCTION:  
Special Construction approval  Yes  No Depth of Completed Well 128  
Explosives used  Yes  No Type Amount

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
10	0	6	BENTONITE	6	6	2 SAX
8	6	68	CEMENT	6	68	12 SAX
6	68	130				

How was seal placed? Method  A  B  C  D  E  
 Other

Backfill placed from ft. to ft. Material  
Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6	+2	68	.25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner: 4	0	128	160#	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

Perforations Method SAW Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
88	128	6"	80			<input type="checkbox"/>	<input checked="" type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Pump  Bailor  Air  Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
100.00		128	1 hr.

Temperature of Water 53 Depth Artesian Flow Found  
Was a water analysis done?  Yes By whom  
Did any strata contain water not suitable for intended use?  Too little  
 Salty  Muddy  Odor  Colored  Other  
Depth of strata:

(9) LOCATION OF WELL by legal description:  
County YAMHILL Latitude Longitude  
Township 4 S N or S. Range 4 W E or W. WM.  
Section 18 SW 1/4 SW 1/4  
Tax Lot 44186 100 Block Subdivision  
Street Address of Well (or nearest address)  
11710 FOX RIDGE RD MCMINNVILLE

(10) STATIC WATER LEVEL:  
42 ft. below land surface. Date 03/31/94  
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:  
Depth at which water was first found 95

From	To	Estimated Flow Rate	SWL
95	105	100	42

(12) WELL LOG:  
Ground elevation

Material	From	To	SWL
TOP SOIL w/BOULDERS	0	7	
BOULDERS	7	22	
DECAYED BASALT	22	39	
LOOSE CAVING, BASALT	39	54	
DECAYED BASALT	54	62	
GRAY SHALE	62	95	
DICED SHALE	95	105	42
GRAY SHALE	105	130	

DAVE PAYSINGER  
BLUE WATER DRILLING CO.  
DAYTON, OR. 97114

Date started 03/21/94 Completed 03/31/94

(unbonded) Water Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon well construction standards. Materials used and information reported above are true to my best knowledge and belief.  
Signed \_\_\_\_\_ WWC Number \_\_\_\_\_ Date \_\_\_\_\_

(bonded) Water Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ WWC Number 1438 Date 03/31/94



Real-World Geotechnical Solutions  
Investigation • Design • Construction Support

## PHOTOGRAPHIC LOG

## BAKER CREEK NORTH SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



**Eastern Portion of Site, Facing South**



**Eastern Portion of Site, Facing Northeast**

## BAKER CREEK NORTH SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



**Test Pit TP-1, Eastern Portion of Site Facing North**



**Test Pit TP-1**

## BAKER CREEK NORTH SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



Facing South, Looking Upwards from Wetland Area in North-Central Portion of Site



Facing North, Looking Down at Wetland Area and Sloping Ground, North-Central

## BAKER CREEK NORTH SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



Test Pit TP-2, North-Central Portion of Site, in Wetland Area

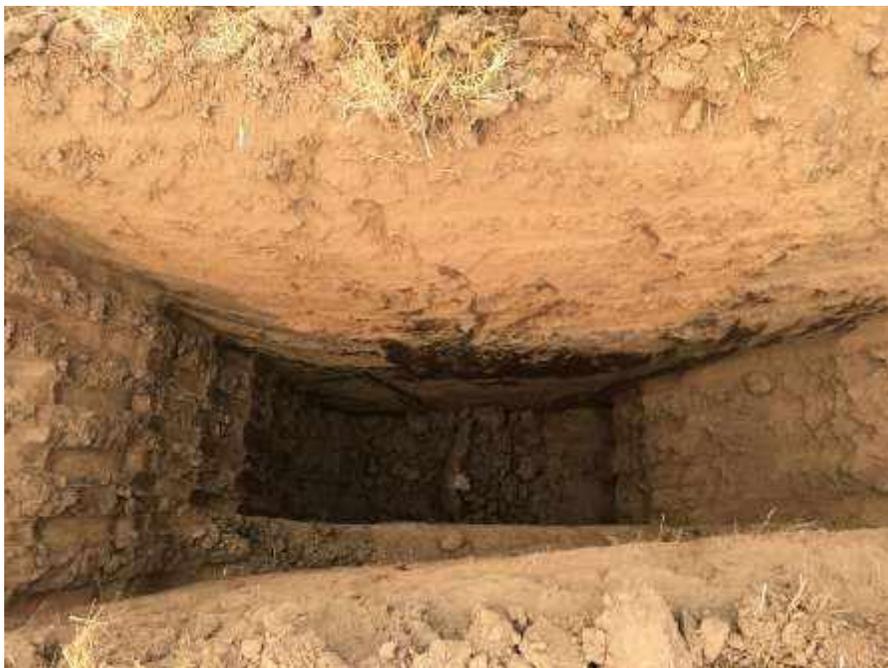


Test Pit TP-2

## BAKER CREEK NORTH SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



**Test Pit TP-5, Facing Northwest, Looking at Western Portion of Site**



**Test Pit TP-5**

## BAKER CREEK NORTH SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



**Facing West, Western Portion of Site**



**Facing South, East-Facing Slope Along Northwestern Edge of Site**

## BAKER CREEK NORTH SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



**Test Pit TP-8, Facing South**



**Test Pit TP-8**

## BAKER CREEK NORTH SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



Facing North, Test Pit TP-9



Test Pit TP-9

## BAKER CREEK NORTH SUBDIVISION GEOTECHNICAL SITE INVESTIGATION PHOTOGRAPHIC LOG



**Test Pit TP-15, Facing South**



**Test Pit TP-15**



485 South State Street  
Lake Oswego, OR 97034  
503.305.7647   
morgan@StaffordLandCompany.com 

October 5, 2018

Dear Neighbor,

We would like to invite you to a neighborhood meeting and join the conversation as we share details of our proposed development plan of the area shown on the attached known as Baker Creek North.

The meeting will be held at the following location and date & time:

Meeting Location:

Baker Creek Community Church  
325 NW Baker Creek Road  
McMinnville, OR 97128

Meeting Date:

Thursday, November 1, 2018

Time:

6:00 p.m. – 7:30 p.m.

Sincerely,

A handwritten signature in blue ink that reads "Morgan Will".

**MORGAN WILL**

Project Manager  
Acquisitions & Development



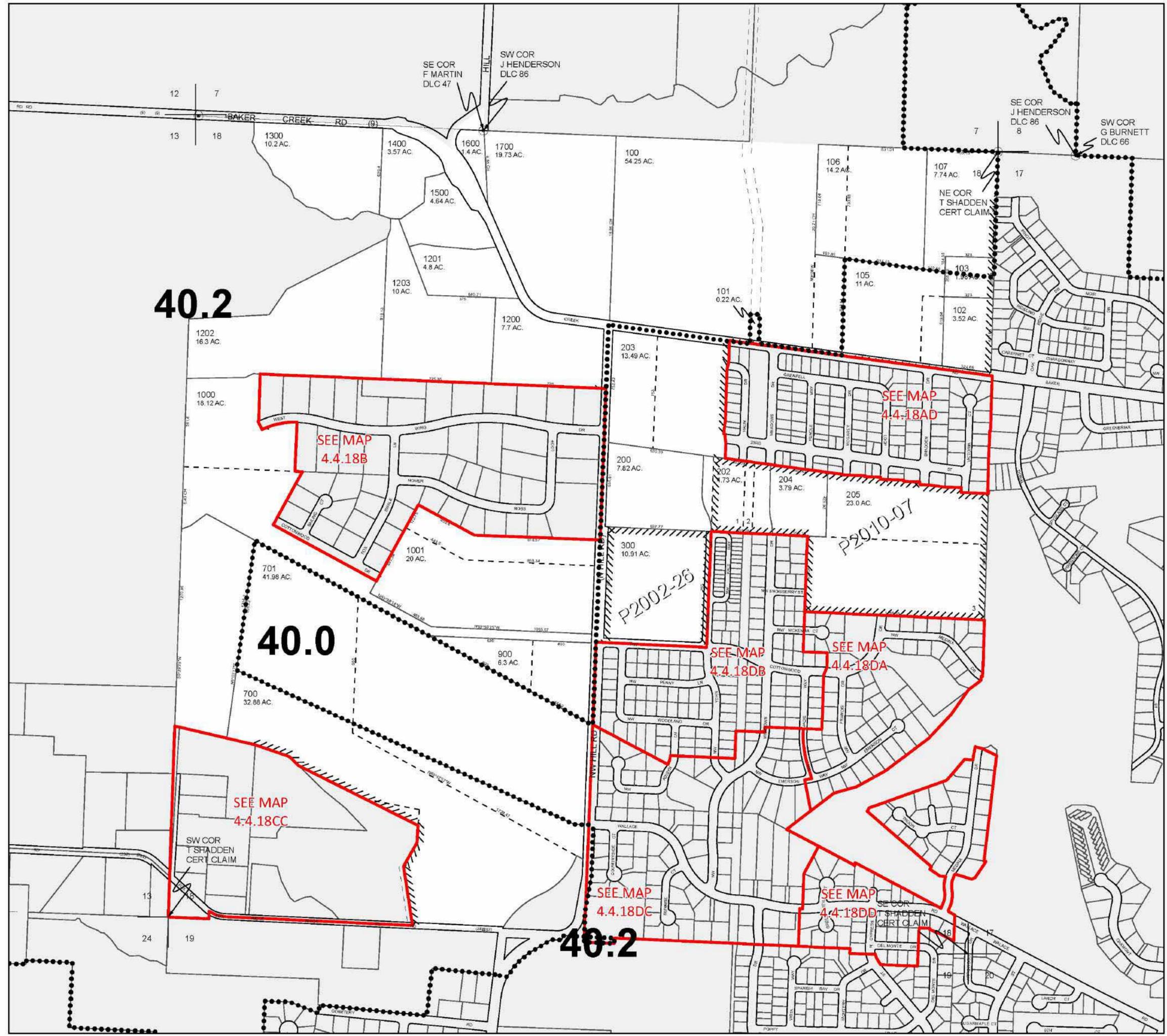
**BAKER CREEK NORTH -  
CONCEPT SUBDIVISION PLAN**  
N.T.S.

PRELIMINARY  
NOT TO BE CONSIDERED  
FOR CONSTRUCTION  
10-8-2018



ASSESSMENT & TAX  
CARTOGRAPHY

SECTION 18 T.4S. R.4W. W.M.  
YAMHILL COUNTY OREGON  
1" = 400'



- CANCELLED TAXLOTS:
- 1100
  - 800
  - 600
  - 501
  - 500
  - 401
  - 400
  - 306
  - 305
  - 304
  - 303
  - 302
  - 301
  - 201
  - 104
  - 2404

DATE PRINTED: 6/9/2015

This product is for Assessment and Taxation (A&T) purposes only and has not been prepared or is suitable for legal, engineering, surveying or any purposes other than assessment and taxation.

R4417BB 01300  
James Frey li  
1271 NE Highway 99w NO 501  
Mcminnville, OR 97128

R4418AD 00200  
Julie Davis  
1769 NW Grenfell Loop  
Mcminnville, OR 97128

R4417BB 07005  
Larry & Donna Parr  
2824 NW Pinot Noir Dr  
Mcminnville, OR 97128

R4417BB 01800  
Thomas & Roxane Henderson  
2705 NW Riesling Way  
Mcminnville, OR 97128

R4417BB 01700  
Clinton & Andrea Gabrys  
2729 NW Riesling Way  
Mcminnville, OR 97128

R4418 00102  
Jesus Christ Of Latter Day Saints  
50 E North Temple  
Salt Lake City, UT 84150

R4418AD 00600  
Clinton & Stephanie Bergmann  
2382 NW Grenfell Loop  
Mcminnville, OR 97128

R4418AD 07300  
Patricia Craig  
1825 NW Grenfell Loop  
Mcminnville, OR 97128

R4417BB 02000  
Jeffery Schorzman  
2080 NW Yohn Ranch Dr  
Mcminnville, OR 97128

R4418AD 02000  
Lachlan & Mary Hall  
1036 SW 2nd St  
Mcminnville, OR 97128

R4417BB 07002  
Christopher Sandels  
2835 NW Pinot Noir Dr  
Mcminnville, OR 97128

R4418AD 11100  
Logan & Corissa Holmes  
1921 NW Haun Dr  
Mcminnville, OR 97128

R4417BB 07004  
James & Gail Norby  
140 NE 3rd St  
Mcminnville, OR 97128

R4417BB 07000  
Randolph & Sarah Heiman  
1546 NW Medinah Dr  
Mcminnville, OR 97128

R4417BB 01400  
David & Mary Benitz  
2753 NW Pinot Noir Dr  
Mcminnville, OR 97128

R4417BB 01900  
Gabrys Edward And Sylvia Family Trust  
2689 NW Riesling Way  
Mcminnville, OR 97128

R4418AD 11000  
Larry & Barbara Druliner  
1903 NW Haun Dr  
Mcminnville, OR 97128

R4418AD 00300  
Patric Mclaughlin & Manuel Abt  
1757 NW Grenfell Loop  
Mcminnville, OR 97128

R4418AD 07500  
Florencia & Leslie Soto  
1845 NW Grenfell Loop  
Mcminnville, OR 97128

R4418AD 03200  
David Beck  
Po Box 670  
Amity, OR 97101

R4418AD 07700  
Charles Fisher  
1865 NW Grenfell Loop  
Mcminnville, OR 97128

R4418AD 00500  
Scott & Lisa Clark  
2390 NW Grenfell Loop  
Mcminnville, OR 97128

R4418AD 03300  
Kevin & Lauren Stum  
2383 NW Victoria Ct  
Mcminnville, OR 97128

R4418AD 07800  
John & Virginia Lehde  
1015 E 4th St  
Yamhill, OR 97148

R4418AD 07100  
Armando Gomez  
1801 NW Grenfell Loop  
Mcminnville, OR 97128

R4418AD 01800  
Roy & Teresa Pivek  
2381 NW Shadden Dr  
Mcminnville, OR 97128

R4418AD 02100  
Kenneth Inlow  
2380 NW Shadden Dr  
Mcminnville, OR 97128

R4417BB 07001  
Chris & Jenifer Gubrud  
1572 NW Blake St  
Mcminnville, OR 97128

R4418AD 07400  
Aaron Schoof  
697 NW Allen Ct  
Mcminnville, OR 97128

R4418 01600  
Yamhill County  
Mcminnville, OR 97128

R4418 01700  
Can Enterprises Llc  
Po Box 778  
Newberg, OR 97132

R4418AD 10900  
Mcminnville City Of  
230 NE 2nd St  
Mcminnville, OR 97128

R4418AD 07600  
Roger & Gisela Howlett  
1857 NW Grenfell Loop  
Mcminnville, OR 97128

R4417BB 01500  
Jason & Angela Bourne  
2781 NW Pinot Noir Dr  
Mcminnville, OR 97128

R4418AD 01900  
Robert & Diane Fields  
17021 SE Walnut Hill Rd  
Amity, OR 97101

R4417BB 01000  
Gildardo & Donna Obregon  
2698 NW Riesling Way  
Mcminnville, OR 97128

R4418AD 03400  
Ernest & Karen Long  
2390 NW Victoria Ct  
Mcminnville, OR 97128

R4418AD 00400  
James & Barbara Straughan  
1747 NW Grenfell Loop  
Mcminnville, OR 97128

R4417BB 00100  
Michael Roberts & Roberts Sherill  
2812 NW Pinot Noir Dr  
Mcminnville, OR 97128

R4418AD 07200  
Clearkey Llc  
2597 NW Alice Kelley St  
Mcminnville, OR 97128

R4417BB 07003  
Brett & Stephanie Rudolph  
2849 NW Pinot Noir Dr  
Mcminnville, OR 97128

R4418AD 00100  
Gerardo Vargas  
1775 NW Grenfell Loop  
Mcminnville, OR 97128

R4407 00901  
Jacob & Kallena Fuhrer  
10715 NW Brentano Ln  
Mcminnville, OR 97128

R4407 00701  
Linda Davison  
10551 NW Brentano Ln  
Mcminnville, OR 97128

R4418 00105  
Baker Creek Development Llc  
485 S State St  
Lake Oswego, OR 97034

R4418 01200  
Dennis Draper  
11105 Baker Creek Rd  
Mcminnville, OR 97128

R4512 00100  
Can Enterprises Llc  
Po Box 778  
Newberg, OR 97132

R4418 00107  
Baker Creek Development Llc  
485 S State St  
Lake Oswego, OR 97034

R4418 00100  
Baker Creek Development Llc  
485 S State St  
Lake Oswego, OR 97034

R4407 00904  
Leon & Terri Eichler  
Po Box 250  
Amity, OR 97101

R4407 00900  
Baker Creek Development Llc  
485 S State St  
Lake Oswego, OR 97034

R4418 00101  
Mcminnville City Of  
Po Box 638  
Mcminnville, OR 97128

R4418 00103  
Jesus Christ Of Latter Day Saints  
50 E North Temple St  
Salt Lake, UT 0

R4418 00106  
Baker Creek Development Llc  
485 S State St  
Lake Oswego, OR 97034

R4407 00600  
Allen Schwartz & Schwartz Susan  
10225 NW Brentano Ln  
Mcminnville, OR 97128

R4407 00602  
Premier Development Llc  
1312 NE Highway 99w  
Mcminnville, OR 97128

R4417 01300  
Premier Home Builders Inc  
1312 NE Highway 99w  
Mcminnville, OR 97128

R4418 00203  
Baker Creek Development Llc  
485 S State St  
Lake Oswego, OR 97034

R4417BB 01600  
Jean Lierman  
2767 NW Pinot Noir Dr  
Mcminnville, OR 97128

McMinnville Planning Department  
231 NE 5<sup>th</sup> Street  
McMinnville, OR 97128

**NEIGHBORHOOD  
MEETING**

**FUTURE LAND USE APPLICATION:**

Baker Creek North

**DATE:** Thursday November 1, 2018

**TIME:** 6:00pm - 7:30pm

**MEETING LOCATION:**

Baker Creek Community Church  
325 NW Baker Creek Road  
McMinnville, OR 97128

**CONTACT NAME:** Morgan Will, Project Manager  
**CONTACT NUMBER:** (971) 206-8615

The Program of Historic Preservation  
McMinnville Office



**NEIGHBORHOOD MEETING**  
FUTURE LAND USE APPLICATION:  
Baker Creek North  
DATE: Thursday, November 1, 2018  
TIME: 6:00pm - 7:30pm  
MEETING LOCATION:  
Baker Creek Community Church  
325 NW Baker Creek Road  
McMinnville, OR 97128  
CONTACT NAME: Morgan Will, Project Manager  
CONTACT NUMBER: (971) 266-8615



**Baker Creek North**

PLANNED DEVELOPMENT

**NEIGHBORHOOD MEETING**

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Thursday – November 1, 2018 – 6:00 to 7:30 P.M.  
Baker Creek Community Church – 325 NW Baker Creek Road – McMinnville

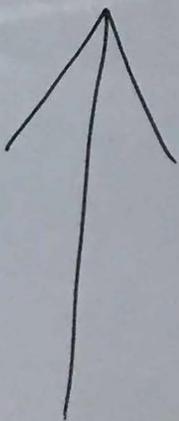
**NOTICE**

**OPEN TO THE PUBLIC**

**EVERYONE IS**

**WELCOME TO ATTEND**

**ENTER HERE**



# **Baker Creek North**

P L A N N E D   D E V E L O P M E N T

## **NEIGHBORHOOD MEETING**

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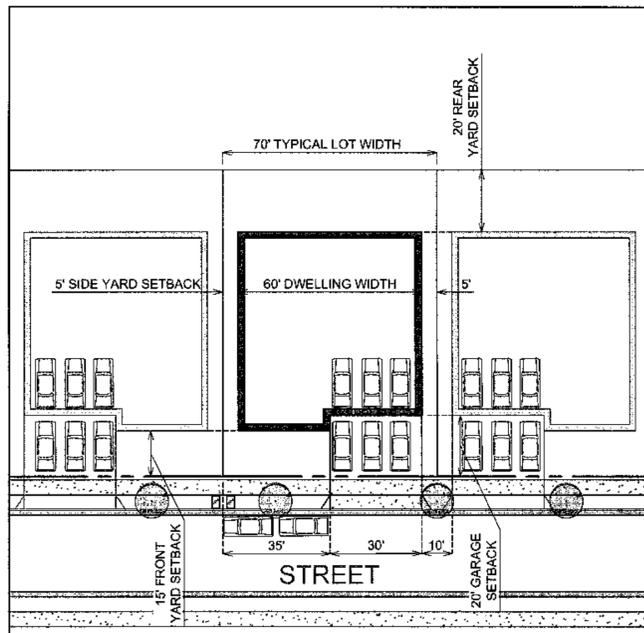
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**Thursday – November 1, 2018 – 6:00 to 7:30 P.M.**

**Baker Creek Community Church – 325 NW Baker Creek Road – McMinnville**

### **AGENDA ITEMS**

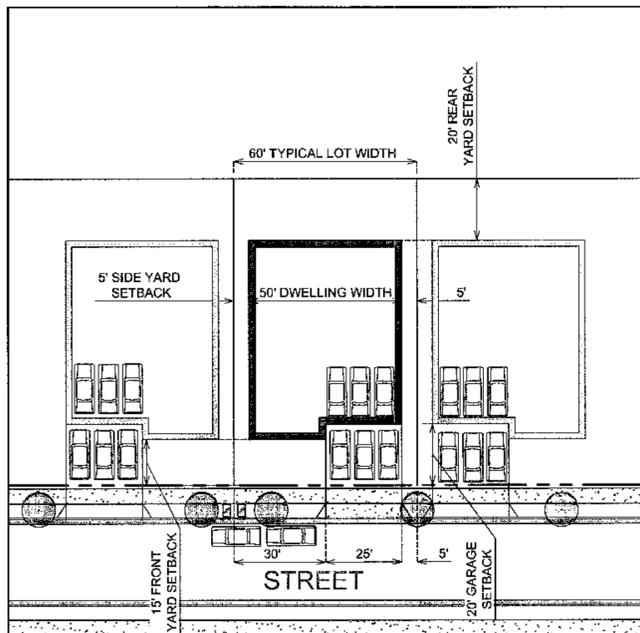
- I. Welcome & Introductions  
(6:00 – 6:15 p.m.)**
  
- II. Project Description  
(6:15 – 6:45 p.m.)**
  - a. The Conceptual Site Plan**
  - b. Land Uses, Housing Types, Sizes, Heights, Densities, and Commercial Area**
  - c. Access and Parking**
  - d. Open Space Areas and Recreational Amenities**
  - e. Landscaping and Protection of Natural Resources**
  
- III. Group Discussion / Q&A  
(6:45 – 7:15 p.m.)**
  
- IV. Next Steps for Project / Close of Meeting  
(7:15 – 7:30 p.m.)**



**SFD-70**

N.T.S.

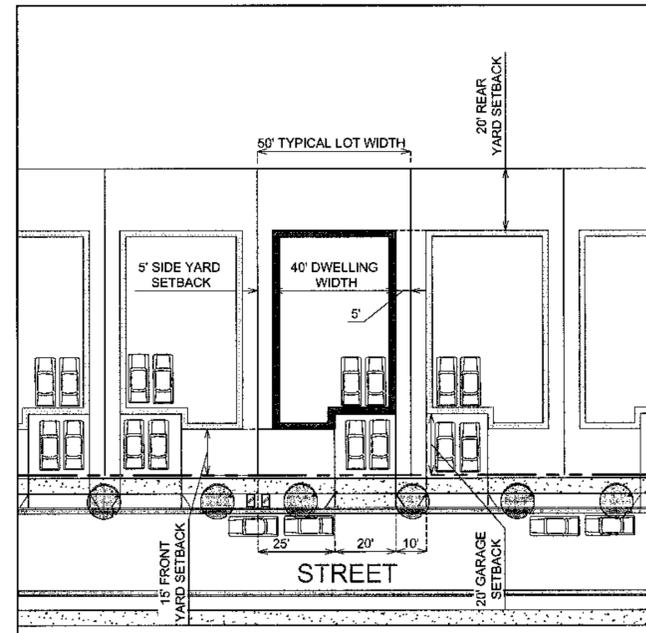
- SIMILAR TO STANDARD R-1 ZONE LOT
- 9,000+ S.F. LOT AREA
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 5' SIDE-YARD SETBACKS
- 60'-WIDE DWELLING UNIT
- 4-6 OFF-STREET PARKING SPACES



**SFD-60**

N.T.S.

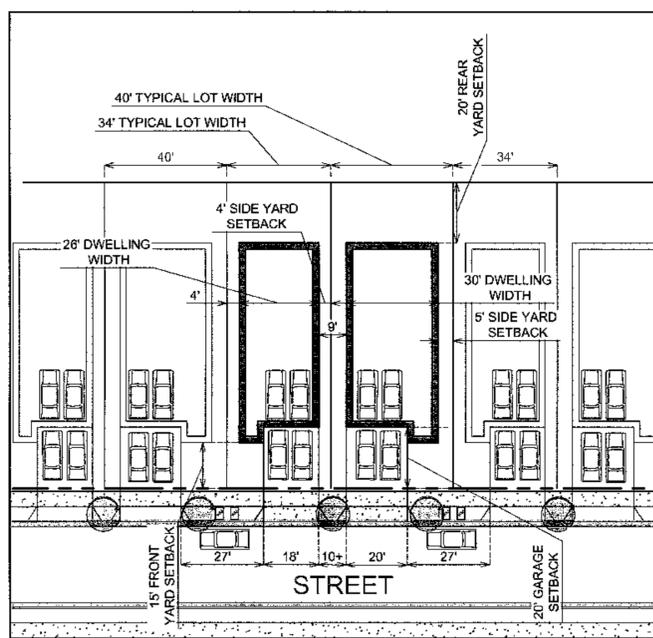
- SIMILAR TO STANDARD R-4 ZONE LOT
- 5,000+ S.F. LOT AREA
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 5' SIDE-YARD SETBACKS
- 50'-WIDE DWELLING UNIT
- 4 - 6 OFF-STREET PARKING SPACES



**SFD-50**

N.T.S.

- SIMILAR TO STANDARD R-4 ZONE LOT
- 5,000+ S.F. LOT AREA
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 5' SIDE-YARD SETBACKS
- 40'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES



**SFD-40 & SFD-34**

N.T.S.

**SFD-40**

- SIMILAR TO STANDARD R-4 ZONE LOT
- 4,000 S.F. LOT AREA TYPICAL
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 5' SIDE-YARD SETBACKS
- 30'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES

**SFD-34**

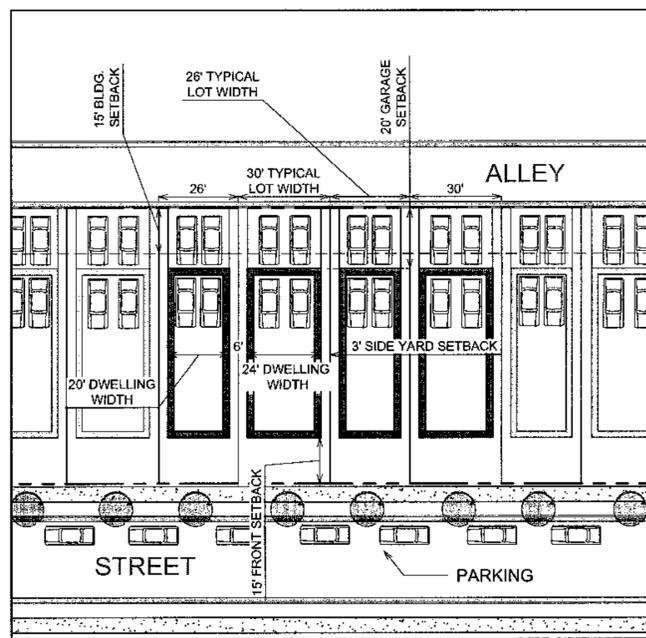
- *INTERSPERSED WITH SFD-40*
- PLANNED DEVELOPMENT R-4 DETACHED LOT
- 3,400 S.F. LOT AREA TYPICAL
- 20' GARAGE/REAR SETBACKS
- 15' BUILDING SETBACK
- 4' SIDE-YARD SETBACKS
- 26'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES

**SFDA-30**

- *INTERSPERSED WITH SFD-26*
- SIMILAR TO AN ATTACHED LOT IN THE R-4 ZONE
- 2,700 S.F. LOT AREA TYPICAL
- 20' GARAGE SETBACKS
- 15' BUILDING SETBACK
- 3' SIDE-YARD SETBACKS
- 24'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES

**SFDA-26**

- SIMILAR TO AN ATTACHED LOT IN THE R-4 ZONE
- 20' GARAGE SETBACKS
- 2,340 SF LOT AREA TYPICAL
- 15' BUILDING SETBACK
- 3' SIDE-YARD SETBACKS
- 20'-WIDE DWELLING UNIT
- 4 OFF-STREET PARKING SPACES



**SFDA-30 & SFDA-26**

N.T.S.

10/31/2018 5:49:35 PM C:\Users\j310\OneDrive\Documents\Baker Creek\REV\NORTH\WAL\REFS\BAKER CREEK N.I.LAYOUT.dwg (2 of 1) (1 of 1)

NO.	DATE	DESCRIPTION	BY
1	MAR 2017		

VERIFY SCALE  
 BAR IS ONE INCH ON ORIGINAL DRAWING  
 IF NOT ONE INCH ON SCALES ACCORDINGLY

1" = 10'

PROFESSIONAL ENGINEER  
**REVIEW**  
 WILLIAM T. WELLS  
 LICENSE NO. 12345  
 EXPIRES 12/31/2020  
 REVISED 9/20/2020

**WESTTECH ENGINEERING, INC.**  
 CONSULTING ENGINEERS AND PLANNERS

3841 Fairview Industrial Dr. S.E., Suite 100, Salem, OR 97302  
 Phone: (503) 585-2474 Fax: (503) 585-3966  
 E-mail: westtech@westtech-eng.com

STAFFORD DEVELOPMENT COMPANY, LLC  
 BAKER CREEK NORTH SUBDIVISION

TYPICAL LOTS

DRAWING  
**P-1**

JOB NUMBER  
 2940.3000.0



BAKER CREEK NORTH -  
CONCEPT SUBDIVISION PLAN  
N.T.S.

PRELIMINARY  
NOT TO BE USED FOR CONSTRUCTION



LEGEND

[Orange]	SFD-26A -	53 LOTS
[Purple]	SFD-30A -	25 LOTS
[Blue]	SFD-34 -	52 LOTS
[Pink]	SFD-40 -	54 LOTS
[Light Orange]	SFD-50 -	40 LOTS
[Brown]	SFD-60 -	33 LOTS
[Yellow]	SFD-70 -	26 LOTS

TOTAL = 279 LOTS

APARTMENTS - 110 UNITS

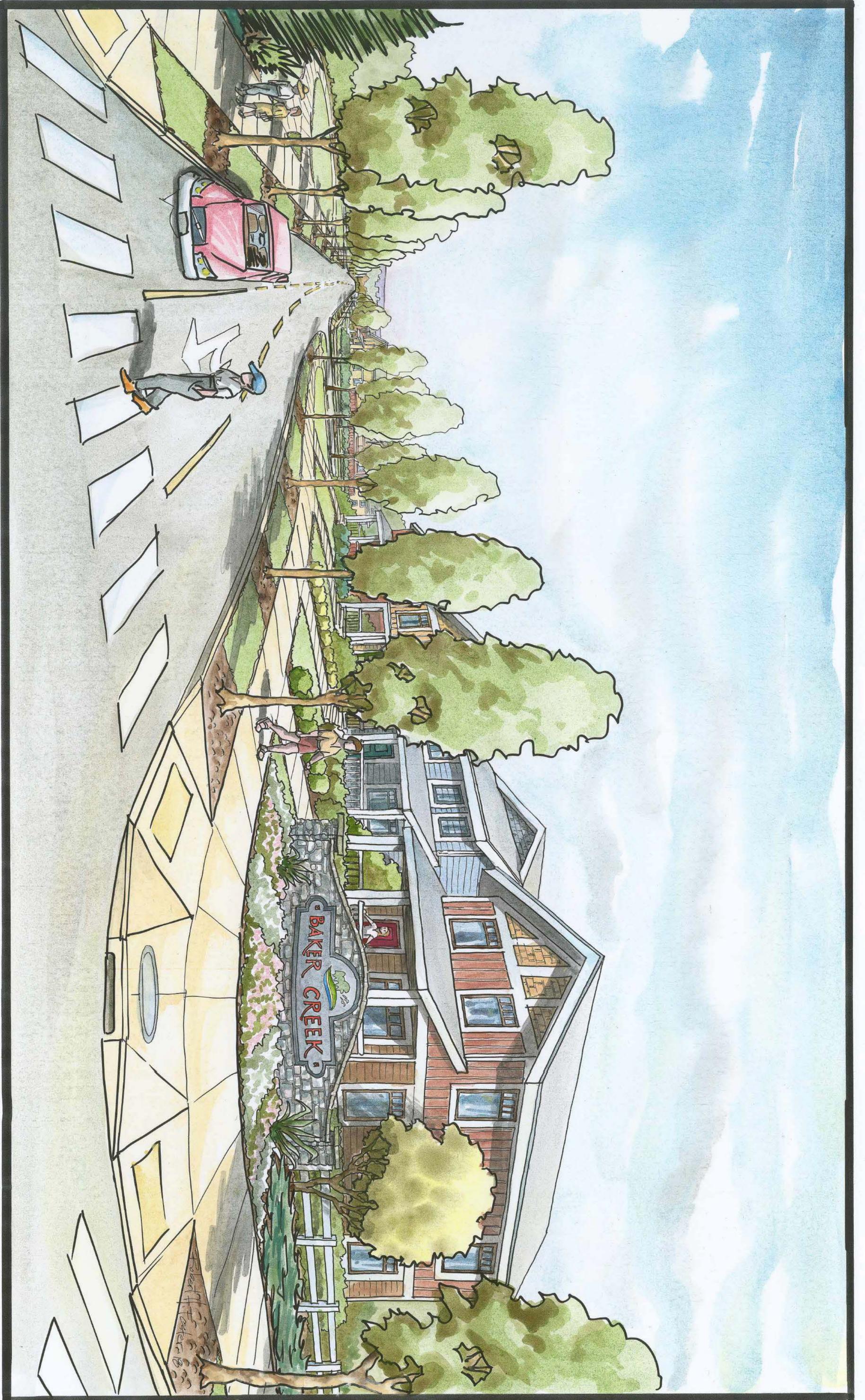
GRAND TOTAL - 389 DWELLING UNITS

AVG. LOT SIZE = 4,925 SQ. FT.



BAKER CREEK NORTH -  
 SUBDIVISION ZONING PLAN  
 N.T.S.

PRELIMINARY  
 NOT TO BE USED FOR CONSTRUCTION



**Cascadia Planning + Development Services**

P.O. Box 1920  
Silverton, OR 97381  
(503) 804-1089  
steve@cascadiapd.com



**MEMO**

**DATE:** April 2, 2019

**TO:** Planning Department  
City of McMinnville

**FROM:** Steve Kay, AICP  
Cascadia Planning + Development Services

**RE:** Neighborhood Meeting Summary  
Baker Creek North Planned Development

Per the requirements of Section 17.72.095 of the McMinnville Zoning Ordinance, a meeting was held to familiarize neighbors with a proposed development located at 1755 NW Baker Creek Road (Tax Lots 100, 105, 106, and 107, Section 18, T. 4 S., R 4 W., W.M). The meeting allowed the applicant to identify potential neighbor concerns, and if possible, address those issues in the submitted Planned Development, Subdivision, Comprehensive Plan Map, and Zoning Map Amendment applications. To notice the meeting, the applicant invited all property owners within 300-ft. of the subject site by using a mailing list that was prepared by a title company. The meeting was held on November 1, 2018 at the Baker Creek Community Church and was facilitated by Gordon Root, Principal of Stafford Development Company, and Morgan Will, project manager. Also present were Josh Wells of Westech Engineering and Steve Kay of Cascadia Planning + Development Services. A total of 10 neighbors attended the meeting and a sign-in sheet for the meeting has been attached.

Mr. Root welcomed the attendees at 6:05 pm and began by describing the purpose of the meeting. He then used a PowerPoint to provide some information regarding Stafford Development Company, discussing their goal to build a residential community with housing affordability, balance, and choice. Mr. Root discussed how State requirements and urban growth boundaries currently influence density of housing in Oregon cities. He explained that Stafford's response to these higher density requirements is to apply an innovative approach to small lot development, by incorporating ample open space areas and alley-loaded garages on the smallest lots within their projects. He discussed how a variety of housing types and recreational amenities are included in their residential communities, providing affordability, balance and choice. While

most of the homes will be developed by home builders that purchase lots within the development, Stafford typically builds 25% of the homes within a subdivision. Mr. Root went on to explain how Stafford homes are constructed using high quality standards.

After providing his overview of Stafford Development Company, Mr. Root introduced Morgan Will. Mr. Will began by orienting meeting attendees to the project site, noting the surrounding neighborhoods, existing transportation system, and the Baker Creek area to the north of the site. Although specific phasing for the project had not been determined prior to the meeting, Mr. Will indicated that it is likely that the 1<sup>st</sup> phase will occur in the southeast and the last phase will include the northeast corner of the site. Mr. Will explained that the majority of the site does not currently have an assigned zoning. He discussed how the developer will request R-4 zoning for the property and is also proposing to reduce the amount of C-3 designated area on the site.

Mr. Will discussed how the proposed planned development will develop a path system and other recreational amenities when requesting flexibility in how City Code standards are applied to the project. He indicated that the development will have about a 5,000 square foot average lot size and that all of the homes will be developed as single-family detached dwellings. Mr. Will also outlined the goals of the Baker Creek North Development. The stated goals included creating a sense of place, developing a vibrant community, and establishing a wonderful place to live for residents. He explained that the project also aims to protect natural habitat areas on the site, including the Oak tree grove along the east boundary of the site, and along the site's north property line.

Mr. Will reserved the next portion of the presentation to discuss the 7 typical residential lot types within the development. The proposed lots range in width from 70' to 26' and range in size from over 7,000 to 2,300 square feet. All of the proposed residential lots will accommodate single-family dwellings. Most of the homes will have front-loaded garages, however many of the narrower lots will be provided alley access. Mr. Will indicated that it is anticipated that some apartment units will be developed within the C-3 zoned portion of the site. .

An overview of the proposed transportation improvements were also presented by Mr. Will. Using PowerPoint slides, he described which streets will be extended into the site. He also described what street frontage improvements will be installed along Baker Creek Road, including the development of a center turn lane, and construction of right-turn lanes for traffic exiting the development. Mr. Will also illustrated how off-street parking will be accommodated within the development, indicating that a minimum average of 4 off-street parking spaces will be provided for each dwelling. He also pointed out that the proposed off-street spaces will allow the streets to be more readily used for visitor parking.

Mr. Will wrapped up the presentation by reviewing the proposed open space amenities. He provided examples of proposed amenities including doggie refuse stations, trash receptacles, benches, and view corridors. Mr. Will also discussed the next steps for the project, and how attendees can attend future Planning Commission and City Council meetings. He indicated that based on the current schedule, the project is not anticipated to start construction until the

summer of 2019. After completing the presentation, Mr. Will encouraged meeting attendees to ask questions and provide feedback regarding the development.

During the discussion, a neighbor asked if builders could construct custom homes within the development. Mr. Root indicated that this will be a possible option for home buyers. He also said that lots in other phases of Baker Creek have been purchased by local home builders for spec homes. Another neighbor asked if there will be CC&Rs for the development. Mr. Will responded that a land use attorney will develop CC&Rs for Baker Creek North and the document will be recorded during the platting of the lots.

A neighbor asked if the development will include affordable housing. Mr. Will indicated that Stafford does not build what the government classifies as affordable housing, but it does build attainable housing. He explained that attainable housing includes many different product types and is geared to many income levels of prospective home buyers in McMinnville.

Another neighbor asked how access will be provided from Baker Creek Road to the initial phase of the development. Mr. Will indicated that Shadden Drive will be extended with the phase sited in the southeast corner of the site. A follow up question asked if the proposed development will provide access to the Premier Homes development site, located to the northeast of the proposed project. Mr. Will said that eventually, future phases of Baker Creek North will extend Shadden Drive all the way to the northern boundary of the site. He also indicated that Blake Street will be extended to the east to provide connection to the existing Oak Ridge subdivision and could be an access point for residents of adjacent developments. Mr. Will also added that eventually a nature trail along the bluff overlooking Baker Creek will connect from the BPA easement to a trail that Premier Homes is currently developing. The proposed trail would likely be a bark chip surface and follow the alignment of a farm haul road along the base of the bluff.

An individual asked whether the proposed roads will be the same width as Pinot Noir Street in the adjacent subdivision. The applicant's engineer Josh Wells indicated that existing streets to the east of the site have a pavement width of 26', however the proposed street will wider. They will be built under the current City road standards and will have a pavement width of 28' from curb to curb. Another question asked if there would be a need for future improvements to Baker Creek Road as a result of the development. Mr. Will indicated that the City completed a transportation analysis for Baker Creek Road and determined that all planned development in the northwest quadrant of town could be accommodated by the recently improved Hill Road and the proposed improvements along the site's frontage on Baker Creek Road to meet the City standard section.

A neighbor asked how the proposed park facilities will be maintained. Mr. Root indicated that they are still in discussions with the City regarding maintenance responsibilities for the park areas. He said that the HOA could provide maintenance for the parks until the City took over that responsibility for areas the City will take ownership of. A follow up question asked if the City has taken any issue with how the development will impact natural habitat areas along Baker Creek. Mr. Will responded that the development will not extend beyond the bluff, and deeper lots have been proposed along the east property line so that the existing Oak tree grove can be protected.

To ensure long-term protection of the riparian area, the applicant believes that it would be beneficial to donate the land at the base of the bluff to the City.

Another neighborhood asked how the commercial zoned area will be used. Mr. Root indicated that it is likely that neighborhood commercial retail and services would occupy some of the proposed commercial space, along with some multi-family uses. He said that the commercial uses will likely be geared towards the needs of residents in this area of town.

An attendee asked if the powerlines will ever be extended to the north side of Baker Creek. Mr. Will discussed how a previous proposed UGB expansion proposal was strongly opposed for this area of town. He also indicated that the expansion of the UGB to the north of the site is highly unlikely due to the topography associated with the creek, and the expense to develop additional public infrastructure on the north side of the waterway.

The last questions were focused on the proposed housing types. One attendee asked if the proposed homes will be one or two stories. Mr. Root indicated that the larger lots will likely contain both two-level and one-level dwellings while the smaller lots will contain 2-story homes. Another citizen asked about the smallest home within the development. Mr. Root indicated that the smallest home will contain approximately 1,450 square feet. Many of these homes will be oriented towards common space areas.

Mr. Will concluded the discussion by encouraging the attendees to take his business card and contact him with any additional questions or concerns. He encouraged attendees to view the display boards for a few more minutes before the meeting ended. After thanking neighbors for their questions and feedback, the meeting was closed at approximately 7:45 pm.

Many of the questions presented by attendees to the neighborhood meeting were already addressed by elements of the plan.

Since the Neighborhood Meeting the Applicant has completed a property line adjustment to create a distinct lot at the base of the bluff area to donate to the City to protect the resources there and help the City meet its goal to create a Special Use Park in this area. The Applicant has also included in its application for planned development and subdivision several common open space tracts that the City may desire to acquire to support and augment this Special Use Park.

The proposed common open spaces now have detailed landscaping plans and proposed improvements shown in the preliminary plan set. This includes the mid-block paths. Minor adjustments were made to the lots and street circulation to improve the circulation pattern for vehicles and pedestrians. However, the plan remains essentially the same with access to Baker Creek Road at Shadden Drive and Meadows Drive with an added right-turn-out lane, a connection to the round about at Hill Road and improvements on the north side of Baker Creek Road along the subdivision's site frontage to accommodate bike lanes and a center turn lane.





**TRAFFIC ANALYSIS REPORT**

**FOR**

**BAKER CREEK NORTH DEVELOPMENT**

**NW BAKER CREEK ROAD**

**McMinnville**

SUBMITTED BY



**July 2019**

**Project 19-32**

**TRAFFIC ANALYSIS REPORT**

**FOR**

**BAKER CREEK NORTH DEVELOPMENT**

**NW BAKER CREEK ROAD**

**McMinnville**

**Prepared By**

**CHARBONNEAU Engineering LLC**



**July 2019**

**Project 19-32**

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## INTRODUCTION

This traffic study has been prepared to evaluate and document the operations and safety conditions for the Baker Creek North development being planned in McMinnville, Oregon. Figure 'a' in the appendix is a vicinity map highlighting the project location.

The planned development will construct 280 single-family housing units along the north side of NW Baker Creek Road between Hill Road and Shadden Drive. Adjacent to this single-family housing development situated in the northeast corner of the Hill Road at Baker Creek Road intersection is a parcel over six acres planned for no more than 120 multi-family units and no less than 2-acres of commercial use with a planned development amendment. Although the property is likely to develop in the future the parcel is not part of the Baker Creek North PD application.

For analysis purposes and to consider a worst-case scenario 10 acres of commercial property was used instead of six. A total of 100,000 square feet of retail space was assumed for the commercial property.

With input from the City the study area was defined as Baker Creek Road extending between Hill Road and Shadden Drive and included analysis of the intersections at Meadows Drive, Shadden Drive, and Michelbook Lane.

## TRAFFIC ANALYSIS CONSIDERATIONS

In the project scope established with McMinnville engineering and planning staff, a number of important elements were identified and considered in this study.

- Inventory and record pertinent information such as traffic control devices, circulation patterns, lane conditions, pedestrian & bicycle facilities, transit zones, parking, and street characteristics.
- Record data on typical weekdays during the AM and PM peak traffic hours. The video traffic counts were collected in July 2019.
- Ten years of traffic growth at 2.5% per year was applied with in-process traffic to establish the year 2029 background volumes. The traffic growth rate was determined based on data provided by ODOT's Transportation Analysis Unit (TPAU).
- Level of service (LOS) analysis of the study intersections to measure the approach delays and volume-to-capacity ratios for comparison to McMinnville standards.
- Determination of vehicular queuing at the study intersections including Baker Creek Road at Meadows Drive, Shadden Drive, and Michelbook Lane.
- Preparation of traffic signal warrants at the study intersections.
- Review intersection sight distance at the proposed access locations.
- Review traffic accident data furnished by ODOT. Determine the intersection crash rates at the study intersections.

## **SITE DESCRIPTION, STREETS, ACCESS, AND CRITICAL INTERSECTIONS**

Development of the Baker Creek North project includes buildout of 280 single-family housing units. The site is adjacent to Baker Creek Road on the north side between Hill Road and Shadden Drive. To assess a worst-case scenario 10 acres of commercial property was included in the analysis. For this parcel a total of 100,000 square feet of retail use was considered. Development of the commercial parcel is not part of the Baker Creek North PD application, however for the purpose of review of the concurrent comprehensive plan map amendment and zoning applications, the commercial component is being analyzed in concert with the single-family development's impacts.

Access to the proposed development includes two approaches on Baker Creek Road and one access to Baker Creek Road at Hill Road. On Baker Creek Road the site's west access will be located opposite Meadows Drive and the east access across from Shadden Drive. The third site access will occur on a new north leg of the Baker Creek Road and Hill Road roundabout. The project site plan (Figure 'b') illustrates the access locations. The new access approaches will require stop sign control.

The existing intersections on Baker Creek Road at Meadows Drive, Shadden Drive, and Michelbook Lane are controlled by stop signs. The intersection at Baker Creek Road at Hill Road is configured as a roundabout design with the north leg (Hill Lane) yet to be constructed.

The City of McMinnville has identified future traffic signal control at the intersection of Baker Creek Road and Michelbook Lane. The Transportation System Plan (TSP, Chapter 4, Street System Plan, Exhibit 4-6) documents that based on city-wide traffic growth the signal installation may be necessary.

The existing and future lane configurations and traffic control are presented in Figure `c` in the report's appendix.

Baker Creek Road is classified as a minor arterial by the City and is in the process of being converted from a two lane configuration to three lanes between Hill Road and Crimson Court. The improvements are anticipated to be completed in August. The new three-lane section will maintain one travel lane in each direction and provide a continuous center left turn lane. A bike lane will be maintained on the street's south side along with sidewalk on both sides. The posted speed is 35 mph.

The development will construct two southbound lanes and a single northbound lane at each access on Baker Creek Road (opposite Meadows Lane and at Shadden Lane). The southbound approaches will include a separate right turn lane and combination through/left movement lane. The southbound approaches will be controlled by stop signing. The development will also construct the north leg of the Hill Road and Baker Creek Road roundabout (Hill Lane) with one southbound lane that is controlled by a yield sign at the roundabout and one northbound lane entering the project.

## TRAFFIC OPERATIONAL ANALYSIS

In order to evaluate traffic flow and delay the study intersections were analyzed for level of service (LOS) conditions, delay, and safety. The intersections evaluated included Baker Creek Road at Meadows Drive, Shadden Drive, and Michelbook Lane. Capacity and queuing analyses were completed in the AM and PM peak hour periods for the following scenarios:

- Year 2019 Traffic
- 2029 Background Traffic
- 2029 Total Traffic

Video traffic counts were recorded in July 2019 for the study. The counts were collected during the AM peak (7:00-9:00 AM) and PM peak (4:00-6:00 PM) traffic hours. Figure 1 illustrates the year 2019 volume data.

Ten years of traffic growth at 2.5% per year has been added to the Year 2019 volumes to account for the background traffic volumes. The year 2029 background traffic volumes are illustrated in Figure 3. The annual traffic growth rate was derived from select zone peak hour volume data obtained from ODOT's TAPU for the years 2003-2023. The input illustrating this data is included in the report's appendix.

McMinnville staff has identified a compilation of in-process projects that affect the study intersections. The in-process traffic includes the Oak Ridge Meadows residential development, Baker Creek West subdivision, & Baker Creek East subdivision. The status of each development is summarized below.

- Oak Ridge Meadows is a proposed subdivision for 108 single-family housing units located at the northern end of NW Pinot Noir Drive. None of the homes are constructed and 100% of the site's future traffic was accounted for as in-process traffic.
- Baker Creek West was planned for 125 single-family housing units and 70 apartment units. The site is located on the south side of Baker Creek Road in the southeast corner of the Hill Road at Baker Creek Road intersection. As of July 15, 2019 a total of 14 single-family homes have received occupancy permits. Trip generation for the balance of units including 111 single-family homes and 70 apartments was accounted for as in-process traffic.
- Baker Creek East was planned for 83 single-family housing units. The site is located south of Baker Creek Road and east of the Baker Creek West subdivision. As of July 15, 2019 a total of 22 single-family homes have received occupancy permits. Trip generation for the balance of units including 61 single-family homes was accounted for as in-process traffic.

The in-process traffic included in this analysis is presented in Figure 2.

The year 2029 total traffic (the summation of background traffic volumes and site generated traffic) is presented in Figure 9.

## VEHICULAR TRIP GENERATION

Trip rates presented in the Institute of Transportation Engineers (ITE) Trip Generation manual, 10<sup>th</sup> edition (year 2017) were utilized to estimate the site's trip generation. The trip generation is summarized in Table 1.

**Table 1a Trip Generation Summary Baker Creek North Subdivision - Residential Use**

ITE Land Use	Units (#)	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
Single-Family (#210)	280							
Generation Rate <sup>1</sup>	homes	9.44	0.74	25%	75%	0.99	63%	37%
Site Trips		<b>2,643</b>	<b>207</b>	52	155	<b>277</b>	175	102

**Table 1b Trip Generation Summary - Commercial Parcel (10 acres, future development by others)**

ITE Land Use	Units (#)	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
Shopping Center (#820)	100,000							
Generation Rate <sup>1</sup>	sq. ft.	37.75	0.94	62%	38%	3.81	48%	52%
Total Driveway Trips		<b>3,775</b>	<b>94</b>	58	36	<b>381</b>	183	198
Pass-By Rate <sup>2</sup>						34%		
Pass-By Trips						130	62	68
New Site Trips <sup>3</sup>		<b>3,775</b>	<b>94</b>	58	36	<b>251</b>	120	131

<sup>1</sup> Source: *Trip Generation*, 10th Edition, ITE, 2017, average rates.

<sup>2</sup> 34% based on *Trip Generation Handbook*, 3rd Edition, ITE, 2017.

<sup>3</sup> New Site Trips = Total Driveway Trips - Pass-by Trips.

Development of 280 single-family homes and 100,000 square feet of commercial space is expected to generate 3,775 daily trips, 94 AM peak hour trips, and 251 PM peak hour trips.

For trip distribution purposes the trip assignment data from ODOT's Transportation Analysis Zone (TAZ) model was considered along with the impacts associated with recent alignment improvements on Hill Road. It is anticipated that approximately 10% of the site's traffic will choose to travel to/from the west using Hill Road.

The trip distribution for the site's residential units is presented in Figure 4 with the corresponding trip assignments displayed in Figure 5. The trip distribution for the future commercial parcel is presented in Figure 7 and the corresponding trip assignments shown in Figure 8. Copies of the TAZ model data is included in the appendix.

Figure 6 illustrates the pass-by traffic associated with the commercial property. The pass-by volumes represent the traffic that will be diverted to the commercial site from the adjacent street (Baker Creek Road). The pass-by rate applied (34%) is based on the recommended percentage documented in the ITE Trip Generation Handbook, year 2017.

## CAPACITY ANALYSIS

Capacity analyses were performed to determine the levels of service for the weekday peak hours. Synchro v9.1 software was used to determine the approach delays and level of service for the study intersections. The program is based on the year 2010 Highway Capacity Manual methodology. Table 2 summarizes the analysis results. Copies of the capacity analysis summaries are included in the appendix.

**Table 2 Capacity Analysis Summary**

Intersection	Type of Control	Peak Hour	Traffic Scenario											
			2019 Existing				2029 Background				2029 Total			
			Crit. Mov't	LOS	Delay	v/c	Crit. Mov't	LOS	Delay	v/c	Crit. Mov't	LOS	Delay	v/c
Meadows Drive and Baker Creek Road	Two-way Stop	AM	NB	A	9.6	0.03	NB	B	10.6	0.14	SB	C	19.0	0.09
		PM	NB	A	9.4	0.03	NB	B	10.1	0.09	SB	F	56.2	0.20
Shadden Drive and Baker Creek Road	Two-way Stop	AM	NB	A	9.9	0.06	SB	C	18.4	0.17	SB	D	33.2	0.13
		PM	NB	A	9.8	0.06	SB	D	33.3	0.21	SB	F	137.3	0.16
Michelbook Lane and Baker Creek Road	Two-way Stop	AM	NB	B	10.9	0.08	NB	C	16.6	0.21	NB	D	28.7	0.45
		PM	NB	B	12.0	0.14	NB	F	65.6	0.78	NB	F	726.4	2.41
	Signal <sup>1</sup>	AM	-	-	-	-	-	B	11.0	0.39	-	B	15.3	0.47
		PM	-	-	-	-	-	B	11.7	0.54	-	B	19.8	0.70

**Notes:** 2010 Highway Capacity Manual methodology used in analysis, Synchro v9. NB - Northbound, SB - Southbound, Crit. Mov't - Critical movement or critical approach.

<sup>1</sup> Future signal identified in City's TSP - Not to be installed in conjunction with Baker Creek North Subdivision.

The City's mobility standard for intersection operations requires a v/c ratio of 0.90 or less. If intersections operate at values exceeding a v/c of 0.90 then mitigation may be considered. The City does not have a standard related to LOS determination.

The stop controlled intersection of **Baker Creek Road at Meadows Drive** will experience an acceptable volume-to-capacity (v/c) ratio of 0.20 or less in the peak hours through the year 2029 total traffic scenario. No mitigation is required at this location.

The stop controlled intersection of **Baker Creek Road at Shadden Drive** will experience an acceptable volume-to-capacity (v/c) ratio of 0.16 or less in the peak hours through the year 2029 total traffic scenario. No mitigation is required at this location.

The stop controlled intersection of **Baker Creek Road at Michelbook Lane** will experience an acceptable volume-to-capacity (v/c) ratio of 0.78 or less in the peak hours through the year 2029 background traffic scenario. For the year 2029 total traffic scenario the intersection operations will exceed the City's v/c standard with a resulting v/c value of 2.41 in the PM peak hour. This condition can be mitigated to a v/c of 0.70 by installing a traffic signal as identified in the City's TSP. This improvement has been planned for safety and capacity reasons in order to satisfy the anticipated city-wide traffic growth projections.

The future signal at Baker Creek North and Michelbook Lane is identified as a planned capital improvement project by the City in 2023 with general funds and SDC funds prior to the year 2029 full buildout, thus no mitigation of the intersection is recommended in conjunction with the proposed development.

### QUEUING ANALYSIS

Queue length demand for study intersections on Baker Creek Road at Meadows Drive and at Shadden Drive were established in the Synchro analysis. The results are based on the 95<sup>th</sup> percentile queuing values. Copies of the reports are included in the appendix.

At the site access and Shadden Drive intersection with Baker Creek Road the southbound stop controlled access will experience a queue of two to three vehicles in the left/through lane during in the AM peak hour for the year 2029 total traffic scenario. A southbound queue of four to five vehicles in the left/through lane is projected during the PM peak hour for the year 2029 PM peak hour.

At the site access and Meadows Drive intersection with Baker Creek Road the southbound stop controlled access will experience a queue of one to two vehicles in the left/through lane during the AM peak hour for the year 2029 total traffic scenario. A southbound queue of three to four vehicles is projected in the left/through lane during the PM peak hour for the year 2029 PM peak hour.

The queuing analysis has confirmed that for the eastbound and westbound left turn movements occurring on Baker Creek Road at the Meadows Drive and Shadden Drive intersections the peak hour queues will not exceed one to two vehicles through the year 2029 total traffic scenario.

### SIGHT DISTANCE

Intersection sight distance at the proposed access points on Baker Creek Road was reviewed in accordance with the AASHTO standards. Based on a posted speed of 35 miles per hour requires that 390 feet of sight distance be available. It was determined that over 500 feet of

sight distance will be available in both directions at both future access locations (Meadows Drive & Shadden Drive intersections). Therefore, the sight distance standard is met. When the development is constructed it will be necessary to maintain the required sight distance and any restriction within the sightlines must be avoided for safety purposes.

### **LEFT TURN LANE REQUIREMENTS**

A center left turn lane on Baker Creek Road is in the process of being striped this summer along the project frontage. Therefore, no left turn lane warrant was prepared.

### **TRAFFIC SIGNAL WARRANTS**

The peak hour signal warrant was evaluated for the intersections on Baker Creek Road at Meadows Drive, Shadden Drive, and Michelbook Lane. It was determined the warrant is not met at the Meadows Drive and Shadden Drive locations through the year 2029 total traffic scenarios.

At the Michelbook Lane intersection the peak hour warrant is not met in the year 2029 total traffic scenario with only the residential portion of the development considered. The warrant will be met in the year 2029 total traffic scenario if any portion of the commercial development is added to a full residential buildout. However, there is a planned capital improvement project by the City in 2023 with general funds and SDC funds, thus the signal will be installed already by 2029.

As a result installation of a traffic signal is not recommended in conjunction with the proposed development. The warrant is included in the appendix.

### **ACCIDENT HISTORY**

Crash data for the study intersections were obtained from ODOT staff and reviewed to help identify any traffic safety issues. The study period covered the five year period from January 2013 through December 2017.

The accident rates presented in Table 3 are based on the number of accidents per million entering vehicles (MEV) per year. Typically an intersection is not considered unsafe unless its accident rate exceeds the threshold value of 1.0 accidents per MEV.

**Table 3 Crash Rate Results**

Intersection	Crash History (Years)	Number of Crashes	Crashes per year	Annual Traffic Entering (veh/yr)	Crash rate per M.E.V.*
Meadows Drive and Baker Creek Road	5	0	0.0	1950382	<b>0.00</b>
Shadden Drive and Baker Creek Road	5	2	0.4	2311969	<b>0.17</b>
Michelbook Lane and Baker Creek Road	5	4	0.8	3323684	<b>0.24</b>

\* M.E.V. - million entering vehicles.

None of the study intersections have a crash rate higher than 0.24 crashes per MEV per year. As a result no intersection safety improvements are proposed in conjunction with the Baker Creek North subdivision development project.

### **PEDESTRIANS, BICYCLES, & BUSES**

Sidewalk is provided on the south side and with site development in phases sidewalk will be provided on both sides of Baker Creek Road along the project's frontage. The project development will provide sidewalks within the site and connectivity to the existing sidewalk system on Baker Creek Road.

Bicycle lanes are currently provided on Baker Creek Road to the east and on the south side, and are available to the south on Hill Road. With site development in phases bike lanes will be provided on both sides of Baker Creek Road along the project's frontage.

With sidewalk and bike lane improvements on Baker Creek Road access from the development and adjacent existing communities to the powerline trail, an off-street path leading south from Baker Creek Road to 2<sup>nd</sup> Street, will be more convenient for pedestrians and bicyclists.

No transit service is provided in the area, however Baker Creek Road is a planned future transit route, thus traffic volumes and patterns may shift with future service.

## SUMMARY AND RECOMMENDATIONS

The Baker Creek North development is being planned in McMinnville to construct 280 single-family housing units along the north side of NW Baker Creek Road between Hill Road and Shadden Drive. For analysis purposes and to consider a worst-case scenario 10 acres of commercial property was included in the study for the adjacent parcel. Although the commercial property is likely to develop in the future the parcel is not part of the Baker Creek North PD application. A total of 100,000 square feet of retail space was assumed for the commercial property even though it will likely develop with a lower intensity development pattern of no more than 120 multi-family units and no more than two acres of neighborhood commercial use..

Development of 280 single-family homes and 100,000 square feet of commercial space is expected to generate 3,775 daily trips, 94 AM peak hour trips, and 251 PM peak hour trips.

The traffic study included analysis of the intersections on Baker Creek Road at Meadows Drive, Shadden Drive, and Michelbook Lane.

Intersection sight distance at the proposed access points on Baker Creek Road was reviewed in accordance with the AASHTO standards. Based on a posted speed of 35 miles per hour requires that 390 feet of sight distance be available in each direction. It was determined that over 500 feet of sight distance will be available in both directions at both future access locations (Meadows Drive & Shadden Drive intersections). Therefore, the sight distance standard is met. When the development is constructed it will be necessary to maintain the required sight distance and any restriction within the sightlines must be avoided for safety purposes.

The City's mobility standard for intersection operations requires a v/c ratio of 0.90 or less. The stop controlled intersections on Baker Creek Road at Meadows Drive and at Shadden Drive will experience acceptable volume-to-capacity ratios of 0.20 or less in the peak hours through the year 2029 total traffic scenario. No mitigation is required at these locations. On the southbound access approaches the lane configuration will consist of a separate right turn lane and a combination through/left lane. The approaches shall be controlled with stop signing.

The stop controlled intersection of Baker Creek Road at Michelbook Lane will experience an acceptable volume-to-capacity (v/c) ratio of 0.78 or less in the peak hours through the year 2029 background traffic scenario. For the year 2029 total traffic scenario the intersection operations will exceed the City's v/c standard with a resulting value of 2.41 in the PM peak hour. This condition can be mitigated to a v/c of 0.70 by installing a traffic signal as identified in the City's TSP. This improvement has been planned by the City for safety and capacity reasons in order to satisfy the anticipated city-wide traffic growth projections. Therefore, no mitigation at the Baker Creek Road and Michelbook Lane intersection is recommended in conjunction with the proposed development.

None of the study intersections have a crash rate higher than 0.24 crashes per MEV per year. As a result no intersection safety improvements are proposed in conjunction with the Baker Creek North Subdivision development project.

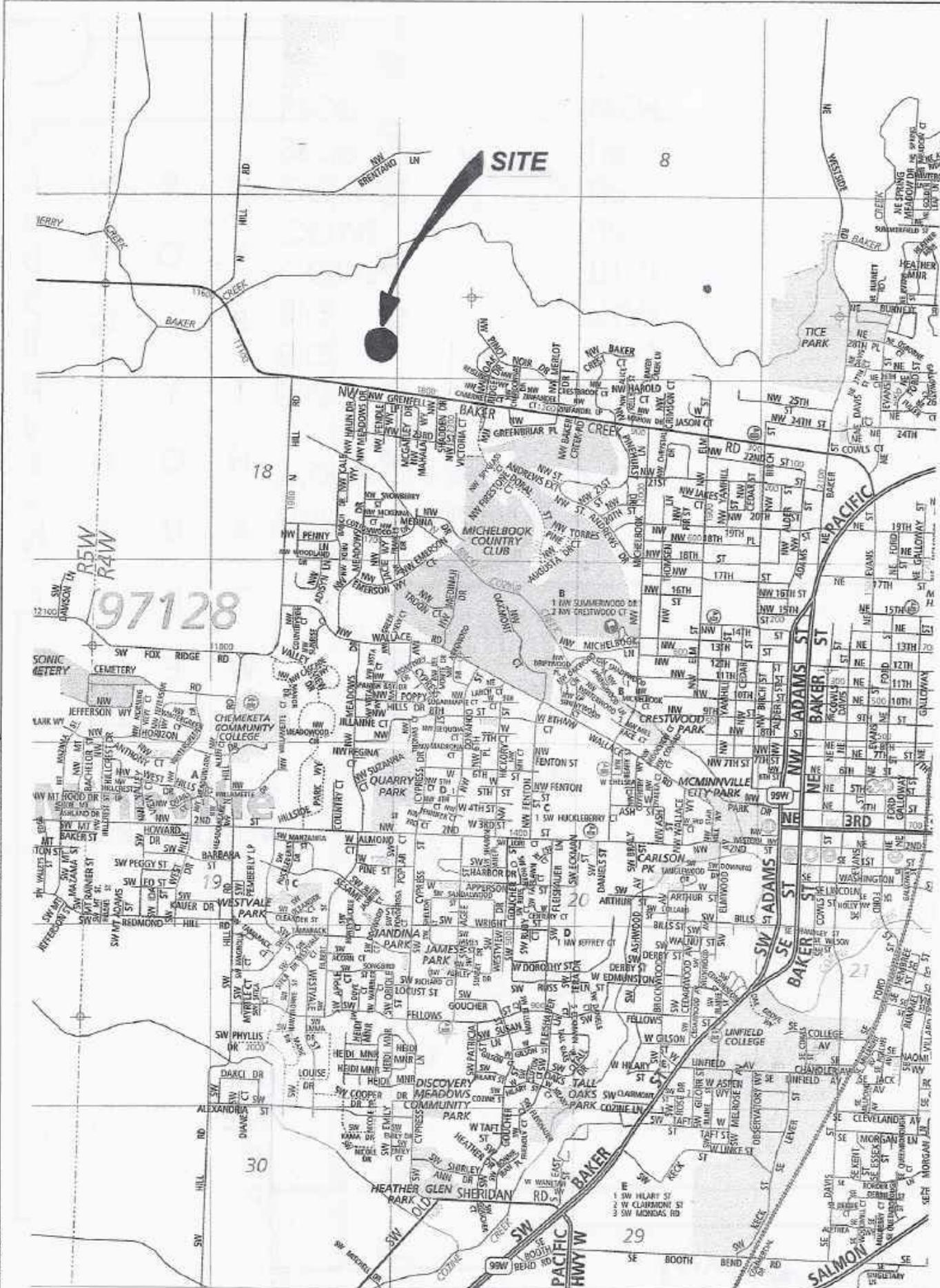
Based on the results of the traffic analysis no off-site intersection improvements are proposed in conjunction with the Baker Creek North development project where on-site and intersecting street and pedestrian/bicycle improvements are installed as proposed.

## APPENDIX

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FILE NAME: 1932flow.dwg

PLOT DATE: 07.23.19



 **CHARBONNEAU  
ENGINEERING LLC**  
PROJECT: 19-32

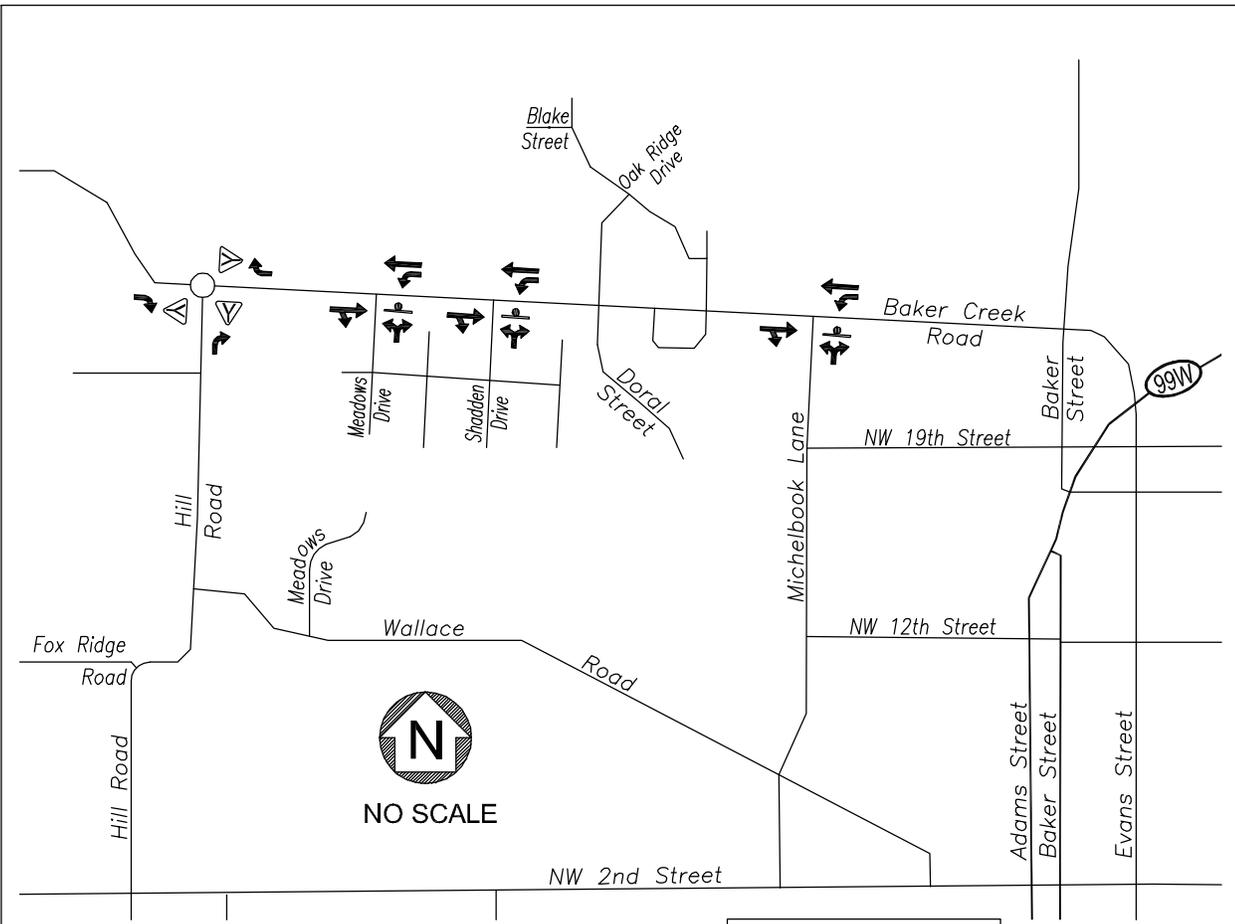
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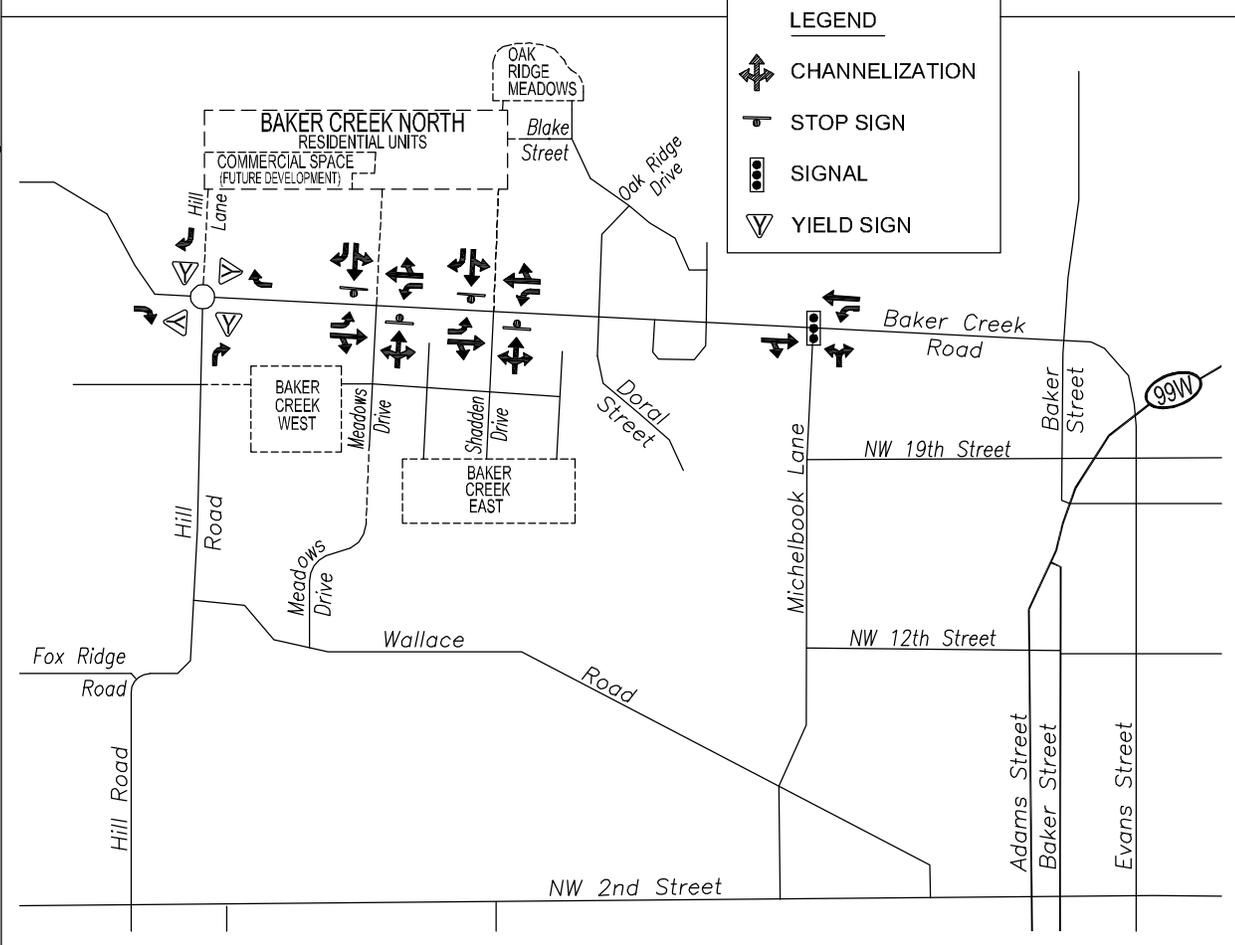
VICINITY MAP  
BAKER CREEK NORTH

FIGURE  
1138  
a





EXISTING



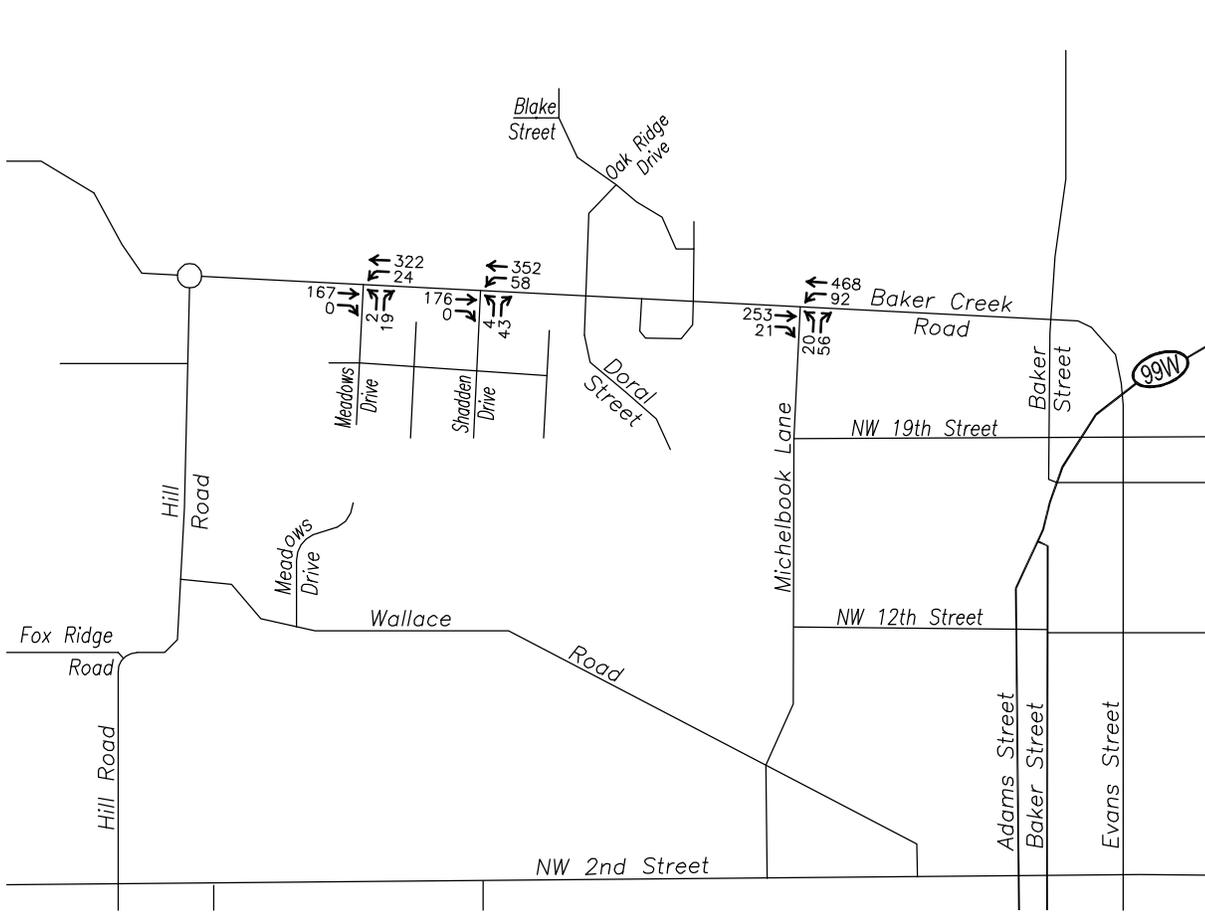
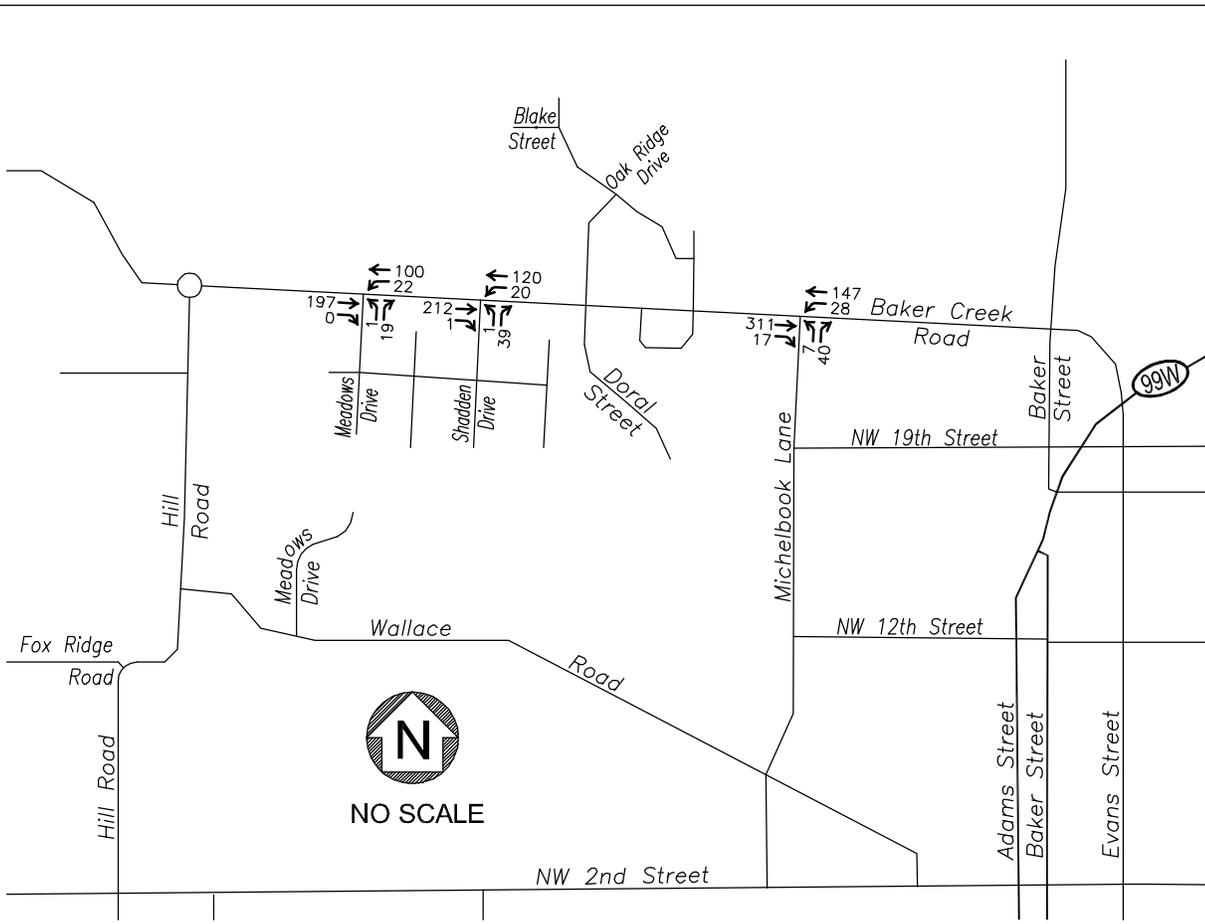
FUTURE

FILE NAME: 1932flow.dwg

PLOT DATE: 07.26.19

AM  
PEAK  
HOUR

PM  
PEAK  
HOUR



FILE NAME: 1932flow.dwg

PLOT DATE: 07.26.19

AM  
PEAK  
HOUR

PM  
PEAK  
HOUR

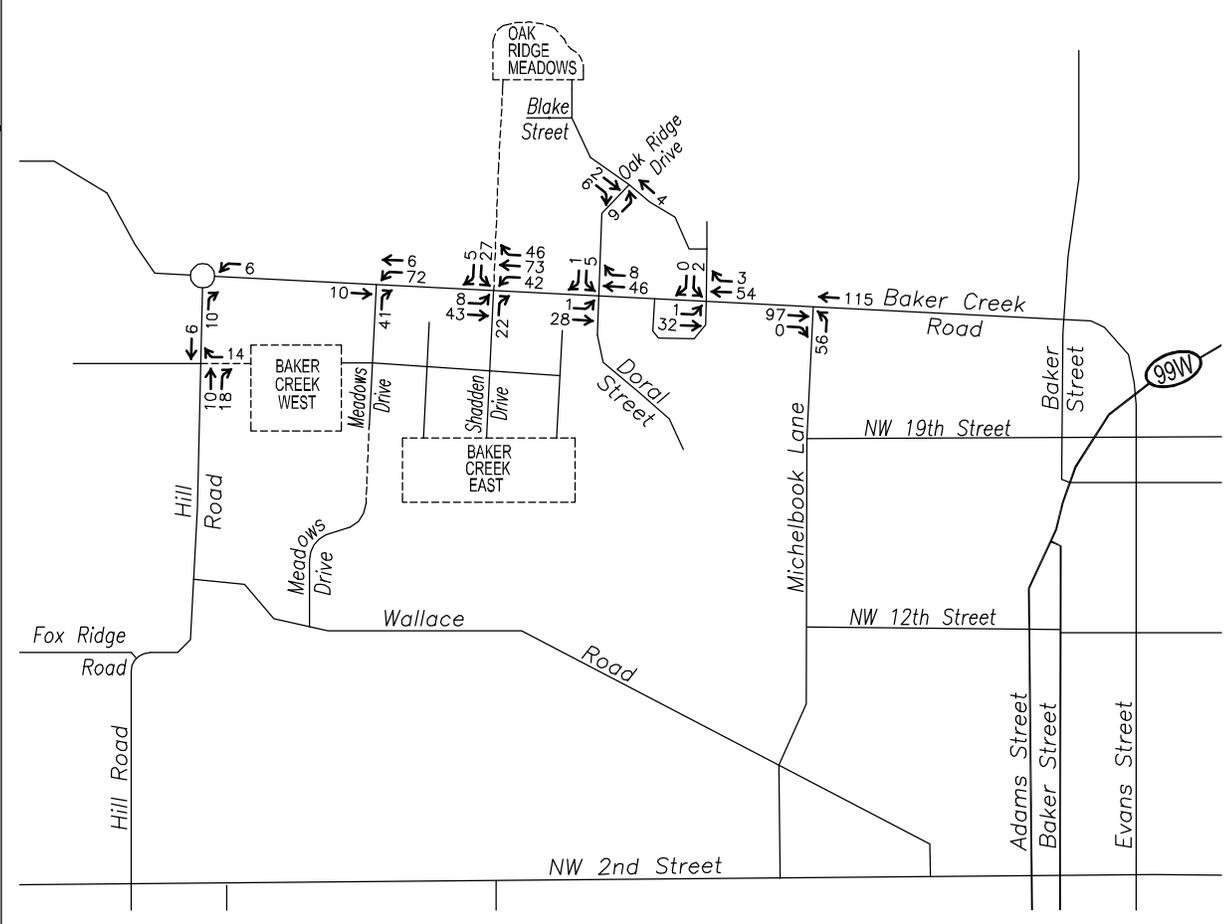
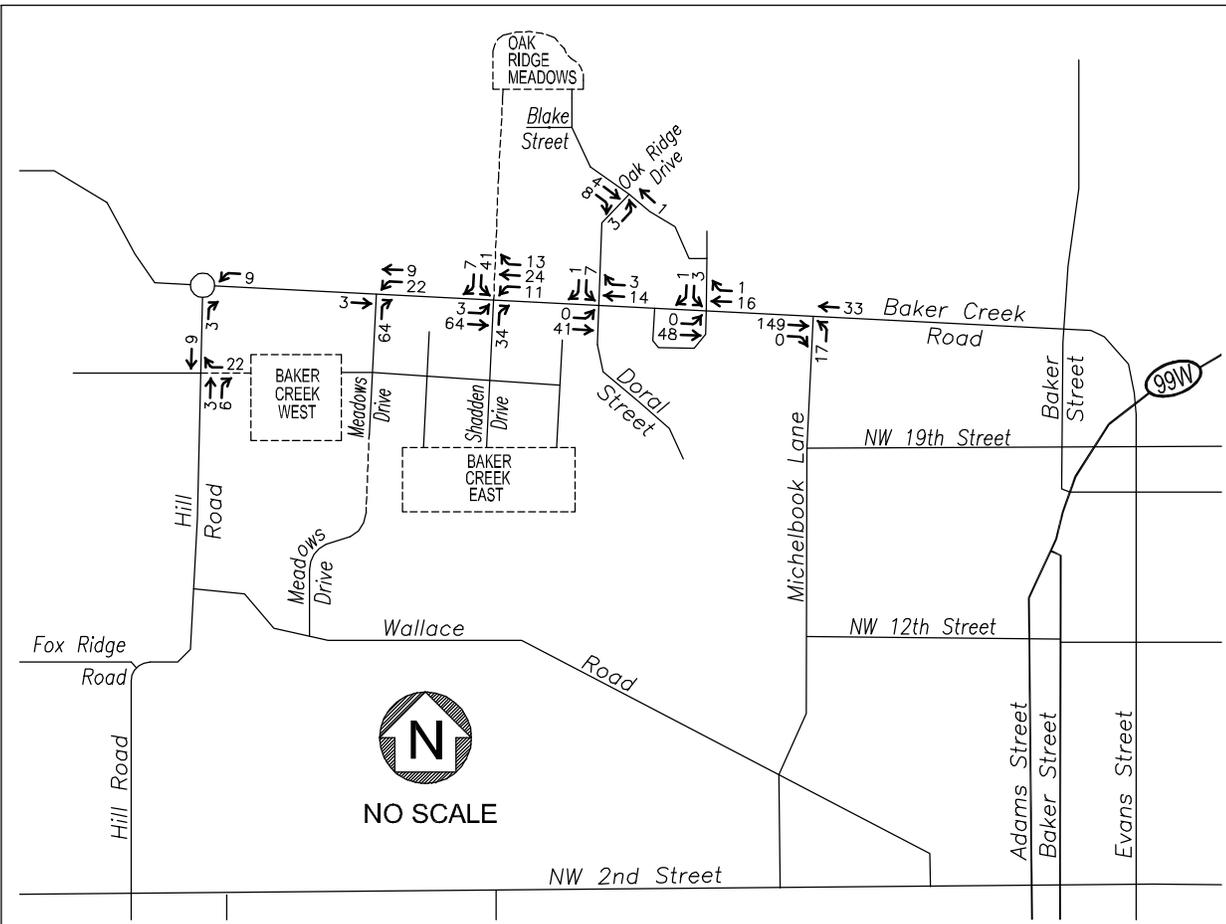
FIGURE

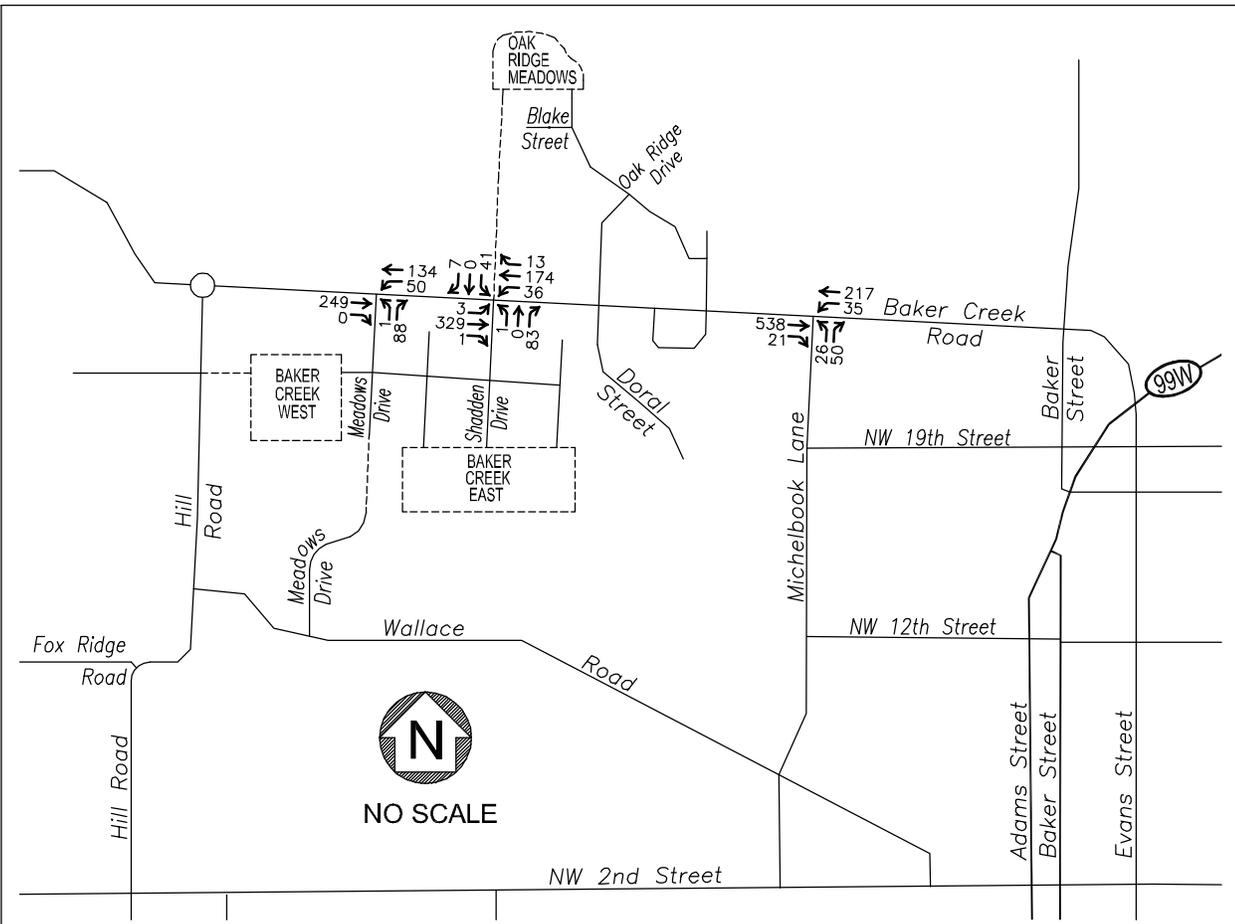
2

1142

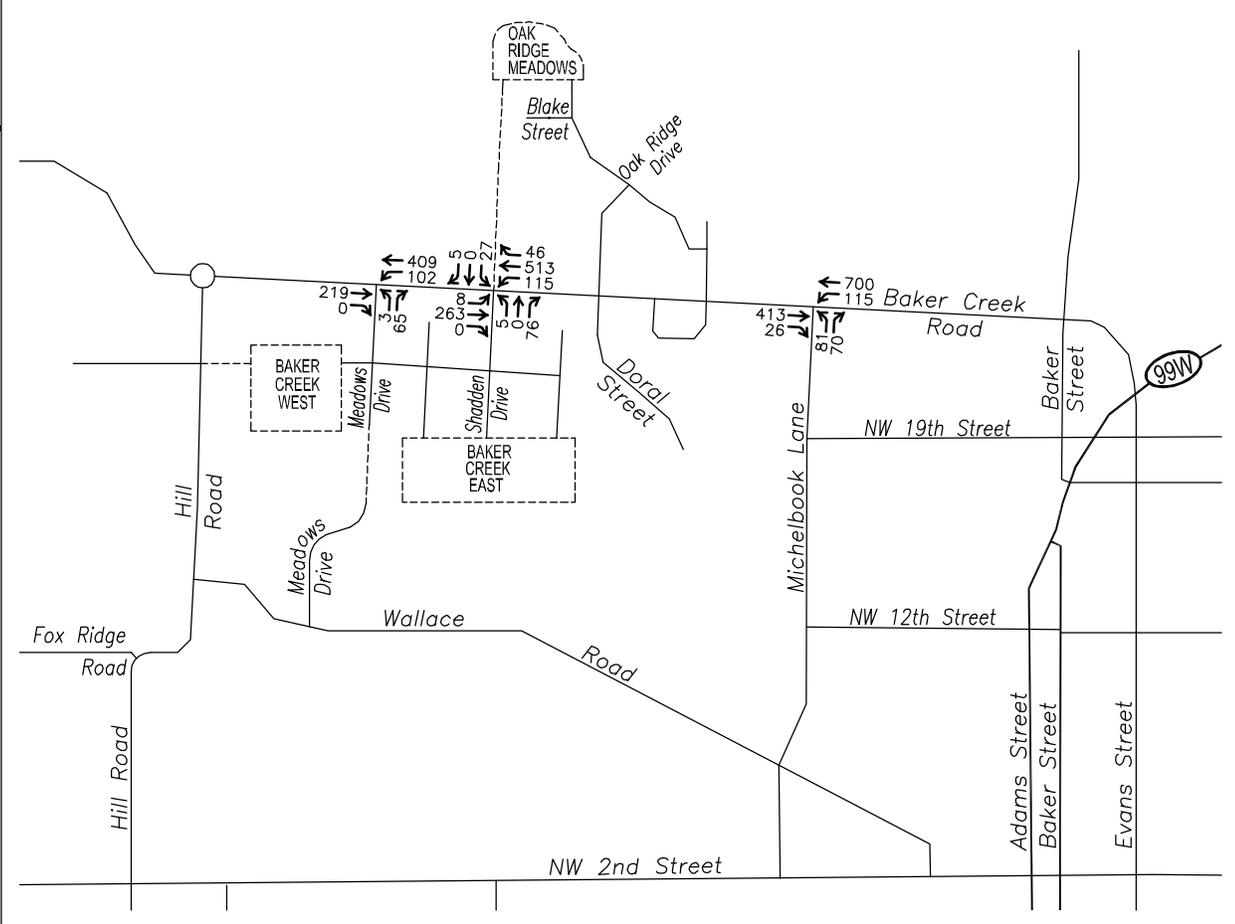
IN-PROCESS TRAFFIC  
BAKER CREEK NORTH

NOTES: In-process Traffic includes trips generated by Oak Ridge Meadows, Baker Creek West, and Baker Creek East.





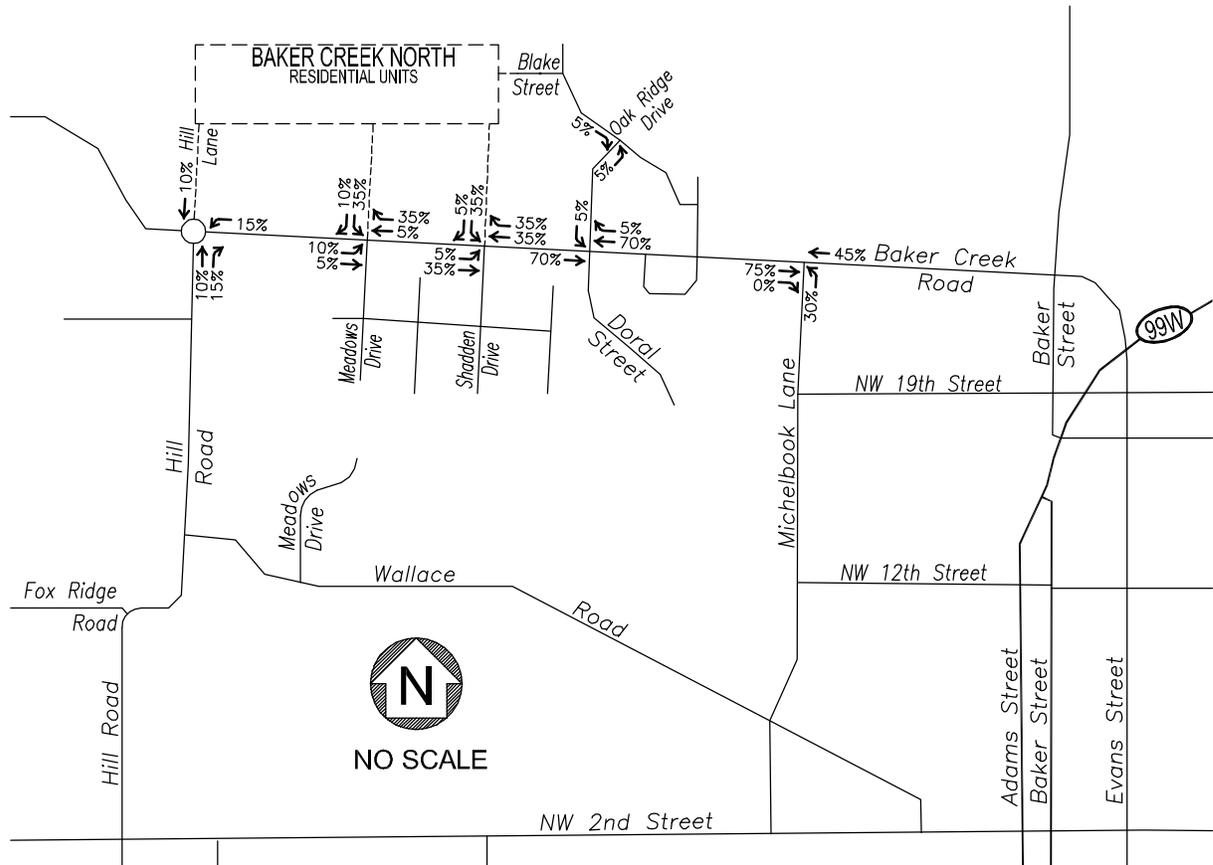
**AM PEAK HOUR**



**PM PEAK HOUR**

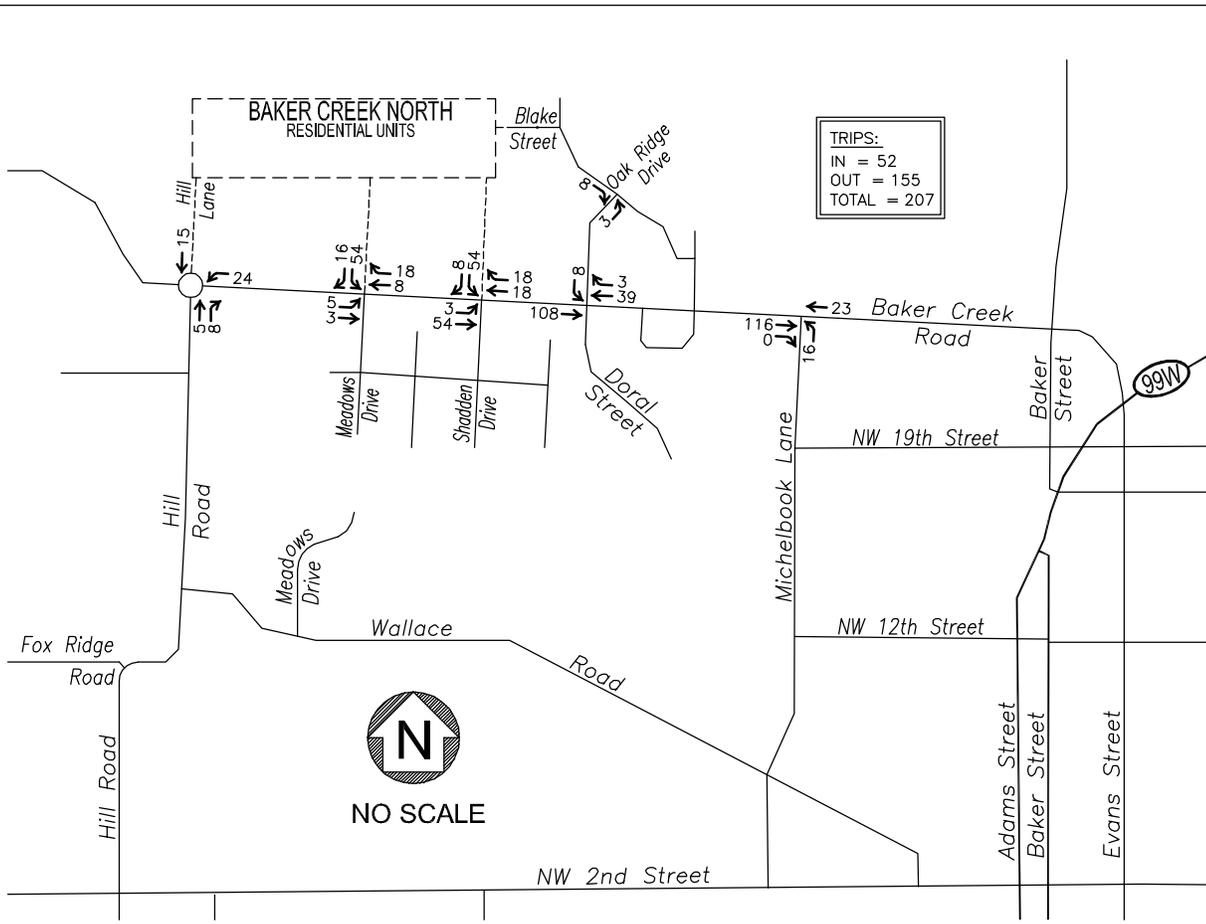
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PLOT DATE: 07.26.19

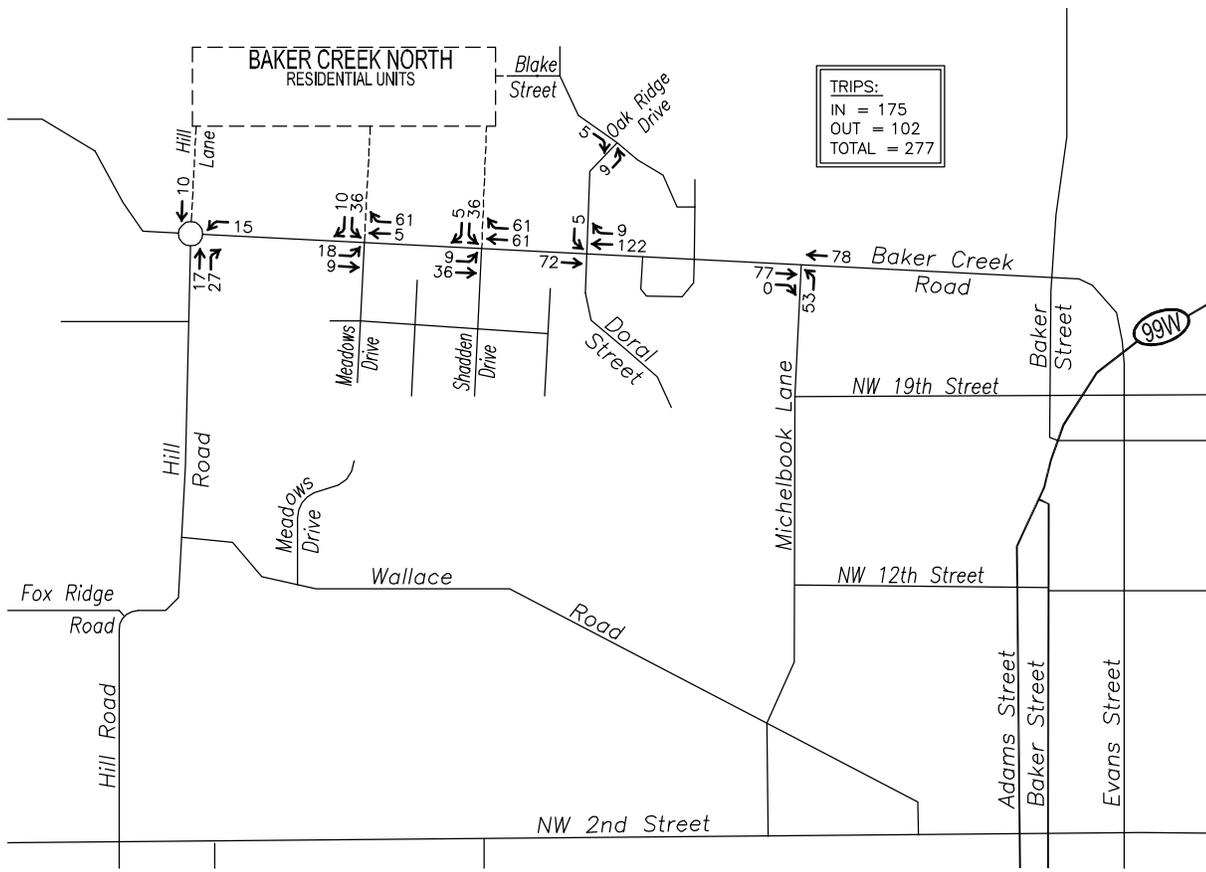


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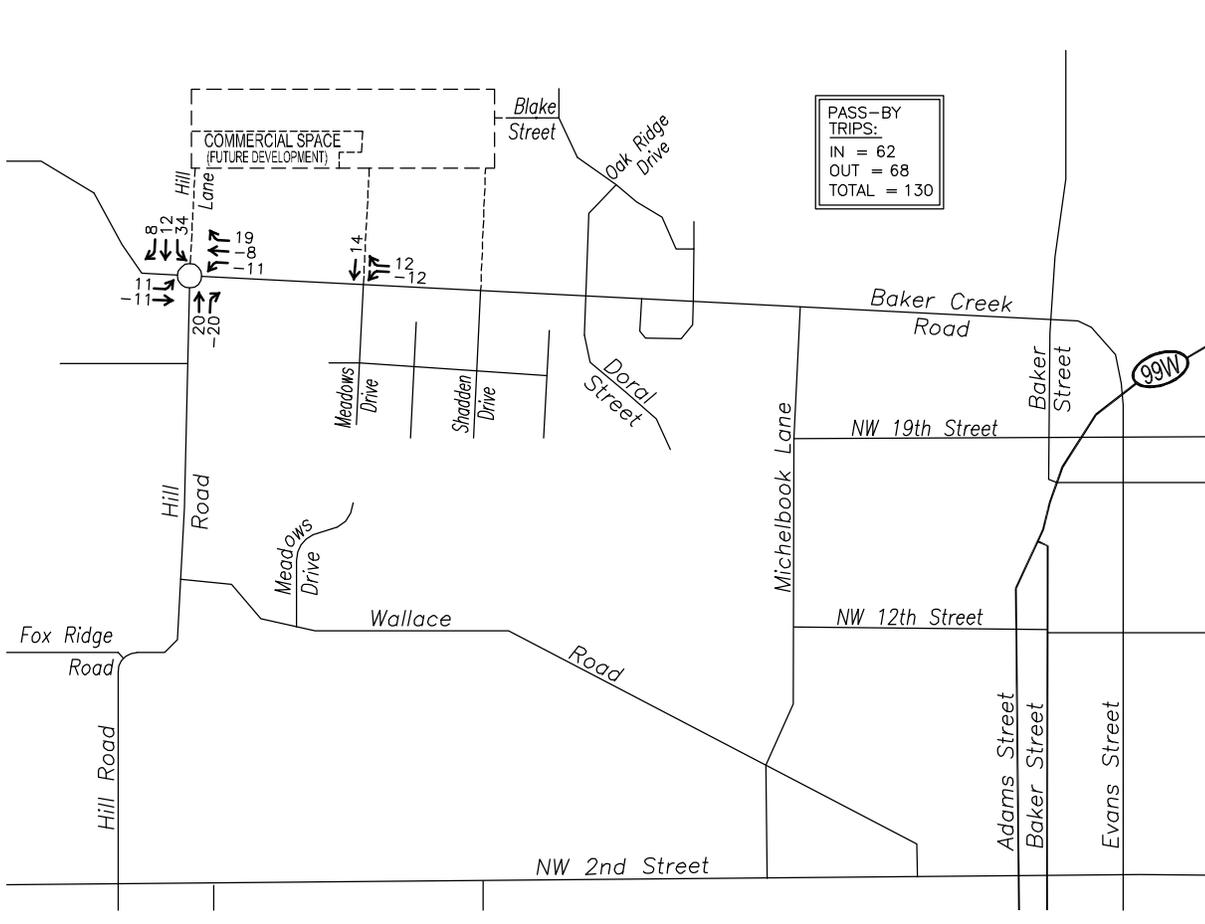
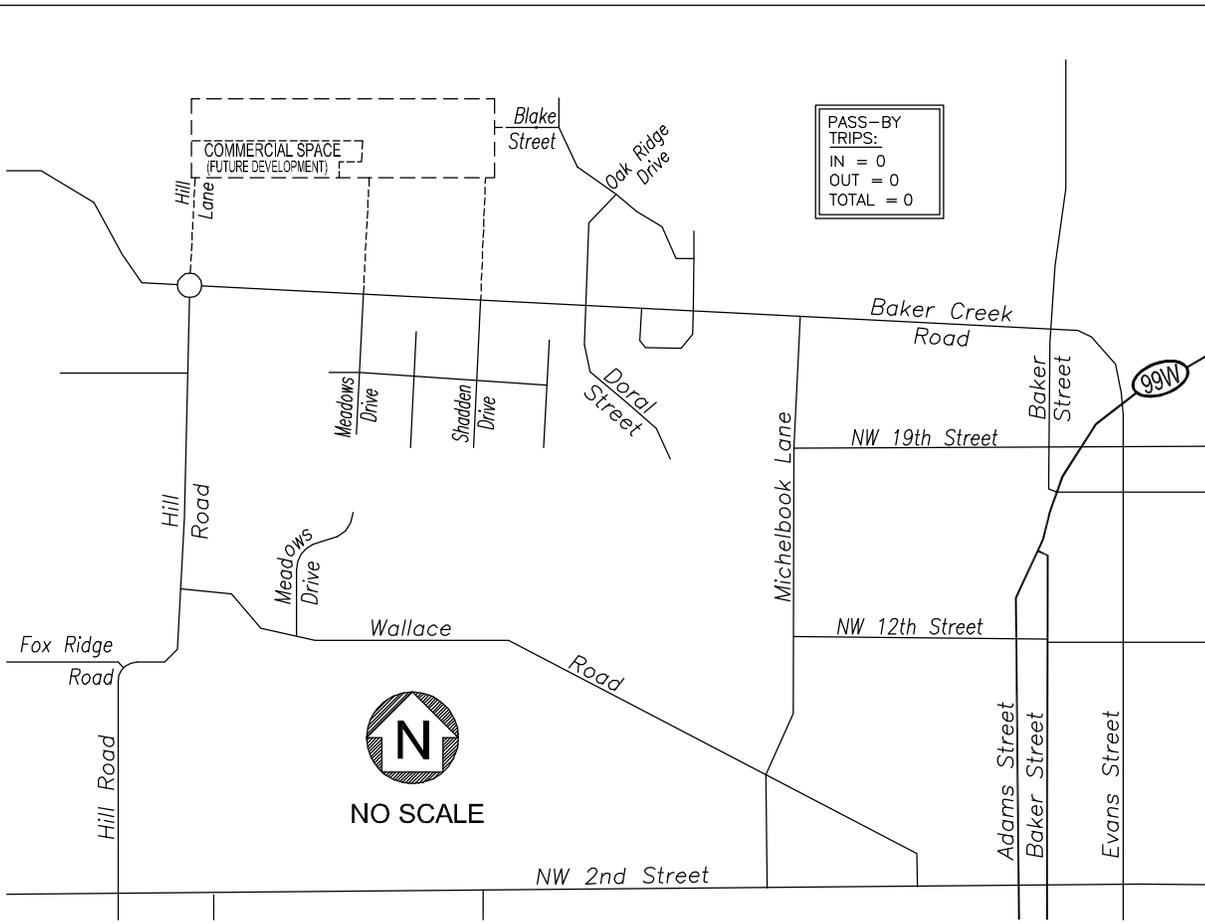
PLOT DATE: 07.26.19



AM  
PEAK  
HOUR

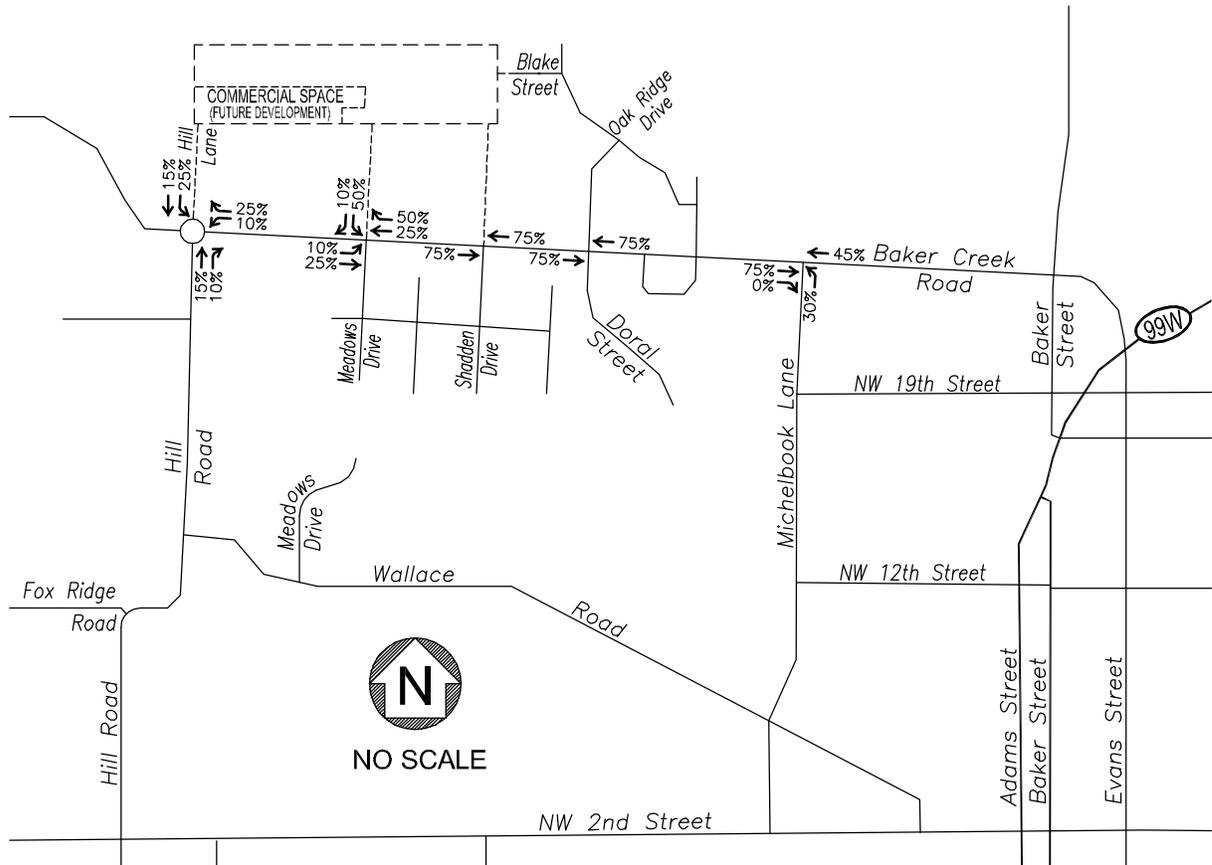


PM  
PEAK  
HOUR



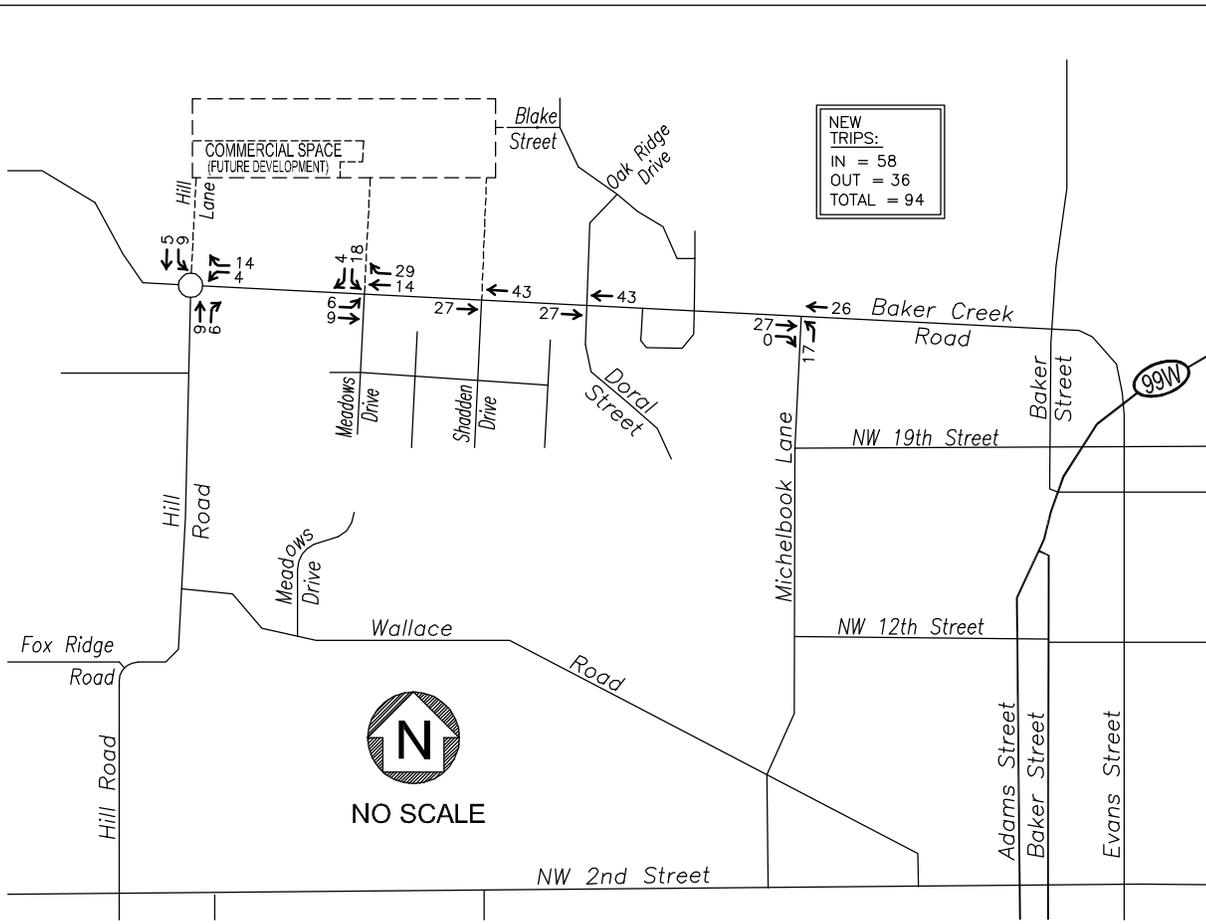
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PLOT DATE: 07.26.19

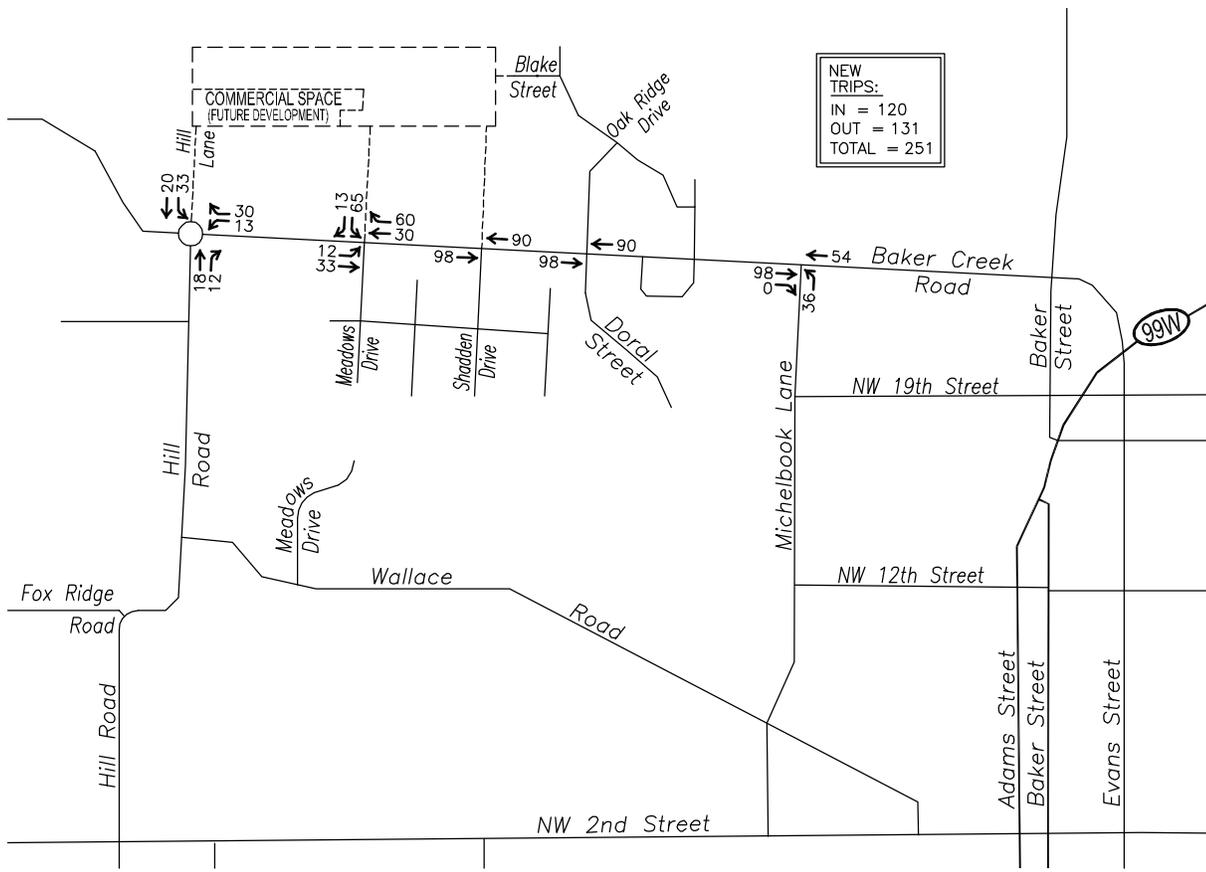


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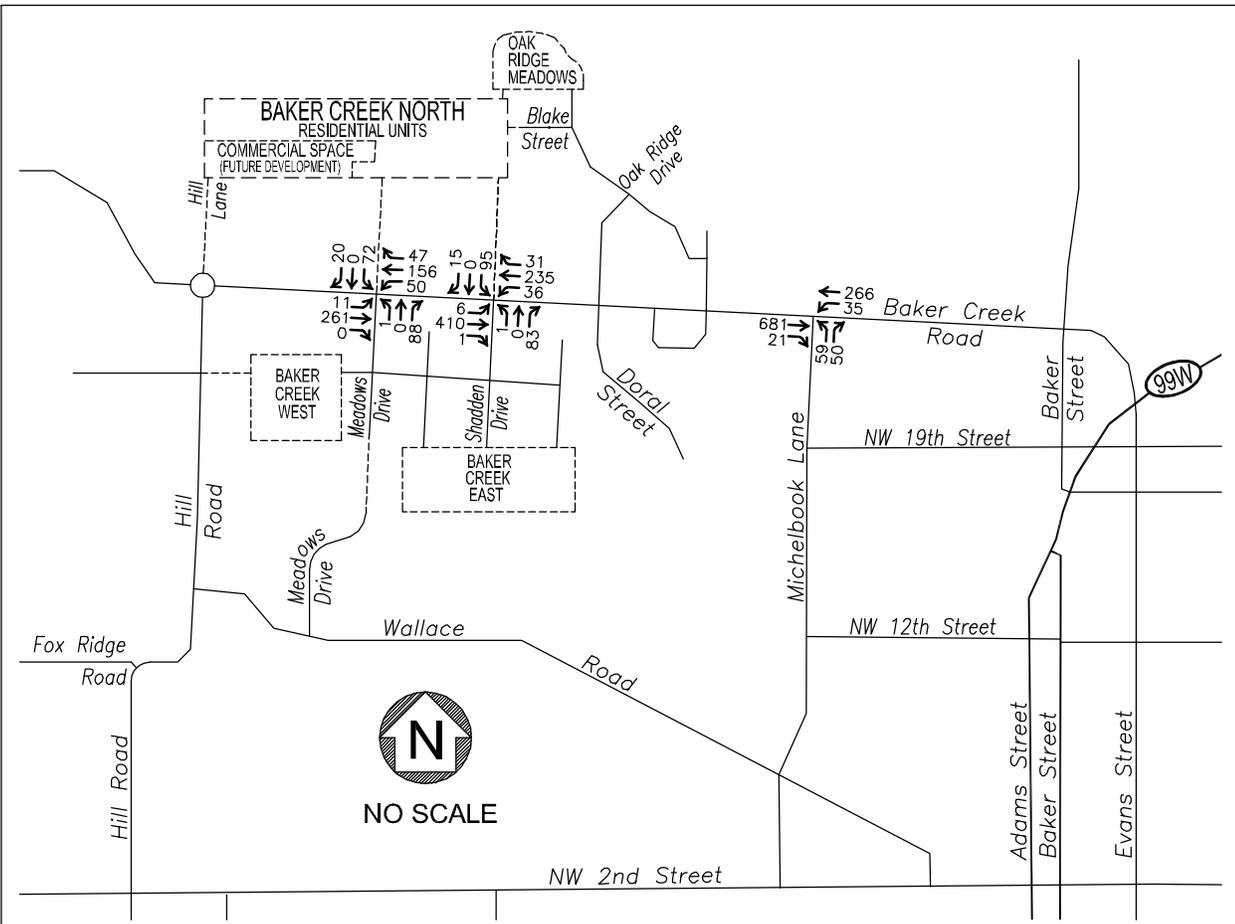
PLOT DATE: 07.26.19



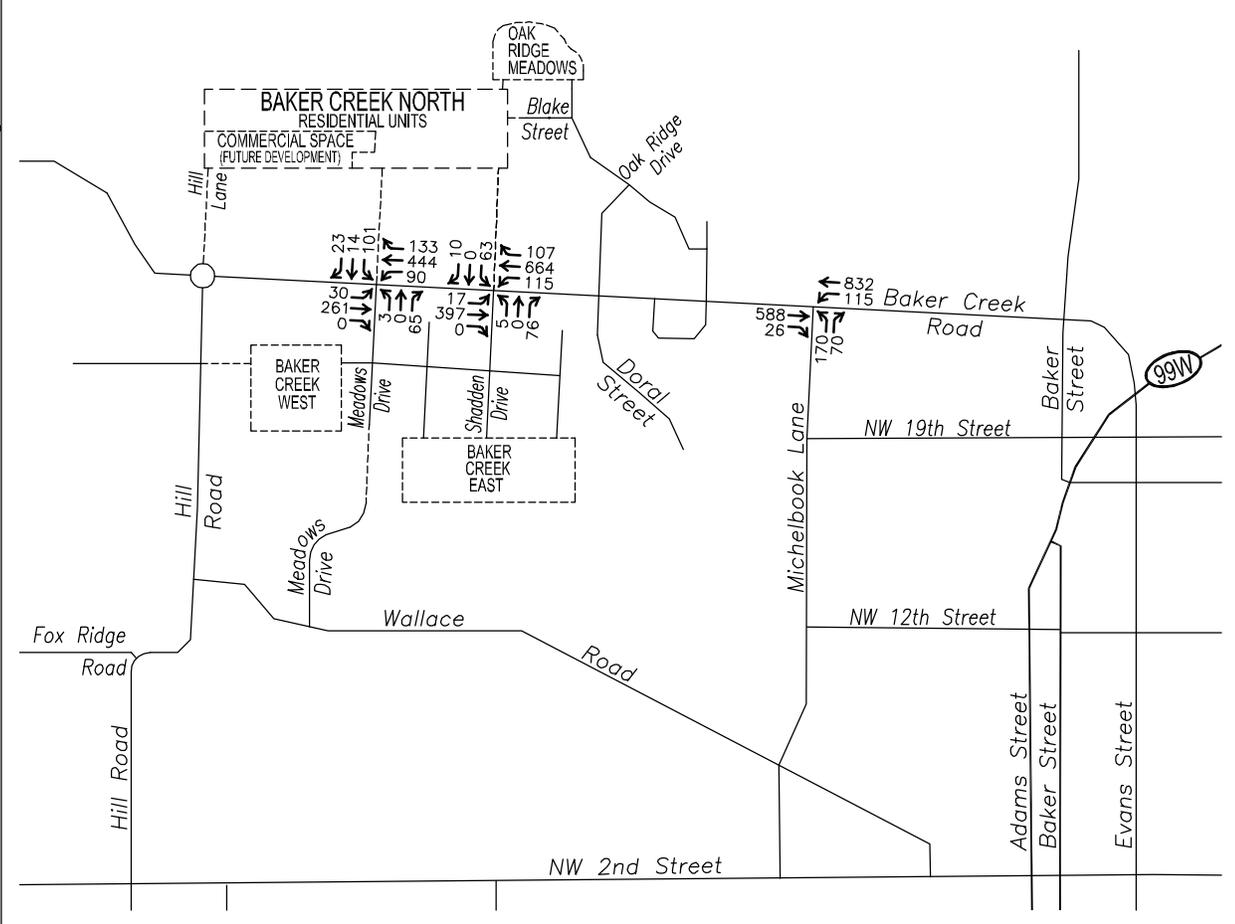
AM  
PEAK  
HOUR



PM  
PEAK  
HOUR



AM  
PEAK  
HOUR



PM  
PEAK  
HOUR

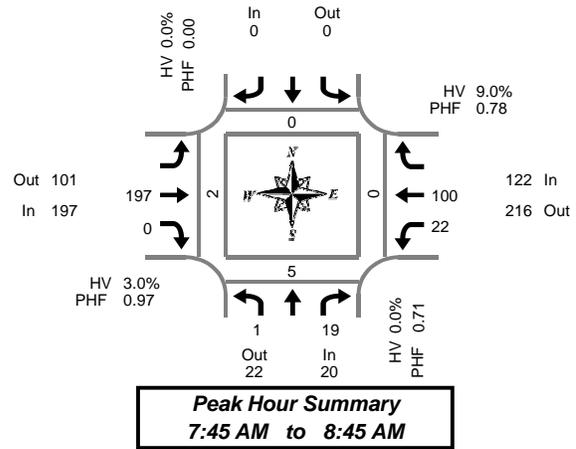
FILE NAME: 1932flow.dwg

PLOT DATE: 07.26.19

# Total Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Meadows Dr & NW Baker Creek Rd

Wednesday, July 10, 2019  
7:00 AM to 9:00 AM

### 15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Meadows Dr				Southbound NW Meadows Dr				Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L		R	Bikes				Bikes	T	R	Bikes	L	T		Bikes		North	South	East	West
7:00 AM	0		9	0				0	30	1	0	3	14		0	0	2	0	0	
7:15 AM	0		9	0				0	35	1	0	0	15		0	0	2	0	0	
7:30 AM	1		6	0				0	50	0	0	3	19		0	0	5	0	0	
7:45 AM	0		6	0				0	51	0	0	5	34		0	0	0	0	0	
8:00 AM	0		3	0				0	50	0	0	9	18		0	0	1	0	0	
8:15 AM	0		4	0				0	45	0	0	4	23		0	0	2	0	0	
8:30 AM	1		6	0				0	51	0	0	4	25		0	0	2	0	2	
8:45 AM	1		6	0				0	33	0	0	4	32		0	0	1	0	0	
Total Survey	3		49	0				0	345	2	0	32	180		0	0	15	0	2	

### Peak Hour Summary

7:45 AM to 8:45 AM

By Approach	Northbound NW Meadows Dr				Southbound NW Meadows Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	20	22	42	0	0	0	0	0	197	101	298	0	122	216	338	0	0	5	0	2	
%HV	0.0%				0.0%				3.0%				9.0%				5.0%				
PHF	0.71				0.00				0.97				0.78				0.88				

By Movement	Northbound NW Meadows Dr				Southbound NW Meadows Dr				Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd				Total			
	L		R	Total				Total	T	R	Total	L	T		Total				
Volume	1		19	20				0	197	0	197	22	100		122				
%HV	0.0%	NA	0.0%	0.0%	NA	NA	NA	0.0%	NA	3.0%	0.0%	3.0%	9.1%	9.0%	NA	9.0%	5.0%		
PHF	0.25		0.79	0.71				0.00	0.97	0.00	0.97	0.61	0.74		0.78	0.88			

### Rolling Hour Summary

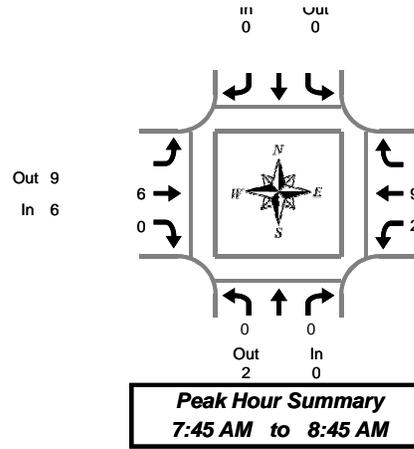
7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Meadows Dr				Southbound NW Meadows Dr				Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L		R	Bikes				Bikes	T	R	Bikes	L	T		Bikes		North	South	East	West
7:00 AM	1		30	0				0	166	2	0	11	82		0	0	9	0	0	
7:15 AM	1		24	0				0	186	1	0	17	86		0	0	8	0	0	
7:30 AM	1		19	0				0	196	0	0	21	94		0	0	8	0	0	
7:45 AM	1		19	0				0	197	0	0	22	100		0	0	5	0	2	
8:00 AM	2		19	0				0	179	0	0	21	98		0	0	6	0	2	

# Heavy Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Meadows Dr & NW Baker Creek Rd

Wednesday, July 10, 2019  
7:00 AM to 9:00 AM

### Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Meadows Dr			Southbound NW Meadows Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	0	0			0	0	0	0	1	0	1	1
7:15 AM	0	0	0			0	1	0	1	0	2	2	3
7:30 AM	0	0	0			0	0	0	0	0	0	0	0
7:45 AM	0	0	0			0	0	0	0	0	4	4	4
8:00 AM	0	0	0			0	4	0	4	1	1	2	6
8:15 AM	0	0	0			0	0	0	0	1	3	4	4
8:30 AM	0	0	0			0	2	0	2	0	1	1	3
8:45 AM	0	0	0			0	1	0	1	0	4	4	5
Total Survey	0	0	0			0	8	0	8	3	15	18	26

### Heavy Vehicle Peak Hour Summary 7:45 AM to 8:45 AM

By Approach	Northbound NW Meadows Dr			Southbound NW Meadows Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	2	2	0	0	0	6	9	15	11	6	17	17
PHF	0.00			0.00			0.25			0.28			0.30

By Movement	Northbound NW Meadows Dr			Southbound NW Meadows Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	0	0	0			0	6	0	6	2	9	11	17
PHF	0.00	0.00	0.00			0.00	0.25	0.00	0.25	0.25	0.28	0.28	0.30

### Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Meadows Dr			Southbound NW Meadows Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	0	0			0	1	0	1	1	6	7	8
7:15 AM	0	0	0			0	5	0	5	1	7	8	13
7:30 AM	0	0	0			0	4	0	4	2	8	10	14
7:45 AM	0	0	0			0	6	0	6	2	9	11	17
8:00 AM	0	0	0			0	7	0	7	2	9	11	18

# Peak Hour Summary



Clay Carney  
(503) 833-2740

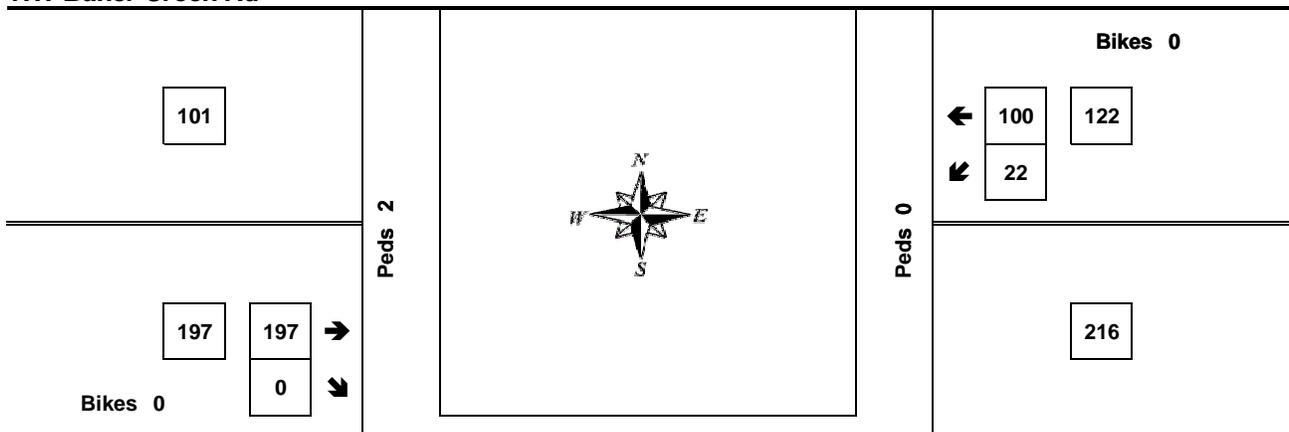
## NW Meadows Dr & NW Baker Creek Rd

7:45 AM to 8:45 AM  
Wednesday, July 10, 2019

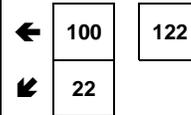
Bikes  
0

**NW Baker Creek Rd**

Peds 0

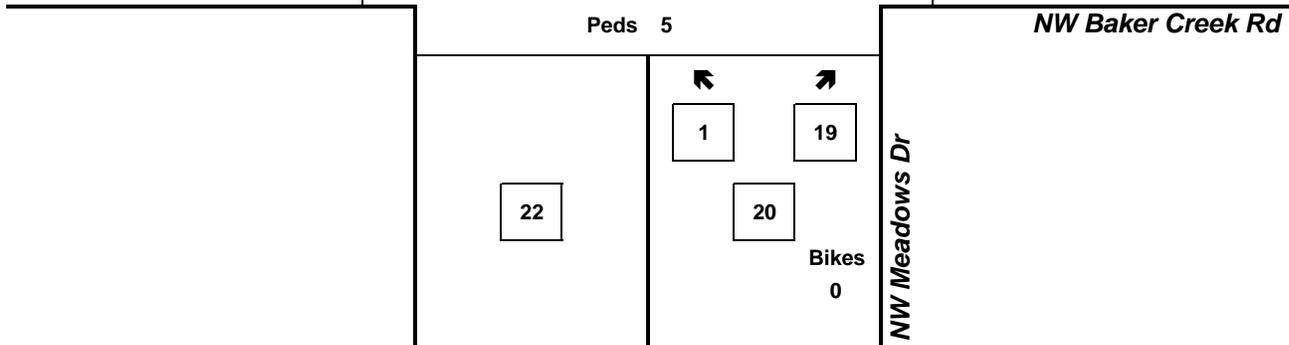


Bikes 0



**NW Baker Creek Rd**

Peds 5



**NW Meadows Dr**

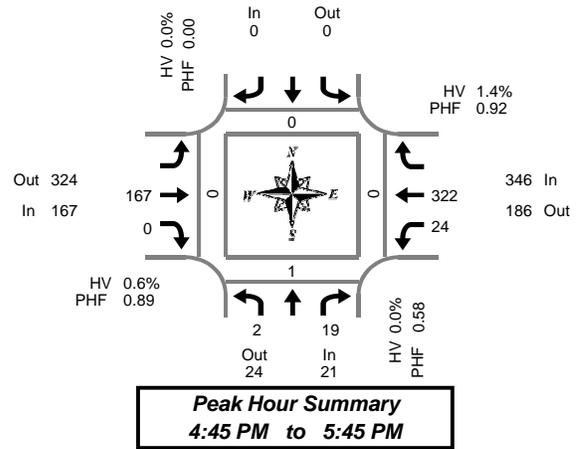
Approach	PHF	HV%	Volume
EB	0.97	3.0%	197
WB	0.78	9.0%	122
NB	0.71	0.0%	20
SB	0.00	0.0%	0
<b>Intersection</b>	<b>0.88</b>	<b>5.0%</b>	<b>339</b>

Count Period: 7:00 AM to 9:00 AM

# Total Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Meadows Dr & NW Baker Creek Rd

Tuesday, July 09, 2019  
4:00 PM to 6:00 PM

### 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Meadows Dr				Southbound NW Meadows Dr				Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total	Pedestrians Crosswalk			
	L		R	Bikes				Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	0		3	0				0	38	3	0	8	60	0	112	0	0	0	0
4:15 PM	0		6	0				0	52	0	0	7	70	0	135	0	2	0	0
4:30 PM	2		4	0				0	44	1	0	3	62	0	116	0	0	0	0
4:45 PM	1		8	0				0	47	0	0	5	76	0	137	0	1	0	0
5:00 PM	0		3	0				0	41	0	0	4	90	0	138	0	0	0	0
5:15 PM	0		4	0				0	39	0	0	8	82	0	133	0	0	0	0
5:30 PM	1		4	0				0	40	0	0	7	74	0	126	0	0	0	0
5:45 PM	0		6	0				0	39	1	0	11	80	0	137	0	0	0	0
Total Survey	4		38	0				0	340	5	0	53	594	0	1,034	0	3	0	0

### Peak Hour Summary 4:45 PM to 5:45 PM

By Approach	Northbound NW Meadows Dr				Southbound NW Meadows Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	21	24	45	0	0	0	0	0	167	324	491	0	346	186	532	0	0	1	0	0	0
%HV	0.0%				0.0%				0.6%				1.4%				1.1%				
PHF	0.58				0.00				0.89				0.92				0.97				

By Movement	Northbound NW Meadows Dr				Southbound NW Meadows Dr				Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	L		R	Total				Total	T	R	Total	L	T	Total	
Volume	2		19	21				0	167	0	167	24	322	346	
%HV	0.0%	NA	0.0%	0.0%	NA	NA	NA	0.0%	NA	0.6%	0.0%	0.6%	0.0%	1.6%	1.4%
PHF	0.50		0.59	0.58				0.00	0.89	0.00	0.89	0.75	0.89	0.92	

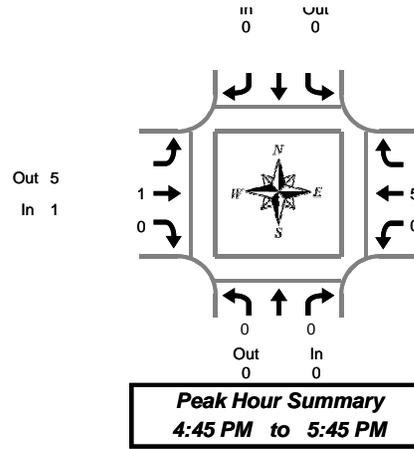
### Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Meadows Dr				Southbound NW Meadows Dr				Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total	Pedestrians Crosswalk			
	L		R	Bikes				Bikes	T	R	Bikes	L	T	Bikes		North	South	East	West
4:00 PM	3		21	0				0	181	4	0	23	268	0	500	0	3	0	0
4:15 PM	3		21	0				0	184	1	0	19	298	0	526	0	3	0	0
4:30 PM	3		19	0				0	171	1	0	20	310	0	524	0	1	0	0
4:45 PM	2		19	0				0	167	0	0	24	322	0	534	0	1	0	0
5:00 PM	1		17	0				0	159	1	0	30	326	0	534	0	0	0	0

# Heavy Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Meadows Dr & NW Baker Creek Rd

Tuesday, July 09, 2019  
4:00 PM to 6:00 PM

### Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Meadows Dr			Southbound NW Meadows Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	1	0	1	0	0	0	1
4:15 PM	0	0	0			0	3	0	3	0	1	1	4
4:30 PM	0	0	0			0	1	0	1	0	0	0	1
4:45 PM	0	0	0			0	1	0	1	0	4	4	5
5:00 PM	0	0	0			0	0	0	0	0	0	0	0
5:15 PM	0	0	0			0	0	0	0	0	0	0	0
5:30 PM	0	0	0			0	0	0	0	0	1	1	1
5:45 PM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	0	0	0			0	6	0	6	0	6	6	12

### Heavy Vehicle Peak Hour Summary 4:45 PM to 5:45 PM

By Approach	Northbound NW Meadows Dr			Southbound NW Meadows Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	0	0	0	1	5	6	5	1	6	6
PHF	0.00			0.00			0.05			0.25			0.15

By Movement	Northbound NW Meadows Dr			Southbound NW Meadows Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	0	0	0			0	1	0	1	0	5	5	6
PHF	0.00	0.00	0.00			0.00	0.05	0.00	0.05	0.00	0.25	0.25	0.15

### Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Meadows Dr			Southbound NW Meadows Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	6	0	6	0	5	5	11
4:15 PM	0	0	0			0	5	0	5	0	5	5	10
4:30 PM	0	0	0			0	2	0	2	0	4	4	6
4:45 PM	0	0	0			0	1	0	1	0	5	5	6
5:00 PM	0	0	0			0	0	0	0	0	1	1	1

# Peak Hour Summary



Clay Carney  
(503) 833-2740

## NW Meadows Dr & NW Baker Creek Rd

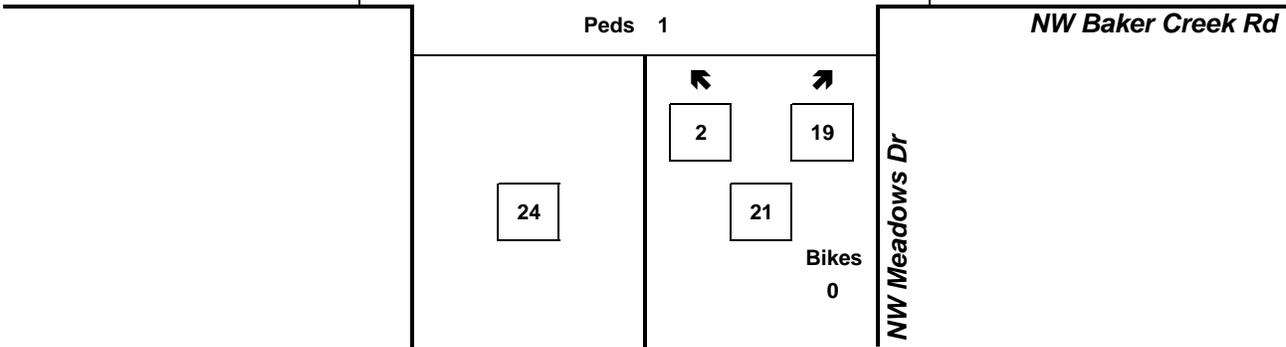
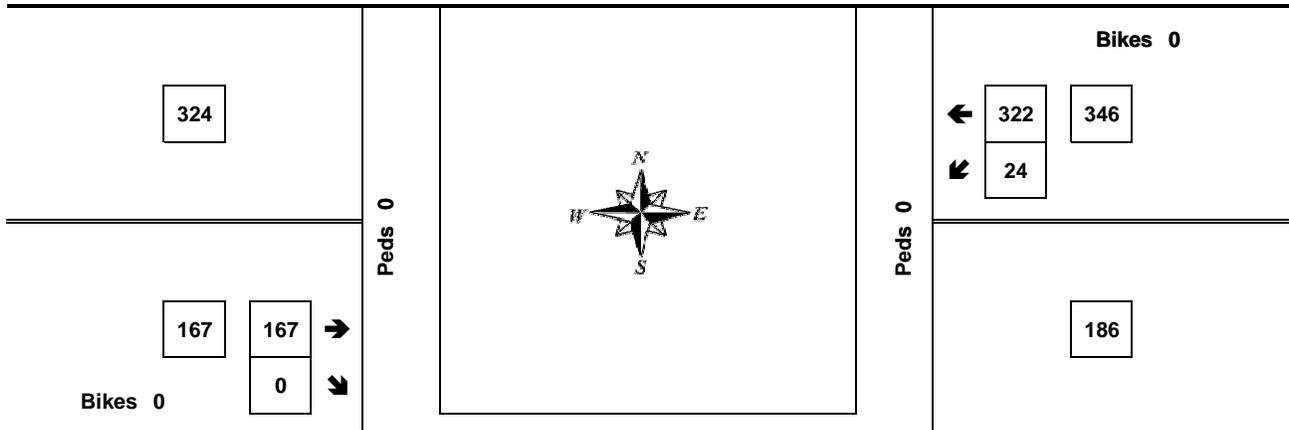
4:45 PM to 5:45 PM

Tuesday, July 09, 2019

Bikes  
0

**NW Baker Creek Rd**

Peds 0



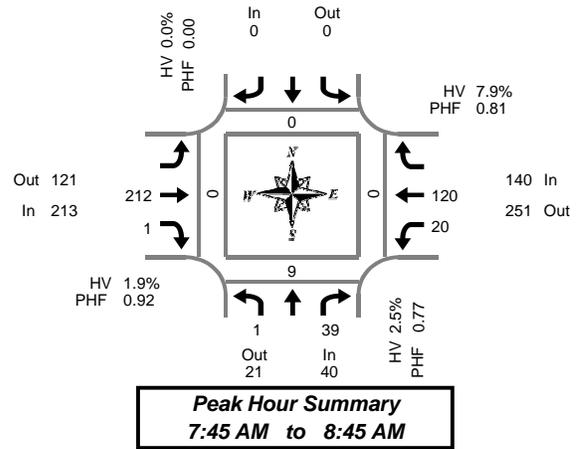
Approach	PHF	HV%	Volume
EB	0.89	0.6%	167
WB	0.92	1.4%	346
NB	0.58	0.0%	21
SB	0.00	0.0%	0
<b>Intersection</b>	<b>0.97</b>	<b>1.1%</b>	<b>534</b>

Count Period: 4:00 PM to 6:00 PM

# Total Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Shadden Dr & NW Baker Creek Rd

Wednesday, July 10, 2019  
7:00 AM to 9:00 AM

**Peak Hour Summary**  
7:45 AM to 8:45 AM

### 15-Minute Interval Summary

7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Shadden Dr				Southbound NW Shadden Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L	R	Bikes				Bikes		T	R	Bikes		L	T	Bikes			North	South	East	West
7:00 AM	0	5	0				0		40	0	0		3	17	0		0	3	0	0	0
7:15 AM	0	11	0				0		45	0	0		6	15	0		0	2	0	0	0
7:30 AM	0	12	0				0		55	0	0		2	22	0		0	5	0	0	0
7:45 AM	0	10	0				0		58	0	0		5	38	0		0	4	0	0	0
8:00 AM	0	8	0				0		53	0	0		5	28	0		0	3	0	0	0
8:15 AM	0	13	0				0		47	1	0		5	27	0		0	0	0	0	0
8:30 AM	1	8	0				0		54	0	0		5	27	1		0	2	0	0	0
8:45 AM	0	6	0				0		42	0	0		3	36	0		0	2	1	0	0
Total Survey	1	73	0				0		394	1	0		34	210	1		0	21	1	0	0

### Peak Hour Summary

7:45 AM to 8:45 AM

By Approach	Northbound NW Shadden Dr				Southbound NW Shadden Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	40	21	61	0	0	0	0	0	213	121	334	0	140	251	391	1	0	9	0	0	0
%HV	2.5%				0.0%				1.9%				7.9%				4.1%				
PHF	0.77				0.00				0.92				0.81				0.89				

By Movement	Northbound NW Shadden Dr				Southbound NW Shadden Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total
	L	R	Total				Total		T	R	Total		L	T	Total		
Volume	1	39	40				0		212	1	213		20	120	140		393
%HV	0.0%	NA	2.6%	2.5%	NA	NA	NA	0.0%	NA	1.9%	0.0%	1.9%	5.0%	8.3%	NA	7.9%	4.1%
PHF	0.25	0.75	0.77				0.00		0.91	0.25	0.92		1.00	0.79	0.81		0.89

### Rolling Hour Summary

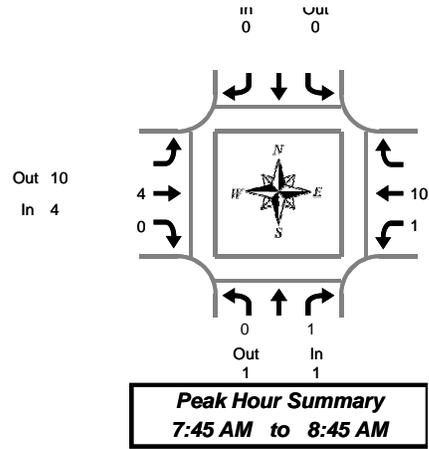
7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Shadden Dr				Southbound NW Shadden Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L	R	Bikes				Bikes		T	R	Bikes		L	T	Bikes			North	South	East	West
7:00 AM	0	38	0				0		198	0	0		16	92	0		0	14	0	0	0
7:15 AM	0	41	0				0		211	0	0		18	103	0		0	14	0	0	0
7:30 AM	0	43	0				0		213	1	0		17	115	0		0	12	0	0	0
7:45 AM	1	39	0				0		212	1	0		20	120	1		0	9	0	0	0
8:00 AM	1	35	0				0		196	1	0		18	118	1		0	7	1	0	0

# Heavy Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Shadden Dr & NW Baker Creek Rd

Wednesday, July 10, 2019  
7:00 AM to 9:00 AM

### Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Shadden Dr			Southbound NW Shadden Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	0	0			0	0	0	0	2	1	3	3
7:15 AM	0	1	1			0	1	0	1	1	2	3	5
7:30 AM	0	0	0			0	0	0	0	0	0	0	0
7:45 AM	0	0	0			0	0	0	0	0	3	3	3
8:00 AM	0	0	0			0	3	0	3	0	2	2	5
8:15 AM	0	0	0			0	0	0	0	1	4	5	5
8:30 AM	0	1	1			0	1	0	1	0	1	1	3
8:45 AM	0	1	1			0	1	0	1	0	5	5	7
Total Survey	0	3	3			0	6	0	6	4	18	22	31

### Heavy Vehicle Peak Hour Summary 7:45 AM to 8:45 AM

By Approach	Northbound NW Shadden Dr			Southbound NW Shadden Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	1	1	2	0	0	0	4	10	14	11	5	16	16
PHF	0.13			0.00			0.25			0.25			0.27

By Movement	Northbound NW Shadden Dr			Southbound NW Shadden Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	0	1	1			0	4	0	4	1	10	11	16
PHF	0.00	0.13	0.13			0.00	0.25	0.00	0.25	0.08	0.25	0.25	0.27

### Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Shadden Dr			Southbound NW Shadden Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	1	1			0	1	0	1	3	6	9	11
7:15 AM	0	1	1			0	4	0	4	1	7	8	13
7:30 AM	0	0	0			0	3	0	3	1	9	10	13
7:45 AM	0	1	1			0	4	0	4	1	10	11	16
8:00 AM	0	2	2			0	5	0	5	1	12	13	20

# Peak Hour Summary



Clay Carney  
(503) 833-2740

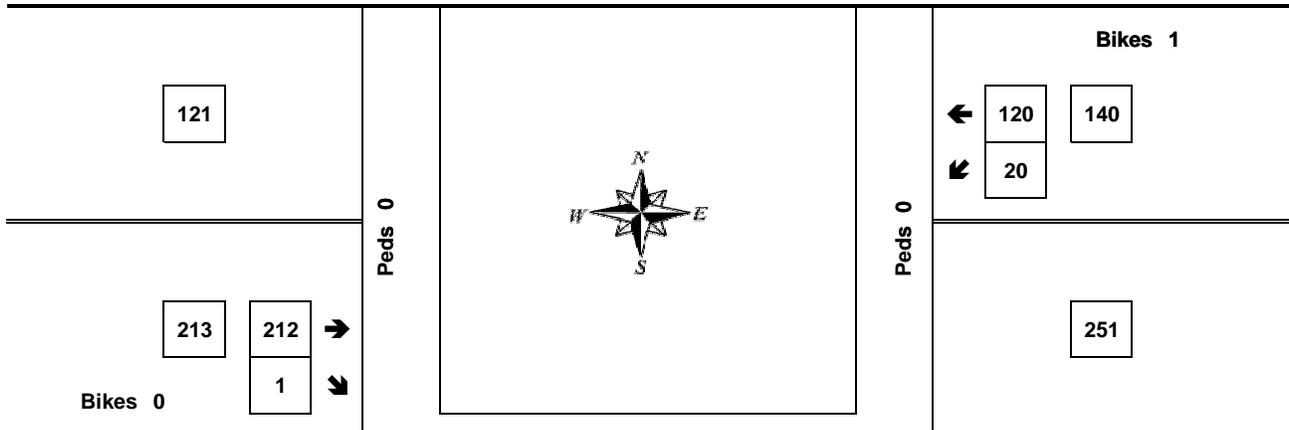
## NW Shadden Dr & NW Baker Creek Rd

7:45 AM to 8:45 AM  
Wednesday, July 10, 2019

Bikes  
0

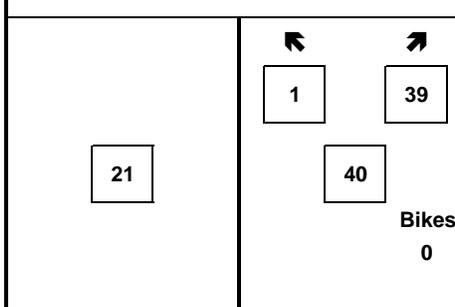
**NW Baker Creek Rd**

Peds 0



Peds 9

**NW Baker Creek Rd**



**NW Shadden Dr**

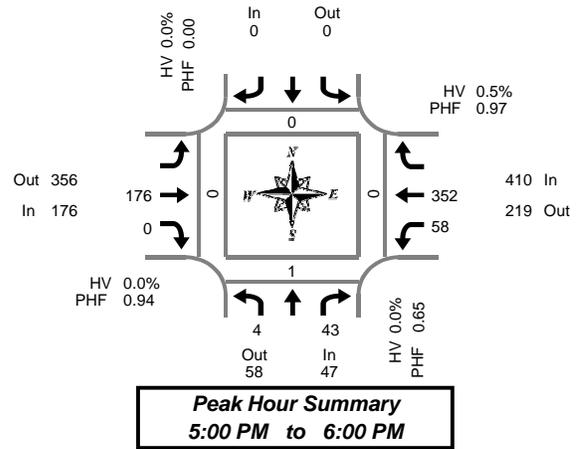
Approach	PHF	HV%	Volume
EB	0.92	1.9%	213
WB	0.81	7.9%	140
NB	0.77	2.5%	40
SB	0.00	0.0%	0
<b>Intersection</b>	<b>0.89</b>	<b>4.1%</b>	<b>393</b>

Count Period: 7:00 AM to 9:00 AM

# Total Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Shadden Dr & NW Baker Creek Rd

Tuesday, July 09, 2019  
4:00 PM to 6:00 PM

### 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Shadden Dr				Southbound NW Shadden Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L	R	Bikes				Bikes			T	R	Bikes	L	T	Bikes	North		South	East	West	
4:00 PM	0	12	0				0			42	0	0	15	67	0	0	0	0	0		
4:15 PM	1	9	0				0			58	0	0	20	77	0	0	0	0	0		
4:30 PM	0	7	0				0			50	0	0	15	64	0	0	0	0	0		
4:45 PM	0	9	0				0			56	1	0	14	81	1	0	0	0	0		
5:00 PM	0	11	0				0			43	0	0	12	94	0	0	0	0	0		
5:15 PM	2	10	0				0			41	0	0	12	87	0	0	0	0	0		
5:30 PM	1	5	0				0			47	0	0	19	81	0	0	0	0	0		
5:45 PM	1	17	0				0			45	0	0	15	90	0	0	0	0	0		
Total Survey	5	80	0				0			382	1	0	122	641	1	0	0	0	0		

### Peak Hour Summary 5:00 PM to 6:00 PM

By Approach	Northbound NW Shadden Dr				Southbound NW Shadden Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	47	58	105	0	0	0	0	0	176	356	532	0	410	219	629	0	0	0	0	0	
%HV	0.0%				0.0%				0.0%				0.5%				0.3%				
PHF	0.65				0.00				0.94				0.97				0.94				

By Movement	Northbound NW Shadden Dr				Southbound NW Shadden Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total
	L	R	Total	Bikes			Total	Bikes	T	R	Total	Bikes	L	T	Total	Bikes	
Volume	4	43	47	0			0			176	0	176	58	352	410	0	
%HV	0.0%	NA	0.0%	0.0%	NA	NA	NA	0.0%	NA	0.0%	0.0%	0.0%	0.0%	0.6%	NA	0.3%	
PHF	0.50	0.63	0.65				0.00			0.94	0.00	0.94	0.76	0.94	0.97	0.94	

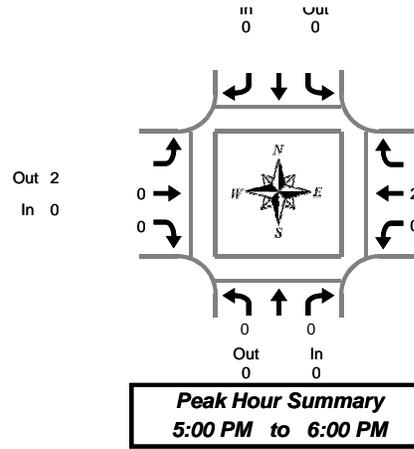
### Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Shadden Dr				Southbound NW Shadden Dr				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L	R	Bikes				Bikes			T	R	Bikes	L	T	Bikes	North		South	East	West	
4:00 PM	1	37	0				0			206	1	0	64	289	1	598	0	4	0	0	
4:15 PM	1	36	0				0			207	1	0	61	316	1	622	0	4	0	0	
4:30 PM	2	37	0				0			190	1	0	53	326	1	609	0	4	0	0	
4:45 PM	3	35	0				0			187	1	0	57	343	1	626	0	2	0	0	
5:00 PM	4	43	0				0			176	0	0	58	352	0	633	0	1	0	0	

# Heavy Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Shadden Dr & NW Baker Creek Rd

Tuesday, July 09, 2019  
4:00 PM to 6:00 PM

### Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Shadden Dr			Southbound NW Shadden Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	1	0	1	0	0	0	1
4:15 PM	0	0	0			0	3	0	3	0	1	1	4
4:30 PM	0	0	0			0	1	0	1	0	0	0	1
4:45 PM	0	0	0			0	1	0	1	0	4	4	5
5:00 PM	0	0	0			0	0	0	0	0	0	0	0
5:15 PM	0	0	0			0	0	0	0	0	0	0	0
5:30 PM	0	0	0			0	0	0	0	0	2	2	2
5:45 PM	0	0	0			0	0	0	0	0	0	0	0
Total Survey	0	0	0			0	6	0	6	0	7	7	13

### Heavy Vehicle Peak Hour Summary 5:00 PM to 6:00 PM

By Approach	Northbound NW Shadden Dr			Southbound NW Shadden Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	0	0	0	0	0	0	2	2	2	0	2	2
PHF	0.00			0.00			0.00	0.00	0.00	0.00	0.10		0.05

By Movement	Northbound NW Shadden Dr			Southbound NW Shadden Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	0	0	0			0	0	0	0	0	2	2	2
PHF	0.00	0.00	0.00			0.00	0.00	0.00	0.00	0.00	0.10	0.10	0.05

### Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Shadden Dr			Southbound NW Shadden Dr			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	6	0	6	0	5	5	11
4:15 PM	0	0	0			0	5	0	5	0	5	5	10
4:30 PM	0	0	0			0	2	0	2	0	4	4	6
4:45 PM	0	0	0			0	1	0	1	0	6	6	7
5:00 PM	0	0	0			0	0	0	0	0	2	2	2

# Peak Hour Summary



Clay Carney  
(503) 833-2740

## NW Shadden Dr & NW Baker Creek Rd

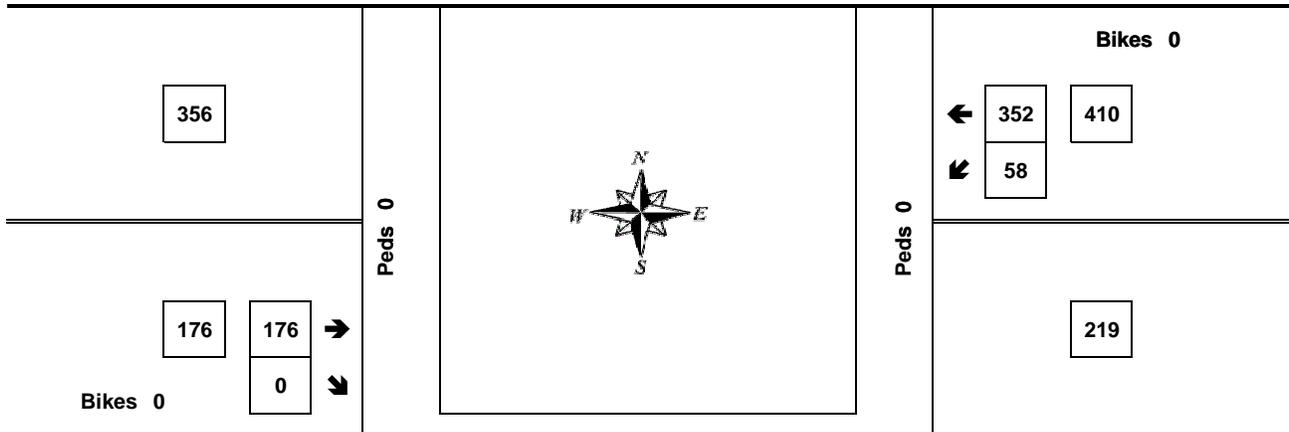
5:00 PM to 6:00 PM

Tuesday, July 09, 2019

Bikes  
0

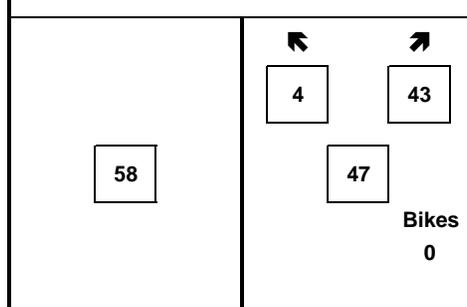
**NW Baker Creek Rd**

Peds 0



Peds 1

**NW Baker Creek Rd**



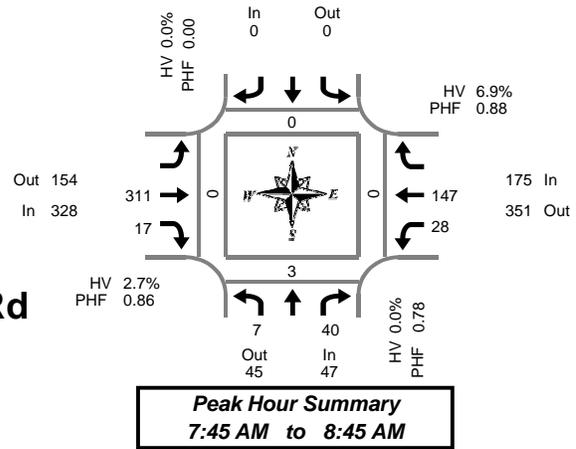
Approach	PHF	HV%	Volume
EB	0.94	0.0%	176
WB	0.97	0.5%	410
NB	0.65	0.0%	47
SB	0.00	0.0%	0
<b>Intersection</b>	<b>0.94</b>	<b>0.3%</b>	<b>633</b>

Count Period: 4:00 PM to 6:00 PM

# Total Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Michelbrook Ln & NW Baker Creek Rd

Wednesday, July 10, 2019  
7:00 AM to 9:00 AM

### 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Michelbrook Ln				Southbound NW Michelbrook Ln				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L	R	Bikes				Bikes		T	R	Bikes		L	T	Bikes			North	South	East	West
7:00 AM	3	7	0				0		54	1	0		2	19	0		0	0	0	0	
7:15 AM	0	7	0				0		61	3	0		5	22	0		0	2	0	0	
7:30 AM	0	8	0				0		68	3	0		5	28	0		0	4	0	0	
7:45 AM	0	13	0				0		91	4	0		3	42	0		0	0	0	0	
8:00 AM	3	8	0				0		65	4	0		8	35	0		0	2	0	0	
8:15 AM	2	6	0				0		73	3	0		7	30	0		0	0	0	0	
8:30 AM	2	13	0				0		82	6	0		10	40	0		0	1	0	0	
8:45 AM	2	12	0				0		60	8	0		4	46	0		0	2	0	0	
Total Survey	12	74	0				0		554	32	0		44	262	0		0	11	0	0	

### Peak Hour Summary 7:45 AM to 8:45 AM

By Approach	Northbound NW Michelbrook Ln				Southbound NW Michelbrook Ln				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	47	45	92	0	0	0	0	0	328	154	482	0	175	351	526	0	550	0	3	0	0
%HV	0.0%				0.0%				2.7%				6.9%				3.8%				
PHF	0.78				0.00				0.86				0.88				0.90				

By Movement	Northbound NW Michelbrook Ln				Southbound NW Michelbrook Ln				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total				
	L	R	Total				Total		T	R	Total		L	T	Total						
Volume	7	40	47				0		311	17	328		28	147	175		550				
%HV	0.0%	NA	0.0%	0.0%	NA	NA	NA	0.0%	NA	2.6%	5.9%	2.7%	10.7%	6.1%	NA	6.9%	3.8%				
PHF	0.58		0.77	0.78			0.00		0.85	0.71	0.86		0.70	0.88	0.88		0.90				

### Rolling Hour Summary 7:00 AM to 9:00 AM

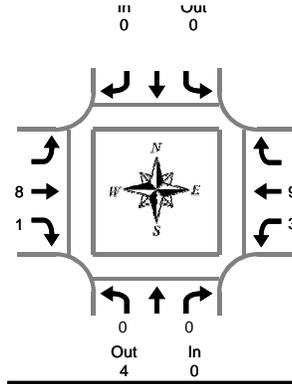
Interval Start Time	Northbound NW Michelbrook Ln				Southbound NW Michelbrook Ln				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L	R	Bikes				Bikes		T	R	Bikes		L	T	Bikes			North	South	East	West
7:00 AM	3	35	0				0		274	11	0		15	111	0		449	0	6	0	0
7:15 AM	3	36	0				0		285	14	0		21	127	0		486	0	8	0	0
7:30 AM	5	35	0				0		297	14	0		23	135	0		509	0	6	0	0
7:45 AM	7	40	0				0		311	17	0		28	147	0		550	0	3	0	0
8:00 AM	9	39	0				0		280	21	0		29	151	0		529	0	5	0	0

# Heavy Vehicle Summary



Clay Carney  
(503) 833-2740

Out 9  
In 9



**Peak Hour Summary**  
**7:45 AM to 8:45 AM**

## NW Michelbrook Ln & NW Baker Creek Rd

Wednesday, July 10, 2019  
7:00 AM to 9:00 AM

### Heavy Vehicle 15-Minute Interval Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Michelbrook Ln			Southbound NW Michelbrook Ln			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	0	0			0	0	0	0	0	3	3	3
7:15 AM	0	1	1			0	2	0	2	0	2	2	5
7:30 AM	0	1	1			0	1	0	1	1	0	1	3
7:45 AM	0	0	0			0	0	0	0	1	2	3	3
8:00 AM	0	0	0			0	6	0	6	0	3	3	9
8:15 AM	0	0	0			0	0	0	0	1	3	4	4
8:30 AM	0	0	0			0	2	1	3	1	1	2	5
8:45 AM	0	0	0			0	3	1	4	0	4	4	8
Total Survey	0	2	2			0	14	2	16	4	18	22	40

### Heavy Vehicle Peak Hour Summary 7:45 AM to 8:45 AM

By Approach	Northbound NW Michelbrook Ln			Southbound NW Michelbrook Ln			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	0	4	4	0	0	0	9	9	18	12	8	20	21
PHF	0.00			0.00			0.25			0.30			0.29

By Movement	Northbound NW Michelbrook Ln			Southbound NW Michelbrook Ln			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	0	0	0			0	8	1	9	3	9	12	21
PHF	0.00	0.00	0.00			0.00	0.25	0.13	0.25	0.38	0.28	0.30	0.29

### Heavy Vehicle Rolling Hour Summary 7:00 AM to 9:00 AM

Interval Start Time	Northbound NW Michelbrook Ln			Southbound NW Michelbrook Ln			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
7:00 AM	0	2	2			0	3	0	3	2	7	9	14
7:15 AM	0	2	2			0	9	0	9	2	7	9	20
7:30 AM	0	1	1			0	7	0	7	3	8	11	19
7:45 AM	0	0	0			0	8	1	9	3	9	12	21
8:00 AM	0	0	0			0	11	2	13	2	11	13	26

# Peak Hour Summary



Clay Carney  
(503) 833-2740

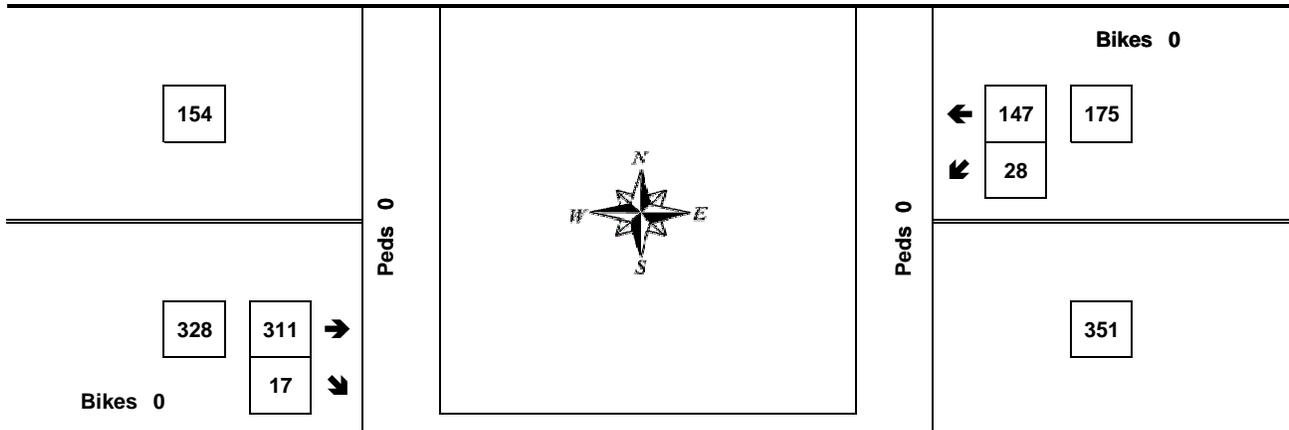
## NW Michelbrook Ln & NW Baker Creek Rd

7:45 AM to 8:45 AM  
Wednesday, July 10, 2019

Bikes  
0

**NW Baker Creek Rd**

Peds 0

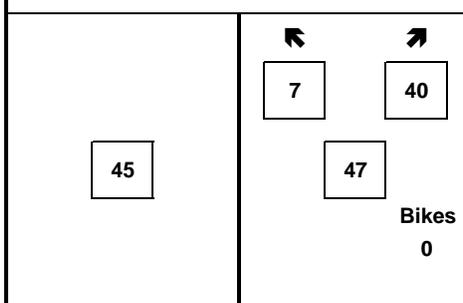


Bikes 0

Bikes 0

Peds 3

**NW Baker Creek Rd**



Bikes  
0

NW Michelbrook  
Ln

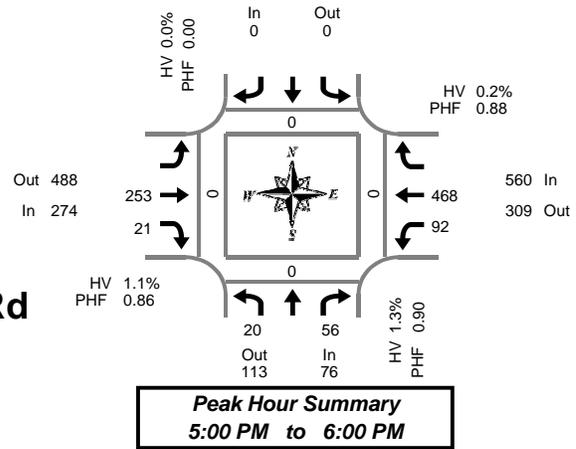
Approach	PHF	HV%	Volume
EB	0.86	2.7%	328
WB	0.88	6.9%	175
NB	0.78	0.0%	47
SB	0.00	0.0%	0
<b>Intersection</b>	<b>0.90</b>	<b>3.8%</b>	<b>550</b>

Count Period: 7:00 AM to 9:00 AM

# Total Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Michelbrook Ln & NW Baker Creek Rd

Tuesday, July 09, 2019  
4:00 PM to 6:00 PM

### 15-Minute Interval Summary

4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Michelbrook Ln				Southbound NW Michelbrook Ln				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L	R	Bikes				Bikes		T	R	Bikes		L	T	Bikes			North	South	East	West
4:00 PM	7	14	0				0		67	5	0		22	88	0		0	0	0	0	
4:15 PM	7	15	0				0		64	3	0		16	108	0		0	0	0	0	
4:30 PM	8	15	0				0		63	3	0		19	93	0		0	0	0	0	
4:45 PM	1	20	1				0		67	6	0		24	114	0		0	1	0	0	
5:00 PM	3	16	1				0		56	6	0		28	131	0		0	0	0	0	
5:15 PM	4	13	0				0		59	5	0		25	107	0		0	0	0	0	
5:30 PM	9	12	0				0		62	6	0		20	107	0		0	0	0	0	
5:45 PM	4	15	1				0		76	4	0		19	123	0		0	0	0	0	
Total Survey	43	120	3				0		514	38	0		173	871	0		0	1	0	0	

### Peak Hour Summary

5:00 PM to 6:00 PM

By Approach	Northbound NW Michelbrook Ln				Southbound NW Michelbrook Ln				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total	Pedestrians Crosswalk			
	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes	In	Out	Total	Bikes		North	South	East	West
Volume	76	113	189	2	0	0	0	0	274	488	762	0	560	309	869	0	0	0	0	0	
%HV	1.3%				0.0%				1.1%				0.2%				0.5%				
PHF	0.90				0.00				0.86				0.88				0.94				

By Movement	Northbound NW Michelbrook Ln				Southbound NW Michelbrook Ln				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Total
	L	R	Total				Total		T	R	Total		L	T	Total		
Volume	20	56	76				0		253	21	274		92	468	560		
%HV	0.0%	NA	1.8%	1.3%	NA	NA	NA	0.0%	NA	1.2%	0.0%	1.1%	1.1%	0.0%	NA	0.2%	0.5%
PHF	0.56		0.88	0.90			0.00		0.83	0.88	0.86		0.82	0.89	0.88	0.94	

### Rolling Hour Summary

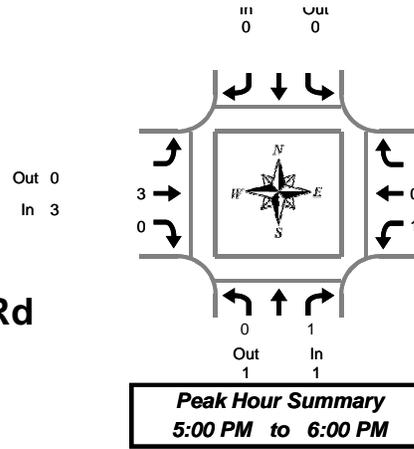
4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Michelbrook Ln				Southbound NW Michelbrook Ln				Eastbound NW Baker Creek Rd				Westbound NW Baker Creek Rd				Interval Total	Pedestrians Crosswalk			
	L	R	Bikes				Bikes		T	R	Bikes		L	T	Bikes			North	South	East	West
4:00 PM	23	64	1				0		261	17	0		81	403	0		0	1	0	0	
4:15 PM	19	66	2				0		250	18	0		87	446	0		0	1	0	0	
4:30 PM	16	64	2				0		245	20	0		96	445	0		0	1	0	0	
4:45 PM	17	61	2				0		244	23	0		97	459	0		0	1	0	0	
5:00 PM	20	56	2				0		253	21	0		92	468	0		0	0	0	0	

# Heavy Vehicle Summary



Clay Carney  
(503) 833-2740



## NW Michelbrook Ln & NW Baker Creek Rd

Tuesday, July 09, 2019  
4:00 PM to 6:00 PM

### Heavy Vehicle 15-Minute Interval Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Michelbrook Ln			Southbound NW Michelbrook Ln			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	2	1	3	0	0	0	3
4:15 PM	0	0	0			0	2	0	2	0	1	1	3
4:30 PM	0	0	0			0	1	0	1	0	0	0	1
4:45 PM	0	0	0			0	1	0	1	0	2	2	3
5:00 PM	0	1	1			0	0	0	0	0	0	0	1
5:15 PM	0	0	0			0	1	0	1	1	0	1	2
5:30 PM	0	0	0			0	0	0	0	0	0	0	0
5:45 PM	0	0	0			0	2	0	2	0	0	0	2
Total Survey	0	1	1			0	9	1	10	1	3	4	15

### Heavy Vehicle Peak Hour Summary 5:00 PM to 6:00 PM

By Approach	Northbound NW Michelbrook Ln			Southbound NW Michelbrook Ln			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Volume	1	1	2	0	0	0	3	0	3	1	4	5	5
PHF	0.25			0.00			0.13			0.08			0.18

By Movement	Northbound NW Michelbrook Ln			Southbound NW Michelbrook Ln			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Total
	L	R	Total			Total	T	R	Total	L	T	Total	
Volume	0	1	1			0	3	0	3	1	0	1	5
PHF	0.00	0.25	0.25			0.00	0.15	0.00	0.13	0.25	0.00	0.08	0.18

### Heavy Vehicle Rolling Hour Summary 4:00 PM to 6:00 PM

Interval Start Time	Northbound NW Michelbrook Ln			Southbound NW Michelbrook Ln			Eastbound NW Baker Creek Rd			Westbound NW Baker Creek Rd			Interval Total
	L	R	Total			Total	T	R	Total	L	T	Total	
4:00 PM	0	0	0			0	6	1	7	0	3	3	10
4:15 PM	0	1	1			0	4	0	4	0	3	3	8
4:30 PM	0	1	1			0	3	0	3	1	2	3	7
4:45 PM	0	1	1			0	2	0	2	1	2	3	6
5:00 PM	0	1	1			0	3	0	3	1	0	1	5

# Peak Hour Summary



Clay Carney  
(503) 833-2740

## NW Michelbrook Ln & NW Baker Creek Rd

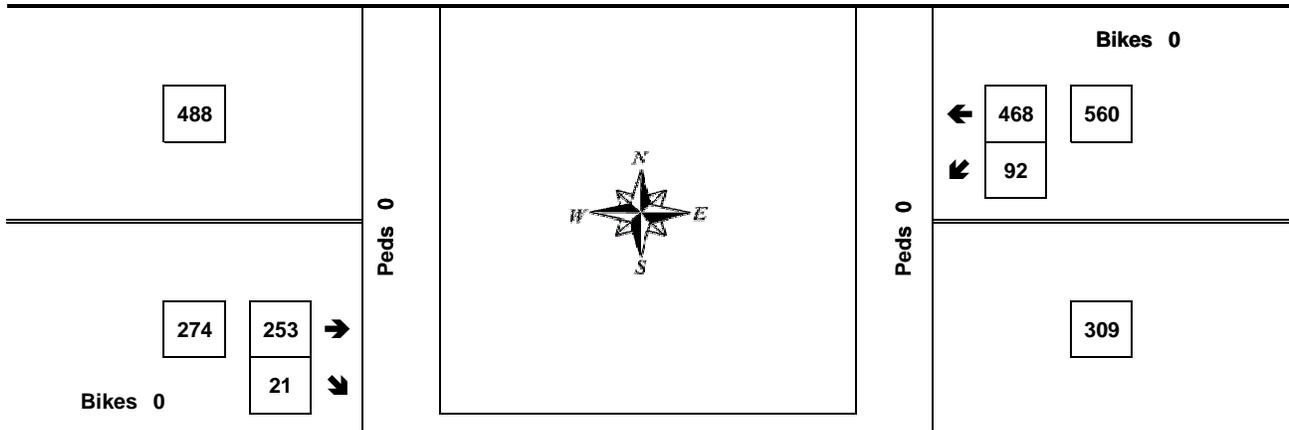
5:00 PM to 6:00 PM

Tuesday, July 09, 2019

Bikes  
0

**NW Baker Creek Rd**

Peds 0



**NW Baker Creek Rd**

Peds 0

**NW Michelbrook Ln**

Approach	PHF	HV%	Volume
EB	0.86	1.1%	274
WB	0.88	0.2%	560
NB	0.90	1.3%	76
SB	0.00	0.0%	0
<b>Intersection</b>	<b>0.94</b>	<b>0.5%</b>	<b>910</b>

Count Period: 4:00 PM to 6:00 PM

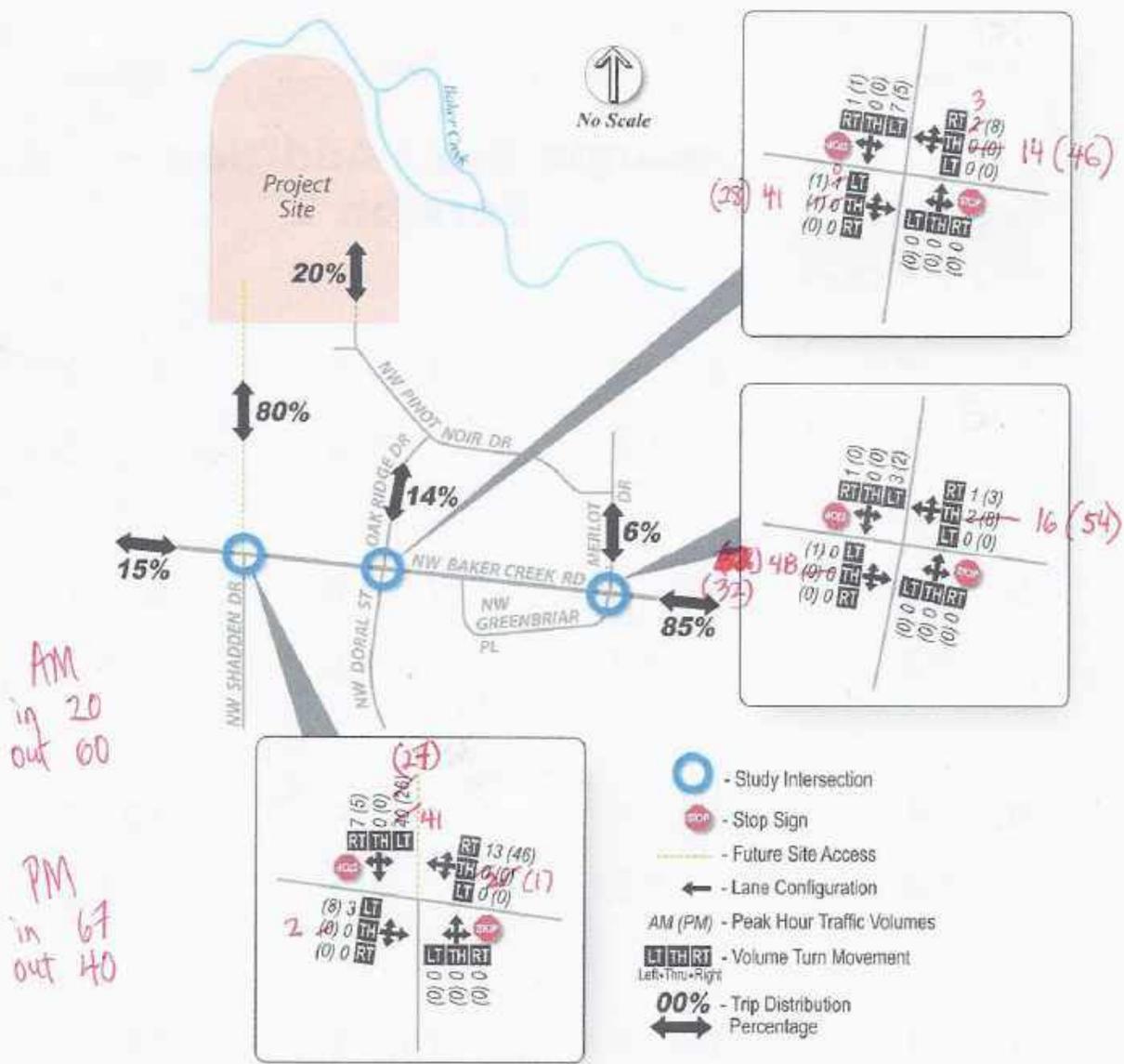


Figure 4: Final Build Trip Distribution and Project Trips

### Interim Build Traffic Volumes and Operating Conditions

Future operating conditions were analyzed at the study intersections for the interim build scenario (without the NW Shadden Drive connection). Interim build traffic volumes at the study intersection are the sum of the existing traffic volumes and the project trips. The interim build traffic volumes are shown in Figure 5.



**Table 1. Projected trip generation for Baker Creek East.**

ITE Land Use	Units (#)	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
<i>Single-Family (#210)</i>	<b>61</b>							
Generation Rate <sup>1</sup>		9.44	0.74	25%	75%	0.99	63%	37%
Site Trips		<b>576</b>	<b>45</b>	11	34	<b>60</b>	38	22

<sup>1</sup> Source: *Trip Generation*, 10th Edition, ITE, 2017, average rates.

**Table 1. Projected trip generation for Baker Creek West.**

ITE Land Use	Units (#)	Weekday						
		ADT	AM Peak Hour			PM Peak Hour		
			Total	Enter	Exit	Total	Enter	Exit
<i>Single-Family (#210)</i>	<b>111</b>							
Generation Rate <sup>1</sup>		9.44	0.74	25%	75%	0.99	63%	37%
Site Trips		<b>1,048</b>	<b>82</b>	21	61	<b>110</b>	69	41
<i>Apartment (#220)</i>	<b>70</b>							
Generation Rate <sup>1</sup>		7.32	0.46	23%	77%	0.56	63%	37%
Site Trips		<b>512</b>	<b>32</b>	7	25	<b>39</b>	25	14
<b>Total Trips</b>		<b>1,560</b>	<b>114</b>	28	86	<b>149</b>	94	55

<sup>1</sup> Source: *Trip Generation*, 10th Edition, ITE, 2017, average rates.

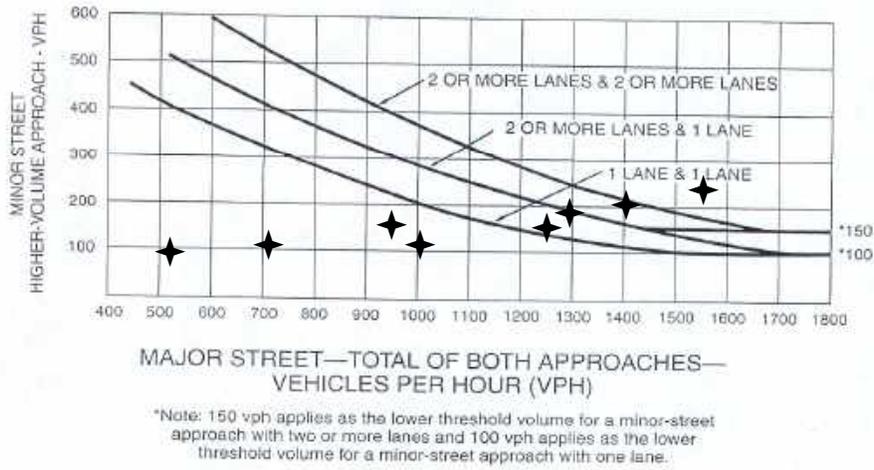








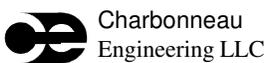
Figure 4C-3. Warrant 3, Peak Hour



**Peak hour volume warrant for signalization data.**

Intersection	Analysis Period	Major Street Speed (mph)	Major Street		Minor Street High Volume Approach		Signal Warranted?
			Volume (vph)	Lanes (#)	Volume (vph)	Lanes (#)	
Meadows Drive and Baker Creek Drive	2029 Total Traffic - AM Peak	35	525	2	92	1	No
	2029 Total Traffic - PM Peak		958		155		No
Shadden Lane and Baker Creek Drive	2029 Total Traffic - AM Peak	35	719	2	110	1	No
	2029 Total Traffic - PM Peak		1,300		81		No
Michelbook Lane and Baker Creek Drive	2029 Total Traffic - AM Peak	30	1,003	2	109	2	No
	2029 Total Traffic - PM Peak		1,561		240		Yes
	2029 Bkgd Traffic - PM Peak		1,254		151		No
	2029 Total Traffic (no Retail) - PM Peak		1,409		204		No

Source: Manual on Uniform Traffic Control Devices (MUTCD), 2003 Edition.



WILL TRAVEL TO/FROM SOUTH ON HILL ROAD

AN



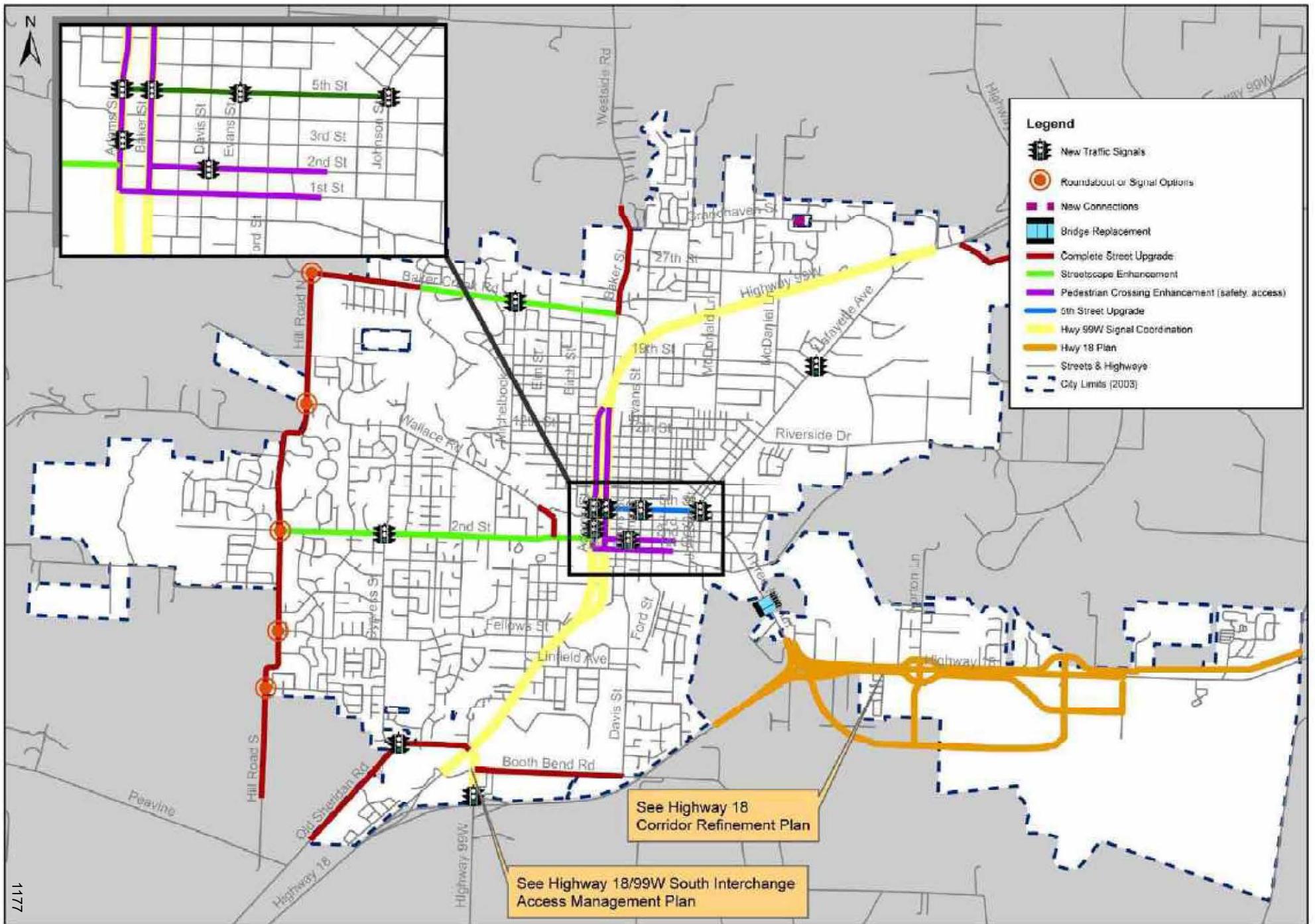
### Flow Bundles

Link bars  
 Volume flow bundle PrT [veh] (AP)  
 0 31 62 124

Zones  
 [White box]

Chart  
 [Yellow triangle] Origin traffic flow bundle PrT [veh] (AP)  
 [Purple triangle] Destination traffic flow bundle PrT [veh] (AP)

Scaling  
 [Concentric circles]  
 500  
 250  
 125



1177

## Transportation System Management

Transportation System Management (TSM) programs are designed to increase the usefulness and efficiency of existing facilities and systems through low cost improvements. TSM programs fitting McMinnville’s needs include: traffic signal timing and coordination projects and neighborhood traffic calming program. Each TSM measure or program is discussed in this section.

### Traffic Signal Timing and Coordination

Traffic signal systems must be retimed or upgraded periodically as growth occurs to ensure optimal operations at intersections, improve safety, meet city standards, and refresh or replace software.

In partial response to higher accident rates on Highway 99W at the McDonald Street and McDaniel Lane intersections, ODOT has programmed in its Statewide Transportation Improvement Program (STIP) for year 2010 the installation of median traffic separators and traffic signal interconnect equipment to better coordinate the two existing traffic signals. The City of McMinnville is also underway with re-designing the 3<sup>rd</sup> Street/Johnson Street traffic signal to better accommodate emerging traffic trends.

The City should coordinate with ODOT and encourage State assistance in the expansion of ODOT’s new signal interconnect system for Highway 99W in the following sections:

- **One-way couplet** section along Adams and Baker Streets, between 2<sup>nd</sup> Street and 12<sup>th</sup> Street; *integrated with the City’s downtown street signals on 3<sup>rd</sup> Street and new signals proposed on 5<sup>th</sup> Street (at Adams, Baker and Lafayette) and 2<sup>nd</sup> Street (at Davis)*
- **South McMinnville** – between new signal at the Highway 18 off-ramp to Fellows Drive

The City and ODOT should conduct further assessment to determine if these signal systems best work independently or as a single system.

The signal system upgrades and re-timings will help reduce traffic delay, improve operations, and increase safety for motorists and pedestrians. Reduced delay will also save motorists time, reduce fuel consumption, and reduce pollution and harmful particulate matter. Improvements to the communication equipment will aid traffic operations and vehicle detection.



Traffic Signal at 3<sup>rd</sup> & Johnson

The City of McMinnville should continue to coordinate with ODOT and review signals and signal timing plans and put in place a plan whereby signals are evaluated on a regular basis.

### Intersection & Signal Improvements

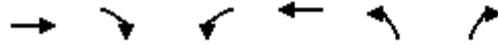
Some of McMinnville’s street corridors require minor improvements with new traffic signal control to help reduce congestion and vehicle emissions and increase safety. Intersection improvements can help reduce traffic delay at major cross-streets and relieve street system queuing and vehicle emissions, and improve pedestrian access.

Based on continued city-wide traffic growth, new traffic signals are either already warranted or likely to meet future warrants at the following intersections:

- Lafayette / Orchard (planned for completion in 2009)
- 5<sup>th</sup> Street at Adams (2010) and Baker (2010)
- 2<sup>nd</sup> Street / Davis Street (2013)
- Baker Creek Rd at Michelbook (2023) and Hill Rd (2023)
- Wallace Rd / Hill Rd (2023)
- West 2<sup>nd</sup> Street at Hill Rd (2023) and Cypress (2023)

Lanes, Volumes, Timings  
 1: Meadows Drive & Baker Creek Road

2019 Existing Traffic, AM Peak Hour  
 07/20/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Traffic Volume (vph)	197	0	22	100	1	19
Future Volume (vph)	197	0	22	100	1	19
Confl. Peds. (#/hr)		5	5		2	
Peak Hour Factor	0.88	0.88	0.88	0.88	0.88	0.88
Heavy Vehicles (%)	3%	3%	9%	9%	0%	0%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

**Intersection Summary**

Control Type: Unsignalized

Intersection Capacity Utilization 27.5% ICU Level of Service A

Analysis Period (min) 15

**Intersection**

Int Delay, s/veh 1.1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	197	0	22	100	1	19
Future Vol, veh/h	197	0	22	100	1	19
Conflicting Peds, #/hr	0	5	5	0	2	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	88	88	88	88	88	88
Heavy Vehicles, %	3	3	9	9	0	0
Mvmt Flow	224	0	25	114	1	22

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	229	0	395
Stage 1	-	-	-	-	229
Stage 2	-	-	-	-	166
Critical Hdwy	-	-	4.19	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.281	-	3.5
Pot Cap-1 Maneuver	-	-	1299	-	614
Stage 1	-	-	-	-	814
Stage 2	-	-	-	-	868
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1293	-	598
Mov Cap-2 Maneuver	-	-	-	-	651
Stage 1	-	-	-	-	810
Stage 2	-	-	-	-	850

Approach	EB	WB	NB
HCM Control Delay, s	0	1.4	9.6
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	801	-	-	1293	-
HCM Lane V/C Ratio	0.028	-	-	0.019	-
HCM Control Delay (s)	9.6	-	-	7.8	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0.1	-

Lanes, Volumes, Timings  
 2: Shadden Drive & Baker Creek Road

2019 Existing Traffic, AM Peak Hour  
 07/20/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Traffic Volume (vph)	212	1	20	120	1	39
Future Volume (vph)	212	1	20	120	1	39
Confl. Peds. (#/hr)		9	9			
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles (%)	2%	2%	8%	8%	3%	3%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

**Intersection Summary**

Control Type: Unsignalized  
 Intersection Capacity Utilization 26.6% ICU Level of Service A  
 Analysis Period (min) 15

**Intersection**

Int Delay, s/veh 1.4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	212	1	20	120	1	39
Future Vol, veh/h	212	1	20	120	1	39
Conflicting Peds, #/hr	0	9	9	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	89	89	89	89	89	89
Heavy Vehicles, %	2	2	8	8	3	3
Mvmt Flow	238	1	22	135	1	44

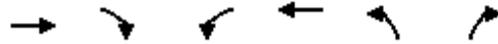
Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	248	0	427 248
Stage 1	-	-	-	-	248 -
Stage 2	-	-	-	-	179 -
Critical Hdwy	-	-	4.18	-	6.43 6.23
Critical Hdwy Stg 1	-	-	-	-	5.43 -
Critical Hdwy Stg 2	-	-	-	-	5.43 -
Follow-up Hdwy	-	-	2.272	-	3.527 3.327
Pot Cap-1 Maneuver	-	-	1283	-	583 788
Stage 1	-	-	-	-	791 -
Stage 2	-	-	-	-	850 -
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1272	-	568 781
Mov Cap-2 Maneuver	-	-	-	-	628 -
Stage 1	-	-	-	-	784 -
Stage 2	-	-	-	-	836 -

Approach	EB	WB	NB
HCM Control Delay, s	0	1.1	9.9
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	776	-	-	1272	-
HCM Lane V/C Ratio	0.058	-	-	0.018	-
HCM Control Delay (s)	9.9	-	-	7.9	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-

Lanes, Volumes, Timings  
 3: Michelbook Lane & Baker Creek Road

2019 Existing Traffic, AM Peak Hour  
 07/20/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Traffic Volume (vph)	311	17	28	147	7	40
Future Volume (vph)	311	17	28	147	7	40
Confl. Peds. (#/hr)		3	3			
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	3%	3%	7%	7%	0%	0%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

**Intersection Summary**

Control Type: Unsignalized

Intersection Capacity Utilization 33.3% ICU Level of Service A

Analysis Period (min) 15

Intersection						
Int Delay, s/veh	1.3					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	311	17	28	147	7	40
Future Vol, veh/h	311	17	28	147	7	40
Conflicting Peds, #/hr	0	3	3	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	3	3	7	7	0	0
Mvmt Flow	346	19	31	163	8	44

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	368	0	584
Stage 1	-	-	-	-	359
Stage 2	-	-	-	-	225
Critical Hdwy	-	-	4.17	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.263	-	3.5
Pot Cap-1 Maneuver	-	-	1163	-	477
Stage 1	-	-	-	-	711
Stage 2	-	-	-	-	817
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1160	-	463
Mov Cap-2 Maneuver	-	-	-	-	552
Stage 1	-	-	-	-	709
Stage 2	-	-	-	-	795

Approach	EB	WB	NB
HCM Control Delay, s	0	1.3	10.9
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	664	-	-	1160	-
HCM Lane V/C Ratio	0.079	-	-	0.027	-
HCM Control Delay (s)	10.9	-	-	8.2	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.3	-	-	0.1	-

Lanes, Volumes, Timings  
 1: Meadows Drive & Baker Creek Road

2019 Existing Traffic, PM Peak Hour  
 07/21/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	167	0	24	322	2	19
Future Volume (vph)	167	0	24	322	2	19
Confl. Peds. (#/hr)		1	1			
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Heavy Vehicles (%)	1%	1%	1%	1%	0%	0%
Shared Lane Traffic (%)						
Sign Control	Free		Free		Stop	

Intersection Summary	
Control Type:	Unsignalized
Intersection Capacity Utilization	26.9% ICU Level of Service A
Analysis Period (min)	15

**Intersection**

Int Delay, s/veh 0.7

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	167	0	24	322	2	19
Future Vol, veh/h	167	0	24	322	2	19
Conflicting Peds, #/hr	0	1	1	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	97	97	97	97	97	97
Heavy Vehicles, %	1	1	1	1	0	0
Mvmt Flow	172	0	25	332	2	20

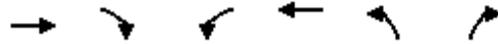
Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	173	0	555
Stage 1	-	-	-	-	173
Stage 2	-	-	-	-	382
Critical Hdwy	-	-	4.11	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.209	-	3.5
Pot Cap-1 Maneuver	-	-	1410	-	496
Stage 1	-	-	-	-	862
Stage 2	-	-	-	-	694
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1409	-	487
Mov Cap-2 Maneuver	-	-	-	-	562
Stage 1	-	-	-	-	861
Stage 2	-	-	-	-	682

Approach	EB	WB	NB
HCM Control Delay, s	0	0.5	9.4
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	831	-	-	1409	-
HCM Lane V/C Ratio	0.026	-	-	0.018	-
HCM Control Delay (s)	9.4	-	-	7.6	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	0.1	-	-	0.1	-

Lanes, Volumes, Timings  
 2: Shadden Drive & Baker Creek Road

2019 Existing Traffic, PM Peak Hour  
 07/21/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	176	0	58	352	4	43
Future Volume (vph)	176	0	58	352	4	43
Confl. Peds. (#/hr)		1	1			
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	0%	0%	1%	1%	0%	0%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

Intersection Summary	
Control Type:	Unsignalized
Intersection Capacity Utilization	28.5% ICU Level of Service A
Analysis Period (min)	15

**Intersection**

Int Delay, s/veh 1.4

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↔	↔	↔
Traffic Vol, veh/h	176	0	58	352	4	43
Future Vol, veh/h	176	0	58	352	4	43
Conflicting Peds, #/hr	0	1	1	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	0	0	1	1	0	0
Mvmt Flow	187	0	62	374	4	46

**Major/Minor**

	Major1	Major2	Minor1		
Conflicting Flow All	0	0	188	0	686
Stage 1	-	-	-	-	188
Stage 2	-	-	-	-	498
Critical Hdwy	-	-	4.11	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.209	-	3.5
Pot Cap-1 Maneuver	-	-	1392	-	416
Stage 1	-	-	-	-	849
Stage 2	-	-	-	-	615
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1391	-	397
Mov Cap-2 Maneuver	-	-	-	-	484
Stage 1	-	-	-	-	848
Stage 2	-	-	-	-	587

**Approach**

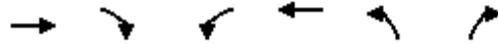
	EB	WB	NB
HCM Control Delay, s	0	1.1	9.8
HCM LOS			A

**Minor Lane/Major Mvmt**

	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	805	-	-	1391	-
HCM Lane V/C Ratio	0.062	-	-	0.044	-
HCM Control Delay (s)	9.8	-	-	7.7	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	0.2	-	-	0.1	-

Lanes, Volumes, Timings  
 3: Michelbook Lane & Baker Creek Road

2019 Existing Traffic, PM Peak Hour  
 07/21/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	253	21	92	468	20	56
Future Volume (vph)	253	21	92	468	20	56
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	1%	1%	0%	0%	1%	1%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

**Intersection Summary**

Control Type: Unsignalized

Intersection Capacity Utilization 35.9% ICU Level of Service A

Analysis Period (min) 15

Intersection						
Int Delay, s/veh	1.8					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	253	21	92	468	20	56
Future Vol, veh/h	253	21	92	468	20	56
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	269	22	98	498	21	60

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	291	0	974 280
Stage 1	-	-	-	-	280 -
Stage 2	-	-	-	-	694 -
Critical Hdwy	-	-	4.1	-	6.41 6.21
Critical Hdwy Stg 1	-	-	-	-	5.41 -
Critical Hdwy Stg 2	-	-	-	-	5.41 -
Follow-up Hdwy	-	-	2.2	-	3.509 3.309
Pot Cap-1 Maneuver	-	-	1282	-	280 761
Stage 1	-	-	-	-	770 -
Stage 2	-	-	-	-	498 -
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1282	-	259 761
Mov Cap-2 Maneuver	-	-	-	-	368 -
Stage 1	-	-	-	-	770 -
Stage 2	-	-	-	-	460 -

Approach	EB	WB	NB
HCM Control Delay, s	0	1.3	12
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	594	-	-	1282	-
HCM Lane V/C Ratio	0.136	-	-	0.076	-
HCM Control Delay (s)	12	-	-	8	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.5	-	-	0.2	-

Lanes, Volumes, Timings  
 1: Meadows Drive & Baker Creek Road

2029 Background Traffic, AM Peak Hour  
 07/26/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Traffic Volume (vph)	249	0	50	134	1	88
Future Volume (vph)	249	0	50	134	1	88
Confl. Peds. (#/hr)		5	5		2	
Peak Hour Factor	0.88	0.88	0.88	0.88	0.88	0.88
Heavy Vehicles (%)	3%	3%	9%	9%	0%	0%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

**Intersection Summary**

Control Type: Unsignalized

Intersection Capacity Utilization 32.0% ICU Level of Service A

Analysis Period (min) 15

**Intersection**

Int Delay, s/veh 2.6

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	249	0	50	134	1	88
Future Vol, veh/h	249	0	50	134	1	88
Conflicting Peds, #/hr	0	5	5	0	2	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	88	88	88	88	88	88
Heavy Vehicles, %	3	3	9	9	0	0
Mvmt Flow	283	0	57	152	1	100

**Major/Minor**

	Major1	Major2	Minor1		
Conflicting Flow All	0	0	288	0	556
Stage 1	-	-	-	-	288
Stage 2	-	-	-	-	268
Critical Hdwy	-	-	4.19	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.281	-	3.5
Pot Cap-1 Maneuver	-	-	1235	-	496
Stage 1	-	-	-	-	766
Stage 2	-	-	-	-	782
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1229	-	470
Mov Cap-2 Maneuver	-	-	-	-	558
Stage 1	-	-	-	-	762
Stage 2	-	-	-	-	744

**Approach**

	EB	WB	NB
HCM Control Delay, s	0	2.2	10.6
HCM LOS			B

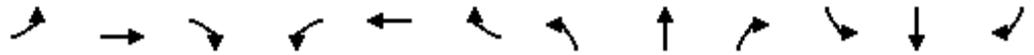
**Minor Lane/Major Mvmt**

	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	749	-	-	1229	-
HCM Lane V/C Ratio	0.135	-	-	0.046	-
HCM Control Delay (s)	10.6	-	-	8.1	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.5	-	-	0.1	-

Lanes, Volumes, Timings  
2: Shadden Drive & Baker Creek Road

2029 Background Traffic, AM Peak Hour

07/26/2019



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Traffic Volume (vph)	3	329	1	36	174	13	1	0	83	41	0	7
Future Volume (vph)	3	329	1	36	174	13	1	0	83	41	0	7
Confl. Peds. (#/hr)			9	9								
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles (%)	2%	2%	2%	8%	8%	8%	3%	3%	3%	2%	2%	2%
Shared Lane Traffic (%)												
Sign Control	Free			Free			Stop			Stop		

**Intersection Summary**

Control Type: Unsignalized

Intersection Capacity Utilization 40.1%

ICU Level of Service A

Analysis Period (min) 15

Intersection												
Int Delay, s/veh	3.2											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↗		↖	↗			↕			↕	
Traffic Vol, veh/h	3	329	1	36	174	13	1	0	83	41	0	7
Future Vol, veh/h	3	329	1	36	174	13	1	0	83	41	0	7
Conflicting Peds, #/hr	0	0	9	9	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None									
Storage Length	100	-	-	100	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	2	2	2	8	8	8	3	3	3	2	2	2
Mvmt Flow	3	370	1	40	196	15	1	0	93	46	0	8

Major/Minor	Major1		Major2		Minor1		Minor2					
Conflicting Flow All	211	0	0	380	0	0	674	677	380	707	670	204
Stage 1	-	-	-	-	-	-	386	386	-	284	284	-
Stage 2	-	-	-	-	-	-	288	291	-	423	386	-
Critical Hdwy	4.12	-	-	4.18	-	-	7.13	6.53	6.23	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.13	5.53	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.13	5.53	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.272	-	-	3.527	4.027	3.327	3.518	4.018	3.318
Pot Cap-1 Maneuver	1360	-	-	1146	-	-	367	373	665	350	378	837
Stage 1	-	-	-	-	-	-	635	608	-	723	676	-
Stage 2	-	-	-	-	-	-	717	670	-	609	610	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1360	-	-	1136	-	-	350	356	659	292	361	837
Mov Cap-2 Maneuver	-	-	-	-	-	-	350	356	-	292	361	-
Stage 1	-	-	-	-	-	-	628	601	-	722	652	-
Stage 2	-	-	-	-	-	-	685	647	-	522	603	-

Approach	EB		WB		NB		SB	
HCM Control Delay, s	0.1		1.3		11.5		18.4	
HCM LOS					B		C	

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	652	1360	-	-	1136	-	-	323
HCM Lane V/C Ratio	0.145	0.002	-	-	0.036	-	-	0.167
HCM Control Delay (s)	11.5	7.7	-	-	8.3	-	-	18.4
HCM Lane LOS	B	A	-	-	A	-	-	C
HCM 95th %tile Q(veh)	0.5	0	-	-	0.1	-	-	0.6

Lanes, Volumes, Timings  
 3: Michelbook Lane & Baker Creek Road

2029 Background Traffic, AM Peak Hour  
 07/26/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Traffic Volume (vph)	538	21	35	217	26	50
Future Volume (vph)	538	21	35	217	26	50
Confl. Peds. (#/hr)		3	3			
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	3%	3%	7%	7%	0%	0%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

**Intersection Summary**

Control Type: Unsignalized

Intersection Capacity Utilization 40.8% ICU Level of Service A

Analysis Period (min) 15

Intersection						
Int Delay, s/veh	1.8					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	538	21	35	217	26	50
Future Vol, veh/h	538	21	35	217	26	50
Conflicting Peds, #/hr	0	3	3	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	3	3	7	7	0	0
Mvmt Flow	598	23	39	241	29	56

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	624	0	932 613
Stage 1	-	-	-	-	613 -
Stage 2	-	-	-	-	319 -
Critical Hdwy	-	-	4.17	-	6.4 6.2
Critical Hdwy Stg 1	-	-	-	-	5.4 -
Critical Hdwy Stg 2	-	-	-	-	5.4 -
Follow-up Hdwy	-	-	2.263	-	3.5 3.3
Pot Cap-1 Maneuver	-	-	933	-	298 496
Stage 1	-	-	-	-	544 -
Stage 2	-	-	-	-	741 -
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	930	-	285 495
Mov Cap-2 Maneuver	-	-	-	-	285 -
Stage 1	-	-	-	-	542 -
Stage 2	-	-	-	-	710 -

Approach	EB	WB	NB
HCM Control Delay, s	0	1.3	16.6
HCM LOS			C

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	395	-	-	930	-
HCM Lane V/C Ratio	0.214	-	-	0.042	-
HCM Control Delay (s)	16.6	-	-	9	-
HCM Lane LOS	C	-	-	A	-
HCM 95th %tile Q(veh)	0.8	-	-	0.1	-

Lanes, Volumes, Timings  
3: Michelbook Lane & Baker Creek Road

2029 Background Traffic, AM Peak Hour  
07/26/2019

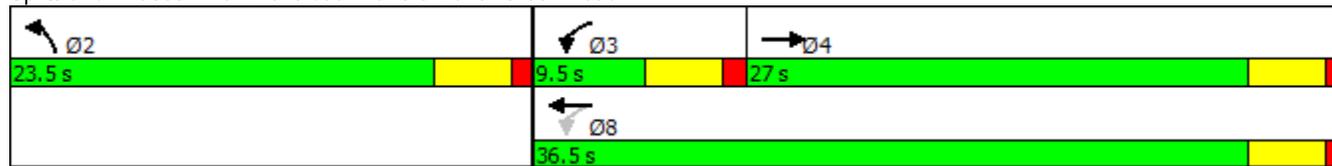


Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↻		↻	↻	↻	
Traffic Volume (vph)	538	21	35	217	26	50
Future Volume (vph)	538	21	35	217	26	50
Confl. Peds. (#/hr)		3	3			
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	3%	3%	7%	7%	0%	0%
Shared Lane Traffic (%)						
Turn Type	NA		pm+pt	NA	Prot	
Protected Phases	4		3	8	2	
Permitted Phases			8			
Detector Phase	4		3	8	2	
Switch Phase						
Minimum Initial (s)	5.0		5.0	5.0	5.0	
Minimum Split (s)	22.5		9.5	22.5	22.5	
Total Split (s)	27.0		9.5	36.5	23.5	
Total Split (%)	45.0%		15.8%	60.8%	39.2%	
Yellow Time (s)	3.5		3.5	3.5	3.5	
All-Red Time (s)	1.0		1.0	1.0	1.0	
Lost Time Adjust (s)	0.0		0.0	0.0	0.0	
Total Lost Time (s)	4.5		4.5	4.5	4.5	
Lead/Lag	Lag		Lead			
Lead-Lag Optimize?	Yes		Yes			
Recall Mode	None		None	None	Min	
Act Effct Green (s)	18.8		21.7	21.7	6.8	
Actuated g/C Ratio	0.49		0.57	0.57	0.18	
v/c Ratio	0.68		0.10	0.24	0.24	
Control Delay	14.1		3.7	4.4	10.8	
Queue Delay	0.0		0.0	0.0	0.0	
Total Delay	14.1		3.7	4.4	10.8	
LOS	B		A	A	B	
Approach Delay	14.1			4.3	10.8	
Approach LOS	B			A	B	

Intersection Summary

Cycle Length: 60  
 Actuated Cycle Length: 38  
 Natural Cycle: 60  
 Control Type: Actuated-Uncoordinated  
 Maximum v/c Ratio: 0.68  
 Intersection Signal Delay: 11.0  
 Intersection Capacity Utilization 41.6%  
 Analysis Period (min) 15  
 Intersection LOS: B  
 ICU Level of Service A

Splits and Phases: 3: Michelbook Lane & Baker Creek Road



	→	↘	↙	←	↖	↗		
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↗		↖	↖	↖	↖		
Traffic Volume (veh/h)	538	21	35	217	26	50		
Future Volume (veh/h)	538	21	35	217	26	50		
Number	4	14	3	8	5	12		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1845	1900	1776	1776	1900	1900		
Adj Flow Rate, veh/h	598	23	39	241	29	56		
Adj No. of Lanes	1	0	1	1	0	0		
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90		
Percent Heavy Veh, %	3	3	7	7	0	0		
Cap, veh/h	793	30	400	1096	77	149		
Arrive On Green	0.45	0.45	0.04	0.62	0.14	0.14		
Sat Flow, veh/h	1765	68	1691	1776	566	1093		
Grp Volume(v), veh/h	0	621	39	241	86	0		
Grp Sat Flow(s),veh/h/ln	0	1832	1691	1776	1679	0		
Q Serve(g_s), s	0.0	10.3	0.4	2.2	1.7	0.0		
Cycle Q Clear(g_c), s	0.0	10.3	0.4	2.2	1.7	0.0		
Prop In Lane		0.04	1.00		0.34	0.65		
Lane Grp Cap(c), veh/h	0	823	400	1096	230	0		
V/C Ratio(X)	0.00	0.75	0.10	0.22	0.37	0.00		
Avail Cap(c_a), veh/h	0	1127	555	1554	872	0		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	0.0	8.4	6.0	3.1	14.4	0.0		
Incr Delay (d2), s/veh	0.0	1.9	0.1	0.1	1.0	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(50%),veh/ln	0.0	5.6	0.2	1.1	0.9	0.0		
LnGrp Delay(d),s/veh	0.0	10.3	6.1	3.2	15.4	0.0		
LnGrp LOS		B	A	A	B			
Approach Vol, veh/h	621			280	86			
Approach Delay, s/veh	10.3			3.6	15.4			
Approach LOS	B			A	B			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2	3	4				8
Phs Duration (G+Y+Rc), s		9.5	6.1	20.9				27.1
Change Period (Y+Rc), s		4.5	4.5	4.5				4.5
Max Green Setting (Gmax), s		19.0	5.0	22.5				32.0
Max Q Clear Time (g_c+l1), s		3.7	2.4	12.3				4.2
Green Ext Time (p_c), s		0.2	0.0	4.1				6.4
<b>Intersection Summary</b>								
HCM 2010 Ctrl Delay			8.9					
HCM 2010 LOS			A					

Lanes, Volumes, Timings  
 1: Meadows Drive & Baker Creek Road

2029 Background Traffic, PM Peak Hour  
 07/26/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	219	0	102	409	3	65
Future Volume (vph)	219	0	102	409	3	65
Confl. Peds. (#/hr)		1	1			
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97
Heavy Vehicles (%)	1%	1%	1%	1%	0%	0%
Shared Lane Traffic (%)						
Sign Control	Free		Free		Stop	

Intersection Summary	
Control Type:	Unsignalized
Intersection Capacity Utilization	32.4% ICU Level of Service A
Analysis Period (min)	15

**Intersection**

Int Delay, s/veh 1.9

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	219	0	102	409	3	65
Future Vol, veh/h	219	0	102	409	3	65
Conflicting Peds, #/hr	0	1	1	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	97	97	97	97	97	97
Heavy Vehicles, %	1	1	1	1	0	0
Mvmt Flow	226	0	105	422	3	67

**Major/Minor**

	Major1	Major2	Minor1		
Conflicting Flow All	0	0	227	0	859
Stage 1	-	-	-	-	227
Stage 2	-	-	-	-	632
Critical Hdwy	-	-	4.11	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.209	-	3.5
Pot Cap-1 Maneuver	-	-	1347	-	329
Stage 1	-	-	-	-	815
Stage 2	-	-	-	-	534
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1346	-	303
Mov Cap-2 Maneuver	-	-	-	-	403
Stage 1	-	-	-	-	814
Stage 2	-	-	-	-	492

**Approach**

	EB	WB	NB
HCM Control Delay, s	0	1.6	10.1
HCM LOS			B

**Minor Lane/Major Mvmt**

	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	781	-	-	1346	-
HCM Lane V/C Ratio	0.09	-	-	0.078	-
HCM Control Delay (s)	10.1	-	-	7.9	-
HCM Lane LOS	B	-	-	A	-
HCM 95th %tile Q(veh)	0.3	-	-	0.3	-

Lanes, Volumes, Timings  
2: Shadden Drive & Baker Creek Road

2029 Background Traffic, PM Peak Hour

07/26/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	8	263	0	115	513	46	5	0	76	27	0	5
Future Volume (vph)	8	263	0	115	513	46	5	0	76	27	0	5
Confl. Peds. (#/hr)			1	1								
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	0%	0%	0%	1%	1%	1%	0%	0%	0%	2%	2%	2%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	

Intersection Summary

Control Type: Unsignalized

Intersection Capacity Utilization 51.6%

ICU Level of Service A

Analysis Period (min) 15

Intersection												
Int Delay, s/veh	2.9											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↗		↖	↗			↕			↕	
Traffic Vol, veh/h	8	263	0	115	513	46	5	0	76	27	0	5
Future Vol, veh/h	8	263	0	115	513	46	5	0	76	27	0	5
Conflicting Peds, #/hr	0	0	1	1	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None									
Storage Length	100	-	-	100	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	94	94	94	94	94	94	94	94	94	94	94	94
Heavy Vehicles, %	0	0	0	1	1	1	0	0	0	2	2	2
Mvmt Flow	9	280	0	122	546	49	5	0	81	29	0	5

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	595	0	0	281	0	0	1116	1138	281	1154	1114	571
Stage 1	-	-	-	-	-	-	299	299	-	815	815	-
Stage 2	-	-	-	-	-	-	817	839	-	339	299	-
Critical Hdwy	4.1	-	-	4.11	-	-	7.1	6.5	6.2	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.12	5.52	-
Follow-up Hdwy	2.2	-	-	2.209	-	-	3.5	4	3.3	3.518	4.018	3.318
Pot Cap-1 Maneuver	991	-	-	1287	-	-	187	203	763	174	208	520
Stage 1	-	-	-	-	-	-	714	670	-	371	391	-
Stage 2	-	-	-	-	-	-	373	384	-	676	666	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	991	-	-	1286	-	-	170	182	762	143	186	520
Mov Cap-2 Maneuver	-	-	-	-	-	-	170	182	-	143	186	-
Stage 1	-	-	-	-	-	-	707	663	-	368	354	-
Stage 2	-	-	-	-	-	-	334	348	-	599	659	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.3	1.4	11.7	33.3
HCM LOS			B	D

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	627	991	-	-	1286	-	-	161
HCM Lane V/C Ratio	0.137	0.009	-	-	0.095	-	-	0.211
HCM Control Delay (s)	11.7	8.7	-	-	8.1	-	-	33.3
HCM Lane LOS	B	A	-	-	A	-	-	D
HCM 95th %tile Q(veh)	0.5	0	-	-	0.3	-	-	0.8

Lanes, Volumes, Timings  
 3: Michelbook Lane & Baker Creek Road

2029 Background Traffic, PM Peak Hour  
 07/26/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	413	26	115	700	81	70
Future Volume (vph)	413	26	115	700	81	70
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	1%	1%	0%	0%	1%	1%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

**Intersection Summary**

Control Type: Unsignalized

Intersection Capacity Utilization 52.3% ICU Level of Service A

Analysis Period (min) 15

**Intersection**

Int Delay, s/veh 7.7

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↑	↔	
Traffic Vol, veh/h	413	26	115	700	81	70
Future Vol, veh/h	413	26	115	700	81	70
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	439	28	122	745	86	74

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	467
Stage 1	-	-	-
Stage 2	-	-	-
Critical Hdwy	-	-	4.1
Critical Hdwy Stg 1	-	-	-
Critical Hdwy Stg 2	-	-	-
Follow-up Hdwy	-	-	2.2
Pot Cap-1 Maneuver	-	-	1105
Stage 1	-	-	-
Stage 2	-	-	-
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	-	1105
Mov Cap-2 Maneuver	-	-	-
Stage 1	-	-	-
Stage 2	-	-	-

Approach	EB	WB	NB
HCM Control Delay, s	0	1.2	65.6
HCM LOS			F

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	206	-	-	1105	-
HCM Lane V/C Ratio	0.78	-	-	0.111	-
HCM Control Delay (s)	65.6	-	-	8.7	-
HCM Lane LOS	F	-	-	A	-
HCM 95th %tile Q(veh)	5.4	-	-	0.4	-

Lanes, Volumes, Timings  
3: Michelbook Lane & Baker Creek Road

2029 Background Traffic, PM Peak Hour  
07/26/2019

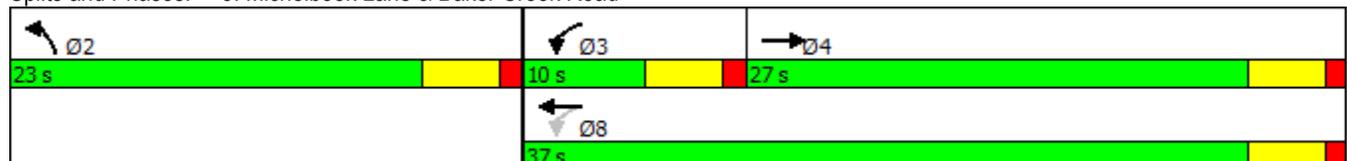


Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↔	↔	
Traffic Volume (vph)	413	26	115	700	81	70
Future Volume (vph)	413	26	115	700	81	70
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	1%	1%	0%	0%	1%	1%
Shared Lane Traffic (%)						
Turn Type	NA		pm+pt	NA	Prot	
Protected Phases	4		3	8	2	
Permitted Phases			8			
Detector Phase	4		3	8	2	
Switch Phase						
Minimum Initial (s)	5.0		5.0	5.0	5.0	
Minimum Split (s)	22.5		9.5	22.5	22.5	
Total Split (s)	27.0		10.0	37.0	23.0	
Total Split (%)	45.0%		16.7%	61.7%	38.3%	
Yellow Time (s)	3.5		3.5	3.5	3.5	
All-Red Time (s)	1.0		1.0	1.0	1.0	
Lost Time Adjust (s)	0.0		0.0	0.0	0.0	
Total Lost Time (s)	4.5		4.5	4.5	4.5	
Lead/Lag	Lag		Lead			
Lead-Lag Optimize?	Yes		Yes			
Recall Mode	None		None	None	Min	
Act Effect Green (s)	16.4		23.8	23.8	8.1	
Actuated g/C Ratio	0.40		0.57	0.57	0.20	
v/c Ratio	0.63		0.25	0.68	0.40	
Control Delay	15.6		5.3	10.0	13.5	
Queue Delay	0.0		0.0	0.0	0.0	
Total Delay	15.6		5.3	10.0	13.5	
LOS	B		A	A	B	
Approach Delay	15.6			9.3	13.5	
Approach LOS	B			A	B	

Intersection Summary

Cycle Length: 60  
 Actuated Cycle Length: 41.5  
 Natural Cycle: 60  
 Control Type: Actuated-Uncoordinated  
 Maximum v/c Ratio: 0.68  
 Intersection Signal Delay: 11.7  
 Intersection LOS: B  
 Intersection Capacity Utilization 53.1%  
 ICU Level of Service A  
 Analysis Period (min) 15

Splits and Phases: 3: Michelbook Lane & Baker Creek Road



								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations								
Traffic Volume (veh/h)	413	26	115	700	81	70		
Future Volume (veh/h)	413	26	115	700	81	70		
Number	4	14	3	8	5	12		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1881	1900	1900	1900	1881	1900		
Adj Flow Rate, veh/h	439	28	122	745	86	74		
Adj No. of Lanes	1	0	1	1	0	0		
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94		
Percent Heavy Veh, %	1	1	0	0	0	0		
Cap, veh/h	726	46	558	1183	135	116		
Arrive On Green	0.41	0.41	0.09	0.62	0.15	0.15		
Sat Flow, veh/h	1750	112	1810	1900	907	780		
Grp Volume(v), veh/h	0	467	122	745	161	0		
Grp Sat Flow(s),veh/h/ln	0	1861	1810	1900	1698	0		
Q Serve(g_s), s	0.0	7.7	1.3	9.6	3.5	0.0		
Cycle Q Clear(g_c), s	0.0	7.7	1.3	9.6	3.5	0.0		
Prop In Lane		0.06	1.00		0.53	0.46		
Lane Grp Cap(c), veh/h	0	772	558	1183	253	0		
V/C Ratio(X)	0.00	0.60	0.22	0.63	0.64	0.00		
Avail Cap(c_a), veh/h	0	1063	641	1567	797	0		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	0.0	9.0	5.5	4.6	15.8	0.0		
Incr Delay (d2), s/veh	0.0	0.8	0.2	0.6	2.6	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(50%),veh/ln	0.0	4.1	0.6	4.9	1.8	0.0		
LnGrp Delay(d),s/veh	0.0	9.8	5.7	5.2	18.4	0.0		
LnGrp LOS		A	A	A	B			
Approach Vol, veh/h	467			867	161			
Approach Delay, s/veh	9.8			5.2	18.4			
Approach LOS	A			A	B			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2	3	4				8
Phs Duration (G+Y+Rc), s		10.4	8.2	20.9				29.0
Change Period (Y+Rc), s		4.5	4.5	4.5				4.5
Max Green Setting (Gmax), s		18.5	5.5	22.5				32.5
Max Q Clear Time (g_c+l1), s		5.5	3.3	9.7				11.6
Green Ext Time (p_c), s		0.4	0.1	6.6				8.8
<b>Intersection Summary</b>								
HCM 2010 Ctrl Delay			8.1					
HCM 2010 LOS			A					

Lanes, Volumes, Timings  
 1: Meadows Drive & Baker Creek Road

2029 Total Traffic, AM Peak Hour  
 07/26/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	11	261	0	50	156	47	1	0	88	72	0	20
Future Volume (vph)	11	261	0	50	156	47	1	0	88	72	0	20
Confl. Peds. (#/hr)			5	5			2					2
Peak Hour Factor	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88	0.88
Heavy Vehicles (%)	3%	3%	3%	9%	9%	9%	0%	0%	0%	2%	2%	2%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	

Intersection Summary	
Control Type:	Unsignalized
Intersection Capacity Utilization	37.9% ICU Level of Service A
Analysis Period (min)	15

Intersection												
Int Delay, s/veh	4.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↗		↖	↗			↕			↖	↗
Traffic Vol, veh/h	11	261	0	50	156	47	1	0	88	72	0	20
Future Vol, veh/h	11	261	0	50	156	47	1	0	88	72	0	20
Conflicting Peds, #/hr	0	0	5	5	0	0	2	0	0	0	0	2
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None									
Storage Length	100	-	-	100	-	-	-	-	-	-	-	0
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	88	88	88	88	88	88	88	88	88	88	88	88
Heavy Vehicles, %	3	3	3	9	9	9	0	0	0	2	2	2
Mvmt Flow	13	297	0	57	177	53	1	0	100	82	0	23

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	230	0	0	302	0	0	659	672	302	691	646	206
Stage 1	-	-	-	-	-	-	328	328	-	318	318	-
Stage 2	-	-	-	-	-	-	331	344	-	373	328	-
Critical Hdwy	4.13	-	-	4.19	-	-	7.1	6.5	6.2	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.12	5.52	-
Follow-up Hdwy	2.227	-	-	2.281	-	-	3.5	4	3.3	3.518	4.018	3.318
Pot Cap-1 Maneuver	1332	-	-	1220	-	-	380	380	742	359	390	835
Stage 1	-	-	-	-	-	-	689	651	-	693	654	-
Stage 2	-	-	-	-	-	-	687	640	-	648	647	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1332	-	-	1214	-	-	352	357	738	297	366	833
Mov Cap-2 Maneuver	-	-	-	-	-	-	352	357	-	297	366	-
Stage 1	-	-	-	-	-	-	679	641	-	686	623	-
Stage 2	-	-	-	-	-	-	636	610	-	555	637	-

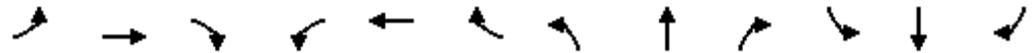
Approach	EB	WB	NB	SB
HCM Control Delay, s	0.3	1.6	10.7	19
HCM LOS			B	C

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	729	1332	-	-	1214	-	-	297	833
HCM Lane V/C Ratio	0.139	0.009	-	-	0.047	-	-	0.275	0.027
HCM Control Delay (s)	10.7	7.7	-	-	8.1	-	-	21.7	9.4
HCM Lane LOS	B	A	-	-	A	-	-	C	A
HCM 95th %tile Q(veh)	0.5	0	-	-	0.1	-	-	1.1	0.1

Lanes, Volumes, Timings  
2: Shadden Drive & Baker Creek Road

2029 Total Traffic, AM Peak Hour

07/26/2019



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	6	410	1	36	235	31	1	0	83	95	0	15
Future Volume (vph)	6	410	1	36	235	31	1	0	83	95	0	15
Confl. Peds. (#/hr)			9	9								
Peak Hour Factor	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89	0.89
Heavy Vehicles (%)	2%	2%	2%	8%	8%	8%	3%	3%	3%	2%	2%	2%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	

Intersection Summary

Control Type: Unsignalized

Intersection Capacity Utilization 46.9%

ICU Level of Service A

Analysis Period (min) 15

Intersection												
Int Delay, s/veh	5.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	6	410	1	36	235	31	1	0	83	95	0	15
Future Vol, veh/h	6	410	1	36	235	31	1	0	83	95	0	15
Conflicting Peds, #/hr	0	0	9	9	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None									
Storage Length	100	-	-	100	-	-	-	-	-	-	-	0
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	89	89	89	89	89	89	89	89	89	89	89	89
Heavy Vehicles, %	2	2	2	8	8	8	3	3	3	2	2	2
Mvmt Flow	7	461	1	40	264	35	1	0	93	107	0	17

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	299	0	0	471	0	0	855	864	471	884	847	282
Stage 1	-	-	-	-	-	-	485	485	-	362	362	-
Stage 2	-	-	-	-	-	-	370	379	-	522	485	-
Critical Hdwy	4.12	-	-	4.18	-	-	7.13	6.53	6.23	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.13	5.53	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.13	5.53	-	6.12	5.52	-
Follow-up Hdwy	2.218	-	-	2.272	-	-	3.527	4.027	3.327	3.518	4.018	3.318
Pot Cap-1 Maneuver	1262	-	-	1060	-	-	277	291	591	266	299	757
Stage 1	-	-	-	-	-	-	561	550	-	657	625	-
Stage 2	-	-	-	-	-	-	648	613	-	538	552	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1262	-	-	1051	-	-	260	276	586	216	283	757
Mov Cap-2 Maneuver	-	-	-	-	-	-	260	276	-	216	283	-
Stage 1	-	-	-	-	-	-	553	542	-	653	601	-
Stage 2	-	-	-	-	-	-	609	590	-	450	544	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.1	1	12.5	33.2
HCM LOS			B	D

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	577	1262	-	-	1051	-	-	216	757
HCM Lane V/C Ratio	0.164	0.005	-	-	0.038	-	-	0.494	0.022
HCM Control Delay (s)	12.5	7.9	-	-	8.6	-	-	36.9	9.9
HCM Lane LOS	B	A	-	-	A	-	-	E	A
HCM 95th %tile Q(veh)	0.6	0	-	-	0.1	-	-	2.5	0.1

Lanes, Volumes, Timings  
 3: Michelbook Lane & Baker Creek Road

2029 Total Traffic, AM Peak Hour  
 07/26/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (vph)	681	21	35	266	59	50
Future Volume (vph)	681	21	35	266	59	50
Confl. Peds. (#/hr)		3	3			
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	3%	3%	7%	7%	0%	0%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

Intersection Summary	
Control Type:	Unsignalized
Intersection Capacity Utilization	50.1% ICU Level of Service A
Analysis Period (min)	15

Intersection						
Int Delay, s/veh	3.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	681	21	35	266	59	50
Future Vol, veh/h	681	21	35	266	59	50
Conflicting Peds, #/hr	0	3	3	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	90	90	90	90	90	90
Heavy Vehicles, %	3	3	7	7	0	0
Mvmt Flow	757	23	39	296	66	56

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	783	0	1146
Stage 1	-	-	-	-	772
Stage 2	-	-	-	-	374
Critical Hdwy	-	-	4.17	-	6.4
Critical Hdwy Stg 1	-	-	-	-	5.4
Critical Hdwy Stg 2	-	-	-	-	5.4
Follow-up Hdwy	-	-	2.263	-	3.5
Pot Cap-1 Maneuver	-	-	813	-	222
Stage 1	-	-	-	-	459
Stage 2	-	-	-	-	700
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	811	-	211
Mov Cap-2 Maneuver	-	-	-	-	211
Stage 1	-	-	-	-	458
Stage 2	-	-	-	-	666

Approach	EB	WB	NB
HCM Control Delay, s	0	1.1	28.7
HCM LOS			D

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	270	-	-	811	-
HCM Lane V/C Ratio	0.449	-	-	0.048	-
HCM Control Delay (s)	28.7	-	-	9.7	-
HCM Lane LOS	D	-	-	A	-
HCM 95th %tile Q(veh)	2.2	-	-	0.2	-

Lanes, Volumes, Timings  
3: Michelbook Lane & Baker Creek Road

2029 Total Traffic, AM Peak Hour  
07/26/2019

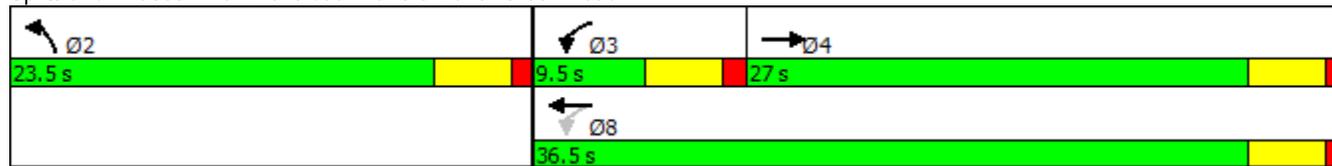


Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↻		↻	↻	↻	
Traffic Volume (vph)	681	21	35	266	59	50
Future Volume (vph)	681	21	35	266	59	50
Confl. Peds. (#/hr)		3	3			
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90
Heavy Vehicles (%)	3%	3%	7%	7%	0%	0%
Shared Lane Traffic (%)						
Turn Type	NA		pm+pt	NA	Prot	
Protected Phases	4		3	8	2	
Permitted Phases			8			
Detector Phase	4		3	8	2	
Switch Phase						
Minimum Initial (s)	5.0		5.0	5.0	5.0	
Minimum Split (s)	22.5		9.5	22.5	22.5	
Total Split (s)	27.0		9.5	36.5	23.5	
Total Split (%)	45.0%		15.8%	60.8%	39.2%	
Yellow Time (s)	3.5		3.5	3.5	3.5	
All-Red Time (s)	1.0		1.0	1.0	1.0	
Lost Time Adjust (s)	0.0		0.0	0.0	0.0	
Total Lost Time (s)	4.5		4.5	4.5	4.5	
Lead/Lag	Lag		Lead			
Lead-Lag Optimize?	Yes		Yes			
Recall Mode	None		None	None	Min	
Act Effct Green (s)	23.0		26.2	26.2	7.3	
Actuated g/C Ratio	0.54		0.61	0.61	0.17	
v/c Ratio	0.79		0.12	0.27	0.35	
Control Delay	20.0		4.3	4.8	13.7	
Queue Delay	0.0		0.0	0.0	0.0	
Total Delay	20.0		4.3	4.8	13.7	
LOS	C		A	A	B	
Approach Delay	20.0			4.7	13.7	
Approach LOS	C			A	B	

Intersection Summary

Cycle Length: 60  
 Actuated Cycle Length: 42.7  
 Natural Cycle: 70  
 Control Type: Actuated-Uncoordinated  
 Maximum v/c Ratio: 0.79  
 Intersection Signal Delay: 15.3  
 Intersection Capacity Utilization 51.0%  
 Analysis Period (min) 15  
 Intersection LOS: B  
 ICU Level of Service A

Splits and Phases: 3: Michelbook Lane & Baker Creek Road



HCM 2010 Signalized Intersection Summary  
 3: Michelbook Lane & Baker Creek Road

2029 Total Traffic, AM Peak Hour  
 07/26/2019

	→	↘	↙	←	↖	↗		
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↗		↖	↗	↖	↖		
Traffic Volume (veh/h)	681	21	35	266	59	50		
Future Volume (veh/h)	681	21	35	266	59	50		
Number	4	14	3	8	5	12		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1845	1900	1776	1776	1900	1900		
Adj Flow Rate, veh/h	757	23	39	296	66	56		
Adj No. of Lanes	1	0	1	1	0	0		
Peak Hour Factor	0.90	0.90	0.90	0.90	0.90	0.90		
Percent Heavy Veh, %	3	3	7	7	0	0		
Cap, veh/h	890	27	337	1162	114	96		
Arrive On Green	0.50	0.50	0.04	0.65	0.12	0.12		
Sat Flow, veh/h	1781	54	1691	1776	921	781		
Grp Volume(v), veh/h	0	780	39	296	123	0		
Grp Sat Flow(s),veh/h/ln	0	1835	1691	1776	1716	0		
Q Serve(g_s), s	0.0	15.0	0.4	2.8	2.7	0.0		
Cycle Q Clear(g_c), s	0.0	15.0	0.4	2.8	2.7	0.0		
Prop In Lane		0.03	1.00		0.54	0.46		
Lane Grp Cap(c), veh/h	0	917	337	1162	212	0		
V/C Ratio(X)	0.00	0.85	0.12	0.25	0.58	0.00		
Avail Cap(c_a), veh/h	0	1019	471	1402	805	0		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	0.0	8.8	7.2	2.9	16.8	0.0		
Incr Delay (d2), s/veh	0.0	6.5	0.2	0.1	2.5	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(50%),veh/ln	0.0	9.0	0.2	1.4	1.4	0.0		
LnGrp Delay(d),s/veh	0.0	15.3	7.4	3.0	19.3	0.0		
LnGrp LOS		B	A	A	B			
Approach Vol, veh/h	780			335	123			
Approach Delay, s/veh	15.3			3.5	19.3			
Approach LOS	B			A	B			
<b>Timer</b>	1	2	3	4	5	6	7	8
Assigned Phs		2	3	4				8
Phs Duration (G+Y+Rc), s		9.5	6.3	24.7				31.0
Change Period (Y+Rc), s		4.5	4.5	4.5				4.5
Max Green Setting (Gmax), s		19.0	5.0	22.5				32.0
Max Q Clear Time (g_c+l1), s		4.7	2.4	17.0				4.8
Green Ext Time (p_c), s		0.3	0.0	3.2				8.7
<b>Intersection Summary</b>								
HCM 2010 Ctrl Delay			12.5					
HCM 2010 LOS			B					

Lanes, Volumes, Timings  
 1: Meadows Drive & Baker Creek Road

2029 Total Traffic, PM Peak Hour  
 07/26/2019

												
Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	30	261	0	90	444	133	3	0	65	101	14	23
Future Volume (vph)	30	261	0	90	444	133	3	0	65	101	14	23
Confl. Peds. (#/hr)			1	1								
Peak Hour Factor	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97	0.97
Heavy Vehicles (%)	1%	1%	1%	1%	1%	1%	0%	0%	0%	2%	2%	2%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	

Intersection Summary	
Control Type:	Unsignalized
Intersection Capacity Utilization	57.8% ICU Level of Service B
Analysis Period (min)	15

Intersection												
Int Delay, s/veh	8.2											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	30	261	0	90	444	133	3	0	65	101	14	23
Future Vol, veh/h	30	261	0	90	444	133	3	0	65	101	14	23
Conflicting Peds, #/hr	0	0	1	1	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None									
Storage Length	100	-	-	100	-	-	-	-	-	-	-	0
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	97	97	97	97	97	97	97	97	97	97	97	97
Heavy Vehicles, %	1	1	1	1	1	1	0	0	0	2	2	2
Mvmt Flow	31	269	0	93	458	137	3	0	67	104	14	24

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	595	0	0	270	0	0	1064	1113	270	1078	1045	527
Stage 1	-	-	-	-	-	-	332	332	-	713	713	-
Stage 2	-	-	-	-	-	-	732	781	-	365	332	-
Critical Hdwy	4.11	-	-	4.11	-	-	7.1	6.5	6.2	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.12	5.52	-
Follow-up Hdwy	2.209	-	-	2.209	-	-	3.5	4	3.3	3.518	4.018	3.318
Pot Cap-1 Maneuver	986	-	-	1299	-	-	202	210	774	196	229	551
Stage 1	-	-	-	-	-	-	686	648	-	423	435	-
Stage 2	-	-	-	-	-	-	416	408	-	654	644	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	986	-	-	1298	-	-	169	189	773	165	206	551
Mov Cap-2 Maneuver	-	-	-	-	-	-	169	189	-	165	206	-
Stage 1	-	-	-	-	-	-	664	627	-	410	404	-
Stage 2	-	-	-	-	-	-	356	379	-	579	623	-

Approach	EB			WB			NB			SB		
HCM Control Delay, s	0.9			1.1			11			56.2		
HCM LOS							B			F		

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	668	986	-	-	1298	-	-	169	551
HCM Lane V/C Ratio	0.105	0.031	-	-	0.071	-	-	0.702	0.043
HCM Control Delay (s)	11	8.8	-	-	8	-	-	65.1	11.8
HCM Lane LOS	B	A	-	-	A	-	-	F	B
HCM 95th %tile Q(veh)	0.4	0.1	-	-	0.2	-	-	4.2	0.1

Lanes, Volumes, Timings  
 2: Shadden Drive & Baker Creek Road

2029 Total Traffic, PM Peak Hour  
 07/26/2019



Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (vph)	17	397	0	115	664	107	5	0	76	63	0	10
Future Volume (vph)	17	397	0	115	664	107	5	0	76	63	0	10
Confl. Peds. (#/hr)			1	1								
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	0%	0%	0%	1%	1%	1%	0%	0%	0%	2%	2%	2%
Shared Lane Traffic (%)												
Sign Control		Free			Free			Stop			Stop	

Intersection Summary												
Control Type: Unsignalized												
Intersection Capacity Utilization 64.9%						ICU Level of Service C						
Analysis Period (min) 15												

Intersection												
Int Delay, s/veh	8.5											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	↖	↗		↖	↗			↕			↖	↗
Traffic Vol, veh/h	17	397	0	115	664	107	5	0	76	63	0	10
Future Vol, veh/h	17	397	0	115	664	107	5	0	76	63	0	10
Conflicting Peds, #/hr	0	0	1	1	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None									
Storage Length	100	-	-	100	-	-	-	-	-	-	-	0
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	94	94	94	94	94	94	94	94	94	94	94	94
Heavy Vehicles, %	0	0	0	1	1	1	0	0	0	2	2	2
Mvmt Flow	18	422	0	122	706	114	5	0	81	67	0	11

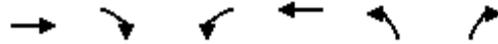
Major/Minor	Major1		Major2		Minor1		Minor2					
Conflicting Flow All	820	0	0	423	0	0	1472	1523	423	1506	1466	763
Stage 1	-	-	-	-	-	-	459	459	-	1007	1007	-
Stage 2	-	-	-	-	-	-	1013	1064	-	499	459	-
Critical Hdwy	4.1	-	-	4.11	-	-	7.1	6.5	6.2	7.12	6.52	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.1	5.5	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.1	5.5	-	6.12	5.52	-
Follow-up Hdwy	2.2	-	-	2.209	-	-	3.5	4	3.3	3.518	4.018	3.318
Pot Cap-1 Maneuver	818	-	-	1142	-	-	106	119	635	99	128	404
Stage 1	-	-	-	-	-	-	586	570	-	290	319	-
Stage 2	-	-	-	-	-	-	291	302	-	554	566	-
Platoon blocked, %	-	-	-	-	-	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	818	-	-	1141	-	-	93	104	634	78	112	404
Mov Cap-2 Maneuver	-	-	-	-	-	-	93	104	-	78	112	-
Stage 1	-	-	-	-	-	-	573	557	-	284	285	-
Stage 2	-	-	-	-	-	-	253	270	-	473	553	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.4	1.1	14.5	137.3
HCM LOS			B	F

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	466	818	-	-	1141	-	-	78	404
HCM Lane V/C Ratio	0.185	0.022	-	-	0.107	-	-	0.859	0.026
HCM Control Delay (s)	14.5	9.5	-	-	8.5	-	-	156.8	14.2
HCM Lane LOS	B	A	-	-	A	-	-	F	B
HCM 95th %tile Q(veh)	0.7	0.1	-	-	0.4	-	-	4.4	0.1

Lanes, Volumes, Timings  
 3: Michelbook Lane & Baker Creek Road

2029 Total Traffic, PM Peak Hour  
 07/26/2019



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶		↷	↶	↷	
Traffic Volume (vph)	588	26	115	832	170	70
Future Volume (vph)	588	26	115	832	170	70
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	1%	1%	0%	0%	1%	1%
Shared Lane Traffic (%)						
Sign Control	Free			Free	Stop	

**Intersection Summary**

Control Type: Unsignalized

Intersection Capacity Utilization 64.2% ICU Level of Service C

Analysis Period (min) 15

Intersection						
Int Delay, s/veh	97.4					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔		↔	↔	↔	↔
Traffic Vol, veh/h	588	26	115	832	170	70
Future Vol, veh/h	588	26	115	832	170	70
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	100	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	1	1	0	0	1	1
Mvmt Flow	626	28	122	885	181	74

Major/Minor	Major1	Major2	Minor1		
Conflicting Flow All	0	0	654	0	1769 640
Stage 1	-	-	-	-	640 -
Stage 2	-	-	-	-	1129 -
Critical Hdwy	-	-	4.1	-	6.41 6.21
Critical Hdwy Stg 1	-	-	-	-	5.41 -
Critical Hdwy Stg 2	-	-	-	-	5.41 -
Follow-up Hdwy	-	-	2.2	-	3.509 3.309
Pot Cap-1 Maneuver	-	-	943	-	~ 92 477
Stage 1	-	-	-	-	527 -
Stage 2	-	-	-	-	310 -
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	943	-	~ 80 477
Mov Cap-2 Maneuver	-	-	-	-	~ 80 -
Stage 1	-	-	-	-	527 -
Stage 2	-	-	-	-	270 -

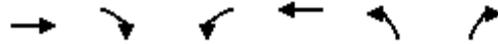
Approach	EB	WB	NB
HCM Control Delay, s	0	1.1	\$ 726.4
HCM LOS			F

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	106	-	-	943	-
HCM Lane V/C Ratio	2.409	-	-	0.13	-
HCM Control Delay (s)	\$ 726.4	-	-	9.4	-
HCM Lane LOS	F	-	-	A	-
HCM 95th %tile Q(veh)	22.9	-	-	0.4	-

Notes  
 ~: Volume exceeds capacity    \$: Delay exceeds 300s    +: Computation Not Defined    \*: All major volume in platoon

Lanes, Volumes, Timings  
3: Michelbook Lane & Baker Creek Road

2029 Total Traffic, PM Peak Hour  
07/26/2019

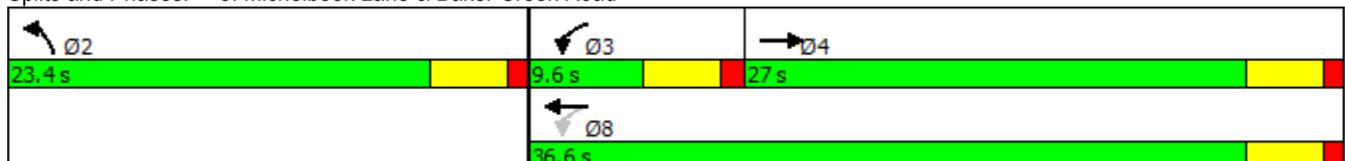


Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↻		↻	↻	↻	
Traffic Volume (vph)	588	26	115	832	170	70
Future Volume (vph)	588	26	115	832	170	70
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94
Heavy Vehicles (%)	1%	1%	0%	0%	1%	1%
Shared Lane Traffic (%)						
Turn Type	NA		pm+pt	NA	Prot	
Protected Phases	4		3	8	2	
Permitted Phases			8			
Detector Phase	4		3	8	2	
Switch Phase						
Minimum Initial (s)	5.0		5.0	5.0	5.0	
Minimum Split (s)	22.5		9.5	22.5	22.5	
Total Split (s)	27.0		9.6	36.6	23.4	
Total Split (%)	45.0%		16.0%	61.0%	39.0%	
Yellow Time (s)	3.5		3.5	3.5	3.5	
All-Red Time (s)	1.0		1.0	1.0	1.0	
Lost Time Adjust (s)	0.0		0.0	0.0	0.0	
Total Lost Time (s)	4.5		4.5	4.5	4.5	
Lead/Lag	Lag		Lead			
Lead-Lag Optimize?	Yes		Yes			
Recall Mode	None		None	None	Min	
Act Effect Green (s)	21.9		29.0	29.0	11.8	
Actuated g/C Ratio	0.44		0.58	0.58	0.24	
v/c Ratio	0.80		0.37	0.81	0.58	
Control Delay	24.7		8.8	17.2	21.0	
Queue Delay	0.0		0.0	0.0	0.0	
Total Delay	24.7		8.8	17.2	21.0	
LOS	C		A	B	C	
Approach Delay	24.7			16.2	21.0	
Approach LOS	C			B	C	

Intersection Summary

Cycle Length: 60  
 Actuated Cycle Length: 50.2  
 Natural Cycle: 60  
 Control Type: Actuated-Uncoordinated  
 Maximum v/c Ratio: 0.81  
 Intersection Signal Delay: 19.8  
 Intersection Capacity Utilization 65.0%  
 Analysis Period (min) 15  
 Intersection LOS: B  
 ICU Level of Service C

Splits and Phases: 3: Michelbook Lane & Baker Creek Road



HCM 2010 Signalized Intersection Summary  
 3: Michelbook Lane & Baker Creek Road

2029 Total Traffic, PM Peak Hour  
 07/26/2019

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations								
Traffic Volume (veh/h)	588	26	115	832	170	70		
Future Volume (veh/h)	588	26	115	832	170	70		
Number	4	14	3	8	5	12		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1881	1900	1900	1900	1881	1900		
Adj Flow Rate, veh/h	626	28	122	885	181	74		
Adj No. of Lanes	1	0	1	1	0	0		
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94		
Percent Heavy Veh, %	1	1	0	0	0	0		
Cap, veh/h	786	35	412	1174	237	97		
Arrive On Green	0.44	0.44	0.08	0.62	0.19	0.19		
Sat Flow, veh/h	1787	80	1810	1900	1224	501		
Grp Volume(v), veh/h	0	654	122	885	256	0		
Grp Sat Flow(s),veh/h/ln	0	1867	1810	1900	1732	0		
Q Serve(g_s), s	0.0	14.4	1.5	15.9	6.7	0.0		
Cycle Q Clear(g_c), s	0.0	14.4	1.5	15.9	6.7	0.0		
Prop In Lane		0.04	1.00		0.71	0.29		
Lane Grp Cap(c), veh/h	0	821	412	1174	335	0		
V/C Ratio(X)	0.00	0.80	0.30	0.75	0.76	0.00		
Avail Cap(c_a), veh/h	0	879	453	1276	685	0		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	0.00	1.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	0.0	11.5	8.2	6.5	18.2	0.0		
Incr Delay (d2), s/veh	0.0	4.9	0.4	2.4	3.6	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(50%),veh/ln	0.0	8.4	0.8	8.9	3.5	0.0		
LnGrp Delay(d),s/veh	0.0	16.4	8.6	8.9	21.9	0.0		
LnGrp LOS		B	A	A	C			
Approach Vol, veh/h	654			1007	256			
Approach Delay, s/veh	16.4			8.9	21.9			
Approach LOS	B			A	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2	3	4				8
Phs Duration (G+Y+Rc), s		13.8	8.5	25.5				34.0
Change Period (Y+Rc), s		4.5	4.5	4.5				4.5
Max Green Setting (Gmax), s		18.9	5.1	22.5				32.1
Max Q Clear Time (g_c+l1), s		8.7	3.5	16.4				17.9
Green Ext Time (p_c), s		0.6	0.0	4.6				9.1
<b>Intersection Summary</b>								
HCM 2010 Ctrl Delay			13.2					
HCM 2010 LOS			B					