



City Council Meeting Agenda

Tuesday, July 26, 2022

6:30 p.m. – Executive Sessions (CLOSED TO THE PUBLIC)

7:00 p.m. – City Council Regular Meeting

Welcome! The public is strongly encouraged to participate remotely but there is seating at Civic Hall for those who are not able to participate remotely. However, if you are not feeling well, please stay home and take care of yourself.

The public is strongly encouraged to relay concerns and comments to the Council in one of three ways:

- Email at any time up to **12 p.m. on Monday, July 25th** to claudia.cisneros@mcminnvilleoregon.gov
- If appearing via telephone only please sign up prior by **12 p.m. on Monday, July 25th** by emailing the City Recorder at claudia.cisneros@mcminnvilleoregon.gov as the chat function is not available when calling in zoom;
- Join the zoom meeting use the raise hand feature in zoom to request to speak, once your turn is up we will announce your name and unmute your mic. **You will need to provide your First and Last name, Address, and contact information (email or phone) to the City.**

For **THREE MILE LANE AREA PLAN PUBLIC HEARING** input please see the city webpage for specific instructions:

[THREE MILE LANE AREA PLAN PUBLIC HEARING INSTRUCTIONS.](#)

You can live broadcast the City Council Meeting on cable channels Xfinity 11 and 331, Frontier 29 or webstream here:

www.mcm11.org/live

CITY COUNCIL REGULAR MEETING:

You may join online via Zoom Meeting:

<https://mcminnvilleoregon.zoom.us/j/85499007097?pwd=Nm5lcGZ4QlFSSXFFSFI2cE1POExxQT09>

Zoom ID: 854 9900 7097

Zoom Password: 226708

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

ID: 854 9900 7097

6:30 PM – EXECUTIVE SESSIONS- VIA ZOOM AND SEATING AT CIVIC HALL (NOT OPEN TO THE PUBLIC)

1. CALL TO ORDER
2. **Executive Session pursuant to ORS 192.660 (2)(h):** To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.
3. ADJOURNMENT

7:00 PM – REGULAR COUNCIL MEETING – VIA ZOOM AND SEATING AT CIVIC HALL

1. CALL TO ORDER & ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. PROCLAMATION
 - a. Lemonade Day

4. INVITATION TO COMMUNITY MEMBERS FOR PUBLIC COMMENT –

The Mayor will announce that any interested audience members are invited to provide comments. Anyone may speak on any topic other than: a matter in litigation, a quasi-judicial land use matter; or a matter scheduled for public hearing at some future date. The Mayor may limit comments to 3 minutes per person for a total of 30 minutes. The Mayor will read comments emailed to City Recorded and then any citizen participating via Zoom.

5. PUBLIC HEARINGS

- a. Public Hearing regarding Consideration of a Planning Commission recommendation, adopting the Three Mile Lane Area Plan as a Supplemental Document to the City of McMinnville Comprehensive Plan, and amending the Comprehensive Plan, Volume II, Chapter VI, Transportation System, to add a proposal to amend the Comprehensive Plan Map and Transportation System Plan consistent with the Three Mile Lane Area Plan (Docket G 7-21).

6. ADVICE/ INFORMATION ITEMS

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

7. CONSENT AGENDA

- a. Consider **Resolution No. 2022-55**: A Resolution Appointing Members to the Diversity, Equity, and Inclusion Committee.

8. ORDINANCE

- a. Consider the first reading with a possible second reading of **Ordinance No. 5117**: An Ordinance Amending Section 2.35.040 of the McMinnville Municipal Code Specific to Officers: of the Diversity, Equity and Inclusion Committee.

9. NEW BUSINESS

- STATEWIDE MEASURE 109 OPTIONS
 - a. Consider the first reading with a possible second reading of **Ordinance No. 5119**: An Ordinance Declaring a Temporary Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products, Referring such Ordinance to the Voters and Declaring an Emergency; **OR**
 - b. Consider the first reading with a possible second reading of **Ordinance No. 5120**: An Ordinance Declaring a Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products, Referring such Ordinance to the Voters and Declaring an Emergency; **OR**
 - c. Take no action, rely on rules set forth in ORS 457A and any subsequently established by OHA or by a local time place and manner ordinance.

10. ADJOURNMENT OF REGULAR MEETING

PROCLAMATION

Whereas, Lemonade Day is a fun, free experiential learning program that launched in Houston, Texas in 2007, and has grown from 2,700 kids in one city to over 1 million kids in cities across America and Canada; and

Whereas, there are 300 kids in McMinnville and surrounding communities who will be learning how to be young entrepreneurs by opening and operating their own businesses – a lemonade stand; and

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

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

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

Now, therefore, I, Remy Drabkin, Interim Mayor of the City of McMinnville, Oregon, do hereby proclaim Saturday, August 20th, 2022, as

LEMONADE DAY

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

In Witness Whereof, I have hereunto set my hand and caused the official Seal of the City of McMinnville to be affixed this 26th day of August, 2022.

Remy Drabkin, Interim Mayor



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

www.mcminnvilleoregon.gov

STAFF REPORT

DATE: July 26, 2022
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: PUBLIC HEARING: (Docket G 7 – 21), Consideration of the Planning Commission recommendation to adopt the *Three Mile Lane Area Plan* as a Supplemental Document to the *City of McMinnville Comprehensive Plan*, and amending the *Comprehensive Plan, Volume II, Chapter VI, Transportation System*, to add a proposal to amend the *Comprehensive Plan Map and Transportation System Plan* consistent with the *Three Mile Lane Area Plan*.

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This is a continuation of the public hearing from May 10, 2022 and June 14, 2022 to consider the McMinnville Planning Commission recommendation to adopt the *Three Mile Lane Area Plan and its Appendices (“Plan”)* as a supplemental document to the *McMinnville Comprehensive Plan* and to amend the *McMinnville Comprehensive Plan, Volume II, Chapter VI, Transportation System*, to add a proposal to amend the *McMinnville Comprehensive Plan Map and McMinnville Transportation System Plan* consistent with the *Three Mile Lane Area Plan*.

The Planning Commission voted unanimously to recommend adoption of the *Plan* at their meeting on March 17, 2022, to the McMinnville City Council after housing two nights of public hearings. The City Council elected to host a public hearing prior to their consideration and the first City Council public hearing was conducted on May 10, 2022. That public hearing was continued to June 14, 2022. And at the June 14, 2022 public hearing, the City Council elected to continue the public hearing again to July 26, 2022.

The discussion section of this staff report has been updated since the June 14, 2022 public hearing. It starts on page 29 of this staff report.

Attachments:

- Attachment A: Size of Retail Analysis
- Attachment B: Answers to Councilor Geary’s Transportation Questions
- Attachment C: Public Testimony Received, 06.14.22 – 07.19.22
- Attachment D: Correction to the Public Record
- Attachment E: Additional Items to Enter into the Public Record

Background:

The **Three Mile Lane Area Plan** (3MLAP) has been developed over the past three years in collaboration with ODOT and a local Project Advisory Committee. It was funded by a Transportation Growth Management grant. A consultant team comprised of Angelo Planning Group, David Evans and Associates, Inc., Leland Consulting Group and Walker Macy worked with the project management team and the project advisory committee to develop the plan. ODOT served as the project manager and contract manager.

There are two proposed actions:

- 1.) *Adopt the Three Mile Lane Area Plan and its appendices as a supplemental document to the McMinnville Comprehensive Plan.*

The *Three Mile Lane Area Plan* includes the final plan document (Plan) and five appendices:

Three Mile Lane Area Plan

- Appendix A: Public Involvement
- Appendix B: Existing Conditions
- Appendix C: Case Study Report
- Appendix D: Evaluation and Screening
- Appendix E: Implementation

These documents can be found on the project website at: [G 7-21 - Three Mile Lane Area Plan \(3MLAP\) Comprehensive Plan Amendment | McMinnville Oregon.](#)

- 2) *Amend the Comprehensive Plan, Volume II, Chapter VI, Transportation System, to add a proposal after policy 132.23.00 (below) that reads as follows (on the next page):*

132.23.00 The McMinnville Transportation System Plan shall be updated as necessary to remain consistent with: (a) the city's land use plan; (b) regional and

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statewide plans; and (c) the applicable local, State, and federal law. Ord. 4922, February 23, 2010)

20.05 The comprehensive plan map amendments and any associated rezones consistent with the 3MLAP could be initiated by the City or property owners through future map amendment applications, at which time any necessary changes to the TSP would need to be made. Until the comprehensive plan map amendments are adopted for individual properties, the properties would continue to be subject to the use provisions of current Comprehensive Plan map and zoning map designations and provisions of any property-specific PD overlay zones. Those properties would still be subject to any new development standards of the new Three Mile Lane Overlay Zone.

Area plans are general guidance documents for how land uses, and public facilities will serve the community in the future and interact with each other in a designated area. It is a high-level planning document meant to provide guidance to other more specific planning processes, such as public utility plans, parks, and open space plans, etc. An Area Plan is not a development plan and is not representative of planned private development projects in the area.

The Three Mile Lane area is a unique district in the southeast portion of the City of McMinnville. The area contains approximately 1,340 acres of land with a variety of existing land uses and several large vacant parcels. The *Three Mile Lane Area Plan* is intended to create an implementable vision for the area's future land uses and multi-modal transportation system.

As an Area Plan, the *Three Mile Lane Area Plan* shall serve as a guiding document for land uses and public facilities in the delineated area of this plan. Specific standards for development will be identified in McMinnville's Master Plans and Municipal Code. Public facility plans will be updated to reflect the new comprehensive plan designations in the area.

The Planning Commission hosted a public hearing on January 20, 2022, and February 17, 2022, closing the public hearing on February 17, 2022, and then deliberated on March 17, 2022, where they elected to recommend adoption of the **Plan** to the McMinnville City Council unanimously.

The Planning Commission amended the Plan in two areas:

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1) Amended the language on page 17, Great Neighborhood Principle #11 to read, “Allow for a mix of housing forms and types that serve a variety of household incomes and respect the current character of Three Mile Lane.”

2) Amended page 50 of the **Plan** to add a provision for the future evaluation and consideration of a bicycle/pedestrian overpass on Highway 18 when the need and opportunity arose.

Per Section 17.72.130, the Planning Commission rendered a decision to recommend the proposed comprehensive plan amendments to the McMinnville City Council. On April 12, per Section 17.72.130(2)(d), the McMinnville City Council made a motion to host a public hearing on May 10, 2022. The public hearing was noticed in the News Register on Tuesday, May 3, 2022.

17.72.130 Public Hearing Process. *Public hearings shall be conducted as per requirements of McMinnville Ordinance No. 3682, as amended;*

- A. *A staff report shall be submitted to the review body, and shall be made available to the public at least seven (7) days before the date of the public hearing. Any public hearing may be continued to a specific date, time and location by oral announcement of that specific date, time, and location prior to the hearing being recessed. This announcement is sufficient notice to all applicants, adverse parties, and interested persons, and no further notice is required.*
- B. *Legislative hearings: Within 45 days following the public hearing on a comprehensive plan text amendment or other legislative matter, unless a continuance is announced, the Planning Commission shall render a decision which shall recommend either that the amendment be approved, denied, or modified:*
 1. *Upon reaching a decision the Planning Commission shall transmit to the City Council a copy of the proposed amendment, the minutes of the public hearing, the decision of the Planning Commission, and any other materials deemed necessary for a decision by the City Council;*
 2. *Upon receipt of the decision of the Planning Commission, the City Council shall:*
 - a. *Adopt an ordinance effecting the proposed change as submitted by the Planning Commission, or*
 - b. *Adopt an ordinance effecting the proposed change in an amended form, or*
 - c. *Refuse to adopt the amendment through a vote to deny, or*
 - d. *Call for a public hearing on the proposal, subject to the notice requirements stated in Section 17.72.120(D).*

After hearing testimony on May 10, 2022, the City Council elected to continue the public hearing to June 14, 2022, asking staff to bring back some information on the process for reviewing land-use developments and their relative impact to both state and local transportation facilities. (Please see Discussion Section of this staff report).

History of the Planning Process:

The *Three Mile Lane Area Planning* effort started in 2017 as part of a summer collaborative planning project with the University of Oregon (Green Cities Plan). Then in 2017, the City applied for a Transportation and Growth Management Grant from the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD) to conduct an area planning process for the Three Mile Lane Area. The grant was awarded. A scope of work was developed in partnership with ODOT and DLCD in early 2018 and consultants were hired in the summer of 2018.

The scope of work was based on a land-use and transportation study of approximately 1340 acres of land currently within the city limits on both the north and south side of Highway 18 from the eastern entrance of the city by the McMinnville Airport to the Yamhill River Bridge. The project has immense potential to transform the Three Mile Lane Area for both current and future residents and businesses. It

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provides the opportunity for the City to be much more efficient with land-uses, allowing for higher density housing development and job creation in the area. The plan will also help the City work towards reducing greenhouse gas emissions by providing more amenities in close proximity to residential neighborhoods in this area as well as commercial amenities that city residents drive to other cities to access. The plan allows for much-needed grocery stores in a residential area that is currently a food desert. The plan identifies opportunities for more off-road trails and bicycle/pedestrian connectivity throughout the designated area. The 3MLAP also highlights an opportunity for a high-density business office and industrial incubator district adjacent to the airport. And lastly, the 3MLAP creates a much stronger multi-modal connection between the Three Mile Lane Area and the rest of the City of McMinnville via the new Yamhill River Bridge and proposed nature trails to Joe Dancer Park and Galen McBee Park.

The 3MLAP has five project goals:

1. **Support and enhance the district's economic vitality and marketability.**
This plan aims to support development of significant industrial and commercial parcels within the study area, enhance existing business by diversifying goods and services available in the area, and increase tourism. Alternatives will be evaluated qualitatively for how well they address the area's development/redevelopment potential.
2. **Provide opportunities for a complementary mix of land uses, consistent with the vision of a diverse and vibrant district.**
The study area contains several existing residential neighborhoods, including assisted-living and manufactured home residences, as well as major employers and tourism destinations. This plan aims to provide a mix of land uses that support one another to create a unique part of the city in both an economic and environmentally sustainable way.
3. **Enhance multi-modal connections throughout the district.**
This plan aims to create a complete, multimodal transportation network that serves the north and south side of OR 18 within the district, and that connects the business community, the hospital, residential neighborhoods, and tourism amenities to each other and to the city center. Alternatives will be evaluated through criteria measuring transportation safety and performance for all modes of travel: pedestrian, bicycle, transit, freight, and personal vehicles.
4. **Create an aesthetically pleasing gateway to the City of McMinnville.**
The study area is a primary gateway to the City of McMinnville. Alternatives will be evaluated qualitatively for how well they provide an identity for the district, reflect McMinnville's intrinsic character, and highlight the landscape features of the district. Incorporation of sustainable features and technologies is desired.
5. **Improve the district for existing and future McMinnville residents in the area.**
The City of McMinnville's Great Neighborhood Principles identifies amenities and facilities that should be present in all residential areas, including a variety of housing types, pedestrian and bicycle connectivity, preservation of scenic views and natural features, access to open space, and access to commercial necessities. This plan aims to support those Great Neighborhood Principles for residents in the study area by providing multi-modal connectivity, single-family,

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missing middle and multi-family housing, provisions for open spaces and commercial amenities, such as grocery stores, restaurants, and more.

A project advisory committee consisting of community stakeholders worked with the consultant team, ODOT and City representatives on the development of the plan

The City also hosted a summer planning class from the University of Oregon, “Green Cities” to work with neighborhood residents and other interested community stakeholders on planning charrettes and focus groups to help lay the groundwork for the planning effort prior to the official start of the 3MLAP.

Three Mile Lane Area Plan Citizen Advisory Committee (CAC)	
Planning Commission	Lori Schanche
City Council	Zach Geary Scott Hill Wendy Stassens
Representatives of Property and Business Owners in the Study Area	Robert Banagay Paul Davis Danielle Hoffman Peter Hoffstetter Kit Johnston Stewart Kircher Chris Norville Alan Roodhouse Chris Shelby Mary Stern
Partner Agencies	Scott Cooper – MEDP Kitri McGuire – Visit McMinnville Gioia Goodrum – McMinnville Chamber of Commerce
Community Stakeholders	Courtney Cunningham Ken Denier Alan Fox Phil Frischmuth David Hayes Galen McBee

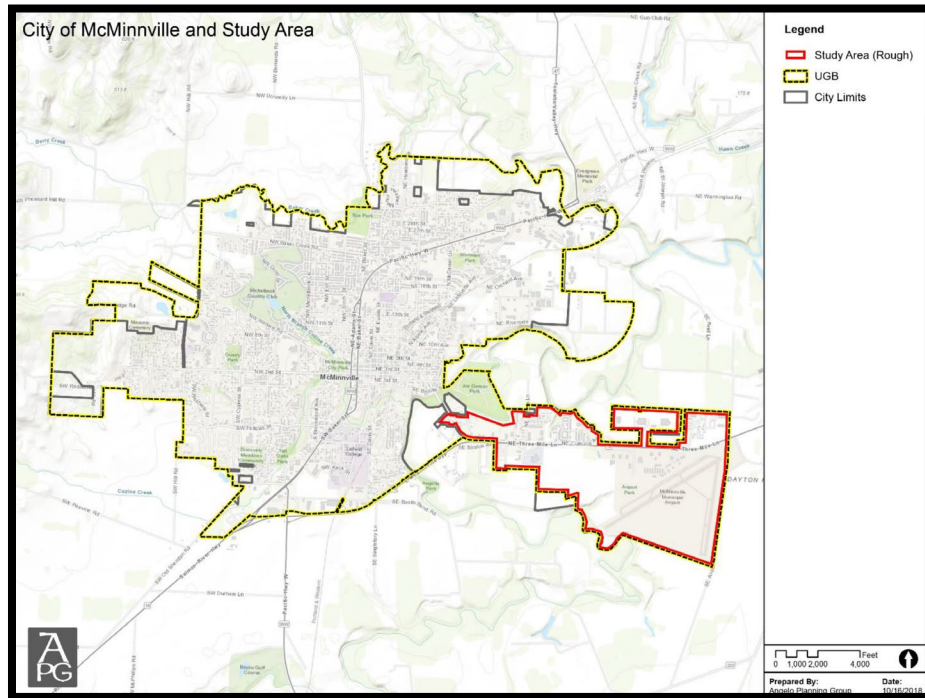
Technical Advisory Committee (TAC)	
Planning Staff	Heather Richards Jamie Fleckenstein Chuck Darnell Tom Schauer
Engineering Staff	Mike Bisset
Parks and Recreation Staff	Susan Muir
McMinnville Water and Light	John Dietz
ODOT	Michael Duncan Dan Fricke Keith Blair Dorothy Upton Jenna Berman Kristie Gladhill
DLCD	Angela Carnahan
YCTA	Cynthia Thompson

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Map of Study Area

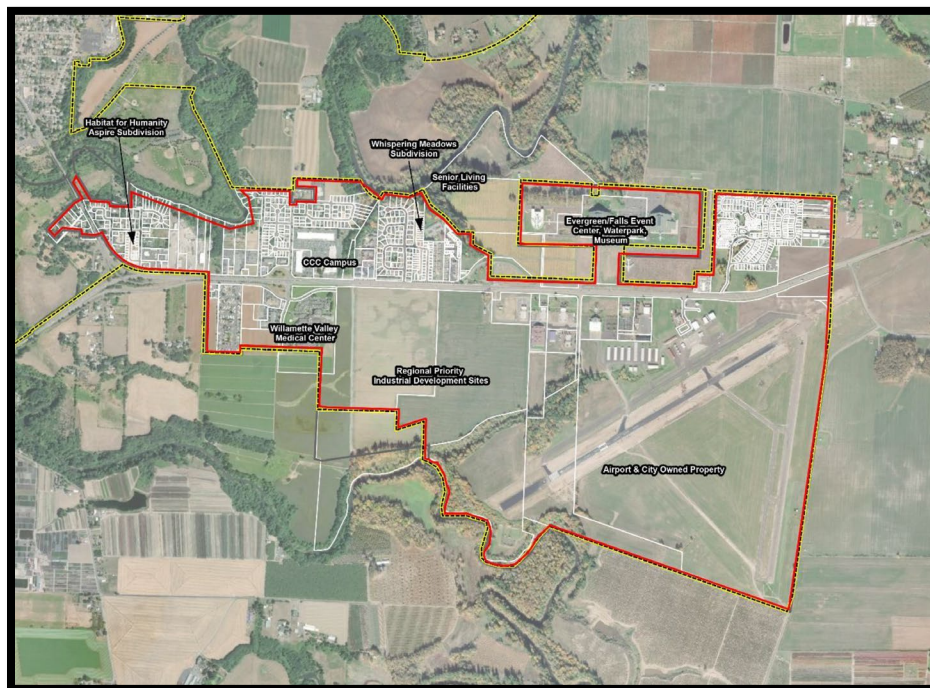
On the following page are Maps 1 and 2 showing the relationship of the Three Mile Lane area relative to the rest of the city, as well as the area's more prominent features.



*Map 1: Three Mile Lane Study Area in relationship to the city limits.
The subject area is on the Southeastern side of the city.*

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Map 2: Three Mile Lane Study Area with Major Elements Identified.

Citizen Involvement:

Over the course of three years, the project team conducted an extensive public engagement process utilizing a variety of tools. Public open houses, town halls, focus groups and charrettes were utilized to collect public feedback and input. (Please see Appendix A of the 3MLAP).

- The City hosted three public workshops. Invitations to the public workshops were provided in both English and Spanish. Spanish invitations were distributed through the Latino Advisory Council and provided at the Virginia Garcia Clinic in the study area. Spanish translation was provided at the public workshops upon request.
- The project team hosted three focus group interviews. One of the focus groups represented organizations and agencies that served Title VI populations in the study area.
- The project team conducted two planning charrettes with community stakeholders to discuss future land-uses, needs and opportunities.
- The project team conducted two surveys during the course of the project planning period.
- The project included numerous City Council updates, which were part of the regularly scheduled McMinnville City Council meetings that were open to the public and broadcast with subtitles via McMinnville Media.

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- The project team maintained a project website at www.ThreeMileLane.com.
- The project team distributed flyers and meeting invitations through the Latino Advisory Council, a network of businesses, agencies and non-profit partners serving the Latino community in McMinnville.
- The project team provided project updates and invitations to meetings and events via its social media to the community at-large and direct mailings for households in the project area.
- The project team created press releases and flyers for all public events which were advertised in local newspapers and distributed to public spaces such as the McMinnville Public Library, the McMinnville Community Center and through the McMinnville School District information portal.
- Five public meetings, all noticed and open to the public, were held in conjunction with McMinnville Planning Commission and City Council meetings.

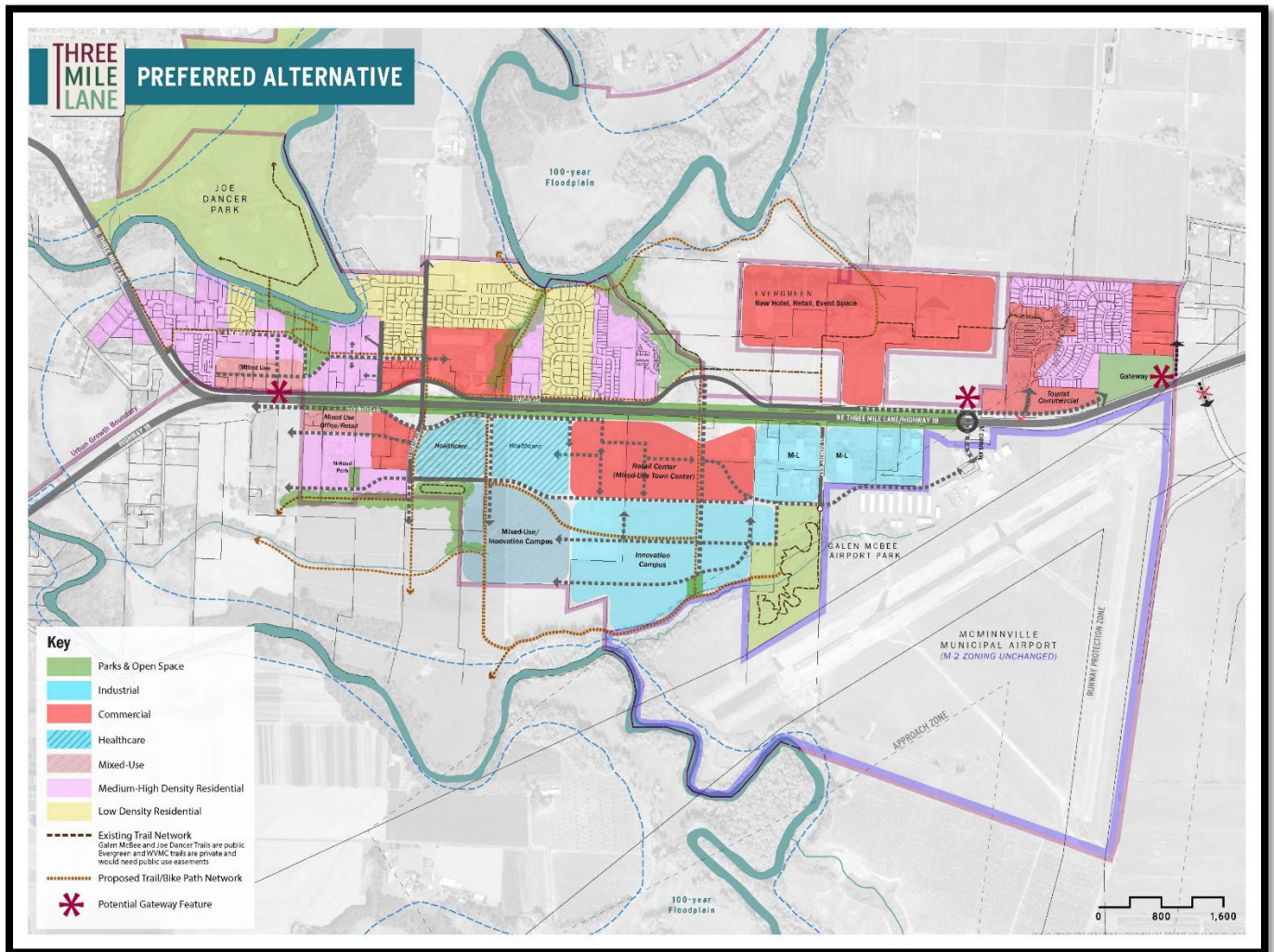
The *Three Mile Lane Area Plan* is predicated on a “Preferred Land Use Alternative” (Figure 1) and a “Preferred Transportation Facilities Plan” (Figure 3). The preferred land use alternative represents the community vision for how this study area will develop over the next twenty years (2021-2041) to serve the community’s current and future land-use needs. The preferred transportation facilities plan is the transportation elements that will need to be implemented to ensure that the local and state transportation facilities still function at their standard of functionality as the study area develops to full buildout in 2041. This transportation facilities plan builds on the Oregon Highway 18 Corridor Refinement Plan developed in 1996 for this section of Highway 18 and identifies those elements of that plan that are necessary to maintain the throughput and functionality of Highway 18 as a state expressway and freight route.

To analyze the impact of the community land-use vision on the state and local transportation facilities in the study area, ODOT updated the Transportation Model for the City of McMinnville for this project, and then the existing land-use opportunities were analyzed for transportation compliance with the *Oregon Highway Plan* and Oregon Administrative Rules, Division 51 standards (OAR 734-051), and the proposed community vision was analyzed for transportation compliance with the *Oregon Highway Plan* and Oregon Administrative Rules, Division 51 standards (OAR 734-051).

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Figure 1: Three Mile Lane Area Plan Preferred Land Use Vision for the Three Mile Lane Study Area



This is the revised land-use plan that staff entered into the record on May 10, 2022, to help clarify some misunderstandings between preferred land-uses and underlying zoning that was part of the public dialogue during the public hearing process.

In order to enable the preferred land-use community vision to develop, three comprehensive plan map amendments are recommended. Please see Figure 2). The adoption of the *Three Mile Lane Area Plan* does not amend the Comprehensive Plan Map. Those amendments will be undertaken either by future city initiatives or private property owner initiatives.

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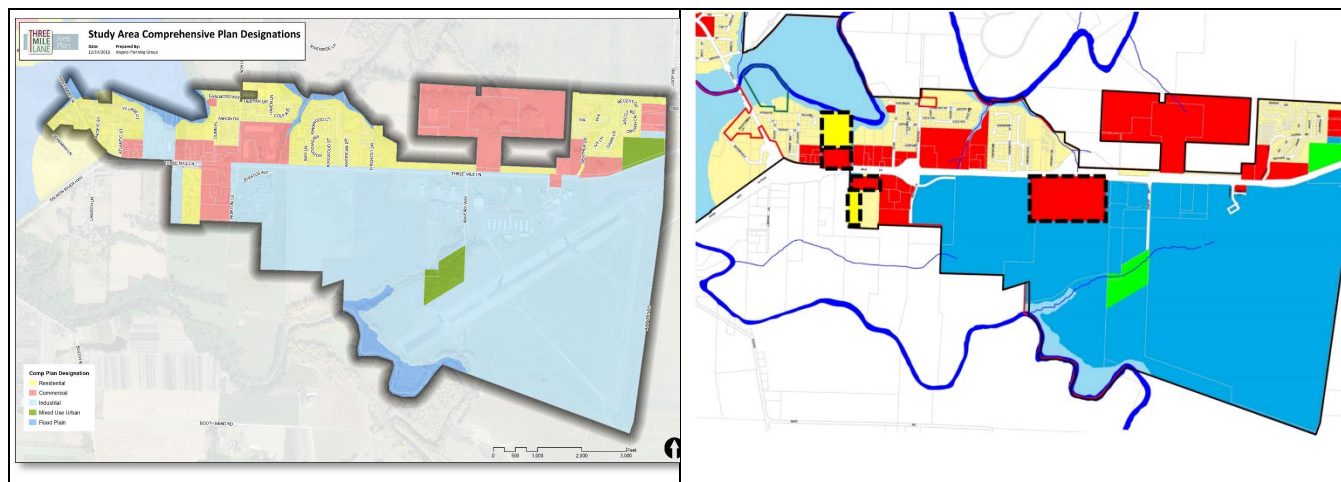


Figure 2: Three Proposed Comprehensive Plan Map Amendments

The preferred transportation facility plan relies on both local network and state network improvements including the development of local frontage roads on both the north and south sides of Highway 18, as well as optimization of the existing signalized intersections, a new traffic improvement at the intersection of Cirrus Avenue and Highway 18 and Three Mile Lane and Cumulus Avenue and the removal of accesses at Loop Road and Cruickshank Road, as well as several other access points between Cumulus Avenue and the eastern edge of the study area. (Please see Figure 3).

All of these transportation improvements are already contemplated in the *McMinnville Transportation System Plan* except for the intersection improvement at Cirrus Avenue and Highway 18, and the optimization of the existing signalized intersections. Those transportation projects will be added to the *McMinnville Transportation System Plan* when the plan is updated in 2022 and 2023. The current *McMinnville Transportation System Plan* contemplates the improvements needed for a planning horizon of 2003-2023, and the updated transportation system plan will contemplate the improvements needed for a planning horizon of 2021-2041. (Cruickshank Road is in the county and will not be part of the *McMinnville Transportation System Plan*.)

Since the *Oregon Highway 18 Corridor Refinement Plan* is a guidance plan with a phased methodology of improvements on Highway 18 dependent upon the *Oregon Highway Plan* and Division 51 standards, and the *Three Mile Lane Area Plan* complies with that phasing methodology, that will not be updated.

The proposed Three Mile Lane Area Plan transportation improvements meet the *Oregon Highway Plan* standards so no amendments will need to be required to support the *Three Mile Lane Area Plan*. ODOT will adopt the *Three Mile Lane Area Plan* as a facility plan.

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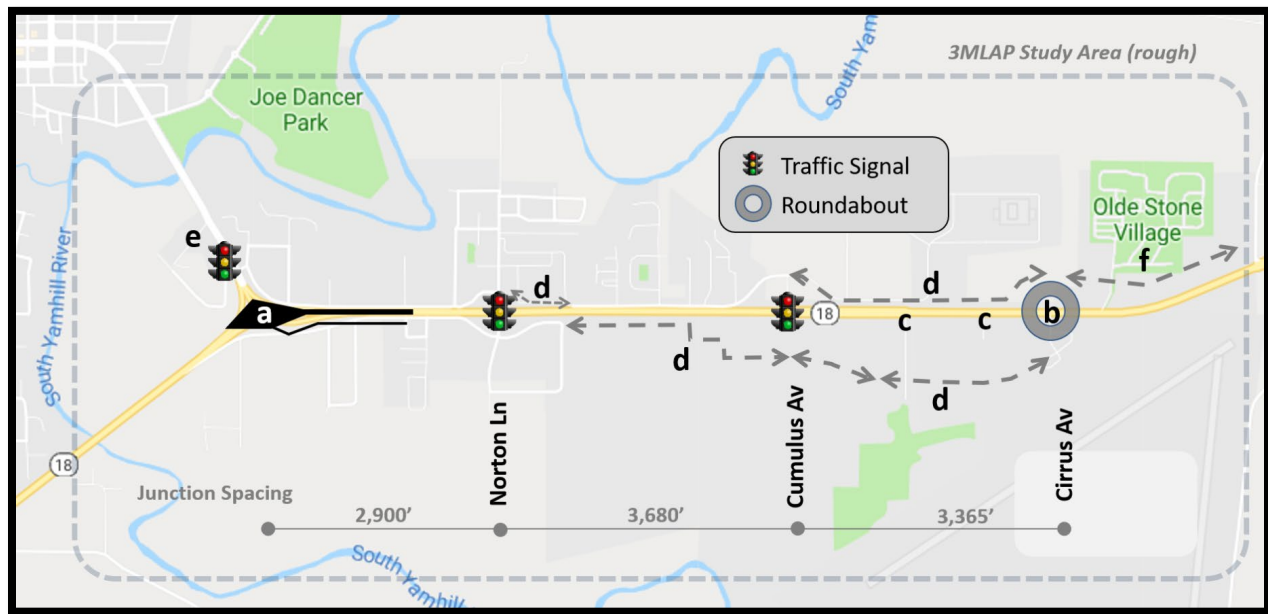


Figure 3: Preferred Transportation Plan for Three Mile Lane Area Plan

- a) Three Mile Lane interchange - reconstructed for full directional access and crossing, with new connector to Stratus Avenue).
- b) Cirrus Avenue – new intersection improvement on OR 18 (signal or roundabout), with McMinnville gateway features. *(Staff recommended amending this language to indicate that an intersection improvement was needed, but that it could be either a signal or a roundabout at the May 10 City Council public hearing. The figure will be adjusted to reflect that amendment).*
- c) Removal of at-grade street and driveway accesses to OR 18 in the section between Cumulus Avenue and the eastern edge of the study area, including Loop Road and Cruickshank Road (Cruickshank Road is not shown, as Cruickshank Road is external to the Three Mile Lane Study area).
- d) New east-west frontage streets north and south of OR 18, linking Cirrus Avenue, Cumulus Avenue and Norton Lane.
- e) New traffic signal (or roundabout) at Three-Mile Lane and Cumulus Avenue.
- f) Loop Road - disconnect from OR 18 and realign to new Cirrus Avenue connector and roundabout.

History of Planning Commission Public Hearing and Deliberation: The Planning Commission hosted four meetings to discuss the Three Mile Lane Area Plan (December 16, 2021, January 20, 2022, February 17, 2022, and March 17, 2022). At the first meeting on December 16, 2021, the public hearing was continued to January 20, 2022 without a staff report or public testimony. Then, the

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Planning Commission heard from a staff report and public testimony on January 20, 2022 and February 17, 2022.

Prior to the meeting on December 16, 2022, the City sent out a mailing to all property owners within the study area to apprise them of the upcoming public hearing. The City received three communications – one from Nolan Chard who was supportive of the proposed **Plan** and one from Rick Rozanski and Lisa Baker, who were both concerned about the feasibility of a trail system in the Central Neighborhood District near the Kingwood and Norton Crest subdivisions. With topography and soil challenges, they both recommended that an exact location for the trail needed to be further studied.

After the December 16, 2021 planning commission meeting, Friends of Yamhill County sent out an alert email to their membership and email distribution group. This alert generated a significant amount of testimony that was entered into the record for the January 20, 2022 planning commission public hearing.

After hearing testimony on January 20, 2022, the Planning Commission continued the public hearing to February 17, 2022, and asked staff to bring the transportation consultants and ODOT representatives to the February meeting to address some of the transportation issues that were raised during the January 20, 2022 public hearing testimony.

At the February 17, 2022 meeting, **Andrew Mortensen, Senior Transportation Planner with David Evans and Associates, Inc.**, and lead Project Manager for the consultant team, and **Naomi Zwerdling, Planning and Development Review Manager, ODOT, Region 2**, and **Michael Duncan, Senior Region Planner, Transportation and Growth Management Project Manager for ODOT, Region 2**, provided testimony about the transportation evaluation and analysis of the planning effort, and answered in more detail questions that the Planning Commission and public testimony had about the particular design of the transportation elements identified in the Plan and the performance of the transportation system.

The Planning Commission then heard more public testimony on February 17, 2022, and elected to close the public hearing.

After closing the public hearing, the Planning Commission asked staff to amend the plan in two areas:

- 1) Add a provision for the future evaluation and consideration of a bicycle/pedestrian overpass on Highway 18 when the need and opportunity arose.
- 2) Strengthen the language about the City's desire to implement design and development standards in the area for the commercial site south of Highway 18, the Innovation Center site, and the mixed-use site on the north side of Highway 18, that will ensure that those developments are unique to McMinnville, reflecting McMinnville's community values.

Attachments:

- Attachment A: Size of Retail Analysis
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1) Add a provision for the future evaluation and consideration of a bicycle/pedestrian overpass on Highway 18 when the need and opportunity arose.

The City commissioned a memorandum from David Evans and Associates to examine the general implications of constructing a pedestrian bridge crossing of OR 18 near Norton Lane. (Please see attached memorandum).

A pedestrian overpass could potentially fit into the right-of-way (would need to be designed with frontage road construction), and would be approximately 125 feet long, costing approximately \$3,500,000 - \$5,000,000.

This would not be an ODOT funded project, and most likely, not an SDC (System Development Charge) eligible project as it has not been determined to be warranted (needed) per transportation scenarios. For context, traffic counts taken on OR 18 at Norton Lane in 2018, which served as the baseline analysis in the Three Mile Lane Area Plan, revealed that a total of 36 pedestrians cross OR 18 within the existing, at-grade, designated crosswalks at Norton Lane during a typical weekday, and a total of 5 pedestrians cross during the PM peak hour (4:40-5:30pm).

The following language was added to the Three Mile Lane Area Plan document, page 50.

Future Bicycle/Pedestrian Overpass Consideration

OR-18/Norton Avenue – Potential Bicycle / Pedestrian Overpass

In the adoption process of the 3MLAP, the City identified a future potential need for a bicycle/pedestrian overpass at OR 18/Norton Avenue to facilitate a separated bicycle and pedestrian crossing opportunity. This was not calculated as a need by the 3MLAP transportation analysis.

The City should continue to evaluate the bicycle and pedestrian movements from north to south at this intersection for mobility and safety, and explore opportunities to fund and implement this improvement proactively if determined to be warranted by the community.

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2) Strengthen the language about the City’s desire to implement design and development standards in the area for the commercial site south of Highway 18, the Innovation Center site, and the mixed-use site on the north side of Highway 18, that will ensure that those developments are unique to McMinnville, reflecting McMinnville’s community values.

Throughout the Three Mile Lane Area Plan document is language relative to the need that any new development in the Three Mile Lane Study Area should be subject to special design and development standards specific to that area, especially the new commercial site south of Highway 18, the Innovation Center and the mixed-use site north of Highway 18.

Currently, there is a Three Mile Lane Planned Development Overlay over the study area. This planned development overlay is intended to be amended and inserted into the McMinnville Municipal Code as a special overlay zone that has prescribed design and development standards for this area. The Three Mile Lane Area Plan has several sections with design and development policies in it that development will need to address. These policies have been assembled into a Recommended Design for Three Mile Lane Area information booklet. And are explained below.

One of the goals of the Three Mile Lane Area Plan is Goal #4, which addresses aesthetics and design.

GOAL 4: Create an aesthetically pleasing gateway to the City of McMinnville

The study area is a primary gateway to the City of McMinnville. Alternatives will be evaluated qualitatively for how well they provide an identity for the district, reflect McMinnville’s intrinsic character and highlight the landscape features of the district. (Page 15 of the Plan document)

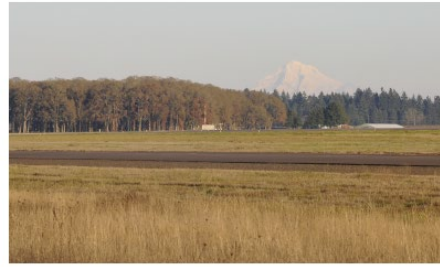
Additionally, all development projects in the Three Mile Lane Area will need to comply with the City’s adopted Great Neighborhood Principles. How they need to comply is identified in the Plan per the illustration below, found on pages 16 and 17 of the Plan.

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1. *Natural Feature Preservation*

- Strive to protect tree groves
- Strive to protect individual trees
- Protect riparian corridors and adjacent native landscape



2. *Scenic Views*

- Provide and protect views to rolling hills and volcanoes
- Provide visual and physical access to North Yamhill River
- Orient streets and open spaces to views



3. *Parks and Open Spaces*

- Connect to Galen McBee Airport Park
- Connect to Joe Dancer Park
- Create new gathering spaces that incorporate natural areas and views
- Plant landscapes that incorporate natives and exhibit seasonal variation



4. *Pedestrian Friendly*

- Provide a network of sidewalks and trails to connect people to key locations
- Incorporate shade streets with mature tree canopy

5. *Bike Friendly*

- Plan safe routes for residents and touring cyclists

6. *Connected Streets*

- Connect to existing street grid in the Three Mile Lane area



7. *Accessibility*

- Design new development for ease of use by all ages and abilities

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8. *Human Scale Design*

- Respect typical scale of commercial uses in McMinnville
- Design to reflect the micro-climate—outdoor life, porches, balconies
- Promote inclusion and interaction within the right-of-way

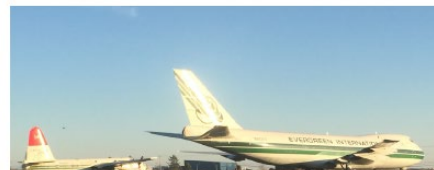


9. *Mix of Activities*

- Encourage mixed-use development where feasible

10. *Urban-Rural Interface*

- Reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees
- Consider adjacency to agricultural fields and respect this heritage through careful transitions
- Design simple roof forms (industrial and agricultural). Height and distinctive forms of silos can be inspiration
- Consider functional site planning of vineyard and farm complexes as conceptual model for new development



11. *Housing for Diverse Incomes and Generations*

- Allow for a mix of future housing forms and types, respecting the current character of Three Mile Lane

12. *Housing Variety*

- Respect existing variety of housing types in
- Three Mile Lane and ensure diversity of design for future housing



13. *Unique and Integrated Design Elements*

- Ensure visibility from highway; Welcome to McMinnville
- Make functions of sites visible (airplanes, wine-making); continue expression of industry/making where applicable
- Aviation legacy: display large planes; consider sensation of low-flying planes, potential visual impact of sites from the air
- Consider local and/or sustainable materials for cladding and building structure (timber, corrugated steel cladding, red brick)
- Use vibrant color



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These principles were then translated into Three Mile Lane Area Plan policies for new development as identified on pages 35 and 36 of the Plan.

Three Mile Lane Area Plan Policies

1. *Require future development to be consistent with the design elements of the Three Mile Lane Area Plan.*
2. *Public improvements and private development shall strive to protect tree groves and mature individual trees.*
3. *Riparian corridors and adjacent native landscape shall be protected.*
4. *The built environment will be designed to provide and protect views to rolling hills and volcanoes and to enhance visual and physical access to the North Yamhill River. New streets and open spaces will be oriented to capture views.*
5. *Enhancing connections to existing trails and open space, such as connections into Joe Dancer Park and McBee Park, and creating a public greenway along South Yamhill River with trails and connections to the Three Mile Lane Area is a priority.*
6. *New gathering spaces will be designed to incorporate natural areas and views.*
7. *Require native landscape plantings with seasonal variation and tree plantings that include shade streets with mature tree canopy.*
8. *A network of sidewalks and trails will connect people to key locations within the Three Mile Lane Area.*
9. *The Three Mile Lane Area will have safe bicycle routes for residents and touring cyclists.*
10. *Proposed new streets will connect to the existing local street grid, consistent with the conceptual designs in the Three Mile Lane Area Plan and in compliance with Transportation System Plan standards.*
11. *New commercial developments should be designed to be at a walkable, human scale and for ease of use by all ages and abilities.*
12. *New commercial, office, mixed-use, and multi-family developments should be designed to reflect the micro-climate and enhance outdoor life through the incorporation of features such as porches, balconies, courtyards, plazas, etc.*
13. *New commercial, office, mixed-use, and industrial campus developments should promote inclusion and interaction within the right-of-way.*
14. *Encourage mixed-use development where feasible.*
15. *Proposed site landscape for new development should strive to reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees – and consider functional site planning of vineyard and farm complexes as conceptual models.*

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16. *New development should consider adjacency to agricultural fields and respect this heritage through careful transitions.*
17. *Architectural building design that includes simple roof forms (industrial and agricultural) is encouraged in the Three Mile Lane Area.*
18. *Encourage a diversity of future housing forms, types, and design that respect the current character of the area .*
19. *Ensure that new commercial and industrial campus development creates a welcoming and visible interface with Three Mile Lane.*
20. *Encourage site design and architecture that visibly convey the historic or current industry on the site (e.g., aviation, wine-making).*
21. *New commercial, mixed-use, office, and industrial campus development should consider using local materials for cladding and building structure (timber, corrugated steel cladding, red brick), and incorporating vibrant color.*

The mixed-use development on the north side of Highway 18, the commercial site on the south side of Highway 18, and the Innovation Center are then discussed further in the plan document in terms of design intentions, indicating that they particularly should have the following features:.

- Human-scale development that is pedestrian friendly.
- Walkable, narrow main streets connecting through the center, with parallel or angled on-street parking in front of retail storefronts.
- Public gathering spaces, bordered by dining and entertainment attractions, featuring play areas and flexible space for programmed public events.
- Shared parking lots, generally located behind buildings, featuring wide pedestrian walkways, EV charging stations, bicycle parking, and transit stops. As well as integrated stormwater treatment and ample landscaping including shade trees.
- Sustainable high-quality architecture, themed in a regionally appropriate way, with buildings placed in prominent locations that contribute to the quality of the pedestrian experience, versus behind large surface parking lots.
- Building edges that create ‘frontage’ on walkable streets or pedestrian walks, with higher-quality materials, generous windows and pedestrian-scale signage in the first 20-30’ of elevation.
- Proximity and connection to a mix of other uses, to encourage walking from residential or office areas to the retail center.
- Generous landscape buffers between the retail center and roadways or parking lots while maintaining maximum visibility for retailers.
- A prominent entry to the site, with signage or a gateway feature.

(page 27 of the Plan document.)

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And finally, on pages 44, 45 and 46 is a detailed description of how these policies need to be integrated into McMinnville’s zoning ordinance and the Three Mile Lane Overlay.

These include but are not limited to:

Policy	Overlay Amendment	Recommended Action
1. Require future development to be consistent with the design elements of the Three Mile Lane Area Plan.	<p>Include specific development standards (see amendments in this table) in the Three Mile Lane Planned Development Overlay to implement the Three Mile Lane Area Plan. Note that the review and approval process for land use applications is through Three Mile Lane Design Review, Director's Review with Notification.</p> <p>Require Mixed-use, Commercial, or Industrial development proposals over [10] acres to be subject to Planned Development Overlay (Chapter 17.51) and Planning Commission approval.</p> <p>In the Innovation Campus allow office uses that support products and services that are manufactured or developed on site or that serve as corporate offices for products that are manufactured elsewhere.</p>	<p>Require all mixed-use, commercial and industrial development proposals over [10] acres to be subject to the planned development overlay chapter of the code, Section 17.51, and planning commission approval.</p> <p>In the Innovation Center allow office uses that support products and services that are manufactured or developed on site or that serve as corporate offices for products that are manufactured elsewhere.</p>
2. Public improvements and private development shall strive to protect tree groves and mature individual trees.		Identify tree groves and types to be protected designate as significant historic trees.
3. Riparian corridors and adjacent native landscapes shall be protected.	Require mapping and protection of stream corridors and re-vegetation with native plantings.	
4. The built environment will be designed to provide and protect views to rolling hills and volcanoes and to enhance visual and physical access to the North Yamhill River. New streets and open spaces will be oriented to capture views.	Require viewshed analysis as part of Design Review.	
5. Enhancing connections to existing trails and open space, such as connections into Joe Dancer Park and McBee Park, and creating a public greenway along South Yamhill River with trails and connections to the Three Mile Lane Area is a priority.	Require connection to proposed trail, trail right-of-way dedication, and trail construction as part of Design Review/development approval.	
6. New gathering spaces will be designed to incorporate natural areas and views.	When proposed as part of a Planned Development master plan, require gathering spaces be designed to incorporate natural areas and views as a condition of approval.	
7. Require native landscape plantings with seasonal variation and tree plantings that include shade streets with mature tree canopy.	Require native landscaping and plantings of all development through Design Review.	Develop and define a planting list and approval list.

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Policy	Overlay Amendment	Recommended Future Action
8. A network of sidewalks and trails will connect people to key locations within the Three Mile Lane Area.	Apply pedestrian walkway and connectivity standards to all non-residential development. Note: Pedestrian walkway standards, currently are applied to Large Format Retail; site design requires connections between buildings and from building entrances to streets (§17.56.050.C.2).	
9. The Three Mile Lane Area will have safe bicycle routes for residents and touring cyclists.	Require transportation improvements consistent with the Area Plan through Design Review.	
10. Proposed new streets will connect to the existing local street grid, consistent with the conceptual designs in the Three Mile Lane Area Plan and in compliance with Transportation System Plan standards.	Require transportation improvements consistent with the Area Plan through Design Review.	
11. New commercial developments should be designed to be at a walkable, human scale and for ease of use by all ages and abilities.	Requirements for commercial building size and massing. Standards for parking maximums for all uses. Parking lot location requirements for commercial uses.	Additional guidelines standards related to treatments. 17.56.050 Development Standards
12. New commercial, office, mixed-use, and multi-family developments should be designed to reflect the micro-climate and enhance outdoor life through the incorporation of features such as porches, balconies, courtyards, plazas, etc.	Require as part of Design Review: - Standards for non-residential buildings to include minimum pedestrian shelter coverages along ground floor elevations/street frontages and main entrances. - Residential design features to include clear and objective building design standards/ architectural elements.	Additional guidelines standards related to treatments.
13. New commercial, office, mixed-use, and industrial campus developments should promote inclusion and interaction within the right-of-way.	Require as part of Design Review: - New requirements for building orientation (set-to, building orientation); - Additional guidelines or standards related to facade treatments, including transparency. - Provision of on-street parking for ground-floor commercial uses (new requirements allowing on-street spaces to be counted toward parking minimums, new cross-section standards for streets with ground-floor retail).	
14. Encourage mixed-use development where feasible.		Consider additional guidelines or requirements for the Mixed Use area.

Apply pedestrian walkway and connectivity standards to all non-residential development per Section 17.56 of the MMC.

Requirements for maximum parking standards and not minimum parking standards.

Requirements for commercial building size and massing.

Requirements for building orientation, façade treatments, provision of on-street parking, grid streets, etc.

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Policy	Overlay Amendment	Recommended Future Action
15. Proposed site landscaping for new development should strive to reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees - and consider functional site planning of vineyard and farm complexes as conceptual models.	Require landscaping proposed as part of a Planned Development master plan to demonstrate how it reflects existing patterns.	
16. New development should consider adjacency to agricultural fields and respect this heritage through careful transitions.	Buffer/perimeter requirements for new non-residential development adjacent to a dissimilar use.	Determine if specific buffering requirements are needed for proposed development abutting land zoned exclusive farm use.
17. Architectural building design that includes simple roof forms (industrial and agricultural) is encouraged in the Three Mile Lane Area.		
18. Encourage a diversity of future housing forms, types, and design that respect the current character of the area.	Buffer/perimeter requirements for new non-residential development adjacent to a dissimilar use.	Evaluate Zoning Ordinance to ensure there are clear and objective design standards for new residential development.
19. Ensure that new commercial and industrial campus development creates a welcoming and visible interface with Three Mile Lane.	Requirements for landscape buffering fronting Three Mile Lane. Requirements for non-residential development related to building facades, including addressing blank walls and requiring articulation and materials or color variation.	
20. Encourage site design and architecture that visibly convey the historic or current industry on the site (e.g., aviation, wine-making).		Develop design guidelines or architectural standards.
21. New commercial, mixed-use, office, and industrial campus development should consider using local materials for cladding and building structure (timber, corrugated steel cladding, red brick), and incorporating vibrant color.	Requirements for non-residential development related to building facades, including addressing blank walls and requiring articulation and materials or color variation.	Develop additional design guidelines or standards related to façade treatments; define acceptable color palette.

Develop design guidelines and architectural standards.

Buffer non-residential development from a dissimilar use.

Buffer non-residential development from EFU with landscaping treatments.

After reviewing the depth of details that currently exist in the Three Mile Lane Area Plan for design and development standards to be implemented with future development, the Planning Commission elected not to make any additional amendments to these principles and implementation guidelines, except for the language associated with Great Neighborhood Principle #11, which was amended to read, “Allow for a mix of housing forms and types that serve a variety of household incomes and respect the current character of Three Mile Lane,” (page 17 of the *Plan*)

During the Planning Commission public hearing process, much of the testimony focused on opposition to the proposed comprehensive plan map amendment for additional commercial land on the south side of Highway 18, and the impact of that amendment to the functionality of Highway 18. After hearing from the transportation consultant and ODOT representatives, the Planning Commission that the *Plan* as proposed met all of the state standards for mobility and functionality of an expressway.

Friends of Yamhill County and 1000 Friends also proposed five amendments to the *Plan*, per the following:

- Reject the redesignation of industrial land to accommodate a new “Town Center/Large Format Retail Shopping Center”.

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- Prioritize the neighborhood serving commercial uses, a pedestrian overpass, and the park near the recently approved apartments, using the Neighborhood Activity Overlay provisions that are already in the code.
- Include the commercially-designated island of land recently added to the UGB, north of the expressway. This land is surrounded by, and is functionally an integral part of, the Three Mile Lane Area.
- Encourage geographically and/or vertically mixed use on the Baker Rock/Cal Portland site.
- Reconsider appropriate commercial uses near the Loop Rd. gateway to the City.

The Planning Commission elected not to move forward with these recommendations except for the inclusion of the consideration of a pedestrian overpass.

There is nowhere in the **Plan** where a “Large Format Retail Shopping Center” is recommended as a preferred land-use alternative. Pages 24 – 28 of the **Plan** describe a Retail Center and Innovation Center where the retail center is further described as a mixed-use “town center” *that offers gathering spaces, walkable streets, and more dining options than typical strip suburban developments or enclosed shopping centers*. The only place where “large format” is discussed is page 13 of the **Plan** when describing the results of the market analysis in Appendix B. The project advisory committee was very intentional in describing a mixed-use town center and not a large format retail shopping center in their description of preferred land uses in the **Plan** with examples of other mixed-use town centers to emulate in terms of design and development standards (ie Orenco Station and the Old Mill District). The map is labeled as a “Retail Center” and a recommendation could be to change the map label to “Mixed-Use Town Center” to more accurately reflect the **Plan** document.

The Three Mile Lane Area Plan scope of work was developed and negotiated in early 2018. ODOT then updated its transportation model in 2019, and the transportation scenarios were developed in 2020, with a final draft of the Plan in April 2021. The McMinnville City Council did not provide direction to work on an urban growth boundary amendment until March 2020. The draft map for the urban growth boundary amendment was not final until November 2020. The City adopted the urban growth boundary amendment in December 2020, and it was not acknowledged by the state until April 2021. Throughout the process, city staff met with ODOT and DLCD representatives to confirm decision-making milestones and assumptions relative to the traffic modeling and transportation scenarios based on the state regulations. When Friends of Yamhill County and 1000 Friends of Oregon suggested that the traffic modeling needed to be redone to include the recently amended urban growth boundary amendment in April 2021, city staff consulted with legal counsel and DLCD representatives. Both indicated that the Three Mile Lane Area Plan transportation modeling did not need to be amended. If the City wants to amend the transportation modeling in the Three Mile Lane Area Plan it would be responsible for the associated costs. In order to incorporate the recent urban growth boundary amendment, ODOT will need to update its transportation model (approximately 6 – 9 months) and new transportation scenarios would need to be analyzed. The City is working with ODOT to update the transportation model for its Transportation System Plan update planned in 2022-2024. Part of the proposed recommendation for G 7-21 is to amend the McMinnville Transportation System Plan to be consistent with the Three Mile Lane Area Plan.

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The Baker Rock/Cal Portland site is recommended to be a mixed-use development (page 21 and 22 of the Plan),

The uses near the Loop Road gateway are currently identified as tourist commercial, and the project advisory committee did not recommend changing the underlying comprehensive plan map designation or the zoning for this area.

Margaret Cross provided public testimony at the Planning Commission recommending that the City engage in a new public process for the Three Mile Lane Area Plan to encourage more participation in the dialogue and to overcome the potential impacts of COVID on the process. The Planning Commission considered her recommendation and concluded that the public process utilized was comprehensive and that the City did not have the resources to continue with a new public process.

On March 17, 2022, the Planning Commission voted unanimously to recommend approval of the **Plan** to the McMinnville City Council with the two amendments discussed in this staff report.

On March 25, 2022, Mark Davis published a “Viewpoint” in the *News-Register*, entitled “Don’t Turn Bypass into a Bottleneck” encouraging people to send in testimony to the McMinnville City Council in anticipation of a future City Council decision on the Plan. This generated several emails to the City Recorder’s office.

On April 20, 2022, Friend of Yamhill County emailed a “Call to Action” to their membership and email distribution group encouraging people to submit Letters to the Editor of the *News-Register* and testimony to the City Council in anticipation of a future City Council decision on the Plan. This generated several emails to the City as well.

The entire public record for Docket G 7 – 21 can be found at: [G 7-21 - Three Mile Lane Area Plan \(3MLAP\) Comprehensive Plan Amendment | McMinnville Oregon](#).

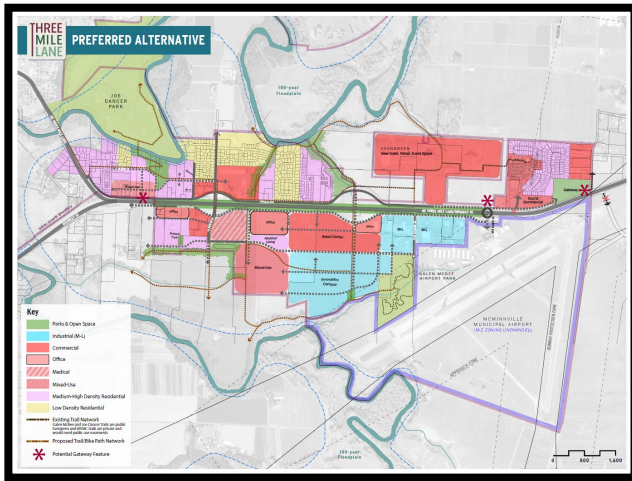
May 10, 2022 City Council Public Hearing: The City Council heard a staff report and public testimony on May 10, 2022. Staff recommended two amendments as part of the staff report relative to two different figures in the Three Mile Lane Area Plan:

- 1) a revised Community Land-Use Vision Preferred Alternative Map to better reflect the proposed underlying comprehensive plan designations needed to facilitate the community vision per below; and
- 2) proposed language and figure indicating that the proposed traffic improvement at Cirrus Avenue and Highway 18 has not yet been decided and could be a signal or a roundabout.

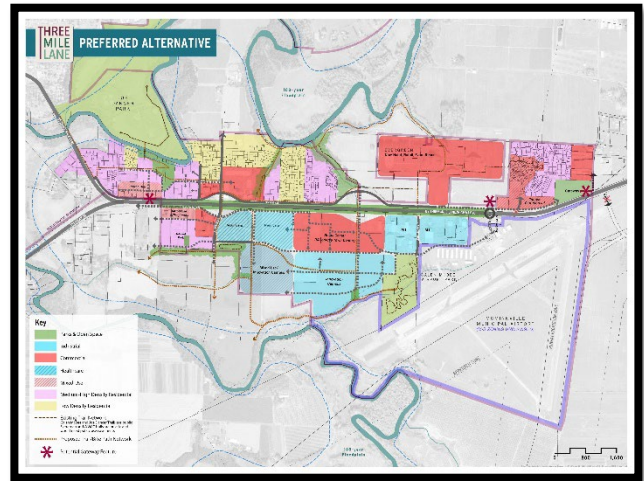
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Proposed community land-use vision map amended to more clearly reflect the narrative in the plan document, with descriptions per the following: Mixed-Use Area, Tourist Commercial, Health Care Area, Retail Center (Mixed-Use Town Center) / Innovation Campus, and underlying colors that more clearly illustrate the comprehensive plan designation needed to achieve that vision. Note that Hospital, Medical and Hospital Ancillary Uses, Medical Professional Uses, Research and Development Offices, Business School or Trade College, and other similar uses are all allowed in McMinnville's industrial zones.

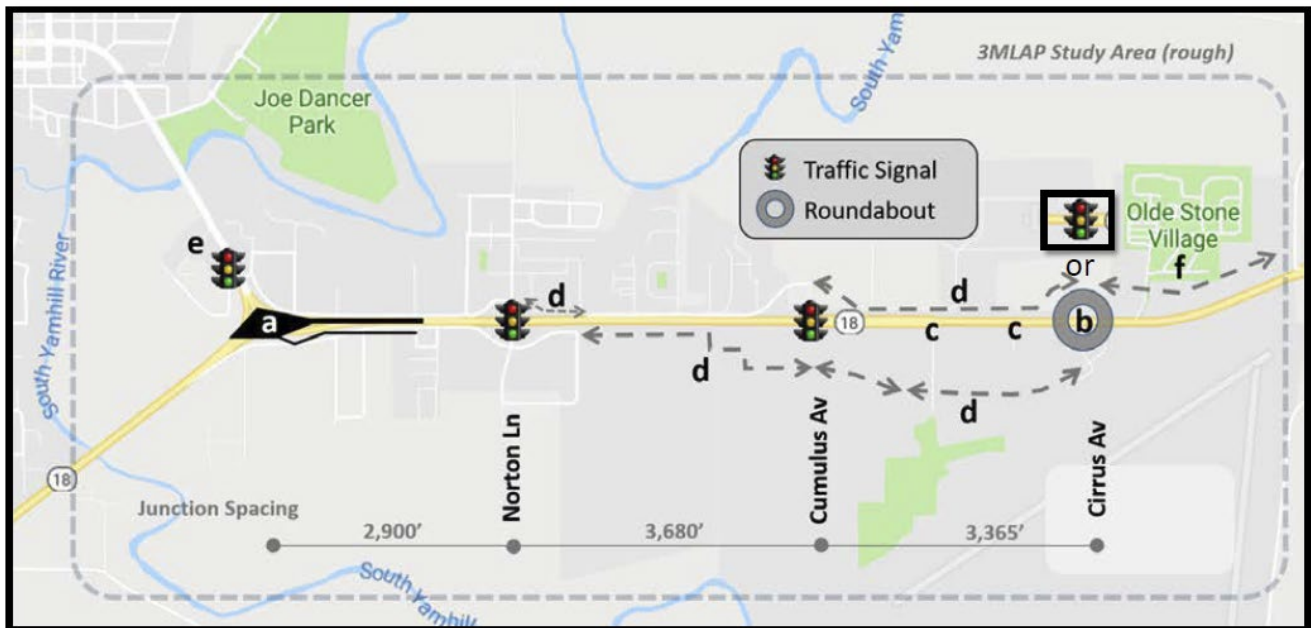


Original Preferred Alternative Land-Use Vision Map



Amended Preferred Alternative Land-Use Vision Map

Amended Preferred Preferred Transportation Facility Figure showing both a signal and roundabout at Cirrus Ave.



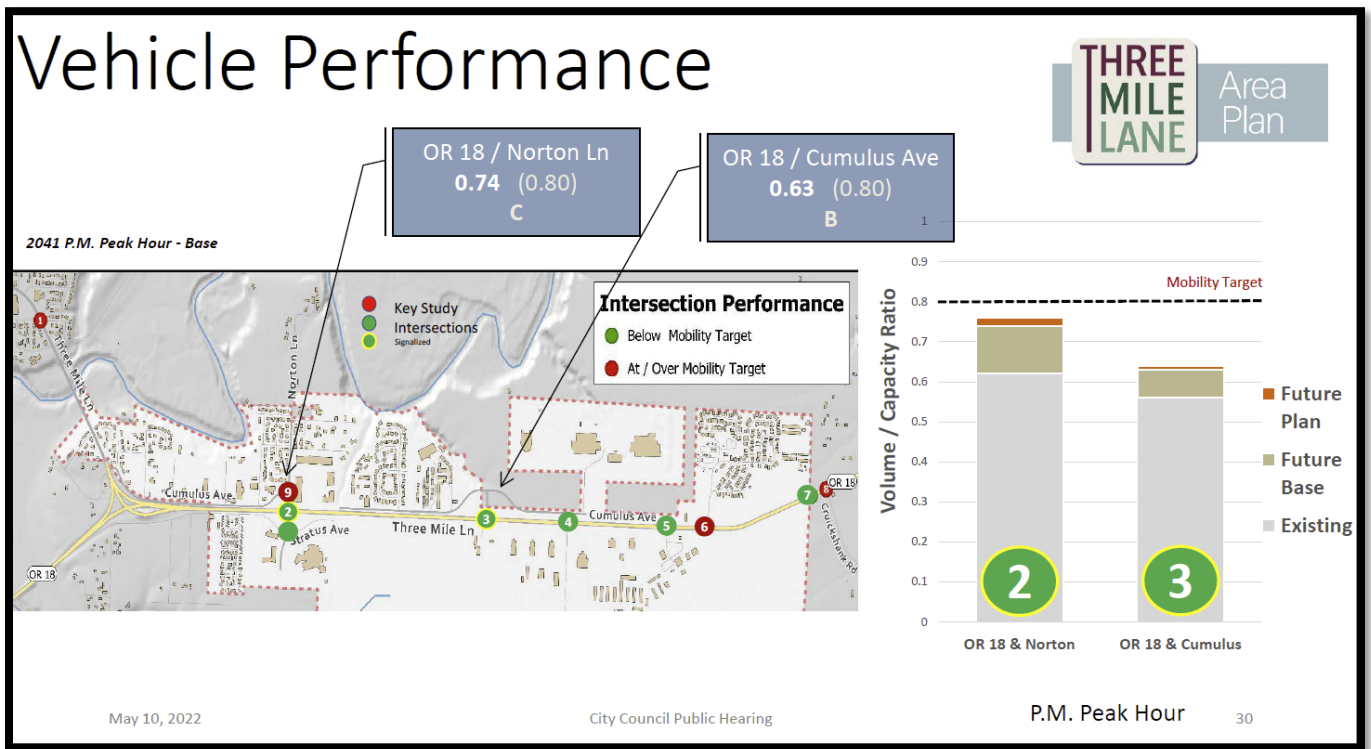
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Managing the Highway System: There was some dialogue at the May 10, City Council public hearing about the impact of the proposed Three Mile Lane Area Plan on Highway 18, especially relative to its functionality as an expressway and freight route.

The adopted Oregon Highway Plan (OHP) classifies Highway 18 as state expressway and freight route. To protect the functionality of its highway system, ODOT’s Oregon Highway Plan has standards that manage the functionality of the highway as congestion grows on the system. The standard for a state expressway and freight route is to not allow intersections to exceed 80% of its vehicular capacity at peak travel times. (v/c ratio = 0.80).

To study the impact of the preferred community land-use vision on the highway facility, the consultant team and ODOT modeled the transportation performance of the highway at 2041 with the full build-out of the existing land within the city limits developed per the existing comprehensive plan map designations. This is the measurement of what is forecasted to happen without adopting the proposed comprehensive plan map amendments in the Three Mile Lane Area Plan. That analysis showed that, at the peak hour of the day, the two highway intersections performed at 74% and 63% of capacity (or 0.76 and 0.64) respectively per the illustration below. This means that with full build-out of the current land within the city limits at the current comprehensive plan map designations, the highway operates within the state adopted standards for state expressways and freight routes.

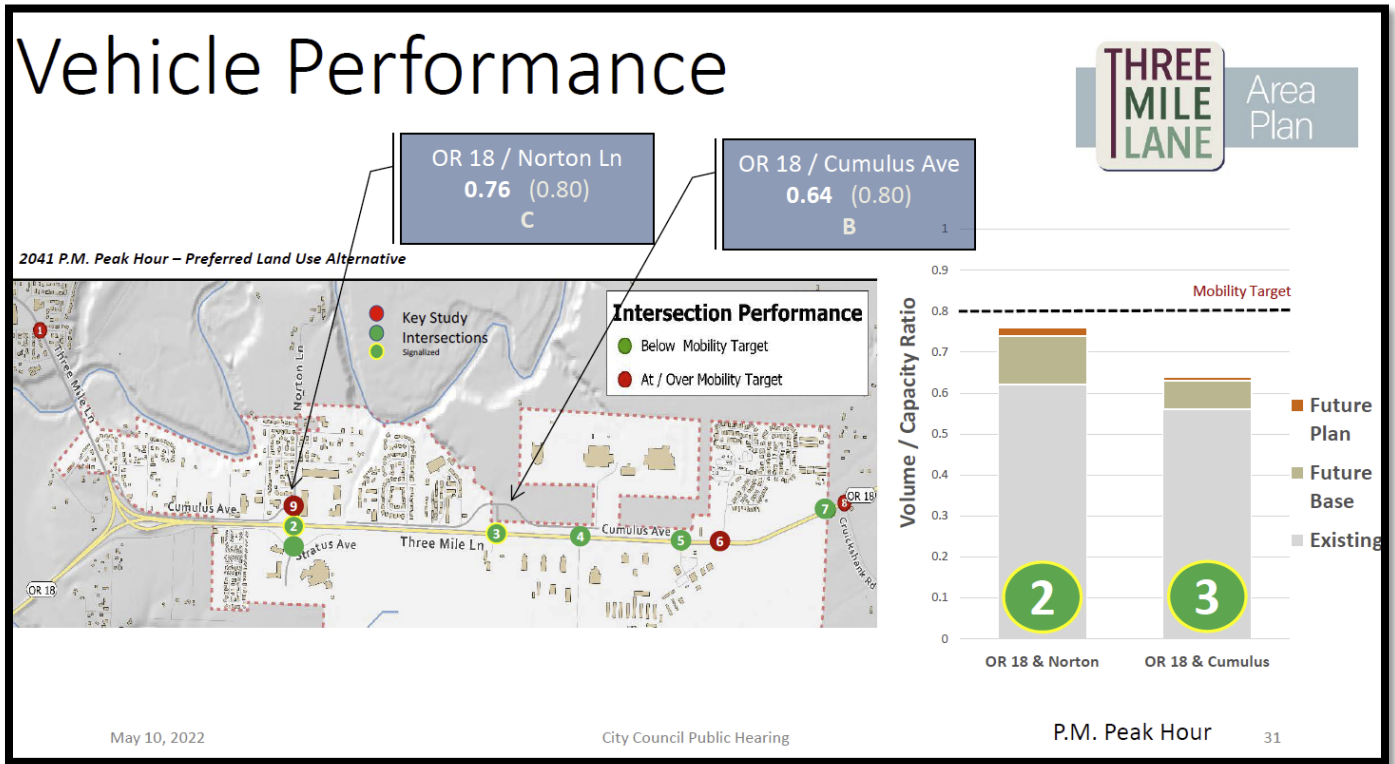


Then the consultant team and ODOT modelers analyzed what would happen to the two Highway 18 intersections if the land in the study area developed per the comprehensive plan map amendments needed to support the community vision for the Three Mile Lane Study Area at full build-out in 2041.

Attachments:

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With those amendments, the performance of the two intersections went from 74% and 63% of capacity to 76% and 64% of capacity at the transportation peak hour. A difference of 2% and 1% increase in capacity respectively. And the system still operates within the adopted state standards for state expressways and freight routes. See figure below.



This is a high-level analysis based on comprehensive plan amendments. As the amendments become more refined, then the analysis will become more refined since there is more detailed knowledge about what will occur in terms of development. For instance, with a rezone, the applicant will need to provide a traffic impact analysis of the worst-case traffic scenario that could occur within that particular zone. And when a development plan is presented the applicant will need to provide another traffic impact analysis specific to that development plan. And if the land-use application impacts state facilities both ODOT and the city have jurisdictional review of impact and conditions of approval for the development.

City Council asked for the process for ODOT review of land-use applications at the May 10, 2022 public hearing. Below is their response.

For comp plan amendments and zone changes ODOT reviews according to the requirements of the TPR – OAR 660-012-0060 – and the OHP Mobility Policy (1F.) Note that action 1F.2 states, in the case of plan amendments and zone changes, the analysis year is 15 years or the horizon year of the local TSP, whichever is greater. The policy also establishes standards for mitigation where the mobility target is met and where it is exceeded prior to development. The policy also establishes a threshold for where an increase in traffic is not considered significant (small increase in traffic) where the target has already been exceeded.

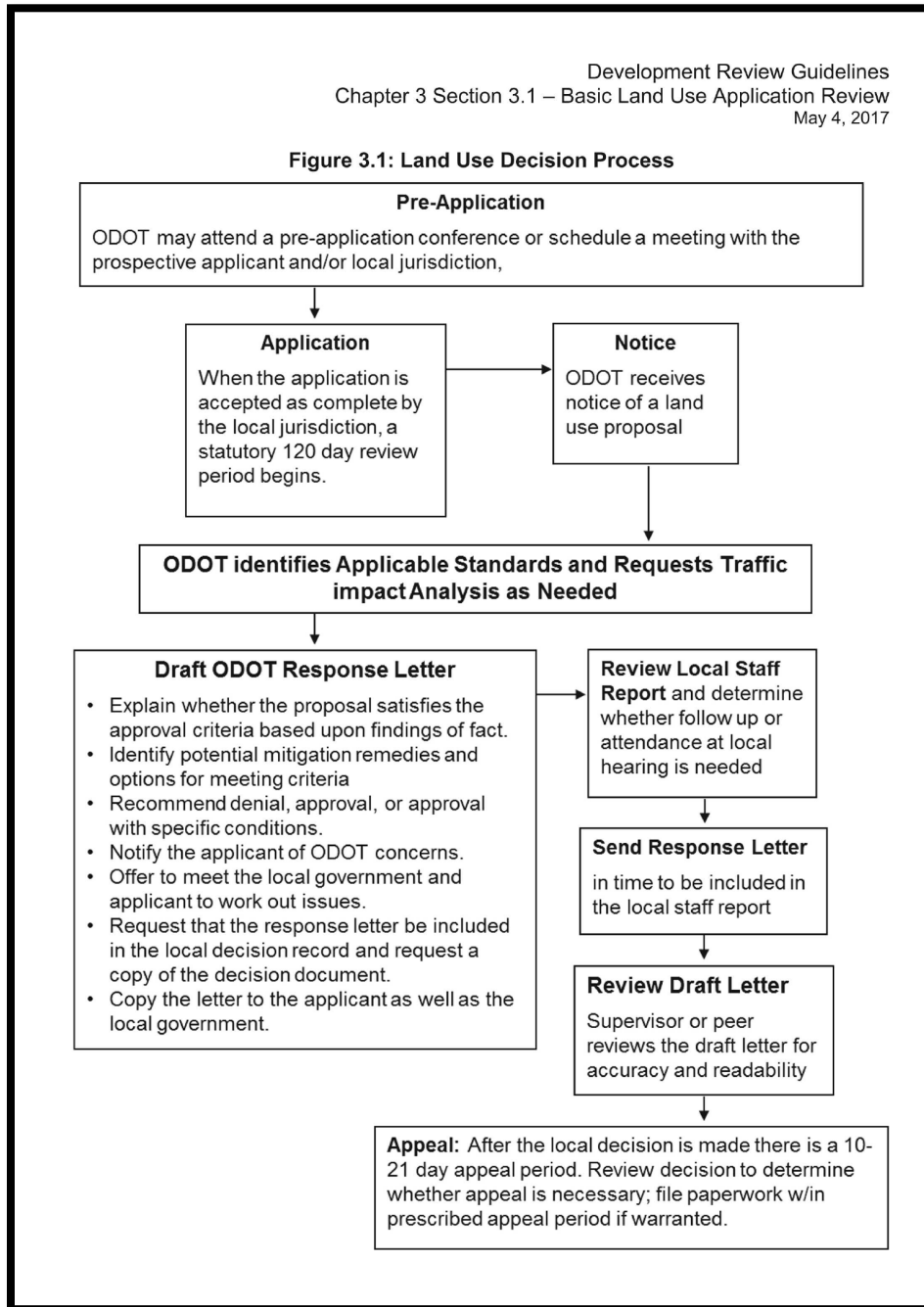
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For development review (site plans, conditional use permit, etc.) ODOT's review is limited to the Agency's statutory authority to regulate access to state highways and to require mitigation for project-related impacts. ODOT has limited ability to require off-site mitigation and it must be directly related to the impacts of the project.

The Development Review Guidelines take a deep dive into this, but unfortunately contain no easy to read one-pagers. <https://www.oregon.gov/odot/Planning/Documents/Development-Review-Guidelines.pdf>

Flow Chart from the ODOT Design Review Guidelines , page 58.



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Discussion:

City Council Requests for More Information from June 14, 2022 Public Hearing: City Council asked staff to research several different items after listening to public testimony at the June 14, 2022 public hearing. The results of that research is encapsulated below:

- 1) *How much of the Retail Leakage in the Three Mile Lane Area Plan Market Analysis can be attributed to e-commerce (online shopping)?*

The same question was posed in July, 2021. Staff has reached out to Chris Zahas, Managing Principal of Leland Consulting Group that worked on the Three Mile Lane Area Plan Market Analysis with the question at that time.

His response was that although the data is not provided with online leakage versus bricks and mortar leakage, the industry standard and assumption for this analysis in 2019 was 11% of retail leakage could be attributable to online shopping. In his discussion with staff in July, 2021, he stated that due to COVID the industry standard had increased to 15%.

Staff conducted some additional research and found several articles written in 2021 that reaffirmed Chris Zahas' assumption that online shopping had increased to 15% by 2021 due to COVID. However, interestingly, new data in 2022 is showing that consumers are returning to bricks and mortar in most industries and the online share of spending is trending down from 15% in 2022.

An article from World Economic Forum, March 21, 2022, "Is the E Commerce Trend Coming to An End?" states that, "On average, the online share of total spending rose sharply from 10.3 percent in 2019 to 14.9 percent at the peak of the pandemic, but then fell to 12.2 percent in 2021."

These are industry standards and should be used as a perspective of relativity.

- 2) *For perspective on the discussion relative to retail sizes, what are the sizes of the larger retailers in McMinnville, Newberg and Sherwood, and what are the standard industry size ranges of different retailers?*

Attachment A provides the size ranges of different retailers in McMinnville, Newberg and Sherwood, and the standard industry range of store sizes for some brand name retailers. In McMinnville, Lowe's is the largest retailer, with a building footprint of approximately 170,000 square feet. Walmart's building footprint is approximately 118,000 square feet. In Newberg, the building footprint of Fred Meyer's is 180,000.

- 3) *Councilor Geary's Questions about V/C ratios. Councilor Geary provided several detailed questions about v/c ratios – how they are calculated and applied in transportation analysis. Staff reached out to the Transportation Engineers and Planners at David Evans and Associates (consultant on the Three Mile Lane Area Plan) and Oregon Department of Transportation – Region 2 (Project Manager of the Three Mile Lane Area Plan). Attachment B to this staff report provides their answers. They will also provide a staff report at the July 26 public hearing.*

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Discussion of Draft Design and Development Standards for Quasi-Judicial Land-Use

Applications: At the public hearing, as part of his testimony and follow-up answers to City Council questions, Sid Friedman, representing Friends of Yamhill County, discussed the draft design and development standards that were drafted by staff as a condition of approval for the quasi-judicial land-use applications that were submitted by the property owners of the property identified for the Retail Center in the Three Mile Lane Area Plan. He wanted City Council to know that the draft design and development standards referenced 2 – 3 anchor retailers of 135,000 square feet. Staff replied that it was a recommendation that 1 – 2 anchor retailers of 135,000 square feet. The actual draft recommendation is below and is part of a comprehensive design and development standards package that will also help to determine form and massing on the site. Sid Friedman asked that the record be corrected in an email to City Council on June 16, 2022. Attachment C provides that correction to record.

V.2. Uses

1. **Number of stores larger than 135,000 square feet.** There shall be a limit of two anchor stores which have gross square footage exceeding 135,000 square feet, except that one additional anchor store exceeding 135,000 square feet may be permitted if the majority of the façade includes separate liner shops with individual exterior entrances.

Attachment E provides the entire staff report, draft decision document and attached draft design and development standards to the record as well to provide context for the recommendation, including why it exists and the rest of the regulatory framework in which it resides. As stated in the staff report on multiple occasions staff was concerned that the property owners had applied for a comprehensive plan map amendment and zone map amendment prior to the public hearing process for the Three Mile Lane Area Plan. It put the City in an awkward position on how to move forward with the request. Clearly the process that developed the Three Mile Lane Area Plan recommended a commercial comprehensive plan map amendment and rezone to commercial for the property adjacent to the Cumulus and Highway 18 intersection south of the highway, but the Plan is also very clear that the community wants to ensure that any development on that site would be held to specific design and development standards for the Three Mile Lane Area that would be developed after the Plan was approved. Since the Plan had not yet been approved and the work for the design and development standards had not yet commenced, staff felt the need to draft design and development standards for the quasi-judicial applications as a placeholder for the project with language in the findings document and this specific condition of approval that any development on the site impacted by the comprehensive plan map amendment and zone map amendment would need to comply with the principles of the Three Mile Lane Area Plan, the Three Mile Lane Overlay District or the condition of approval in the decision document for the design and development standards, whichever is most restrictive.

Public Engagement after June 14, 2022, Public Hearing. Staff recommended that the City Council continue the June 14, 2022, public hearing to July 26, 2022, in order to engage more people in the discussion and to allow people the time necessary to obtain the information they needed so that they could be part of the discussion. A large portion of the public testimony during the Planning Commission public hearings and the City Council public hearings has been from representatives, board members, and members of Friends of Yamhill County. As an article in the Friends of Yamhill County Summer 2022 newsletter states, “Public comments have had an impact. There is now talk at City Council of limiting

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store sizes and total amount of retail in the area. Please watch for email updates explaining how you can help improve the TMLAP,” *McMinnville Threatened by TMLAP*. (Newsletter article can be found in its entirety in Attachment E to this staff report).

Staff sent out a mailing to every address in McMinnville that was delivered on July 14 with the intent of letting all McMinnville residents and businesses know about the planning discussion underway and encouraging them to participate in the dialogue if they wanted to do so. Public Information Sessions were offered on July 14, July 18 and July 20, to share information about the plan, outline the dialogue that has been occurring at the City Council level and provide information to people on how they can communicate with City Council either informally by contacting them or formally by providing testimony.

Discussion of Retail Center, Mixed-Use Town Center: Clearly, the recommendation to redesignate 40 – 60 acres of industrial land on the south side of the intersection of Cumulus and Highway 18 to proposal to a commercial comprehensive plan designation to support a future Retail Center, “*Mixed-Use Town Center*” has become the most controversial aspect of the Three Mile Lane Area Plan.

Public testimony has shown that the community (testimony has been provided by both City of McMinnville residents and residents of Yamhill County) does not have consensus on whether or not this aspect of the Plan should be adopted as recommended.

The City Council and Planning Commission heard testimony from people who:

- 1) Support the Mixed-Use Town Center proposal as they feel that McMinnville needs more commercial options for its residents, and for the industrial land to be successfully developed it will need the commercial development to help offset the public transportation improvements needed to develop the site – ie keep the recommendation as is with a commercial comprehensive plan map designation and recommended principles for future design and development standards to be added to the Three Mile Lane Overlay District.
- 2) Would prefer that the retail opportunities be limited to neighborhood-serving commercial – ie reduce the size and limit the zoning options to something akin to the C1 (Neighborhood Commercial) zone.
- 3) Would prefer that the retail opportunities be limited to just those commercial needs associated with the Industrial development – ie keep the industrial commercial plan map designation for the entire site with an allowance in a planned development for supportive industrial campus serving commercial .
- 4) Would prefer that no retail be allowed on this site at all - – ie keep the industrial commercial plan map designation for the entire site and limit options for retail.

Within the course of this dialogue, it seems that the discussion becomes very narrowly focused on the size of the retail allowed and the size of the site contemplated for that retail. However, the recommendation from the Project Advisory Committee and reaffirmed by the Planning Commission was based on several objectives as outlined below. Each of the different pathways outlined above will impact each of these objectives in a different way, by either addressing them or dismissing them.

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Why was the Retail Center, “Mixed-Use Town Center” site proposed? The recommendation for the Retail Center, “Mixed-Use Town Center” evolved after a year of analysis and dialogue about what the community’s future needs were and how to address them. The final recommendation was seen as the best methodology to achieve all of those respective needs.

Issue Identified	How this Recommendation Addresses the Issue
<p>Retail Leakage</p>	<p>Provides opportunities for additional commercial development to try and stem the leakage.</p> <p>Residents should presumably have commercial choices in their own community and not need to drive to other communities regularly to access them, especially in a town of 35,000 people that is growing to 45,000 people. To argue that a store in town provides clothing so that need is met, eliminates the value of choice for consumers.</p> <p>Retain leakage dollars in McMinnville.</p>
<p>Lack of Industrial Development on Industrial Land that has been zoned and in the City for 40 years.</p>	<p>The infrastructure costs associated with adjacency to a highway system are much higher than the infrastructure costs associated with adjacency to a local collector or connector street. To preserve the mobility of Highway 18, extensive local improvements need to be built to create a local transportation system that does not currently exist to keep local trips off of the highway. (Think about Riverside Drive, versus Highway 18 and the frontage roads needed.)</p> <p>Commercial development has the ability to absorb those costs into their proformas.</p> <p>Typically commercial lease rates are 3 – 4 times higher than industrial lease rates. Location and visibility is critical for commercial endeavors but not critical for industrial development.</p> <p>It is feared that without the commercial development to offset the infrastructure costs associated with this site, the industrial land will not be developed unless the public subsidizes the infrastructure. And it will remain on the city’s buildable lands inventory as job-producing land, preventing the City from identifying better-suited industrial land elsewhere.</p>

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<p>Need for Additional Tax Base and Jobs</p>	<p>Commercial development provides some of the highest tax base in a community, and it provides jobs in the economy that serve a need. Some retailers pay better wages and benefits than industrial jobs. Retail jobs also provide an opportunity for people entering the workforce or seeking additional employment opportunities.</p>
<p>Provide the residential neighborhoods in this Study Area with a grocery store.</p>	<p>This area has been identified as a food desert for the residential neighborhoods in the area. Neighborhood serving commercial is planned for in the Three Mile Lane Area Plan where high density residential development is planned. However, it is rare to find a small scale grocery store, such as Harvest Fresh or Sprouts that is willing to locate in neighborhood serving commercial sites unless they are part of a larger business district, such as downtown McMinnville, or a very high density residential development, such as Orenco Station, as there is not enough demonstrated customer traffic to offset the low profit margin of groceries. Often convenience stores, such as Circle K will locate in these areas if they have road visibility.</p>

Capping the Size of Retail in the recommended Retail Center Site. Recently Friends of Yamhill County introduced the discussion of capping the size of retail allowed in the Retail Center site of the Three Mile Lane Area Plan. A discussion on capping the size of retail needs to be conducted in a very thoughtful manner as there is the potential for the perception of bias and targeting without basis a property owner or property.

Retail size caps are often discussed in communities in one of two ways:

- 1) Overall value system in the community that they do not want to allow retailers over a certain size in their community at all as a guiding principle, and then the retail size cap applies to all land within the city limits; or
- 2) A specific area has systemic constraints that would not support larger retailers – often this is transportation infrastructure constraints. To apply a retail size cap in this particular instance there will need to be factual basis supporting that the site constraint exists, and it is in the best interest of the community to institute a retail size cap on the property. Presumably that same transportation constraint would also exist for other land-uses on the site and all land-uses that generated that type of traffic impact would not be allowed.

One of the implementation action items in the Three Mile Lane Area Plan is to amend the Three Mile Lane Overlay District to include design and development standards that represent the values of the

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community for this area. That was intended to occur after the adoption of the Three Mile Lane Area Plan through a comprehensive review and evaluation process conducted by a project advisory committee. Staff recommends that if the City Council wants to proceed with this discussion prior to adoption of the Three Mile Lane Area Plan then it should either direct the existing Three Mile Lane Area Plan Project Advisory Committee to explore that discussion or establish a new Project Advisory Committee to do so.

Compliance with State Land Use Goals: The *Three Mile Lane Area Plan* complies with and furthers the following state land use goals: Goal 1 – Citizen Involvement; Goal 2: Land Use Planning; Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces; Goal 8 – Recreational Needs; Goal 9 – Economic Development; Goal 10 – Housing; Goal 12 – Transportation; and Goal 14 – Urbanization;

Specific Compliance with State and Local Transportation Standards: The *Three Mile Lane Area Plan* is compliant with both state and local transportation standards, including the *Oregon Highway Plan* and Oregon Administrative Rules 734-051.

Compliance with McMinnville Comprehensive Plan Policies: The *Three Mile Lane Area Plan* furthers McMinnville’s Comprehensive Plan policies for Natural Resources, Economy, Housing, Transportation, Urbanization and Citizen Involvement.

The results of the *Three Mile Lane Area Plan* is an updated mix of land-uses that serve McMinnville’s housing and employment needs, as well as a transportation facilities plan on Highway 18 for the planning horizon of 2021-2041 that identifies needed projects to preserve mobility and safety in the area that is based on the transportation modeling and scenario analysis required by state regulations. These developments will create a Three Mile Lane Area that is more economically robust, draws increased tourism, provides more equitable transportation options, and increases opportunities for both current and future residents.

Staff Recommendation: Staff recommends considering the Plan as developed by the Project Advisory Committee and recommended by the Planning Commission with the amendments provided by staff based on the City Council public hearing process.

If the City Council feels that it needs to hear more public testimony, staff recommends continuing the Public Hearing to a future date.

If the City Council wants to consider more detailed provisions for the recommended commercial site in the Three Mile Lane Area Plan (ie changing significantly the recommendation for the “Mixed-Use Town Center”), staff recommends that the City Council send it back to the Project Advisory Committee for further dialogue, evaluation and recommendations. If further analysis is required to help the City make a decision on the Plan, staff recommends that the City Council authorize the appropriate resources to contract for that analysis to support the Project Advisory Committee.

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Fiscal Impact:

This effort was funded by a Transportation Growth Management grant from Oregon Department of Transportation and Department of Land Conservation and Development.

City Council Options:

The City Council has the following options:

- 1) Adopt the Plan as recommended by the Planning Commission with the amendments recommended by staff based on the City Council public hearing process.
- 2) Adopt the Plan as recommended by the Planning Commission with the amendments recommended by staff based on the City Council public hearing process, and provide additional amendments.
- 3) Send the Plan back to the Project Advisory Committee for further dialogue with specific direction.
- 4) Elect not to move forward with the Three Mile Lane Area Plan adoption.

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SIZE OF RETAIL DEVELOPMENTS (Part 1): *City Council asked staff to provide the size of the larger retailers in McMinnville, Newberg, and Sherwood. Since there is a standard size for most grocery stores of approximately 50,000 square feet, staff did not measure grocery stores in Newberg and Sherwood. Please see information below:*

McMinnville:

Store	Building Footprint (including all contiguous built space)
Lowe's	170,000 square feet
Walmart	118,000 square feet
Winco	85,000 square feet
Albertsons	55,000 square feet
Safeway	50,000 square feet
Wilco	45,000 square feet
Roths	44,000 square feet

Newberg:

Store	Building Footprint (including all contiguous built space)
Fred Meyer	180,000 square feet

Sherwood:

Store	Building Footprint (including all contiguous built space)
Target	140,000 square feet
Walmart	153,000 square feet

SIZE OF RETAIL DEVELOPMENTS (Part 2): City Council also asked staff to provide some information about the different sizes of retail relative to general merchandise, grocery stores, and gas stations. Below is a summary of that analysis.

Gas Station:

Staff asked a gas station development representative for some general information about size need relative to gas stations.

Gas Stations –

Because sub grade infrastructure is incredibly expensive, typical development site will err to a larger footprint to offset risk. Given 3MLAP is the only potential fuel option from Dundee (ARCO/BP) to Sheridan (small Chevron), you would need to build to service some significant demand.

What that would likely look like is a gross acre (for adequate circulation, plus to manage all the impervious surface), approximately 3500-4500 SQFT store, and 6 lanes for fueling

Full Acre can be smaller with reciprocal easements, but again, you have to circulate a double tanker truck

Fuel lanes – 6 (double sided fueling positions)

Store: given this would serve both transient traffic and adjacent employees, minimum is that 3500-4500 SQFT. Ideally larger w/ an attached QSR (Quick Service Retail) Chandi Group out of SoCal does this extremely well. There are a couple Space Age branded stores (Brooks, Tigard) that would be a good model as well (Space Age is a local Family owned company)

Also – with the light industrial development, I would anticipate there would be a commercial fuel demand as well, Ideally serviced by a separate fuel canopy. That keeps fleet vehicles from competing for fuel lanes with civilians. (add a half acre)

General Merchandise:

Big Box Retail is not defined as a store classification but often refers to both size and type of product. However, the threshold for size when classifying Big Box Retail differs substantially in mainstream nomenclature. What size classifies a storefront as Big Box Retail?

Within the industry, stores are defined by the product they offer, and the size associated with that product range. For example, most larger stores offer both

general merchandise and a full-size grocery store. Smaller stores offer specific targeted products, such as just general merchandise or just groceries, or specialty retail categories, such as electronics, or clothing. Below is a summary of some brand store sizes based on the product offered in the store.

Brand	Type of Store	Range of Sizes	Average
Walmart	Supercenters (GM and Full Groceries)	150,000 – 250,000 sf	180,000 sf
	Discount Stores (GM and Limited Groceries)	30,000 – 121,000 sf	105,000 sf
	Neighborhood Markets (Groceries Only)		40,000 sf
Costco	Warehouse Discount	80,000 – 230,000 sf	146,000 sf
Fred Meyer	GM and Full Groceries		165,000 sf
Target	GM and Full Groceries		130,000 sf
	Small Format		40,000 sf
Safeway	Groceries		46,000 sf
Best Buy	Electronics		37,000 sf
Home Depot	Home Improvement		128,000 sf

Category Killers: There is also a difference in terms of how stores impact local retailers, which is often evaluated by how many products a store carries – ie the more products the more impact on local retailers (category killers). Stores, such as Walmart, carry on average 120,000 different products at a time. Stores, such as Costco, carry approximately 4,000 products at a time.

ANSWERS TO COUNCILOR ZACK GEARY'S QUESTIONS FROM AN EMAIL DATED JUNE 14, 2022. (Attached). Answers provided by Region 2, Oregon Department of Transportation and Transportation Planners and Engineers from David Evans and Associates.

- 1.) Can we get more information relative to the concepts and thresholds of VC ratios? Are there policy or discussion papers available germane to V/C ratios?

ODOT Region 2 Response: v/c ratios signify the volume to theoretical capacity ratio of a roadway. ODOT uses v/c ratios to measure vehicular highway mobility performances. The Oregon Highway Plan (<https://www.oregon.gov/odot/Planning/Documents/OHP.pdf>) provides some additional information. See Highway Mobility Standards (starting on page 69), Policy 1F: Highway Mobility Policy (starting on page 74), and Table 6 (page 84). Table 6 details out the volume to capacity ratio targets by highway category and location characteristics.

- 2.) Generally, more information is needed on what the .80 represents. What do shifts in VC mean in terms of traffic safety? Are there particular thresholds in VC ratios that move traffic safety to higher dangers?

ODOT Region 2 Response: A v/c ratio of 0.80 means that 80% of the available roadway capacity is utilized. As the v/c ratio increases congestion increases, leading to smaller gaps in traffic which may result in vehicles accepting smaller gaps to complete their movements (i.e. someone on the side street trying to make a left onto the mainline may take the left turn with an oncoming car much closer than they typically would like after they've been waiting at the stop sign for some time). In general, there is no particular v/c ratio which denotes "higher danger" at an intersection as there are several factors which may lead to higher crash rates at an intersection.

- 3.) Are there different VC ratios/calculi used for intersections with and without signals? If so, what was used/assumed?

ODOT Region 2 Response: V/c ratios are calculated using formulas from the Highway Capacity Manual (HCM, published by the Transportation Research Board), a nationally accepted method for determining v/c, as well as delay and Level of Service (LOS). Unsignalized intersections report the critical movement (the movement with the highest v/c ratio, typically seen on the side street). Signalized intersections report an overall v/c ratio which is a function of traffic volumes, capacity, signal cycle lengths, and lost time (the time signals are yellow and red, instead of green). Roundabouts report the approach with the highest v/c ratio. ODOT's Analysis Procedures Manual (APM) provides some additional information: Unsignalized (minor street stop control, all-way stop-control, roundabout)

https://www.oregon.gov/odot/Planning/Documents/APMv2_Ch12.pdf), *signalized* (https://www.oregon.gov/odot/Planning/Documents/APMv2_Ch13.pdf).

David Evans and Associates Response: *The 3MLAP study followed the application of V/C measures (APM) and thresholds (OHP), and the study findings were reviewed and approved by ODOT Region 2 and TPAU*

- 4.) Is the V/C ratio based on a peak usage period and extrapolated for data? If so, which one?

ODOT Region 2 Response: *v/c ratios are typically based on 30 Highest Hour Volume (HV), which is designed to capture the vast majority of peak traffic hours (excepting the top 30 hours of the year). A typical field count is converted to 30 HV by applying a seasonal factor. See ODOT's APM, particularly section 5.2* (https://www.oregon.gov/odot/Planning/Documents/APMv2_Ch5.pdf)

- 5.) What is the margin of error for the 20 year build out model? For the 3MLAP added development?

ODOT Region 2 Response: *Travel Demand Models (TDMs) are a tool used to predict future traffic demands and patterns. Models are based on a variety of inputs (population and demographic changes, land use assumptions and adopted land use plans, developable land, the roadway network and any future planned improvements). The models break down areas by zones and based on land use assumptions (such as how many people live in this zone, how many work in this zone) and travel patterns it then quantifies the amount of travel/trips on the surrounding roadway network. TDMs predict out 15 – 25 years, as you begin to lose reliability after that point. Base year models (such as a 2020 base year model for a future 2045 year model) are calibrated using existing conditions such as population, land uses, roadways networks, and traffic volumes. TDMs provide a good estimate of future travel demands, however it would be unreasonable to expect 100% accuracy. ODOT's APM chapter on Travel Demand Modeling provides some additional information* https://www.oregon.gov/odot/Planning/Documents/APMv2_Ch17.pdf

- 6.) Are there other factors beyond V/C ratio that contribute to delay? If what are they and can you elaborate and/or educate on these factors?

ODOT Region 2 Response: *Traffic operations at an intersection can be quantified in a few ways. v/c ratios is a more static measure of the capacity of a roadway or intersection, and how much of the capacity is being used. Delay and Level of Service (which is determined by the amount of delay) measure the quality of service, as it is the amount of time the average user is sitting at an intersection waiting to make their movement.* https://www.oregon.gov/odot/Planning/Documents/V-CRatio_DelayPlanningDesignDecisions_SignalizedIntersections.pdf

David Evans and Associates Response: Traffic volume influences the level of traffic delay, V/C is a metric that considers the level of traffic volume given a particular intersection of highway segment capacity. Delay is not used in the OHP and APM policy and practices that guide transportation planning.

- 7.) Is there adequate future capacity for this and surrounding roads and support infrastructure?

ODOT Region 2 Response: The 3MLAP was developed to determine a proposed network aimed at meeting OHP mobility targets. ODOT was a stakeholder in developing the plan and the resulting analysis documented that intersections on OR 18 meet mobility targets as defined by the OHP and are projected to continue to meet targets in the 20 year horizon plan with the planned transportation improvements (Preferred Alternative).

David Evans and Associates Response: The 3MLAP fundamentally concludes that there is sufficient study area highway and intersection capacity within the 20-year planning horizon, supported by the transportation system improvements noted in the 3MLAP. The analytical process by which these conclusions are made followed the guidelines and best practices provided by ODOT in the Analysis Procedures Manual (APM), and the mobility standards affecting OR 18 as adopted in the Oregon Highway Plan. These findings were reviewed and acknowledged by ODOT as a member of the 3MLAP Technical Advisory Committee. ODOT's Oregon Small Urban Area Model was also prepared following statewide best practices; and its utility in the 3MLAP also followed ODOT's APM best practices.

From: [Zack Geary](#)
To: [Heather Richards](#)
Cc: [Jeff Towery](#); [Remy Drabkin](#)
Subject: transportation questions for Three Mile Lane
Date: Tuesday, June 14, 2022 9:31:06 PM

Heather-

Please pass these questions on to Andrew and the other ODOT specialists for transportation relative to the Three Mile Lane Area Plan:

- Can we get more information relative to the concepts and thresholds of VC ratios? Are there policy or discussion papers available germane to V/C ratios?
- Generally, more information is needed on what the .80 represents. What do shifts in VC mean in terms of traffic safety? Are there particular thresholds in VC ratios that move traffic safety to higher dangers?
- Are there different VC ratios/calculi used for intersections with and without signals? If so, what was used/assumed?
- Is the V/C ratio based on a peak usage period and extrapolated for data? If so, which one?
- What is the margin of error for the 20 year build out model? For the 3MLP added development?
- Are there other factors beyond V/C ratio that contribute to delay? If what are they and can you elaborate and/or educate on these factors?
- Is there adequate future capacity for this and surrounding roads and support infrastructure?

Thank you-

Sent from [Mail](#) for Windows



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231 NE Fifth Street
McMinnville, OR 97128
(503) 434-7311
www.mcminnvilleoregon.gov

MEMORANDUM

DATE: July 19, 2022
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: New Public Testimony for G 7-21, Three Mile Lane Area Plan

Mayor and Councilors,

Following is the public testimony that has been received since your last public hearing on June 14, 2022 through today July 19, 2022, for the Three Mile Lane Area Plan public hearing on July 26, 2022. Any testimony that we receive between now and Monday, July 25, prior to the public hearing we will forward to you at the end of the day on Monday, July 25.

Public Testimony:

- Letter from Chamber of Commerce, 06.21.22
- Email from Amy Bizon, 07.06.22
- Email from Donna Anessi, 07.07.22
- Email from Sid Friedman, 07.10.22
- Email from Julia Anderson, 07.15.22
- Email from Greg Crafton, 07.16.22
- Email from Michael Bilbrey, 07.16.22
- Email from Neil Wright, 07.16.22
- Email from Kathleen McKinney, 07.17.22
- Email from Brad Thompson, 07.17.22
- Email from Christa Brandenburg, 07.18.22
- Email from Dorothy Mayes, 07.18.22
- Email from Hannah Reid, 07.18.22
- Email from Tim Cross, 07.18.22
- Comments from Angie Brown, 07.18.22
- Comments from Anna Stahl, 07.18.22
- Comments from Denise Murphy, 07.18.22
- Comments from Patti Webb, 07.18.22
- Comments from Sid Friedman, 07.18.22
- Comments from Steve Ryan, 07.18.22
- Email from Chuck Hottle, 07.19.22
- Email from Mike Colvin, 07.19.22



June 21, 2022

Dear Mayor Drabkin and City Councilors,

I am writing on behalf of the McMinnville Area Chamber of Commerce in support of the proposed Three Mile Lane Area Project and Innovation Center.

As outlined in the Mac Town 2032 project, McMinnville is in dire need of commercial and industrial space. For McMinnville to grow and meet anticipated employment and business needs, this planned development is exactly the project that will meet those future requirements. As was also noted in the Mac Town 2032 plan, McMinnville experiences millions of dollars in revenue losses due to residents leaving town to shop in other communities. The drain of local dollars leaving our community and the impact of vehicles on our roads and the environment is compelling evidence that this project can benefit McMinnville.

The TMLAP will impact Highway 18, improving traffic flow, by making the road safer for vehicles, pedestrians, and cyclists. As it stands now, Highway 18's intersection at Cumulus is dangerous, and a change to the flow of traffic would alleviate congestion and improve safety for all users. Additionally, ODOT, the state agency responsible for the road, is supportive of the project.

The proposed 160-acre Innovation Center is a next-generation industrial and business campus, including research and development jobs, industrial entrepreneurship, and business development opportunities. The proposed commercial development along the frontage of Highway 18 will provide shopping alternatives for residents, diminishing the spending leakage and the environmental impact from driving out of town for items not readily available in McMinnville.

The TMLAP is built on at least three years of dialogue and thought, including public input to hear and address the needs of residents and businesses. In 1996 the Oregon Highway 18 Corridor Refinement Plan proposed a much larger UGB than exists today, and that plan predicted McMinnville would need a larger UGB, with more commercial and industrial land to accommodate future growth. Clearly, McMinnville has had a long history of being on the forefront of innovation, as evidenced by the "9 in '69" plan, that was so perfectly executed with the realization of the Industrial Park on Riverside. Moving forward with this opportunity will launch McMinnville's next 50 years of growth, prosperity, and innovation.

Thank you for your time and consideration of our comments. We appreciate the work that you do on behalf of McMinnville.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gioia Goodrum'.

Gioia Goodrum
President/CEO
McMinnville Area Chamber of Commerce

From: [amy bizon](#)
To: [Heather Richards](#)
Subject: 3 Mile Lane Area Planning Testimony
Date: Wednesday, July 6, 2022 10:29:26 AM

This message originated outside of the City of McMinnville.

Good morning,

I would like recommend that short term rentals and development be addressed early on in this planning. Our school district numbers are showing us there is a trend with young families not living in and enrolling in schools. School district student numbers are not increasing but declining. For our future, so we are not turning into an unbalanced retirement/tourist focused community but also maintaining much needed housing options to attract and keep our working class families local; please consider a cap of short term rental permits in this newly established and defined Area.

Thank you,

Amy Bizon

Lawson Lane, McMinnville, OR

Heather Richards

From: Claudia Cisneros
Sent: Thursday, July 7, 2022 8:18 AM
To: Donna Anessi
Cc: Heather Richards
Subject: RE: Three Mile Lane Project

Hi Donna,

We are in receipt of your email and will enter it into the record for the July 26 public hearing on the Three Mile Lane Area Plan.

Thank you,
Claudia

 **City of
McMinnville**
Claudia Cisneros
City Recorder
503-435-5702 (desk)
230 NE Second Street
McMinnville, OR 97128

Website: <http://www.mcminnvilleoregon.gov> | [Recorder Page](#) |

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From: Donna Anessi <danessi@me.com>
Sent: Wednesday, July 6, 2022 4:38 PM
To: Claudia Cisneros <Claudia.Cisneros@mcminnvilleoregon.gov>
Subject: Three Mile Lane Project

This message originated outside of the City of McMinnville.

Hello. I am a concerned citizen who loves McMinnville and Yamhill County. I have done some studying of the possibilities for the future development.

Although it is complicated with serious variations, I strongly oppose development involving big box stores or tacky strip malls.

This is an excellent opportunity to enhance McMinnville instead of trashing it. We need walkable and bike friendly neighborhoods and parks, maybe more medical options and a nice grocery store, like New Seasons, Market of Choice or Natural Grocers.

Sincerely,
Donna Anessi
24075 NE Sunnycrest Road

Newberg, OR 97132

"Human beings are the only species that won't save itself because it's not cost-effective."

-- Kurt Vonnegut *Donna*

From: [Sid Friedman](#)
To: [Remy Drabkin](#); [Sal Peralta](#); [Chris Chenoweth](#); [Kellie Menke](#); [Zack Geary](#); [Adam Garvin](#); [Jessica Payne](#)
Cc: [Claudia Cisneros](#); [Heather Richards](#); [Marvin, Sarah](#); [Howard, Gordon](#); [Alexis Biddle](#)
Subject: Accuracy of information
Date: Sunday, July 10, 2022 9:30:12 AM
Attachments: [Yos7flIq9eYdR0iw.png](#)
[We sent you safe versions of your files.msg](#)
[Email from DLCD, RE McMinville Acknowledge UGB - Commercial Land Need, 06.14.22- highlighted.pdf](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This message originated outside of the City of McMinnville.

Council members,

Shortly after your June 14 hearing on the Three Mile Lane Area Plan, I wrote you to ensure that you have accurate information regarding the number of stores exceeding 135,000 square feet allowed by the staff recommendation in the largest of the 3 pending zone change applications. The staff recommendation for that zone change application allows 2, and potentially 3, stores exceeding 135,000 sq. ft. with no upper size limit, and an unlimited number of stores 135,000 sq. ft. or smaller.

It is also important that you have accurate and complete information regarding whether the city has a deficit or surplus of commercial land. This has been an area of disagreement with the planning staff. The staff presentations to both the City Council and the Planning Commission have relied upon the city's 2001 Economic Opportunities Analysis, which showed a commercial land deficit of 106 acres. In our testimony to both the planning commission and city council, we contend that the city should instead be using its most recent Economic Opportunities Analysis, adopted and acknowledged in 2013.

On June 12, the planning director wrote to Gordon Howard, Community Services Division Manager at the Oregon Department of Land Conservation, and said, in relevant part:

"The 1000 Friends and Friends of Yamhill County argument is: the 2001 EOA is outdated that showed the commercial land need. A 2013 EOA showed a commercial land need for 36 acres (and surplus of industrial acreage), which has presumably been largely alleviated by the additional commercial land that was added as part of the MGMUP UGB amendment." (see highlighted section of the attached email from Heather Richard to Gordon Howard dated June 12.)

We continue to contend that the city should be using its most recent Economic Opportunities Analysis, adopted in and acknowledged in 2013. This is confirmed by Gordon Howard at the Oregon Department of Land Conservation and Development in the email string below this email. He writes:

"Hi Sid, in response to your question, the city should be using its most recent adopted and acknowledged Economic Opportunities Analysis (EOA) when reviewing a proposed plan amendment and rezone for compliance with the comprehensive plan."

The 2013 Economic Opportunities Analysis showed a much smaller deficit of commercial land than the 2001 EOA- 36 acres. Since 2013, the city has more than satisfied that 36 acre deficit with the recent UGB expansion, which added 66 acres of commercial land- 27 acres north of Highway 18, and an additional 39 acres of neighborhood serving commercial in the residential areas added along Hill Rd. (see highlighted section of the attached email from Heather Richard to Gordon Howard dated June 13.)

The city now has a commercial land surplus of at least 30 acres:

Commercial Land Deficit identified in 2013 Economic Opportunity's Analysis	(36 acres)
Commercial land added to the UGB in 2020 north of Highway 18	27 acres
Commercial land added to the UGB in 2020 on the west side of the city	39 acres
Current (deficit) or surplus of commercial land	30 acres

Also at the June 14 hearing, the planning director quoted a brief section of the attached email from Gordon Howard, dated June 14, but did not enter the email exchange into the record. Because it is important that the council record not only be accurate, but also complete, we have attached the exchange to this email. In the attached email string, Gordon Howard writes, in part:

"Although McMinnville isn't subject to the Commission's new Climate Friendly and Equitable Communities rulemaking, we always encourage cities to do the kind of planning that FOYC and 1000 Friends are suggesting in lieu of big new auto-oriented retail centers. But ultimately that is a decision for the city to make, and it looks to me that, in terms of state law, the city has the option to either go ahead with or pull back from the proposed conversion from industrial to commercial for this particular area..." (June 14, 2022)

"I would question as a matter of policy, in this day and age, whether such a rezone is a good idea..." (June 13, 2022)

Thank you for careful consideration. Please include this email and its attachment in the record for docket Docket G 7-21 (Three Mile Lane Area Plan).

Sid Friedman
503-662-1076

Subject:RE: McMinnville EOA question

Date:Fri, 8 Jul 2022 19:04:34 +0000

From:HOWARD Gordon * DLCD <Gordon.HOWARD@dlcd.oregon.gov>

To:Sid Friedman <sidf@viclink.com>

CC:MARVIN Sarah * DLCD <Sarah.MARVIN@dlcd.oregon.gov>, Alexis Biddle <alexis@friends.org>

Hi Sid, in response to your question, the city should be using its most recent adopted and acknowledged Economic Opportunities Analysis (EOA) when reviewing a proposed plan amendment and rezone for compliance with the comprehensive plan.

Gordon Howard
Community Services Division Manager
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540 | Cell: 503-856-6935 | Main: 503-373-0050
gordon.howard@dlcd.oregon.gov

-----Original Message-----

From: Sid Friedman <sidf@viclink.com> Sent: Wednesday, July 6, 2022 4:52 PM

To: HOWARD Gordon * DLCD <Gordon.HOWARD@dlcd.oregon.gov>

Cc: MARVIN Sarah * DLCD <Sarah.MARVIN@dlcd.oregon.gov>; Alexis Biddle <alexis@friends.org>

Subject: McMinnville EOA question

Gordon,

Thanks for taking a few minutes to chat with me this afternoon. I have a few follow-up questions. As we discussed, McMinnville's most recent Economic Opportunities Analysis (EOA) was adopted and acknowledged in 2013. The city used its older 2001 EOA as the basis for its recently acknowledged UGB expansion because the city was responding to a remand that predated the adoption of the 2013 EOA. Now that the UGB expansion has been acknowledged, does the 2001 EOA continue to have validity, or was it superseded by the 2013 EOA? In assessing its current land needs, should the city rely on these numbers from 2013 EOA, or should the city instead rely on the numbers in the 2001 EOA?

In assessing its current commercial land needs in relation to the Three Mile Lane Area Plan, the city is continuing to rely on its 2001 EOA, rather than the 2013 EOA. The 2013 EOA showed a commercial land deficit of 36 acres. Since that time, the city has added 66 acres of commercial land to its UGB- 27 acres of

commercial land on Highway 18, and 39 acres of neighborhood serving commercial in the residential area s added to the UGB on the west side of town. Per the 2013 EOA, the city commercial land deficit has been satisfied. We conclude that the the city now has a commercial surplus of 30 acres. Is our conclusion correct?

Thanks,

Sid

On 7/8/2022 12:04 PM, HOWARD Gordon * DLCD wrote:

Hi Sid, in response to your question, the city should be using its most recent adopted and acknowledged Economic Opportunities Analysis (EOA) when reviewing a proposed plan amendment and rezone for compliance with the comprehensive plan.

Gordon Howard
Community Services Division Manager
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540 | Cell: 503-856-6935 |
Main: 503-373-0050
gordon.howard@dlcd.oregon.gov

-----Original Message-----

From: Sid Friedman <sidf@viclink.com>
Sent: Wednesday, July 6, 2022 4:52 PM
To: HOWARD Gordon * DLCD <Gordon.HOWARD@dlcd.oregon.gov>
Cc: MARVIN Sarah * DLCD <Sarah.MARVIN@dlcd.oregon.gov>; Alexis Biddle <alexis@friends.org>
Subject: McMinnville EOA question

Gordon,

Thanks for taking a few minutes to chat with me this afternoon. I have a few follow-up questions. As we discussed, McMinnville's most recent Economic Opportunities Analysis (EOA) was adopted and acknowledged in 2013. The city used its older 2001 EOA as the basis for its recently acknowledged UGB expansion because the city was responding to a remand that predated the adoption of the 2013 EOA. Now that the UGB expansion has been acknowledged, does the 2001 EOA continue to have validity, or was it superseded by the 2013 EOA? In assessing its current land needs, should the city rely on these numbers from 2013 EOA , or should the city instead rely on the numbers in the 2001 EOA?

In assessing its current commercial land needs in relation to the Three Mile Lane Area Plan, the city is continuing to rely on its 2001 EOA, rather than the 2013 EOA. The 2013 EOA showed a commercial land deficit of 36 acres. Since that time, the city has added 66 acres of commercial land to its UGB- 27 acres of commercial land on Highway 18, and 39 acres of neighborhood serving commercial in the residential area s added to the UGB on the west side of town. Per the 2013 EOA, the city commercial land deficit has been satisfied. We conclude that the the city now has a commercial surplus of 30 acres. Is our conclusion correct?

Thanks,

Sid

From: [Julie Anderson](#)
To: [Heather Richards](#)
Subject: 3 Mile Lane Area Plan
Date: Friday, July 15, 2022 9:09:47 AM

This message originated outside of the City of McMinnville.

I am in favor of this plan. I feel we do need more retail and shopping opportunities here in McMinnville. It would be a great addition to our community. Thank you.

Julia Anderson
1607 NW Meadows Dr.
McMinnville

From: [Greg Crafton](#)
To: [Heather Richards](#)
Subject: 3 mile lane
Date: Saturday, July 16, 2022 12:16:50 PM

This message originated outside of the City of McMinnville.

I have two things that I would like to not see in this plan.

1. Do not install more stop lights along this corridor. It already slows down traffic to much and causes more congestion especially for 18-wheelers who are trying to meet deadlines delivering product.
2. Leave the damn roundabouts in Europe where the people actually know how to use them. People around here don't know what to do when they get to one of these, not to mention 18-wheelers having to deal with these. They have trailers that will hit other vehicle because of their turning radius and that is unsafe. I have heard that they are thinking of installing these in this project and this is a STUPID IDEA!!!! If you are going to install these in this project put a bypass in so the rest of us can bypass McMinnville AND THE MORONS that want this!!!!!!
3. And what is wrong with the way it is now, Oh yeah we want to spend more money!!!!!!!!!!

Greg Crafton

From: [Michael Bilbrey](#)
To: [Heather Richards](#)
Subject: 3 Mile Lane opportunity for Microchip Manufacturing
Date: Saturday, July 16, 2022 7:59:50 AM

This message originated outside of the City of McMinnville.

Council Members,

Congress will be passing a large funding bill to address the microchip shortage and in an effort to keep manufacturing here in the US. What a great opportunity for the City of McMinnville...High paying jobs while being a partner in this patriotic solution that will have long-lasting national economic impact. I strongly encourage the City of McMinnville to do what ever needs to be done to send the word out and invite microchip manufacturing companies to McMinnville and introduce them to 3 Mile Lane. Here is an article from a Micron, a company out of Boise who is looking to expand and explains the situation; a situation McMinnville can capitalize on: <https://www.idahostatesman.com/opinion/readers-opinion/article263466723.html>

In addition to a such a manufacturing plant mentioned above, and if there is room, would love to see a Costco! I know myself and many other McMinnville residents would love not having to drive to Salem or Wilsonville for this type service.

Reserving 3 Mile Lane for the above two would serve a multitude of solutions for the residents of McMinnville and have a National impact.

Submitted by: Michael Bilbrey
2951 SW Redmond Hill Rd.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: [Neil Wright](#)
To: [Heather Richards](#)
Subject: 3 mile lane
Date: Saturday, July 16, 2022 11:41:44 AM

This message originated outside of the City of McMinnville.

Hello,

I am not in favor of developing the 3 mile lane.

I believe that allowing the Costco and such big stores will cause the local owner stores to lose money.

Allowing those larger stores in, will take money away from local stores, that money going to the big companies, not the local entrepreneurs, causing them to fail and giving us more low income jobs.

There is also the Hwy 18 part of the story, that is supposed to be a Hwy, not more stop lights. (which will waste more gas)

And the city would have to pay back the federal government hwy money.

(which maybe I have misunderstood this part)

You mention the \$100 million dollars a year. That will still happen, except there will be less money going to local stores and it will go to big business. It still will leave.

We already have a number of examples, Walmart and Lowes.

Thank you

From: [Kathleen McKinney](#)
To: [Heather Richards](#)
Subject: My red flags
Date: Saturday, July 16, 2022 6:23:35 PM

This message originated outside of the City of McMinnville.

Sorry this took me so long. I found my handwritten notes so figured I'd better do this now instead of gardening!

These are in the March 2022 document and are the things that made me stop and either see it as a red flag or wish there was more explanation.

Page 9, bottom of the page. The sentence "C-3 accomodates a wide range of uses like big box stores."

P. 12, "Three Mile Lane study area is poised to capture a significant portion of demand..."

P. 13 "Retail. The study area is well-positioned for new retail development, particularly large format retail."

P 15. Goal 1 is Support and Enhance the district's economic vitality and marketability. (This being listed as the first goal, along with these other sentences that seem to support them, leads me to conclude that Goal 1 is primary. That the City wants to stop the retail leakage by locating "large format retail" in the TMLA. As I mentioned to you previously, with nothing following that section, saying the goals are not in priority order, it's easy to assume that it is all the City cares about.

P 42 Commercial Zoning New commercial structures larger than 25,000 square feet of gross floor area require Director approval through Large Format Commercial Design Review. (Here it is again. What I see here is Director approval but if there is a Large Format Commercial Design Review set up, that says to me that it's expected to happen. Seriously? 25,000 square feet? That is really big!

P 43 First and third paragraphs. (Please supply more detail on this. This feels buried and yet is something that needs more explanation and more detail.)

P. 44 Table 4 (Isn't this where size restriction of commercial properties could go?)

Appendix E

Page 1 First paragraph "....total floor plate are greater than 40,000 sq ft..." This needs some clarification. It appears to be that the following standards would only apply to Big Box stores and nothing else. Seems to me as though these standards should apply to all commercial establishments.

Page 2 There is a typo. Middle of the page. "Bild to" should be "Build to"

Overall, the areas I'm highlighting along with Goal 1 appear to me as though the overarching goal of the City is to develop a regional shopping center to bring in more retail dollars to City coffers. If this is not the purpose, these phrases should either be eliminated or explanation should be added in these areas to clarify that is not the purpose. My concern as a resident of McMinnville is that we not duplicate the 99W area in town which could easily impact local businesses. I didn't move here for a regional shopping area. I moved here for a small town, where people cared about the town and invested their time and money and love in it as earlier generations did.

As a resident of the Three Mile Lane Area, we are already impacted too much by traffic and noise. I realize that will increase in any case, but if size restrictions are placed on commercial buildings, it will then serve the locals, and not become a regional shopping area. That will slow down the increase in traffic and noise instead of accelerating it.

Thanks for all your efforts!
Kathleen McKinney
2160 NE Village Ct.
McMinnville

From: [Brad Thompson](#)
To: [Heather Richards](#)
Subject: three mile lane plan
Date: Sunday, July 17, 2022 10:57:03 PM

This message originated outside of the City of McMinnville.

Greetings,

I am a resident of McMinnville and just got your postcard about the Three Mile Lane Area Plan. It seems late in the process to be informed about such a major undertaking.

I am opposed to the concept of having more big box stores in this plan. It would only serve to harm the small stores McMinnville does have. The world is shifting to online purchases in any case. And since Oregon does not have a sales tax there would be no additional city revenue from a large brick-and-mortar store. Any additional property taxes would be eaten up by the need to provide increased services. Any so-called leakage of potential revenue is most likely due to many factors outside the control of retailers or the city. Third Street seems to be doing well without a big box anchor. Maybe we should replicate that model: small scale, walkable and shady.

Furthermore, in looking at the plan, it appears that industrial zoning would butt up against the little airport park. This seems by intentional or accidental design a way to discourage people from using a park, making it vulnerable to future incorporation in an industrial park by virtue of underuse. Who wants to use a back-to-nature park that's right next to an industrial park? In any case, it seems a park at the end of a pedestrian/bike bridge connecting Joe Dancer to the Three Mile Lane Area would be even more desirable.

Finally, the incorporation of a traffic circle on such a limited access, higher speed and heavily traveled road as Highway 18 (rated by ODOT as one notch below an interstate, I think I read somewhere on the website) seems unwise on a road so many out-of-towners use to get to the casino or the coast. Why was the 99 Bypass started if not to make their trips faster and unclog our city streets?

Count me unimpressed.

Brad Thompson
McMinnville OR

From: [Christa Brandenburg](#)
To: [Heather Richards](#)
Subject: Three Mile Lane Area Plan
Date: Monday, July 18, 2022 9:04:54 AM

This message originated outside of the City of McMinnville.

Hi Heather,

Thank you for the multiple options for being part of the conversation. I am a home owner and have lived and worked in McMinnville for most of the last 20 years.

I am in opposition to the current plan for development of the 1,340 acres. Yes, McMinnville residents spend a lot of money outside of the county. As do people throughout the country, online shopping being one of the factors. Until currently available commercial space in Yamhill County is in full use, or realistically projected to be in full use, I oppose further development of mixed use retail space.

Endless economic growth and consumption is a failing model, as evidenced by current political, economic and climate crises. Planning as though it is late 20th Century is no longer viable.

Sincerely,

Christa Brandenburg, LPC, MAC
PO Box 1712
McMinnville, OR 97128

Phone (503) 857-8134
FAX (503) 379-0206
christa.brandenburg@comcast.net

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From: [Claudia Cisneros](#)
To: mayestwo@gmail.com
Cc: [Heather Richards](#)
Subject: FW: Form submission from: Contact the City of McMinnville
Date: Monday, July 18, 2022 7:01:35 AM

Hi Dorothy,

We are in receipt of your email and will enter it into the record for the July 26 public hearing on the Three Mile Lane Area Plan.

Thank you,
Claudia

From: McMinnville Oregon <mcminnville-or@municodeweb.com>
Sent: Saturday, July 16, 2022 11:58 AM
To: Claudia Cisneros <Claudia.Cisneros@mcminnvilleoregon.gov>
Subject: Form submission from: Contact the City of McMinnville

This message originated outside of the City of McMinnville.

Submitted on Saturday, July 16, 2022 - 11:58am

Submitted by anonymous user: [73.157.154.136](#)

Submitted values are:

Attention Department Planning Commission

First Name Dorothy

Last Name Mayes

Email mayestwo@gmail.com

Question/Comment

RE: 3 Mile Lane Area Plan

After considering impact of options, Planning should compliment Hospital and airport: low traffic; light industry or commercial, such as motels, medical expansion, possibly truck stop, restaurant, warehouse. Certainly not high traffic as a Costco would entice. Think jobs, maybe Nike mfg.

The results of this submission may be viewed at:

<https://www.mcminnvilleoregon.gov/node/7/submission/51267>

From: [Hannah Reid](#)
To: [Heather Richards](#)
Subject: 3 Mile Lane Area Plan
Date: Monday, July 18, 2022 2:06:33 PM

This message originated outside of the City of McMinnville.

Hi there,

I am a 5th generation Yamhill County resident who moved back to McMinnville after living in Seattle for almost a decade. We love this town - Third Street, the access to local farms, the growing food and beverage creativity, and the diversity of people we meet.

We are excited about the 3 Mile Lane development. We believe our town needs more affordable housing - we are a family with 4 kids who barely got into the housing market. I don't want us to be a town where families can't afford to live, and I want my kids to rub shoulders with people of all different sorts of backgrounds and socioeconomic statuses.

Also, we would LOVE more options for retail shopping in this town. We do try to support local whenever possible, but Third Street is not always a viable option for a family on a tight budget. So, we end up needing to buy things (like kid's shoes or natural makeup) online, or to drive to Sherwood or Salem to go to Target.

Additionally, the grocery store options in McMinnville are frustrating! We would love to have a Fred Meyer, Costco, or even Trader Joe's available. I know very few people who do all their grocery shopping in town. Most in my circle of friends and acquaintances drive to Costco regularly, and many do all their shopping at Fred Meyer.

We want our town to grow into an even more vibrant, beautiful place to live, with the retail opportunities to make our lives more convenient, as well as to welcome more people into this town that we love.

Thanks for soliciting opinions, I'm sure you'll get the whole gamut! Appreciate you reading and considering.

Warmly,
Hannah Reid

Sent from my iPhone

From: [Claudia Cisneros](#)
To: [Tim Cross](#)
Cc: [Heather Richards](#)
Subject: RE: please include this letter in the packet for the City Council meeting July 26
Date: Monday, July 18, 2022 10:13:19 AM
Attachments: [image001.png](#)

Hi Tim,

We are in receipt of your email and will enter it into the record for the July 26 public hearing on the Three Mile Lane Area Plan.

Thank you,
Claudia

 **City of
McMinnville**
Claudia Cisneros
City Recorder
503-435-5702 (desk)
230 NE Second Street
McMinnville, OR 97128

Website: <http://www.mcminnvilleoregon.gov> | [Recorder Page](#) |

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From: Tim Cross <timothyacross@comcast.net>
Sent: Monday, July 18, 2022 10:07 AM
To: Claudia Cisneros <Claudia.Cisneros@mcminnvilleoregon.gov>
Subject: please include this letter in the packet for the City Council meeting July 26

This message originated outside of the City of McMinnville.

I am adamantly opposed to changing the zoning to C3 in the Three Mile Lane Area. There are almost no other sites in western Oregon that are so ideally suited for light industrial and we should keep the zoning as it is for mixed housing, small retail and small business. This site is next to a good airport and a highway; perfect for light industry. McMinnville does not need a big-box mall and should not allow one to be built. Such a mall would start us on the road to become another Bend, OR which is totally undesirable. It would double the current traffic volume and, after a few years, create the need to build additional roads at enormous expense. McMinnville

needs to focus on its high priority items, like infrastructure, parks, trails, rec center, swimming pools, tennis courts and trails.

Tim Cross
1102 SW Russ Lane
McMinnville

THREE MILE LANE AREA PLAN,
JULY 18 PUBLIC OPEN HOUSE



BE PART OF THE DISCUSSION

COMMENTS FOR CITY COUNCIL:

City Council has some big decisions in front of them and they would like to hear from McMinnville residents to help them understand what McMinnville wants and needs now to support a community of 35,000 people and what it will need to support a community of 45,000 people.

Do you have some comments that you want to share with City Council? Use the area below to share your thoughts. We will scan your comments and provide them to City Council in advance of the public hearing so that they have them to help them with their decision-making.

Thank you for participating in the discussion!

Name: Angie Brown, Address: 1359 SW Fellows St, Ward: _____

A roundabout on 18 seems like a major hindrance to
traffic even at current traffic levels. I am happy
about the prospect of more industry and better paying
jobs here, but I don't like the idea of making another
Tualatin or Tigard with higher SOL homes than we
will actually benefit from.

THREE MILE LANE AREA PLAN,
JULY 18 PUBLIC OPEN HOUSE



BE PART OF THE DISCUSSION

COMMENTS FOR CITY COUNCIL:

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Thank you for participating in the discussion!

Name: Anna Stahl, Address: 350 NW Meadows Dr., Ward: Kelli Menke is my councilor

* It would be nice for residents of the Three Mile Lane area to have access to a grocery store that they could walk to from their homes.

* Love the bike/walking trails. Is there a plan to safely bike/walk to these spaces (even busses?). That would be great! →

★ I would really like to be part of a conversation/committee about safe bike routes in the city.
-Anna Stahl (annastahl@comcast.net)

* Kayaking on the Yamhill in McMinnville

would be AMAZING! Any chance the old

boat ramp @ Joe Daner could be
opened again (once bridge is repaired?)

Thank you for your hard work!

THREE MILE LANE AREA PLAN,
JULY 18 PUBLIC OPEN HOUSE



BE PART OF THE DISCUSSION

COMMENTS FOR CITY COUNCIL:

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Thank you for participating in the discussion!

Name: Denise Murphy, Address: 957 NW Cascade Way, Ward: 2

I was a skeptic initially, but the more I have read on
the city website, heard at council meetings &
at information meetings like the 7/18th info mtg @ civic hall - the
more impressed I am by the Preferred Alternative
Plan for Three Mile Lane. I like the idea of the
"mixed use town center" & would like to see us
try the "innovation campus." Lot of work went
into this & it shows. I think this brings
resources to people living on that side
of town, finally.

THREE MILE LANE AREA PLAN,
JULY 18 PUBLIC OPEN HOUSE



BE PART OF THE DISCUSSION

COMMENTS FOR CITY COUNCIL:

City Council has some big decisions in front of them and they would like to hear from McMinnville residents to help them understand what McMinnville wants and needs now to support a community of 35,000 people and what it will need to support a community of 45,000 people.

Do you have some comments that you want to share with City Council? Use the area below to share your thoughts. We will scan your comments and provide them to City Council in advance of the public hearing so that they have them to help them with their decision-making.

Thank you for participating in the discussion!

Name: Patti Webb, Address: mail = PO BOX 1228
340 NE 27th, Ward: _____

I would like to see a nicely designed mixed use
three mile lane area. (our present malls are pretty sad except
safeway new with marshalls and Home Goods.)

I would love a Franken Joes, New Seasons or Whole Foods

I love the idea of an Innovation campus. lets create a
nicely designed "mall" - I'm not a fan of any more malls -
Bridgport Village is so nice.
Plaza

THREE MILE LANE AREA PLAN,
JULY 18 PUBLIC OPEN HOUSE



BE PART OF THE DISCUSSION

COMMENTS FOR CITY COUNCIL:

City Council has some big decisions in front of them and they would like to hear from McMinnville residents to help them understand what McMinnville wants and needs now to support a community of 35,000 people and what it will need to support a community of 45,000 people.

Do you have some comments that you want to share with City Council? Use the area below to share your thoughts. We will scan your comments and provide them to City Council in advance of the public hearing so that they have them to help them with their decision-making.

Thank you for participating in the discussion!

Name: Sid Friedman, Address: 14286 NW old mores valley yonhill, Ward: X

Commercial uses should be sealed to
meet the needs of these ~~neighborhoods~~
who live and work in the
neighborhood, not large-format.

THREE MILE LANE AREA PLAN,
JULY 18 PUBLIC OPEN HOUSE



BE PART OF THE DISCUSSION

COMMENTS FOR CITY COUNCIL:

City Council has some big decisions in front of them and they would like to hear from McMinnville residents to help them understand what McMinnville wants and needs now to support a community of 35,000 people and what it will need to support a community of 45,000 people.

Do you have some comments that you want to share with City Council? Use the area below to share your thoughts. We will scan your comments and provide them to City Council in advance of the public hearing so that they have them to help them with their decision-making.

Thank you for participating in the discussion!

Name: Steve Ryan, Address: 11995 Fox Ridge, Ward: _____

The roundabout system on Hill 1 think would
serve this area well. The ~~to~~ leakage data
is fascinating. As long as the area is developed
to fill the gap, the community will benefit
No more uber wealthy tourism catered
hotels + restaurants please!

From: [Chuck Hottle](#)
To: [Heather Richards](#)
Subject: 3 Mile Lane Area Plan Comments.
Date: Tuesday, July 19, 2022 10:05:28 AM

This message originated outside of the City of McMinnville.

Ms. Richards,

I am in opposition to the current plan for development of the 1,340 acres. McMinnville residents may spend a lot of money outside of the county but I do wonder over what time period 100 million dollars is supposedly spent and where. That's a lot of money and it sounds sensational but is it over 5 years, 10 years, forever? Is most of it online? How much more retail space does McMinnville really need when space sits empty?

Another claim that I really have to question is the lack of impact on Highway 18. I've lived in the area long enough to know that traffic congestion in this area has increased over the past 8-10 years. Intermittent congestion on 18 will continue to be a problem regardless of whether there is any development in this area. New housing in that area, along with retail, can only add to that. My concern, and one that may be shared by others, is that 18 will end up like 99. I don't think that was the purpose of 18, especially during beach season.

Thanks for the opportunity to submit a comment.

Charles Hottle
604 NE Galloway St.
McMinnville, OR 97128

From: [Mike Colvin](#)
To: [Heather Richards](#)
Subject: Fwd: Big Box Store Traffic pdf
Date: Tuesday, July 19, 2022 3:23:33 PM
Attachments: [We sent you safe versions of your files.msg](#)
[BigBoxStoreTraffic.pdf](#)

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

This message originated outside of the City of McMinnville.

----- Forwarded message -----

From: **Mike Colvin** <mikecolvin49@gmail.com>

McMinnville City Councilors,

City Councilors require accurate and unbiased information from their staffs in order to make the best long term decisions for their city and its residents. It sure seems to me that the information McMinnville's city council has been receiving in the last few years is highly misleading and biased. The notification post card from the city regarding 3-mile lane hearings is a perfect example. It is so biased, and "stretches" the truth so liberally that I can't believe the mayor or majority of city councilors read and approved the wording before the card was sent to residents. A couple of examples of the wording in the post card. And my opinion of how they are intended to mislead citizens are:

1) "The plan is the result of three years of "community" planning led by a project advisory committee made up of McMinnville residents and business owners". -- That may be true. BUT, it must have been a hand picked crew of special interest folks, and not a true cross section of McMinnville residents or businesses. The most obvious entities that were excluded from this committee were MIP, the Bypass Committee, and ODOT. So to claim this committee represents a fair mix of residents and businesses is totally false. What doubly upsets me is that all the best accomplishments in McMinnville's history did come when McMinnville's city government, its residents, and its businesses openly sat down together, worked out differences, and came up with great solutions. Your post card "claims" that was the process used to get the 3-mile land proposal to this point. That isn't true. A biased, one-sided committee will come up with a predictable recommendation that may produce a great short term pay day for city government. But it certainly won't be in the best long term financial OR quality of life interest for the city or its residents.

2) "The Three Mile Lane Area Plan does NOT negatively impact the future of hwy 18." HUH? another misleading statement. Of course developing 3-mile lane won't negatively affect the future of the entire length of hwy 18. But as the attached study that shows, the amount of traffic generated by Big Box stores shows that allowing high traffic generating retail, apartment, and other uses to be built on both sides of the 3-mile lane bypass - BEFORE OVERPASSES AND MAJOR ROAD IMPROVEMENTS ARE MADE - sure as heck will slow down the 2-3 mile section of hwy 18 "bypass" traffic" to a frustrating crawl. Which will lead to lots of wrecks and safety problems. But probably the most negative result will be that

tying up traffic on the bypass will probably push a major number of travelers back on to hwy 99W. And those "bypass" vehicles will then tie up traffic in downtown Lafayette and McMinnville!!! - The bypass was built to get "thru" traffic off of Adams and Baker Streets.

In conclusion, I actually agree that it is time to come up with a "fair and unbiased" plan for developing 3-mile lane. But feel that your process to this point has been a total farce. Hopefully the city council will agree to restart the process with MIP, the Bypass committee, and ODOT included right at the beginning. And if your city manager or Planning Director don't agree, maybe it is time for you to hire some professionals for those positions that will provide you with fair, accurate, AND UNBIASED information.

Sinceraly,

Mike Colvin
3120 NE Grandhaven Drive
McMinnville, Ore. 97128



**City of
McMinnville**

PLANNING

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

www.mcminnvilleoregon.gov

MEMORANDUM

DATE: July 19, 2022
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: Correction to the Public Record

Mayor and Councilors,

Sid Friedman, in an email to City Council requested that a statement made by myself at the public hearing on June 14, 2022, be corrected. Please see attached email.

From: [Sid Friedman](#)
To: [Remy Drabkin](#); [Sal Peralta](#); [Chris Chenoweth](#); [Kellie Menke](#); [Zack Geary](#); [Adam Garvin](#)
Cc: [Claudia Cisneros](#); [Heather Richards](#)
Subject: Accuracy of information
Date: Sunday, June 19, 2022 8:48:23 AM
Attachments: [Ijx0AL6eGw4wwCFJ.png](#)

This message originated outside of the City of McMinnville.

Council members,

As city continues its consideration of the Three Mile Lane Area Plan, it is important that the record reflect accurate information.

At the June 14 hearing, in response to a question from Councilor Peralta, I testified that in the largest of the 3 pending zone change applications, the staff has recommended conditions that allow 2 and potentially 3 stores of 135,000 square feet in size. The planning director responded that it is only 1 to 2 stores. That statement was inaccurate. The discussion can be heard at [URA & City Council Regular Meeting June 14, 2022 - YouTube](#) between time stamps 2:00:10 and 2:02:00. Here is a snapshot of the staff's recommendation on p. 79 of the pdf at [PC 5-20-21_packet_final.pdf \(mcminnvilleoregon.gov\)](#)

V.2. Uses

- 1. Number of stores larger than 135,000 square feet.** There shall be a limit of two anchor stores which have gross square footage exceeding 135,000 square feet, except that one additional anchor store exceeding 135,000 square feet may be permitted if the majority of the façade includes separate liner shops with individual exterior entrances.

The staff recommendation pasted above allows 2, and potentially 3, stores exceeding 135,000 sq. ft. with no upper size limit, and an unlimited number of stores 135,000 sq. ft. or smaller.

Thank you for careful consideration. Please include this email in the record for docket Docket G 7-21 (Three Mile Lane Area Plan).

Sid Friedman
503-662-1076



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

MEMORANDUM

DATE: July 19, 2022
TO: Mayor and City Councilors
FROM: Heather Richards, Planning Director
SUBJECT: Additional Items to Enter into the Public Record

- Email from Gordon Howard, Department of Land Conservation and Development, dated June 14, 2022.
- Draft Staff Report and Decision Document for CPA 2-20, ZC 3-20, May 20, 2021.
- Friends of Yamhill County Newsletter Article, *"McMinnville Threatened by TMLAP"*
- Postcard Mailing to McMinnville Addresses, 07.14.22
- Information Sheet, 07.14.22
- Updated FAQ Sheet, 07.18.22

From: [Heather Richards](#)
To: [Sid Friedman](#)
Cc: [Alexis Biddle](#)
Subject: RE: DLCD letter
Date: Wednesday, June 22, 2022 8:11:00 PM
Attachments: [Email from DLCD, RE McMinnville Acknowledge UGB - Commercial Land Need, 06.14.22.pdf](#)

Hi Sid,

For some reason, this email just popped into my inbox today although you sent it on Friday. Attached is my email exchange with Gordon Howard at DLCD relative to McMinnville's comprehensive plan proposal for the commercial land-use efficiency to satisfy the MGMUP commercial land deficit.

I quoted the third paragraph at the June 14 City Council meeting.

Have a great day!

Heather

-

Heather Richards, PCED
Planning Director
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128

503-474-5107 (phone)
541-604-4152 (cell)

Heather.Richards@mcminnvilleoregon.gov
www.mcminnvilleoregon.gov

-----Original Message-----

From: Sid Friedman <sidf@viclink.com>
Sent: Friday, June 17, 2022 11:59 AM
To: Heather Richards <Heather.Richards@mcminnvilleoregon.gov>
Cc: Alexis Biddle <alexis@friends.org>
Subject: DLCD letter

This message originated outside of the City of McMinnville.

Hi Heather,

At Tuesday's hearing on the TMLAP, you quoted from a DLCD letter that you said you had received earlier that day. Could you provide us with a copy?

Thank you,

Sid Friedman

From: [HOWARD Gordon * DLCD](#)
 To: [Heather Richards](#)
 Cc: [MCLVAINE Leigh * DLCD](#)
 Subject: RE: McMinnville Acknowledge UGB - Commercial Land Need
 Date: Tuesday, June 14, 2022 12:53:17 PM
 Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

This message originated outside of the City of McMinnville.

Thanks for the clarification, Heather. It appears you are actually asking me whether DLCD would object if you DIDN'T rezone the industrial land to commercial on Highway 18.

I am cc'ing Leigh Mclvaine, who is our economic development specialist, in the response.

I think the department's main concern would be if, instead of rezoning existing surplus industrial land to commercial, you instead proposed a 40-acre expansion of the UGB to eliminate the commercial land deficit. We would definitely object to that. If the city were to remove the proposal to rezone excess industrial land to commercial along Highway 18 by itself, and then in a few years return with a proposal to expand the UGB to satisfy the commercial land deficit, the department would at that point comment that the city needed to once again inventory all existing vacant industrial land within the UGB to determine if it could be rezoned for commercial land needs.

If the city were to drop the commercial rezoning proposal from the plan without any other action at this time, I don't think the department would object, despite the continuance of the commercial land deficit. Unlike with land for housing, cities have more flexibility in determining whether and how they will meet their needs for land and employment opportunities under Goal 9. The Goal 9 are mainly concerned about preservation of industrial lands, not commercial lands, and the city has a demonstrated surplus of industrial lands. Although McMinnville isn't subject to the Commission's new Climate Friendly and Equitable Communities rulemaking, we always encourage cities to do the kind of planning that FOYC and 1000 Friends are suggesting in lieu of big new auto-oriented retail centers. But ultimately that is a decision for the city to make, and it looks to me that, in terms of state law, the city has the option to either go ahead with or pull back from the proposed conversion from industrial to commercial for this particular area.

Gordon Howard
 Community Services Division Manager
 Oregon Department of Land Conservation and Development
 635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540 | Cell: 503-856-6935 | Main: 503-373-0050
gordon.howard@dlcd.oregon.gov



From: Heather Richards <Heather.Richards@mcminnvilleoregon.gov>
 Sent: Monday, June 13, 2022 8:08 PM
 To: HOWARD Gordon * DLCD <Gordon.HOWARD@dlcd.oregon.gov>
 Subject: RE: McMinnville Acknowledge UGB - Commercial Land Need

Hi Gordon,

The Comprehensive plan language is part of Proposal 48.70. We have goals, policies and proposals in our comprehensive plan. City Council wanted it to say the City shall initiate a . . . , as they have learned that planning outcomes in McMinnville are not predictable.

In terms of EOA's:

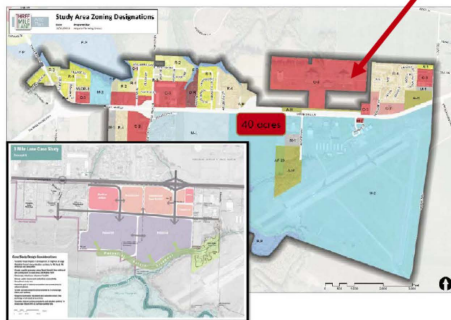
The MGMUP is predicated on a 2001 (updated in 2003) EOA that identified the need for 106 acres of commercial land and 46 acres of surplus industrial land. In order to reduce the UGB expansion associated with that work, the City proposed the 40 acre rezone from industrial to commercial on Highway 18 within the city limits as a land-use efficiency, and then expanded the UGB by an additional 66 acres of commercial land need - 27 acres of commercial land on Highway 18 and 39 acres of neighborhood serving commercial in the residential areas.

LAND-USE EFFICIENCY (Commercial Land Need, Ordinance No. 5098)



2001 EOA
 (46 Industrial Acres Surplus,
 106 Acres Commercial Deficit)

26.7 Acres Gross Buildable Acres



Redesignation to Commercial. As an identified efficiency measure necessary to reduce the needed size of the "Phase 2" UGB amendment to meet additional Commercial land needs, the City shall initiate a change to the Comprehensive Plan and Zone Map to redesignate and rezone 40 acres of property along the south side of the Highway 18 frontage from commercial to industrial, leaving the rear portions in an Industrial designation. This recognizes that the City will retain an Industrial surplus as a result of adding the Riverside North area to the UGB as part of the "Phase 2" UGB amendment. (Ord. 5098, December 8, 2020)

We also have a 2013 adopted EOA (our most recent one) which identified a deficit of 36 acres of commercial land need and 236 acres of industrial surplus. This EOA recommended rezoning 36 acres of industrial land on Highway 18 to commercial to meet the commercial land need and not expand the UGB.

LAND-USE EFFICIENCY (Commercial Land Need, Rezone Surplus Industrial Land)



From Pages 56-57 of the 2013 EOA:

Figure 26. Comparison of Land Demand to Supply (2013-33)

	Acres by Plan Designation		Total	Comments
	Commercial	Industrial		
Vacant Land Demand				
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
Totals	166.8	153.2	319.9	62% of need w/ per job method
Available Land Supply				
2013 BLI Update	130.9	389.1	520.0	Fully & partially vacant sites
Surplus/(Deficit)	(35.8)	235.9	200.1	Revised per BLI update 7/13

Notes: All acreage figures are rounded to nearest 1/10th of an acre.
Source: E. D. Horce & Company, LLC.

However, the balance of land demand and supply is different for commercial than for industrial uses. As with the prior 2001/03 EOA projections, an anticipated surplus is indicated for industrial lands versus a shortfall associated with commercial lands:

- Commercial land demand is expected to exceed supply – resulting in a forecast shortfall of an estimated 36 acres through 2033.
- Industrial land demand is anticipated to come in well under the BLI supply – resulting in a surplus forecast at close to 236 acres over the 20-year planning horizon.

In summary, this EOA update indicates that industrial land needs can be more than supply met over the next 20 years while commercial land supply will fall short of meeting anticipated demand. Policy options that might be available to address this mismatch between anticipated supply and demand represent the next and final step in the EOA forecast allocation process.

**2013 EOA
(236 Industrial Acres Surplus,
36 Acres Commercial Deficit)**

Assuming that the Step 9 estimated commercial land shortfall of approximately 36 acres is addressed by re-designating at least this amount of acreage from industrial to commercial use, there would still remain an industrial surplus of up to 200 acres (above and beyond forecast 20-year industrial land needs). Per the Advisory Committee, this excess inventory is recommended to be allocated as a strategic reserve for currently unforeseen industrial and commercial development opportunities that might arise over the 20-year time horizon. This represents an increase from the 46-acre industrial land reserve provided with the most recent prior (2003) EOA update.

In both adopted EOAs there is a commercial land deficit and an industrial land surplus and adopted implementation plans to rezone acreage on Highway 18 from industrial to commercial as land-use efficiencies.

I am not sure where City Council will go with this policy decision, but they wanted to make sure that there would be no ramifications from the state for not following through on the adopted implementation plan in both the MGMUP and the 2013 EOA to meet some of the commercial land need by rezoning surplus industrial land to commercial land within the city limits if they choose to remove that initiative from the Three Mile Lane Area Plan and delete the proposal from the Comprehensive Plan.

It is good to know about the Keizer Station scenario. KIMCO who is the property owner of the Keizer Station development is also the property owner of the site in question here in McMinnville. So, that might be part of the equation. Interestingly, the industrial land has been within the city limits since 1981 and has not developed because the cost of the transportation improvements associated with the Highway 18 access are too expensive and the hope was that the commercial land would be able to carry those costs to enable the development of the remaining 160 acres of industrial land.

Have a great day!

Heather



Heather Richards, PCED
Planning Director
City of McMinnville
231 NE Fifth Street
McMinnville, OR 97128

503-474-5107 (phone)
541-604-4152 (cell)

Heather.Richards@mcminnvilleoregon.gov
www.mcminnvilleoregon.gov

From: HOWARD Gordon * DLCD <Gordon.HOWARD@dlcd.oregon.gov>
Sent: Monday, June 13, 2022 4:21 PM
To: Heather Richards <Heather.Richards@mcminnvilleoregon.gov>
Subject: RE: McMinnville Acknowledge UGB - Commercial Land Need

This message originated outside of the City of McMinnville.

Hi Heather,

First, I think your comp plan language has a "typo," I think it means to say that it proposes to amend the comp plan to redesignate 40 acres of land from industrial to commercial. The next clause of the sentence, which states that the rear portions of the site will remain industrial, is, I presume, correct.

Next, you have, as I understand it, an urbanization document from last year that proposes to redesignate 40 excess acres of industrial land as commercial so that there is little or no need for a UGB expansion for commercial land. I presume that this analysis was based upon your last adopted EOA. Is that the 2001 document? Have you adopted anything since then? The city is supposed to use adopted and acknowledged documents to do its planning, not unadopted and unacknowledged drafts. If that is the case, then the city would seem to be on solid footing in finding that the 40 acre rezone from industrial to commercial is consistent with the adopted city plan.

I'm sure that things have changed a lot since 2001, and I would question as a matter of policy, in this day and age, whether such a rezone is a good idea. But it's not my decision to make, and I don't see any legal reason why you can't make it on this particular issue.

Just so you know, 1000 Friends has been arguing for at least ten years now that the rezoning of industrial land for commercial purposes at Keizer Station is a planning crime that should not be repeated. So they may see this in the same light.

I would be happy to discuss this with you in greater detail as needed.

Gordon Howard

Community Services Division Manager
Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150 | Salem, OR 97301-2540 | Cell: 503-856-6935 | Main: 503-373-0050
gordon.howard@dlicd.oregon.gov



From: Heather Richards <Heather.Richards@mcminnvilleoregon.gov>
Sent: Sunday, June 12, 2022 11:07 PM
To: HOWARD Gordon * DLCD <Gordon.HOWARD@dlicd.oregon.gov>
Subject: McMinnville Acknowledge UGB - Commercial Land Need

Hi Gordon,

The McMinnville City Council asked me to propose the following question to DLCD:

In April, 2021, DLCD acknowledged McMinnville's UGB amendment to meet demonstrated employment and housing land need for 2000 – 2023 (McMinnville Growth Management and Urbanization Plan – MGMUP). As part of that UGB amendment, the City committed to rezoning 40 acres of industrial surplus land to commercial land within the city limits as a land-use efficiency to meet 40 acres of commercial land need, and the City amended its Comprehensive Plan to add a proposal to do that.

Now, the City is moving forward with a Three Mile Lane Area Plan that has that proposed 40-acre comprehensive plan map amendment as part of the area plan recommendations. 1000 Friends and Friends of Yamhill County have mounted a concerted opposition to the 40-acre comprehensive plan map designation that is proposed in the Three Mile Lane Area Plan.

The City Council would like to know if there would be any state ramifications if the City chose to amend its Comprehensive Plan to remove the comprehensive plan proposal to rezone 40 acres of industrial land to commercial to meet the commercial land need identified in the MGMUP and to remove the proposed comprehensive plan map designation from the Three Mile Lane Area Plan.

The Comprehensive Plan language is below. The findings in the McMinnville Growth Management and Urbanization Plan point to this land-use efficiency and comprehensive plan language as a means of achieving the identified commercial land need in the MGMUP.

48.70 **Redesignation to Commercial.** As an identified efficiency measure necessary to reduce the needed size of the "Phase 2" UGB amendment to meet additional Commercial land needs, the City shall initiate a change to the Comprehensive Plan and Zone Map to redesignate and rezone 40 acres of property along the south side of the Highway 18 frontage from commercial to industrial, leaving the rear portions in an Industrial designation. This recognizes that the City will retain an Industrial surplus as a result of adding the Riverside North area to the UGB as part of the "Phase 2" UGB amendment. (Ord. 5098, December 8, 2020)

The 1000 Friends and Friends of Yamhill County argument is: the 2001 EOA is outdated that showed the commercial land need. A 2013 EOA showed a commercial land need for 36 acres (and surplus of industrial acreage), which has presumably been largely alleviated by the additional commercial land that was added as part of the MGMUP UGB amendment.

Have a great day!

Heather



Heather Richards, PCED
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231 NE Fifth Street
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EXHIBIT 2 - STAFF REPORT

DATE: May 20, 2021
TO: Planning Commission Members
FROM: Tom Schauer, Senior Planner
SUBJECT: Public Hearing - CPA 2-20/ZC 3-20, Comprehensive Plan Map Amendment and Zone Change with Planned Development (PD) Overlay

STRATEGIC PRIORITY & GOAL:



GROWTH & DEVELOPMENT CHARACTER

Guide growth & development strategically, responsively & responsibly to enhance our unique character.

OBJECTIVE/S: Strategically plan for short and long-term growth and development that will create enduring value for the community

Report in Brief:

This proceeding is a quasi-judicial public hearing of the Planning Commission to consider a Comprehensive Plan Map amendment (CPA 2-20) and Zone Change (ZC 3-20) with a Planned Development (PD) overlay. The proposed amendment applies to approximately the northerly 33.5 acres of a 90.45 acres parcel, plus 4.25 acres along the Highway OR-18 frontage intended for right-of-way dedication. **See Vicinity Map (Figure 1), Comprehensive Plan Map (Figure 2), Zoning Map (Figure 3), and Applicant's Proposed Map Amendment (Figure 4).**

Please note Figures 3 and 4 don't yet reflect the land added to the UGB north of Three Mile Lane between the highway and the Evergreen Museum.

The proposed amendment would change the Comprehensive Plan designation from Industrial to Commercial and would change the zoning from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development (PD) Overlay). The applicant is proposing the option of the PD overlay which allows the development plan to be deferred to a future review with a future public hearing process. By applying a planned development overlay to the property at this time, design and development standards can be established for the site, and it provides for a future opportunity to review the final development plan through a public hearing process.

Staff is recommending that, following the staff report, applicant's presentation, and public testimony, at the May 20 hearing, ***that the hearing be continued to a date certain to be announced at the May 20 hearing***, for additional time for the applicant to prepare and submit additional requested information regarding the transportation mitigation for ODOT review and approval, to be coordinated with the City.

Figure 1. Vicinity Map
 (See Figure 4 for portion proposed for map amendment).



Figure 2. Comprehensive Plan Map
 (See Figure 4 for portion proposed for map amendment)

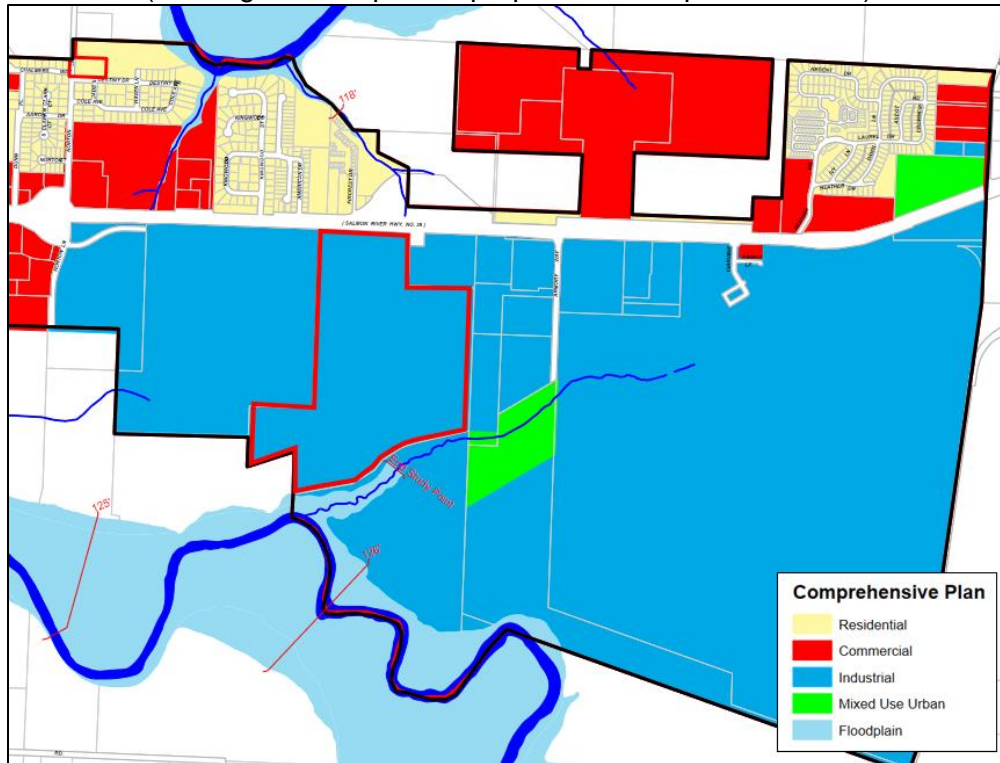


Figure 3. Zoning Map
 (See Figure 4 for portion proposed for map amendment)

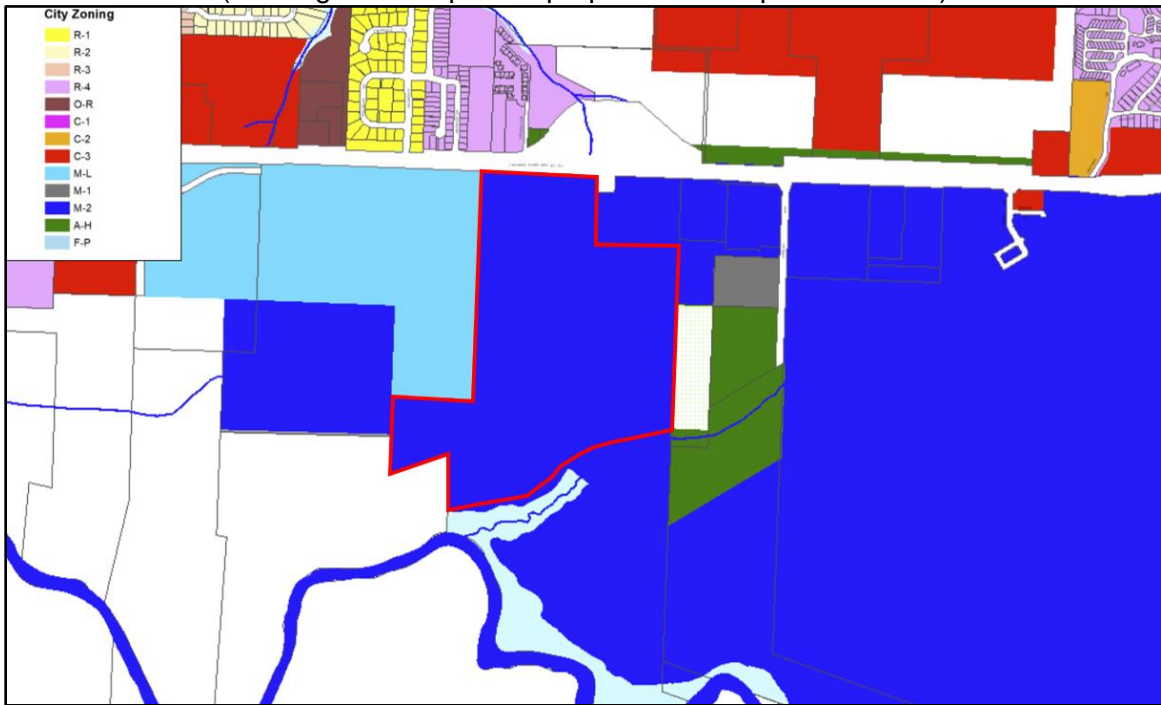
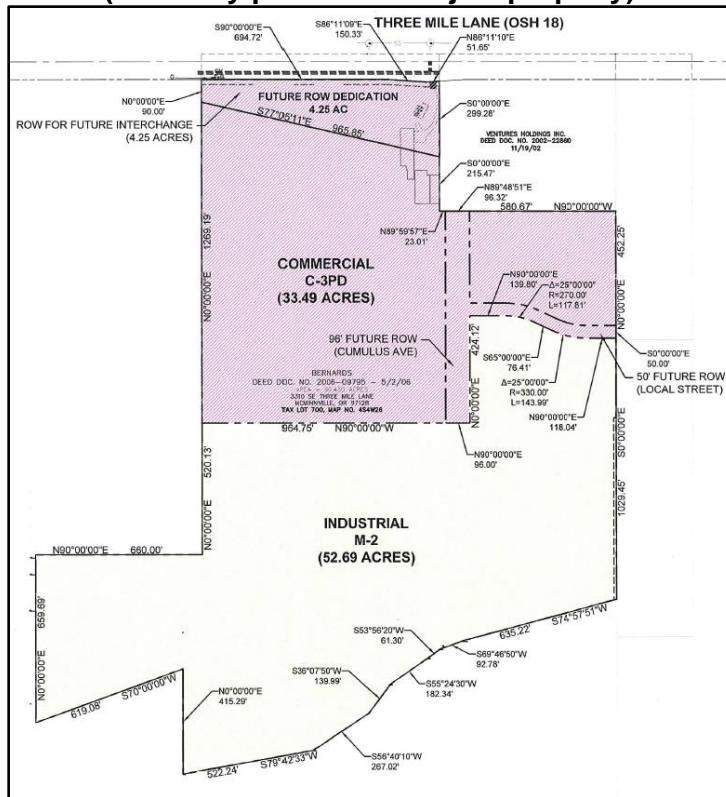


Figure 4. Applicant's Proposed Map Amendment
 (Northerly portion of subject property).



Background:

The City adopted an updated 2013 Economic Opportunities Analysis (EOA) in 2014, which was subsequently acknowledged (Ordinance 4976). The EOA identifies a deficit of 35.8 acres of commercial land and a surplus of industrial land. The proposed amendment would address about 33.5 acres of the commercial deficit, while still retaining an industrial surplus. The EOA found that in addition to commercial land associated with growth, there was also substantial “retail leakage” with residents of McMinnville and its market area spending money outside of McMinnville due to lack of available retail in key categories within McMinnville. The proposed amendment is intended to address most of McMinnville’s identified commercial land deficit and capture some of the retail leakage. Amendments to the Comprehensive Plan adopted in December 2020 also include a “Proposal” to rezone property at this location from industrial to commercial (Proposal 48.70).

The proposal meets the policies and criteria of the McMinnville Comprehensive Plan and Zoning Ordinance. However, there are two predominant issues with the application: (1) timing of the submittal relative to the Three Mile Lane Area Planning process which has identified the need for design and development standards in this area to support McMinnville’s unique qualities as a community with small town charm and agrarian roots and how to incorporate those standards into this land-use decision prior to the adoption of the Three Mile Lane Area Plan; and (2) the need for mitigation to address “significant effects” of the proposed map amendment on transportation facilities.

The applicant has agreed to the concept of a planned development overlay for this site to incorporate the Three Mile Lane Area Plan design and development standards, and the applicant hired a transportation consultant to evaluate and address the transportation impact of the proposed Comprehensive Plan Map and Zoning Map amendment on Highway 18 and the local transportation infrastructure. ODOT and the City have reviewed the mitigation measures proposed by the applicant for the transportation impact, and both agencies have requested additional information from the applicant to continue to evaluate those mitigation measures. The applicant has agreed to meet with ODOT and the City to discuss and prepare any additional information needed. This meeting will occur after the initial public hearing on May 20, 2021, so the City is requesting that the Planning Commission continue the public hearing to a date specific (date will be provided at the public hearing) to accommodate these additional discussions and to allow for additional public testimony as needed to evaluate the outcomes of the transportation mitigation discussions.

Discussion:

With the proposed Comprehensive Plan Map Amendment and Zone Change, the applicant must address the applicable criteria identified in the decision document. The applicant must also demonstrate compliance with applicable state law, including the Transportation Planning Rule (OAR 660 Division 12). OAR 660-012-0060 specifically addresses Plan and Land Use Regulation Amendments. One key provision specifies that if an amendment would “significantly affect an existing or planned transportation facility,” then a local government must put in place certain measures, unless the amendment is allowed under certain provisions of the rule. See OAR 660-012-0060(1).

As part of the map amendment request, the applicant has also requested a Planned Development (PD) overlay. The applicant has requested to use the option that allows the PD overlay designation without concurrent approval of a development plan. This requires the applicant to later submit the development plan through the same public hearing and review process. No development of any kind shall occur on land subject to the PD overlay until the final development plan has been submitted, reviewed, and approved.

There are separate criteria for approval of a PD overlay. In addition, to use the option for the deferred approval of the development plan, the property must have “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.” In addition, the Council and Planning Commission shall set forth the reasons for approval and the areas of concern that must be addressed when final plans are submitted.”

The City is in the midst of a comprehensive area-wide land and transportation planning process for the Three Mile Lane area, referred to as the Three Mile Lane Area Plan (3MLAP). This planning process will result in updates to the adopted and acknowledged land use plan, development standards, and transportation plan for the planning area.

The Planning Commission and City Council must find that the location of the subject property in the middle of this planning area presents “unique characteristics” that authorize the use of the PD process with the deferred development plan.

With this process, the Planning Commission and City Council must set forth the reasons of approval and areas of concern that must be addressed when the final development plan is submitted.

There are two principal “areas of concern” that must be addressed, both associated with the “unique characteristics” of the location of the subject property in the midst 3MLAP work underway, and the timing of this application (without a contemporaneous development plan) relative to the work on the 3MLAP:

1. **Consistency with Three Mile Lane Area Plan.** Development of the property must be consistent with the 3MLAP principles, land use, development and circulation plan and development standards.

This is to be addressed through a condition of approval of the PD overlay designation, requiring development to be consistent with the design and development principles and standards attached as an exhibit to the decision document and ordinance.

2. **Transportation Mitigation.** The Transportation Planning Rule requires that all comprehensive plan map amendments evaluate whether or not the proposed new use would require traffic mitigation on any adjacent state facilities. The applicant conducted a traffic impact study that does show impact on the state and local facilities and has presented plans for mitigating that impact. Both the City and ODOT have concerns about the mitigation plans presented and have requested more time and more information to evaluate them. ODOT has provided comments noting that they require some additional information for their analysis and must approve mitigation to OR-18. ***Therefore, the City can't adopt the applicant's proposed mitigation to OR-18 unless ODOT approves the mitigation.***

For example, the OR-18 Corridor Plan calls for phased improvements at the intersection of N/W Cumulus Avenue and OR-18. The first phase was partially completed, with an at-grade signalized intersection. It also called for a collector street system to serve properties to the east on the south side of the highway, which is now partially provided by private access. The OR-18 Corridor Plan long-term improvement calls for a grade-separated interchange at this location. This improvement would be required when warranted by traffic counts on the highway.

The 3MLAP identified that the long-term improvement of a grade-separated interchange was not warranted in the next twenty years (state and local planning horizon) even with the proposed comprehensive plan map amendment and zone map amendment. In fact, the 3MLAP identified an interim improvement of a jug-handled signalized intersection when warranted prior to the need to invest in a grade-separated interchange. These would be designed to change

intersection movements to eliminate left-turns off of the highway onto side streets, while allowing left-turns onto the highway.

The mitigation proposed by the applicant at this location would add an east-bound right-turn lane and a north-bound left turn lane, and update the traffic signal equipment accordingly and prioritize through movements. The applicant also noted that beyond the planning horizon, it would be possible to add a second north-bound left-turn lane. In addition, the applicant has agreed to dedicate the necessary right-of-way needed to accommodate a future jug-handled signalized intersection and grade-separated interchange.

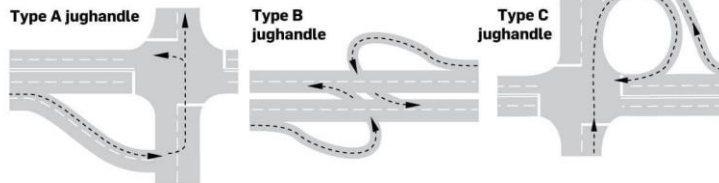
The applicant's proposed mitigation could be considered consistent with first phase of the OR-18 Corridor Plan for the at-grade intersection, providing additional intersection improvements. And their proposed dedication of public right-of-way for a future grade-separated interchange would be inconsistent with the long-term plan for the grade separated interchange.

The applicant's proposed mitigation could be considered consistent with the 3MLAP preferred alternative to retain the at-grade intersection, with the mitigation making intersection improvements needed to meet mobility standards.

The Kimco TIA and 3MLAP transportation analysis also both note that beyond the planning horizon, additional mitigation may be required. Kimco's TIA notes the possibility of a second north-bound left-turn lane, while the 3MLAP notes the possibility of jug handles. For the latter, that would apparently coincide with the elimination of left-turns from the highway and replacement of the right-turn lane with a "Type A" jug handle on the southeast corner.

JUGHANDLES

New Jersey uses three typical jughandle designs



Source: New Jersey Department of Transportation

THE STAR-LEDGER



Kimco's TIA identifies mitigation at five additional intersections on both OR Highway 18 and on the local street network.

At this time, both ODOT and the City has requested additional information from the applicant to further review certain aspects of the applicant's TIA and to determine if they would approve the applicant's recommended mitigation.

The criteria in the Zoning Ordinance, including the requirement for consistency with the Comprehensive Plan Goals and Policies, are specific, and addressed in the Conclusionary Findings section of this document. However, the main issues to be addressed with an application for a Comprehensive Plan Map Amendment and Zone Change, including a Planned Development Overlay, can be summarized as discussed below.

1. Is there a need for the change?

- Is there an identified need for the proposed zoning?
- What impact does the change have on the needed land supply of the current zoning?

There needs to be information in the Comprehensive Plan that shows a need for the proposed designation. If the need isn't demonstrated in the Comprehensive Plan, then the application needs to include updates to the Comprehensive Plan to show there is a need. The change from the current designation should not create a deficit of land supply in the current designation.

The need is demonstrated in the Comprehensive Plan, which already identifies a deficit of commercially-designated land and a surplus of industrially-designated land.

2. Is the proposal suitable to meet the need?

- If so, does the proposed amendment meet the identified need – both quantitatively (the acreage) and qualitatively (the type of zoning proposed)?
- Is the location suitable to meet the identified need for the proposed zoning?
- Are there any specific site features or characteristics that need to be considered to determine suitability for the proposed zoning?

The proposed amendment is consistent with the amount/acreage of need identified in the Comprehensive Plan for additional commercially designated land, without reducing the industrially-designated acreage below the identified need.

The EOA identifies characteristics of land commercial land need, and the applicant has described the suitability of this site to address the type of commercial need. The Comprehensive Plan, the economic analysis in the adopted and acknowledged Economic Opportunities Analysis (EOA), , as well as subsequent additional economic analysis conducted in conjunction with the Three Mile Lane Area Plan (3MLAP), identify the types of commercial land needed. The economic analysis identifies certain types of commercial uses for which 'retail leakage' is occurring. These are uses for which there is demand in McMinnville based on analysis of its market area – including residents of McMinnville and the surrounding area. The proposed C-3 PD designation is the appropriate designation. The C-3 zone generally allows uses for which there is demand and which are experiencing leakage. In addition, the design and development principles and standards attached to the PD overlay designation as a condition of approval provide greater regulatory control over the development characteristics and certain uses that may otherwise be permitted in the C-3 zone, but which could conflict with the critical issues being undertaken as part of the Three Mile Lane Areas planning process for this key gateway location into McMinnville and the importance of this area in creating first impressions and having the potential to influence the character of McMinnville.

The location and site are evaluated for suitability for the intended types of commercial use and commercial zoning. The site is also evaluated to determine if it has any specific features or attributes which might affect its suitability for intended uses. The location, topography, and general characteristics are suitable for commercial development. There aren't substantial areas of natural features which would preclude the use of the property for intended uses, although the design and development principles and standards attached as a condition of approval provide that special natural features or elements are to be incorporated into the site design.

3. Is the timing appropriate for the proposed amendment?

It is common for cities to have policies regarding urbanization that address timing and phasing of development and extension of services; however, these policies typically address rezoning of unincorporated urbanizable land within a UGB from a rural or urban holding zone to an urban zone.

With that said, when there is an identified deficit of urban commercial land and surplus of urban industrial land, the timing is appropriate to redesignate the land to address the deficit.

In some cases, this can also help ensure the land isn't developed or partially developed before it can be redesignated to the needed commercial designation. It can protect land needed for commercial development from incompatible development and/or parcelization.

The timing of the application prior to adoption of the 3MLAP does pose some unique issues to be addressed with the Planned Development overlay designation. Within the current context of the Three Mile Lane Area Plan, there may be more specific objectives for coordinated planning of the area. The Planned Development Overlay designation is the appropriate designation to allow the redesignation to commercial, but without the generic C-3 zoning that could allow development to occur without approval of a Planned Development master plan that responds to specific objectives of the area. The applicant has proposed the PD process that allows for deferred approval of a master plan, which is subject to the same public hearing provisions of the PD overlay designation. This approach allows for work to progress on the Three Mile Lane Area Plan, identifying specific issues and conditions up-front to be addressed when the master plan is submitted, and/or to be revised to be consistent with the final Three Mile Lane Area Plan and its implementing provisions when that work has been completed.

There is still the potential that the applicant could apply for the development plan through the PD process prior to completion of the 3MLAP work. That would provide a public forum for deciding on action on how and whether a specific development plan meets the applicable criteria and conditions of approval, including consistency with the design and development principles and standards attached to the C-3 PD overlay designation as a condition of approval.

Subject to the conditions of approval, of available options, the current timing and the proposed Commercial plan designation and C-3 PD overlay zone is the best alternative to re-designate the property to commercial, but provide a mechanism to delay timing of the development plan and development timing to further coordinate work with the Three Mile Lane Area planning.

The main options available to the applicant for timing and redesignation were:

- **The current application to redesignate the land to Commercial C-3 PD and apply the PD overlay with the deferred development plan option, which also precludes development until that is approved through the same PD process.** The main downside of this option is it doesn't allow for completion of work on the 3MLAP before finalizing the zone boundary through the public process. However, with deferred approval of the development plan, accompanied by design and development principles and standards as conditions of approval of the PD overlay, this provides an opportunity to incorporate principles from the 3MLAP work to date into the terms of the overlay.
- **Apply the C-3 PD overlay with a concurrent development plan.** This is not preferred – it would have resulted in an application for approval of a specific development plan prior to completion of work on the 3MLAP and the surrounding area planning context.
- **Redesignate the land to Commercial/C-3 without a PD overlay at this time.** This would allow development subject only to the current C-3 standards and other general development standards (such as Large Format Commercial Standards) without an area plan (with land use, transportation, and development standards) or approval of the plan through a separate public hearing process, which could occur in advance of the 3MLAP and could result in development that could conflict with the 3MLAP, and issues such as connectivity and associated development standards.

- **Redesignate the land to a new commercial zone or overlay that doesn't currently exist, tailored to the Three Mile Lane area.** This would still allow development to occur without the public process and oversight of the specific development plan provided by the PD process. It would have required the applicant to propose a new zone, then submit a development plan through the standard review process. This would have been premature rather than having any potential zones or overlays for the Three Mile Lane Area Plan come out of the public process, and without the accompanying level of oversight provided by the PD process.
- **Retain industrial zoning at this time, and wait until completion of the 3MLAP before seeking redesignation.** This would have postponed action to redesignate land necessary to meet needs for the identified commercial land deficit which already exists. However, the could have then been considered relative to, or together with the rest of the 3MLAP.

Now that the application has been submitted, the decision-making body must review the submitted application relative to the applicable criteria. In this case, that is the criteria for the proposed Comprehensive Plan Map Amendment, Zone Change, and Planned Development Overlay designation, including conditions of approval, including design and development principles and standards and specific issues that will need to be addressed with a future development plan.

4. Does the proposal create any impacts that need to be addressed?

- Does the proposed amendment require any updates to other aspects of the Comprehensive Plan, such as various public facility plans? Does the amendment affect required public facilities and services to serve the property or other properties that may be affected by the amendment? Are there any public facility plans that would need to be updated to serve more intensive development that would place additional demand on the facilities?
- The plan was routed to agencies and departments for review, and no issues were identified other than as addressed above for TPR compliance. It is also recognized that adequate public facilities will need to be provided at the time of development to serve the property. The intensity of the specific type of development, regardless of a map amendment, will determine certain development requirements.

5. Are there any special issues that need to be considered and addressed?

- Are there special issues that need to be addressed in conjunction with the amendment? As previously noted, there are several issues identified in Three Mile Lane Area Plan principles and planning documents, relating to commercial use and site development, and coordinated circulation with, and relationships to, development of other properties in the Three Mile Lane area, that will need to be addressed in the final Planned Development (PD) development plan. Therefore, the PD designation is subject to design and development principles and standards as a condition of approval to ensure consistency with the 3MLAP work.

As part of the PD criteria, there are additional requirements that apply beyond the CPA/ZC criteria. The purpose of a PD is articulated in the first paragraph of Section 17.51.010. In reviewing a PD to provide for a superior outcome, the Council and Planning Commission are to set forth reasons for approval and areas of concern that must be addressed when the final PD development plan is submitted.

As a result, the review will analyze issues addressed in the applicant's narrative, which will result in conditions that may be more specific than strictly development through a standard C-3 zone.

Some of the additional critical issues to be reviewed at the time of development plan submittal are:

- (1) How well the proposal will include uses and retail categories to address one of the key issues identified in the EOA: reduction of retail leakage, rather than cannibalization of local sales.

- (2) How the proposed use and development will fit with the objectives of the Three Mile Lane Area planning work underway, so there is not premature commercial development that could potentially impact, conflict with, or preclude accomplishment of the coordinated planning of the broader Three Mile Lane area.
- (3) As part of the above, how the development will complement the uniqueness of McMinnville, not only in design and aesthetic choices, but through how well the uses, spaces, and relationship between buildings and on-site amenities achieves a mix of uses that complement McMinnville's ability to strengthen the local community and economy overall, both to serve residents and to serve as a destination for visitors, in a manner that draws visitors and encourages them to stay longer, draw people in to the community, and support the breadth of local businesses during their stay. This relies on a plan that does more than reduce retail leakage. The concept must be strong enough to showcase the local identity, uniqueness, and authenticity, and to provide an experiential destination, including a mix of uses and development pattern that supports "park and stroll," linger, and explore McMinnville experiences.

Staff recommends a continuance of the public hearing to allow for additional time for this review to occur.

Note: This application includes an amendment to the Comprehensive Plan map and is not subject to the 120-day processing timeline.

Attachments:

1. CPA 2-20/ZC 3-20 Decision Document
2. CPA 2-20/ZC 3-20 Application

Recommendation:

Staff recommends a continuance of the public hearing to allow for additional time for review of the proposed transportation mitigation at impacted intersections to occur for consistency as phased and/or interim improvements, or potentially full mitigation as specified in the OR-18 Corridor Plan and/or 3MLAP.



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

503-434-7311
www.mcminnvilleoregon.gov

DECISION, CONDITIONS, FINDINGS OF FACT AND CONCLUSIONARY FINDINGS FOR THE APPLICATION FOR A COMPREHENSIVE PLAN MAP AMENDMENT FROM INDUSTRIAL TO COMMERCIAL AND A ZONE CHANGE FROM M-2 (GENERAL INDUSTRIAL) to C-3 PD (GENERAL COMMERCIAL WITH A PLANNED DEVELOPMENT OVERLAY) FOR 37.7 ACRES OF A 90.4-ACRE PROPERTY LOCATED AT 3310 SE THREE MILE LANE, TAX LOT R4426 00700

DOCKET: CPA 2-20 (Comprehensive Plan Map Amendment), ZC 3-20 (Zone Change, including Planned Development Overlay Designation)

REQUEST: An application for an amendment to the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for approximately 37.7 acres of a 90.4-acre property.

The 37.7 acres includes 4.25 acres intended for right-of-way dedication for a future public transportation improvement. The application also shows a portion of the area subject to the map amendment intended for a north-south extension of Cumulus Avenue and future east-west street connectivity.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development overlay designation to be applied to property without a development plan; however, if approved, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions of the Zoning Ordinance. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

LOCATION: Site Address: Part of 3310 SE Three Mile Lane
Map & Tax Lot: Part of R4426 00700

ZONING: M-2 (General Industrial), Three Mile Lane Overlay, Airport Overlay

APPLICANT: Kimco McMinnville LLC, c/o Michael Strahs

PROPERTY OWNER: Kimco McMinnville LLC

STAFF: Tom Schauer, Senior Planner

Attachments:

Attachment 1 – Application and Attachments;
Attachment 2 - DSL Wetland Land Use Notice Response

DATE DEEMED**COMPLETE:** April 8, 2021**HEARINGS BODY
& ACTION:**

The McMinnville Planning Commission makes a recommendation for approval, approval with conditions, or denial of the land use application to the City Council.

PLANNING COMMISSION**HEARING DATE****& LOCATION:** May 20, 2021 at 6:30 P.M. Public hearing held virtually via Zoom meeting software. Zoom Online Meeting ID: 960 2576 9049**DECISION-MAKING
BODY**

: The McMinnville City Council approves, approves with conditions, or denies the land use application.

**MEETING DATE
& LOCATION:**

To be determined.

PROCEDURE:

An application for a Comprehensive Plan Map Amendment and Zone Change, including a Planned Development Overlay, 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 Comprehensive Plan Map Amendment and Zone Change are specified in Section 17.74.020 of the McMinnville Municipal Code. The criteria for a Planned Development Overlay are specified in Chapter 17.51 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.

Note: *The City's final decision is usually subject to a 120-day processing timeline, including resolution of any local appeal. However, per ORS 227.178(7), the 120-day period does not apply to a decision of the city making a change to an acknowledged comprehensive plan or a land use regulation that is submitted to the Director of the Department of Land Conservation and Development under ORS 197.610.*

Attachments:

Attachment 1 – Application and Attachments;
Attachment 2 - DSL Wetland Land Use Notice Response

COMMENTS: This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Ziplly Fiber (formerly Frontier Communications); Comcast; Recology; Northwest Natural Gas; Oregon Department of State Lands; and Oregon Department of Transportation. Their comments are provided in this document.

RECOMMENDATION

Based on the findings and conclusionary findings, the Planning Director finds that additional information from the applicant and review by ODOT in coordination with the City is needed regarding the application’s consistency with certain criteria pertaining to transportation facilities and mitigation to make conclusionary findings regarding those issues and criteria. Therefore, following the staff report, applicant’s presentation, and public testimony at the May 20 hearing, the Planning Director **RECOMMENDS A CONTINUANCE TO A DATE CERTAIN** to be specified at the May 20 hearing to address the remaining transportation issues. The Planning Director finds the other criteria are satisfied, or satisfied subject to the conditions in Section II.

////////////////////////////////////
RECOMMENDATION: CONTINUANCE TO A DATE CERTAIN
////////////////////////////////////

Planning Department: 
Heather Richards, Planning Director

Date: May 20, 2021

Attachments:
Attachment 1 – Application and Attachments;
Attachment 2 - DSL Wetland Land Use Notice Response

I. APPLICATION SUMMARY:

Subject Property & Request

An application for an amendment to the Comprehensive Plan Map from Industrial to Commercial, and an amendment to the Zoning Map from M-2 (General Industrial) to C-3 PD (General Commercial with a Planned Development Overlay), for approximately 37.7 acres of a 90.4-acre property. The proposed map amendment includes 4.25 acres intended for right-of-way dedication for future highway transportation improvements. The 37.7 acres less the 4.25 acres is approximately 33.5 acres. The application also shows a portion of the area subject to the map amendment intended for future right-of-way for a north-south extension of Cumulus Avenue and future east-west street connectivity. **See *Vicinity Map (Figure 1), Comprehensive Plan Map (Figure 2), Zoning Map (Figure 3), and Applicant's Proposed Map Amendment (Figure 4).***

Please note Figures 3 and 4 don't yet reflect the land added to the UGB north of Three Mile Lane between the highway and the Evergreen Museum.

The request is submitted per the Planned Development provisions in Section 17.51.010(B) of the Zoning Ordinance, which allows for a planned development designation to be applied without a development plan; however, no development of any kind can occur on the portion of the property subject to the C-3 PD overlay until a final development plan has been submitted and approved in accordance with the Planned Development provisions. This requires the application for the final development plan to be subject to the public hearing requirements again at such time as the final development plans are submitted.

Summary of Criteria & Key Issues

Introduction

The proposal includes a requested comprehensive plan map amendment, zoning map amendment, and planned development (PD) overlay designation, with the deferred development plan option as described above.

Key requirements for the comprehensive plan map amendment and zoning map amendment are consistency with the Comprehensive Plan (including identified need, suitability of the property to meet the need, and whether the proposed zoning designation is appropriate to meet the identified need), and orderliness and timeliness of the amendment, and ability to efficiently provide utilities and services to serve uses permitted in the proposed zoning district.

With the PD overlay designation, when the option to defer the approval of the preliminary development plan is considered (Section 17.51.010(B)), there must be findings that the property has unique characteristics and the development of which may have an impact on the surrounding area or the city as a whole. In addition, the Council and Planning Commission shall set forth the reasons for approval and the areas of concern that must be addressed when final plans are submitted.

Some provisions of state law also apply to map amendments. In considering consistency with the Comprehensive Plan, the provisions of state law at OAR 660-012-0060 must also be addressed. This is part of the Transportation Planning Rule relating to Plan and Land Use Regulation Amendments.

As addressed in these findings, the following summarizes the key findings related to the applicable criteria for the map amendment in Chapter 17.74 and the Planned Development Overlay in Chapter 17.51.

Attachments:

Attachment 1 – Application and Attachments;
Attachment 2 - DSL Wetland Land Use Notice Response

- **17.74.020(A) (Consistency with the Comprehensive Plan).** The commercial land need, suitability of the site to meet the need, and the suitability of the C-3 PD commercial designation to meet the need are well documented in the Comprehensive Plan and 2013 Economic Opportunities Analysis (EOA) adopted on February 25, 2014 by Ordinance No. 4976 and referenced in the application submittal.
- **17.74.020(B) (Orderly and Timely) and (C) (Efficient Provision of Utilities and Services).** The agency notification process resulted in responses which indicated no significant issues in the ability to provide service to the property for uses permitted in the proposed zoning district, except for some expressed concerns by ODOT that still need to be addressed prior to approval of the application. Some upgrades to power feeder lines may be required at the time of development, depending on the specific use and development proposed.

Transportation: Regarding transportation facilities and the requirements of Transportation Planning Rule, OAR 660-012-0060(1) specifies:

If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule.

The rule provides detail about the definition of a “significant effect” and how a significant effect may be addressed. In short, the applicant’s Traffic Impact Analysis (TIA) found there would be significant effects associated with the amendment, and proposed mitigations to address those effects associated with the proposed map amendment for the subject property.

ODOT has provided comments that it needs to review additional information associated with the TIA recommendations and to approve any mitigation to OR-18 which is under their jurisdiction.

The City has also requested additional information to evaluate the proposed mitigation improvements.

Staff recommends a continuance of the public hearing to provide additional time to address this issue.

- **17.51.010(B).** Regarding the requirements associated with the approval of the planned development overlay and deferred development plan, there are unique characteristics associated with the property, and there are areas of concern that will need to be addressed at the time the final PD development plan is submitted.

Most notably, the City has been engaged in a three-year public planning process for the Three Mile Lane Area Plan (3MLAP) specifically for this area of the community. This process is nearing completion. In order to incorporate the outcomes of this planning process, the applicant has agreed to a planned development overlay that will incorporate the design and development standards that has been developed by the Three Mile Lane Area planning process.

It should be noted that while the proposal meets the criteria for being orderly and timely, the timing poses some unique issues that need to be identified and addressed as “areas of concern that must be addressed when final plans are submitted” for the PD approval. Those timing issues relate to the fact that a public planning process is underway for the Three Mile Lane Area, which is intended to update and guide the land use, circulation, design, development and

Attachments:

Attachment 1 – Application and Attachments;

Attachment 2 - DSL Wetland Land Use Notice Response

redevelopment, and other aspects of the area, to achieve a desired area-wide outcome. As a result, there are draft new standards and zoning to be adopted for the area which aren't yet in effect. In addition, there is a draft preferred transportation alternative which has some preferred circulation and intersection improvements which differ from those in the adopted Transportation System Plan and Highway 18 Corridor Plan.

Therefore, the timing of the application presents some unique issues which the application must address:

- As a condition of approval, the final development plan will be subject to the design and development principles and standards attached to this decision document, except that, if 3MLAP principles and standards are adopted prior to submittal of the PD final development plan, the more stringent principles and standards shall apply.
- The applicant will need to submit additional information for ODOT and City review and approval, and demonstrate the proposed mitigation is consistent with the OR-18 Corridor Plan and Draft 3MLAP Preferred Transportation Alternative as interim improvements consistent with each plan, and that they are providing the necessary public right-of-way dedication for the future long-term improvements needed. **Staff has recommended a continuance of the public hearing as both ODOT and the City have requested additional information from the applicant relative to this issue.**

Figure 1. Vicinity Map

(See Figure 4 for portion proposed for map amendment).



Attachments:

Attachment 1 – Application and Attachments;
Attachment 2 - DSL Wetland Land Use Notice Response

Figure 2. Comprehensive Plan Map
(See Figure 4 for portion proposed for map amendment)

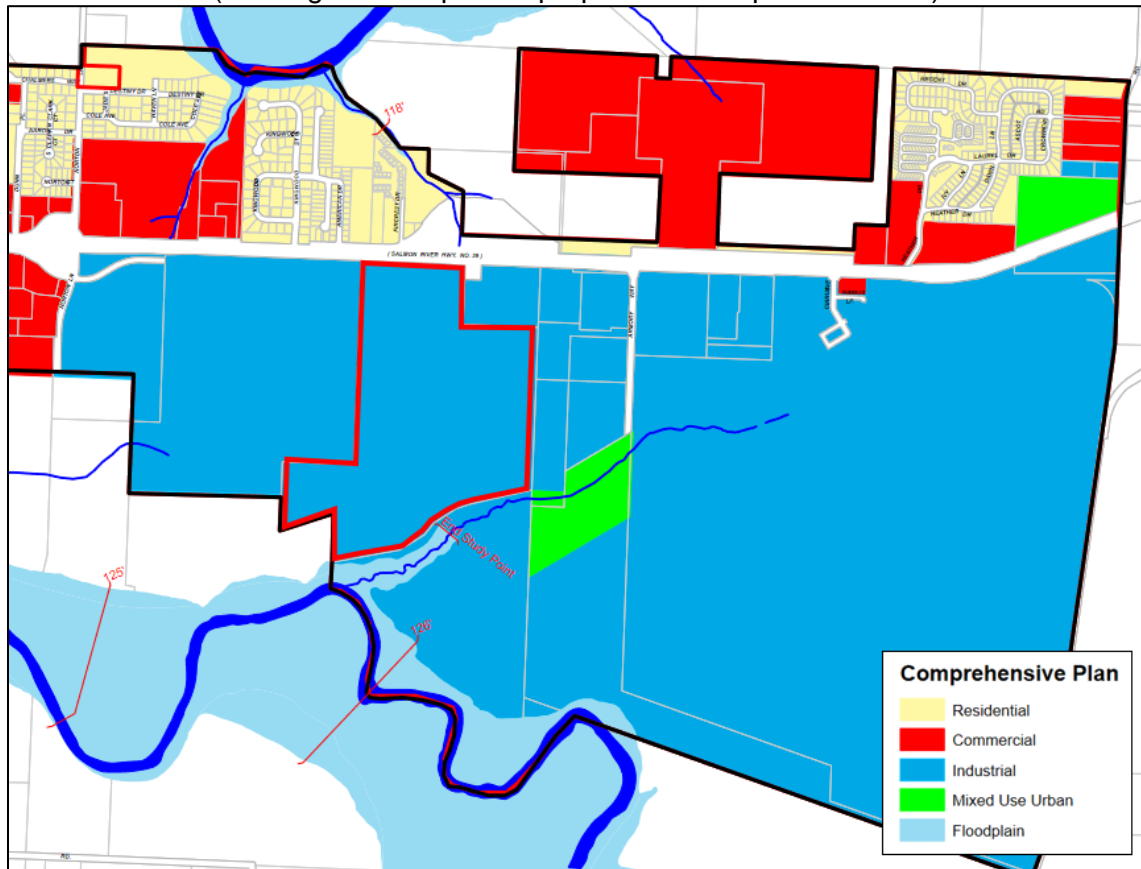
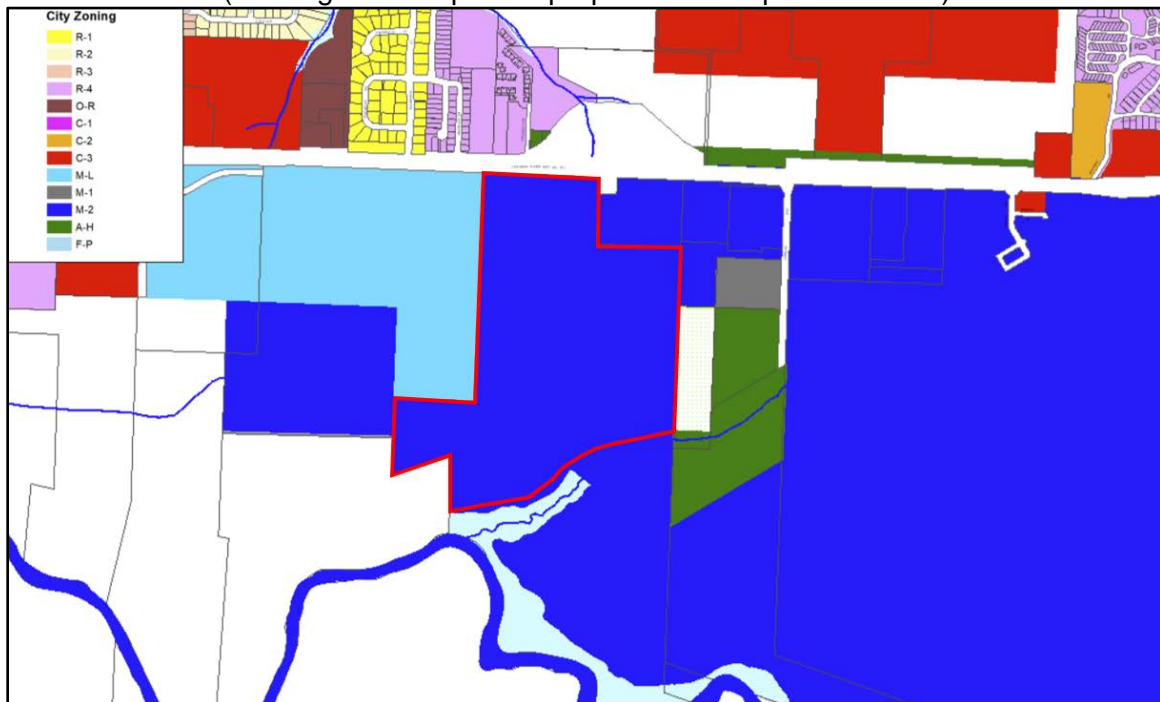


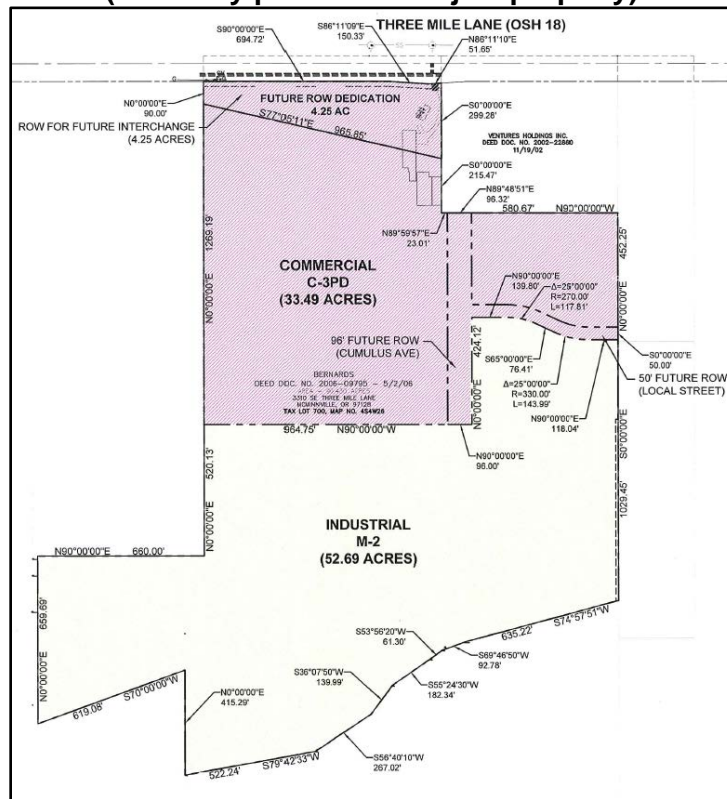
Figure 3. Zoning Map
(See Figure 4 for portion proposed for map amendment)



Attachments:

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**Figure 4. Applicant's Proposed Map Amendment
(Northerly portion of subject property).**



II. CONDITIONS:

1. For transportation mitigation, the applicant shall provide additional information to the City and ODOT for their review and approval and shall obtain their approval for transportation mitigation of “significant effect” that affects the state and local systems. The specific designs of the mitigation improvements will need to be approved prior to the submittal of the preliminary development plan.
2. Prior to development, the applicant shall submit a preliminary development plan for the site to be reviewed in the same manner as a planned development amendment per Section 17.72 of McMinnville Municipal Code. The applicant will need to submit a development plan that meets all of the criteria of Section 17.51.030 (except that they only need to submit twelve (12) copies of the preliminary development plan and one electronic file). The preliminary development plan to be submitted shall also be subject to the design and development principles and standards attached as **Attachment 2**. If the 3MLAP is adopted prior to submittal of the preliminary development plan, then the most restrictive provisions shall apply.
3. Use and development of the property shall be subject to any overlays which apply to the property. Including the Three Mile Land Overlay and the Airport Overlay Zone.
4. Disposition of any wetlands on the property at the time of submittal of the development plan shall be subject to the design and development principles and standards, and subject to review and approval by DSL.

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5. The applicant shall record a copy of the approving ordinance, disclosing these conditions of approval.

III. ATTACHMENTS:

1. CPA 2-20/ZC 3-20 Application and Attachments (on file with the Planning Department)
2. Development Standards Adopted as Condition of PD Overlay Approval
3. DSL Wetland Land Use Notice (on file with the Planning Department)
4. ODOT Comments

IV. COMMENTS:

Agency Comments

This matter was referred to the following public agencies for comment: McMinnville Fire Department, Police Department, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, City Manager, and City Attorney; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Ziplly Fiber (formerly Frontier Communications); Comcast; Recology; Northwest Natural Gas; Oregon Department of Transportation; and Oregon Department of State Lands.

Responses were received from the following agencies, provided below:

- McMinnville Engineering Department
- McMinnville Building Department
- McMinnville Fire Department
- McMinnville Water & Light
- Oregon Department of State Lands
- Oregon Department of Transportation

- McMinnville Engineering Department:
No concerns from Engineering

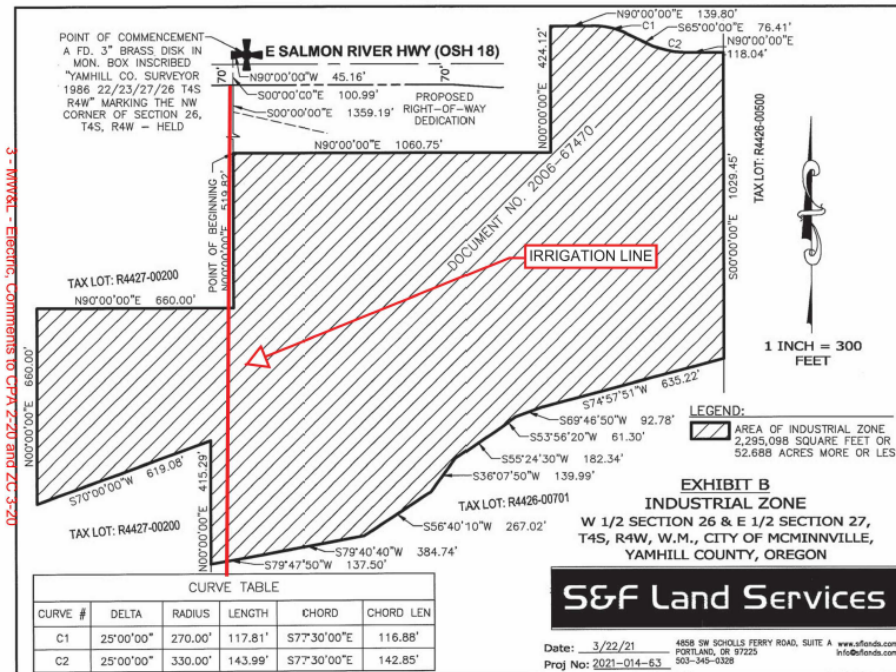
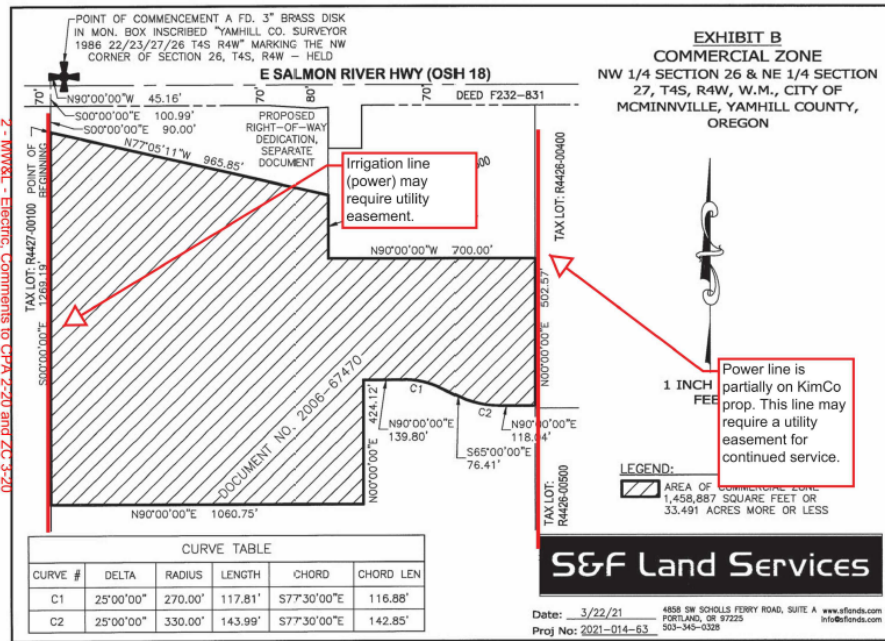
- McMinnville Building Department
No identified building code issues at this time.

- McMinnville Fire Department
No issues from the Fire Department for the development. Note: required access and water supply must be approved prior to development.

- McMinnville Water & Light
McMinnville Water & Light provided comments in mark-up text call-out boxes on pages excerpted from the application, summarized and shown below. (Some issues will apply at time of development, and not in conjunction with the map amendment).

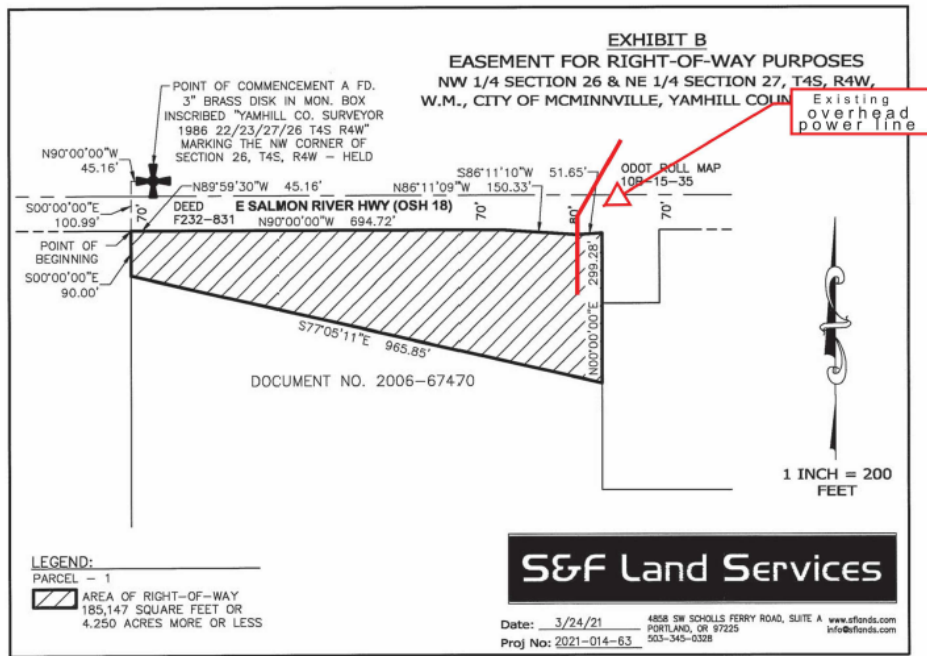
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- Note provided on Page 9 of Applicant’s Narrative: “MWL’s ability to provide adequate electric service to the commercial and/or remaining industrial property is predicated upon the intensity of the development’s requirements. Additional infrastructure may be required to serve all or some of the site.”
- Note provided on Page 31 of Applicant’s Narrative: “In previous inquiries involving this parcel, MW&L has communicated that it may not have sufficient feeder/distribution capacity to serve a full development of the 90 acres. Significant upgrades to the existing electric system, or construction of a new feeder may be necessary.”
- Oregon Department of Transportation
 ODOT provided initial comments followed by a letter from ODOT Region 2 Traffic.

Initial Comments:

The following are provided as ODOT comments on the proposal:

1. The City and ODOT, working with the public and area stakeholders, have spent a great deal of time and effort developing the Three Mile Lane Area Plan which is close to completion. To respect those efforts, any mitigation required for this development should be consistent with the agreed upon recommendations of the city’s area plan.
2. No funding has been identified for any remaining improvements recommended in the original Three Mile Lane Refinement Plan or recommended improvements in the current plan discussed above. Therefore, any improvements necessary as a result of this project are considered development mitigation.
3. Region 2 Traffic staff are completing their review of the transportation impact analysis (TIA) and comments will be available tomorrow (May 4). I will forward those comments as soon as they are received.

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Thank you again for the opportunity to comment on this proposal. These are ODOT's comments on the proposed CPA/ZC and should be included in the record of the project proceedings. You can contact me if you have any questions or need additional information.

Letter from ODOT Region 2 Traffic:

A May 4, 2021 letter from ODOT Region 2 Traffic is attached as **Attachment 4**.

- Oregon Department of State Lands

We have an OLD determination, WD2004-0629, and an old, now expired, delineation WD 2009-0013 showing wetlands on this property. We have no other records regarding this property. A new delineation will be needed. A WLUN submittal to verify this is appropriate. The proprietary program will review and comment separately if needed.

Public Comments

Notice of this request was mailed to property owners located within 300 feet of the subject site. No public testimony was submitted in advance of the hearing at the time this staff report was prepared.

V. FINDINGS OF FACT - PROCEDURAL FINDINGS

1. The application was submitted on December 21, 2020. The applicant submitted the necessary documentation to demonstrate a neighborhood meeting was noticed and held in accordance with the provisions of Section 17.72.095 of the Zoning Ordinance.
2. The application was initially deemed incomplete on January 20, 2021, and additional information was requested and submitted on March 29, 2021.
3. The application was deemed complete on April 8, 2021.
4. On April 8, 2021, notice of the application was provided to the Oregon Department of Land Conservation and Development (DLCD).
5. On April 13, 2021, 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, Engineering Department, Building Department, Parks Department, Public Works Department, Waste Water Services, and City Manager; McMinnville Water and Light; McMinnville School District No. 40; Yamhill County Planning Department; Ziplly Fiber (formerly Frontier Communications); Comcast; Recology; Northwest Natural Gas; Oregon Department of Transportation; and Oregon Department of State Lands. Notice of the application was also subsequently provided to the City Attorney.

Comments received from agencies are addressed in Section IV of the Decision Document.

6. On April 29, 2021, notice of the application and 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.
7. On May 11, 2021, notice of the application and Planning Commission public hearing was published in the newspaper in accordance with Section 17.72.120 of the Zoning Ordinance.
8. The Planning Commission held a public hearing on May 20, 2021 to consider the request.

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VI. FINDINGS OF FACT - GENERAL FINDINGS

1. **Location:**
 - o **Site Address:** Part of 3310 SE Three Mile Lane
 - o **Map & Tax Lot:** Part of R4426 00700
2. **Size:** The map amendment applies to 37.7 acres of a 90.4-acre property. The 37.7 acres includes 4.25 acres intended for right-of-way dedication for future highway improvements. The application also shows a portion of the area subject to the map amendment intended for a north-south extension of Cumulus Avenue and future east-west street connectivity.
3. **Comprehensive Plan Map Designation:** Industrial
4. **Zoning:**
 - a. **Subject Property:** M-2 (General Industrial)
 - b. **Surrounding Properties:**
 - i. **North:** Across Highway 18: Public right-of-way and R-4; M-2 south of the Highway to the north and east of the portion of the property proposed for amendment.
 - ii. **West:** M-L to the west of the portion of the property proposed for amendment
 - iii. **South:** To the south of the portion of the property proposed for amendment is the remainder of the property proposed to be retained with M-2 zoning.
 - iv. **East:** The property to the east of the portion of the property proposed for is zoned M-2. There is also an area of county AF-20 zoning within City limits to the southeasterly extent of the area proposed for amendment.
5. **Overlay Zones/Special Districts:**
 - a. Three Mile Lane Overlay (Ordinance 4131 as subsequently amended)
 - b. Airport Overlay
6. **Current Development:** The property is predominantly unimproved. There is an agricultural building on the northerly portion of the property to the east of NE Cumulus Avenue.
7. **Inventoried Significant Resources:**
 - a. **Historic Resources:** None
 - b. **Other:** Wetlands (See comments from DSL. Also, the Statewide Wetland identifies possible wetlands near the west property line (PEM1A)
8. **Other Features:**
 - a. **Slopes:** The property is generally level.
 - b. **Easements:** There are no public easements identified on the property.
 - c. **Trees:** There is a stand of trees near the OR-18 Highway frontage.
 - d. **Irrigation:** There is an irrigation line along the westerly portion of the property.
9. **Utilities:**
 - a. **Water:** A 24-inch distribution line is present along the OR-18 Highway frontage.
 - b. **Sewer:** 12" sanitary sewer is present along the north side of Highway OR-18, with an 8" crossing to the south side on the west side of NE Cumulus Avenue
 - c. **Stormwater:** There are storm drainage lines along OR-18 and along the south side of the property
 - d. **Power:** Overhead power is present near the NE corner of the property west of NE Cumulus Avenue and along the east side of the property.

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10. **Transportation and Access:** The property has frontage along Highway OR-18 and along the east side of the frontage of the NE Cumulus Avenue right-of-way which extends approximately 140' south of the OR-18 right-of-way. That right-of-way terminates on the adjacent property, with private access on that property continuing from the terminus of the right-of-way, extending to the south and east.

VII. CONCLUSIONARY FINDINGS:

The Conclusionary Findings are the findings regarding consistency with the applicable criteria for the application. The applicable criteria and standards for a Comprehensive Plan Map amendment and Zone Change are found in Chapter 17.74 of the Zoning Ordinance. The additional criteria for a Planned Development Overlay designation, including with a deferred development plan, are found in Chapter 17.51 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 many of the goals, policies, and proposals as they apply to quasi-judicial land use applications 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 certain applications, and are not addressed below

The following additional findings are made relating to specific Goals and Policies:

CHAPTER II. NATURAL RESOURCES

GOAL II 1: TO PRESERVE THE QUALITY OF THE AIR, WATER, AND LAND RESOURCES WITHIN THE PLANNING AREA.

APPLICANT'S RESPONSE: No response.

FINDING: NOT APPLICABLE. The policies provided under this goal don't relate to a quasi-judicial application to amend the Comprehensive Plan map and zoning map. The land policies address issues such as unincorporated lands within the UGB, natural hazards, mineral and aggregate resources, and reclamation of aggregate site. The water policies address issues such as drinking water standards, floodplain, water quality standards, and drinking water source watershed protection. Other provisions of the Comprehensive Plan which address natural features such as wetlands, trees, etc. are addressed under the respective provisions herein.

CHAPTER III. CULTURAL, HISTORICAL, AND EDUCATION RESOURCES

HISTORIC PRESERVATION

Attachments:

Attachment 1 – Application and Attachments;
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GOAL III 2: TO PRESERVE AND PROTECT SITES, STRUCTURES, AREAS, AND OBJECTS OF HISTORICAL, CULTURAL, ARCHITECTURAL, OR ARCHEOLOGICAL SIGNIFICANCE TO THE CITY OF MCMINNVILLE.

GOAL III 3: INCREASE PUBLIC AWARENESS AND UNDERSTANDING OF McMINNVILLE’S HISTORY AND ITS HISTORIC PRESERVATION PROGRAM

Policies:

17.04. *Increase interpretation effort’s of the City’s historic resources.*

Proposals:

3.11. *Support character and place identity of neighborhoods within the City through survey and historic context research to understand the unique history and their role relative to the growth and development of McMinnville. This can help support a connection between residents and their neighborhoods’ history, the preservation of buildings, and education through walking tours.*

GOAL III 4: ENCOURAGE THE PRESERVATION AND REHABILITATION OF HISTORIC RESOURCES

GOAL III 5: DOCUMENT AND PROTECT HISTORIC RESOURCES

Proposals:

3.39. *Evaluate a MPD (Multiple Property Designation) for “Historic Granaries of McMinnville.”*

GOAL III 6: INCREASE HERITAGE TOURISM

Policies

17.14. *Amplify the heritage tourism program for McMinnville.*

APPLICANT’S RESPONSE REGARDING CHAPTER III GOALS, POLICIES, AND PROPOSALS: No response.

FINDING REGARDING CHAPTER III GOALS, POLICIES, AND PROPOSALS: SATISFIED WITH CONDITIONS. (Condition 2). The Goals, Policies, and Proposals of this Chapter of the Comprehensive Plan reflect the community’s desire to see it’s history and heritage reflected in the built environment and including increased interpretive efforts of it’s history and heritage. This theme is integral in the planning goals for the Three Mile Lane Area Plan (3MLAP). In addition, this chapter reflects an understanding of the economic development benefits of heritage tourism as a competitive advantage when the built form differentiates itself from other communities by incorporating it heritage into new development as growth occurs. In the Three Mile Lane area, this is reflected in the agricultural and aviation traditions. Retaining, interpreting, and incorporating elements of the heritage into the development of the property provide an authenticity which provides a competitive advantage.

As specified in Section 17.51.010(B)(2), the Council and Planning Commission shall set forth reasons for approval and the areas of concern that must be addressed when final plans are submitted.

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As a condition of approval, design and development principles and standards are attached to the PD overlay designation, specifying that this issue is to be addressed in the development plan, in order to address an area of concern that McMinnville retain its unique identify and that consistency with the Comprehensive Plan requires that this issue be addressed as part of a Planned Development. Specifically, development should address use of the existing agricultural building on the property and provide for landscape elements consistent with the agricultural character of the area.

This heritage is distinctly different from the history and heritage-based characteristics of the historic downtown area. The development plan should complement the downtown, and not duplicate or mimic the experience provided downtown.

CHAPTER IV. ECONOMY OF MCMINNVILLE

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.

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.

Policies

21.00 *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 2013 EOA's conclusion about retail leakage, which is supported by the 2020 EOA and 3MLAP, is quoted above. The application summary findings in the "Property Description" and Project Background" sections and these findings describe the Property's suitability for capturing retail leakage and accommodate population-growth related retail demand. The proposed rezone will allow (upon subsequent land use reviews) which are not presently available or are underserved, to locate on the Property.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The application notes that retail leakage is occurring in part due to a lack of product offerings available in McMinnville. As a condition of approval, the development plan should include businesses that represent a mix of offerings, including those categories not already present in McMinnville to address retail leakage, expanding the mix of offerings rather than only duplicating those which are already available elsewhere in McMinnville, and which would not help address the retail leakage.

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.*

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APPLICANT’S RESPONSE: In support of the requested land use change designation, the adopted 2013 EOA stated:

“As with the prior 2001/03 EOA projections, an anticipated surplus is indicated for industrial lands versus a shortfall associated with commercial lands:

- Commercial land demand is expected to exceed supply – resulting in a forecast shortfall of an estimated 36 acres through 2033.
- Industrial land demand is anticipated to come in well under the BLI supply – resulting in a surplus forecast at close to 236 acres over the 20-year planning horizon.

In summary, this (2013) EOA update indicates that industrial land needs can be more than amply met over the next 20 years while commercial land supply will fall short of meeting anticipated demand.” (2013 EOA, Pg 56)

The proposal to rezone 33.5 excess industrial acres to commercial is consistent with Policy 21.01 and the 2013 EOA. The Property is suitable for commercial zoning, as described in the “Suitability of the Property for Conversion from Industrial to Commercial” section of the application findings and detailed throughout these findings, the Property includes site characteristics which are conducive to capturing retail leakage and accommodating population growth-related retail, such as visibility from and access to Highway 18 and proximity to retail leakage markets.

FINDING: SATISFIED. As demonstrated by the EOA, McMinnville has a deficit of commercial land within the UGB, and redesignation of a portion of the industrial surplus to commercial consistent with the identified need is a corrective action that addresses the identified deficit.

21.02 *The City shall encourage and support the start up, expansion or relocation of high-wage businesses to McMinnville.*

1. *The City shall coordinate economic efforts with the Greater McMinnville Area Chamber of Commerce, McMinnville Industrial Promotions, McMinnville Downtown Association, Yamhill County, Oregon Economic and Community Development Department, and other appropriate groups.*
2. *Economic development efforts shall identify specific high-wage target industries and ensure that adequately sized, serviced, and located sites exist within the McMinnville urban area for such industries.*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). This policy is included under the “**COMMERCIAL DEVELOPMENT**” section of Chapter IV of the Comprehensive Plan, so its references to “high-wage businesses” and “high-wage target industries” are not limited to industrial use “industries.” The design and development principles and standards document attached as a condition of approval includes some “recommendations” which are advisory only. One of the “recommendations” in the document is that, where there are multiple options to select businesses that will meet the same or similar need, including the need to offset retail

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leakage on the property, the applicant is **encouraged** to select businesses which offer comparatively higher than average wages and/or benefits.

- 21.03 *The City shall support existing businesses and industries and the establishment of locally owned, managed, or controlled small businesses.*

APPLICANT’S RESPONSE: The 2013 EOA indicates that there is an annual leakage of \$192 million in consumer spending in Yamhill County to areas outside its boundaries (Pg 32) along with a shortfall of 36 commercially designated acres through 2033 (Pg 56). Furthermore, the 2013 EOA states local businesses suffer from “Limited duration of tourism visitation & low expenditure capture. While the McMinnville area and Yamhill County can now boast some of the state’s top tourism attractions, visitor spending does not appear to match visitation. This is because visitors tend not to stay overnight (but are often day visitors) and do not appear to be making substantial expenditures while in the area. A key challenge for the future is to provide more and better value-added opportunities for visitors to spend more time and money while visiting the McMinnville area.” (2013 EOA Pg 32-33)

The Property is suitable for capturing retail leakage documented in the 2013 EOA and further supported by the 2020 EOA and 3MLAP, as quoted above. Because the leakage sales are not being met in the market, existing businesses do not rely upon those sales, which means that satisfying the leakage will not impact existing business. Instead, existing businesses could be supported by retail development of the Property because consumers will stay within and be drawn to the market area.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2).

Note: *The 2013 EOA was completed prior to the formation of Visit McMinnville, McMinnville’s Destination Marketing Organization (DMO), and Visit McMinnville’s reports subsequent reports provided updated trends and visitor surveys regarding visitation and overnight stays.*

While direct conditions regarding specific tenants are beyond the scope of this quasi-judicial land use application, the development and design principles and standards attached as a condition of approval includes “recommendations” which are advisory only. Consistent with the objectives of the 3MLAP, it is **recommended** that the applicant seek out and market to local businesses consistent with the 3MLAP principles and seek to maximize the local multiplier effect. This may include (a) supporting existing local businesses, and (b) considering the needs of locally owned, managed, and controlled small businesses that may seek a location in the Three Mile Lane Area consistent with the vision of the Three Mile Lane Area Plan which is under development. This can be in seeking to provide a mix of retail, entertainment, and hospitality uses that serve as a destination that complements the downtown and existing local businesses, serving to increase day trips and also providing additional reasons for visitors to make overnight trips and stay longer. This includes providing a development and mix of uses that support and complement local businesses and purchase of locally made products, and the planned innovation campus, providing an experiential concept that is uniquely McMinnville. The mix of uses should also be supportive of the needs of the neighborhoods planned in the surrounding area.

While it is beneficial to reduce retail leakage, it is also beneficial to maximize the Local Multiplier Effect. In effect, it is beneficial for money to be spent in McMinnville to reduce leakage; however, it is also important that dollars spent in McMinnville stay and in McMinnville and be “recycled” in the local economy.

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The applicant is encouraged to give preference to tenants that maximize the positive economic impact to McMinnville and the region, including through the “Local Multiplier Effect”

For example:

- Businesses that offer comparatively higher wages and benefits to employees
- Locally and/or regionally-owned businesses
- Businesses that use locally-based services, such as banking, accounting, marketing, printing, etc.
- Businesses that source local raw materials or products and/or sell local products
- Businesses that support community causes

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. (Ord.4796, October 14, 2003)*

APPLICANT’S RESPONSE: See response to Policy 21.00.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). While some businesses may seek to maximize their saturation with multiple locations within a community, that doesn’t necessarily reduce retail leakage if that strategy doesn’t offer the diversified offerings of commercial uses and services which are not presently available to McMinnville residents. In marketing to tenants, the applicant has control over whether the mix of uses and services provides increased saturation of uses that are already present in the community, or whether the mix of uses and services offers a diversified mix and choice, more effectively reducing leakage. That is not intended to be mutually exclusive from encouraging clusters of similar or complementary uses that offer choice, may attract a greater breadth of consumers, and may help McMinnville be recognized as a destination for a cluster. As a “recommendation” in the development and design standards attached a condition of approval, the applicant is encouraged to seek and market to these uses consistent with the intent of this policy and the 3MLAP.

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.

APPLICANT’S RESPONSE: The 2013 EOA concluded that utilizing existing commercially designated lands are not sufficient to accommodate the demonstrated commercial land need, and that re-designating excess industrial land is the solution.

No specific development is proposed with this application. Once a formal project application is submitted to the City, the requested Planned Development overlay designation means that the development will be subject to the Planned Development Ordinance. The project application will be open to public comment, be reviewed by the Planning Commission, and approved at the discretion of the City Council. The project layout and design elements shall be assessed at that time.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). As addressed in the 2020 UGB amendment, the Comprehensive Plan provisions specify that part of the commercial land need is to be met by the redesignation of surplus industrial acreage to commercial acreage. Otherwise, a larger industrial surplus would remain, and the City would have needed to increase the size of the UGB by about 35 acres to meet the identified commercial land need. The Three Mile Lane Planning work underway identifies the need and suitability for commercially-designated land at this location. Those project goals are also consistent with

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the Goal to discourage strip development. That is achieved through a master planned development which has good circulation and connectivity to the surrounding area, while limiting piecemeal development and uncoordinated access to major streets. With the development plan subject to the development and design standards attached to the PD overlay as a condition of approval addressing site design issues, this criterion is satisfied with conditions.

General Policies:

- 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: The types of retail that is leaking from the City requires parcels that range from 5 to 20+ acres. The City's inventory of vacant and partially vacant commercially designated properties in that size range are very limited: the 2013 EOA, Figure 27 indicates there is one vacant commercially designated parcels that is 11 acres, and 2 over 20 acres, one of which is the Evergreen Aviation & Space Museum, which is encumbered with a tourism-related PUD; 2020 EOA, Exhibit 39 shows that there are zero vacant or partially vacant C-3 lot. This lack of inventory led the s, and a single 12.1 acre partially vacant C-3 lot the 2013 EOA concluded that utilizing existing commercially designated lands was not sufficient to accommodate the demonstrated commercial land need, and that re- designating excess industrial land is the solution. Therefore, the ability of existing commercial lands to be revitalized and reused will not be impacted by this amendment, because the needed retail uses that will be facilitated by this amendment cannot be accommodated on existing commercially zoned parcels.

FINDING: SATISFIED. The designation or redesignation of lands to meet identified needs does not conflict with policies to encourage the most efficient use of existing commercially designated lands and/or the revitalization and reuse of existing commercial properties. Different commercial needs can be met through a balanced approach.

- 23.00 *Areas which could in the future serve as commercial sites shall be protected from encroachment by incompatible uses.*

APPLICANT'S RESPONSE: No response.

FINDING: SATISFIED. There is an identified need in the Comprehensive Plan for redesignation of industrial land to commercial designation. It is appropriate to redesignate land needed for commercial use, rather than leave it in an industrial designation if that is not the intended use.

Further, the Three Mile Lane planning work is intended to evaluate the broader area and apply appropriate designations and compatible mix of uses for a variety of types of residential, commercial, and industrial uses.

- 24.00 *The cluster development of commercial uses shall be encouraged rather than auto-oriented strip development. (Ord.4796, October 14, 2003)*

APPLICANT'S RESPONSE: No specific development is proposed with this application. Once a formal project application is submitted to the City, pursuant to the requested Planned Development overlay, it will be subject to the Planned Development Ordinance which will discourage auto-oriented strip development. The project application will be open to public comment, be reviewed by the Planning Commission, and approved at the

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discretion of the City Council. The project layout and design elements shall be assessed at that time.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The provisions of Section 17.51.010(B)(2), regarding an initial PD overlay designation without an initial specific development plan provide that the Council and Planning Commission shall set forth the reasons for approval and the areas of concern that must be addressed when final plans are submitted.

As a condition of approval of the PD overlay, the accompanying development and design principles and standards specify that the development plan shall not be auto-oriented strip development, and they provide guidance on what that means for site development.

Locational Policies:

- 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 2013 EOA identified a deficit of at least 36 acres of commercial land, which should be accommodated by redesignating excess industrial land. The 2013 EOA Conversion Suitability Factors (detailed above), as well as the 3MLAP and 2020 EOA, support the conclusion that the Property is suitable to accommodate retail leakage and growth-related retail uses. Among the Property’s key site characteristics are site size, proximity to retail leakage markets, and visibility and access to Highway 18.

FINDING: SATISFIED. The proposed map amendment is consistent with the type and amount of commercial land needs identified in the Comprehensive Plan and EOA, and provides opportunities for site design consistent with the needed site sizes for a mix of commercial uses.

- 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: The only existing adjacent uses south of Highway 18 are the Jackson Family Winery and the US Army National Guard Armory and Recruiting Office, which are located on M-2 and M-1 land east of the Property, farming activity on the M-L zoned land to the west, and farming activity on the land zoned M-2 to the south. Given the width of Highway 18, land north of the highway is not “adjacent” to the Property. Nevertheless, the uses north and north east of the Property include a senior housing development and single family development (R1 and R-4 zoning) and to the northwest is the Evergreen Aviation & Space Museum (C-3PD zoning).

The Property is within the City’s Three Mile Lane Plan area updating 1981 Three Mile Lane Overlay District (amended in 1994) and the 1996 Highway 18 Corridor Refinement Plan. The area contains approximately 1,340 acres of land with a variety of existing land uses and several large vacant parcels. Though the timeline for the adoption of this plan is unknown, the current draft “includes a significant retail center south of Three Mile Lane at Cumulus Avenue. This could take the form of a large-format retail anchor that would take advantage of traffic on OR SH 18 with additional smaller retail uses. While serving as a regional retail attractor, it would also function as an important local amenity, providing convenient access to

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shopping and services for adjacent office and residential development.” (3MLAP Memorandum 6, pg 10-13)

For the development of larger scale retail like the Project is expected to include, the Property’s location is superior to other potential properties because of the minimal impact on surrounding neighborhoods. The only potential offsite impact is traffic. As detailed in the TIA, rezoning the Property would allow for the scale of retail development associated with capturing retail leakage with minor upgrades to surrounding streets and a new intersection. There would minimal impacts to the overall urban fabric of the more established and densely developed areas of McMinnville. In comparison, any proposed development at the intersection of SH-18 and SH-99W (Linfield Property) would raise serious traffic infrastructure problems if it is to be developed with intense retail uses. This would include reconstruction of the Old Sheridan Road intersection and a reconfiguration and widening of the interchange between the two state highways. In that immediate vicinity, SH 99W is an interior arterial in McMinnville, and the regional traffic generated by major retail at this location would be disruptive to the internal city traffic patterns and the McMinnville “feel.”

Specifically for the Property, Kittelson & Associates, Inc. prepared a transportation impact analysis (TIA) and Transportation Planning Rule (TPR) analysis for the proposed project. **(Attachment XX)** The OR 18 corridor has the capacity to accommodate trips to the proposed site without widening to six (6) lanes. The traffic impact analysis (TIA) supports this finding and recommends some access modifications to existing roadways intersecting OR 18 to improve the safety and flow of traffic in the vicinity of the site with the proposed rezoning and subsequent commercial development. These modifications are consistent with the future improvements identified in the adopted 1996 McMinnville (OR-18) Corridor Refinement Plan.

No specific development is proposed with this application. Once a formal project application is submitted to the City, pursuant to the requested Planned Development overlay, it will be subject to the Planned Development Ordinance and Zoning Ordinance. The project application will be reviewed in a public process, which will address and minimize potential conflicts, if any, through revisions or conditions of approval, and any deficiencies in city services can be addressed through conditions of approval.

FINDING:

TRANSPORTATION MITIGATION: CONTINGENT ON FURTHER REVIEW AND APPROVAL OF MITIGATION TO BE APPROVED BY ODOT IN COORDINATION WITH THE CITY. Staff has recommended a continuance to provide additional time to allow for preparation and submittal of additional information for review and response to this issue. The applicant has submitted a TIA with recommended mitigation for “significant effect” on transportation facilities to be addressed for consistency with the Transportation Planning Rule. ODOT has requested additional information for review of the TIA and must approve any proposed mitigation affecting Highway 18. Further, at the time of a specific development plan, specific traffic characteristics of the specific use, development, and access configuration will need to be evaluated and addressed consistent with the OR-18 Corridor Plan, as may be amended, and the 3MLAP.

FINDING: SATISFIED WITH CONDITIONS. (Condition 1 and 2). The Three Mile Lane planning work underway has evaluated several concepts and developed a preferred alternative which demonstrates how a mix of different types of residential, commercial, and industrial uses and land use designations can be planned in a compatible configuration that can minimize conflicts and complement one another. Consistency of the PD development plan with the development and design principles and standards attached as a condition of

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approval provides for compatibility with the 3MLAP work underway.

Notice of the proposed amendment was provided to service providers, and no issues were identified capacity of major utilities including sewer, water, or stormwater drainage based on the proposed map amendment. Specific issues will need to be reviewed when a final development plan is submitted. McMinnville Water & Light noted some potential issues related to power that may need to be addressed at the time of development, depending on the scale and intensity for the specific development (some of which could potentially apply to a more intensive development of the property with industrial use, and are therefore not comments which are specifically applicable to the proposed map amendment.

- 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: As detailed in response to Policy 25.00 the Property is an appropriate location for commercial development. No specific development is proposed with this application. However, the type of retail that could be developed on the property that is intended to capture retail leakage would likely be considered large-scale or a regional shopping facility by Policy 26.00. The Property is a suitable location for these commercial uses based upon Policy 25.00’s and 26.00’s considerations. The Property is located on OR 18, which McMinnville’s TSP classifies as a Major Arterial and a State Highway. The 33.5 acre Property is adequately sized to accommodate internal traffic circulation and parking. For example, the site plan at Exhibit XX includes an internal road system.

FINDING: SATISFIED. The location of the proposed commercial designation is suitable for a commercial site of approximately 34 acres, and includes the characteristics described by this policy. The Applicant’s response effectively supports this finding.

Design Policies:

- 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.*
- 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.*
- 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. (Ord.4796, October 14, 2003)*
- 32.00 *Where necessary, landscaping and/or other visual and sound barriers shall be required to screen commercial activities from residential areas.*
- 33.00 *Encourage efficient use of land for parking; small parking lots and/or parking lots that are broken up with landscaping and pervious surfaces for water quality filtration areas. Large*

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parking lots shall be minimized where possible. All parking lots shall be interspersed with landscaping islands to provide a visual break and to provide energy savings by lowering the air temperature outside commercial structures on hot days, thereby lessening the need for inside cooling. (Ord.4796, October 14, 2003)

APPLICANT’S RESPONSE (Policies 29-33): No specific development is proposed with this application. Once a formal project application is submitted to the City, pursuant to the requested Planned Development overlay, it will be subject to the Planned Development Ordinance and Zoning Ordinance. The project application will be reviewed in a public process, which will address the Project’s access, bicycle/pedestrian connections, landscaping/screening, parking, layout and design elements shall be assessed at that time.

FINDING (Policies 29-33): SATISFIED WITH CONDITIONS. (Condition 2). The issues identified in these design policies are areas of concern identified by the Council and Planning Commission to be addressed as part of the Planned Development Overlay designation, which are included in development and design principles and standards attached as a condition of approval, and which are to be addressed during review of the specific PD development plan.

34.00 *The City of McMinnville shall develop and maintain guidelines concerning the size, placement, and type of signs in commercial areas.*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). This issue is an area of concern identified by the Council and Planning Commission as part of the Planned Development Overlay designation, which is included in development and design principles and standards attached as a condition of approval, and to be addressed during review of the specific PD development plan, in addition to the sign standards of the Zoning Ordinance and Three Mile Lane overlay.

GOAL IV 4: TO PROMOTE THE DOWNTOWN AS A CULTURAL, ADMINISTRATIVE, SERVICE, AND RETAIL CENTER OF McMINNVILLE.

Downtown Development Policies

36.00 *The City of McMinnville shall encourage a land use pattern that:*

1. *Integrates residential, commercial, and governmental activities in and around the core of the city;*
2. *Provides expansion room for commercial establishments and allows dense residential development;*
3. *Provides efficient use of land for adequate parking areas;*
4. *Encourages vertical mixed commercial and residential uses; and,*
5. *Provides for a safe and convenient auto-pedestrian traffic circulation pattern.*

APPLICANT’S RESPONSE: This application for designating additional land as “Commercial” in Comprehensive Plan under a C-3 zoning district would potentially permit additional retail development within the City that cannot be accommodated in the format of downtown merchant spaces. One fundamental goal of this land use change application is to maintain

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consumer spending within the City limits and will contribute to the overall vibrancy and well being of residents. Rather than cannibalizing retail dollars from the downtown district, alleviating the shortage of commercial acreage that is attributable to retail leakage could draw shoppers to McMinnville for a spectrum of needs that currently cannot be found within the City limits.

FINDING: SATISFIED. The Comprehensive Plan identifies a deficit of commercial land of approximately 35 acres, which the proposed amendment would address. The Downtown Development policies provide strategies for the vibrancy of the Downtown core area.

- 41.00 *The City of McMinnville shall encourage the expansion of retail and other commercial enterprises east of the railroad tracks and north and south of Third Street consistent with the adopted “Downtown Improvement Plan.”*

APPLICANT’S RESPONSE: The area included in the Downtown Improvement Plan adopted in 2000 focused on a targeted collection of parcels on the eastside of McMinnville’s commercial business district. Despite this land being designated “Commercial” land use and within the C-3 zoning district, the 2013 EOA indicates there remains a shortage of available commercial acreage within the City limits. The proposed amendment is targeted at satisfying the existing land need, which includes retail leakage. The amendment has no impact on the development potential of the area east of the railroad tracks and north and south of Third Street.

FINDING: SATISFIED. The Comprehensive Plan identifies a deficit of commercial land just over 35 acres, which the proposed amendment would address. The Downtown Development policies provide strategies for the vibrancy of the Downtown core area, including the area east of the railroad tracks and north and south of Third Street.

- 46.00 *The City shall work to implement the recommendations of the adopted “McMinnville Downtown Improvement Plan.”*

APPLICANT’S RESPONSE: The area included in the Downtown Improvement Plan adopted in 2000 focused on a targeted collection of parcels on the eastside of McMinnville’s commercial business district. Despite this land being designated “Commercial” land use and within the C-3 zoning district, the 2013 EOA indicates there remains a shortage of available commercial acreage within the City limits. The proposed amendment is targeted at satisfying the existing land need, which includes retail leakage. The amendment has no impact on the development potential of the McMinnville Downtown Improvement area.

FINDING: SATISFIED. The Comprehensive Plan identifies a deficit of commercial land just over 35 acres, which the proposed amendment would address. The Downtown Development policies provide strategies for the vibrancy of the Downtown core area.

Proposals:

- 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 application requests a Planned Development overlay, consistent with Policy 6.00. No specific development is proposed with this application. Once a formal project application is submitted to the City, pursuant to the requested Planned

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Development overlay, it will be subject to the Planned Development Ordinance and Zoning Ordinance. The project application will be reviewed in a public process, which will address the Project's site design, on-site and off-site circulation, parking, and landscaping, shall be assessed at that time.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The City is the planning process for the Three Mile Lane Area Plan intended to address the overall development of the area, including large commercial development areas. As a condition of approval of the PD overlay, development and design principles and standards specify issues that will need to be addressed at the time of submittal of a specific development plan. Those standards include provisions addressing site design, circulation, parking, and landscaping. Those issues are also “areas of concern” that must be addressed when final development plans are submitted.

8.00 *The City of McMinnville should encourage the development of a commercial planned development center in the southwestern portion of the city large enough in scale to serve the needs of the area's population. The center should be in proximity of the intersection of Old Sheridan Road, U.S. Highway 99W, and Oregon Highway 18.*

APPLICANT'S RESPONSE: This area is already zoned C-3, which allows large scale commercial development, and is currently undeveloped. The 2013 EOA included this area as a part of the City's inventory of available commercial land and concluded that there is nevertheless a 35.8 acre deficit. The proposed amendment is targeted at satisfying the existing land need, which includes retail leakage. The amendment has no impact on the development potential of the southwestern portion of the city.

FINDING: NOT APPLICABLE. This proposal is separate from, and in addition to, the need to designate an additional 35.8-acres of commercial land to address the identified deficit.

INDUSTRIAL DEVELOPMENT

GOAL IV 5: TO CONTINUE THE GROWTH AND DIVERSIFICATION OF McMINNVILLE'S INDUSTRIAL BASE THROUGH THE PROVISION OF AN ADEQUATE AMOUNT OF PROPERLY DESIGNATED LANDS.

APPLICANT'S RESPONSE: In support of the requested land use change designation, the adopted 2013 EOA stated:

“As with the prior 2001/03 EOA projections, an anticipated surplus is indicated for industrial lands versus a shortfall associated with commercial lands:

- Commercial land demand is expected to exceed supply – resulting in a forecast shortfall of an estimated 36 acres through 2033.
- Industrial land demand is anticipated to come in well under the BLI supply – resulting in a surplus forecast at close to 236 acres over the 20-year planning horizon.

In summary, this (2013) EOA update indicates that industrial land needs can be more than amply met over the next 20 years while commercial land supply will fall short of meeting anticipated demand.” (2013 EOA, Pg 56). Figure 27 of the 2013 EOA indicates that there are 5 industrial parcels that are 20+ acres in size, so the City will continue to have an adequate supply of larger industrial parcels if the Property is converted from Industrial to Commercial.

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FINDING: SATISFIED. The Comprehensive Plan and EOA identify a surplus of industrially-designated land. There is sufficient industrial acreage to redesignate the proposed area to a commercial designation while retaining a surplus of industrially designated land.

GOAL IV 6: TO INSURE INDUSTRIAL DEVELOPMENT THAT MAXIMIZES EFFICIENCY OF LAND USES, THAT IS APPROPRIATELY LOCATED IN RELATION TO SURROUNDING LAND USES, AND THAT MEETS NECESSARY ENVIRONMENTAL STANDARDS.

Locational Policies

49.00 *The City of McMinnville shall use its zoning and other regulatory methods to prevent encroachment into industrial areas by incompatible land uses.*

APPLICANT’S RESPONSE: The 2013 EOA concluded that there is an excess amount of industrial land. Converting some of that surplus land to commercial will have no impact on the uses permitted in the remaining industrial land. Further, 3MLP that is currently moving through the community and legislative review process recommends a mix of commercial and industrial uses within this area, specifically focusing commercial districts along the OR-18 frontage.

FINDING: SATISFIED. The Applicant’s response addresses this policy.

49.01 *The City shall designate an adequate supply of suitable sites to meet identified needs for a variety of different parcel sizes at locations which have direct access to an arterial or collector street without having to pass through residential neighborhoods. (Ord. 4961, January 8, 2013)*

49.02 *The location, type, and amount of industrial activity within the Urban Growth Boundary shall be based on community needs as identified in the Economic Opportunities Analysis. (Ord. 4961, January 8, 2013)*

50.00 *The City of McMinnville shall encourage industrial uses to locate adjacent to the airport and south of Three Mile Lane, adjacent to the existing Riverside Drive industrial area, and in existing industrial areas through the proper designation of lands on the comprehensive plan and zoning maps. Comprehensive plan and/or zoning map changes to industrial designations in other areas may be granted if all the applicable goals and policies of the plan can be met.*

APPLICANT’S RESPONSE: Policies 49.01, 49.02 and 50.00 are directed at the suitability of sites for industrial development. The 2013 EOA has “recommended to better match the commercial inventory to current and anticipated needs include re-designating a portion of the excess industrial inventory to commercial use including focus on needs for commercial sites across a range of size classes, increasing emphasis on redevelopment and density of development, and greater flexibility of use for mixed commercial/industrial areas. Also needed may be parcelization of some larger 20+ acre industrial sites for which there is no readily apparent demand to meet demonstrated needs for smaller industrial sites, especially in the 1-9- acre size ranges.” (2013 EOA, Pg 67).

The 2013 EOA Conversion Suitability Factors (detailed above) confirm that the Property has site characteristics that are more appropriate for commercial development than industrial development. Redesignating the Property from Industrial to Commercial will not impact the adequacy of the supply of suitable industrial sites; the City will continue to have a surplus of over 200 acres of industrial land, including four parcels that are 20+ acres. 2013 EOA, Figure 27.

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The Property is within the City's Three Mile Lane Plan area updating 1981 Three Mile Lane Overlay District (amended in 1994) and the 1996 Highway 18 Corridor Refinement Plan. The area contains approximately 1,340 acres of land with a variety of existing land uses and several large vacant parcels. Though the timeline for the adoption of this plan is unknown, the current draft "includes a significant retail center south of Three Mile Lane at Cumulus Avenue. This could take the form of a large-format retail anchor that would take advantage of traffic on OR SH 18 with additional smaller retail uses. While serving as a regional retail attractor, it would also function as an important local amenity, providing convenient access to shopping and services for adjacent office and residential development." (3MLAP Memorandum 6, pg 10-13)

FINDING: SATISFIED. Policies 49.01, 49.02, and 50.00 address industrial land needs and attributes of land to be designated or redesignated for industrial use. The proposed amendment is to redesignate industrial land to commercial land. The amount of land to be redesignated is based on the need identified in the Comprehensive Plan, and retains an industrial surplus.

51.00 *The City of McMinnville shall encourage the location of airport-related industrial uses only on the industrial land which is adjacent to the airport. Those lands so reserved shall be designated in the planned development overlay covering this area.*

APPLICANT'S RESPONSE: The Property is near the airport, but does not abut it, and is separated from the airport by a public park (Galen McBee Airport Park), the South Yamhill River, a military base and the Jackson Family Winery. The portion of the Property closest to the airport is the southerly 52.5 acres that will retain an Industrial land use designation.

FINDING: SATISFIED. The proposed amendment doesn't redesignate industrial land adjacent to the airport.

52.00 *The City of McMinnville shall create a new "limited light industrial" zone which shall be placed on the industrial areas on the south side of Three Mile Lane in those areas where residential development is expected on the north side of the road. The new zone will allow only those types of industrial uses that will not conflict with the residential uses.*

APPLICANT'S RESPONSE: Policy 52.00 is directed at the City pursuing a legislatively created new zoning designation. Policy 52.00 reflects the City's desire to minimize conflicts with residential uses north of Three Mile Lane. As detailed elsewhere in these findings, the uses allowed by the proposed C-3PD designation are more compatible with residential uses than those uses permitted allowed by the current M-3 zoning, which is consistent with Policy 52.00. Further, the City is in the process of re-evaluating the Three Mile Lane Area through the 3MLAP. That city-led long range planning process is the forum for addressing Policy 52.00.

FINDING: NOT APPLICABLE. The proposed amendment is to redesignate land from industrial to commercial. A limited light industrial zone wouldn't be applicable to commercial land.

CHAPTER V. HOUSING AND RESIDENTIAL DEVELOPMENT

APPLICANT'S RESPONSE: No response.

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FINDING: NOT APPLICABLE. Chapter V addresses residential use, residential designations, and residential planned developments, which are not applicable to the proposed map amendment from industrial to commercial.

CHAPTER VI. TRANSPORTATION SYSTEM

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.

MASS 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.*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). As a condition of the Planned Development overlay designation, the development and design principles and standards provide for coordination with the transit provider and provision of a conveniently located transit stop as part of the final PD development plan.

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.*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). As a condition of the Planned Development overlay designation, development and design principles and standards will provide for coordination and provision of a conveniently located transit stop as part of the final PD development plan. Additional provisions address convenient and comfortable transportation facilities for other modes for all ages and abilities.

AIR

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.*

APPLICANT’S RESPONSE: The Property is within .5 miles of the McMinnville Municipal Airport. While the Airport Layout Plan completed in 2004 discourages the expansion of residential use near the airport and encourages agricultural and manufacturing areas, it does not explicitly address commercial use (McMinnville Municipal Airport Layout Plan Study – December 2004, 1-9). The request to add a commercial element through the land use designation and zoning change would not run incongruent to the future sustainability and potential expansion of the airport.

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FINDING: SATISFIED. The Three Mile Lane Area Planning work underway addresses properties in the vicinity of the airport. Current comprehensive plan policies also address industrial use of properties adjacent to the airport. Some of these policies focus on the economic development aspect of compatible uses adjacent to the airport. The Airport Overlay zone also addresses safety and compatibility issues in the vicinity of the airport. Any development will be required to comply with the provisions of the different sub-areas of the Airport Overlay Zone, which include use, height, radio interference, and other safety considerations.

STREETS

119.00 *The City of McMinnville shall encourage utilization of existing transportation corridors, wherever possible, before committing new lands.*

APPLICANT’S RESPONSE: The OR 18 corridor has the capacity to accommodate trips to the proposed site without widening to six (6) lanes. The traffic impact analysis (TIA) supports this finding and recommends some access modifications to existing roadways intersecting OR 18 to improve the safety and flow of traffic in the vicinity of the site with the proposed rezoning and subsequent commercial development. These modifications are consistent with the future improvements identified in the adopted 1996 McMinnville (OR-18) Corridor Refinement Plan.

FINDING: SATISFIED. The proposed commercial designation is located where it would be served by existing and planned major transportation corridors identified in the Transportation System Plan. Additional streets will be needed for local connectivity, to be addressed at time of submittal of a final development plan, and to address connectivity needs to be consistent with those to be identified in the Three Mile Lane Area Planning work underway.

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: Kittelson & Associates, Inc. prepared a transportation impact analysis (TIA) and Transportation Planning Rule (TPR) analysis for the proposed project. The scope, methodology, findings and recommendations have been coordinated with the City of McMinnville and the Oregon Department of Transportation (ODOT). In addition, at the time development is proposed on the Property in the future, the City of McMinnville will notice the ODOT, surrounding project owners, and the city at-large, issue a staff report and conduct planning commission and city council hearings to assess that proper development and maintenance of the road network is ensured.

FINDING:

TRANSPORTATION MITIGATION: CONTINGENT ON FURTHER REVIEW AND APPROVAL OF MITIGATION TO BE APPROVED BY ODOT IN COORDINATION WITH THE CITY. Staff has recommended a continuance to provide additional time to allow for preparation and submittal of additional information for review and response to this issue. The City is coordinating with ODOT in the 3MLAP process, and will coordinate review to ensure mitigation is consistent with the 3MLAP preferred transportation alternative and that interim mitigation measures don’t conflict with the 3MLAP alternative.

The applicant has submitted a TIA with recommended mitigation for “significant effect” on transportation facilities to be addressed for consistency with the Transportation Planning Rule. ODOT has requested additional information for review of the TIA and must approve

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any proposed mitigation affecting Highway 18. Further, at the time of a specific development plan, specific traffic characteristics of the specific use, development, and access configuration will need to be evaluated and addressed consistent with the OR-18 Corridor Plan, as may be amended, and the 3MLAP.

FINDING: SATISFIED WITH CONDITIONS. (Condition 1 and 2). The condition of approval for the development and design principles and standards also specify that development of transportation facilities necessary to serve the final PD development plan will be required to be consistent with applicable transportation plans and development standards, and connectivity standards.

BIKE PATHS

Policies:

- 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.*
- 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: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The final development plan will need to address connectivity for all modes, including potential bicycle and footpath connections to amenities and neighborhoods, consistent with the 3MLAP if adopted, and consistent with the development and design principles and standards attached as a condition of approval.

Complete Streets

- 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).*
 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;*

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- f. *Bicycle lanes; and*
 - g. *Street furniture, street trees, and landscaping*
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.*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). At the time of the final PD development plan, the street design, intersections, connectivity, and pedestrian amenities will be reviewed for consistency with these elements, to provide for safe, convenient, and comfortable facilities for all modes and all ages and abilities. The PD development plan will be reviewed for consistency with the development and design principles and standards attached as a condition of approval, and with the 3MLAP if adopted at the time of submittal of the development plan.

MULTI-MODAL TRANSPORTATION SYSTEM

132.25.00 *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. (Ord. 4922, February 23, 2010)*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). At the time of the final PD development plan, the proposal will be reviewed for circulation and connectivity to address motorized and nonmotorized travel modes, consistent with the 3MLAP if adopted and with the development and design standards attached as a condition of approval.

CONNECTIVITY AND CIRCULATION

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: No response.

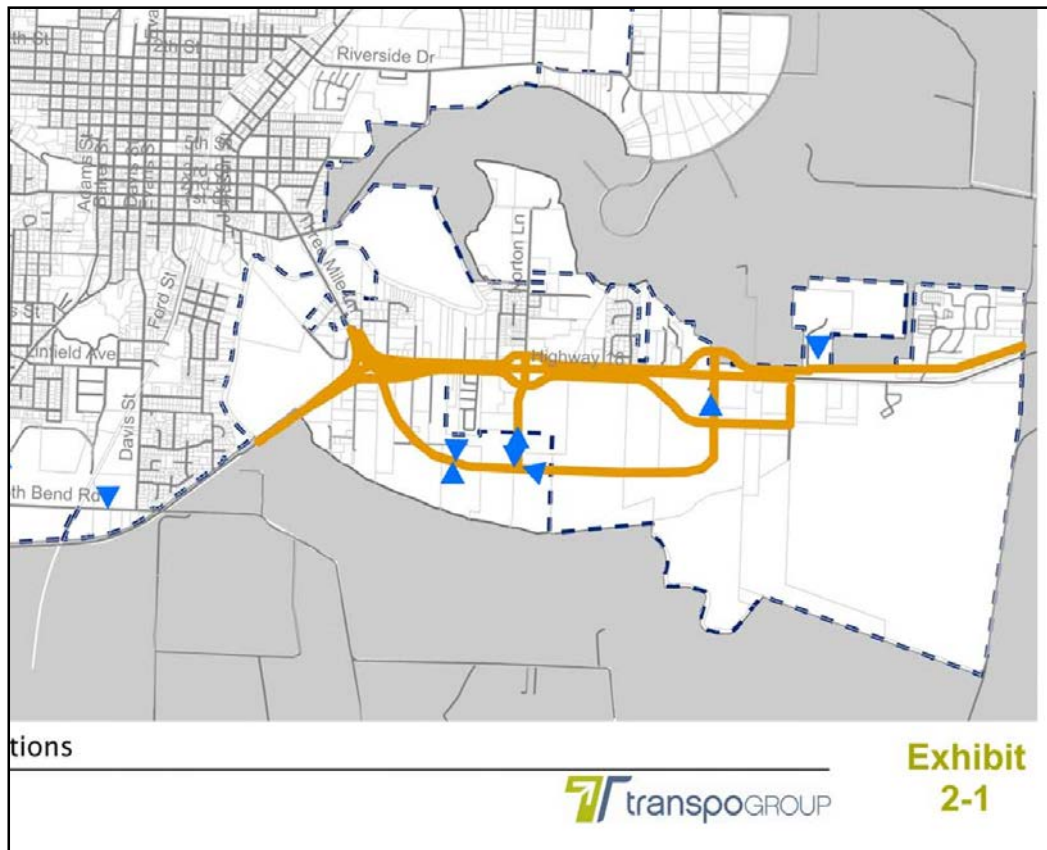
FINDING: SATISFIED WITH CONDITIONS. (Condition 2). At the time of the final PD development plan, the proposal will be reviewed for circulation and connectivity to and from the site and within the site, consistent with the 3MLAP if adopted and with the development and design standards attached as a condition of approval.

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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 Local Street Connectivity (Exhibit 2-1 of the TSP) map identifies future east/west frontage road and back road connections south of OR 18, as shown in the figure below. The subsequent development of the Property under the proposed zoning will require the development of collector streets consistent with the transportation system plan and McMinnville (OR-18) Corridor Refinement Plan which require sidewalks and bicycle lane. The proposed development plan will need to show these connections as well as how pedestrians and bicyclists access the buildings on-site.



FINDING: SATISFIED WITH CONDITIONS. (Condition 2). At the time of the final development plan, the proposal will need to include complete street connections, consistent with connectivity requirements, consistent with the 3MLAP if adopted and with the development and design standards attached as a condition of approval.

Note: *The Local Street Connectivity Map shows critical points of local street connectivity where specific points of local street connectivity are critical for continuation of a street connection, but where the connection isn’t classified as a higher order street such as a collector or arterial and shown in the map of collectors and arterials. The Local Street Connectivity Map does not show all local street connections that may be needed to address other connectivity requirements to and within the subject property and surrounding areas and properties.*

Supportive of General Land Use Plan Designations and Development Patterns

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- 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: The TIA provided a short-term (2022) and long-term (2037) operational analysis of the roadway network surrounding the site, finding that the proposed rezone can be approved assuming implementation of the recommended mitigation measures. With the proposed improvements, the proposed rezone results in no significant impacts under Oregon Administrative Rule (OAR) 660-012-0060. Additionally, the proposed transportation facility modifications are consistent with the future improvements identified in the adopted 1996 McMinnville (OR-18) Corridor Refinement Plan. Development will include construction of the collector streets identified in the TSP Exhibit 2-1 (frontage and back roads). As part of the design of these roadways, sidewalks and bicycle lanes will be provided.

FINDING:

TRANSPORTATION MITIGATION: CONTINGENT ON FURTHER REVIEW AND APPROVAL OF MITIGATION TO BE APPROVED BY ODOT IN COORDINATION WITH THE CITY. Staff has recommended a continuance to provide additional time to allow for preparation and submittal of additional information for review and response to this issue. The City is coordinating with ODOT in the 3MLAP process, and will coordinate review to ensure mitigation is consistent with the 3MLAP preferred transportation alternative and that interim mitigation measures don’t conflict with the 3MLAP alternative. Transportation analysis conducted in conjunction with draft 3MLAP work indicates that adequate transportation capacity to accommodate the preferred land use designations and development patterns analyzed through that work with specified mitigation.

An area of concern to be addressed at the time of submittal of the final PD development plan is how and whether the proposed site plan, circulation, and access proposal is consistent with and supportive of the land use plan designation and development patterns in the Three Mile Lane Plan work currently underway. This is an Area of Concern that shall be addressed at the time of final development plan – the circulation system shall be consistent with the work of the 3MLAP.

The applicant has submitted a TIA with recommended mitigation for “significant effect” on transportation facilities to be addressed for consistency with the Transportation Planning Rule. ODOT has requested additional information for review of the TIA and must approve any proposed mitigation affecting Highway 18. Further, at the time of a specific development plan, specific traffic characteristics of the specific use, development, and access configuration will need to be evaluated and addressed.

FINDING:: SATISFIED WITH CONDITIONS. (Condition 1 and 2). The condition of approval for the development and design principles and standards also specify that development of transportation facilities necessary to serve the final PD development plan will be required to be consistent with transportation plans and development standards, and connectivity standards.

GROWTH MANAGEMENT

- 132.29.00 *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*

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impacts on existing development. Prioritization of improvements should consider the City's level of service standards.

- 132.29.05 *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.*

APPLICANT'S RESPONSE: No response.

FINDING:

TRANSPORTATION MITIGATION: CONTINGENT ON FURTHER REVIEW AND APPROVAL OF MITIGATION TO BE APPROVED BY ODOT IN COORDINATION WITH THE CITY. Staff has recommended a continuance to provide additional time to allow for preparation and submittal of additional information for review and response to this issue. To address any significant effect on transportation facilities, ODOT requires additional information to review the TIA and must approve mitigation for TPR compliance. The City will coordinate with ODOT to ensure mitigation is consistent with the 3MLAP work underway. In addition, at the time of review of the PD final development plan, conditions of approval for specific transportation facilities will be included to ensure provision of transportation facilities and improvements necessary to serve the development and meet the City's performance standards as well as ODOT's mobility standards.

Off-site improvements, proportional to the proposed map amendment, which are necessary to address safety or mobility issues, will be required a condition of approval.

AESTHETICS AND STREETSCAPING

- 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. (Ord. 4922, February 23, 2010)*

APPLICANT'S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). At the time of submittal of the final development plan, the proposal will be reviewed for consistency with the policies of the Comprehensive Plan discussed above. The intent of the Three Mile Lane Area plan underway is to provide a unique identity of the Three Mile Lane area that reflects McMinnville's heritage within the context of the area. As a result, streetscape and on-site areas will be reviewed to incorporate thematic treatments consistent with the objectives of the Three Mile Lane Area plan to reflect this heritage through public art, landscaping and streetscaping treatments, interpretive information, and incorporation of existing agricultural features into the design of the streetscape and property. The development and design principles and standards adopted as conditions of approval address this issue).

GROWTH MANAGEMENT

- 132.40.00 *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 of the Transportation System Plan. (Ord. 4922, February 23, 2010)*

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APPLICANT’S RESPONSE: The TIA study intersections within the City’s jurisdiction and ODOT’s jurisdiction and applied each jurisdiction’s applicable mobility standard as a basis for recommending mitigation measures. See, for example, TIA Table 2 and 18.

FINDING: SATISFIED WITH CONDITIONS. The TIA provides information used to evaluate the transportation impacts, and it shows consistency with performance standards with mitigation measures. The specific design, circulation, connectivity, and access configuration of the final development plan will need to be reviewed for consistency with mobility standards at the time it is submitted and reviewed.

132.40.05 *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:*

1. *Improvement of on-site transportation facilities,*
2. *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*
3. *Transportation Demand management strategies*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. At the time of submittal of a specific development plan, conditions will be attached to the development as necessary to address the level of impact.

CIRCULATION

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: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). At the time of submittal of the final development plan, the plan will be reviewed for connectivity for all modes between the site and the surrounding land uses and neighborhoods consistent with the Three Mile Lane planning work underway. Connectivity between the site and surrounding areas for all modes shall also be well-connected within the development site. This issue is addressed in the development and design principles and standards.

SYSTEMS DEVELOPMENT

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. (Ord. 4922, February 23, 2010)*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The final development plan will be reviewed for convenient connectivity with shared shared use path system facilities identified through the Three Mile Lane area planning process. The site will be a key destination and attractor, and it should be well-connected to such a system, and nearby neighborhoods, and nearby parks and recreational destinations connected to that system. The connection to the system will need to consider the desirability of the system on-site, and it should be treated as

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an amenity connected to pedestrian gathering places on the property. It should be more than an isolated circulation route through vehicular parking lots and vehicular circulation areas. This issue is addressed in the development and design principles and standards.

TRANSIT SYSTEM PLAN

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. (Ord. 4922, February 23, 2010)*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The final development plan will be reviewed for provision of a transit stop, coordinated the current and planned transit routes, that will support safe, convenient pedestrian access from the transit stop to on-site destinations for all ages and abilities. This issue is addressed in the development and design principles and standards.

FREIGHT MOBILITY, AIR, RAIL AND PIPELINE PLANS

132.59.10 *Airport area land use – Do not permit land uses within airport noise corridors that are not noise compatible, and avoid the establishment of uses that are physical hazards to air traffic at the McMinnville Airport. (Ord. 4922, February 23, 2010)*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED. This policy is addressed through the Airport Overlay Zone and its sub-areas. Specific use and development will be required to comply with the standards of the Airport Overlay Zone.

McMinnville TSP Implementation

132.62.00 *TSP as Legal Basis – The City of McMinnville shall use the McMinnville TSP as the legal basis and policy foundation for actions by decision makers, advisory bodies, staff, and citizens in transportation issues. The goals, objectives, policies, implementation strategies, principles, maps, and recommended projects shall be considered in all decision-making processes that impact or are impacted by the transportation system.*

APPLICANT’S RESPONSE: The proposed rezone and subsequent development of the subject property is consistent with the goals, objectives, policies, implementation strategies, principles, maps, and recommended projects within the McMinnville TSP as shown below:

Goal: To encourage development of a transportation system that provides for the coordinated movement of people and freight in a safe and efficient manner.

The proposed rezone and subsequent commercial development work in the direction of achieving this goal by providing intersection improvements to increase the safety and traffic flow of the surrounding roadway network for all users. The proposed modifications are consistent with the implementation strategies (McMinnville (OR-18) Corridor Refinement Plan) as shown in Exhibit 4-6 (Projects and Programs) in the

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TSP, as well as the Street System, Pedestrian, Bicycle, Public Transportation, Freight, Rail, Air and Pipeline Plan maps set forth in the TSP.

Policies:

1. Transportation System Plan

The proposed site plan will be developed consistent with the Street System, Pedestrian, Bicycle, Public Transportation, Freight, Rail, Air and Pipeline Plans set forth in the TSP. The proposed rezoning and subsequent commercial development will fund transportation improvements which will work toward implementing the TSP.

2. Complete Streets

The traffic signals and intersection improvements identified in the TIA will be designed and constructed in compliance with the Americans with Disabilities (ADA) guidelines. Site development will aim to create a pedestrian and bicycle friendly environment.

3. Multi-Modal Transportation System

The site plan review process will ensure that the proposed site is consistent with the Local Street Connectivity map and provides connections for pedestrians and bicycles.

4. Connectivity and Circulation

The Local Street Connectivity map identifies a future east/west connection south of OR 18. The site plan will be developed consistent with this plan and providing this connection.

Pedestrian and bicycle facilities will be provided as appropriate for each roadway classification. Site development will preserve right-of-way for design of a future interchange at OR 18 and Cumulus Avenue.

5. Supportive of General Land Use Plan Designations and Development Patterns

The TIA provided a short-term (2022) and long-term (2037) operational analysis of the roadway network surrounding the site, finding that the proposed rezone can be approved assuming implementation of the recommended mitigation measures. With the proposed improvements, the proposed rezone results in no significant impacts under Oregon Administrative Rule (OAR) 660-012-0060. Additionally, the proposed modifications are consistent with the future improvements identified in the adopted 1996 McMinnville (OR-18) Corridor Refinement Plan.

6. Regional Mobility

The location of the proposed site along OR 18 provides ease of access to regional centers such as downtown McMinnville, Lafayette, and Newberg. It is also anticipated that some people will stop at the site on their way to or from the coast. In addition, the proposed uses may reduce regional transportation demand by

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capturing existing trips that travel to the greater Portland and Salem area for these uses today.

7. Growth Management

The proposed rezone meets the needs of the surrounding community. A recent market study indicated an over-abundance of industrial land and high demand for commercial uses in the area. Additionally, the improvements recommended in the TIA bring local intersections (some of which do not meet level of service standards under existing conditions) up to standard. The proposed uses may also reduce regional transportation demand by capturing existing trips that travel to the greater Portland and Salem area for these uses today.

8. Transportation System and Energy Efficiency

The location of the proposed site along OR 18 provides opportunity for transportation system and energy efficiency with easy access to residents and employees of downtown McMinnville on their way to or from work, in some cases eliminating the need for out-of- direction travel. In addition, the proposed uses may also reduce regional transportation demand by capturing existing trips that travel to the greater Portland and Salem area for these uses today.

9. Transportation Safety

The traffic impact analysis (TIA) recommends modifications to improve the safety of the OR 18 corridor and other intersections within the study area.

10. Public Safety

The site plan review process will ensure that emergency vehicle access is provided on the proposed site. In addition, the safety improvements identified in the TIA should result in crash reductions as a number of intersections within the study area.

11. Accessibility for Persons with Disabilities

On-site connections, as well as traffic signal and intersection improvements identified in the TIA, will be designed and constructed in compliance with the Americans with Disabilities (ADA) guidelines.

12. Economic Development

The proposed rezone meets the needs of the surrounding community. A recent market study indicated an over-abundance of industrial land and high demand for commercial uses in the area.

13. Livability

The site plan review process will incorporate multi-modal facilities to increase the livability of the greater McMinnville area.

14. Health and Welfare

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The proposed site will be accessible via many modes of transportation, including transit and active transportation (by bicycle and by foot).

15. Transportation Sustainability

The location of the proposed site along OR 18 provides easy access to residents and employees of downtown McMinnville on their way to or from work, in some cases eliminating the need for out-of-direction travel. It is also anticipated that some people will stop at the site on their way to or from the coast. In addition, the proposed uses may also reduce regional transportation demand by capturing existing trips that travel to the greater Portland and Salem area for these uses today. The traffic impact analysis (TIA) recommends some modifications to existing roadways intersecting OR 18 to improve the safety and flow of traffic in the vicinity of the site.

16. Aesthetics and Streetscaping

The site plan review process will incorporate aesthetics and streetscaping to enhance visitor experience and livability of the greater McMinnville area.

17. Intergovernmental Coordination and Consistency

Kittelson & Associates, Inc., prepared a transportation impact analysis (TIA) and Transportation Planning Rule (TPR) analysis for the proposed project. The methodology, findings and recommendations have been coordinated with the City of McMinnville and ODOT Region 2.

FINDING:

TRANSPORTATION MITIGATION: CONTINGENT ON FURTHER REVIEW AND APPROVAL OF MITIGATION TO BE APPROVED BY ODOT IN COORDINATION WITH THE CITY. Staff has recommended a continuance to provide additional time to allow for preparation and submittal of additional information for review and response to this issue. While the TSP serves as the legal basis for decisions, with a Planned Development request the TSP must also be considered in conjunction with the Planned Development provisions of 17.51.010(B)(1) and (2) and the context provided therein. One of the predominant “unique characteristics” which must be present under (B)(1) to authorize a PD overlay designation with a deferred development plan per Section 17.51.010(B) is the nature of the 3MLAP work underway for this area. One of the reasons for approval under this section and areas of concern that must be addressed in the development plan under (B)(2) is the ability to treat the application as timely and orderly while recognizing that the 3MLAP work underway could potentially result in revisions to certain aspects of the TSP, and that the deferred PD development plan for the subject property should be consistent with the efforts of the 3MLAP, which may result in amendments or refinements to certain aspects of the TSP.

Further, while the City and ODOT were involved in the scoping of the TIA, ODOT has indicated they need additional information for review of the TIA, and must approve mitigation to OR-18. The City will also coordinate with ODOT to ensure mitigation is also consistent with the draft preferred transportation alternative in the 3MLAP work underway.

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- 132.62.20 *TSP Use in Review of Land Use Actions – The City of McMinnville shall consider and apply the goals, policies, planning principles, recommended projects, implementation strategies, and maps contained in McMinnville TSP in the review of land use actions and development applications.*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. As evidenced in this review of the proposed map amendment, the applicable goals and policies serve as review criteria, and the planning principles, recommended projects, implementing strategies, provide the basis for applying the goals and policies. At the time of submittal of a final PD development plan, the TSP will also be used to evaluate the development plan. In addition, the proposal shall be consistent with the development and design principles and standards attached as a condition. If the 3MLAP subsequently amends the TSP, the PD development plan will need to be consistent with the 3MLAP, and mitigation will be reviewed to ensure it doesn’t conflict with potential amendments to the TSP resulting from the 3MLAP work. this manner to review the development plan.

CHAPTER VII. COMMUNITY FACILITIES AND SERVICES

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 targeted primarily at rural land that is included in the UGB and is transitioning to urbanizable and urban land, and directs the City to plan utilities for that transition. The Property is in the UGB, so this Goal is not applicable. Nevertheless, when development is proposed and evaluated through a public process in the future, the adequacy of public and private facilities for the development will be determined.

FINDING: SATISFIED WITH CONDITIONS. The application was provided to public facility and service providers for review and comment. Comments did not identify major issues with the ability to provide public facilities and services needed to serve development that would be enabled by the proposed map amendment. McMinnville Water & Light provided comments regarding feeder lines that may need to be addressed depending on the scale and intensity of proposed uses. At the time the final PD development plan is submitted for review, specific requirements for public facilities will need to be addressed as a condition of approval.

Sanitary Sewer System

- 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.*
- 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 Goal is targeted primarily at the City’s facility planning. There are no known sanitary sewer deficiencies in the vicinity of the Property. No development is proposed as a part of this application. When development is proposed and evaluated through a public process in the future, the adequacy of sewer system facilities will

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be confirmed, and if necessary, conditions of approval will be imposed to address any deficiencies.

FINDING: SATISFIED. No development is proposed at this time. Service providers were notified of the proposed map amendment and no concerns were noted regarding the ability to serve the property with the sanitary sewer conveyance system. At the time of development, construction and connection to the municipal sanitary sewer system will be required.

Storm Drainage

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: No specific development is proposed with this application. Once a formal project application is submitted to the City, pursuant to the requested Planned Development overlay, it will be subject to the Planned Development Ordinance and Zoning Ordinance. The project application will be reviewed in a public process, which will address the Project’s storm drainage shall be assessed at that time.

FINDING: SATISFIED. No development is proposed at this time. Service providers were notified of the proposed map amendment and no concerns were noted regarding the capacity of the municipal storm drainage system. At the time of development, the applicant will be required to comply with all federal, state, and local storm drainage permitting requirements, and comply with any requirements for detention and stormwater runoff quality.

WATER SYSTEM

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: No response.

FINDING: SATISFIED. No development is proposed at this time. Service providers were notified of the proposed map amendment and no concerns were noted regarding the ability to serve the property with municipal water. At the time of development, the applicant will be required to construct and connect to the municipal water system to serve the property.

Water and Sewer-Land Development Criteria

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.*

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

APPLICANT’S RESPONSE: There are no known water or sewage deficiencies in the vicinity of the Property. No development is proposed as a part of this application. When development is proposed and evaluated through a public process in the future, the adequacy of water and sewer system facilities will be confirmed, and if necessary, conditions of approval will be imposed to address any deficiencies.

FINDING: SATISFIED. Notice of the application was provided to service providers. No issues with water supply, storage, or distribution facilities were identified. No issues with municipal sewage facilities were identified. No issues were identified regarding sufficient water and sewer system personnel or resources for the maintenance and operation of the water and sewer systems or that would differ for personnel and resources to provide service to commercially-zoned land rather than industrially-zoned land. No issues were identified with the ability to meet applicable standards and policies in serving the property with water and sewer.

Police and Fire Protection

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: There are no known police or fire facility or service deficiencies in the vicinity of the Property. No development is proposed as a part of this application. When development is proposed and evaluated through a public process in the future, the adequacy of these facilities and services will be confirmed, and if necessary, conditions of approval will be imposed to address any deficiencies.

FINDING: SATISFIED. Notice of the application was provided to service providers. No issues were identified with the ability of existing police and fire facilities and services to meet the needs of the property as a result of the proposed map amendment. At the time of development adequate water facilities will be required in order to meet applicable fire flow requirements of the applicable structural codes.

PARKS AND RECREATION

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.*

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168.00 *Distinctive natural features and areas shall be retained, wherever possible, in future urban developments.*

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: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). As a condition of approval, the amendment is be subject to development and design principles and standards applicable to the PD development plan that address incorporation of natural features, open space elements, and scenic view considerations into the site design.

CHAPTER VIII. ENERGY

GOAL VIII 1: TO PROVIDE ADEQUATE ENERGY SUPPLIES, AND THE SYSTEMS NECESSARY TO DISTRIBUTE THAT ENERGY, TO SERVICE THE COMMUNITY AS IT EXPANDS.

ENERGY SUPPLY DISTRIBUTION

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.*

ENERGY CONSERVATION

GOAL VIII 2: TO CONSERVE ALL FORMS OF ENERGY THROUGH UTILIZATION OF LAND USE PLANNING TOOLS.

APPLICANT’S RESPONSE: One of the fundamental policies backing the rationale for this land use change request is the consumer spending leakage highlighted in the 2013 EOA. By allowing more potential retail development within the City, residents will no longer be required to drive longer distances to destinations such as Salem or southwest Portland for their needs, which conserves energy.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). Subject to design and development standards as a condition of approval that will need to be addressed at submittal of the development plan, the amendment is consistent with provisions of the Comprehensive Plan, Economic Opportunities Analysis, as well as the Three Mile Lane Area Planning work underway to include commercial land at this location. It would be part of an overall area plan to reduce vehicle miles travelled associated with shopping outside of the McMinnville area and to provide commercial uses in this area to meets needs of surrounding neighborhoods existing and being planned for this area. The design and development standards included provisions to ensure good connectivity to the surrounding lands to reduce out of direction travel and encourage biking, walking, and transit.

Policies:

178.00 *The City of McMinnville shall encourage a compact urban development pattern to provide for conservation of all forms of energy.*

APPLICANT’S RESPONSE: Statewide Planning Goal 14 and its implementing statutes and rules require a jurisdiction to first determine whether an identified land need can be accommodated within the UGB prior to expanding the UGB to accommodate the need. The

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2013 EOA demonstrates a need for retail and an excess of industrial land, and the proposed comp plan designation and zoning map amendments satisfy a portion of this need. Accommodating the identified land need within the UGB is consistent with Goal 14 and encourages a compact urban development pattern.

FINDING: SATISFIED. The commercial designation of this property is a key component of the 3MLAP work underway, which is intended to provide for a mix of land uses in a compact development pattern, form, and connectivity that is supportive and encouraging of all transportation modes, including walking, biking, and transit.

CHAPTER IX. URBANIZATION

GOAL IX 1: TO PROVIDE ADEQUATE LANDS TO SERVICE THE NEEDS OF THE PROJECTED POPULATION TO THE YEAR 2023, AND TO ENSURE THE CONVERSION OF THESE LANDS IN AN ORDERLY, TIMELY MANNER TO URBAN USES.

APPLICANT’S RESPONSE: The 2013 EOA quantifies the industrial and commercial land needs for the projected population and concludes that there is a need for retail and an excess of industrial land. The proposed Comprehensive Plan land use designation and zoning map amendments accommodate a portion of the commercial land need. Converting excess industrial land to needed commercial land is consistent with Statewide Planning Goal 14 and its implementing statutes and rules, which require a jurisdiction to first determine whether an identified land need can be accommodated within the UGB prior to expanding the UGB to accommodate the need.

FINDING: SATISFIED. The proposed commercial map designation is consistent with the identified commercial land needs specified in the Comprehensive Plan and EOA.

GOAL IX 2: TO ESTABLISH A LAND USE PLANNING FRAMEWORK FOR APPLICATION OF THE GOALS, POLICIES, AND PROPOSALS OF THE McMINNVILLE COMPREHENSIVE PLAN

LAND USE DEVELOPMENT TOOLS

186.00 *The City of McMinnville shall place planned development overlays on areas of special significance identified in Volume I of the McMinnville Comprehensive Plan. Those overlays shall set forth the specific conditions for development of the affected properties. Areas of significance identified in the plan shall include but not be limited to:*

1. *Three Mile Lane (north and south)...*

APPLICANT’S RESPONSE: The application requests a Planned Development overlay, consistent with Policy 186.00.1. No specific development is proposed with this application. Once a formal project application is submitted to the City, pursuant to the requested Planned Development overlay, it will be subject to the Planned Development Ordinance and Zoning Ordinance. Those ordinances require specific conditions for development of the Property, and will be reviewed in a public process.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The City previously adopted a Three Mile Lane overlay which is in effect, but addresses a limited scope of issues. The City is in the process of developing a new Three Mile Lane Area Plan which is comprehensive in scope of issues and will set forth specific conditions for development of the affected properties. Since this request was submitted prior to the adoption of that plan, staff has recommended conditions

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of approval to include development and design principles and standards, consistent with the draft 3MLAP principles and objectives, which must be addressed in the PD development plan for this property at the time it is submitted for review and approval. If the Three Mile Lane Area plan and standards are developed prior to that submittal, more stringent provisions will govern.

GREAT NEIGHBORHOOD PRINCIPLES

Policies:

- 187.10 *The City of McMinnville shall establish Great Neighborhood Principles to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. The Great Neighborhood Principles will ensure that all developed places include characteristics and elements that create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood with enduring value, whether that place is a completely new development or a redevelopment or infill project within an existing built area.*
- 187.20 *The Great Neighborhood Principles shall encompass a wide range of characteristics and elements, but those characteristics and elements will not function independently. The Great Neighborhood Principles shall be applied together as an integrated and assembled approach to neighborhood design and development to create a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood, and to create a neighborhood that supports today's technology and infrastructure, and can accommodate future technology and infrastructure.*
- 187.30 *The Great Neighborhood Principles shall be applied in all areas of the city to ensure equitable access to a livable, egalitarian, healthy, social, inclusive, safe, and vibrant neighborhood for all McMinnville citizens.*
- 187.40 *The Great Neighborhood Principles shall guide long range planning efforts including, but not limited to, master plans, small area plans, and annexation requests. The Great Neighborhood Principles shall also guide applicable current land use and development applications.*
- 187.50 *The McMinnville Great Neighborhood Principles are provided below. Each Great Neighborhood Principle is identified by number below (numbers 1 – 13), and is followed by more specific direction on how to achieve each individual principle.*
1. *Natural Feature Preservation. Great Neighborhoods are sensitive to the natural conditions and features of the land.*
 - a. *Neighborhoods shall be designed to preserve significant natural features including, but not limited to, watercourses, sensitive lands, steep slopes, wetlands, wooded areas, and landmark trees.*
 2. *Scenic Views. Great Neighborhoods preserve scenic views in areas that everyone can access.*
 - a. *Public and private open spaces and streets shall be located and oriented to capture and preserve scenic views, including, but not limited to, views of significant natural features, landscapes, vistas, skylines, and other important features.*
 3. *Parks and Open Spaces. Great Neighborhoods have open and recreational spaces to walk, play, gather, and commune as a neighborhood.*

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- a. *Parks, trails, and open spaces shall be provided at a size and scale that is variable based on the size of the proposed development and the number of dwelling units.*
 - b. *Central parks and plazas shall be used to create public gathering spaces where appropriate.*
 - c. *Neighborhood and community parks shall be developed in appropriate locations consistent with the policies in the Parks Master Plan.*
4. *Pedestrian Friendly. Great Neighborhoods are pedestrian friendly for people of all ages and abilities.*
- a. *Neighborhoods shall include a pedestrian network that provides for a safe and enjoyable pedestrian experience, and that encourages walking for a variety of reasons including, but not limited to, health, transportation, recreation, and social interaction.*
 - b. *Pedestrian connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces, and shall also be provided between streets that are disconnected (such as cul-de-sacs or blocks with lengths greater than 400 feet).*
5. *Bike Friendly. Great Neighborhoods are bike friendly for people of all ages and abilities.*
- a. *Neighborhoods shall include a bike network that provides for a safe and enjoyable biking experience, and that encourages an increased use of bikes by people of all abilities for a variety of reasons, including, but not limited to, health, transportation, and recreation.*
 - b. *Bike connections shall be provided to commercial areas, schools, community facilities, parks, trails, and open spaces.*
6. *Connected Streets. Great Neighborhoods have interconnected streets that provide safe travel route options, increased connectivity between places and destinations, and easy pedestrian and bike use.*
- a. *Streets shall be designed to function and connect with the surrounding built environment and the existing and future street network, and shall incorporate human scale elements including, but not limited to, Complete Streets features as defined in the Comprehensive Plan, grid street networks, neighborhood traffic management techniques, traffic calming, and safety enhancements.*
 - b. *Streets shall be designed to encourage more bicycle, pedestrian and transit mobility with a goal of less reliance on vehicular mobility.*
7. *Accessibility. Great Neighborhoods are designed to be accessible and allow for ease of use for people of all ages and abilities.*
- a. *To the best extent possible all features within a neighborhood shall be designed to be accessible and feature elements and principles of Universal Design.*
 - b. *Design practices should strive for best practices and not minimum practices.*
8. *Human Scale Design. Great Neighborhoods have buildings and spaces that are designed to be comfortable at a human scale and that foster human interaction within the built*

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environment.

- a. The size, form, and proportionality of development is designed to function and be balanced with the existing built environment.*
- b. Buildings include design elements that promote inclusion and interaction with the right-of-way and public spaces, including, but not limited to, building orientation towards the street or a public space and placement of vehicle-oriented uses in less prominent locations.*
- c. Public spaces include design elements that promote comfortability and ease of use at a human scale, including, but not limited to, street trees, landscaping, lighted public areas, and principles of Crime Prevention through Environmental Design (CPTED).*

9. Mix of Activities. Great Neighborhoods provide easy and convenient access to many of the destinations, activities, and local services that residents use on a daily basis.

- a. Neighborhood destinations including, but not limited to, neighborhood-serving commercial uses, schools, parks, and other community services, shall be provided in locations that are easily accessible to surrounding residential uses.*
- b. Neighborhood-serving commercial uses are integrated into the built environment at a scale that is appropriate with the surrounding area.*
- c. Neighborhoods are designed such that owning a vehicle can be optional.*

10. Urban-Rural Interface. Great Neighborhoods complement adjacent rural areas and transition between urban and rural uses.

- a. Buffers or transitions in the scale of uses, buildings, or lots shall be provided on urban lands adjacent to rural lands to ensure compatibility.*

11. Housing for Diverse Incomes and Generations. Great Neighborhoods provide housing opportunities for people and families with a wide range of incomes, and for people and families in all stages of life.

- a. A range of housing forms and types shall be provided and integrated into neighborhoods to provide for housing choice at different income levels and for different generations.*

12. Housing Variety. Great Neighborhoods have a variety of building forms and architectural variety to avoid monoculture design.

- a. Neighborhoods shall have several different housing types.*
- b. Similar housing types, when immediately adjacent to one another, shall provide variety in building form and design.*

13. Unique and Integrated Design Elements. Great Neighborhoods have unique features, designs, and focal points to create neighborhood character and identity. Neighborhoods shall be encouraged to have:

- a. Environmentally friendly construction techniques, green infrastructure systems, and energy efficiency incorporated into the built environment.*

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- b. *Opportunities for public art provided in private and public spaces.*
- c. *Neighborhood elements and features including, but not limited to, signs, benches, park shelters, street lights, bike racks, banners, landscaping, paved surfaces, and fences, with a consistent and integrated design that are unique to and define the neighborhood. (Ord 5066 §2, April 9, 2019)*

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). Subject to development and design principles and standards as a condition of approval that will need to be addressed at submittal of the development plan, the amendment is consistent with applicable provisions of the Great Neighborhood Principles. The development and design principles and standards recognize the type of regional uses that address retail leakage, but include provisions to ensure the property also meets commercial needs of surrounding neighborhoods identified in the 3MLAP work underway. Accordingly, the development and design principles and standards address key critical aspects of the Great Neighborhood Principles which apply to commercial use and development and its relationship to surrounding uses and neighborhoods.

NEIGHBORHOOD ACTIVITY CENTERS

GOAL: NEIGHBORHOOD ACTIVITY CENTERS PROVIDE SHOPPING, SERVICES, RECREATION, HIGH-DENSITY HOUSING, OFFICE AND INSTITUTIONAL FACILITIES NEEDED TO SUPPORT A SURROUNDING NEIGHBORHOOD OR URBAN AREA.

Proposals:

- 48.15 The City of McMinnville should develop an Area Plan for the Three Mile Lane area that supports and enhances the district’s economic vitality and marketability, provides opportunities for a complementary mix of land uses, consistent with the vision of a diverse and vibrant district, enhances multi-modal connections throughout the district, and creates an aesthetically pleasing gateway to the City of McMinnville.

APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The City is in the process of conducting the area planning work for the Three Mile Lane Area. As a condition of approval, at the time of submittal of the PD development plan, the plan shall comply with the development and design principles and standards attached as a condition of approval. If the PD development plan submittal is submitted after adoption of the 3MLAP, the development shall comply with those development and design principles and standards, and the most restrictive provisions shall apply.

- 48.70 **Redesignation to Commercial.** As an identified efficiency measure necessary to reduce the needed size of the “Phase 2” UGB amendment to meet additional Commercial land needs, the City shall initiate a change to the Comprehensive Plan and Zone Map to redesignate and rezone 40 acres of property along the south side of the Highway 18 frontage from commercial to industrial, leaving the rear portions in an Industrial designation. This recognizes that the City will retain an Industrial surplus as a result of adding the Riverside North area to the UGB as part of the “Phase 2” UGB amendment.

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APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED. The proposed amendment would amend the map designation for 37.7 acres, which includes 4.25 acres intended for right-of-way dedication for future highway improvements. The proposed map amendment also identifies additional acreage within the area of the proposed amendment for future right-of-way for additional street circulation. Therefore, the proposed map amendment is consistent with additional commercial need identified in the EOA, and a portion of the 40 acres to be redesignated consistent with Proposal 48.70 in the Comprehensive Plan.

CHAPTER X. CITIZEN INVOLVEMENT AND PLAN AMENDMENT

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.

APPLICANT’S RESPONSE: This Goal obligates the City to periodically review its Comprehensive Plan, so is not applicable to this application. Nevertheless, the application is consistent with this Goal because the proposal to revise the comprehensive land use plan designation for the site is responsive to the oversupply of industrial and demand for retail as addressed in the 2013 EOA. While consistent with the Three Mile Line Area Plan currently moving through the legislative process, the timing on adoption of this larger policy document is unknown. The current application seeks to address the current deficit in available commercial land in a more directed and expedient manner.

FINDING:

TRANSPORTATION MITIGATION: CONTINGENT ON FURTHER REVIEW AND APPROVAL OF MITIGATION TO BE APPROVED BY ODOT IN COORDINATION WITH THE CITY. Staff has recommended a continuance to provide additional time to allow for preparation and submittal of additional information for review and response to this issue. This would be brought back for consideration at a subsequent public hearing continued to a date certain for consideration through the public process.

ALL OTHER ISSUES: SATISFIED WITH CONDITIONS. (Condition 2). The City is undertaking a 3MLAP process informed by a public process to engage the public in the development of that plan. With the timing of the application, including the PD overlay, as a condition of approval, the application includes development and design principles and standards, consistent with the 3MLAP principles and Great Neighborhood Principles, which will apply to the PD development plan. Review of the PD development plan will be subject to this same public hearing process, as specified in the Zoning Ordinance.

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.*

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APPLICANT’S RESPONSE: No response.

FINDING: SATISFIED. Prior to submitting an application, the applicant is required to conduct a noticed neighborhood meeting, which the applicant satisfied. The public processes provide for review of the map amendment and PD overlay, as well as the subsequent PD development plan provided for citizen involvement through the quasi-judicial amendment to the adopted and acknowledged Comprehensive Plan and implementing ordinances. Due to the timing of the application, the conditions of approval specify development and design principles and standards which will be applicable to the PD development plan, thus capturing the publicly-informed objectives of the Three Mile Lane Planning work to date.

McMinnville Zoning Ordinance (Title 17 of the Municipal Code)

The following Sections of the Zoning Ordinance provide criteria applicable to the request:

Chapter 17.74. Review Criteria

Section 17.74.010. Purpose. The purpose of this chapter is to provide the approval criteria for the following applications:

- Comprehensive Plan Map Amendment
- ...
- Zone Change (Planned Development)

FINDING: SATISFIED. The criteria of this Chapter and applicable sections are the applicable criteria for the proposed Comprehensive Plan Map amendment and Zone Change.

Section 17.74. 020. Comprehensive Plan Map Amendment and Zone Change – Review Criteria

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;*

APPLICANT’S RESPONSE: *The analysis provided in Section 3 of this attachment demonstrates the application’s compliance with the City’s Comprehensive Plan and other adopted policies.*

FINDING: SATISFIED WITH CONDITIONS. (Conditions 1, 3) Findings regarding the goals and policies of the Comprehensive Plan are provided above. Subject to conditions addressing development and design principles and standards and mitigation of “significant effects” to the transportation system resulting from the map amendment, this criterion is satisfied.

- 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: *Criterion B is supported by the 2013 EOA, which found that the City could benefit from a regional retail center, that recapture of retail sales leakage*

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could be achieved by concentrating retail along major highways, and that excess industrial land should be re-designated to commercial use when opportunities arise. While consistent with the Three Mile Line Area Plan currently moving through the legislative process, the timing on adoption of this larger policy document is unknown. The current application seeks to address the current deficit in available commercial land in a more directed and expedient manner.

FINDING:

TRANSPORTATION MITIGATION: CONTINGENT ON FURTHER REVIEW AND APPROVAL OF MITIGATION TO BE APPROVED BY ODOT IN COORDINATION WITH THE CITY. Staff has recommended a continuance to provide additional time to allow for preparation and submittal of additional information for review and response to this issue.

ALL OTHER ISSUES: SATISFIED WITH CONDITIONS. (Condition 2).

Timeliness for Designation for Identified Land Needs. In some respects, timing is not an issue for the proper designation of lands. Lands within the UGB should be properly designated to meet identified needs over the 20-year planning period as specified in the Comprehensive Plan, both in quantity and location. This serves to ensure an adequate supply of lands designated to meet the identified needs, and also to protect suitable lands that can meet those identified needs from other uses and development under a different plan designation and zoning district, should that not be the intent of the Comprehensive Plan.

In other words, if a subject property is needed and suitable for a specified land use, there is no benefit in retaining the land in a different comprehensive plan designation and zone which may conflict with the long terms needs to be met with a different designation and zoning district. This could also lead to the possibility that lands which are necessary to meet the identified future land use needs for a certain designation and zone could be irreversibly developed under the existing designation and zone before being redesignated and rezoned to the needed plan designation and zone.

This would be a different issue if the property were in an unincorporated portion of the UGB designated with an Urban Holding designation that would require annexation and redesignation/rezoning to an urban plan designation and zone before urban development could occur. However, with the subject application, the property already has an urban industrial plan map designation and zone.

The adopted and acknowledged Comprehensive Plan and EOA identify a deficit of commercial land and a surplus of industrial land. Therefore, the proposed amendment is timely in redesignating land from industrial to commercial consistent with the identified commercial need.

Analysis identifies retail leakage, meaning there is an identified need for certain commercial uses in the community which is not being met. This results in local dollars which could be spent in the community instead being spent in other communities, and also leading to an increase in vehicle miles traveled by local shoppers who are shopping elsewhere. There is also demand within the region and surrounding market area which isn't being met in McMinnville, resulting in those dollars being spent elsewhere, with some longer trips to those destinations and increased length of some trips also leading to increased vehicle miles traveled.

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However, the adopted and acknowledged Comprehensive Plan already specifies the identified need, so from a quantitative standpoint, the current application need not demonstrate that there is need, or the rationale for the need, but rather it needs to demonstrate that it would meet the need already identified in the acknowledged planning documents. Where the Comprehensive Plan may specify a need for different types of commercial land (neighborhood commercial, general commercial, etc.), the application must demonstrate the proposed amount of specified commercial land to be designated is consistent with the type of needed commercial land and is in a location suited for the type of needed commercial land.

Further, the Comprehensive Plan explicitly identifies the redesignation of industrial land to commercial land to meet the identified need. This site has characteristics to meet the need.

Timeliness for Coordinated Area Planning and Development. In planning for how to meet its identified land needs, McMinnville has opted to conduct area planning, including a “Three Mile Lane Area Plan (3MLAP),” to ensure development of properties in separate ownerships develop subject to a publicly vetted plan to occur in a cohesive and coordinated manner, and in a manner that reflects McMinnville’s unique character, and the unique characteristics of different part of McMinnville, avoiding a generic “Anywhere USA” appearance.

The application uses the two-step Planned Development process specified in Chapter 17.51 Zoning Ordinance. This process allows for the Planned Development (PD) Overlay designation to be applied to the property as the first step, without a specific development plan, provided that no development can occur on the portion of the property subject to the PD Overlay until a specific development plan has been submitted and approved through the second step, following the same public hearing process.

While the 3MLAP work is still underway, McMinnville wants to ensure that actions taken to meet identified land needs do not occur before that work is complete which could otherwise conflict with the goals and objectives to be addressed through an area plan. It is not a foregone conclusion that this could be achieved by simply rezoning to one of McMinnville’s existing commercial zoning districts absent a special overlay. Redesignation for commercial use would need to occur in a manner that addresses these issues. If a privately initiated application was not submitted at this time, the public goals and objectives would be addressed through adoption of an area plan with specific use and development provisions and standards. Because that is not adopted and in effect, any privately initiated application will need to demonstrate how it will be consistent with this intent and purpose. This is part of the “unique characteristics” (Section 17.51.010(B)(1)) which authorize use of the PD overlay process with the deferred development plan. Further, the development and design principles and standards specify “areas of concern” required by (Section 17.51.010(B)(2)) to be addressed when final plans are submitted.

Subject to the conditions of approval addressing design and development standards and mitigation of “significant effect” to transportation facilities, the proposed amendment is orderly and timely. The two-step PD process with the deferred submittal of the development plan helps ensure the application for amendment and PD overlay is timely and orderly.

Because the 3MLAP proposes to amend certain aspects of the TSP and OR-18 Corridor Plan, with the timing of the application, the applicant needs to address current requirements and ensure the proposal doesn’t conflict with the 3MLAP work. The

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application needs to demonstrate that the identified mitigation can be approved by ODOT as well as the City. Further, if the City’s intent is to update aspects of the OR-18 Corridor Plan as part of the adoption of the 3MLAP, this is an “area of concern” that must be addressed as part of the PD approval process. This essentially requires the applicant to demonstrate that mitigation associated with the map amendment is consistent with and will not conflict with the 3MLAP mitigation, and that if the mitigation associated with this application is less than or different than the mitigation associated with changes resulting in the 3MLAP overall, that the mitigation identified by the applicant can developed as an interim improvement and/or phased in such a way that it doesn’t preclude or prevent the necessary 3MLAP mitigation. Finally, since the City has not yet adopted the 3MLAP, then the timing of the application may require greater burden on the applicant to show their mitigation is approvable by ODOT and won’t conflict with the 3MLAP work.

At this time, ODOT’s comments indicate they need additional information to complete their review of the applicant’s mitigation, and that the mitigation identified by the applicant related to ODOT facilities has not yet been approved by ODOT. The City will need to know whether the mitigation identified by the applicant is approvable and can be attached to the proposed amendment as a condition of future development. The City can’t make findings regarding this criterion until this has occurred.

Also, as the applicant hasn’t explicitly proposed that the map amendment include the mitigation as a condition of approval and obtained ODOT approval for the mitigation, they are in effect requiring the City to impose a condition of approval to make the application approvable. The applicant hasn’t demonstrated that the City could simply adopt their identified mitigation as a condition of approval as the “measures” required to address “significant effect” under the TPR. The burden of proof is on the applicant, not the City, to demonstrate that there is an approvable proposal as part of the application to address “significant effect.” Staff recommends a continuance for additional time for preparation and submittal of the additional information for ODOT review and approval of the mitigation to OR-18 and for City approval of the mitigation that doesn’t conflict with the 3MLAP preferred alternative.

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: There are no known utility or service deficiencies. No specific development is proposed with this application. Once a formal project application is submitted to the City, pursuant to the requested Planned Development overlay, it will be subject to the Planned Development Ordinance and Zoning Ordinance. The project application will be reviewed in a public process, which will demonstrate the improvements required for City utilities and services to efficiently serve the site.

FINDING: SATISFIED WITH CONDITIONS. Service providers were notified of the proposal. No issues with efficient provision of utilities or services were identified to serve permitted uses in the commercial zoning district.

Per comments provided by McMinnville Water & Light, review of the intensity of any specific use and development will determine whether it will be necessary to upgrade power feeder lines to serve the specific sue and development.

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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.

FINDING: NOT APPLICABLE. The application is a proposed amendment from an industrial comprehensive plan map designation and zoning district to a commercial comprehensive plan map designation and zoning district. It does not affect property with a residential comprehensive plan map designation or zoning district.

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.

FINDING: NOT APPLICABLE: The application is a proposed amendment from an industrial comprehensive plan map designation and zoning district to a commercial comprehensive plan map designation and zoning district. It does not affect property with a residential comprehensive plan map designation or zoning district.

Section 17.74.070. Planned Development Amendment – Review Criteria

APPLICANT'S RESPONSE: No response.

FINDING: NOT APPLICABLE. The criteria in this section only apply to amendment of an existing Planned Development.

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.*

FINDING: SATISFIED. The purpose of the PD overlay as applied to the subject property, rather than only a rezone to C-3 without a PD overlay, is to provide for application of specific design and development standards to the property consistent with the principles of the 3MLAP underway for the lands in the Three Mile Lane area, which include objectives consistent with those described in the Purpose above.

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.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The purposes in Section 17.030.020 are as follows:

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17.03.020. Purpose. The purpose of the ordinance codified in Chapters 17.03 (General Provisions) through 17.74 (Review Criteria) 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.

The proposed map amendment is consistent with the land need identified in the Comprehensive Plan, and the location is suitable for commercial use and development as addressed in the EOA and work underway on the 3MLAP. With the conditions of approval to specify development and design principles and standards consistent with the 3MLAP principles, the proposed amendment is consistent with these purposes.

For purposes of implementing these objectives, two means are available:

- 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.)*

FINDING: NOT APPLICABLE. The applicant's submitted the application under Subsection B, below.

- 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.)*

FINDING: SATISFIED WITH CONDITIONS. (Condition 4). The application is submitted under this Subsection. No development of any kind may occur on the portion of the property subject to the PD overlay until a final plan has been submitted and approved as specified in this ordinance.

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.*

APPLICANT'S RESPONSE: Comprehensive Plan Policy 6.00 recommends placing a Planned Development overlay on large cluster commercial development areas, and other polices encourage heightened review of proposed development to ensure compatibility with nearby uses. These policies provide a basis for imposing a planned development overlay on the Property, which has the unique characteristics of

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accommodating needed retail uses to accommodate retail leakage and growth related demand.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The Planned Development submittal is authorized under Subsection (B) because of the unique characteristics of the property and surrounding area which are recognized in the Comprehensive Plan policies specifying unique areas within the UGB where PD overlays should be applied. This property and the Three Mile Lane are unique relative to their character, gateway entry location to the community, and the coordinated 3MLAP work underway for this area.

Approval under this section is subject to the condition of approval for development and design principles and standards that address themselves to the unique characteristics of this area and the planning objectives of the 3MLAP.

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;*

FINDING:

TRANSPORTATION MITIGATION: CONTINGENT ON FURTHER REVIEW AND APPROVAL OF MITIGATION TO BE APPROVED BY ODOT IN COORDINATION WITH THE CITY. Staff has recommended a continuance to provide additional time to allow for preparation and submittal of additional information for review and response to this issue.

ALL OTHER ISSUES: SATISFIED WITH CONDITIONS. (Condition 2).

Reasons for Approval: The Comprehensive Plan map amendment and zone change are approved to meet identified need for commercial land, meeting part of the commercial deficit and reducing a portion of the industrial surplus. The location and proposed zoning is consistent with commercial land needs of the type identified in the Comprehensive Plan and EOA. Specific issues regarding the use and development characteristics are addressed through the PD overlay and the development and design principles and standards attached as a condition of approval. Subject to these conditions, the submittal under Subsection (B) to apply the PD overlay without a specific development submitted concurrently is the best alternative for coordination with the work underway on the 3MLAP.

Areas of Concern:

1. Development of the site should be consistent with the broader 3MLAP work underway and its objectives. Specific areas of concern, and how to address those, are articulated in the development and design principles and standards attached as a condition of approval.

2. The mitigation identified for “Significant Effect” of the map amendment on transportation facilities needs to be consistent with, and not conflict with, improvements and mitigation identified in the preferred alternative of the 3MLAP. Interim or partial mitigation at some locations needs to be reviewed for consistency with the 3MLAP mitigation. The applicant needs to provide additional information for ODOT’s review and demonstrate recommended mitigation can and will be approved by ODOT.

Attachments:

Attachment 1 – Application and Attachments;
Attachment 2 - DSL Wetland Land Use Notice Response

- 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;*

APPLICANT'S RESPONSE: No specific development is proposed at this time, so the requested Planned Development overlay is not an effort to circumvent the intent of the zoning ordinance. Instead, as noted above, the imposition of the Planned Development overlay is consistent with applicable Comprehensive Plan Policies.

FINDING: SATISFIED WITH CONDITIONS. (Condition 2). The PD overlay designation concurrent with the Comprehensive Plan map amendment and zone change is intended to provide greater oversight over the future development of the site. The development and design principles and standards attached as conditions of approval clearly demonstrate a means to ensure the intent of the zoning ordinance is not circumvented. Instead, there are specific provisions to address areas of concern and ensure the PD development addresses the objectives and areas of concern. Further, the development and design principles and standards establish expectations up-front regarding what the future PD development plan will need to address.

- 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: The Planned Development overlay request is being considered concurrent with the Comprehensive Plan designation and Zoning Map designating amendment requests, in compliance with the application and review processes in Chapter 17.72.

FINDING: SATISFIED. The application is being processed in accordance with the applicable public hearing procedures and the applications are being process simultaneously.

- E. *A planned development overlay proposed by the Council, the Planning Commission, or the property owner under subsection B above shall be subject to all of the hearing requirements again at such time as the final plans under Section 17.51.030 are submitted, unless those requirements have been specifically changed in the planned development approval;*

APPLICANT'S RESPONSE: The property owner will comply with these requirements at the time final plans for development of the Property are submitted.

FINDING: SATISFIED. This procedure will be required at the time of submittal of the final plans, and this PD overlay approval does not change those requirements.

Attachments:

Attachment 1 – Application and Attachments;
Attachment 2 - DSL Wetland Land Use Notice Response

CPA 2-20/ZC 3-20

C-3 PD Overlay Zone

Development and Design Principles and Standards

For Review of PD Development Plan

Part of 3310 SE Three Mile Lane, R4426 00700

I. Intent and Purpose.

II. Consistency with Other Documents

III. Amendments

IV. Organization

V. Development and Design Principles, Standards, and Recommendations

V.1. Overall Thematic and Stylistic Design

V.2. Uses

V.3. Architectural Design

V.4. Site Design

V.5. Building Orientation

V.6. Transportation Connectivity

V.7. Views

V.8. Signs

V.9. Landscaping

V.10. Parking and Parking Lot Landscaping

V.11. Screening

V.12. Special Features

V.13. Lighting

V.14. Economic Benefit

VI. Examples with Attributes Noted and Discussed

(not all examples fully illustrate the intent or requirements of these principles and standards)

VI.1. Old Mill District, Bend

VI.2. Bridgeport Village, Tigard

VI.3. Old Town Square/Fred Meyer, Wilsonville

VI.4. The Village at Sunriver

VI.5. Keizer Station

VI.6. The Village at Sunriver

Attachments:

- **Attachment 1.** Three Mile Lane Area Plan (3MLAP) Design Booklet (Draft)
- **Attachment 2.** Three Mile Lane Area Plan (3MLAP) Preferred Alternative: Land Use and Design Analysis (March 23, 2021), including “Design Features” section

I. Intent and Purpose

- These principles and standards provide the basis for the review of the PD Development Plan to be submitted for the subject property.
- These supplement the standards in the Zoning Ordinance to achieve specific objectives for the development of the Three Mile Lane Area.
- The application for the PD overlay designation is submitted in advance of the adoption of the Three Mile Lane Area Plan. A draft preferred alternative has been developed, and the formal public review process will be initiated after May 2021, with adoption expected to occur no later than June 2022. The Development and Design Principles and Standards in this document will apply to the PD Development Plan for the subject property, unless the Three Mile Lane Area Plan and its design principles and standards are adopted prior to submittal of the PD development plan for the subject property. If they are adopted prior to submittal of the PD development plan for the subject property, the more restrictive provisions shall apply in the event of a conflict.

II. Consistency with Other Documents

1. The PD development plan shall be consistent with the Draft Design Booklet of the Three Mile Lane Area Plan (3MLAP), attached as **Attachment 1**.
2. The PD development plan shall be consistent with the Preferred Alternative of the Three Mile Lane Area Plan (3MLAP), including the “Design Features” Section, attached as **Attachment 2**.
3. The PD development plan shall be consistent with the final 3MLAP design principles and standards if adopted prior to submittal of the PD development plan.
4. In addition to these development and design principles and standards, the development shall be consistent with all provisions of the Zoning Ordinance, including the Large Format Commercial Development Standards of Chapter 17.56 of the Zoning Ordinance, except where they may conflict. In the event of a conflict, the standards that are more specific to the 3MLAP shall govern.
5. In addition to these principles and standards, the development shall be consistent with the provisions of the current Three Mile Lane Planned Development Overlay (originally adopted by Ordinance 4131, and subsequently amended), unless repealed prior to submittal of the PD development plan. In the event of a conflict, the more restrictive provisions shall apply.
6. The PD development plan shall pay special attention to the great neighborhood principles in the Comprehensive Plan which are applicable to commercial development, including its relationship to surrounding use and development, and consideration of special features on the site and iconic views.

III. Amendments

The City may amend these development and design principles and standards through the PD amendment process.

IV. Organization

This document is organized by topic, providing principles and standards by topic in each section, as well as recommendations in some sections.

- **3MLAP Design Booklet and Preferred Alternative (Draft)**. These are attached as **Attachment 1 and 2** and shall serve as guiding documents in interpreting and applying the development and design principles and standards in this document.
- **Design and Development Principles & Standards**. The PD overlay designation is subject to a condition of approval requiring that the PD development plan shall comply with these

development and design principles and standards. These will be used by the review body to evaluate the PD development plan when it is submitted for review through the applicable public hearing process. Design and development that meets individual minimum standards, but which as a whole is inconsistent with guiding design and development principles shall not be deemed consistent with this document.

- **Recommendations:** “Recommendations” are provided in some sections of this document. These are encouraged and advisory, but non-binding, as some of these may be outside the scope of land use review.

V. Design Principles, Standards, and Recommendations

V.1. Overall Thematic and Stylistic Design

1. Development shall be consistent with the draft Design Goals of the Three Mile Lane Area Plan attached as **Attachment 1**.
2. Development and site design shall be sensitive to the first impressions created at this gateway location into McMinnville, and the unique attributes of this location, to reflect a unique high-quality appearance, maintain iconic views, and welcome visitors and residents to McMinnville and its unique identity.
3. The site shall have a cohesive design vocabulary.
4. The thematic and stylistic design choices and vocabulary of the architecture and site shall reflect the unique aspects of McMinnville in the context of Three Mile Lane – predominantly drawing from its agriculture and aviation museum design cues, interpreted in a meaningful way. These architectural design cues include features such as the sloping roofs, glass, and grain cellar elements. Landscape elements include agricultural crops, vineyards, agricultural wind breaks, stands of natural trees, tree cover like what is present at Galen McBee Airport Park, riparian vegetation, etc.
5. The thematic and stylistic choices shall not seek to mimic or replicate the vocabulary of the historic downtown area.
6. Corporate branding, identity, and logos of individual tenants should be addressed in the signage, and not in a generic architectural vocabulary or in corporate “logo buildings” which are repeated in other communities, and which are not consistent with the unique identity of Three Mile Lane. There shall be a consistent thematic treatment of the site and development. The site shall not be a collection of corporate “logo building” designs.

V.2. Uses

1. **Number of stores larger than 135,000 square feet.** There shall be a limit of two anchor stores which have gross square footage exceeding 135,000 square feet, except that one additional anchor store exceeding 135,000 square feet may be permitted if the majority of the façade includes separate liner shops with individual exterior entrances.

Liner Shops Rather than Blank Walls



2. **Use Restrictions.** The following uses otherwise permitted in the C-3 zone shall not be permitted in this PD Overlay: self-storage units, mini-storage units, outdoor storage, outdoor sales uses including auto and equipment sales lots, except (a) as may be incidental to an indoor retail use and may include pedestrian-oriented outdoor retail use such as sidewalk sales, farmers' and/or crafters' markets, sidewalk activities; and (b) those which are predominantly the sale of living plant materials, such as nurseries and garden centers, where the predominant appearance of the outdoor sales areas is plants and living landscape materials.
3. **Drive-Through Uses.** The number and concentration of drive-through uses may be limited overall, and/or shall be restricted to certain portions of the site as determined necessary to achieve the pedestrian-orientation provisions of these principles and standards. Drive-throughs shall be limited if they disrupt pedestrian continuity of a building or buildings by creating drive-through aisles which wrap-around three or four sides of a building and/or require buildings to be separated into individual pad structures rather than a continuous multi-tenant row with pedestrian orientation and continuity.

Drive-throughs shall be designed and located to minimize drive-through dominated design and pedestrian disruptions. Drive-throughs shall be limited in design and configuration to achieve this purpose. To achieve this principle, this may include limiting them to u-shaped configurations at end units of buildings so the drive-through aisle doesn't separate the building from adjacent pedestrian street areas and pedestrian features, outdoor dining areas, etc. (See below). Drive-through kiosks may also be limited to a one-sided drive-through, with a second walk-up window allowed when the kiosk located is between a drive through aisle and a pedestrian street as needed to achieve this principle.



4. **Recommendation: Mix of Uses.** The applicant is encouraged to include a complementary mix of retail and entertainment uses, as well as “maker” businesses that make and sell artisan/craft products, including those which are complementary to the innovation district which is proposed as part of the 3MLAP.

V.3. Architectural Design

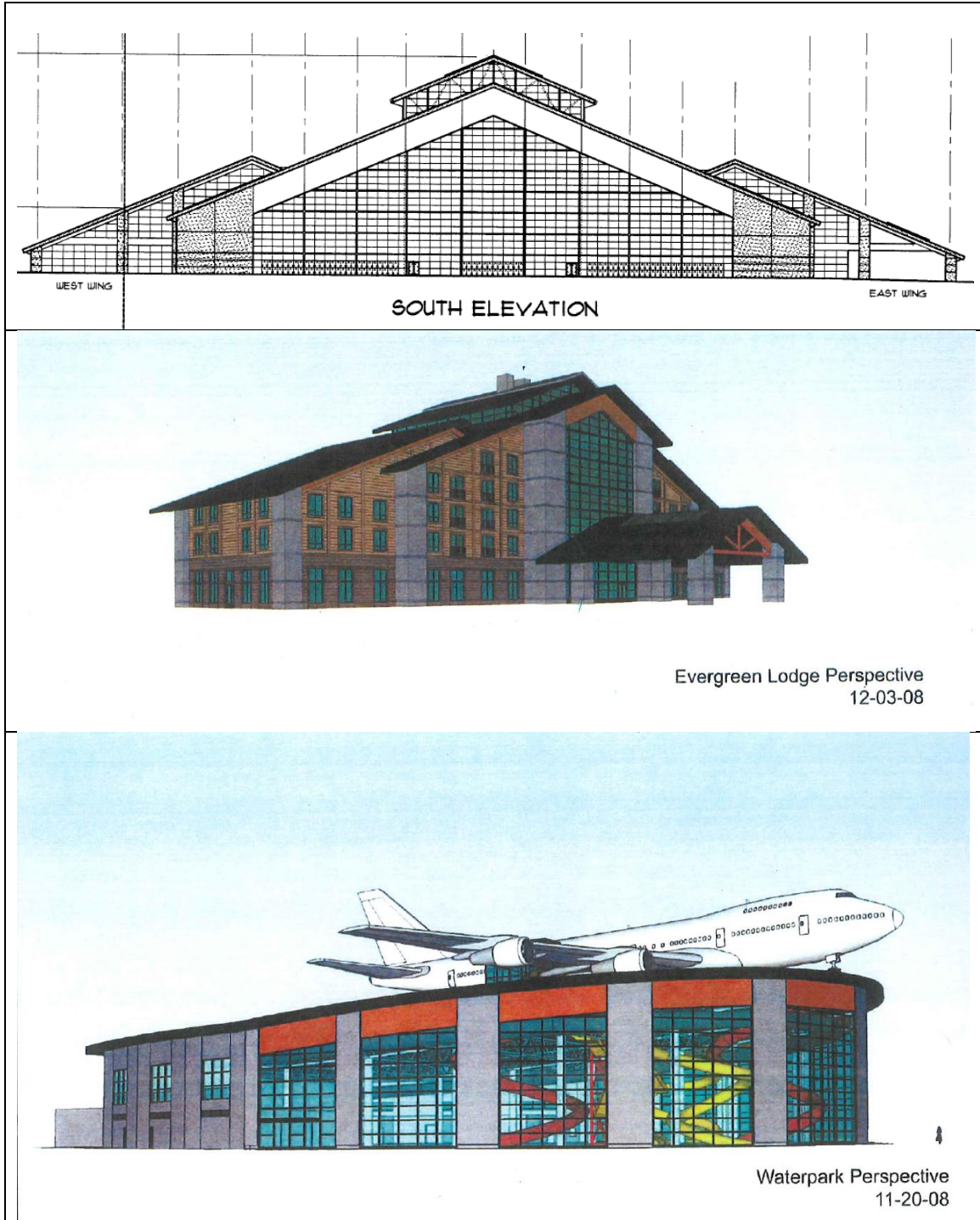
1. **Thematic and Stylistic Design Elements.** The architectural design shall be consistent with the provisions of the “Overall Thematic and Stylistic Design” section above.
2. **Scale and Massing.** Except upon findings by the review body that the design qualifies for “Exceptions to Scale and Massing” below, buildings shall meet the Large Commercial standards of the Zoning Ordinance in order to provide pedestrian-scaled buildings and facades designed for a comfortable walking environment.





Reference Designs in 3ML Area for Design Treatments for Large Format Retail Stores
(from Evergreen Campus Concept Graphics)





3. **Exceptions to Scale and Massing.** As part of the PD development plan review, exceptions to some aspects of the scale and massing requirements of Chapter 17.56 of the Zoning Ordinance may be authorized by the review body if the review body finds the designs of larger format anchor buildings instead provide for high quality design treatments and elements integral to the building design with features that draw from the larger scale aviation museum and agricultural building themes of the area. Two-dimensional facade treatments will not be considered sufficient to meet this intent. The designs must incorporate predominant elements including

roof forms, glazing, and variation in building height consistent with the design of reference buildings in order to qualify for this exception.

4. **Three-Dimensional Treatments.** Massing and façade articulation treatments shall be designed to provide a three-dimensional appearance that appears as changes in the volume of the building. Two-dimensional treatments, such as vertical changes in parapet height without corresponding changes in the horizontal depth are insufficient to meet the scale and massing requirements of the standards.
5. **Design Elements and Façade Treatments Should Reinforce and Complement One Another.** Changes in vertical height, horizontal depth, materials, trim, glazing, and color should correspond with one another to reinforce and complement one another.
6. **Colors and Materials.**
 - a. The site design shall include one or more color and material palettes for the buildings. Colors and materials shall be consistent with the overall thematic and stylistic design principles. Color and materials selections shall be consistent with the character of the Three Mile Lane area and influences. The intention isn't monotony. Variety rather than a single design treatment is encouraged to contribute to the feeling of organic development of the area occurring over time.
 - b. The 3MLAP Design Booklet and Preferred Alternative attached as **Attachments 1 and 2** encourage vibrant colors. This shall be achieved consistent with the provisions of this section. Colors of principle facades should avoid pure saturated primary and secondary colors. These may be used for accent colors, typically with some variability of hue, saturation, and brightness. In addition, neon or day-glo colors are not permitted as wall surface colors. Pure black or white are generally not permitted as predominant wall surface colors, but may be reviewed as a color for a portion of an exterior wall as part of a cohesive color palette.
 - c. The 3MLAP Design Booklet and Preferred Alternative attached as **Attachments 1 and 2** encourage certain material treatments, especially noted in the "Design Features" section of **Attachment 2**. Exterior material treatments shall be consistent with those allowed in the Large Format Commercial standards in Chapter 17.56 of the Zoning Ordinance, except as otherwise specified in the 3MLAP Design Goals and principles, but some materials authorized in Chapter 17.56 may be further limited in certain amounts or applications to achieve consistency with the design principles and cohesive color and material palette for the site.
7. **Design for Microclimate.** The architectural design shall include features designed for the microclimate as articulated in the "Design Features" Section of the March 23, 2021 Three Mile Lane Area Plan "Preferred Alternative: Land Use and Design Analysis" attached as **Attachment 2**.

V.4. Site Design

1. The site design shall provide for a relationship between buildings, streets, and drive-aisles that provides for multi-tenant structures to be aligned along pedestrian streets or pedestrian street-like drive aisles. These are typically 2-lane and may include on-street parking, typically angled or parallel. Building entrances are oriented to sidewalks and other pedestrian areas such as plazas

and outdoor dining areas. These are lined with buildings and/or outdoor pedestrian areas along the majority of their length, providing both pedestrian-oriented connectivity and continuity. Site design that is predominantly isolated pads for smaller tenant spaces dispersed throughout the parking area without pedestrian-oriented connectivity and continuity of buildings in close proximity along a pedestrian street will generally not meet this requirement.

Larger multi-aisle parking lots shall be located to reduce their visual prominence, and may be located near larger anchor stores, to the side or rear of buildings along a pedestrian street or street-like drive aisle.

An example of a site design meeting this standard is a “barbell” configuration, where a pedestrian street lined with smaller buildings connects anchors at either end, with the larger parking areas located near the anchors, as well as behind buildings, maintaining a pedestrian experience on a portion of the property and meeting the parking needs of larger anchors and other users at locations that encourage a “park once and stroll” experience.

2. Site design shall avoid “through-building” designs in which a building faces a parking lot and street, but is designed with the main entrance facing the parking lot, while the predominant side facing the street is treated as the back of the building with a predominance of service entrances with security doors, meter panels, etc. Those shall be designed to face to the side away from the street, or where impractical, may to a limited extent be minimized and screened with additional landscaping.

V.5. Building Orientation

1. Site design and building orientation shall locate service areas (truck docks, trash and recycling facilities, box crushers, etc.) toward service areas rather than facing the street and screened. Service areas include public and private alleys, service drives, service courtyards, and location at the rear of a site which isn’t visible from and doesn’t face a street, parking area, or amenity intended for use by the public. These locations shall require screening walls and/or landscape screening if the end area at the point of access may be visible. These locations are required rather than site locations which face streets or other areas used by the public and rely entirely on screening walls and landscaping.

V.6. Transportation Connectivity and Facilities

1. The site design shall provide for good transportation connectivity between buildings on the site, and shall provide for good transportation connectivity between the site and adjacent streets and properties.
2. The site shall provide for street connections, and any separated bike and/or pedestrian connections to and/or through the site as specified in the draft 3MLAP preferred alternative, or subsequently adopted 3MLAP if adopted prior to submittal of the PD development plan. When consistent with the intent of the plan, the connectivity through and across the site may be private with access easements designed to a similar public standard, rather than a public facility in a public right-of-way.
3. Bike and pedestrian connectivity shall be designed to be comfortable for all ages, separated from vehicular traffic and parking for safety, and provide relatively direct routes to make connections to connecting facilities or nearby amenities -such as trail systems, Airport Park, riverfront, innovation campus, neighborhoods, etc.

4. Adequate provisions shall be made for shared access, circulation, and parking among properties to allow for circulation between properties while minimizing out of direction travel requiring the need to access the abutting public street system to get from one part of the site to another that could be achieved with a more direct connection.
5. The site design shall accommodate all transportation modes. The site shall provide a location for a covered transit stop with the location coordinated with the transit provider. It shall be located to provide convenient access to on-site uses and pedestrian facilities on-site.
6. Covered bicycle parking shall be provided at a location within 50 feet of a building entrance of anchor stores, and bike parking shall be provided near entrances of other buildings, preferably covered.

V.7. Views

1. Site design, landscape design, architectural design, building orientation, and sign placement/design shall preserve and enhance iconic views of natural and cultural landmarks and landscape features, and should consider views from on-site buildings as an amenity.
2. View features include Mt Hood, and the mountains and hills visible from Three Mile Lane, etc.

V.8. Signs

1. The size and number of building-mounted signs shall be limited to one per exterior public entrance per façade. “Through buildings” may have an additional sign on the opposite façade.
2. Signage should be integral to the varied architectural design and façade treatments of the buildings. Signage should not be predominantly provided through a series of taller “sign parapets” at building entrances. If a limited number of taller parapets are provided, the height of entry parapets and signage at building entrances should be proportional to the height of the principal façade and underlying entryway, so that the parapet and signage are secondary and subordinate to the main façade and underlying entry.

Example. Complies. (Above). The architecture is varied, and signage is integrated into the architectural design - façade-mounted without a separate taller entry parapet, and sized and located to be subordinate to the façade.

Below. Parapet heights and signage in limited instances are not the predominant feature relative to principal adjacent façade height and underlying entry. Parapets are about less than one-fourth in height taller than the principal façade, a ratio of about 1:3 or 1.5 to 2 relative to the underlying entryway, and signage is accordingly subordinate rather than the predominant feature.





Example. Doesn't Comply: Each building entrance has a predominant over-height entry parapet for signage. Parapet heights are more than twice the height of the ground floor entry and/or the height of the principal adjacent façade. Signage is the predominant feature with underlying entryway and main building façade subordinate to parapets and signage.



V.9. Landscaping

1. Landscaping shall be consistent with the 3MLAP Design Goals (Draft) attached as ***Attachment 1***.
2. Landscaping provisions of these principles and standards are in addition to the provisions of the Zoning Ordinance.
3. To provide an enhanced gateway treatment, larger landscape areas shall be provided near the front of the site by Three Mile Lane and the frontage road, to provide space for clusters of mature canopy trees and landscape treatments. These areas shall include a combination of landscape features which include a natural appearance of native trees and landscape materials, and intentionally-designed working landscape features related to the agricultural and viticultural characteristics of the area.

Grocery Store on SW Century Drive, Bend, OR with Tree Preservation



V.10. Parking and Parking Lot Landscaping

1. Portions of the site which have larger multi-aisle parking lots shall be divided into smaller modules, approximately 250 feet x 250 feet, containing approximately three aisles in width, which have more continuous perimeter landscaping and larger landscape areas for larger canopy trees and groupings than would be provided in typical end-island planters. Landscaping at the edges of these modules also provides opportunities for greater landscape buffering and separation for pedestrian circulation through parking areas. Continuous landscaping and pedestrian connectors may also be placed on alternating rows, provided the design is consistent with the pedestrian connectivity requirements of the Large Format Commercial standards of the Zoning Ordinance.



2. Parking aisles shall have end islands which provide space to support of the health of larger shade trees that provide shading and canopy structure that extends over paved areas.
3. Parking lot landscaping areas shall be planted predominantly with living groundcover that will achieve full coverage at maturity.
4. Site grading shall maintain the appearance of natural and gradual contours rather than stark cut and fill forms.
5. If surface stormwater detention facilities are provided on site, they shall be designed to similarly appear as natural landforms, with natural plantings, and a design that appears as an amenity rather than a utility. They shall be predominantly vegetated. If fencing is required, treatments other than chain link fencing shall be used. Chain link fencing with slats is not permitted.
6. If retaining walls over two feet tall are used, they shall have the appearance of natural materials and may include landscaped terracing and/or climbing vines or other vegetation to provide landscape screening. Plain concrete, plain CMU, prefabricated highway panels, etc. shall be avoided unless they can be adequately designed with veneers and/or landscape screening.
7. **Recommendation:** Low-impact stormwater practices are encouraged. If the parking area is graded to drain to stormwater swales or detention features, breaks in the continuous curb will be allowed, subject to adequate provisions for proper runoff treatment.

V.11. Screening

1. Utility vaults shall be located away from prominent public locations and screened or placed underground.
2. Areas adjacent to walls on large format commercial buildings that predominantly lack public entrances and/or windows shall incorporate landscaping areas adjacent to these areas, with enough depth to allow for a more naturalistic planting with a combination of trees and shrubs to de-emphasize the blank walls, rather than strictly a narrow uniform row of evergreen screening materials, which may emphasize and reinforce the presence of the blank wall.
3. Where the Zoning Ordinance specifies that screening walls shall be designed with materials and colors similar in appearance to the main façade, this PD overlay shall also allow for more natural treatments with the appearance of stone and landscape screening with materials and colors intended to de-emphasize and camouflage the visibility of the screening wall consistent with the appearance of landscape treatments rather than building materials.

V.12. Special Features/Spaces for Special Events

1. The site shall incorporate special features such as:
 - a. Preservation and incorporation of the existing agricultural building into a design element such as a gateway feature, entry element to the site, and/or functional use element.
 - b. Public art
 - c. Interpretive information about natural and cultural aspects of the location
 - d. Larger pedestrian and people gathering areas with spaces such as plazas, pedestrian boulevards, green space, outdoor dining patios, linkages between site amenities and nearby amenities.
2. See examples in Section IV for amenities such as:
 - a. Old Mill District, Bend: plazas, public art, landscape features, plazas, waterfront dining areas, fly-casting pond, lawn areas by the river for events etc., pedestrian connections across river to amphitheater.
 - b. Fred Meyer development area in Wilsonville: McMenamin's Old Church and Pub: Outdoor grass terraced amphitheater for outdoor live music

- c. Bridgeport Village: pedestrian area with covered gazebo, play structure with seating, fountains, public art, seating walls, kiosks, hosting of outdoor music and other events.

V.13. Lighting

1. To further the Dark Skies Lighting provisions in Chapter 17.56 of the Zoning Ordinance, any use of LED lighting for parking lot lighting shall consider recommendations in the guidelines from the International Dark Sky Association (IDA), including the following:
 - Use fully shielded fixtures that don't emit light upward.
 - Use "warm white" or filtered LEDs with a color temperature of 3000K or less to minimize blue light emission (and at or below 2700K for ambiance).
 - Use products that enable use of dimmers, timers, motion sensors, and networking.
 - Consider dimming or turning off lights during overnight hours.
 - Avoid over-lighting.
2. If ground-level parking lot illumination can be achieved with lower illumination levels by spacing light poles more closely, with lower heights and lower illumination levels from the source, that shall be provided rather than higher light poles with higher illumination levels from the source with greater spacing between poles.
3. Building-mounted "wall packs" that shine outward into parking areas without downward shielding shall not be employed, except as allowed into service areas not visible from other portions of the site, public right-of-way, or other properties.

V.14. Economic Benefit/Local Multiplier Effect

- **Recommendation:** The applicant is encouraged to give preference to tenants that maximize the positive economic impact to McMinnville and the region, including through the "Local Multiplier Effect"

For example:

- Businesses that offer comparatively higher wages and benefits to employees
- Locally and/or regionally-owned businesses
- Businesses that use locally-based services, such as banking, accounting, marketing, printing, etc.
- Businesses that source local raw materials or products and/or sell local products
- Businesses that support community causes



VI. Examples of Developments, Including Some Experiential Places and Mix of Uses:

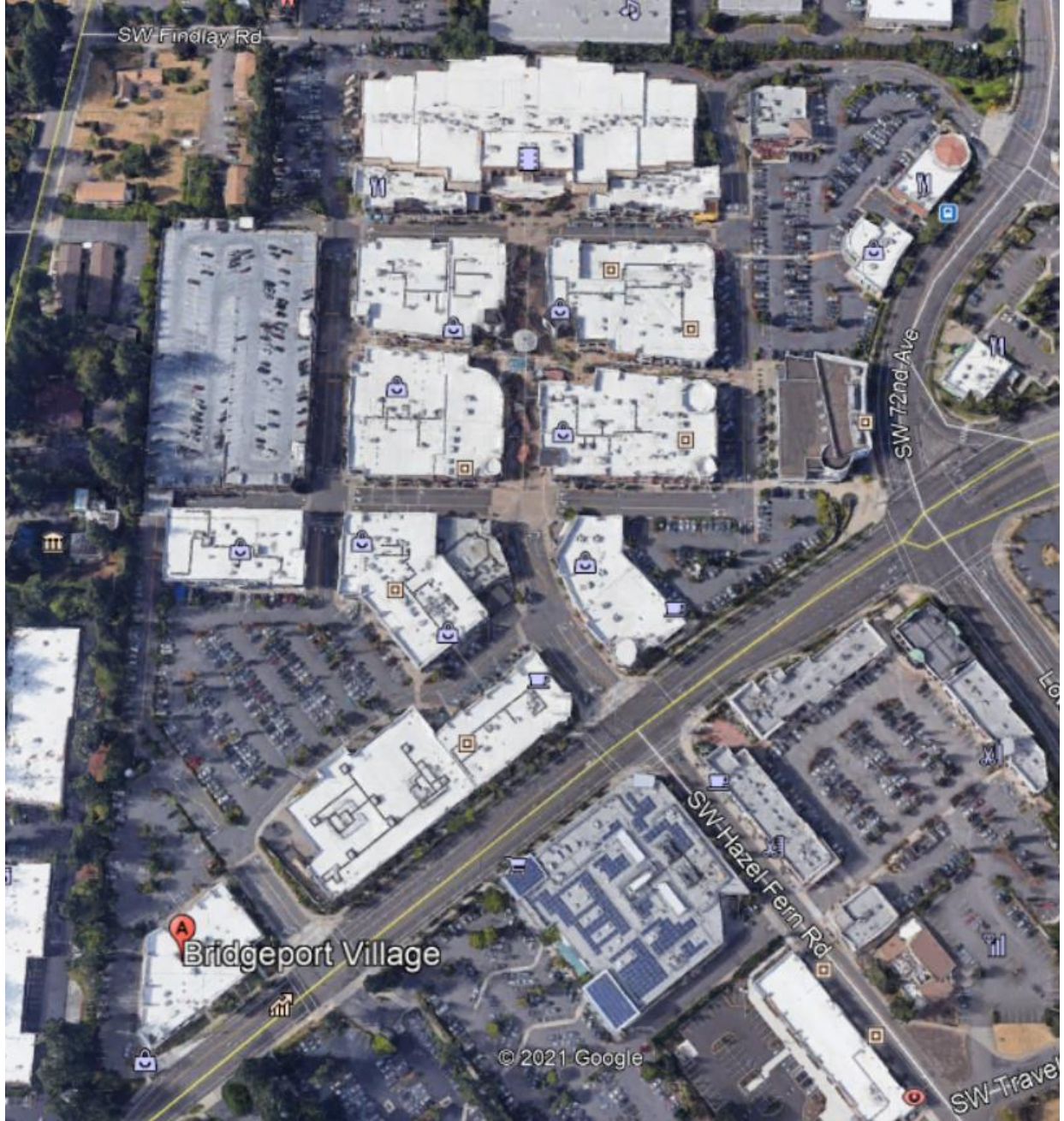
VI.1. Old Mill District, Bend, Oregon

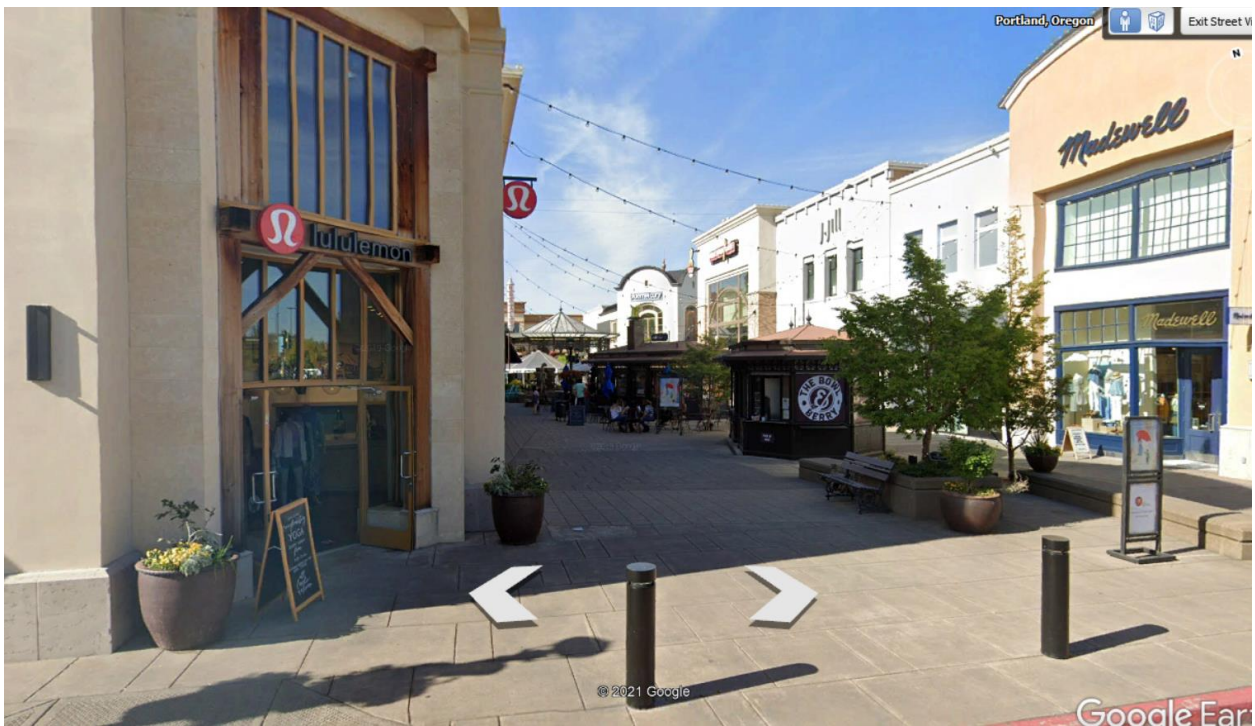
Contains Multiple Attributes Consistent with These Principles and Standards



- Mix of entertainment and retail uses
- Maximizes relationship to site context
 - Linkages to riverfront bike/ped trail system
 - Outdoor dining areas oriented to riverfront and pedestrian street
 - Bike/pedestrian linkages to nearby entertainment venues (amphitheater, brewery, etc.)
 - Connectivity to nearby neighborhoods
- “Barbell” vehicular circulation and parking configuration: Buildings oriented to pedestrian street through site: two lane double-loaded street with angled parking, with wider sidewalks, plazas, etc. adjacent to the street at key locations. Larger multi-aisle parking lot areas are located at convenient but less prominent locations at the ends of the pedestrian street (near the theater, etc.) and behind buildings predominantly out of view of the pedestrian street.
- Pedestrian emphasis of street design includes numerous pedestrian crossings, well-marked with crosswalks, different paving treatments at intersections, and other pedestrian treatments to slow vehicles.
- Experiential destination, encourages lingering and “park once and stroll”
- Unique features, public art, sculptural elements, seating and gathering areas, and interpretive elements on-site. (fly-casting pond and artwork, interpretive/historic information and signage)
- Adaptive reuse of historic elements and structures on-site
- Larger areas for landscape plantings within the pedestrian areas and plazas
- Generous green spaces at prominent locations on the site for aesthetics and use.
- Compatible architecture scaled to pedestrian experience with façades that encourage strolling
- Signage scaled and placed consistent with pedestrian experience and subordinate to facade

VI.2. Bridgeport Village, Tigard, OR
Contains Several Attributes Consistent with These Principles and Standards





- Mix of entertainment and retail uses
- (Somewhat self-contained, not well connected to surrounding properties)

- “Barbell” vehicular circulation and parking configuration: Buildings oriented to pedestrian-oriented streets and exclusive pedestrian areas through site. Larger multi-aisle parking lot areas are separated and located at convenient but outer areas of the site, but near larger anchors like the theater and former grocery store, predominantly out of view of the pedestrian streets and pedestrian ways.
- Experiential destination, encourages lingering and “park once and stroll”
- Unique features, public art, sculptural elements, seating and gathering areas on-site.
- Continuity of pedestrian-oriented areas

VI.3. Old Town Square/Fred Meyer, Wilsonville

Does Not Contain Majority of Attributes Consistent with Standards, but Provides Examples of Certain Attributes Consistent with Standards







- Outlying pads generally provide for good continuous pedestrian continuity.
- The designs provide varied architectural forms, rooflines, etc. which avoid the appearance of a retail strip complex.
- There are some pedestrian pass-throughs
- There are pedestrian visual cues and seating, streetlights, etc.
- There are some entertainment uses incorporated onto the site, with adaptive reuse of an architecturally significant building.
- True pedestrian orientation is limited by 4-5 lane and 7-8 lane adjacent streets (even with landscaped medians), and lack of pedestrian orientation of buildings across the street. Some buildings lack true pedestrian entrances on that side, and/or windows are used for auto-scaled promotional decal signage only

VI.4. Keizer Station

- Example of “Drive and Park Multiple Times” Type of Retail Complex
- Example of a Different Type of Retail Complex with Attributes Which Are Different Than Envisioned and Outlined in These Principles and Standards.



- Large multi-aisle parking lot areas and distance between buildings without connecting pedestrian streets lined with pedestrian-oriented buildings (lack of areas of interest between buildings, dominated by vehicular accommodation, increases perceived distance of walking).
- Separated building pads that discourages pedestrian activity between buildings (lack of continuity of pedestrian-oriented spaces).

- Buildings designed to accommodate drive-through areas that fully wrap around the building pad, or are designed with a high concentration of drive-through uses that dominate the design and discourage pedestrian activity or outdoor dining and gathering spaces.
- “Power Centers” that include a continuous row of large format retail stores where even continuous sidewalks, if present along front of buildings, are dominated by blank walls between building entrances with no pedestrian interest. Decorative Building façade treatments along face of building to break up large blank, unarticulated walls may improve aesthetics, but don’t offer any pedestrian interest.
- Smaller retail buildings meet letter of the law but not intent:
 - Buildings are abutting the street, but are not really accessible from the street, instead back up to the street but are only accessible from parking lot, with no easy pedestrian pass-through areas.
 - Buildings are principally oriented to the parking lot, and where they abut a street, it is a busy, high speed/high volume street or highway with significant road noise lacking buffering or desirable pedestrian experience. Outdoor dining areas are incidental and oriented to a large parking lot without elements present to make the outdoor spaces more appealing, such as narrow sidewalks without low walls or landscaping to enhance and/or separate the pedestrian areas from parking lot area.
- Lack of recreational uses
- Food and beverage options are on isolated pad sites without strong pedestrian connectivity or continuity – facing onto and surrounded by large multi-aisle vehicular parking lots and circulation areas.
- While there are with landscape-buffered sidewalks, only a few buildings are oriented to these streets, and where these is pedestrian connectivity at those locations, they are individual pads isolated from one another and lacking pedestrian/building continuity.

VI.5. The Village at Sunriver
Another Example of Pedestrian-Only Area with Parking at Perimeter
Includes Recreational Uses, Linkages



ATTACHMENT 1

TO DEVELOPMENT AND DESIGN PRINCIPLES AND STANDARDS

DRAFT



THREE MILE LANE AREA PLAN DESIGN BOOKLET



DRAFT

HOW TO REVIEW THE LAND USE CONCEPTS:

GOALS AND OBJECTIVES

GOAL 1: SUPPORT AND ENHANCE THE DISTRICT'S ECONOMIC VITALITY AND MARKETABILITY

This plan aims to support development of significant industrial and commercial parcels within the study area, enhance existing business by diversifying goods and services available in the area, and increase tourism.

GOAL 2: PROVIDE OPPORTUNITIES FOR A COMPLEMENTARY MIX OF LAND USES, CONSISTENT WITH THE VISION OF A DIVERSE & VIBRANT DISTRICT.

This plan aims to provide a mix of land uses that support one another to create a unique part of the city. McMinnville is in the process of adopting a set of "Great Neighborhood Principles" to evaluate land use concepts for the Three Mile Lane area. A draft of these is included below!

GOAL 3: ENHANCE MULTI-MODAL CONNECTIONS THROUGHOUT THE DISTRICT

This plan aims to create a complete, multimodal transportation network that serves the north and south sides of Three Mile Lane within the district, and that connects the business community, the hospital, residential neighborhoods and tourism amenities to each other and to the city center.

GOAL 4: CREATE AN AESTHETICALLY PLEASING GATEWAY TO MCMINNVILLE

The study area is a primary gateway to the City of McMinnville. Because the land use concepts are fairly high-level, urban design considerations explore aesthetic elements that could be applied in the area.

GREAT NEIGHBORHOOD PRINCIPLES (draft)

- Natural Feature Preservation
- Scenic Views
- Parks and Open Spaces
- Pedestrian Friendly
- Bike Friendly
- Connected Streets
- Accessibility
- Human Scale Design
- Mix of Activities
- Urban Rural Interface
- Housing for Diverse Incomes
- Housing Variety
- Unique and Integrated Design

COMMON ELEMENTS

Overall

- Boundaries remain the same: UGB is in the same location, developable land is always approx. 400 acres
- Airport remains the same
- Roadway designs can be selected independently and combined with any land use concept



Transportation

- Cumulus Avenue is connected to SW Norton Lane through or adjacent to the Chemeketa Community College campus.
- New public 'complete' streets are added to new developments south of Three Mile Lane.
- Three Mile Lane bridge is improved for bicycle and pedestrian safety.
- There are new and improved bicycle and pedestrian connections throughout the area.



Urban Design

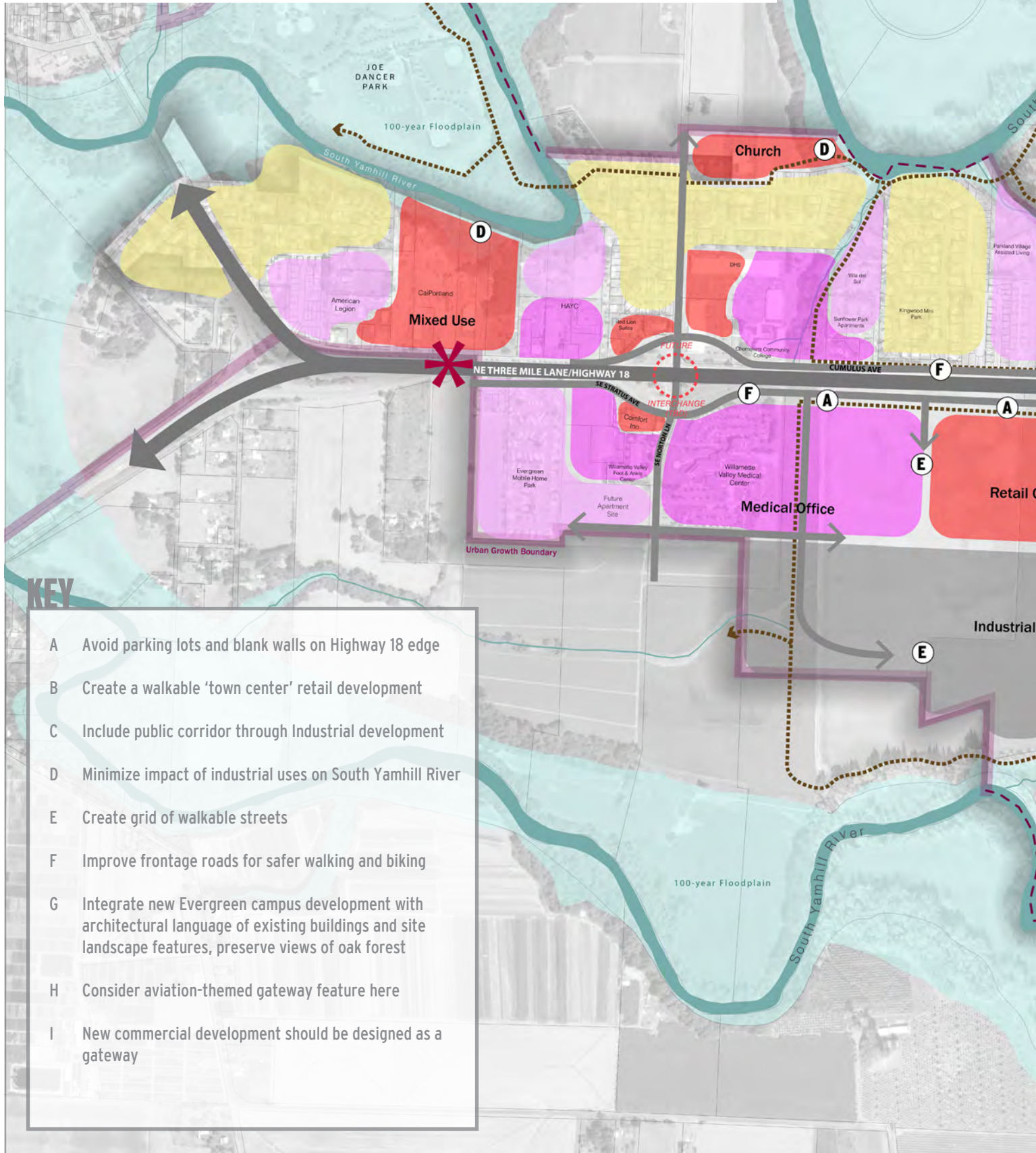
- Landscape and architectural design standards are recommended to ensure new development is designed to reflect regional agricultural and historic forms and support this area's function as a gateway to McMinnville.
- Preserve views to natural features like mountains and the river
- Gateway elements are included to mark the entrance to McMinnville



Parks and Trails

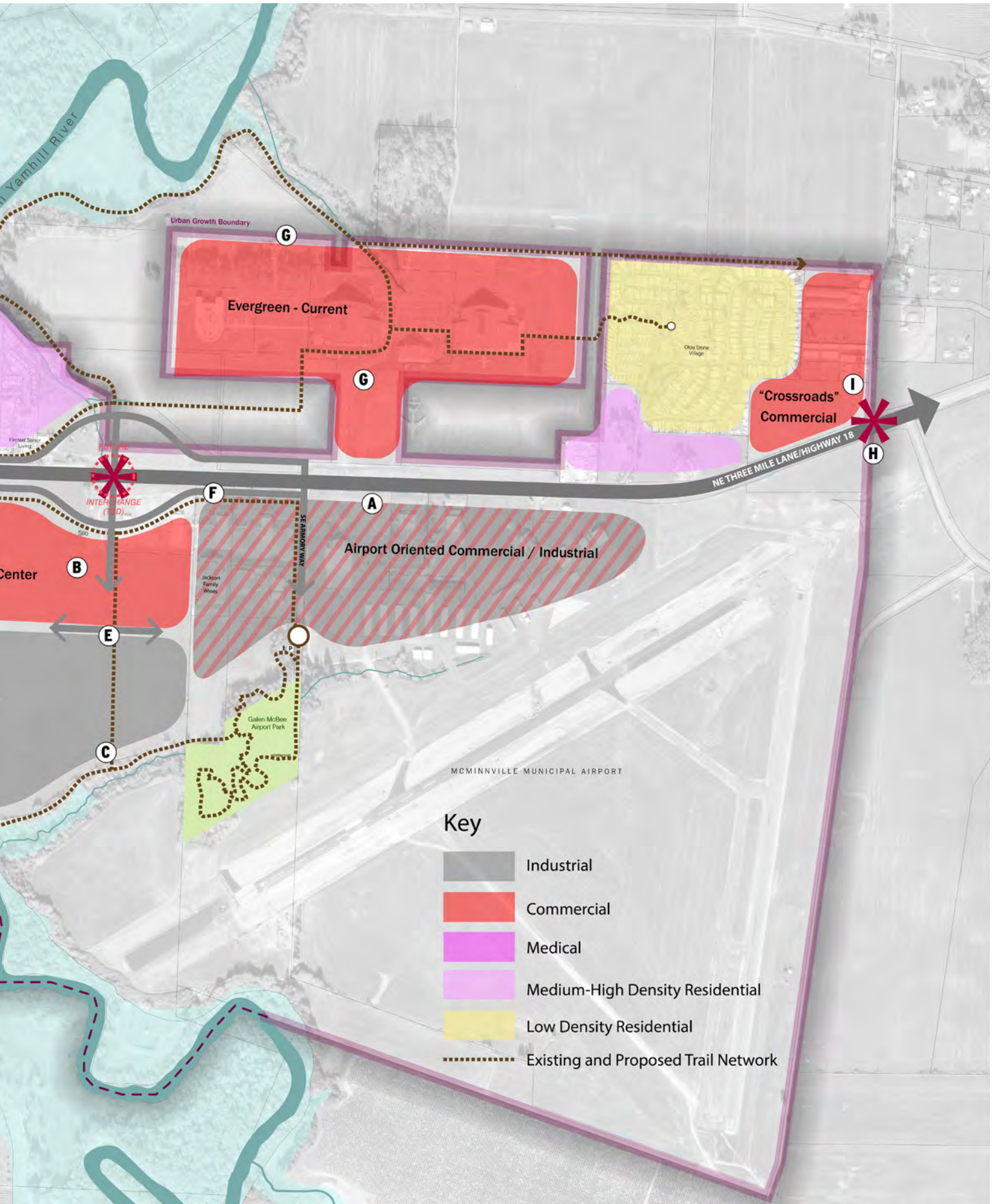
- A trail system connects the South Yamhill River, Galen McBee Airport Park, Evergreen Campus, and Joe Dancer Park along riparian corridors and through new development. The location of these trails changes slightly per concept, but they are always present.
- Recreational access is added to the Yamhill River and riparian corridors and oak stands are protected

INDUSTRIAL CAMPUS



KEY

- A Avoid parking lots and blank walls on Highway 18 edge
- B Create a walkable 'town center' retail development
- C Include public corridor through Industrial development
- D Minimize impact of industrial uses on South Yamhill River
- E Create grid of walkable streets
- F Improve frontage roads for safer walking and biking
- G Integrate new Evergreen campus development with architectural language of existing buildings and site landscape features, preserve views of oak forest
- H Consider aviation-themed gateway feature here
- I New commercial development should be designed as a gateway



INDUSTRIAL CAMPUS

This concept is most similar to existing zoning south of Three Mile Lane. With a large industrial user, this concept is likely to result in the largest building square footage. There are many contemporary examples of light industrial development that integrate well with other land uses. Agricultural building forms could relate well with the existing character of the area. An old grain elevator building is a prominent feature at the west end of this area and inspired the design for the nearby Jackson Family Winery and processing center.

A cluster of new medical office space near Norton Lane on both sides of Three Mile Lane, builds off the central attractor of the Medical Center. This could include space for expansion of the Medical Center.

The Cal Portland site is changed to a mixed-use designation, allowing for a mix of commercial and residential development. On the north side of this parcel, protection of the South Yamhill river edge, potentially with public access, is a key urban design goal.

A significant retail center south of Three Mile Lane at Cumulus Avenue could serve as a regional retail attractor and local amenity.

Another commercial node and additional housing are proposed in the East Neighborhood with gateway signage and context appropriate buildings. At CCC, infill commercial uses support an active street presence.

Gateway markers in this concept are located at mixed-use / commercial areas to draw attention to those uses and support their role in creating a gateway to McMinnville.





Wine industry buildings

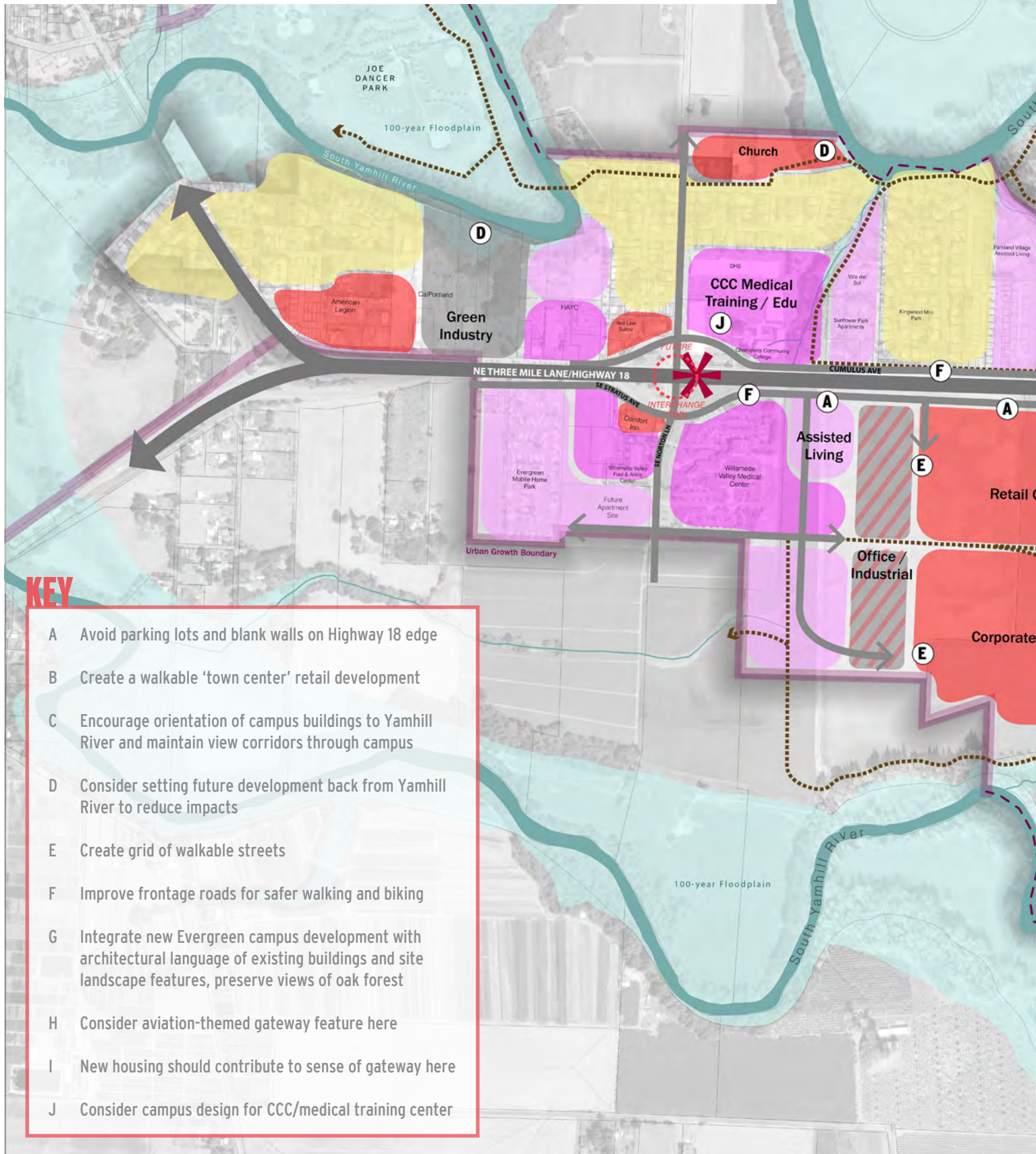


Medical Office



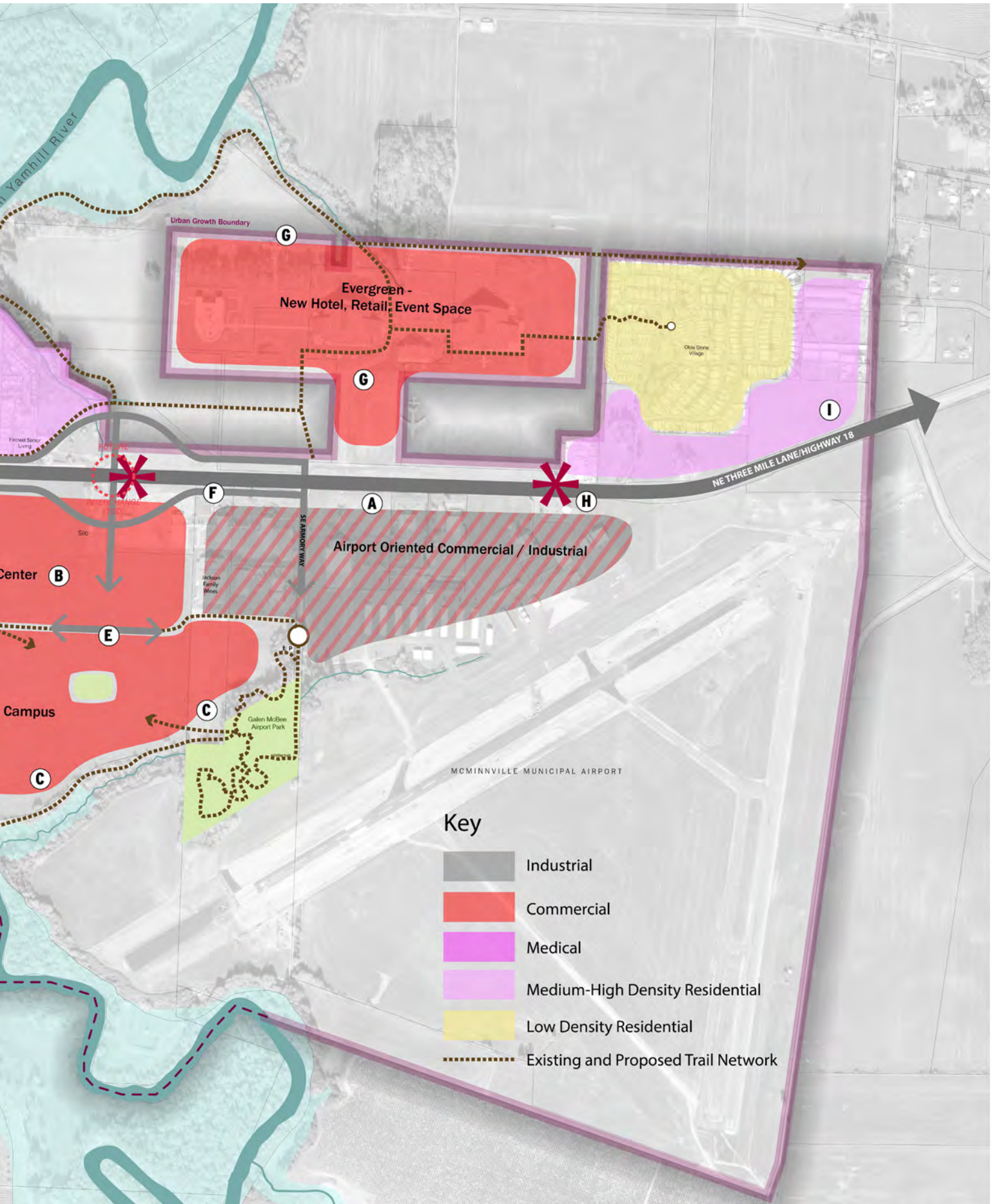
Retail Center

CORPORATE CAMPUS



KEY

- A Avoid parking lots and blank walls on Highway 18 edge
- B Create a walkable 'town center' retail development
- C Encourage orientation of campus buildings to Yamhill River and maintain view corridors through campus
- D Consider setting future development back from Yamhill River to reduce impacts
- E Create grid of walkable streets
- F Improve frontage roads for safer walking and biking
- G Integrate new Evergreen campus development with architectural language of existing buildings and site landscape features, preserve views of oak forest
- H Consider aviation-themed gateway feature here
- I New housing should contribute to sense of gateway here
- J Consider campus design for CCC/medical training center



CORPORATE CAMPUS

A corporate campus and mix of office/industrial south of Three Mile Lane add significant new office space. The large corporate campus could be attractive to a tech company looking for an affordable community with natural amenities and an airport with corporate jet capacity. This area would be a walkable hub of activity and could drive demand for additional local business services. A new park is proposed with trail connections to the Galen McBee Airport Park and the campus could be oriented south to the river, mountain views and the scenic backdrop of agricultural lands.

Evergreen is envisioned to add a new hotel, retail, and event space on undeveloped land in its campus.

New medical office space near Norton Lane and additional assisted living near the Willamette Valley Medical Center are complementary uses which benefit from co-location. Chemeketa Community College's focus on health and medical-related education is also strengthened with complementary uses, including potential out-patient clinics with training for students.

A significant retail center south of Three Mile Lane at Cumulus Avenue could serve as a regional retail attractor and local amenity.

Cal Portland remains industrial, but transitions to a greener industry that is a better neighbor to residential uses with a green edge to the South Yamhill River.

A mix of new housing is added to the Eastern Neighborhood.

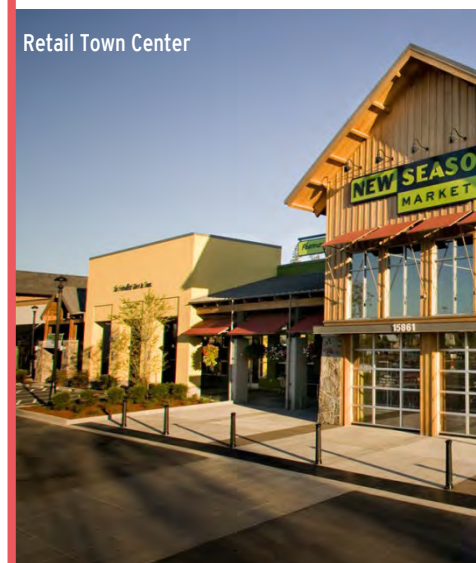
Gateway markers are located at commercial and residential areas to draw attention to those uses and support their role in creating a gateway to McMinnville.



Corporate Campus



Medical Office Building



Retail Town Center



Corporate Campus

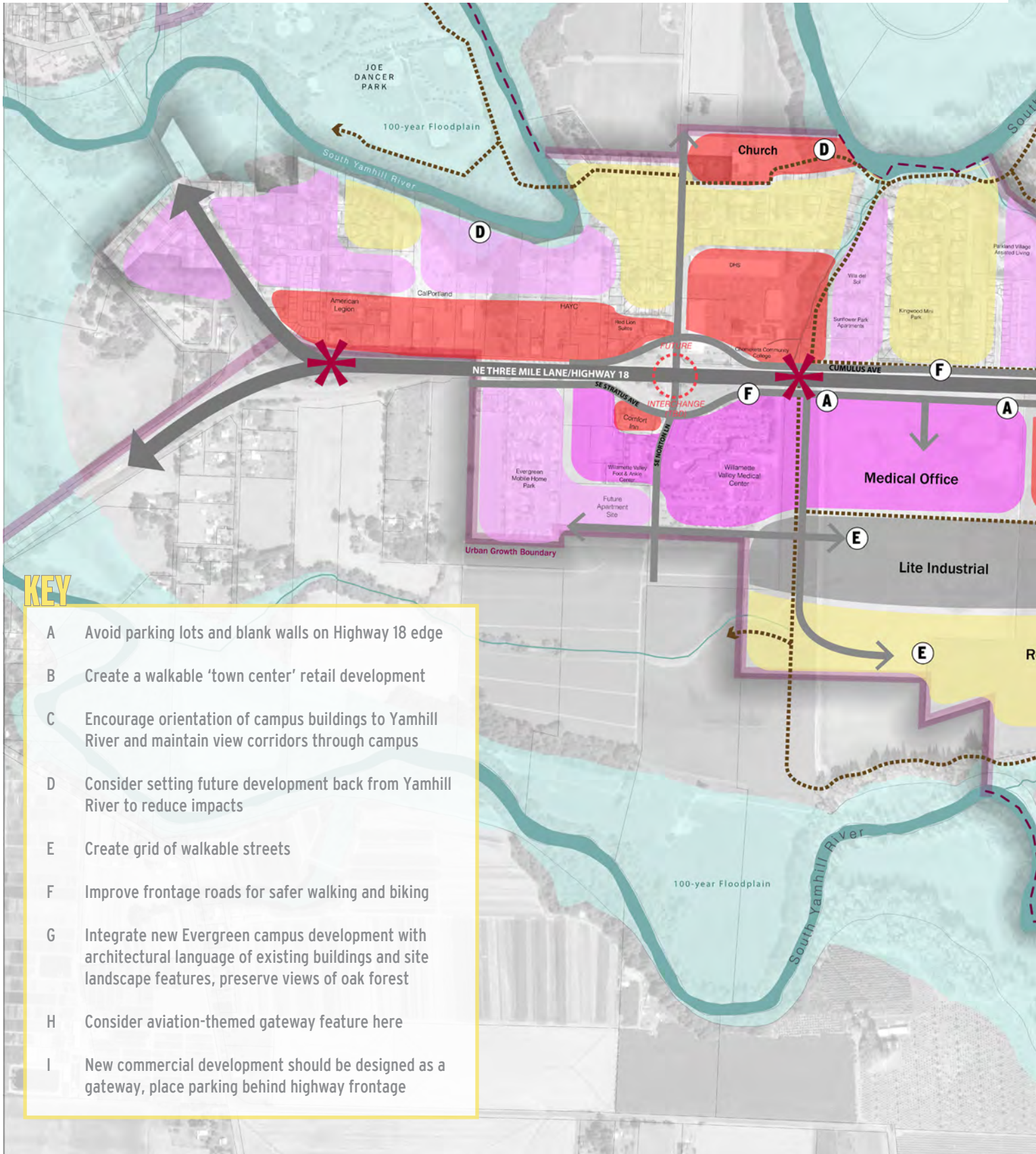


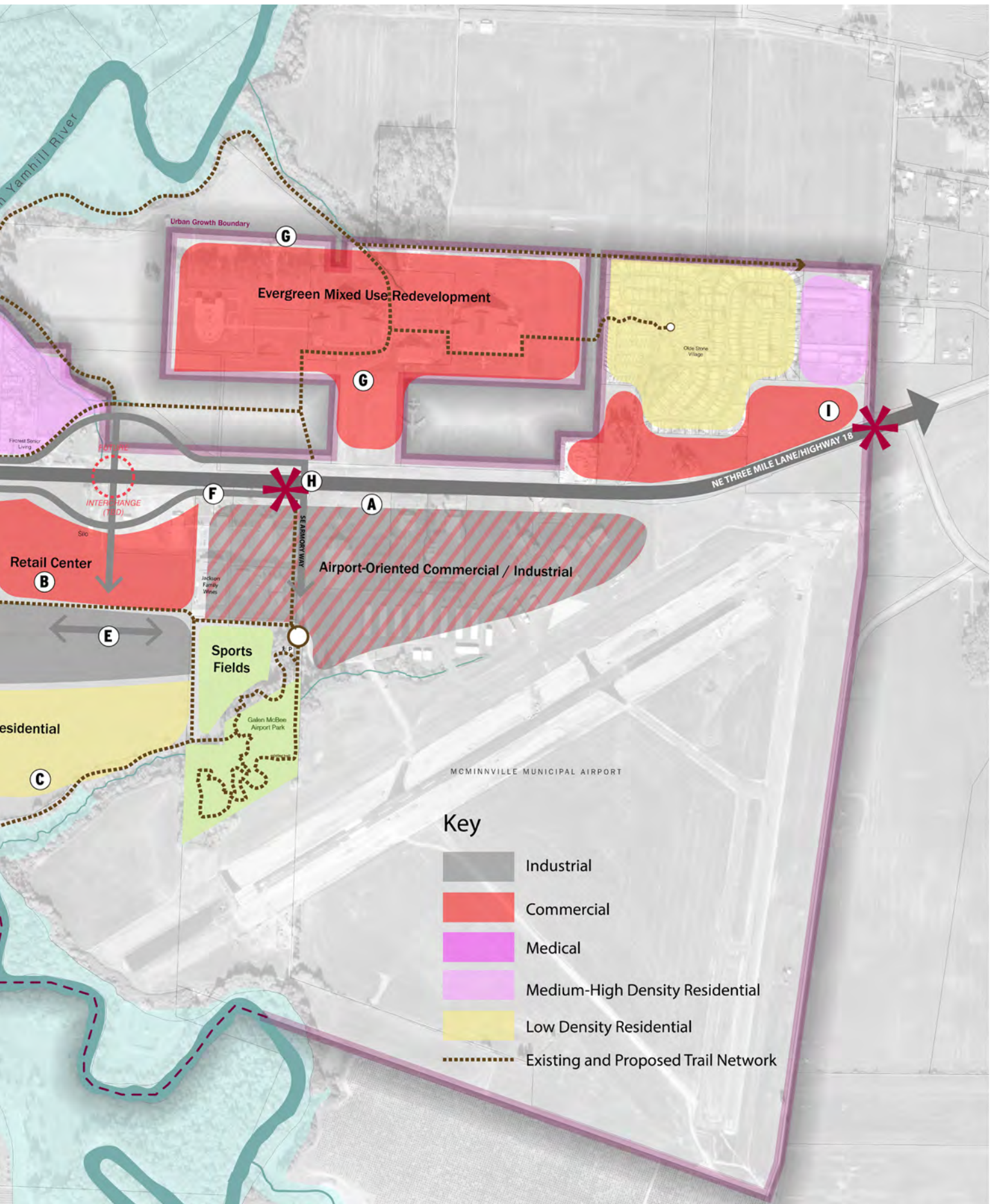
Corporate Campus



Retail Town Center

S. YAMHILL NEIGHBORHOOD





S. YAMHILL NEIGHBORHOOD

Providing a range of housing types and densities can help address the City’s housing needs. New residences are paired with a greater array of amenities such as parks, trails, and services. This concept includes an expanded Airport Park to serve new residents in the study area, with new trail connections west to new residential development. Design standards could promote site-specific landscape and building forms, including potential ‘agrihoods’ with integrated community gardens.

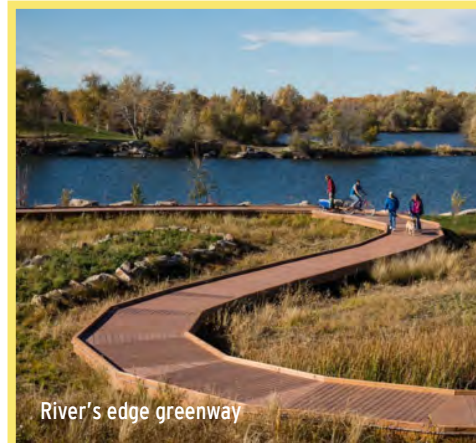
This concept roughly doubles the area for medical office space and potentially new hospital facilities near the Willamette Valley Medical Center south of Three Mile Lane.

A mixed-use redevelopment of the Evergreen Tourism Site includes a mix of residential uses like multifamily buildings or townhomes, office uses, and retail.

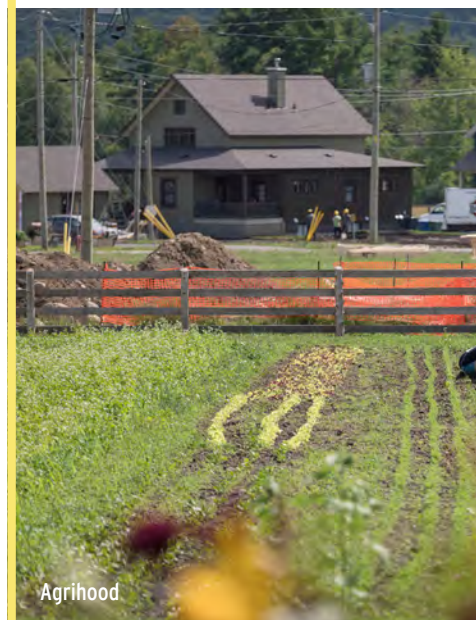
The Cal Portland site is redeveloped with commercial frontage on Cumulus Ave and residential uses to the north along the Yamhill River, matching the overall pattern of the rest of the neighborhood north of Three Mile Lane.

A light industrial area south of Three Mile Lane could include uses that minimize noise, traffic and night-time activity like warehousing, food and beverage, or light manufacturing. The southern edge should include a landscape buffer and link to the residential areas.

Gateway markers in this concept are located at the entrances to new recreation trails and serve as signals of entry to vehicles and to mark the pedestrian trail network.



River’s edge greenway



Agrihood



Cottages



Commercial Town Center



Small-scale light industrial



Agrifood



Townhouses



Affordable multi-family

GATEWAYS

Three Mile Lane will serve as a figurative gateway to McMinnville, and future design of Highway 18 improvements should consider opportunities for corridor design that respects the area's agricultural heritage and landscape character. There will also be opportunities for specific gateway features that physically mark this entrance to McMinnville. The images below present some design considerations for these features.



Large landscape design gestures, visible from fast-moving vehicles (and the air)



A modest-height, scrolling sculpture, perhaps with backlighting at night



A large-scale public art piece, perhaps dramatically lit at night

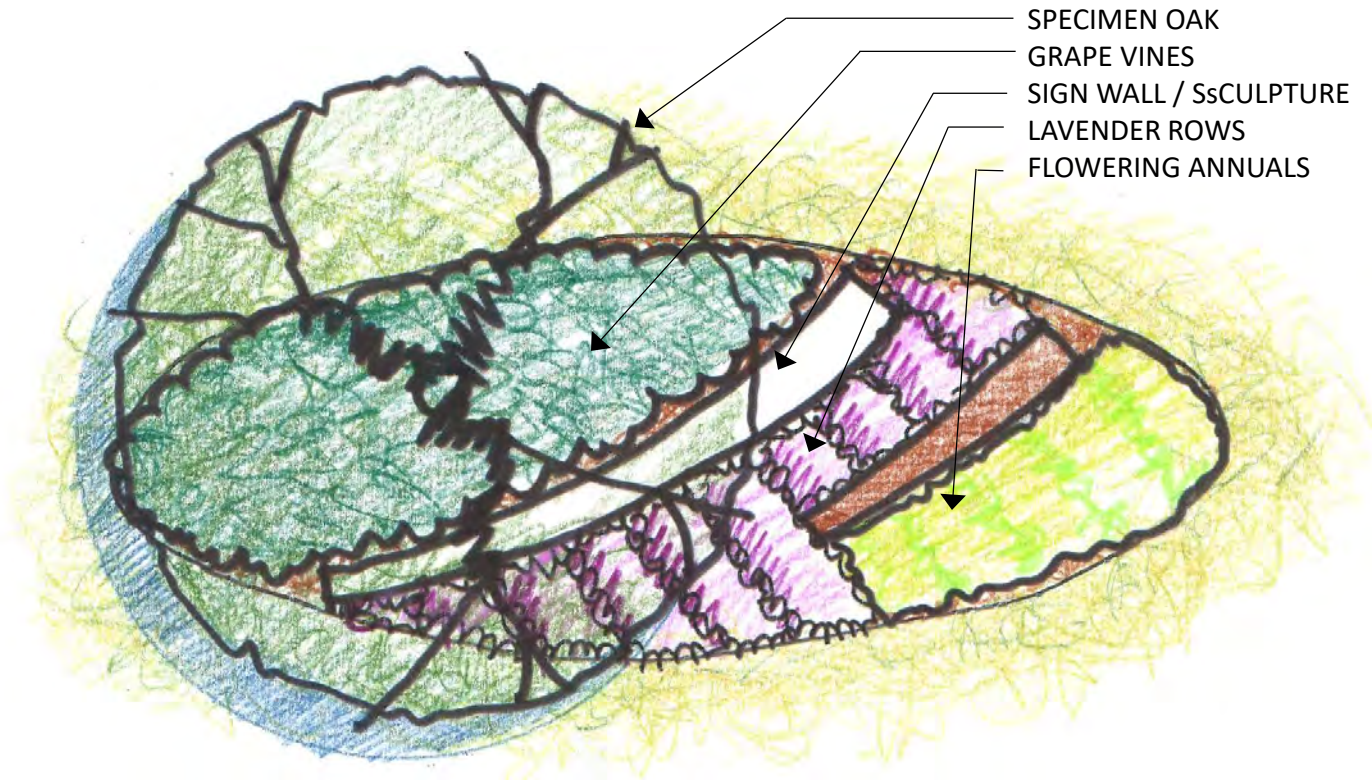


'Super-graphic' lettering on overpasses

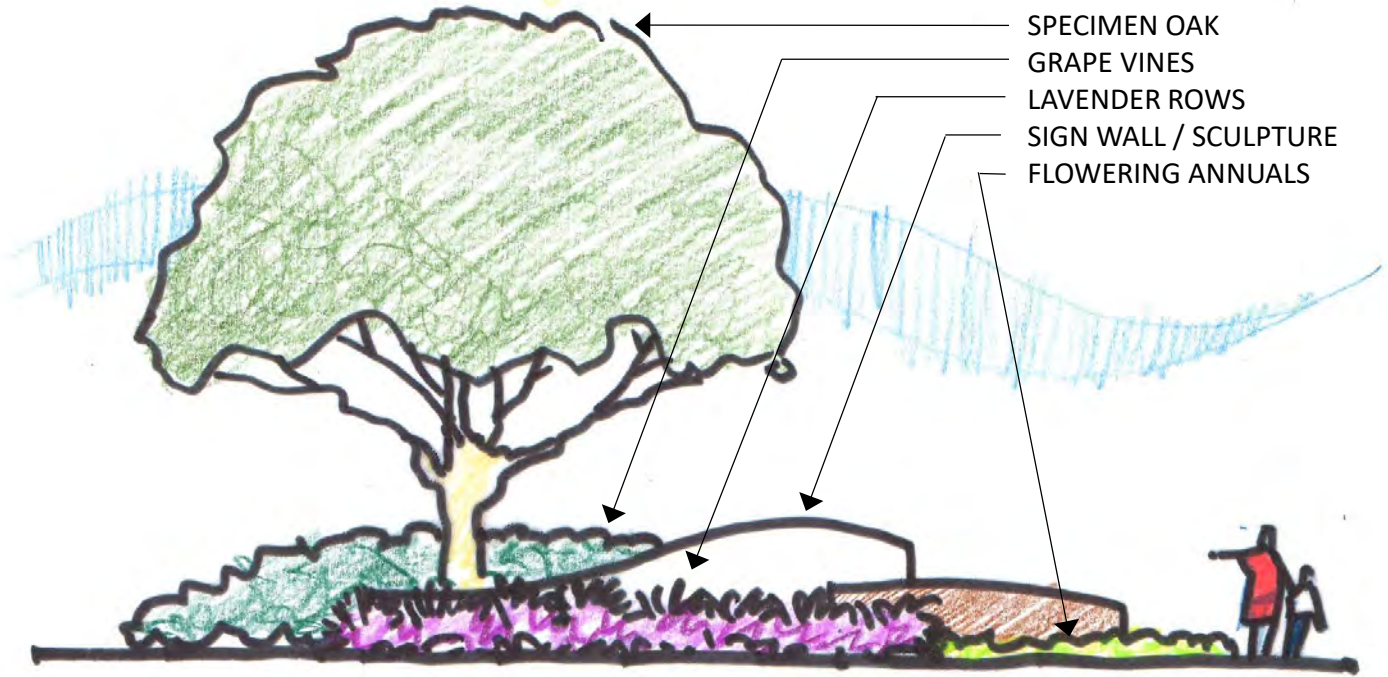


Vertical markers can be effective gateways and wayfinding features

DRAFT



PLAN VIEW



ELEVATION VIEW

CONCEPTUAL GATEWAY FEATURE SKETCH

COMPLETE STREETS DESIGN

The following table summarizes the street standards proposed in McMinnville’s 2010 TSP, with potential adjustments noted to enhance cyclist and pedestrian comfort.

	Major Collector Existing Standards	Notes	Local Residential Existing Standards	Notes
Right-of-Way	74'	<i>Increase to 80'</i>	50'	<i>Increase to 58'</i>
Speed	25-30 mph		15-25 mph	
Maximum Average Daily Traffic (ADT)	16,000		1,200	
Adjacent Land Use Intensity	Medium		Low	
Sidewalks	5' residential 10-12' commercial	6'	5'	<i>Increase to 6'</i>
Planter Strips	6' residential N/A commercial	8'	5'	<i>Increase to 6'</i>
Curb-to-Curb Street Width	44'	<i>Suggest 50'</i>	28'	
On-Street Parking Two Sides	N/A	<i>Possible in urban/ town center area</i>	yes	<i>Switch to one side parking if travelway too narrow...see below</i>
Bike Facility	2 lanes (5')	<i>Change to 8' buffered bike lanes (or cycle tracks)</i>	Shared Lane	<i>OK, with sharrow markings</i>
Median / Center Turn Lane	12'	<i>Ensure canopy trees planted</i>	None	
Travel Lane Width	2 Lanes (11')		See street width	<i>With on-street parking on both sides, the resulting travelway will be 14', two-way, which is narrow.</i>



Buffered Bike Lane



Cycle Track



PROPOSED 3ML MAJOR COLLECTOR STREET CROSS-SECTION



PROPOSED 3ML LOCAL RESIDENTIAL STREET CROSS-SECTION



June, 2019



Preferred Alternative: Land Use and Design Analysis

McMinnville Three Mile Lane Area Plan

DATE March 23, 2021

TO Heather Richards and Jamie Fleckenstein, City of McMinnville

FROM Darci Rudzinski and Andrew Parish, Angelo Planning Group
Ken Pirie, Walker Macy
Sam Brookham and Chris Zahas Leland Consulting Group

CC Michael Duncan, ODOT

INTRODUCTION

Background and Purpose

The goal of the McMinnville Three Mile Lane Area Plan planning project is to create a long-range, 20-year+ plan guiding future growth in the eastern-most area of the City. The purpose of this memorandum is to describe and evaluate the Preferred Alternative for the McMinnville Three Mile Lane Area Plan. The alternative is an outcome of a visioning and refinement process conducted with stakeholders, two advisory committees, and members of the public as described in the Process section.

This memorandum is organized as follows:

1. A brief overview of the process and context of the Three Mile Lane Area Plan project.
2. A detailed description of the Preferred Alternative along with illustrative graphics and precedent photographs.
3. An evaluation of the preferred alternative – how it meets the project’s goals and objectives and how the key features of the preferred alternative can be implemented.
4. A description of the next steps in developing the Three Mile Lane Area Plan.

Members of the project’s Technical Advisory Committee (TAC) and Citizens Advisory Committee (CAC) will be asked to review this memorandum, provide suggested modifications to the Preferred Alternative, and provide direction for implementation. The material contained herein will be adapted for a public event, tentatively scheduled for April 2021.

Process

The Preferred Alternative reflects community comments, the work of the project's advisory committees, and collaborative efforts between City staff and the consultant team. It is informed by a series of technical memoranda that are available on the project website, www.threemilelane.com.

Goals, Objectives, and Scoring Criteria.

An aspirational vision statement, community goals and objectives, and potential criteria to evaluate land use and transportation options for the Three Mile Lane area were developed early in the project. They were created to articulate the Three Mile Lane Area Plan's desired outcomes and help in the evaluation of options for the area. These materials were discussed in project advisory committee meetings and the subject of an online survey and a public open house.

Three Mile Lane Area Plan: Vision Statement and Project Goals

Project Vision Statement: The Three Mile Lane District is a vibrant community that serves as the gateway to Downtown McMinnville and Oregon Wine Country. Employment opportunities, attractive housing options, and tourist destinations characterize the area. Residents and workers enjoy safe and efficient options to travel to Downtown McMinnville and benefit from close proximity to a variety of goods and services, all easily reached by motorist, bicyclist, pedestrian, and transit rider alike. The connection to McMinnville's rich history and the surrounding landscape is reflected in urban design elements throughout the area, highlighting the uniqueness of this special place.

Goal 1: Support and enhance the district's economic vitality and marketability

Goal 2: Provide opportunities for a complementary mix of land uses, consistent with the vision of a diverse and vibrant district.

Goal 3: Enhance multi-modal connections throughout the district.

Goal 4: Create an aesthetically pleasing gateway to the City of McMinnville.

Based on this vision statement and project goals, the project team developed qualitative and quantitative criteria to evaluate land use and transportation alternatives. These will be discussed in the Evaluation section of this memorandum.

Alternatives Evaluation

Three alternative concepts were created to provide three distinct approaches for the buildout of new land uses, local street networks, and open space amenities. These land use concepts were

developed with input from the community and the project advisory committees, and through in-depth discussions between City staff and the consultant team. The purpose of this evaluation was to identify benefits and drawbacks, rather than to simply pick the highest-scoring concept, and incorporate the best-performing elements into the Preferred Land Use Alternative.

The three land use concepts are described generally below.

Concept 1: Industrial Campus. This concept is most similar to existing zoning south of Three Mile Lane. It allows for a large industrial user, potentially engaged in manufacturing or warehousing, in close proximity to retail services, Three Mile Lane, and other supportive or ancillary uses to the primary industrial employment use.

Concept 2: Corporate Campus. The most significant feature of this concept is a sizable commercially-zoned “corporate campus” and a mix of office/industrial uses south of Three Mile Lane, which would add a significant amount of new office space.

Concept 3: South Yamhill Neighborhood. Concept 3 includes residential land in the southern portion of the study area. Along with a greater number of housing units comes a greater need for amenities such as parks, trails, and services to serve the population.

These land use alternatives were complemented by two alternative designs for Three Mile Lane/Highway 18. The preferred facility option will be informed by additional transportation analysis and modeling and will be the focus of a separate memorandum.

Refinement of the Preferred Alternative

These three concepts were discussed and critiqued by City staff, the project’s TAC and CAC, and the broader public at a July 11, 2019 Town Hall meeting. Feedback received from these groups, particularly the CAC, led to the creation of the Preferred Alternative, described in detail in the next section. This feedback included:

- Support for a Retail Center and Corporate Campus for land south of Highway 18 (elements of Concept 2).
- Support for a mixed-use designation including residential uses at the CalPortland site (elements of Concept 1).
- Concern about the appropriateness of community-scale park uses and new residential uses in the eastern part of the study area due to their proximity to the McMinnville Municipal Airport.
- The need for road connections and public open space as part of the Corporate Campus concept.
- Concern with changing land use designations for developed residential areas.

Great Neighborhood Principles

In April 2019, the City of McMinnville adopted the Great Neighborhood Principles into the City’s Comprehensive Plan. Their purpose is to guide the land use patterns, design, and development of the places that McMinnville citizens live, work, and play. These 13 principles are listed in Figure 1, with additional details that suggest how these principles can be expressed in a site and context-specific way for the unique setting of the Three Mile Lane area.

Figure 1. Great Neighborhood Principles: Design Elements that express “McMinnville-ness”

1. Natural Feature Preservation

- Strive to protect tree groves
- Strive to protect individual trees
- Protect riparian corridors and adjacent native landscape



2. Scenic Views

- Provide and protect views to rolling hills and volcanoes
- Provide visual and physical access to North Yamhill River
- Orient streets and open spaces to views



3. Parks and Open Spaces

- Connect to Galen McBee Airport Park
- Create new gathering spaces that incorporate natural areas and views
- Plant landscapes that incorporate natives and exhibit seasonal variation



4. Pedestrian Friendly

- Provide a network of sidewalks and trails to connect people to key locations
- Incorporate shade streets with mature tree canopy

5. Bike Friendly

- Plan safe routes for residents and touring cyclists

6. Connected Streets

- Connect to existing street grid in the Three Mile Lane area



7. Accessibility

- Design new development for ease of use by all ages and abilities

8. *Human Scale Design*

- Respect typical scale of commercial uses in McMinnville
- Design to reflect the micro-climate—outdoor life, porches, balconies
- Promote inclusion and interaction within the right-of-way



9. *Mix of Activities*

- Encourage mixed-use development where feasible

10. *Urban-Rural Interface*

- Reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees
- Consider adjacency to agricultural fields and respect this heritage through careful transitions
- Design simple roof forms (industrial and agricultural). Height and distinctive forms of silos can be inspiration
- Consider functional site planning of vineyard and farm complexes as conceptual model for new development



11. *Housing for Diverse Incomes and Generations*

- Allow for a mix of future housing forms and types, respecting the current character of Three Mile Lane

12. *Housing Variety*

- Respect existing variety of housing types in Three Mile Lane and ensure diversity of design for future housing



13. *Unique and Integrated Design Elements*

- Ensure visibility from highway; Welcome to McMinnville
- Make functions of sites visible (airplanes, wine-making); continue expression of industry/making where applicable
- Aviation legacy: display large planes; consider sensation of low-flying planes, potential visual impact of sites from the air
- Consider local materials for cladding and building structure (timber, corrugated steel cladding, red brick)
- Use vibrant color

The Preferred Land Use Alternative

Key Features

The Preferred Land Use Alternative is shown in Figure 2. The defining characteristics south of the highway include a large (90-acre) area envisioned as a future retail center, and a large site for a potential corporate “Innovation Campus” to the south of this retail center. To the west, in areas near SE Norton Lane and the Willamette Valley Medical Center, opportunities for office and medical uses are envisioned. North of the highway is a new mixed-use designation is proposed on the current Cal-Portland site.

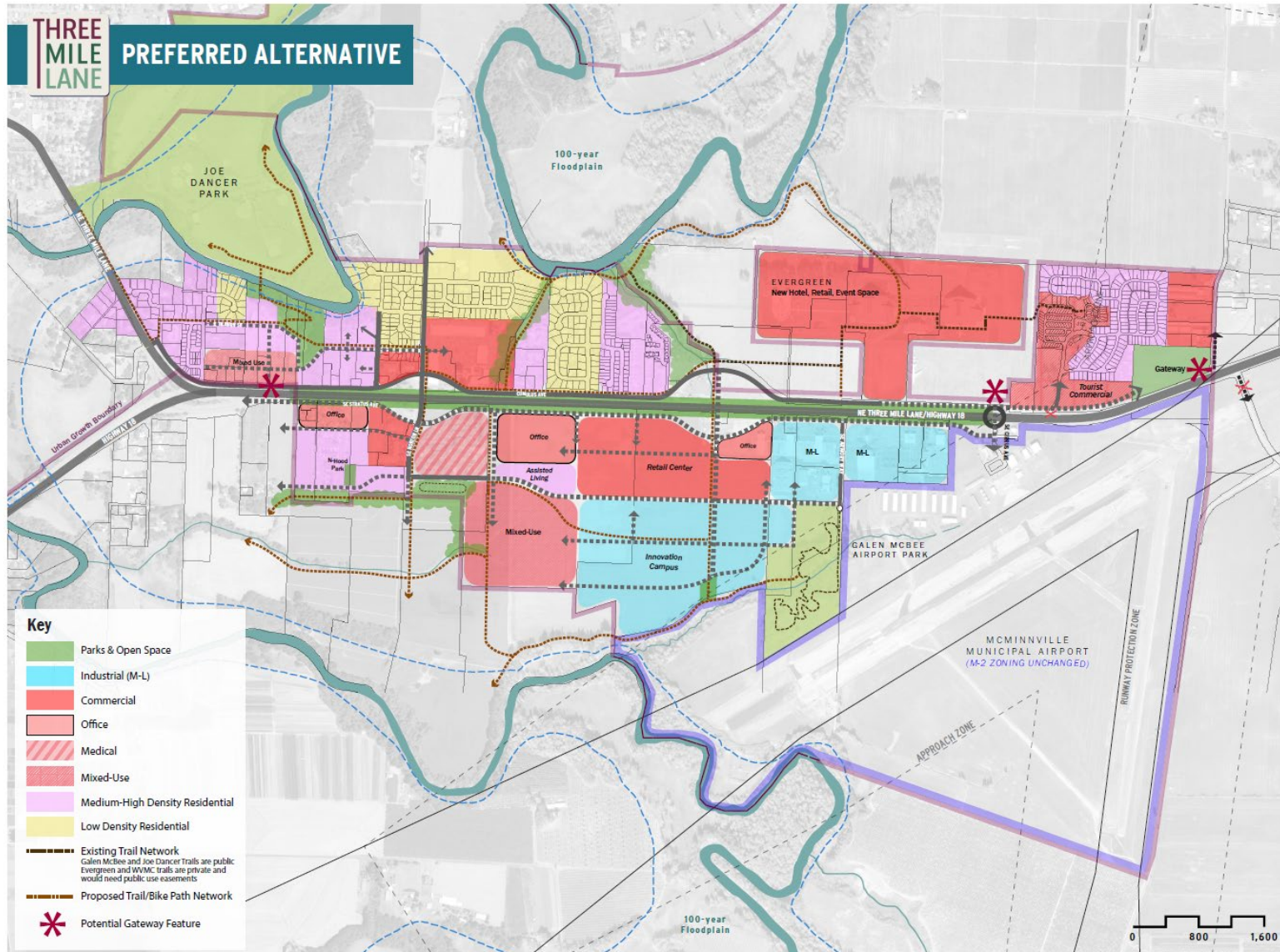
The Preferred Alternative is accompanied by context-sensitive urban design considerations that build on the Great Neighborhood Principles. These include:

- Avoid parking lots and blank walls on Highway 18 edge
- Create a walkable retail development with a “town center” feel (as described in following pages)
- Encourage orientation of industrial campus buildings to Yamhill River and maintain view corridors through campus
- Consider setting future development back from Yamhill River to reduce impacts
- Create grid of walkable streets
- Improve frontage roads for safer walking and biking
- Integrate new Evergreen campus development with architectural language of existing buildings and site landscape features, preserve views of oak forest
- Consider aviation-themed gateway features

Other land uses and features embodied in Figure 2 were discussed by project participants and viewed to be beneficial. Key features include the following:

- **Walkable Retail Development.** A central feature of the Preferred Alternative is a sizable, (over 30-acre) retail center south of Three Mile Lane at Cumulus. The quality of this development’s architecture and streetscape, the connectivity it provides to the street system south of Highway 18, and generally, how well it responds and contributes to McMinnville’s Great Neighborhood Principles will be key to the success of this plan in gaining public approval.
- South of this retail development is a prime location for a mix of corporate office and industrial users in an **Innovation Campus**. Due to its proximity to the Yamhill River, the campus has the potential for “Trail-Oriented Development,” an increasingly popular amenity-driven development trend which offers future users and tenants an appealing orientation to views of natural features.
- West of the retail center and industrial campus site, a **flexible zone of mixed office or industrial** uses is offered, providing potential sites for users drawn by the synergy of being close to larger corporate users, with subcontractors or suppliers in office or light industrial spaces.

Figure 2. Preferred Alternative Map



- **New mixed-use and health care-related uses** have been identified near the existing hospital. Housing, especially senior housing, is a very strong market opportunity. Building forms are expected to be horizontal mixed-use, rather than vertical mixed-use.
- The **Evergreen Tourism Area** is identified as a good location for new hotel, retail, and event space. The site is highly visible and suitable for a clustering of mutually beneficial uses. Travel-related commercial development is envisioned in the northeastern portion of the study area. This area is advantageously situated near the Evergreen complex, making it a good site for additional services and attractions for the traveling public.
- **New residential neighborhoods and continued development of existing neighborhoods** in locations in the western parts of the study area.
- **A cohesive trails system** that ties together major amenities and neighborhoods, with safe crossings of Highway 18 and a potential connection to Joe Dancer Park.

Opportunity Sites

The Preferred Alternative features some distinct areas where change is expected to occur over time. North of Three Mile Lane, the most notable change is the mixed-use designation in the northwest. South of the highway, land use designations that are distinctly different than what exists today include Medical commercial, office, and residential designations near the Willamette Valley Medical Center and the area of Commercial between the hospital and the McMinnville Municipal Airport. Specific features and design considerations for the Three Mile Lane's diverse areas are discussed in this section.

Mixed-use Area (CalPortland Site)

The Three Mile Lane Area Plan envisions continued growth and development in the northwest of the study area between Cumulus Ave and the Yamhill River. Additional households in the Three Mile Lane area will require and support local services, as well as the improved transportation connectivity envisioned with the Three Mile Lane Area Plan that will provide alternatives to Highway-18 for local trips. Existing residential neighborhoods are anticipated to see gradual infill and redevelopment in this area.

Locally serving retail and services have been a major discussion item during this planning process. As the area continues to evolve, providing more opportunities for a mix of uses, employment, and tourism, the existing industrial site on NE Cumulus Avenue may prove to be a more a lucrative site for something other than a ready-mix concrete plant. Allowing for a variety of commercial and residential uses in this area can provide additional housing, locally serving retail and other amenities, and enhanced multi-modal transportation connectivity. This area is well-suited for mixed-use development because it is large enough to accommodate and separate several uses in a way that responds to different context conditions. The site is also mostly flat with potential for good connections to the east and west.

This opportunity site extends between Highway 18 and a steep bluff overlooking the North Yamhill River, two adjacencies which will shape its eventual development. Most of McMinnville's Great Neighborhood Principles can be honored through future site master planning. This infill development can protect natural areas and views, connect to parks and open spaces, provide a

connected, bike and pedestrian-friendly neighborhood, and encourage mixed-use development with diverse housing types and unique, high-quality design. Retail or office uses are better suited to the more visible and accessible southern half of the site. Residential uses are best suited to the northern half, further away from the freeway, with views to the river and Joe Dancer Park.

KEY URBAN DESIGN ELEMENTS:

- Local street grid. Local streets can be logically extended through the site from the west (NE Atlantic) and the east (NE Dunn Place), creating access to the commercial and residential halves of the site, while a new central 'Main Street' can be extended north from NE Cumulus Avenue, bisecting the site and creating two crossroads intersections. The proposed street extending east-west across the northern half of the site follows the top of the bluff and should be designed as a well-landscaped parkway, with an adjacent multi-use trail which will eventually extend throughout the Three Mile Lane study area as a safe parallel route to Hwy 18.
- Building orientation. New buildings should be located to form an urban frontage, with no setbacks, at the intersections of local streets.
- Building and site design. Pedestrian-scaled ground floors, prominent entries, and canopies over sidewalks with street trees, on-street parking, and safe crossings. Surface parking will be located behind these frontages, separated from adjacent uses by well-landscaped green buffers.
- Natural features. Where the Main Street meets the bluff-top street, a public overlook can provide views to Joe Dancer Park and perhaps even a trailhead for a nature trail switch-backing down the bluff to a riverside trail system and a potential footbridge over the river connecting to the park and beyond to downtown.

Tourist Commercial

The Evergreen complex continues to draw visitors to McMinnville who support other local businesses in the Three Mile Lane area and beyond. The Preferred Alternative foresees the continuation and intensification of tourism-related uses as allowed by existing zoning designations. East of Evergreen, land is currently zoned for commercial uses along the highway and has the possibility of hosting more tourism- and travel-related commercial uses in the vicinity of the Aviation & Space Museum and waterpark. The Preferred Alternative envisions activities and uses related to visitors and the traveling public that could boost tourism and be mutually beneficial to existing attractions. A cluster of these uses in the northeast part of the study area could have a synergistic effect, strengthening McMinnville's and the region's reputation as a destination

KEY URBAN DESIGN ELEMENTS:

- Connectivity to the Evergreen complex. Perhaps the most important design element of this visitor-oriented area is connectivity to exiting Evergreen tourist uses. Providing a safe walking and biking connection parallel to Highway 18 would help integrate future development with the Evergreen attractions, which will continue to attract significant amounts of visitors.
- "Gateway" location. In addition, with a prominent location on the east entrance to McMinnville, this development opportunity area should be required to meet the City's Great Neighborhood Principles with high-quality design.

Health Care Area

Vacant parcels surrounding the Willamette Valley Medical Center are a significant opportunity for medical offices, housing for people reliant on medical services, and other uses that benefit from a health care cluster. As envisioned in the Preferred Alternative, existing industrial and high-density residential land and uses fronting the highway and in close proximity to the Medical Center could, over time, develop with housing – including assisted living and long-term care facilities - office uses, and services related to the hospital.

KEY URBAN DESIGN ELEMENTS

- Transitions between health care facilities and surrounding residential areas. Health care facilities are often active around the clock with bright lighting and they generate significant vehicle traffic. They also require a lot of delivery traffic and, in the case of a major medical center, helicopter use. Buffering between uses should be considered, particularly senior housing or market-rate apartments. Assisted living or nursing care facilities, however, would benefit from close proximity to the hospital.
- Transitions between health care facilities and other commercial uses. The scale and orientation of existing uses, as related to future uses should be considered. For example, while Senior Housing might benefit from a location within walking distance of a retail center, there should be careful site planning to ensure the housing isn't directly adjacent to loading or parking facilities. It may be most feasible to place health-care related housing with an orientation south towards views and the river.
- Walkability between uses. Convenient, safe connections between a variety of uses in this area will be important to current and future users.
- Visual quality of buildings facing Highway 18. New development should avoid placing loading docks or creating blank walls visible from passing vehicles.

Retail Center/Innovation Campus

A large area of currently vacant or farmed land stretching from the highway south to the Yamhill River provides a unique opportunity for future development. The design envisioned in the Preferred Alternative is the latest iteration in a process that began with a Property Owners' Workshop. This half-day workshop held at City offices included a presentation of existing site conditions, with confirmation from property owners of natural features, parcel ownership, access, and previous uses. A summary of market conditions was presented, with some suggested adjustments from the owners to reflect their individual research. The workshop concluded with a roundtable discussion of opportunities and constraints, including an exercise where prototypical program 'chips' scaled to the sites, were placed in a variety of potential arrangements to inform initial sketches of concept alternatives.

In addition to the focused property owner workshop, the City of McMinnville held a design charrette for the entire corridor study area with the Citizen Advisory Committee on April 8, 2019. Project participants have identified a number of key strengths, including high visibility from Highway 18, many large and/or underutilized parcels, proximity to the airport, concentration of

tourist amenities and medical uses, strong connections to regional assets, and an abundance of natural features. Specific opportunities the participants identified included: pedestrian bridges over the highway could provide needed connections at key points, the creation of special complete street standards to encourage biking and walking, requiring stormwater treatment and extensive street tree plantings on all study area streets, considering shared parking standards and ‘shadow platting’ to encourage future infill on surface lots, and opportunities for new residential at the south edge of the case study site and west of the hospital.

The retail market continues to evolve rapidly in response to the challenges of competing with online retail and market consolidation. One tactic that the retail industry has successfully used to attract and retain shoppers to brick and mortar establishments is the creation of mixed-use “town centers” that offer gathering spaces, walkable streets and more dining options than typical strip suburban developments or enclosed shopping centers. Mixed-use town centers offer a greater diversity of uses that typical retail developments, particularly as it pertains to entertainment and some office uses, with the latter providing critical daytime population for retailers.

Figure 3. Retail Center Precedent: Old Mill District, Bend, Oregon



Regionally-inspired architecture



Walkable Streetscape with Active Ground Floors

A retail center at Cumulus Ave. is a central feature of the Preferred Alternative. The design of this development, the connectivity it provides to the street system south of Highway 18, and how well it contributes to McMinnville’s Great Neighborhood Principles will be key in the success of this plan.

This almost 60-acre parcel is one of the largest regional sites with easy highway access. The site is flat and developable—a unique characteristic for a site of this size, and has a locational advantage being both near to the highway and the McMinnville Municipal Airport. Attachment A provides an example of how this site could develop, implementing design features desired in the Three Mile Lane Area, as well as provides photographic examples of many of the design elements discussed for this area.

Flexibility is key to attracting a corporate Innovation Campus. The City and/or developer would have to be opportunistic and actively market the property and McMinnville as a corporate destination. Early infrastructure investments and construction of housing and commercial amenities within walking distance of the property would help attract a corporate user, as would a clear but flexible vision and development plan for the property.

Figure 4. Retail Center Precedent: Northwest Crossing, Bend, Oregon



The overall goal is for new developments in the Three Mile Lane Area is to echo the features of traditional, older retail districts like downtown McMinnville. Figures 3, 4, and 5 show examples from other Oregon communities, with similar common features that include:

- Walkable, narrow main streets connecting through the center, with parallel or angled on-street parking in front of retail storefronts.
- Public gathering spaces, bordered by dining and entertainment attractions, featuring play areas and flexible space for programmed public events.
- Parking lots, generally located behind buildings, featuring wide pedestrian walkways, integrated stormwater treatment and ample landscaping including shade trees.

- High-quality architecture, sometimes themed in a regionally appropriate way, with buildings placed in prominent locations that contribute to the quality of the pedestrian experience, versus behind large surface parking lots.
- Building edges that create ‘frontage’ on walkable streets or pedestrian walks, with higher-quality materials, generous windows and pedestrian-scale signage in the first 20-30’ of elevation.
- Proximity and connection to a mix of other uses, to encourage walking from residential or office areas to the retail center.
- Generous landscape buffers between the retail center and roadways or parking lots while maintaining maximum visibility for retailers.
- A prominent entry to the site, with signage or a gateway feature.

Figure 5. Retail Center Precedent: Orenco Station, Hillsboro, Oregon



KEY URBAN DESIGN ELEMENTS

- Local identity. Maintaining the local identity through gateway design elements and development opportunities; establishing formal view protection corridors for Mt Hood, Mt Jefferson, and Amity Hills encouraging mixed uses whenever feasible; and mitigating the visual impact of development on the Highway 18 edge.
- Connectivity. Transportation and connectivity have been major themes during the planning process. Connectivity—in terms of internal circulation to parks and recreational features and surrounding neighborhoods—is essential.
- Parks and open space. The community has provided input on parks and open space opportunities, identifying the following: prioritizing connections to existing trails and open space (such as connections into Joe Dancer Park), creating a public greenway along South

Yamhill River with trail and connections to the study area and McBee Park, and increasing open space opportunities in the study area adjacent to residential uses.

EVALUATION

The Preferred Alternative provides a framework for potential future land use, transportation, and design elements in the Three Mile Lane area. This section evaluates the merits of the alternative and highlights the changes it represents, as compared to existing land use and development requirements. The next sections examine how the alternative meets the expressed goals and objectives for the area, the changes in land use it suggests, and how desired design elements may be achieved. Answers to questions embedded under these topic areas will lead to recommended actions that will help the City realize the vision of the Preferred Alternative over time.

Meeting Project Goals

The land use concept is intended to meet the goals for the area, included earlier in this memorandum, and help the City realize specific objectives associated with each of these goals. Earlier in the planning process evaluation criteria were suggested to help assess how well alternatives meet community goals and objectives.¹ The evaluation table included in this section employs these criteria once again to show how the Preferred Alternative can help achieve the City's goals. The table includes specific objectives related to individual project goals and indicates how elements of the land use concept perform.

Table 1. Project Goals and the Preferred Land Use Alternative

Evaluation Criteria	Preferred Land Use Alternative Findings
<i>Goal 1: Support and enhance the district's economic vitality and marketability</i>	
Amount and Type of Employment Land	A significant amount of commercial land is envisioned south of Three Mile Lane, refined to suit desired characteristics of a retail "town center." A corporate industrial campus is envisioned between the commercial area and the river. There is also an area identified for health-care related uses near the medical center and continued industrial/office opportunities near the McMinnville Municipal Airport.
Opportunities for Additional Goods and Services in the Area	The retail center, a mixed-use site, and the Evergreen complex and nearby Tourist Commercial area provide the opportunity for goods and services to serve locals and visitors alike.
Relationship with and Impacts	Land designated for employment uses within close proximity to

¹ See Evaluation of Land Use Concepts Section in the *Land Use and Transportation Facility Options and Evaluation* memorandum, June 5, 2019.

Evaluation Criteria	Preferred Land Use Alternative Findings
To the McMinnville Municipal Airport	the airport will not change; new opportunities for a neighborhood-serving commercial center and industrial campus with good connection to the airport.
Compatibility of uses adjacent to airport	The proposed commercial designation in the northeastern part of the study area and connections to the park and river have been refined from previous alternatives to better support the airport and its planned expansion.
Support for existing and new tourism opportunities	Significant commercial opportunities are identified throughout the district. Tourism-focused development of the Evergreen site and the “Tourist Commercial” area in the northeastern part of the study area will cater specifically to the travelling community.
<i>Goal 2: Provide opportunities for a complementary mix of land uses, consistent with the vision of a diverse and vibrant district.</i>	
McMinnville Great Neighborhood Principles	New residential areas are located in the western portion of the study area to create a greater concentration of activity, support new mixed-use development, and increase the likelihood of success for neighborhood-serving commercial. New roadway and trail connections will better connect the neighborhoods of Three Mile Lane to surrounding amenities and services. <i>Also, see Figure 1 and Table 7.</i>
Residential uses, mix, and location	Residential uses are located in the western portion of the study area. The CalPortland site has the opportunity for mixed residential and employment uses, and areas south of Highway 18 may be suitable for senior housing due to the proximity to the medical center.
Transit-supportive land uses	Major new retail, corporate industrial campus, and tourism areas, as well as higher-density housing, can help support transit in the area. The reconnection of Cumulus through the Chemeketa Community College site will be important for improving transit access.
<i>Goal 3: Enhance multi-modal connections throughout the district</i>	
Impacts to OR 18 as a key intercity/freight route.	Key trail and local roadway connections are shown in Figure 2. <i>Specific impacts to OR 18 will be evaluated as part of more detailed analysis for the preferred land use alternative.</i>
Vehicular connectivity through land use types (street density)	
Bicycle/pedestrian connections to key locations outside of the study area	
<i>Goal 4: Create an aesthetically pleasing gateway to the City of McMinnville</i>	

Evaluation Criteria	Preferred Land Use Alternative Findings
<p>Gateway features</p>	<p>The Preferred Alternative has three locations identified for gateway features to signal entry into the City of McMinnville and to help define the Three Mile Lane Area’s identity. Future design of Highway 18 improvements should consider opportunities for corridor design that respects the area’s agricultural heritage and landscape character. There will also be opportunities for specific gateway features that physically mark this entrance to McMinnville.</p>
<p>Building Design</p>	<p>Creating clear requirements for building and site design for the retail center, corporate industrial campus, and other opportunity areas is a priority for this process and will be expanded upon later in this memorandum.</p>
<p>Landscaping and Street Trees</p>	<p>The corporate industrial campus, retail center, and other uses can be compatible with high-quality landscaping. Implementation of these features will be the responsibility of private development and will be required as part of development review. Specific requirements for this area can be included in the City’s development requirements.</p>

Economic Findings

Mixed-use

There is strong demand for additional housing development of all types in McMinnville, and the area shown in the Figure 2 for Mixed-use is an attractive location for significant new construction. Mid-rise development will not only help diversify the housing stock but also improve prospects for neighborhood-scale retail by adding rooftops. The dominant use should be residential, with small opportunities for retail to support the needs of the neighborhood, for reasons detailed below.

The CalPortland site is positioned between downtown and large development sites along Highway 18, both of which are either currently or are planned for significant retail development. Retail on this site, therefore, should focus on serving the needs of the local neighborhood rather than looking to compete with either of these locations. Retail should be limited to the south of the site along Cumulus Ave, which provide around 700 feet of frontage and therefore plenty of development flexibility. The combination of existing market conditions and more competitive retail projects may result in horizontal, rather than vertical mixed-use projects, with housing behind frontage retail. At 11 acres, the site is large enough to accommodate high-quality, horizontal mixed-use product.

While Cumulus, the frontage road, provides good access and connectivity to the surrounding neighborhoods, other nearby locations, such as Chemeketa Community College and uses on college-owned property, have more direct access and better visibility to and from the highway for retail. Existing retail vacancies are therefore more likely to fill before there is demand for new development on the CalPortland site.

Parking will drive the scale and type of development on the CalPortland site. High minimum parking requirements for both residential and retail uses are likely to drive a low-density development type not necessarily in keeping with the City's vision for the area. While the market is unlikely to support the high costs of structured parking, alternative plans for parking should be explored to reduce the burden on the developer but still maintain an adequate parking supply, such as encouraging and codifying shared and on-street parking.

Developing a mixed-use project at greater density may require the City to explore incentives or partnerships that would bridge the feasibility gap. With that said, there are opportunities for additional development on adjacent land parcels, so this site could serve as a catalyst project and build market momentum, thereby improving prospects for a denser mixed-use project at a later date. Facilitating coordination efforts between property owners in the area can help.

For residential development, the existing frontage road (Cumulus) currently provides good access and connectivity to the surrounding area, but improving multimodal connectivity to adjacent land is critical to fostering a high-quality, pedestrian-friendly place. The site benefits from proximity to the river, so improving access to this amenity should be prioritized.

For retail, visibility, access, parking, and signage are critical. Enhancing Cumulus as a multimodal throughway to downtown and the center to the east would improve retail prospects for the CalPortland site, as well as for retail in general.

Travel Commercial

While the existing aviation-oriented uses in the Evergreen Tourism Area are already a regional attraction, there is a significant opportunity to build a substantial tourism hub which integrates additional compatible uses that leverage the region's strong wine industry and build and refine McMinnville's brand.

Specifically, the development of additional lodging and hospitality-related uses would help this area become a premium destination that continues to attract tourists of many different backgrounds and brings additional revenue into the City. Lodging would also likely add to the area's event space inventory, improving McMinnville's marketability for conferences and other events.

The Three Mile Lane Area plan provides a platform to develop a clear vision and brand for the Evergreen Tourism Area. A vision can provide the development community with the confidence to pursue a particular type of development that is consistent with what the City wants for the area. A land use program for the area could include a phasing plan that is consistent with current and future market conditions and trends.

Health Care

The economic analysis shows that medical uses is a growing retail type nationally. There is a forecasted demand for approximately 529,000 square feet of additional retail development within the market area over the next decade and part of that demand is for medical and professional offices that typically occupy retail spaces such as dentists and small medical clinics. Housing

demand, too, is strong in the area, especially the demand for senior housing given the forecasted growth in senior age groups. Areas in close proximity to Willamette Valley Medical Center provides opportunities for medical related goods, services, office, and housing.

Retail Center

The property owner workshop provided an opportunity to discuss ideas and information about future land uses and development with key property owners. This discussion was founded on information in the market analysis and a broader discussion of visions, criteria, and principles. The market analysis, for example, provides high-level trends and analysis to indicate development opportunity. Meeting with property owners revealed specific details about the sites, project phasing, and realistic goals and visions for development.

With information from the workshop, the project team develop three alternatives (i.e., case study concepts). Each concept included a description of its primary theme or differentiator as well as key aspects related to its interface with existing adjacent uses and potential phasing implications. A high-level economic impact assessment for each alternative provided an estimated summary of the number of jobs created, the increase in the tax base, and other economic impacts that would result due to the area's development.

The property owner workshop and resulting Case Study Report helped identify opportunities for large-scale retail and employment, as well as continuing housing development. The area's existing industrial designation limits the number of uses allowed in the area; changing to a commercial designation provides for a greater degree of flexibility to respond to fluctuations in market dynamics.

McMinnville is poised to capitalize on strong retail demand and its location in the region. The McMinnville retail trade area extend all the way to the Oregon Coast due to the lack of prominent commercial centers between the Willamette Valley and the coast. However, much of this retail market remains untapped, and the Three Mile Lane study area is poised to capture a significant portion of demand with a diverse array of commercial development. Such development would help foster a sense of place, provide amenities for residents and visitors, and have a significantly greater economic impact than a development build-out comprising simply of traditional industrial.

Corporate Industrial Campus

A large, flat, developable site of this scale is unique in the region and should attract interest from regional and national employers. The campus may be a prime location for light or craft industrial that could align with the City's vision for the area and provide secondary tourism benefits if new development includes experiential or retail components.

With that said, the development of a large campus is likely to be a market-driven initiative. Employment growth in the industries of healthcare and education can be expected to drive most of the demand for new office development. Demand for campus-style industrial is likely tied to food product manufacturing or aviation. However, the emergence of a large corporate user is difficult to forecast, and successful recruitment and the timing of development will require coordinated

marketing efforts between the property owner, the City, and local and regional economic development partners.

In fact, development of such a site requires the City to actively market to the development community. Marketing a prospective campus should also involve a compelling story for why McMinnville is an attractive for a corporation to locate. McMinnville's high quality of life, cultural amenities, business incentives, and proximity to the Portland metro region may indeed be sufficient in attracting a larger company. Additionally, target users could include existing companies looking to expand.

This should also be tied to economic development efforts that consider the broader city-wide needs that would come with the addition of a large employer. These needs would include workforce, housing, transit and transportation, and others. For example, a large corporate user would require additional housing to meet growth from employment. Infrastructure investment will also be critical. The City should not necessarily make early investments without knowing the needs of a prospective corporate user, as these infrastructure needs will greatly vary. They should, however, develop a plan that outlines their intent and be prepared to act quickly in order to attract a user.

Existing Regulatory Framework

The following is an overview of existing requirements that govern how land can be used within the Three Mile Lane area and an evaluation of the changes envisioned with the Preferred Alternative. The most pronounced differences between what is allowed today and the Preferred Alternative lie within the opportunity areas; these are the focus of the evaluation.

Existing Requirements

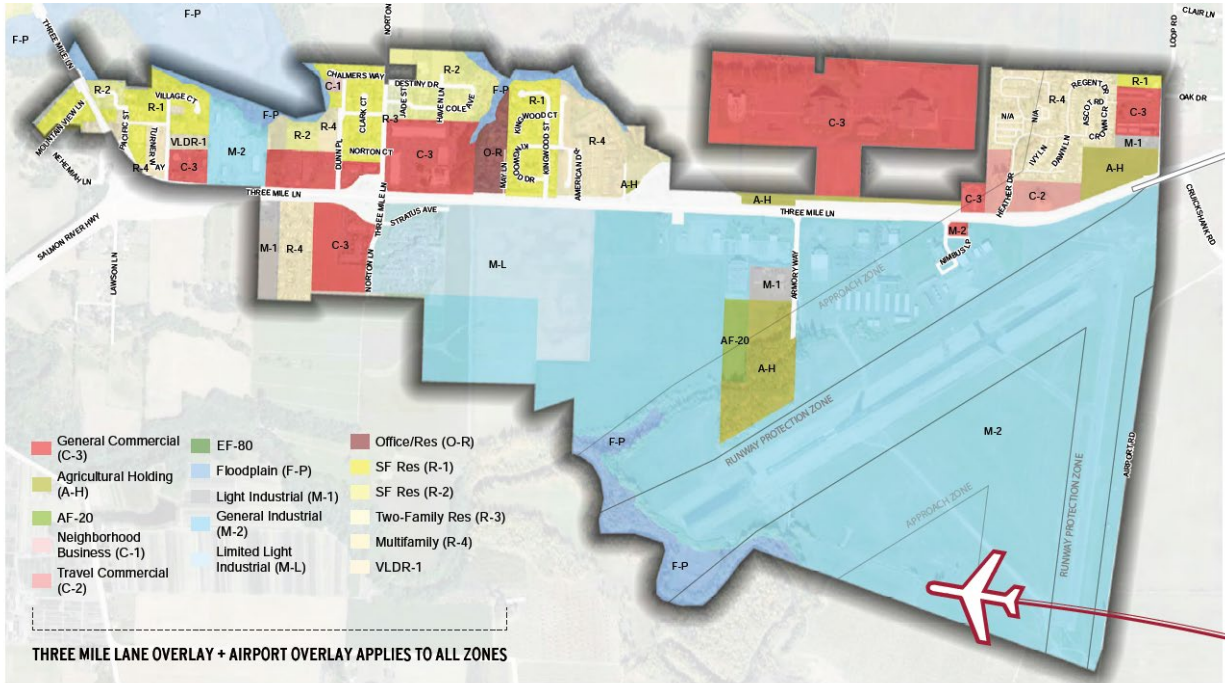
Land use and development in the Three Mile Lane area are currently regulated by the City's Zoning Ordinance and the Three Mile Lane Planned Development Overlay. The Zoning Ordinance governs uses, density, and dimensional requirements for zoning districts in the area, as well as site design and permitting requirements. The Planned Development Overlay contains requirements specific to the Three Mile Lane area that either modify or are in addition to underlying zoning standards.

Zoning

Zoning Ordinance Chapters 17.12 – 17.48 specify the allowed uses and associated regulations for each zoning district in the City. The predominant zoning designation (by acreage) within the study area is Industrial. Most of the land in the study area south of Three Mile Lane is designated General Industrial (M-2) or Limited Light Industrial (M-L). Much of this industrial land is occupied by the McMinnville Municipal Airport. On the north side of Three Mile Lane, there are large areas zoned General Commercial (C-3), including the area that includes the Evergreen Aviation & Space Museum and water park; a small area zoned Travel Commercial (C-2); and a mix of residential zoning. Most of the area zoned for Single-Family Residential (R-1 and R-2) is found in the northwest portion of

the study area. Multiple-Family Residential (R-4) zoning is found in separate areas in the northwest, northeast, and southwest portions of the study area.²

Figure 6. Existing Zoning Designations



Development Standards

In the industrial districts, the M-L zone is largely limited to manufacturing and related uses with limited external impacts, while the M-2 zone allows most industrial uses. In the M-L zone, properties are subject to maximum building heights of 60 feet and minimum setbacks from Three Mile Lane of 120 feet from the centerline. Development in the M-2 zone is not subject to these review requirements. Maximum building height in the M-2 zone is 80 feet and no minimum yard setbacks are required, except adjacent to residential zones.

A wide variety of commercial uses are permitted in the C-3 zone, including commercial recreation facilities, large format retailers, gas stations, and hotels. The maximum height in the C-3 zone is 80 feet and no minimum yard setbacks are required, except adjacent to residential zones. The C-2 zone only covers a small area near the eastern edge of the study area. Permitted uses are largely limited to travel-related uses such as lodging, restaurants, and gas stations. Building height is limited to 45 feet, and the minimum front setback is 30 feet.

² The Airport Overlay Zone (Zoning Ordinance Chapter 17.52) also regulates uses in the Three Mile Lane area. Its intent is to prevent structures or uses that obstruct the safe flight of aircraft in the vicinity of the McMinnville Municipal Airport. Requirements of this overlay are not detailed here, as the Preferred Land Use Alternative assumption is that Airport-related uses will continue to be permitted according to existing City code requirements. The area adjacent to the airport is expected to continue to develop as an airport-oriented commercial and industrial center, reflecting the economic value and potential of this infrastructure.

In the residential zones, density is controlled by minimum lot area per family (or per unit). Within the study area, minimum lot areas are as follows:

- R-1 – 9,000 sf (9,000 sf for two-family corner lots)
- R-2 – 7,000 sf (8,000 sf for two-family corner lots)
- R-3 – 6,000 sf (8,000 sf for two-family corner lots)
- R-4 – 1,500 sf per unit with 2 bedrooms or fewer; 1,750 sf per unit with three bedrooms

The maximum height in the R-4 zone is 60 feet, while the remaining residential zones are limited to 35 feet.

Development within the study area is also subject to floodplain (Chapter 17.48), landscaping (Chapter 17.57), tree (Chapter 17.58), off-street parking (Chapter 17.60), and sign regulations (Chapter 17.62, Planned Development Overlay) requirements.

Three Mile Lane Planned Development Overlay

The 1981 Three Mile Lane Planned Development Overlay outlines several provisions related to the development of properties in the Three Mile Lane area. A 1994 ordinance amending the overlay added a set of detailed provisions related to commercial signage. Provisions include:

- Required 120-foot setback from the centerline of Three Mile Lane
- Access requirements:
 - Minimize access onto Three Mile Lane
 - Provide on-site circulation systems connecting to adjoining properties
 - Provide acceleration-deceleration lanes and left-turn refuges when necessary
 - Provide bikeway connections
- Landscaping and buffering along the highway frontage may be required
- Mixed housing-type residential developments encouraged
- Temporary signage allowed

Development Approval

Development subject to a land use review process within the Three Mile Lane area include the following:

- Plans for proposed uses in the M-L zone. Industrial uses in the M-L zone must be approved by the Planning Commission, after evaluating impacts such as noise, traffic generation, air and water pollution, and appearance.
- Zone changes within the Three Mile Lane Planned Development Overlay. Zone changes in this area are evaluated using Planned Development Overlay standards and procedures and approved by Planning Commission.
- New commercial structures larger than 25,000 square feet of gross floor area. Director approval is required through Large Format Commercial Design Review.

- Signage in areas designated commercial and industrial. Approval by the Three Mile Lane Design Review Committee, after evaluating compatibility and design elements such as color, material, size, form, and relationship to site and building design.

All development within the Three Mile Lane Planned Development Overlay must be approved by the Three Mile Lane Design Review Committee (Ordinance 4572, Section 6(A)).

Preferred Alternative

As described previously, there are particular areas within the Three Mile Lane area that present the greatest opportunities for change. This section compares proposed designations and current zoning for each opportunity area in a series of tables. For each area, there are a series of questions, the answers to which will guide implementation of the Three Mile Lane Area Plan.

As part of plan adoption, the City has an opportunity to modify land uses and requirements either through rezoning or as part of an overlay.

Mixed-use Area (CalPortland)

Table 2. Land Use: Mixed-use Area

Mixed-use Area	
Proposed Designation	Current Zoning
Mixed-use	R-1
Medium-High Density	R-2
	M-2
	C-3

NOTES

- Uses permitted in the City’s Multiple Family Residential (R-4) and General Commercial (C-3) zones generally meet the purpose statement of the Mixed-Use designation.
- The R-4 zone allows single family dwellings (including attached), duplexes, and accessory dwelling units. Building height is limited to sixty feet.
- Uses permitted in the C-3 zone include commercial recreation facilities, large format retailers, gas stations, and hotels. The maximum height in the C-3 zone is 80 feet and there are no minimum yard setbacks required for commercial uses.

QUESTIONS

- Should all residential use types be allowed outright in the Mixed-Use designation?
- Are there commercial use types that are should be restricted in the Mixed-Use designation?
- Should a mix of uses be *required*? If so, should this requirement apply to development proposals over a certain size? Would the requirement apply to only multi-story development?

Tourist Commercial

Table 3. Land Use: Tourist Commercial

Tourist Commercial	
Proposed Designation	Current Zoning
Tourist Commercial	R-4
	C-2
	C-3

NOTES

- The R-4 zone allows single family dwellings (including attached), duplexes, and accessory dwelling units. Building height is limited to sixty feet.
- Uses permitted in the C-3 zone include commercial recreation facilities, large format retailers, gas stations, and hotels. The maximum height in the C-3 zone is 80 feet and there are no minimum yard setbacks required for commercial uses.
- Uses in C-2 Travel Commercial Zone are limited:
 - **Permitted Uses:**
 - Automobile Service Station
 - Gift Shop
 - Lodging
 - RV Park
 - Restaurant
 - Bed and Breakfast
 - Short term rentals
 - **Conditional Uses:**
 - Commercial recreation
 - Repair garage
 - School

QUESTIONS

- Considering the existing uses on the Evergreen site and the land available for development, should the existing C-3 zoning be retained? Are there any use additions or exemptions that should be captured in the plan?
- Given that one of the Preferred Alternative’s focus is to provide more opportunities for tourism-related uses, are C-2 uses appropriate for areas east of the Evergreen complex?

Health Care

Table 4. Land Use: Health Care

Health Care	
Proposed Designation	Current Zoning
Office	R-4
Medium-High Density Residential	C-3
Medical	M-1
Mixed-use	M-L

NOTES

- The R-4 zone allows single family dwellings (including attached), duplexes, and accessory dwelling units. Building height is limited to sixty feet.
- Uses permitted in the C-3 zone include high-density residential and office. Allowed conditional uses include adult day care, or similar use called by a different name or that is a State licensed facility.
- The M-L (Limited Light Industrial) zone is intended to create, preserve, and enhance areas containing manufacturing and related establishments with limited external impact and with an open and attractive setting. Hospitals and medical offices are permitted uses, as is light manufacturing, aerospace industries, warehousing, wholesale distribution, and tasting rooms.
- M-1 (Light Industrial) zone allows all the uses permitted in the M-L zone, plus a wider range of manufacturing, assembly, packaging, or treatment of products from previously prepared or processed materials. Additional permitted uses include warehousing, wholesaling, and limited commercial uses.

QUESTIONS

- Should the overlay restrict commercial uses to those related to medical office and medical services?
- For areas currently zoned for industrial or high-density residential and could not develop/redevelop with all the use types envisions, should the areas be allowed to rezone to C-3, with overlay restrictions?

Retail Center

Table 5. Land Use: Retail Center

Retail Center	
Proposed Designation	Current Zoning
Commercial	M-2

NOTES

- The M-2 General Industrial Zone allows for large and impactful industrial development, including all uses allowed in the M-L and M-1 zones.

- A commercial designation of C-3 would allow a broad range of commercial development. The specific uses, site design, and architectural features envisioned by this planning effort are not required in the code today, and are therefore recommended for inclusion in the Three Mile Lane Overlay Zone.

QUESTIONS

- What level of regulatory control should the City use to implement requirements for the Retail Center? What site design standards should be required? What design elements related to future structures should be included in guidelines or codified as requirements?
- Highway visibility and the style/quality of signage will be important for retail users and for the community as a whole. Are there specific sign requirements/restrictions desired?

Innovation Campus

Table 6. Land Use: Corporate Campus

Corporate Campus	
Proposed Designation	Current Zoning
Industrial (<i>no proposed change</i>)	M-2
	AF-20
	A-H

NOTES

- No change in land use designation is recommended
- Portions of the area are zoned AF-20 and A-H (Agricultural Holding). These are generally associated with Galen McBee Airport Park and not expected to change.

QUESTIONS

- Should the overlay zone require a minimum lot size or other measure to ensure that this space is available specifically for a corporate campus or similar user?
- Design of such a campus will ultimately depend on the needs of the end user. What are the most important elements (e.g., a publicly-accessible park, a connected street grid) that the plan should address or the City should require?

Design Features

Community expectations for the future of the Three Mile Lane Area Plan include ensuring that future development will reflect and respect the unique features of the area and will enhance a neighborhood feel. This section evaluates how the City currently addresses the design features explored in the Preferred Land Use Alternative section through development requirements. Table 7

lists the features, existing requirements, and recommendations on how they might be achieved in the Three Mile Lane area.

Through the development and implementation of the Three Mile Lane Area Plan the City has the opportunity to set land use and transportation policy and create and implement standards and guidelines that will help the community realize the vision for this area.

Table 7. Design Requirement Evaluation

Design Feature	Existing Requirements <i>(Zoning Ordinance, Three Mile Lane Planned Development Overlay)</i>	Possible Three Mile Lane Area Plan (3MLAP) Recommendations and Overlay Requirements
1. Natural Feature Preservation		
<ul style="list-style-type: none"> • <i>Strive to protect tree groves</i> • <i>Strive to protect individual trees</i> 	<p>Proposed multi-family, commercial, office and industrial development must be landscaped (§17.57.030). Landscaping plans must show the existing locations of trees over six inches in diameter, their variety, and if they are to remain or be removed (§17.57.060).</p> <p>The removal of individual significant or historic trees or the removal of trees as part of a proposed development subject to site plan, tentative subdivision, or partition review is subject to City approval (§17.58.040).</p>	<p>New policy, adopted as part of 3MLAP. Consider identifying tree groves and tree types to be protected and develop requirements for preservation.</p>
<ul style="list-style-type: none"> • <i>Protect riparian corridors and adjacent native landscape</i> 	<p>Flood Area Zone (§17.48) restrictions.</p> <p>Landscaping required for all development except single-family and two-family residential (§17.57.030).</p>	<p>Confirm riparian corridors are mapped and subject to Chapter 17.48.</p> <p>Require mapping and protection of stream corridors and re-vegetation with native plantings.</p>
2. Scenic Views		
<ul style="list-style-type: none"> • <i>Provide and protect views to rolling hills and volcanoes</i> • <i>Provide visual and physical access to North Yamhill River</i> • <i>Orient streets and open spaces to views</i> 	<p>None.</p>	<p>New policy, adopted as part of 3MLAP.</p> <p>Require viewshed protection as part of Design Review.</p>

Design Feature	Existing Requirements <i>(Zoning Ordinance, Three Mile Lane Planned Development Overlay)</i>	Possible Three Mile Lane Area Plan (3MLAP) Recommendations and Overlay Requirements
3. Parks and Open Spaces		
<ul style="list-style-type: none"> • <i>Connect to Galen McBee Airport Park</i> 	None.	<p>Proposed trail connecting to Galen McBee Airport Park loop trails and extending access to the South Yamhill River shown in the preferred alternative; plan adoption will modify transportation system plan.</p> <p>Require connection to proposed trail, trail right-of-way dedication, and trail construction as part of Design Review/development approval.</p>
<ul style="list-style-type: none"> • <i>Create new gathering spaces that incorporate natural areas and views</i> 	None.	New policy, adopted as part of 3MLAP; require as part of Design Review.
<ul style="list-style-type: none"> • <i>Plant native landscapes with seasonal variation</i> 	Proposed multi-family, commercial, office and industrial development must be landscaped (§17.57.030). For industrial, commercial, and parking lot uses landscaping must be 7% of gross area; for multi-family the requirement is 25% of gross area. The Landscape Review Committee approves proposed landscaping; an approval criterion is compatibility with the proposed project and the surrounding and abutting properties.	New policy, adopted as part of 3MLAP. Define approved planting list in plan or in overlay zone.
4. Pedestrian Friendly		
<ul style="list-style-type: none"> • <i>Provide a network of sidewalks and trails to connect people to key locations</i> 	Complete Streets standards require sidewalks (§17.53.101 Streets). Sidewalks must be 10'-12' feet wide in commercial areas to accommodate the Pedestrian zone. Street trees must be placed in tree wells; street trees, furniture and business accesses must meet ADA	<p>Proposed trail system shown in the preferred alternative; plan adoption will modify transportation system plan.</p> <p>Proposed Complete Streets Design increases sidewalk width.</p> <p>Expand pedestrian walkway/connectivity standards to</p>

Design Feature	Existing Requirements <i>(Zoning Ordinance, Three Mile Lane Planned Development Overlay)</i>	Possible Three Mile Lane Area Plan (3MLAP) Recommendations and Overlay Requirements
	<p>requirements.</p> <p>Pedestrian ways, 10' or greater in width, may be required to "connect to recreation or public areas such as schools, or to connect to existing or proposed pedestrian ways (§17.53.103 Blocks)."</p> <p>Pedestrian walkway standards apply to Large Format Retail; site design requires connections between buildings and from building entrances to streets (§17.56.050.C.2).</p>	<p>apply to all commercial and office development.</p>
<ul style="list-style-type: none"> • <i>Shade streets with mature tree canopy</i> 	<p>Street Tree Planting (§17.58.080) and Planting Plan (§17.58.100) required for new multi-family development, commercial or industrial development, subdivisions, partitions, or parking lots.</p>	<p>New policy, adopted as part of 3MLAP. Define approved tree list in plan or in overlay zone. Require as part of Design Review.</p>
<p>5. Bike-Friendly</p>		
<ul style="list-style-type: none"> • <i>Plan safe routes for residents and touring cyclists</i> 	<p>Complete Streets standards require bike facilities (§17.53.101 Streets). Minimum bike lane width is 5' on arterial and 4' on collector streets.</p>	<p>Modified Complete Street standards require buffered bike lanes (or cycle tracks) on collector streets and sharrow markings for shared lanes on local residential streets.</p>
<p>6. Connected Streets</p>		
<ul style="list-style-type: none"> • <i>Connect to existing street grid in 3ML</i> 	<p>Street locations must be consistent with adopted comprehensive plan and subdivision standards (§17.53.101 Streets).</p>	<p>Proposed local street connections shown in the preferred alternative; plan adoption will modify transportation system plan.</p>

Design Feature	Existing Requirements <i>(Zoning Ordinance, Three Mile Lane Planned Development Overlay)</i>	Possible Three Mile Lane Area Plan (3MLAP) Recommendations and Overlay Requirements
7. Accessibility		
<ul style="list-style-type: none"> • <i>Design new development for ease of use by all ages and abilities</i> 	<p>Complete Streets standards require sidewalks and bike lanes (§17.53.101 Streets). Sidewalks must be 10’-12’ feet wide in commercial areas to accommodate the Pedestrian zone. Street trees must be placed in tree wells; street trees, furniture and business accesses must meet ADA requirements.</p>	<p>New policy, adopted as part of 3MLAP. Modified Complete Street standards increase sidewalk and planter strip widths and require buffered bike lanes (or cycle tracks) on collector streets and sharrow markings for shared lanes on local residential streets.</p>
8. Human Scale Design		
<ul style="list-style-type: none"> • <i>Respect typical scale of commercial uses in McMinnville</i> 	<p>Building heights in C-3 zone limited to eighty feet (§17.33.040). No size limits; new commercial structures over 25,000 square feet gross floor area subject to Director’s Review/notification. Large Format Retail (Chapter 17.56) requirements address building façade, roof features, and site design (buffering, pedestrian walkways, parking, landscaping), and innovative energy efficient design and construction technologies. Parking spaces shall be provided at no more than 120 percent of the minimum required Large Format Retail site design requirements (§17.56.050) set an off-street parking maximum (no more than 120 percent of the minimum required by Chapter 17.60, Off-Street Parking and Loading).</p>	<p>Requirements for commercial building size and massing. Additional guidelines or standards related to façade treatments. Standards for parking maximums for all uses. Parking lot location requirements for commercial uses.</p>
<ul style="list-style-type: none"> • <i>Design to reflect the micro-climate—outdoor life, porches, balconies</i> 	<p>Large Format Retail pedestrian walkway standards include awning requirements (§17.56.050.C.2.b). Awning are included in Downtown</p>	<p>New policy for development within the overlay. Develop clear and objective design standards for multi-family and</p>

Design Feature	Existing Requirements <i>(Zoning Ordinance, Three Mile Lane Planned Development Overlay)</i>	Possible Three Mile Lane Area Plan (3MLAP) Recommendations and Overlay Requirements
	Design Standards and Guidelines (§17.59.070). No residential standards.	mixed-use residential.
<ul style="list-style-type: none"> • <i>Promote inclusion and interaction within the right-of-way</i> 	None.	Requirements for building orientation (set-to, building orientation). Additional guidelines or standards related to façade treatments, including transparency. Provision of on-street parking for ground-floor commercial uses (new requirements allowing on-street spaces to be counted toward parking minimums, new cross-section standards for streets with ground-floor retail).
9. Mix of Activities		
<ul style="list-style-type: none"> • <i>Encourage mixed-use development where feasible</i> 	None.	New policy, adopted as part of 3MLAP.
10. Urban-Rural Interface		
<ul style="list-style-type: none"> • <i>Reflect patterns of wine industry—eg, rows of vines, southern orientation, shelter belts of trees</i> 	None.	New policy, adopted as part of 3MLAP. Examples in Design Booklet.
<ul style="list-style-type: none"> • <i>Consider adjacency to agricultural fields and respect this heritage through careful transitions</i> 	None.	New policy articulating transitions; buffer/perimeter requirements.
<ul style="list-style-type: none"> • <i>Design simple roof forms (industrial and agricultural). Height and distinctive forms of silos can be inspiration</i> 	Large Format Retail development standards require architectural variability in the roof design (§17.56.050.B). Proposed buildings must incorporate two out of three standards: parapets with cornices; overhanging eaves or cornices, and; prominent portions of the roof	Require roof features consistent with Large Format Retail standards for all future development in the 3ML area. Design examples in Design Booklet.

Design Feature	Existing Requirements <i>(Zoning Ordinance, Three Mile Lane Planned Development Overlay)</i>	Possible Three Mile Lane Area Plan (3MLAP) Recommendations and Overlay Requirements
	design exhibiting slopes with a plane of between 4/12 (33 degrees) and 6/12 (45 degrees).	
<ul style="list-style-type: none"> • <i>Consider functional site planning of vineyard and farm complexes as conceptual model for new development</i> 	None.	Examples in Design Booklet.
11. Housing for Diverse Incomes and Generations		
<ul style="list-style-type: none"> • <i>Allow for a mix of future housing forms and types, respecting the current character of 3ML</i> 	Existing residential and commercial zoning allows for a variety of housing types.	3MLAP increases the areas available for housing with the change in designation from industrial to Mixed-use use north of Three Mile Lane, and from industrial to residential in the vicinity of the hospital.
12. Housing Variety		
<ul style="list-style-type: none"> • <i>Respect existing variety of housing types in 3ML and ensure diversity of design for future housing</i> 	Housing variety and design not addressed. Site design requirements for Large Format Retail require buffering, (§17.56) Light industrial uses (M-1) must include perimeter treatments to buffer adjacent residential uses.	Guidelines in Design Booklet Buffer/perimeter requirements for Mixed-use, Medical, and Commercial.
13. Unique and Integrated Design Elements		
<ul style="list-style-type: none"> • <i>Ensure visibility from highway; Welcome to McMinnville</i> 	None.	Guidelines in Design Booklet. Requirements for landscape buffering fronting Three Mile Lane. Requirements for façades facing Highway 18, including addressing blank walls and requiring articulation and materials or color variation; design guidelines to encourage a more cohesive visual character along the corridor.

Design Feature	Existing Requirements <i>(Zoning Ordinance, Three Mile Lane Planned Development Overlay)</i>	Possible Three Mile Lane Area Plan (3MLAP) Recommendations and Overlay Requirements
<ul style="list-style-type: none"> • <i>Make functions of sites visible (airplanes, wine-making); continue expression of industry/making where applicable</i> 	None.	Examples in Design Booklet.
<ul style="list-style-type: none"> • <i>Aviation legacy: display large planes; consider sensation of low-flying planes, potential visual impact of sites from the air</i> 	None.	Examples in Design Booklet.
<ul style="list-style-type: none"> • <i>Consider local materials for cladding and building structure (timber, corrugated steel cladding, red brick)</i> 	Large Format Retail (Chapter 17.56) requirements address building façade, roof features, and site design (buffering, pedestrian walkways, parking, landscaping), and innovative energy efficient design and construction technologies.	Additional guidelines or standards related to façade treatments. Expand requirements to uses other than commercial, including office, mixed-use, and multi-family.
<ul style="list-style-type: none"> • <i>Use vibrant color</i> 	None.	Additional guidelines or standards related to façade treatments; define acceptable color palate. Require for all new commercial, office, mixed-use, and multi-family.

NEXT STEPS

This memorandum and associated materials will be presented to the Three Mile Lane TAC and CAC at their next meetings. The committees are expected to evaluate elements of the Preferred Alternative and provide additional direction and suggestions for refinement, including:

- Refinement of the attributes that define the Three Mile Lane Area.
- Refinement of the specific attributes desired in the opportunity areas.

- Desired policy, design elements, and code concepts to implement the plan and effectively guide and regulate development within the Three Mile Lane Area.

Following the advisory committee meetings, the project team will bring a revised set of materials to the broader public at Public Event #3, tentatively scheduled for early 2021. The plan concepts of the Preferred Alternative and land use implementation measures will be the focus of this event.

A companion memorandum to this piece (TM 8b) evaluates the transportation impacts of proposed land uses and provides recommendations for the design of Highway 18 through this area. This work is based on a detailed transportation analysis, performed in partnership with the City and Oregon Department of Transportation.

Reflecting revisions informed by public involvement and City review, a final plan document will be created and prepared for adoption. The adoption process will include a public Planning Commission/City Council work session, a Planning Commission hearing, and a City Council hearing. Each of these points provide an opportunity for public participation to review and provide comments on the Three Mile Lane Area Plan.



Walkable Streetscape with Active Ground Floors



Regionally-influenced architecture

PRECEDENT STUDY:
Old Mill District, Bend



- Landscape Buffer
- Parking behind buildings
- Central 'Main Street':
 - Wide sidewalks
 - Street Trees
 - On-street parking
 - Active ground floors
- Public gateway plaza
- Gathering and event space
- Access and orientation to natural features



Regionally-influenced architecture

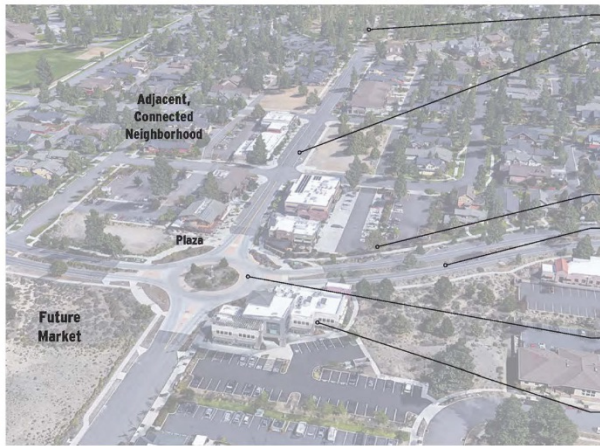


Distinctive entry to Commercial Center



Protected mountain views

PRECEDENT STUDY:
NorthWest Crossing, Bend



- Integrated park space
- Central 'Main Street':
 - Wide sidewalks
 - Street Trees
 - On-street parking
 - Active ground floors
 - Mixed-use
 - Two blocks closed for Farmer's Market weekly
- Parking behind buildings
- Neighborhood Collector
- Gateway 'marker'
- Adjacent to 'clean' light industrial/office uses



PRECEDENT STUDY:
Orenco Station, Hillsboro, OR

COMMERCIAL DESIGN OPPORTUNITIES
Three Mile Lane Area Plan
March 2021

MCMINNVILLE THREATENED BY TMLAP

The Three Mile Lane Area Plan (TMLAP) covers an area of over two square miles, north and south of the Highway 18 bypass, and has far-reaching implications for McMinnville's future. Since the plan's release late last year, it has been the subject of several contentious public hearings and numerous letters to the editor.

FYC supports many elements of the plan. Its controversial aspect revolves around redesignating 40 -60 acres of the city's premier industrial site south of the highway for a large regional shopping center and/or a new "town center" that is physically separated from the rest of the city by the bypass.

This is a risky bet that many other communities have taken and lost. It jeopardizes downtown and the 99W corridor; jeopardizes the highway's function as a free-flowing expressway around McMinnville; and will provide retail sector jobs that, on average, pay only half the wages of manufacturing jobs.

The intention is explicit. In 2020, Kimco, a national shopping mall developer and the largest property owner, filed to rezone half its property to allow big box commercial. Since then, two adjacent property owners have filed similar rezone requests. These applications, which propose rezoning 62 net acres of land for retail, are on hold while the TMLAP is considered.

The TMLAP includes a traffic model showing traffic will slow significantly, but will still meet State standards for the next 20 years. Unfortunately, that model was based on only 33 acres of commercial development and would require more than \$100 million in improvements to Highway 18 and the adjacent frontage roads.

FYC hired Greenlight Engineering to consider the traffic impact. They conclude that full buildout of all 62 acres of proposed retail will certainly lead to further traffic delays and require even more costly improvements.

Residents in the neighborhood meetings that preceded the plan wanted neighborhood-serving commercial uses, not a regional shopping center. FYC has proposed limiting commercial development to smaller store sizes that are neighborhood-scaled and neighborhood serving.

McMinnville's future rests on a healthy downtown and commercial core on Highway 99W; the expansion and retention of existing businesses; and new employers providing family-wage jobs. As currently drafted, the TMLAP puts this future at risk.

Public comments have had an impact. There is now talk at City Council of limiting store size and total amount of the retail in the area. Please watch for email updates explaining how you can help improve the TMLAP.

FYC BOARD ELECTION

On April 18, FYC members met in person for the first time in over two year. The principle purpose of meeting was to elect Board of Directors and officers. Members present unanimously elected Kathryn Jernstedt president; Rob Hallyburton, vice-president; Steve Iversen, secretary; Mark Davis, Treasurer; and Anneka Miler, Ilsa Perse, and Sid Friedman, directors at-large. If you are interested in serving on the board, contact Kathryn, friendsofyamhillcounty@gmail.com

Not On Our Email List?

Between issues of the newsletter we occasionally send alerts and other notices via email. If you haven't received these notifications, but would like to, please provide a valid email address to friendsofyamhillcounty@gmail.com. We will not share your information and use the blind CC feature, so others are not able to see names on the distribution. Thank you.

Project History

The Three Mile Lane Area Plan is the result of three years of community planning led by a project advisory committee made up of McMinnville residents and business owners. The final recommendations for the area plan were a result of thorough analysis, public design charrettes, open houses, and community town halls. The analysis shows that mixed-use retail development would help pay for the infrastructure needed to also develop the 160 acres of industrial land surrounding it - bringing new jobs to McMinnville.

Impact to Highway 18 The Three Mile Lane Area Plan does **not** negatively impact the future of Highway 18. The transportation analysis conducted for the Plan, which considered a full build-out and population growth, demonstrates that future mobility on Highway 18 will not significantly change within the next twenty years!

Learn More

PUBLIC OPEN HOUSE, **July 18th at 7 pm**, Civic Hall
Bring your friends and chat with the experts.

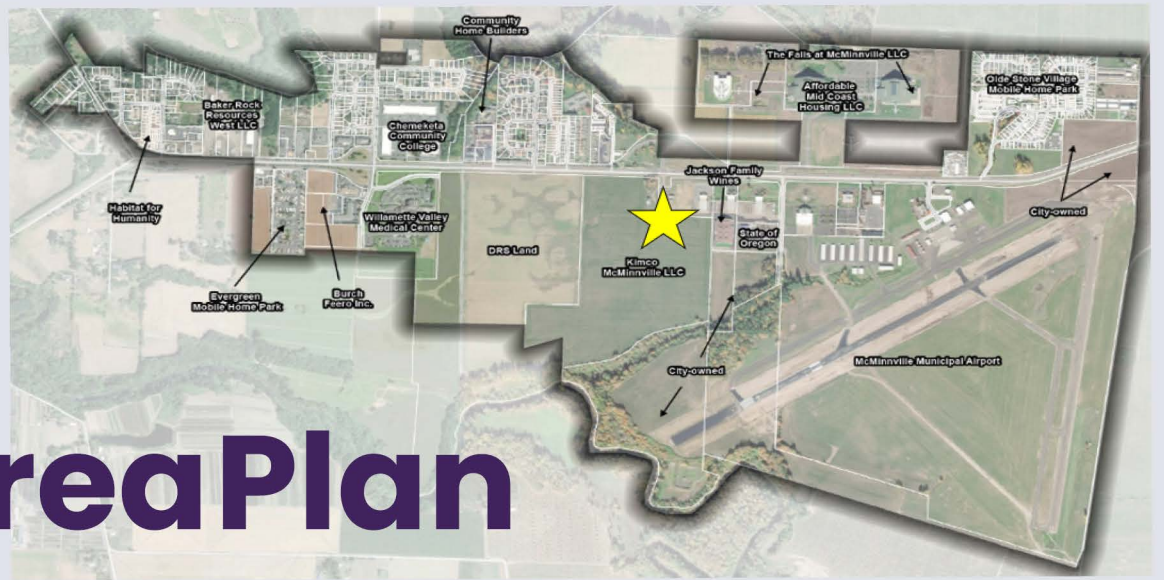
VIRTUAL INFORMATION SESSIONS
July 14th, 5:30 to 6:30 pm & **July 20th**, 12 to 1pm

TALK TO CITY COUNCIL, **July 26th at 7 pm**, Civic Hall
Send in written testimony to
heather.richards@mcminnvilleoregon.gov





BE PART OF THE CONVERSATION 3 Mile Lane Area Plan



What is an area plan?

An area plan is a “vision” developed by community members that tells us how a community wants to see an area develop in the future. These plans are meant to help us prepare for infrastructure and amenities to support development. The exact locations, engineering, and design of public improvements occur in the future. Development is always based on the maps designation and zoning.

Where is this?

The Three Mile Lane Area Plan encompasses 1,340 acres of land on either side of Highway 18. This land is located within the city limits and is zoned for development whether the Three Mile Lane Area Plan is adopted or not. It is not a matter of if it develops, but how it will develop. The most controversial aspect of the plan appears to be a proposed 40 acre commercial zone. (See map above for study area and location of proposed commercial site).

Why do I care?

Housing, trails, industrial and mixed-use development are included in the plan. Also included is a 40 acre site of mixed-use retail. McMinnville residents currently spend over 100 million dollars on merchandise outside of our City limits. (Yes that’s true.) Some people believe that McMinnville does not need more shopping or retail opportunities. Tell us what *you* think.

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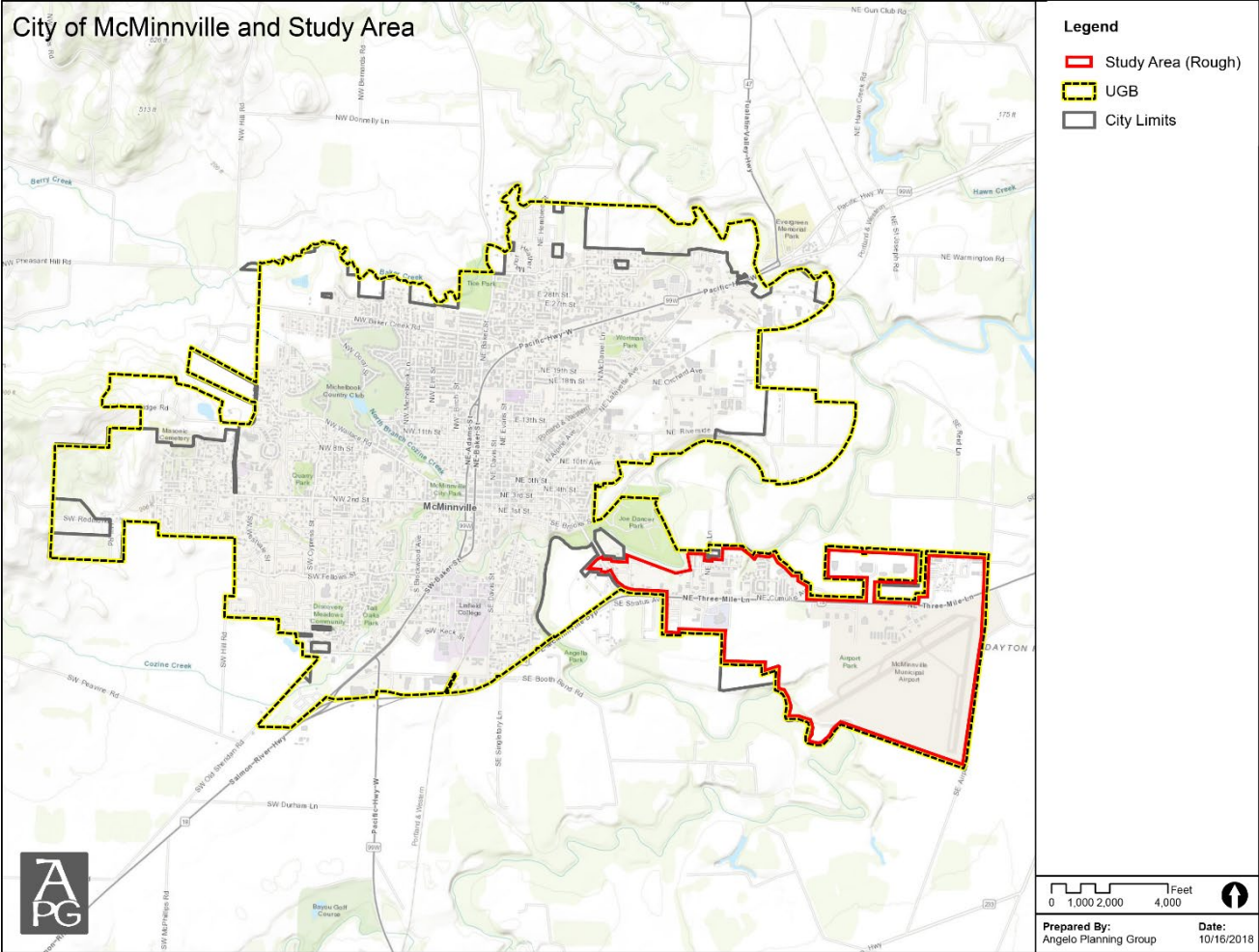


Three Mile Lane Area Plan

FAQ SHEET

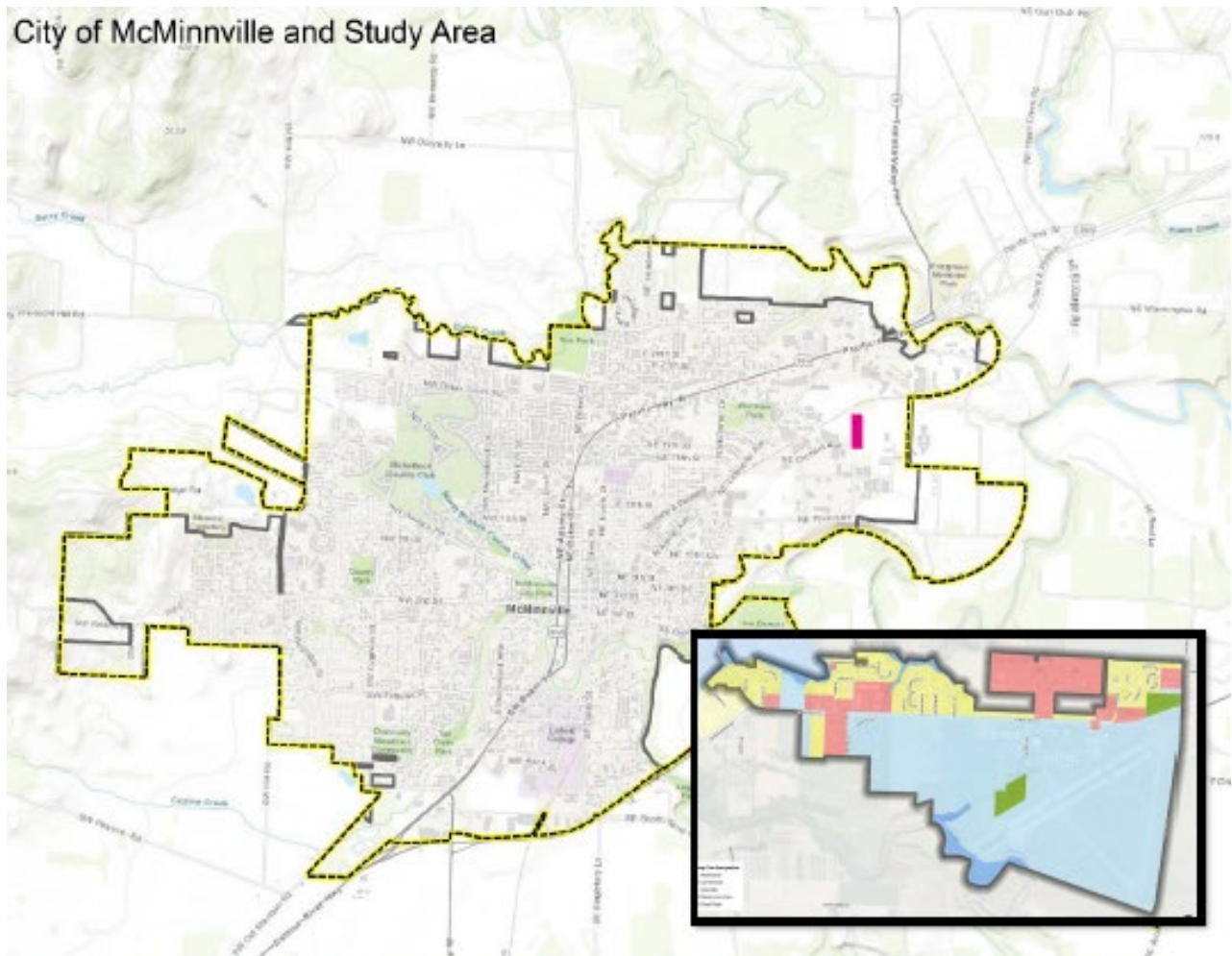
Where is the Three Mile Lane Area?

It is about 1300 acres of land that is within the existing city limits on the north and south side of Highway 18 as it enters McMinnville from the east to the Yamhill River Bridge (bridge currently under construction) on the west.



Is some of the land exclusive farm use land?

No. All of the land is within the city limits and zoned for development. The Area Plan is a community vision on how it should develop to best serve McMinnville now and in the future.



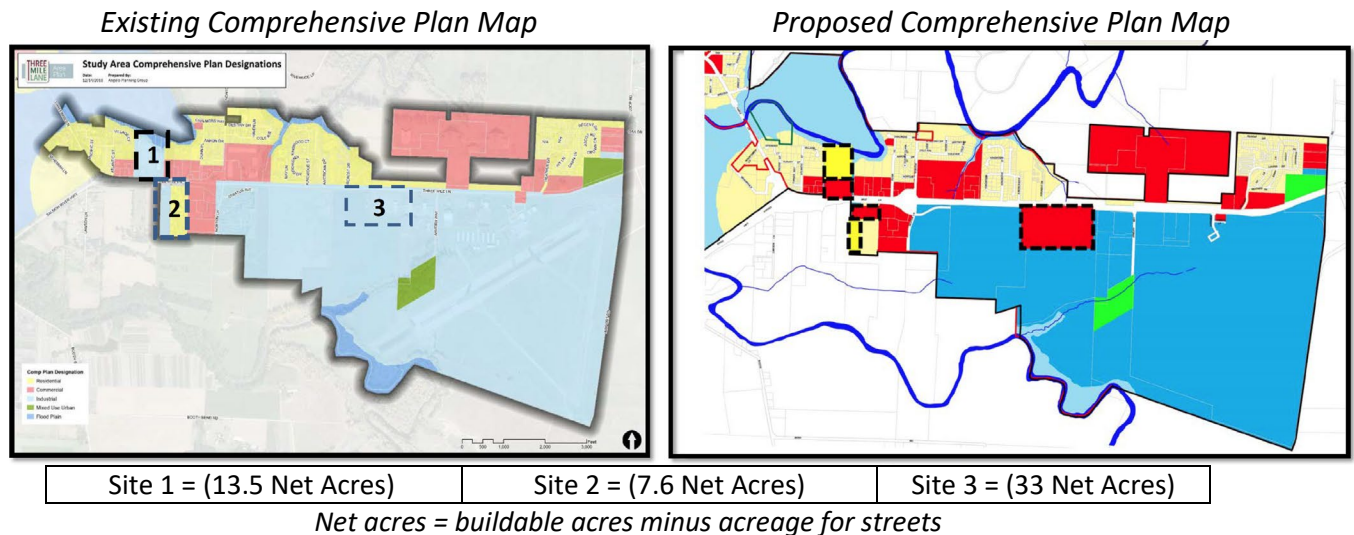
**The land is within the city limits and zoned for development.
It is not a matter of "IF" it will develop,
it is a matter of "HOW" it will develop.**

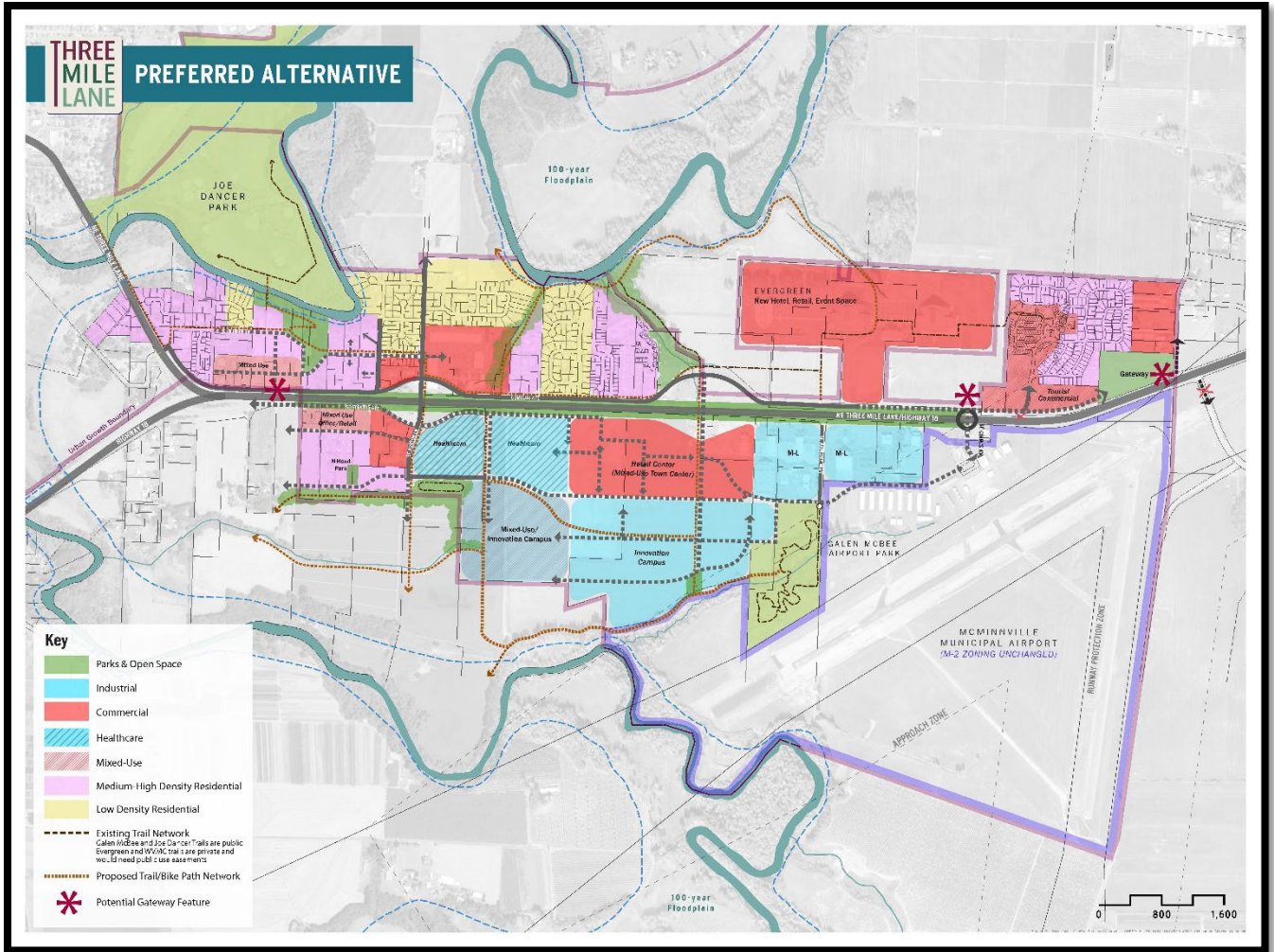
What is an Area Plan?

An area plan is a community vision for a specific area in the community developed by community members.

An area plan is a high-level guidance document illustrating how a community would like to see a specific area develop in the future. It is meant to help future planning efforts in terms of planning infrastructure and amenities to support the vision of the Area Plan. It is very conceptual. Exact locations, engineering, and design of public improvements occur at a future date. Land development is based on the underlying comprehensive plan map designation and zoning. The Three Mile Lane Area Plan recommends three different areas of comprehensive plan map changes but does not actually change the comprehensive plan map. See below. (Red = Commercial, Blue = Industrial, and Yellow = Residential)

Specific land uses highlighted on the preferred land use alternative plan are the city's desired land uses for that area. The property owner has the right to develop their land per the allowed land uses in the underlying zoning on the property.





Three Mile Lane Area Plan Preferred Land Use Plan

What is the value of an Area Plan?

An area plan can put all of the pieces of the puzzle together to ensure that there is a coherent and cohesive plan for development in an area in terms of the larger land-use classifications, zoning, and necessary public amenities and improvements. It also serves to communicate the city’s desired future development for the area on a conceptual level.

Will the Area Plan make Highway 18 a congested road similar to Highway 99 and will adopting it jeopardize the long worked for Bypass efforts?

The Area Plan does not change the classification of Highway 18 as a bypass (which technically is classified as an expressway in the state highway system). The Oregon Department of Transportation (ODOT) has adopted standards for mobility and congestion on all of their highways based on the classification of that highway. An expressway and freight route (which

is the classification for Highway 18 – is the second highest classification for mobility just after an interstate (ie I-5 and I-84). The Three Mile Lane Area Plan was funded by ODOT, managed by ODOT and the transportation analysis was conducted by ODOT and consultants hired by ODOT to ensure that the standards for Highway 18 as an expressway and freight route are not compromised by the Three Mile Lane Area Plan.

Highway 99 is a regional highway – it has a much lower mobility standard, this is evidenced by how close the signalized intersections and driveways are to each other on 99 W.

Next time you drive down 99W in McMinnville, take a look around at how many driveways access the highway, how close those driveways are to each other and how closely spaced the signalized intersections are to each other. Then drive down Highway 18 and look for driveways (there are very few), how many signalized intersections there are (two) and how far apart they are. This is what ensures that Highway 18 functions as an expressway and differentiates it from Highway 99W.

OREGON HIGHWAY PLAN (1999)

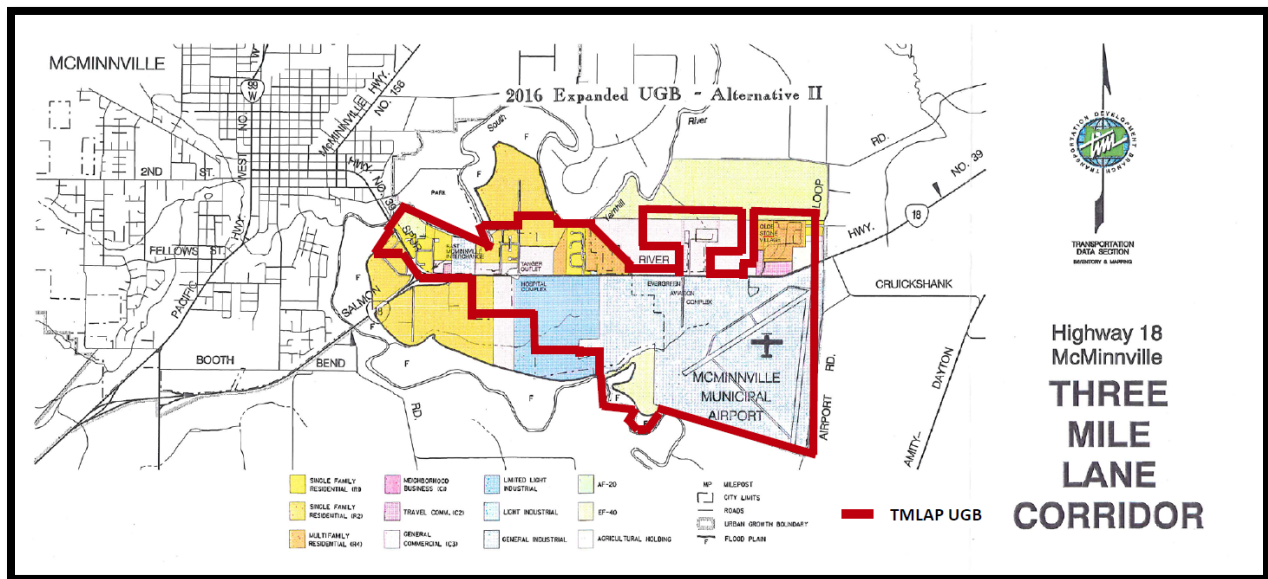
VOLUME TO CAPACITY RATIO TARGETS OUTSIDE METRO ^{17A, B, C, D}							
Highway Category	Inside Urban Growth Boundary					Outside Urban Growth Boundary	
	STA ^E	MPO	Non-MPO Outside of STAs where non-freeway posted speed <= 35 mph, or a Designated UBA	Non-MPO outside of STAs where non-freeway speed > 35 mph but < 45 mph	Non-MPO where non-freeway speed limit >= 45 mph	Unincorporated Communities ^F	Rural Lands
Interstate Highways	N/A	0.85	N/A	N/A	0.80	0.70	0.70
Statewide Expressways	N/A	0.85	0.85	0.80	0.80	0.70	0.70
Freight Route on a Statewide Highway	0.90	0.85	0.85	0.80	0.80	0.70	0.70
Freight Route (outside of UGB)	0.95	0.90	0.90	0.85	0.80	0.75	0.70
Freight Route on a regional or District Highway	0.95	0.90	0.90	0.85	0.85	0.75	0.70
Expressway on a Regional or District Highway	N/A	0.90	N/A	0.85	0.85	0.75	0.70
Regional Highways	1.0	0.95	0.90	0.85	0.85	0.75	0.70
District/Local Interest Roads	1.0	0.95	0.95	0.90	0.90	0.80	0.75

Table 6: Volume to Capacity Ratio Targets for Peak Hour Operating Conditions

Volume to capacity ratio indicates the amount of accepted congestion at intersections and represents the percentage of overall capacity – ie 0.80 = 80% of overall capacity.

What about the Plan that McMinnville and ODOT worked on in 1996 to ensure that Highway 18 functions like a bypass as it travels through McMinnville.

The 1996 Oregon Highway 18 Corridor Refinement Plan is still in play. It is predicated on three phases of transportation improvements on Highway 18 based on how much growth and development occurs and how many vehicular trips are using the system. When it was first developed, it contemplated both a larger urban growth boundary (UGB) and more commercial land in the Three Mile Lane area than what is contemplated in the Three Mile Lane Area Plan.



Oregon Highway 18 Corridor Refinement Plan – Growth Scenario with Three Mile Lane Area Plan UGB juxtaposed on it.

This growth scenario contemplates significantly more housing to the north and the southwest, as well as extended industrial to the south, and more commercial south of the Hospital and west of the Evergreen Campus.

Data analysis from the Three Mile Lane Area Planning effort estimates that we are currently in Phase I of the Oregon Highway 18 Corridor Refinement Plan moving into Phase II and that the Three Mile Lane Area Plan at buildout is at the beginning of the Phase II scenario of the Oregon Highway 18 Corridor Refinement Plan.

I heard that the Three Mile Lane Area Plan will add signals and intersections to Highway 18 that we do not need and will also remove a much-needed interchange from the Plan?

The Three Mile Lane Area Plan does not remove any interchanges from existing or future plans for Highway 18. The transportation analysis conducted for the Plan, which contemplated full build-out of the land within the city limits as illustrated in the Three Mile Lane Area Plan demonstrates that the interchange is not yet needed in the next twenty years even with the anticipated population growth in McMinnville in that time period. Determination of need is calculated by how many vehicular trips are anticipated to use the highway at its peak times and the v/c (volume/capacity) ratio at the intersections. Per state law the planning horizon for a comprehensive planning process is 20 years. For the Three Mile Lane Area Plan, the planning horizon is 2021-2041, and the transportation analysis was based on the full build-out of the Three Mile Lane Area Plan as proposed.

The interchange will probably be needed in the future beyond 20 years and ODOT and the City are working with property owners to preserve the land for it, however, if the data does not demonstrate the need for it, it will not be funded and constructed until such time the data indicates it is warranted. This is the way that ODOT ensures that public money is not building public improvements that are not yet needed. If the City wants to build it prior to the data supporting the need for it, the City would need to finance it. An interchange is currently estimated to be \$50 - \$80 million dollars.

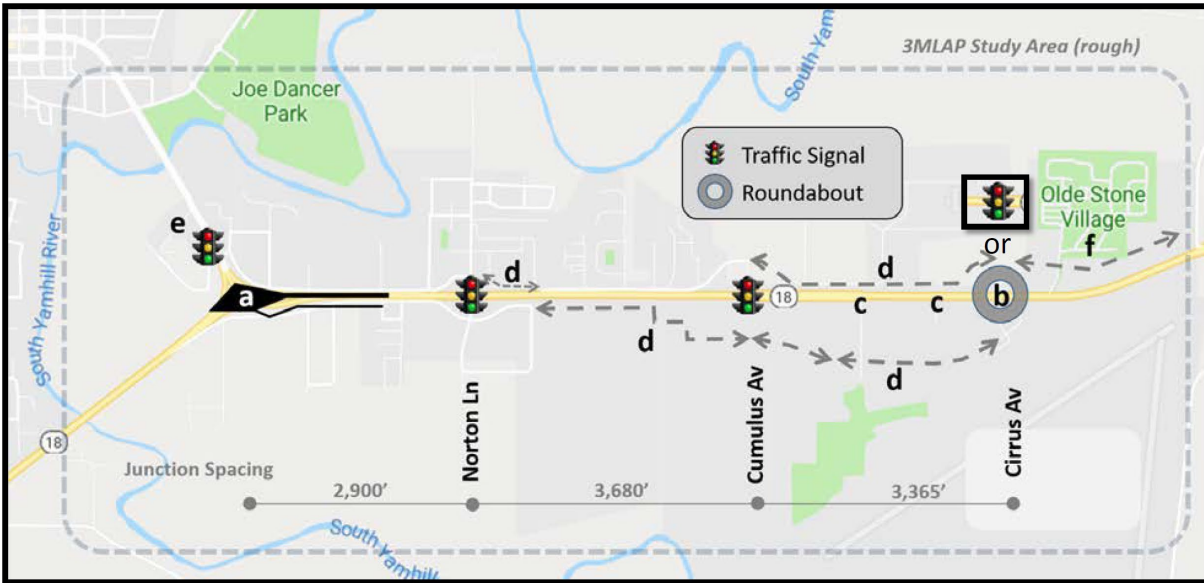
If development exceeds the transportation projections of the Plan then ODOT and the City can require the construction of the needed improvement. Traffic impact analysis is required for comprehensive plan map amendments, rezones and development review. For each stage of land use that becomes more detailed – ie a development review is more detailed than a rezone which is more detailed than a comprehensive plan map amendment – the traffic impact analysis becomes more detailed and refined. The Oregon Highway Plan requires traffic impact analysis for each stage of land use when the proposed land use application is impacting a state highway or facility.

The Plan does highlight a planned controlled intersection at Cirrus and Highway 18 – either a signal or a round-about – that does not exist today. This intersection improvement is identified in the Oregon Highway 18 Corridor Refinement Plan and is based on the premise that a controlled intersection will be needed at Cirrus when the local access points to Highway 18 between Cumulus and Cruickshank Road are closed to increase safety and mobility on the highway which are also identified in the Oregon Highway 18 Corridor Refinement Plan.

The consultants proposed a round-about, city leadership did not want to commit to a roundabout as the best solution and wanted more time to study whether the needed

improvement should be a roundabout or a signalized intersection with the City's Transportation System Plan update.

The two signalized intersections on the Three Mile Lane Area Plan exist today.

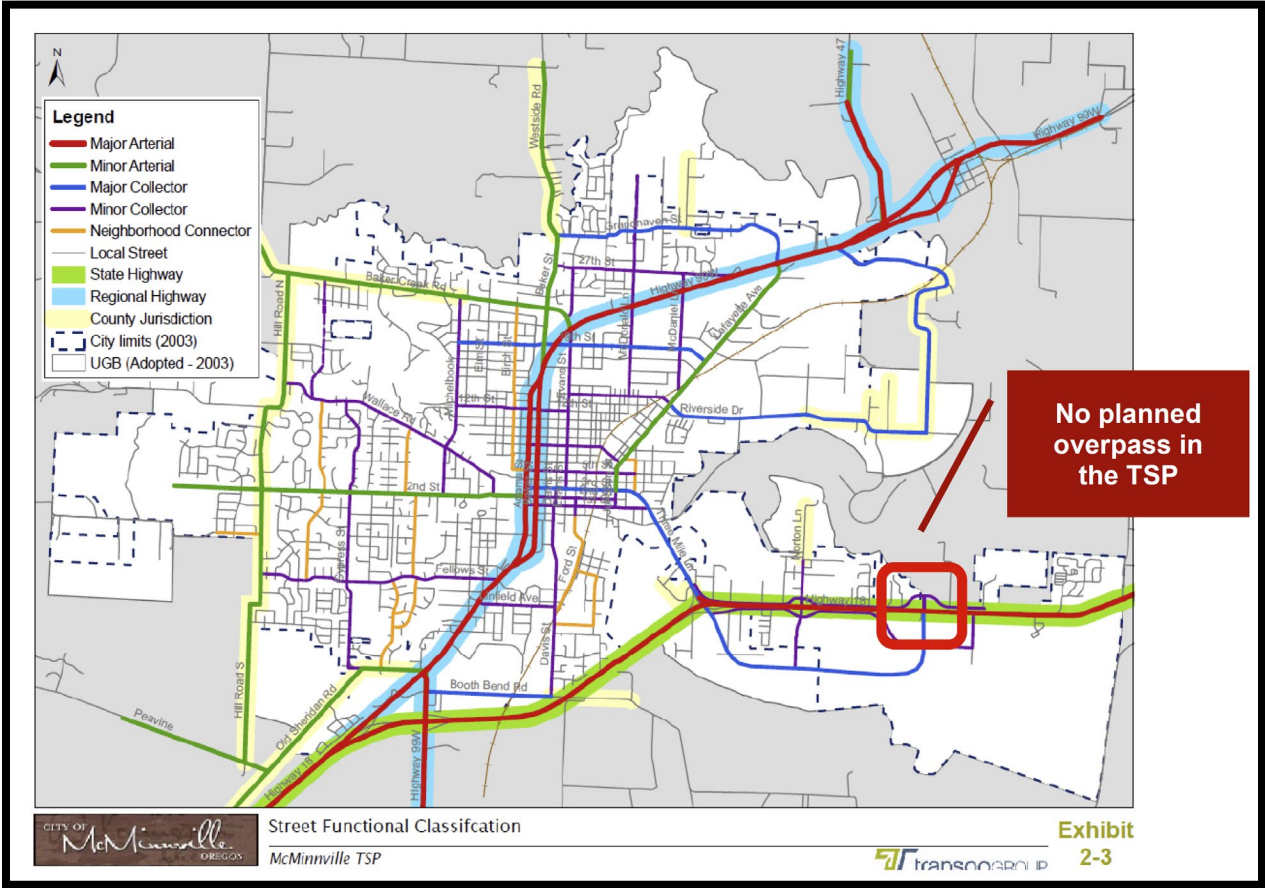


Preferred Transportation Plan for Three Mile Lane Area Plan

- a) Three Mile Lane interchange - reconstructed for full directional access and crossing, with new connector to Stratus Avenue).
- b) Cirrus Avenue - new roundabout or traffic circle on OR 18.
- c) Removal of at-grade street and driveway accesses to OR 18 in the section between Cumulus Avenue and the eastern edge of the study area, including Loop Road and Cruickshank Road (Cruickshank Road is not shown as Cruickshank Road is external to the Three Mile Lane Study area).
- d) New east-west frontage streets north and south of OR 18, linking Cirrus Avenue, Cumulus Avenue and Norton Lane.
- e) New traffic signal (or roundabout) at Three-Mile Lane and Cumulus Avenue.
- f) Loop Road - disconnect from OR 18 and realign to new Cirrus Avenue connector and roundabout.

Does the Three Mile Lane Area Plan removes a planned interchange at Cumulus Avenue and Highway 18 from McMinnville's Transportation System Plan.

The McMinnville Transportation System Plan does not contemplate an interchange at Cumulus Avenue and Highway 18, because it was not considered needed during the planning horizon of the Transportation System Plan, 2003-2023.



Transportation System Plan map.

Note that the urban growth boundary modeled in the Three Mile Lane area is larger than the current urban growth boundary (UGB) in this area. In 2003 the City submitted an urban growth boundary amendment to the state to meet identified future residential, industrial and commercial land need. That UGB submittal was challenged and appealed resulting in a remand in 2013 that did not allow the additional land in the Three Mile Lane area to come into the UGB. The McMinnville Transportation System Plan conducted in 2010 was based on the 2003 UGB submittal.

I don't want to see the farmland on the south side of Highway 18 developed.

The reality is that much of the farmland on the south side frontage of Highway 18 is located within the city limits and is zoned for development whether the Three Mile Lane Area Plan is adopted or not. The question is what will be developed on that land. Currently, it is zoned mostly M2, which is the city's general and heavy industrial zone. This zoning allows for everything from heavy industrial uses like an asphalt batch plant to light industrial manufacturing, industrial research and development office space, as well as education facilities, etc. The Three Mile Lane Area Plan tries to proactively state that McMinnville would rather see some of it developed as commercial to meet McMinnville's future commercial land need and the majority of it developed as a mixed-use Industrial Innovation Center with light industrial uses, industrial incubator space, office space, and supportive educational facilities. The Three Mile Lane Area Plan also calls for distinctive design and development standards to ensure that the development reflects McMinnville's unique sense of place as this is McMinnville's gateway and the first impression for travelers on Highway 18.

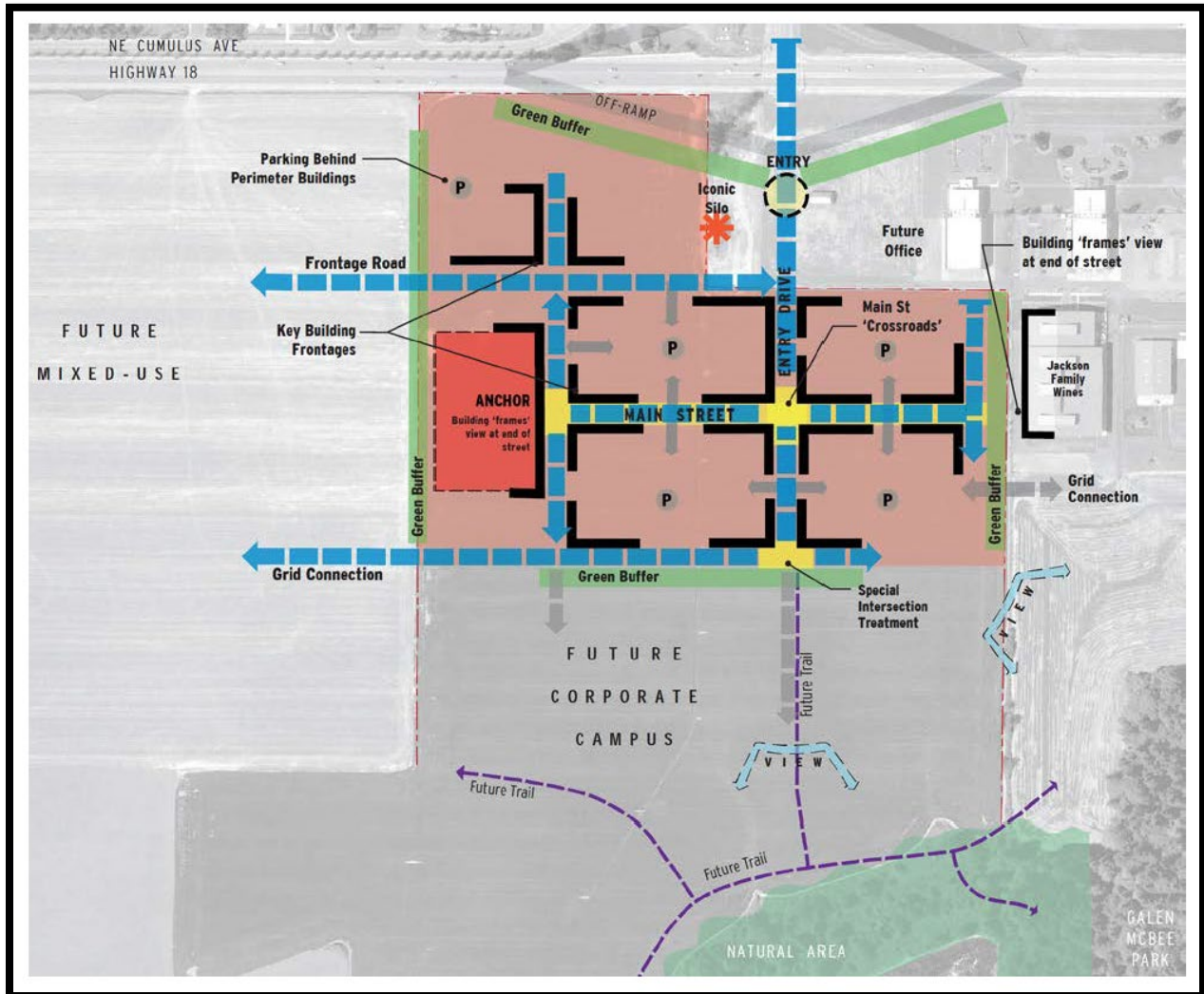
I heard that the commercial plan for the south side of Highway 18 will be the largest shopping center in Yamhill County and the region - we don't want a Washington Square Mall or Keizer Station in McMinnville.

The commercial site on the south side of Highway 18 that is contemplated is called out as 40 - 60 acres in the Plan, however, only 33 net buildable acres were modeled in the transportation plan. Land that is not already developed needs to set aside acreage for public roads to access the land. In this particular area of the Three Mile Lane Area Plan major street infrastructure has not been constructed yet, including the necessary frontage road network and the improvements at the intersection of Cumulus Avenue and Highway 18. The City is also hopeful that it can work with the property owners to set aside land for the future interchange at Cumulus so that it is available when the interchange is needed.

For some size perspective, consider that:

- 33 net acres is comparable to the Walmart, Winco and Wilco sites combined in McMinnville on Highway 99 W (those are 34 net acres).
- The Safeway complex and the Lowe's complex are both approximately 20 net acres.
- Keizer station is 237 acres and Washington Square Mall is 135 acres.

Conceptual rendering from Three Mile Lane Area Plan of Retail Center on south side of Highway 18



I heard that the Plan is based on what KIMCO, an outside developer wanted to see happen in the Three Mile Lane study area.

The Three Mile Lane Area Plan is the result of three years of community planning led by a project advisory committee comprised of McMinnville residents and business owners. KIMCO is a partial owner in a 90-acre site on Highway 18 that is currently vacant. They own the property with Alan Roodhouse who was a long-term McMinnville resident and member of McMinnville Industrial Promotions. The final map for the Three Mile Lane Area Plan is derived from public design charrettes, public open houses and town halls. The project advisory committee reviewed what the public said they wanted, the studies provided by the consultants and their own work to collaborate on the final recommended Plan document.



Design Charette for Three Mile Lane Area, Summer 2017

COMMUNITY VISION

THREE MILE LANE
Area Plan

Literally
Drawn by
Community
Members in
Charrettes

Drawing from design charrette in 2019

If the commercial site on the south side of Highway 18 is actually only intended to be 33 net buildable acres of commercial development, why is it considered a regional shopping center in the Plan document?

McMinnville's commercial amenities serve many of the smaller communities around it. The commercial market area expands beyond the McMinnville city limits thus it is defined as a regional shopping center.

Do we need more commercial land in McMinnville?

That probably depends on who you talk to. Many different land-use studies have identified the need for more commercial land in McMinnville. The 40-acre site contemplated in the Three Mile Lane Area Plan is representative of the 40 acres that the city adopted as a land-use efficiency in its recent Urban Growth Boundary amendment. A land-use study conducted in 2001 identified the need for additional commercial land. The city had to show the state how it was going to meet that land need. The city could either expand its urban growth boundary to meet the need or it could rezone land to commercial to meet the need. At the same time, studies have shown that McMinnville has a surplus of industrial land. After lengthy community dialogues, the city opted to rezone 40 acres of industrial land on the south side of Highway 18 to meet the commercial land need within the city limits rather than expand its UGB for that land need. This was adopted by the City in December 2020 and memorialized in its Comprehensive Plan goals and policies document.

Additionally, the City has conducted many different studies over the past 10 – 15 years that demonstrate a significant retail leakage in McMinnville of general merchandise dollars. What this means is that McMinnville residents are driving to other communities to shop for general merchandise. The most recent study indicated an annual retail leakage of approximately \$97 million dollars. One of the roles of city planning is to ensure that residents have access to needed amenities in their own communities to prevent the need to drive somewhere else to access them. This is done for equity and climate change purposes. Driving 70 miles round trip to another community to shop for ongoing necessities puts a cost burden on low-income families and encourages gas emissions that we should be trying to reduce.

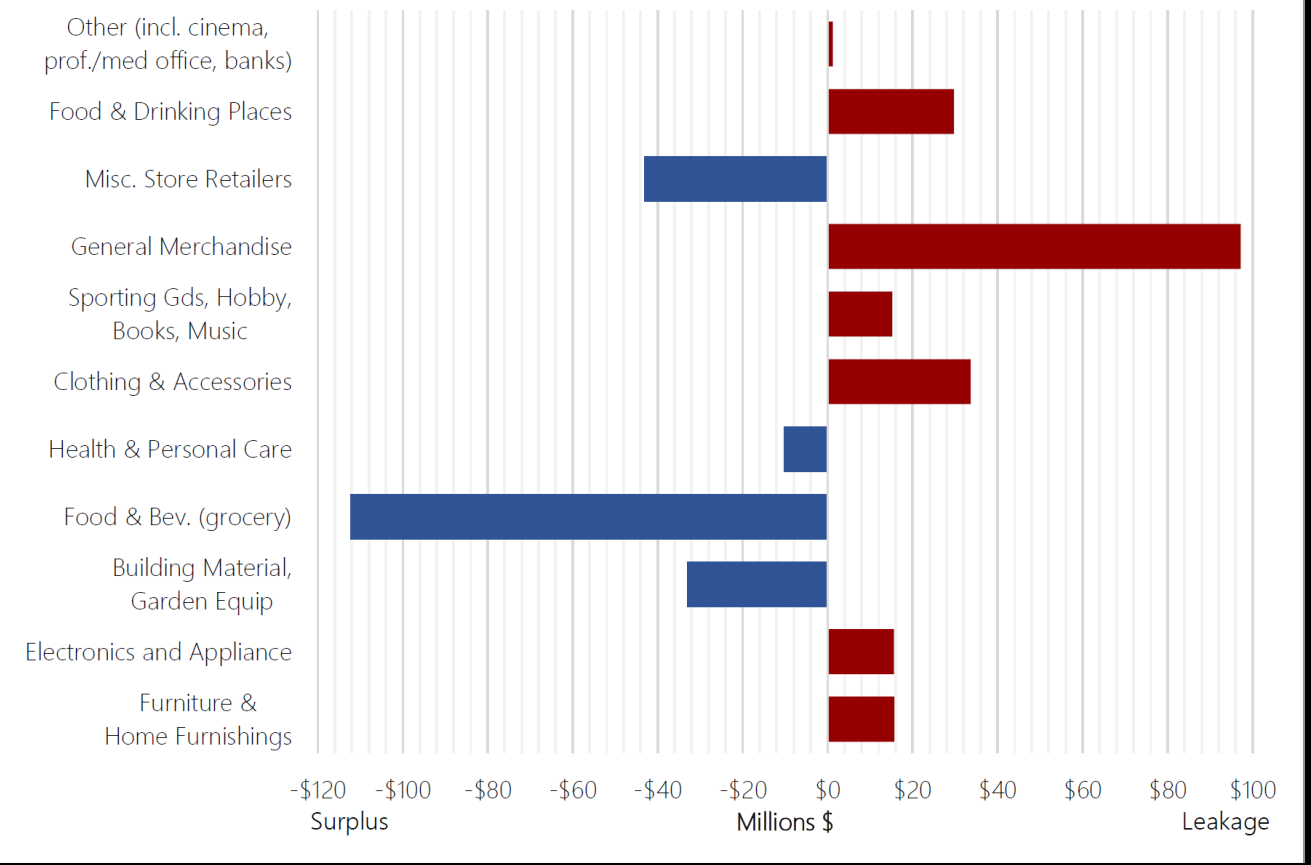
The following table is from a Market Analysis conducted by Leland Consulting Group in 2019 for the Three Mile Lane Area Plan project advisory committee to identify market needs in McMinnville. Those items illustrated in red indicate annual dollars that McMinnville residents spend on goods outside of town, which is often labeled as retail leakage.

Table 8. Retail Leakage Analysis, McMinnville Market Area

	Est. HH Demand	Current Est. Sales	Current Leakage (\$)
Furniture and Home Furnishings	\$25,459,215	\$9,815,869	15,643,346
Electronics and Appliance	\$25,779,334	\$10,205,468	15,573,866
Building Material, Garden Equip	\$56,286,379	\$89,349,237	-33,062,858
Food and Beverage (grocery)	\$132,402,012	\$244,668,336	-112,266,324
Health and Personal Care	\$49,511,435	\$59,825,939	-10,314,504
Clothing and Accessories	\$39,384,538	\$5,785,467	33,599,071
Sporting Gds, Hobby, Book, Music	\$27,981,058	\$12,792,050	15,189,008
General Merchandise	\$138,540,476	\$41,383,114	97,157,362
Misc. Store Retailers	\$38,326,257	\$81,493,693	-43,167,436
Foodservice and Drinking Places	\$83,233,240	\$53,518,658	29,714,582
Other (including cinema, prof./med. office, consumer banks, etc.)	\$92,535,592	\$91,325,675	1,209,917

Source: ESRI

Figure 25. Market Area Retail Demand: Surplus/Leakage



McMinnville Three Mile Lane Area Plan, Market Analysis, April 16, 2019

I don't want or think that McMinnville needs more large retailers.

As part of this planning effort the City conducted surveys, town halls and public open houses, where the majority of participants indicated that they did feel that McMinnville needed more large retailers and wanted to see those commercial amenities in McMinnville.

Develop new commercial spaces along Three Mile Lane (ie gas station, grocery, retail).

Community Priorities

The University of Oregon "Green Cities" research team conducted a design charrette to help understand the opportunities and constraints associated with the McMinnville Three Mile Lane corridor study area. The participants (listed in Acknowledgments) identified and ranked the issues of highest priority, and these scores are shown below. The overall highest scoring topics focus on employment land use, accessibility and diversity, multi-modal mobility and connectivity, and Three Mile Lane sense of place. These four topics form the foundation for this report.

Land Use Flexibility and Diversity

- (20) Develop new commercial spaces along Three Mile Lane (ie gas station, grocery / retail)
- (17) Increase services / amenities on east side of bridge. Create office space to bring in higher wage jobs. Create traded sector jobs. Focus future and initial development of Three Mile Lane around the Evergreen Aviation and Space Museum complex, the airport and the hospital.
- (16) Allow industrial / commercial

Community Priorities

- (5) Amplify the McMinnville Airport as an asset for tourism and commerce
- (4) Expand wine industry near McMinnville Airport. Play up all local economic - not just wine! Blueberries, hazelnuts...
- (3) Address the unique needs for more retail and restaurant uses
- (2) Create urban renewal / enterprise zone

Mobility, Connectivity, Energy

- (13) Design bike and pedestrian trail into downtown
- (11) Provide access to Joe Dancer Park
- (11) Improve accessibility and increase emphasis to natural areas
- (10) Construct new three Mile Lane multi-modal bridge to downtown
- (7) Add/expand sidewalks and setbacks. Finish Cumulus sidewalk.
- (6) Build bike/ped bridge access from Joe

Community Priorities

- (3) Construct second bridge to north - Norton Lane. Keep new bridge more rural. The existing bridge should remain the main entry point to town.
- (4) Improve vehicular, bike and pedestrian connectivity. Create attractive, multi-modal arterial roadways. Add pedestrian overpasses/ways to connect the whole area (north-south). Develop eastbound access from Highway 88 to downtown. Install traffic light and turn lane at west end of Cumulus. Build bypass roads for trucks and locals to reduce traffic on 3rd Street through City Center.
- (2) Add more bike lanes that are easily accessible, safe routes - residential. Construct bike lanes on Cumulus
- (3) Provide access to river

Sense of Place and Public Space

- (14) Construct Joe Dancer Park amphitheater. Create amphitheater for 1000+ people
- (11) Improve signage/gateway
- (3) Update streetscapes (trees, lights, theme signs) with safety in mind
- (2) Enhance natural amenities. Maintain and update Airport Park that provides family friendly use. Update Airport Park
- (2) Move and create better fairgrounds with multi-use amphitheater
- (2) Build more affordable housing. Readdress parking/safety plans for Habitat for Humanity site
- (2) Create setbacks between road and new commercial / industrial development
- (2) Maintain architectural themes in new development
- (2) Add park at west end of study area

Green Cities Survey, Summer 2017, #1 priority identified is the development of new commercial spaces along Three Mile Lane (ie gas station, grocery, retail)

2018 – “What would you like to see in McMinnville in the future” interactive boards placed at community events.

Updated, 07.18.22

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I don't need to go elsewhere to shop for what I need, I can find everything in McMinnville, why can't everyone else find that as well?

McMinnville is comprised of many different types of households – ranging from young families with many mouths to feed and kids to cloth on a limited income to retired couples maintaining a household of two people. What are one household's experience and need is not always representative of another household's experience and need. The city needs to consider all households. The data is clear that many McMinnville households are buying general merchandise elsewhere than in McMinnville.

I heard that the Plan will be trading good-paying industrial jobs for low-paying retail jobs.

The consultants actually conducted an economic study of what would be the best combination of land uses to achieve the city's goals of good-paying jobs. Industrial jobs have a fairly large scale of payroll, from minimum wage to higher wage management jobs. The Plan focuses on how to incentivize the industrial acreage so that it is attracting the higher paying industrial jobs through the development of a 140-acre innovation center with office space for research and development, incubators for industrial entrepreneurs and industrial manufacturers. The commercial development is meant to not only meet the needs and wants of McMinnville residents for more retail opportunities, but it also is meant to help pay for the infrastructure improvements needed for the development of the adjacent industrial land.

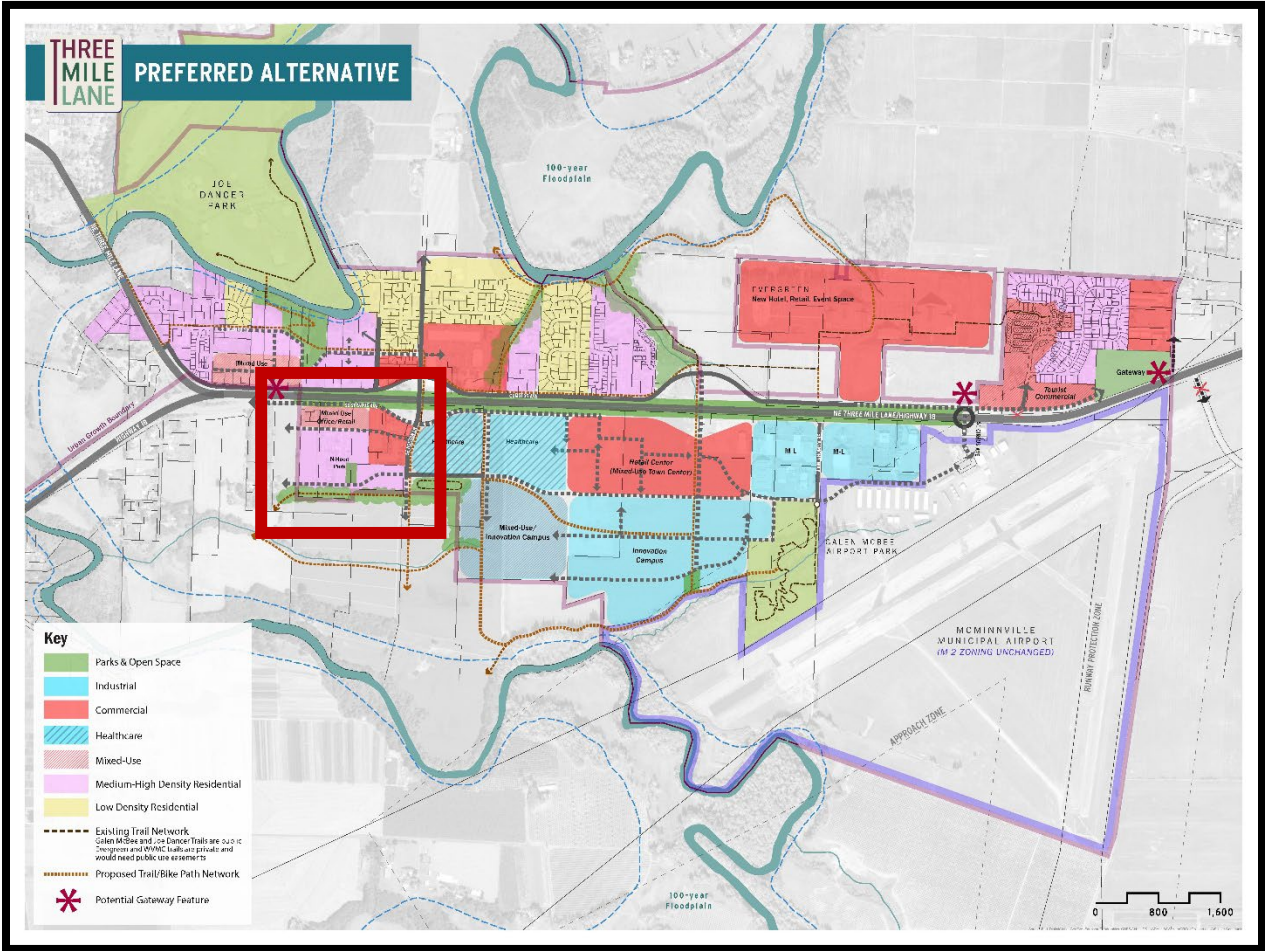
Development adjacent to a highway can be very expensive in terms of transportation improvements to protect the highway system. Industrial development is not dependent upon visibility to be successful so the market will not support the high lease rates needed to pay for the infrastructure costs to develop the land. However, retail is dependent upon visibility and typically will command lease rates of 3 – 4 times as much as industrial to help pay for the infrastructure associated with a highly visible site.

There is a lot of discussion of Great Neighborhood Principles in this Plan. Is the whole study area meant to be a Great Neighborhood?

No, the whole study area is not meant to be one great neighborhood. There are actually intended to be many different neighborhoods in the plan area on both the north side of Highway 18 and the south side of Highway 18. The great neighborhood principles are in place to ensure that each neighborhood is designed with intent and with the appropriate amenities to make it a great neighborhood.

Why are we trying to put housing on the south side of Highway 18 when it appears to be disconnected from everything else?

McMinnville has a need for future housing. McMinnville also has a need for land for housing. Due to many years of planning challenges, land supply and housing supply is very constrained. There is vacant land on the south side of Highway 18 that could serve this future housing need. It is adjacent to a fixed-route transit system and has close proximity to medical services. The viewsheds from this land are beautiful with views of the eastern mountain ranges and the south Yamhill River. The Area Plan then identifies a bike/ped trail system to connect it to Airport Park, and the commercial site on the south side of Highway 18 has been identified as a site for a future grocery store and other amenities.



NOTES:

These FAQs are meant to answer the most common questions in the community today about the Three Mile Lane Area Plan. Everyone is encouraged to review the Plan documents themselves. The actual plan document is only fifty (50) pages long. It has five appendices that provide some of the background information.

The plan website is at www.threemilelane.com

The public record for the adoption process is found on the city website at www.mcminnvilleoregon.gov on the Planning Department webpages under “Planning Projects Underway – City Initiated Projects”.

BE PART OF THE DISCUSSION:

The McMinnville City Council will be hosting a public hearing on the Three Mile Lane Area Plan on July 26, 2022. You can participate in the meeting both in-person or online. The meeting will be held at the Civic Hall, 200 NE Second Street, and on zoom:

<https://mcminnvilleoregon.zoom.us/j/85499007097?pwd=Nm5lcGZ4QlFSSXFFSFI2cElPOExxQT09>: Zoom Meeting ID: 854 9900 7097 Zoom **Password**: 226708.

* Masks will be strongly encouraged while in the building. If you are sick please stay home and join the meeting online or submit written testimony.

You can participate in the hearing process in the following ways:

Written Testimony: Email Heather.Richards@mcminnvilleoregon.gov before 12:00 pm on Monday, July 25th to provide written testimony or mail to Planning Director, 231 NE 5th St. McMinnville, OR 97128. Written testimony must be received by 12:00 pm on Monday, July 25th.

Teleconference Testimony: Pre-register to speak during the public hearing by providing your name and phone number, or Zoom name, to the Planning Director's Office before 4:00 pm on Monday, July 25th. During the public hearing, the Mayor will read the list of those who pre-registered. When the Mayor calls out your name, you will have the opportunity to provide your comments to the City Council. You can preregister by emailing Heather.Richards@mcminnvilleoregon.gov or calling 503-474-5107.

If you need more information please contact the planning department at 503-434-7311 or planning@mcminnvilleoregon.gov.

STAFF REPORT

DATE: July 26, 2022
TO: Mayor and City Councilors
FROM: Noelle Amaya, Communication & Engagement Manager
SUBJECT: Resolution No. 2022-55 Diversity, Equity & Inclusion Advisory Committee
Appointment of ex-officio Member into the vacant member position

STRATEGIC PRIORITY & GOAL:



ENGAGEMENT & INCLUSION

Create a culture of acceptance & mutual respect that acknowledges differences & strives for equity.

OBJECTIVE/S: Grow City's employees and Boards and Commissions to reflect our community

Report in Brief:

This is the consideration of Resolution No. 2022-55, which appoints ex-officio member Abby Thomas into the vacant member position term ending December 31, 2024.

Background:

On October 6, 2020, the City Council approved Ordinance No. 5097 establishing a Diversity, Equity & Inclusion Advisory Committee (DEIAC).

The DEIAC is responsible for the following:

- 1) Advising the Council on policy decisions related to diversity, equity, and inclusion;
- 2) Making recommendations to the Council on public engagement strategies and methods by which McMinnville residents can better participate in the decision-making process;
- 3) Advising the City on culturally responsive service delivery, programming, and communication strategies;
- 4) Updating and overseeing progress on the City's Diversity, Equity and Inclusion Plan;
- 5) Overseeing progress on applicable goals and objectives in the 2019 Mac-Town 2032 Strategic Plan; and
- 6) Identifying local leaders and building leadership capacity in McMinnville's communities of color.

The City Council approved Resolution No. 2022-11 at the February 22, 2022 City Council Meeting, appointing two ex-officio members with terms expiring December 31, 2025.

Discussion:

Jeff Towery approved the DEIAC’s recommendation to appoint Myrna Khoury and Abby Thomas as ex-officio members on February 11, 2022.

Tiffany Hennes, resigned her position during the April 14, 2022 DEIAC meeting leaving a vacancy on the committee.

The committee voted unanimously to move ex-officio member Abby Thomas into the vacant member position during the June 9, 2022 DEIAC meeting.

Current membership and term lengths of the Diversity, Equity & Inclusion Advisory Committee is as follows:

Karina Alcantara (youth liaison)	Expires: December 31, 2023
Efrain Arredondo	Expires: December 31, 2024
Christine Bader	Expires: December 31, 2024
Zack Geary (City Council liaison)	Expires: December 31, 2023
Myrna Khoury (ex officio)	Expires: December 31, 2025
Tony Lai	Expires: December 31, 2024
Larry Miller	Expires: December 31, 2023
Sarah Schwartz	Expires: December 31, 2022
David Cano	Expires: December 31, 2022
Abby Thomas	Expires: December 31, 2024
VACANT (ex officio)	Expires: December 31, 2025

Attachments:

Resolution No. 2022-55

Fiscal Impact:

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

Recommendation:

It is recommended that the Council move to approve Resolution No. 2022-55 appointing Abby Thomas to the Diversity, Equity & Inclusion Advisory Committee term ending December 31, 2024.

RESOLUTION NO. 2022-55

A Resolution Appointing Members to the Diversity, Equity, and Inclusion Committee.

RECITALS:

Whereas, The City of McMinnville has several Boards, Committees, Commissions, and Task Forces made up of volunteers; and

Whereas, The City Council is responsible for making appointments to these committees; and

Whereas, The Diversity, Equity & Inclusion Advisory Committee is made up of seven volunteer community members, one City Council liaison and one youth member; and

Whereas, On June 9, 2022, the DEIAC committee voted to move the ex-officio member into the vacant members position and leaving the ex-officio appointment vacant until further recruitment; and

Whereas, The City Council directs the committee to advise the Council on policy decisions to create a more equitable and inclusive community; and

Whereas, The City Council empowers this committee to be bold in their recommendations and advise the Council with thoughtful input, focus, and leadership.

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

The City Council appoints the following volunteers to the Diversity, Equity, and Inclusion Advisory Committee as detailed below.

DIVERSITY, EQUITY, AND INCLUSION ADVISORY COMMITTEE
(2, 3 or 4-year terms)

Abby Thomas Expires: December 31, 2024

- 1. That this resolution shall take effect immediately upon passage and shall continue in full force and effect until modified, revoked, or replaced.

Adopted by the Common Council of the City of McMinnville at a regular meeting held the 26th day of July, 2022 by the following votes:

Ayes: _____

Nays: _____

Approved this 26th day of July, 2022.

INTERIM MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder

STAFF REPORT

DATE: July 26, 2022
TO: Mayor and City Councilors
FROM: Noelle Amaya, Communication & Engagement Manager
SUBJECT: Ordinance No. 2022-5117 Diversity, Equity & Inclusion Advisory Committee
Specific to Membership: Change in leadership structure from Chairperson/Vice-Chairperson to two (2) Co-Chairpersons

STRATEGIC PRIORITY & GOAL:



ENGAGEMENT & INCLUSION

Create a culture of acceptance & mutual respect that acknowledges differences & strives for equity.

OBJECTIVE/S: Grow City's employees and Boards and Commissions to reflect our community

Report in Brief:

This is in consideration of Ordinance No. 2022-5117, which amends section 2.35.040 of the McMinnville Municipal Code Specific to Officers of the Diversity, Equity, and Inclusion Committee.

Background:

October 13, 2020, the City Council adopted Ordinance No. 5097, which established the Diversity, Equity, and Inclusion Advisory Committee ("Committee") and created Chapter 2.35 of the McMinnville Municipal Code.

The DEIAC is responsible for the following:

- 1) Advising the Council on policy decisions related to diversity, equity, and inclusion;
- 2) Making recommendations to the Council on public engagement strategies and methods by which McMinnville residents can better participate in the decision-making process;
- 3) Advising the City on culturally responsive service delivery, programming, and communication strategies;
- 4) Updating and overseeing progress on the City's Diversity, Equity and Inclusion Plan;
- 5) Overseeing progress on applicable goals and objectives in the 2019 Mac-Town 2032 Strategic Plan; and
- 6) Identifying local leaders and building leadership capacity in McMinnville's communities of color.

Discussion:

While taking an in-depth look at McMinnville City policy and how it governs this advising body, committee members shared an interest in moving towards a shared leadership model which moves away from traditional hierarchal structures and experiments with models that they might like to see throughout the City.

A Co-Chairperson structure would extend the opportunity for committee members to build their leadership skills and potentially model alternative structures of leadership that other City committees and entities might adopt. The Committee worked together on the language during their April 14, 2022 and June 9, 2022 meetings agreeing to revisions to the structure.

The committee moved to approve these changes at their July 14, 2022 meeting, which passed unanimously.

Interim City Attorney Walt Gowell has had the opportunity to review this language prior to this submittal.

The current membership and term lengths of the Diversity, Equity & Inclusion Advisory Committee are as follows:

Karina Alcantara (youth liaison)	Expires: December 31, 2023
Efrain Arredondo	Expires: December 31, 2024
Christine Bader	Expires: December 31, 2024
Zack Geary (City Council liaison)	Expires: December 31, 2023
Myrna Khoury (ex officio)	Expires: December 31, 2025
Tony Lai	Expires: December 31, 2024
Larry Miller	Expires: December 31, 2023
Sarah Schwartz	Expires: December 31, 2022
David Cano	Expires: December 31, 2022
Abby Thomas	Expires: December 31, 2024
VACANT (ex officio)	Expires: December 31, 2025

Attachments:

1. Ordinance No. 5117
 - a. Exhibit A - track changes version of Section 2.35.040 of Municipal Code.
 - b. Exhibit B - clean version of Section 2.35.040 of Municipal Code.

Fiscal Impact:

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

Recommendation:

It is recommended that the Council move to approve Ordinance No. 5117 amending section 2.35.040 of the McMinnville Municipal Code Specific to Officers: Diversity, Equity, and Inclusion Committee amending a Chairperson/Vice-Chairperson structure to two (2) Co-Chairpersons effective 30 days from the date approved.

ORDINANCE NO. 5117

AN ORDINANCE AMENDING SECTION 2.35.040 OF THE MCMINNVILLE MUNICIPAL CODE SPECIFIC TO OFFICERS: OF THE DIVERSITY, EQUITY AND INCLUSION COMMITTEE.

RECITALS:

WHEREAS, the City of McMinnville adopted the Mac-Town2032 Strategic Plan (“Strategic Plan”) on campaign finance legislation for candidate elections on January 8, 2019 via Resolution No. 2019-06; and

WHEREAS, one of the Goals of the Strategic Plan is to “create a culture of acceptance and mutual respect that acknowledges differences and strives for equity;” and

WHEREAS, one of the action items listed in the Strategic Plan to achieve the above-recited Goal is to create a diversity, equity, and inclusion advisory committee; and

WHEREAS, the City of McMinnville wishes to create a standing diversity, equity, and inclusion committee that will advise the Common Council for the City of McMinnville on policy decisions through a diversity, equity, and inclusion lens, among other purposes and duties; and

WHEREAS, on October 13, 2020, the Common Council adopted Ordinance No. 5097, which established the Diversity, Equity, and Inclusion Committee (“Committee”) and created Chapter 2.35 of the McMinnville Municipal Code; and

WHEREAS, on May 25, 2021, the Common Council adopted Ordinance No. 5103, which amended Section 2.35.030 of the McMinnville Municipal Code to allow the youth member to be a voting member of the Committee and increased the number of voting members from seven (7) members to nine (9) members; and

WHEREAS, to model shared leadership and promote opportunities for committee members to build their leadership skills, the has Committee recommended that the chairperson/vice-chairperson officer structure of the Committee be amended to two (2) co-chairpersons; and

WHEREAS, these revisions to the structure of the Committee are reflected in Exhibits A and B attached hereto and incorporated by reference herein, which amends Section 2.35.040 of the McMinnville Municipal Code.

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

1. The Common Council for City of McMinnville adopts the above-stated recitals and findings as if fully set forth herein.
2. Section 2.35.040 of the McMinnville Municipal Code is hereby amended to read as set forth on Exhibit A attached hereto and incorporated herein. Exhibit B attached hereto is a clean version of the updates to Section 2.35.040.
3. The City Recorder shall conform these amendments to the City's Municipal Code format and correct any scrivener's errors.
4. This Ordinance shall be in full force and effect thirty (30) days from the date of final passage and approval.

Passed by the McMinnville City Council this 26th day of July, 2022 by the following votes:

Ayes: _____

Nays: _____

Abstain: _____

INTERIM MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder

EXHIBITS:

- A. Track changes version of Section 2.35.040 of Municipal Code.
- B. Clean version of Section 2.35.040 of Municipal Code.

EXHIBITS:

Exhibit A to Ordinance No. 5117

“2.35.040 Officers.

A. ~~Co-chairperson / Vice-Chairpersons~~. At its first meeting of each year, the Diversity, Equity, and Inclusion Committee shall elect from its membership ~~a chairperson and vice-chairperson~~ two (2) Co-Chairpersons. The ~~chairperson or vice-chairperson, acting as chairperson,~~ Co-Chairpersons shall have the right to make or correct motions and vote on all matters before the committee. A majority of the committee may replace ~~its chairperson or vice-chairperson~~ one or both Co-Chairpersons with another member(s) at any time during the calendar year. The Co-Chairpersons shall preside at alternating meetings of the Committee. In the absence of one Co-Chairperson the other Co-Chairperson shall preside at such meeting of the Committee. In the absence of both Co-Chairpersons the Committee shall appoint a temporary Co-Chairperson to preside at that meeting of the Committee.

B. *Annual Report to City Council.* The Co-Chairpersons of the Diversity, Equity, and Inclusion Committee shall make an annual report to the Council outlining accomplishments for the past year and work plan for the following year, or more often as ~~the~~ Co-Chairpersons ~~deems~~ appropriate, or at the request of the Council.”

Exhibit B to Ordinance No. 5117

A. *Co-Chairpersons.* At its first meeting of each year, the Diversity, Equity, and Inclusion Committee shall elect from its membership two (2) Co-Chairpersons. The Co-Chairpersons shall have the right to make or correct motions and vote on all matters before the committee. A majority of the committee may replace one or both Co-Chairpersons with another member(s) at any time during the calendar year. The Co-Chairpersons shall preside at alternating meetings of the Committee. In the absence of one Co-Chairperson the other Co-Chairperson shall preside at such meeting of the Committee. In the absence of both Co-Chairpersons the Committee shall appoint a temporary Co-Chairperson to preside at that meeting of the Committee.

B. *Annual Report to City Council.* The Co-Chairpersons of the Diversity, Equity, and Inclusion Committee shall make an annual report to the Council outlining accomplishments for the past year and work plan for the following year, or more often as the Co-Chairpersons deem appropriate, or at the request of the Council."

~~2.35.040 — Officers:~~

A. ~~*Chairperson / Vice Chairperson.* At its first meeting of each year, the Diversity, Equity, and Inclusion Committee shall elect from its membership two (2) co chairpersons. The co chairpersons shall have the right to make or correct motions and vote on all matters before the committee. A majority of the committee may replace one or both co chairpersons with another member(s) at any time during the calendar year.~~

B. ~~*Annual Report to City Council.* The Chairperson of the Diversity, Equity, and Inclusion Committee shall make an annual report to the Council outlining accomplishments for the past year and work plan for the following year, or more often as the Chairperson deems appropriate, or at the request of the Council."~~



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

STAFF REPORT

DATE: July 19, 2022
TO: Mayor and City Councilors
FROM: Walter Gowell, Interim City Attorney
SUBJECT: Statewide Measure 109 Options

STRATEGIC PRIORITY & GOAL:



CITY GOVERNMENT CAPACITY

Strengthen the City's ability to prioritize & deliver municipal services with discipline and focus.

Report in Brief:

This report relates to consideration of Statewide Measure 109, and Council options regarding psilocybin Service Centers and Manufacturing Facilities within municipal boundaries.

Background:

Statewide Measure 109, passed by the voters in 2019, relating to the upcoming licensing of psilocybin service centers and manufacturing facilities, incorporated a local option for cities to ban or temporarily ban the licensing of psilocybin facilities within the city or allowed adoption of supplemental reasonable time, place and manner restrictions for any such facilities. Any ban or temporary ban must be approved by the voters and can only be referred to the ballot at the November election during even numbered years. The City Manager has directed that staff prepare for Council consideration two possible ordinances establishing variously a temporary two-year ban or an outright ban. League of Oregon template ordinances and referral ballot titles have been incorporated into the drafts. If the Council desires to refer either ordinance to the voters it must take very prompt action to meet publication and filing deadlines to complete a filing with the Yamhill County Elections Officer by August 19, 2022.

Discussion: Draft Ordinance 5119 would establish a two-year ban on such facilities with the city. Draft Ordinance 5120 would establish an outright ban on such facilities within the city. The Council is not obliged to adopt either ordinance, and can elect to wait for statewide licensing and operational regulations to be adopted and implemented, and thereafter adopt supplemental time, place and manner regulations at any future time

Attachments:

1. Draft Ordinance 5119
2. Draft Ordinance 5120.
3. Discussion from Corvallis Deputy City Attorney

Fiscal Impact:

The fiscal impact will consist of the staff time needed to implement the enforcement provisions of any local regulations adopted. The amount of such impact is unknown at this time. The local revenue impacts are unknown at this time.

Recommendation:

Staff recommends that the City Council take action on one of the following three options:

- a. Consider the first reading with a possible second reading of Ordinance No. 5119: An Ordinance Declaring a Temporary Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products and Declaring an Emergency; **OR**
- b. Consider the first reading with a possible second reading of Ordinance No. 5120: An Ordinance Declaring a Ban on Psilocybin Service Centers and the Manufacture of Psilocybin Products and Declaring an Emergency; **OR**
- c. Take no action at this time, rely on rules set forth in ORS 457A and any subsequently established by OHA or by a local time place and manner ordinance.

ORDINANCE NO. 5119

AN ORDINANCE DECLARING A TEMPORARY BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS, REFERRING SUCH ORDINANCE TO THE VOTERS AND DECLARING AN EMERGENCY.

RECITALS:

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, as of June 30, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of {city} is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.718 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city; and

WHEREAS, the McMinnville City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries to enable the adoption of the state's psilocybin licensing and regulatory program and to allow the city to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities is in the best interest of the health, safety and welfare of the people of McMinnville; and

WHEREAS, the City Council seeks to refer to the voters of McMinnville the question of whether to establish a two-year temporary ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries.

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

Section 1. Prohibition.

The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of McMinnville for a period of two years after the date this ordinance becomes operative.

Section 2. Referral.

This ordinance is referred to the electors of the city of McMinnville for approval at the next statewide general election on November 8, 2022.

Section 3. Ballot Title. The Ballot Title to appear on the ballot shall be:

“Prohibits psilocybin-related businesses within the City of McMinnville. Prohibition sunsets after two years.”

QUESTION

“Shall the City of McMinnville prohibit psilocybin-related businesses for two years?”

SUMMARY

State law allows for the manufacturing, transportation, delivery, sale and purchase of psilocybin, the psychedelic drug found in certain mushrooms. State law provides that a local government may adopt an ordinance to be referred to the voters to prohibit the establishment of licensed psilocybin product manufacturers and/or psilocybin service centers. The McMinnville City Council adopted an ordinance to refer to the voters that temporarily prohibits psilocybin related businesses in McMinnville to enable the city to consider local regulations once the state’s psilocybin regulatory program is established.

Approval of the measure would prohibit the establishment of psilocybin product manufacturers and psilocybin service centers within the McMinnville city limits until December 31, 2024.

Section 4. Explanatory Statement. The Explanatory Statement shall consist of the following:

EXPLANATORY STATEMENT

Approval of this measure would temporarily prohibit the establishment and operation of psilocybin-related businesses within the City of McMinnville. A city council may adopt an ordinance prohibiting the establishment of psilocybin related businesses within the city, but the council must refer the ordinance to the voters at a statewide general election. The McMinnville City Council has adopted an ordinance prohibiting the establishment of psilocybin related businesses within the City of McMinnville for a period of two years and, as a result, has referred this measure to the voters.

If approved, this measure would prohibit psilocybin-related businesses within the City of McMinnville until approximately November 30, 2024.

Section 5. The City Manager and City Recorder shall take all steps on behalf of the City as necessary to carry out the intent and purposes of this Ordinance in compliance with state and local law, including but not limited to publishing the ballot title as provided by state law, publishing notice of the measure and filing this measure with Yamhill County Elections Division.

Section 6. Effective Date of Temporary Ban.

Section 1 of this ordinance takes effect and becomes operative 30 days after the day on which it is approved by a majority of voters.

Section 7. Emergency Declared. This ordinance being necessary for the peace, health and safety of the City, an emergency is hereby declared, and this ordinance shall become effective immediately upon its passage and adoption by the City Council.

Passed by the McMinnville City Council this 26th day of July, 2022 by the following votes:

Ayes: _____

Nays: _____

INTERIM MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder

ORDINANCE NO. 5120

AN ORDINANCE DECLARING A BAN ON PSILOCYBIN SERVICE CENTERS AND THE MANUFACTURE OF PSILOCYBIN PRODUCTS, REFERRING SUCH ORDINANCE TO THE VOTERS AND DECLARING AN EMERGENCY.

RECITALS:

WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, as of June 30, 2022, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and the City of {city} is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the city; and

WHEREAS, ORS 475A.718 provides that a city council may adopt an ordinance to be referred to the electors of the city prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the city; and

WHEREAS, the McMinnville City Council believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries to enable the adoption of the state's psilocybin licensing and regulatory program and to allow the city to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities is in the best interest of the health, safety and welfare of the people of McMinnville; and

WHEREAS, the City Council seeks to refer to the voters of McMinnville the question of whether to establish a ban on state-licensed psilocybin product manufacturers and psilocybin service centers within the city's jurisdictional boundaries.

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

Section 1. Prohibition.

The establishment of psilocybin product manufacturers licensed under ORS 275A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the City of McMinnville.

Section 2. Referral.

This ordinance is referred to the electors of the city of McMinnville for approval at the next statewide general election on November 8, 2022.

Section 3. Ballot Title. The Ballot Title to appear on the ballot shall be:

“Prohibits psilocybin-related businesses within the City of McMinnville.”

QUESTION

“Shall the City of McMinnville prohibit psilocybin-related businesses ?”

SUMMARY

State law allows for the manufacturing, transportation, delivery, sale and purchase of psilocybin, the psychedelic drug found in certain mushrooms. State law provides that a local government may adopt an ordinance to be referred to the voters to prohibit the establishment of licensed psilocybin product manufacturers and/or psilocybin service centers. The McMinnville City Council adopted an ordinance to refer to the voters that prohibits psilocybin related businesses in McMinnville to enable the city to consider local regulations once the state’s psilocybin regulatory program is established.

Approval of the measure would prohibit the establishment of psilocybin product manufacturers and psilocybin service centers within the McMinnville city limits.

Section 4. Explanatory Statement. The Explanatory Statement shall consist of the following:

EXPLANATORY STATEMENT

Approval of this measure would prohibit the establishment and operation of psilocybin-related businesses within the City of McMinnville. A city council may adopt an ordinance prohibiting the establishment of psilocybin related businesses within the city, but the council must refer the ordinance to the voters at a statewide general election. The McMinnville City Council has adopted an ordinance prohibiting the establishment of psilocybin related businesses within the City of McMinnville and, as a result, has referred this measure to the voters.

If approved, this measure would prohibit psilocybin-related businesses within the City of McMinnville.

Section 5. The City Manager and City Recorder shall take all steps on behalf of the City as necessary to carry out the intent and purposes of this Ordinance in compliance with state and local law, including but not limited to publishing the ballot title as provided by state law, publishing notice of the measure and filing this measure with Yamhill County Elections Division.

Section 6. Effective Date of Temporary Ban.

Section 1 of this ordinance takes effect and becomes operative 30 days after the day on which it is approved by a majority of voters.

Section 7. Emergency Declared. This ordinance being necessary for the peace, health and safety of the City, an emergency is hereby declared, and this ordinance shall become effective immediately upon its passage and adoption by the City Council.

Passed by the McMinnville City Council this 26th day of July, 2022 by the following votes:

Ayes: _____

Nays: _____

INTERIM MAYOR

Approved as to form:

Attest:

City Attorney

City Recorder



CORVALLIS CITY ATTORNEY
456 SW Monroe Ave. Ste. 101
Corvallis, OR 97333
Telephone: (541) 752-5154
Fax: (541) 752-7532

**CITY ATTORNEY'S OFFICE
MEMORANDUM**

To: City Council

From: Catherine M. Pratt, Deputy City Attorney *CMPratt*

Date: July 12, 2022

Subject: Measure 109 Responses by the Corvallis City Council

Issues:

Now that Measure 109 has legalized the use of psilocybin mushrooms in certain circumstances, what actions are available to the City of Corvallis?

Background:

Measure 109 was approved by voters in November 2020, and it directs the Oregon Health Authority (OHA) to oversee the license, control, and regulation of the manufacturing of psilocybin products and of the provision of psilocybin services to persons 21 years of age and older. Psilocybin is a psychoactive hallucinogenic, meaning that these substances produce changes in perception, mood, and cognitive processes. Cities and counties that desire to prohibit the establishment of psilocybin-related businesses outright or for two years may do so by referral at a statewide general election. As of now, the OHA has not completed its rulemaking process. As a result, the specific regulations regarding production and distribution entities have not been finalized, and many questions remain unanswered.

Discussion:

Measure 109 directs the OHA to develop rules and regulations regarding the manufacturing, distribution, and administration of products containing psilocybin. The OHA will produce rules and regulations that create processes for licensing the following entities: manufacturers, laboratories, service centers (locations where psilocybin is ingested), and facilitators (persons who supervise the ingestion of psilocybin). The following rules/regulations are already known with respect to these entities:

- Psilocybin Manufacturers
 - Cannot cultivate psilocybin product outdoors
 - Cannot cultivate psilocybin product in raw manure, but may cultivate in compost
 - Cannot exceed production quantities established by OHA
 - Premises must be enclosed and have defined boundaries
 - Cannot be located on public land
 - Landlord must consent to the use
 - Must use the OHA-created product tracking system to prevent diversion and ensure accurate accounting.

- Psilocybin Laboratories
 - Must test all psilocybin products
 - Must use the OHA-created tracking system to log receipt and distribution of product along with the testing results
 - Lab must have the OHA psilocybin license and must be accredited by the Oregon Environmental Laboratory Accreditation Program
- Psilocybin Services Center
 - May only receive and sell product that is tested by a licensed laboratory
 - Must use the OHA-created tracking system
 - Cannot be located on public land
 - Cannot be located within a residence (i.e. not a home business)
 - Cannot be located in an area zoned exclusively for residential use
 - Cannot distribute psilocybin products to walk-in customers (i.e., recreationally)
 - Cannot let anyone leave the service center with psilocybin product
 - Must be located in an enclosed, defined space
 - Cannot be located within 1000 feet of a school, which will be verified and recorded using GIS mapping
 - Can only impose the State sales tax on sales of psilocybin product
- Psilocybin Facilitator
 - Undergoes at least three sessions with a patient, with the last session being the one where the psilocybin is administered to/ingested by the patient.
 - Must supervise patients at all times when they are under the influence of psilocybin during the administration session
 - Must pass an exam administered by the OHA

There are still a lot of things that are unknown about the regulation process. For instance, there is nothing known so far about how the OHA will regulate the administration of psilocybin so as to prevent DUIs when persons leave the service centers. Additionally, the criteria for dosage levels have not been released. We also know that the State can impose a 15% tax on the sale of psilocybin products, but a municipality cannot. Neither the State nor a municipality can tax psilocybin-related services. We do not know if there will be any future revenue sharing from the State for municipalities that allow these entities within their jurisdiction.

The City Council has three options for moving forward now that Measure 109 has passed: (1) do not refer the matter to the voters and allow Measure 109 (now codified as ORS 475A) to take effect; (2) do not refer the matter to the voters, but construct additional restrictions not already articulated in ORS Chapter 475A; (3) refer to the voters a two-year ban on the ability for psilocybin entities to be sited within the City's jurisdiction; (4) refer to the voters a total ban on the ability for psilocybin entities to be sited within the City's jurisdiction.

Option 1:

If the City Council decides to do nothing, then the only regulations on siting and use are those set forth in ORS 475A and those that the OHA will create for entities that wish to be licensed. This is the easiest option, but it gives the City Council the least control over these entities. Though future regulations can be imposed, once the State starts granting licenses, unforeseen issues in administering the City's regulations could arise.

Option 2:

If the City decides not to refer the matter to voters, the City still has the ability to pass ordinances that further restrict psilocybin entities. Measure 109 specifically carved out authority for municipalities to adopt "reasonable regulations" on hours, locations, and operation of license holders. The City can also make changes to its Land Development Code such that the siting of a location can be controlled through the Land Use Compatibility (LUCs) process. Applicants for Service Center and Manufacturer licenses are required to request a LUCS from their local government before submitting a license application, and the LUCs can be an additional tool for controlling the locations of these entities. However, such restrictions could have unintended

consequences as the OHA further refines its licensing process.

Additionally, there is always a time delay between drafting an ordinance, voting on it, and it coming into effect.

Options 3 and 4:

Options three and four are essentially the same, but impose either a temporary or a permanent consequence. The City Council can refer either a two-year moratorium or a permanent ban on the siting and operation of psilocybin entities within the City's jurisdiction. A temporary ban would give the City time to watch how the process unfolds in other jurisdictions and pass reasonable time, place, and manner restriction ordinances, and it gives the OHA time to iron out its licensing process. A permanent ban means that the City would not need to revisit the matter unless it wished to repeal the ban. Either type of ban must be referred to the voters.

If the City Council refers and the voters pass a two-year moratorium, the City Council can refer the question of a temporary or permanent ban to voters again at the end of the two-year moratorium period. However, the City Council can only refer the question of a temporary or permanent ban to voters on ballots for general elections, meaning an election in November of an even-numbered year.

If the City adopts an ordinance banning these entities, the City must submit the ordinance to the OHA. The OHA will then stop registering and licensing the prohibited businesses until the next statewide general election.

Recommended Action:

The City Attorney's Office recommends that City Council refer a two-year moratorium ordinance to the voters. This is the most flexible option, because there is a built-in sunset. Prior to the sunset period, the City Council and staff will have time to review the OHA's finalized rules and, if desired, craft reasonable restrictions to impose on these entities.